

**THE DONATIST CASE AT THE CONFERENCE OF CARTHAGE OF
A.D. 411**

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**A Thesis Submitted for the Degree of PhD
at the
University of St. Andrews**



1970

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The Donatist Case at the Conference of Carthage
of A.D. 411

being a thesis presented by
James Stewart Alexander
to the University of St. Andrews in
application for the Degree of Ph.D.



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Declaration

I hereby declare that the following thesis is based on the results of research carried out by me, that the thesis is my own composition, and that it has not previously been presented for a Higher Degree.

The research was carried out partly in St. Andrews and partly in Aberystwyth.



Certificate

I hereby certify that James Stewart Alexander has spent $9\frac{1}{2}$ terms of Research work partly in St. Andrews and partly in Aberystwyth, that he has fulfilled the conditions of Ordinance No. 12 (St. Andrews) and that he is qualified to submit the accompanying thesis in application for the Degree of Ph.D.



Career

I graduated from the University of St. Andrews in 1961 with an M.A. Degree in Classics, from the University of Edinburgh in 1964 with a B.D. Degree, and from the University of Cambridge in 1966 with a B.A. Degree in Theology.

While Tutorial Assistant in Ecclesiastical History in St. Mary's College, St. Andrews, I was admitted in October 1967 as a part time research student under the supervision of Professor J.H. Baxter. I continued my research after my appointment to the Chair of Church History at the Theological College, Aberystwyth in 1969. On the resignation of Professor Baxter in 1970, supervision was undertaken by Professor J.K. Cameron.

Preface

My thesis was already in process of being typed for submission when my supervisor, Professor J.K.Cameron, kindly drew my attention to the appearance of the first two volumes of S.Lancel's edition of the 'Actes de la Conference de Carthage en 411', Paris, 4e trimestre, 1972, in the Sources Chrétiennes series (vols.194-5). A modern critical edition of the records of the Conference is long overdue, the text printed in Migne's Patrologia Latina, vol.11, being that of L.-E.Dupin (1702). The first of Lancel's two volumes contains a general introduction, the second the text and French translation of the Capitula Gestorum and of the Gesta Conlationis Carthaginiensis for the first session only. A further two volumes, not yet published, will provide the text and translation of the records of the second and third sessions of the Conference, together with notes, maps and index.

Lancel's published volumes are thus not chiefly concerned with the main subject of my thesis, which offers an analysis and interpretation of part of the records of the third session of the Conference, although his text of the Capitula would have been useful here. In his general introduction, Lancel provides an outline of the course of the proceedings (volume 1, chapter 1 : 'Circonstances, préparation et déroulement de la Conférence de 411'). Here he accepts (p.88) the view that the Donatists were concerned to avoid a discussion on either the doctrinal or historical issues involved. I have argued below that this interpretation seems to me to rest on an inadequate assessment of the Donatist case, which, however, Lancel proposes (p.89, note 3) to analyse in his projected fourth

volume. Lancel follows Monceaux's method (cf. my Introduction below) in employing the evidence of the records of the Conference for a series of character sketches of the main participants (chapter 3 : 'Dramatis personae') and here he makes very full and valuable use of the material. One specific point of interpretation, however, in connection with the doctrinal debate at the Conference clashes directly with my own and I have therefore added a brief discussion of this in a Postscript.

Contents

1. Introduction
2. Discussion of Source Material
 1. The Gesta Collationis
 2. The Capitula Gestorum
 3. Augustine's Breviulus Collationis
3. The Doctrinal Issue at the Conference
 1. Evidence and Method of Treatment
 2. Outline of Argument
 3. Catholic Mandate
 4. Donatist Letter
 5. Comparison with Augustine's Breviulus Collationis:
The Donatist Letter
 6. Debate following the Donatist Letter up to the End of the
Extant Gesta Collationis
 7. Comparison with Augustine's Breviulus Collationis:
The Debate following the Donatist Letter
 8. The Rest of the Debate on the Donatist Letter in Breviulus
Collationis and Capitula Gestorum
 9. The Case presented by either side in the context of
Catholic-Donatist Polemic
 10. Conclusions and Reassessment of Donatist Case

4. The Historical Issue at the Conference

1. Evidence and Method of Treatment

2. Outline of Argument

3. Main Features of the Debate on the Historical Issue

4. Conclusions

5. General Conclusions

Appendix 1. The Authenticity of G3.281.

Appendix 2. The Process by which the Records of the Conference were produced.

Postscript

Notes

Bibliography and Abbreviations

1. Introduction

A bizarre confrontation was staged in the cathedral at Caesarea when Saint Augustine, on a visit to Mauretania in A.D.418, failed to provoke the Donatist bishop Emeritus to reopen the debate between Donatists and Catholics. The issue had already been settled, said Emeritus, at the Conference of Carthage, from which his side had emerged victorious in all but the technical verdict of the presiding judge justifying the legal repression of Donatism: 'Gesta indicant si victus sum aut vici, si veritate victus sum aut potestate oppressus sum' (Gesta c. Emer. 3). And Augustine was left to carry on the debate with himself while his opponent kept stubbornly silent.

Emeritus's plea for a closer look at the Gesta of the Conference seemed to me worth following up since not only does Augustine give quite a different version, according to which the Donatists, hoping to avert or at least postpone the hour of defeat, were driven to futile obstruction when faced with the truth of the Catholic case, to which they could give no satisfactory answer;¹ modern historians too, though commonly recognising the polemical purpose for which Augustine used the Gesta, have tended to concur with him in his assessment of the Conference.

Thus, Bright,² Seeck,³ Duchesne,⁴ Batiffol,⁵ Kidd,⁶ and Willis⁷ all admire the patience of the presiding judge in face of the obstructionist tactics adopted by the Donatists to evade the real issues, the doctrinal issue of the Church's nature and the historical issue of Cassilian's apostasy. Only Bright and Batiffol provide a brief indication of how the Donatists presented their case.⁸ Even Monceaux,⁹ in his careful and detailed analysis of the documents included in the

Gesta, devotes only a few lines to the Donatist Letter. For Monceaux even this written reply to the case contained in the Catholic Mandate ¹⁰ was another piece of obstruction, which backfired because its production led to a discussion of the real issues which up till that point the Donatists had successfully avoided. ¹¹ Monceaux gives only the barest sketch of the debate which followed, no doubt because later, in his series of portraits of the Donatist leaders and of Augustine, he uses this material in assessing their individual contributions at the Conference. ¹² One obvious disadvantage of this method of evaluating the evidence is that the continuity of the actual debate at the Conference and of the development of the Donatist case as a whole tends to be lost sight of. Friend ¹³ gives a more critical account of the preliminary proceedings and of the role of the presiding judge, and indicates briefly some of the points made by the Donatists in the debate on both doctrinal and historical issues. The contents of the Donatist Letter, however, which is recognised as a most lucid summary of the Donatist outlook, are given only a few lines. ¹⁴ Brown ¹⁵ points to the Conference as a propaganda exercise for both sides and follows Friend ¹⁶ in acknowledging Donatist skill in the initial manoeuvring for an advantageous position from which to begin the argument. He further draws attention to the Donatist unwillingness to be tied down to the narrow issue of Constantine's decision in favour of Caecilian. ¹⁷ But, having already compared the Donatist view of the Church with Augustine's in general terms, he refers only to Augustine's reply to the Donatist doctrinal argument at the Conference, not to what the Donatists themselves said. ¹⁸ Taking up Friend's ¹⁹ identification

of the heart of the controversy as a difference over the relations between Church and society, Christianity and the Roman Empire, Markus²⁰ sees the doctrinal debate at the Conference as illuminating what was at stake: 'the right way of conceiving the Church and of representing it in relation to the world'. Markus develops this theme in the broader context of the new philosophical and theological perspectives which Augustine brought to the controversy and is thus not primarily concerned to assess the debate at the Conference in detail and in its own terms.²¹

Both sides appealed to Scripture and (the African) tradition and it is within the more restricted terms of the debate thus defined that I have attempted a reassessment of the Donatist case as presented at the Conference, in so far as it can be reconstructed from the extant *Gesta* and *Capitula* and from Augustine's *Breviculus*. Beside Augustine's much grander view of the Church that of the Donatists looks conservative and parochial. But the stature of the saint both as a controversialist and as a theologian is diminished rather than increased if less than full justice is done to his opponents' argument. The extant *Gesta* of the Conference provide us with a unique opportunity of listening to the Donatist case as they themselves wished to present it at this dramatic and, for them, fateful encounter.

In response to an embassy from the Catholic council of Carthage of 14 June 410,²² the emperor Honorius appointed, by an edict of 14 October,²³ a special commissioner, Marcellinus, senator, tribune and imperial notary, to summon a Conference between Catholics and Donatists to meet at Carthage, and to preside over the proceedings. The Conference was to be in the nature of a judicial inquiry into the respective claims of the two sides

to represent the true Catholic Church in North Africa.²⁴ For the Catholics, the Conference would provide the legal justification for the proscription of Donatism already officially in effect since the edict of union, A.D.405.²⁵ For the Donatists, who apparently accepted Marcellinus's summons of 19 January 411²⁶ with equal alacrity,²⁷ the Conference presented an unparalleled opportunity of having their case adjudicated, not just by the imperial commissioner, but by the public at large.²⁸ The proceedings, which were to be conducted in private, were to be recorded verbatim, and each of the seven disputants whom either side was to elect as its spokesmen,²⁹ were to sign their own statements in the official records as a guarantee of their accuracy. These would then be made public.³⁰

The Conference opened on 1 June 411 in the secretarium or public hall attached to the Cargilian baths.³¹ Some six hundred bishops had assembled at Carthage, about half from either side. The first session was turned by the Donatists into a demonstration of their numerical strength, reckoned in terms of bishops, as being equal to that of their rivals.³² At the second session on 3 June, they obtained an adjournment, probably to gain time to prepare a carefully written reply to the detailed case which their opponents had incorporated in their Mandate read during the first session.³³ This was produced at the third and final session on 8 June,³⁴ but not before the Donatists had first taken as full advantage as they could of the occasion to expose their adversaries' motives in requesting a Conference.³⁵ There followed a debate first on the doctrinal, then on the historical issues,³⁶ on which Marcellinus finally gave judgment in favour of the Catholics.³⁷ The Gesta of the Conference were officially published on 26 June, together with an edict³⁸ of the presiding judge proscribing the Donatists.

2. Discussion of Source Material

1. The Gesta Collationis

The Gesta of the Conference have been partially preserved in the edition of Marcellus, one of the official secretaries present.¹ His edition is said, in a dedicatory letter, to have been produced at the request of two Catholic bishops, Severian and Julian, who had, it seems, attended the first session to acknowledge their signatures to the Catholic Mandate.² It would appear from his preface, that Marcellus was asked, probably very soon after the Conference,³ to supply a summary of the contents of the voluminous records of the Conference and that he did so by compiling a detailed table of contents, the *Capitula Gestorum*, to be used in conjunction with the unabridged Gesta of the Conference.⁴ He thus provides us with an authentic copy of the official verbatim records of the proceedings. In the text of the sole surviving manuscript of this edition,⁵ however, there are several lacunae, including one of considerable length at the end. We thus have the full Gesta for the first two sessions and between a third and half⁶ of the third, decisive session, in which the issues dividing the two sides were argued out. The remainder of the third session has to be reconstructed from the *Capitula* and Augustine's *Breviculus*. In referring to the Gesta (G), I follow the text as given in the Migne edition, unless otherwise stated.

2. The Capitula Gestorum

Dividing up the contents of the official Gesta into numbered sections for each of the three sessions of the Conference, Marcellus compiled an index consisting of numbered headings corresponding to and usually briefly

indicating the content of the numbered sections into which the Gesta were divided.⁷ These sections vary considerably in length from only one line to as many as three hundred lines in the Migne edition.⁸ This apparently haphazard method may have been determined to some extent by a desire to refer the prospective reader to those points in the proceedings which were of controversial interest.⁹ The Capitula were thus intended as a useful tool rather than an exciting reading, and their value for that part of the Gesta which is missing lies in their mechanical objectivity. In the main, where it is possible to check them against the extant Gesta, the Capitula indicate succinctly and accurately the content or main content of the section to which they refer.¹⁰ The fact, however, that the Capitula were intended to be used only in conjunction with the Gesta themselves means that the longer documents read in the course of the proceedings, such as the edicts relating to the summoning of the Conference,¹¹ the Catholic letters¹² and Mandate,¹³ the Donatist Letter,¹⁴ and the many historical documents¹⁵ produced in the final session, are not described or analysed, but simply indicated by a brief heading, enabling the reader to look them up for himself. Indeed, the extreme brevity of many of the Capitula gives no indication of content at all, such as 'the Donatist contention in reply to this' or 'the Catholic answer to that'.¹⁶ Occasionally, Marcellus has misunderstood the passage to which he refers.¹⁷ The system of numbering has suffered occasional dislocation and the attempt to correct this in the Migne edition means that the numbering there does not always correspond to that of the manuscript. In referring to the Capitula (C), I follow the text and numbering in Migne, unless otherwise stated.

3. Augustine's Breviculus Collationis

Not long after the Conference, probably towards the end of A.D.411,¹⁸ Augustine also produced an edition of the Gesta, together with a Breviculus or summary of the contents. The latter only survives. In his presentation of the official Gesta, Augustine followed a method similar to that of Marcellus, in that he also divided the material up into numbered sections¹⁹ for each session of the Conference, but instead of a table of contents, he provided a readable summary spiced with the flavour of polemical argument. Following, more or less, the order of the proceedings recorded in the Gesta, he arranged his subject matter systematically into paragraphs, focusing attention on the main features of the debate among the mass of detail contained in the official Gesta,²⁰ upon which, as his numerical cross references showed, his account was based. Each of the paragraphs in his summary covers a considerable amount of material in the Gesta. Particularly for the third and crucial session, Augustine's numerical system would not be of great help to anyone wishing to check particular points in the official Gesta.²¹ Augustine's intention, unlike that of Marcellus, was not to provide a useful means of cross reference, but an intelligible account of the proceedings which could in theory, but not without considerable difficulty in practice,²² be checked against the official account for authentication. This method gave Augustine ample scope to present the material from his own point of view, to highlight certain aspects of the debate and play down others, to rearrange the material here and there, even to continue the argument out of court on occasion,²³ insisting all the while that his account was based on the official Gesta of the Conference.

In referring to the Breviculus (B), I follow the text of Petschenig's edition in C.S.E.L., 53.

3. The Doctrinal Issue at the Conference

3. 1. Discussion of evidence and method of treatment

The debate on the doctrinal issue dividing the two sides at the Conference opened in the course of the third session with the reading of a written reply¹ by the Donatists to the case presented by the Catholics in their mandate², which had been read during the first session.

Our material for a reconstruction of the doctrinal argument at the Conference varies. The argument on either side is formally set out in two documents, the Catholic Mandate (G1.55) and the Donatist Letter (G3.258). The extant Gesta cover the first part of the debate which followed the reading of the Donatist Letter up to and including the beginning of the Catholic Extended Reply (G3.259-281)³. For the remainder of the Extended Reply and for the rest of the debate we are dependent on Augustine's Breviculus (B3.9.16-3.11.23), with Marcellus's Capitula (C3.281-315) as an independent check.

Thus, in reconstructing the doctrinal argument at the Conference, I shall begin by examining the earlier part of this, as contained in the extant Gesta⁴. Since, however, for the latter part of the debate, apart from the general outline given by Marcellus in his Capitula, we are dependent on Augustine's Breviculus, I shall also attempt to show to what extent the account of the earlier part given there by Augustine differs from that given in the extant Gesta, where these allow us to make a comparison⁵. I shall then consider how far it is possible to reconstruct the rest of the doctrinal argument on the basis of Augustine's Breviculus and Marcellus's Capitula⁶. Finally, after reviewing both Catholic and Donatist doctrinal arguments against their general background in Catholic-Donatist polemic⁷, I shall make a reassessment of the Donatist doctrinal case at the Conference⁸.

3. 2. Outline of doctrinal argument at the Conference

In their Mandate the Catholics defended their view of a universal and morally mixed Church and their view of baptism, and argued that Caecilian's case was a separate issue.

In reply, the Donatist Letter attacked the Catholic concept of a morally mixed Church both by quoting Scriptural evidence in support of the moral purity of the Church and by reinterpreting the Scriptural evidence the Catholics had quoted in support of a mixture of good and bad within it. The Donatists also produced Scriptural evidence for the contagiousness of sin and the necessity of separation from communion with evildoers. To the Catholic view of heretical baptism as valid but not efficacious, the Donatists opposed that of 'the martyrs'⁹, who totally rejected heretical baptism. The Donatist Letter concluded by denigrating the Catholics as persecutors.

The debate which followed centred on the question whether, according to Scripture, the Church should be morally mixed or pure. It ended in mutual recriminations of persecution.

3. 3. The Catholic case contained in their Mandate

Both the Catholic Mandate and the Donatist Letter base their respective views of the nature of the Church on the evidence of Scripture, which was accepted by both sides as the criterion by which this issue should be judged¹⁰. Thus, both documents consist largely of Scriptural texts and their interpretation¹¹.

The contents of the Catholic Mandate may be arranged into five main sections:

- (a) Scriptural proof of the Church's universality (PL 43.822-4)
- (b) Scriptural proof that the Church should contain both good and bad (PL 43.824)
- (c) Examples from both Scripture and tradition that the bad may be tolerated by the good within the Church without risk of contamination (PL 43.825)
- (d) Baptism (PL 43.826)
- (e) Cæcilian's case (PL 43.826-7)

The Catholics began by stating that although the Church was more than sufficiently defended against schismatics and heretics by Scripture, it had had to defend itself against the Donatists in Africa by ecclesiastical and imperial arbitration also¹².

(a) Scriptural Proof of the Church's Universality

They then proceeded to demonstrate its Scriptural defence first by quoting a long list of texts from both Old and New Testaments predicting the Church's universality¹³, for example Gen.22.16-18 (understood in the light of Gal.3.16): ' "By myself I have sworn," says the Lord, "because you have obeyed my word and for my sake have not spared your dearly loved son, that, in blessing, I will bless you, and, in multiplying, I will multiply your seed as the stars in heaven and as the sand which is on the sea-shore; and your seed will possess the cities of his enemies as his inheritance and in your seed all the nations of the earth will be blessed, because you have obeyed my voice" ', and Lk.24.44-47: ' "All that was written in the Law and the Prophets and the Psalms concerning me had to be fulfilled;" and He opened their understanding so that they might understand the Scriptures and said to them: "Thus it is written that it was necessary that Christ should suffer and rise again from the dead on the third day and that repentance and remission of sins should be preached

in His Name throughout all nations, beginning at Jerusalem". The Catholics thus showed from the Law, the Prophets, the Psalms, the example of Christ Himself and the Apostles that it had been predicted in Scripture that the Church would be universal in extent. The world-wide, Catholic Church was the fulfilment of this prediction.

Schism is condemned in Paul's words as the negation of this world-wide concept of the Church: 'I beseech you, brethren, by the name of our Lord Jesus Christ, that all of you agree and that there be no divisions among you Is Christ divided? Was Paul crucified for you? Or were you baptised in the name of Paul?' (1 Cor.1.10-13)¹⁴. In accordance with Is.66,5: 'Say "You are our brothers" to all who hate and detest you'¹⁵ the Catholics call the Donatists 'brothers' and recognise the sacraments administered by them in as much as they are the sacraments of Christ¹⁶ (EL 43.823-4).

(b) Scriptural proof that the Church should contain both good and bad

Secondly, it was also predicted in Scripture, in the Gospel Parables of the Field (cf. Mt.13. 24-30, 36-43), Threshing Floor (cf. Mt.3. (11-)-12; Lk.3.(16-)-17), Sheep and Goats (cf. Mt.25. 31-33 (34-46)) and Net (cf. Mt.13. 47-50)¹⁷, that the Church would contain an admixture of evildoers until the harvest or winnowing or the separation of sheep and goats or good and bad fish, as the case might be, that is, until the end of the age. The wheat, grain, and good fish signify the good, the tares, chaff, goats and bad fish the bad within the Church. The whole harvest, threshing-floor, flock or catch, that is, the whole Church, is not condemned on account of the bad, therefore, since it was predicted that the Church should contain both good and bad. Such a condemnation would involve passing hasty judgement on the bad before the proper time, accusing

the good of other people's sins and withdrawing from them on account of the bad by a sacrilegious separation, instead of tolerating the bad for the sake of the good in loyal unity (FL 43. 824).

(c) Examples from both Scripture and tradition that the bad may be tolerated by the good without risk of contamination

Thirdly, this Scriptural proof that the Church should be morally mixed is reinforced by the example of the Prophets, Christ Himself, the Apostles, bishops and finally the Donatists themselves in their treatment of the Maximianists, showing that not only undetected, but even known evildoers may be tolerated within the Church without risk of contamination. The Prophets, in spite of their severe words about a sinful people, did not withdraw from them physically¹⁸. The Lord himself tolerated Judas. His words: "And you are clean, but not all of you" (Jn.13.10) show how one man's uncleanness does not sully another's purity¹⁹. The apostle Paul, who complained of 'false brethren' (2.Cor.11.26) and spoke of those who preached Christ through envy (Phil.1.15) a truly diabolical offence²⁰, shows how the good tolerated evildoers in sacramental communion, out of a devoted concern to preserve the unity of Christ, and did so without any harm to themselves, since they strongly rejected their evil deeds²¹. After the Apostles, bishops tolerated evildoers, not only among the laity, but among their fellow bishops, as Cyprian's letters show. Cyprian bemoans the greed of certain of his colleagues in their exaction of interest and theft of lands²², yet he did not become like them through infection, but tolerated them out of love for the good among his colleagues. Cyprian instructs us by precept as well as example: 'Even if there seem to be tares in the Church, that should not hinder either our faith or our charity or make us, because we see there are tares in the Church, leave the Church ourselves²³'. Finally, the Donatists themselves, in condemning Maximian, allowed his associates in schism a certain period within which to return to

them and said that these were "not polluted by the shoots of Maximian's sacrilegious offspring".²⁴ Thus they admit that the good are not polluted by the bad within the Church (PL 43.825).

(d) Baptism

By defending the Church, the Catholics argued, they had defended baptism administered within it. Further, they had Scriptural support for their partial recognition of baptism administered outside the Church. Paul speaks of these who "retain the truth in unrighteousness" (Rs 1.18), that is, all those who retain the truth of Christ's sacrament although they are involved in human error: their error should be corrected, but the sacrament should not be rejected²⁵. Those who think that baptism should be annulled because it has been administered by heretics may as well think that Christ Himself should be denied because even the demons confess Him²⁶. Those who have been baptised outside the Church should return to the Church, not that they may have what they lack, but that what they have may be beneficial²⁷. The Donatists admit as much by their reception of Maximianists without the annulment of their baptism²⁸. Thus, they do not correctly understand what they keep on quoting: "Do not communicate with the other people's sins" (1.Tim.5.22)²⁹. This does not imply a physical withdrawal but a dissimilarity in moral conduct, as the Donatists are compelled to agree by their admission, in the case of the Maximianists, that those who communicated with the condemned Maximian remained 'unpolluted'³⁰. Thus, the Donatists should learn how to apply texts, which they take to refer to baptism, such as: "He who is baptised by one who is dead" (Sir.34.30(31))³¹, since, although they condemned the Maximianists as 'dead', they did not reject their baptism.

While on the subject of the Maximianists, the Catholics end this section on baptism with another of their arguments from the Maximianist case, justifying the intervention of the secular authorities to promote

Church unity on the grounds that the Donatists themselves had brought in the secular authorities in order to regain Church property from the Maximianists³². Since baptism could be beneficial only within the Church, the Catholics argued, they were justified in employing the secular power against the Donatists in order to bring them into unity with the Catholics (PL 43.826).

(e) Caecilian's Case

Finally, Caecilian's case, although a separate issue, is not to be abandoned, but shown, from both ecclesiastical and imperial records, to have been already settled in his favour. These records show that it was the Donatists who first brought their accusation against Caecilian before the Emperor and after Caecilian's acquittal by the ecclesiastical courts, the Emperor also held an official enquiry and pronounced Caecilian innocent³³. Felix of Aptungi whom the Donatists themselves in their council described as the source of the evil³⁴ was proved innocent also³⁵. Any other charges the Donatists wish to bring against individuals on the Catholic side should be dealt with similarly through the proper channels, since they are irrelevant to the case of the Church, which is the subject of this Conference, as laid down by the Emperor (PL 43.826-7)³⁶.

Although the contents of the Catholic Mandate may be arranged into these five main sections, throughout this pattern is inter-woven the argument about Caecilian's case.

Thus, after the Scriptural proof of the Church's universality (a), the Catholics introduce the point that the Donatists say that this universal church has been destroyed as a result of Caecilian's sin and remains only in the Donatist faction (PL 43.824).

Again, after the Scriptural proof for a morally 'mixed' Church (b) the Catholics pick up this argument again and add that since the good in the Church are not morally contaminated by the bad, Caecilian's sin cannot affect the rest of the Church. Caecilian's case is therefore a separate issue. Only if the Donatists can prove that the good are polluted by the bad in the Church and that the world-wide Church, apart from the Donatist party, has been destroyed by being polluted in this way by the sin of anyone within it, will Caecilian's case become relevant. The Donatists themselves admit that no one is stained by other people's sins he knows nothing about (PL 43.824-5)³⁷.

After the examples of how even obvious evildoers have been tolerated by the good without risk of contamination (c), the Catholics again introduce this argument, saying how thoughtless the Donatists are, particularly in view of their treatment of the Maximianists who returned to them, to claim that Caecilian, however bad he may have been, could have destroyed the universal Church. Caecilian's case is therefore irrelevant to that of the Church (PL 43.826).

Caecilian's case was thus presented as a secondary issue to the question of the nature of the Church. Both the Catholic Mandate and the Donatist Letter accept as the main question: whether and to what extent the Church, according to Scripture, should be morally mixed or pure³⁸.

3. 4. The Donatist Letter

The contents of the Donatist Letter³⁹ addressed to the presiding judge in reply to the Catholic Mandate may also be divided into five main sections:

- (a) Scriptural proof of the Church's purity (FL 11.1408-9)
- (b) Refutation of the Scriptural proof for a morally mixed Church (FL 11.1409)
- (c) Scriptural proof of the contagiousness of sin and the consequent necessity of separation between good and bad (FL 11.1410-12)
- (d) Baptism (FL 11.1412-3)
- (e) Persecution (FL 11.1413-4)

The Donatists⁴⁰ begin on the same strident note which is common to all their extant literature⁴¹ and to which they return at the end of this letter, with the claim that the true Catholic Church is 'that which suffers persecution but does not persecute'⁴². This is followed by some preliminary remarks justifying a written reply to the Catholic Mandate (FL 11.1408 B-C).

(a) Scriptural proof of the Church's purity

The Donatists opened their attack by challenging the Catholic argument for a morally mixed Church, first on the ground that it was predicted in Scripture that the Church should be morally pure (FL 11.1408).

In support of this they quoted texts⁴³ from the prophet Isaiah in which the Church is spoken of as a holy city or way: 'Arise, O Zion, put on your strength, O Jerusalem, holy city, for the uncircumcised and the unclean will no longer pass through you' (Is.52.1). That this refers to the Church is shown by the following passage prophetic of Christ: 'Say to the daughter of Zion: "Behold, your Saviour will come; his reward is with him and his work before him. And he will call that people holy, redeemed by the Lord. And you will be called a longed for city, and not forsaken" (Is.62.11-12). Similarly another passage prophetic of Christ, (Is.35. 3-6): 'Be strong, weak hands, and be strong, feeble knees. You who are fainthearted, do not fear. Our Lord will mete out judgement, he

himself will come and save us. Then the eyes of the blind will be opened and the ears of the deaf will hear, the speech of the dumb will be plain and the lame man will leap like a deer, for water has broken forth in the wilderness and a spring in the thirsty ground',⁴⁴ is followed by: 'There the way will be called clean and holy and the unclean will not pass over there. No lion will be seen there, no evil beast will come upon that way or be found in it, but the redeemed and elect will walk there' (Is.35.8-9). In Cant.4.7.: 'You are altogether lovely my sister, and there is no flaw in you', the image is changed to that which is taken up by Paul in Eph. 5.25-7: 'Christ loved the Church and gave himself for her, that he might make her holy, cleansing her by the washing of water with the word and joining her to himself, a glorious Church, without spot or wrinkle or anything of the kind, but holy and unspotted',⁴⁵. These texts concerning the Church's purity are spurned and despised by the Catholics (FL 11. 11,08D-11,09B).

(b) Refutation of the Scriptural proof for a morally mixed Church

Secondly, the Donatists took up the Catholic challenge that they should reply to the Scriptural proof for a morally mixed Church, that is to say, to the Catholic argument from the Gospel parables. In their reply, the Donatists did not discuss these parables 'en bloc' as the Catholics had done, but took them separately:⁴⁶ (i) the Field, (ii) the Threshing Floor, and (iii) the Net.⁴⁷

(i) The parable of the Field

The Catholic interpretation of the parable of the Field is refuted not only by the texts just quoted in support of the Church's purity, but by the express words of the Lord himself: ' "He who sows the good seed is the Son of Man; the field is this world; the good seed are the sons of the Kingdom; the tares are the sons of the evil one; the enemy who

sows them is the devil; the harvest is the consummation of the age; the reapers are angels" (Mt.13. 37-9). The Donatists explain their point: ' "The field", he says, "is the world". It is not in the Church, therefore, but in the world, that the good are kept along with the bad until the harvest, that is, until the Divine Judgment. The Lord's interpretation cannot be distorted' (PL 11. 1409C).

Further, the Apostles, close associates of the Lord Himself, did not learn from him that tares, that is, sons of the devil who spring up in the Church, should be allowed to remain in the communion of saints. Otherwise they would never have thrown out of the Church Simon (cf. Acts 8.21), Erastus (cf. 2.Tim.4.20), Philetus (cf.2.Tim.2.17), Alexander (cf. 1.Tim.1.20), Demas (cf.2.Tim.4.10), Hermogenes (cf.2.Tim.1.15), and others like them. ⁴⁸ If the Apostles had tolerated evildoers in the Church, all Scripture says about the diligence with which priests are to separate evildoers from among the saints would be annulled. The Lord says through Moses: 'This shall be a statute for ever, throughout your generations: you are to divide between holy and profane, clean and unclean' (Lev.10.9-10). Negligence on the part of priests is rebuked: 'Her priests (sc.the priests of Israel) have rejected my Law, they have profaned what is holy, they have not made a division between clean and unclean or separated holy from profane' (Ezek.22.26) (PL 11.09D).⁴⁹

(ii) The parable of the Threshing Floor

This brings the Donatists to the interpretation of the parable of the Threshing Floor, which the Catholics had also understood to sanction the presence of both good and bad in the Church. This interpretation is refuted by Jeremiah, who uses the very same figure employed in this parable: 'What has chaff in common with grain?' (Jer.23.28), in a sense parallel to Paul's words: 'What part has faith with unbelief or what

communion is there between light and darkness?' (2 Cor.6.14) and Solomon's words: 'If a wolf communicates with a lamb, then will a sinner do likewise with a just man' (Sir.13.21) (PL 11.1410A).⁵⁰

(iii) The parable of the Net

The Donatists are ready to admit, however, that the parable of the Net does refer to the Church. What the Catholics fail to understand is that the bad fish refer to evildoers in the Church who remain undetected by the priests. The contents of the net, so long as it remains in the sea, are not known to the fishermen, that is, to the priests, until the good and bad are revealed when it is drawn out on to the shore and the bad eliminated. In the same way, those evildoers in the Church who escape detection by the priests will be revealed at the Divine Judgment and separated out, like the bad fish, from the company of the saints (PL 11.1410A).⁵¹ This is illustrated by the Lord, who spoke of the evildoer who escaped detection by the priests: 'When the king came in to see those who sat at table, he saw a man without a wedding-garment and said to him: "Friend, how did you get in here?" He was speechless. The king said to his servants: "Carry him out by his hands and feet and throw him into outer darkness". There men will weep and gnash their teeth' (Mt.22.11-13). (PL 11.1410B).⁵² Accordingly, the idea of a morally mixed Church in which the good are not abandoned by a sacrilegious separation on account of the bad but the bad tolerated in loyal unity for the sake of the good is condemned by the Lord: 'Because', he says, 'all the house of Israel has in my sight become a mixture, all of them, bronze, silver, iron, tin and lead mixed together in the middle of the burning furnace, therefore say'⁵³ thus says the Lord, because you have all been mixed together, I receive you in the middle of Jerusalem. As bronze, silver, iron, tin and lead is received in the middle of the furnace, that the fire may be fanned in order

to melt them, so I shall receive you in my anger and consume you, and I shall fan the flames of my anger against you and you will melt in the middle of it. You will know that I am the Lord, who have poured out my anger upon you' (Ex.22.18-22). Thus, it is obvious how guilty the Catholics are of condoning error, in refusing to separate the bad from communion with the good (P.L.11.1410G).

(e) Scriptural proof of the contagiousness of sin and the necessity of separation between good and bad

This refutation of the Catholic interpretation of the parables of the Field, Threshing Floor and Net leads on to the Donatist reply to the examples quoted by the Catholics in their Mandate to prove that the bad may even be tolerated openly by the good without risk of contamination. The Donatists oppose this argument first by quoting examples of their own from the Prophets and then by refuting the Catholic argument from the example of Christ Himself and that of the Apostles, represented by St. Paul. This is followed by an argument from Scripture about the heredity of sin (P.L.11.1410D-1412A).

To the Catholic argument that the Prophets did not withdraw physically from those whose sins they condemned, the Donatists reply that the present time is far different from that of the Prophets, when recourse to baptism was permitted as often as people sinned.⁵⁴ Yet even so, we find these same Prophets refrained from communion with evildoers, whether in Samaria or Jerusalem itself. One⁵⁵ was killed by a lion because he disobeyed God by eating with the schismatic king, Jeroboam (cf. 1 Ks.13), while Elijah and Elisha preferred to remain in the wilderness rather than take part in or be party to the schismatic altars of Samaria.⁵⁶ Hosea could not have attended the rites he condemned with the words: "Their sacrifices are the bread of mourning; all who touch them will be polluted" (Hos.9.4).⁵⁷

Then how could Amos have participated in the rites of Samaria when he was thus denounced by a false prophet before the king : 'Amos conspires against you in the midst of the house of Israel; the land cannot endure his words' (Am.7.10), and was indeed for that reason driven out?⁵⁸ But even in Jerusalem itself, the Prophets could not have participated in the sacrifices of sinful men which they themselves, filled with the Spirit of God, condemned, in the words of Isaiah : 'What is the multitude of your sacrifices to me?' says the Lord, "...even though you make many prayers, I will not listen to you, for your heads are full of blood" (Is.1.11-15).⁵⁹ Haggai altogether condemns a sinful people along with its sacrifices : 'So it is with this people and this race: if anyone approaches it he will be defiled' (Hag.2.14).⁶⁰ The Donatists end their quotation from the Prophets pointedly, with a passage in condemnation of unworthy priests: "You priests, who profane my name and have said, "How have we profaned your name?" and place polluted leaves on my altar and have said, "How have we polluted them?". Because you said: "The table of the Lord is blessed",⁶¹ and you have rendered null that which was placed upon it' (Mal.1.6-7). Thus you will find in all the Prophets that if they communicated with those whom they condemned so severely, they would incur the charge of prevarication. It was therefore a matter of their living among those whom they condemned, but not of communicating with them (P.L.11.1410B-1411C).

In reply to the Catholic argument that Christ not only tolerated Judas, knowing that he would betray him, but even chose him to be his disciple in the foreknowledge of his betrayal, the Donatists point out that Judas's treachery was indeed known to Christ but not to man and that Christ put up with him precisely as he appears to put up with hidden offenders in the Church today. In the words of Scripture the Donatists

emphasise this distinction between man's knowledge and God's: 'What is hidden is my concern: your concern and your sons' is with what is known' (Deut.29.29), or again: 'Man looks on the face, God looks on the heart' (1 Sam.16.7).⁶² The Donatists then recall the Lord's words to his disciples: 'One of you will betray me' and Judas's question followed by Christ's reply: 'Is it I Lord?' 'You have said so' (Mt.26,21 and 25). As soon as Judas saw he was known he departed in confusion, only to come back later in the company of the very soldiers to betray the Lord.⁶³ Let the Catholics go along with their patron, Judas, enemies of the Lord's truth as they are, who typically strive to defend those whose guilt is very well known (PL 11, 11,11D-11,12A).⁶⁴

In reply to the Catholic argument from the example of the Apostles, the Donatists refer to the passage which the Catholics had interpreted to show that Paul tolerated in the Church those whom he accused of preaching Christ through envy (Phil.1.15), but halfway through this quotation a lacuna in the text prevents us from knowing how the Donatists answered this point (PL 11. 11,12A).⁶⁵

The text resumes with a series of quotations showing how children are affected by their parents' sins and in the middle of a quotation from Hosea 2.4-5: '〈And〉 I shall 〈not〉 take pity on 〈her children〉, since they are the children of harlotry; because their mother has played the harlot, she who gave birth to them has defiled them'.⁶⁶ That is followed by a text which is doubtless intended to recall Catholic persecution: 'You will be no more clean than a garment spattered with blood, for you have destroyed my land and killed my people. You will not remain for ever, worthless offspring. Prepare your sons to be killed for their fathers' sins and not to rise up' (Is.14. 19-21). A final text pinpoints the case of unworthy priests: 'And Solomon deposed Abiathar from the priesthood of the Lord, that the Lord's word might be fulfilled, which he spoke concerning

the house of Eli in Shiloh' (1 Ks.2.27 cf. 1 Sam.2.27 ff).⁶⁷ This argument from the heredity of sin concludes the Donatist reply to the Catholic argument for the toleration of evildoers in the Church.⁶⁸

(d) Baptism

The Donatists begin this section of their Letter by quoting the Catholics as saying that baptism is defended together with the Catholic Church because it is everywhere.⁶⁹ That baptism, like the Church itself, is to be recognised merely by its universality is quickly refuted by the decrees of the blessed martyrs.⁷⁰ The Donatists proceed to undermine the Scriptural authority for the partial recognition by the Catholics of baptism administered outside the Church, first by alluding to the inconsistency in the Catholic argument between the insistence, on the one hand, that baptism belongs to the Church, and the admission, on the other, that it may be administered outside it.⁷¹ Secondly, they show that the context of the Catholic quotation from Rs.1.18: 'those who retain the truth in unrighteousness' makes it clear that Paul is here rebuking the Gentiles for their unbelief.⁷² Since this text refers to Gentiles, in applying it to sacraments administered outside the Church, the Catholics must on their own argument apply it to Gentile 'sacraments' or 'mysteries' and be prepared to recognise these also.⁷³

The Donatists follow this up with an attack^{on} the Catholic argument that since the Donatists reject baptism because it has been administered by heretics, they may as well reject Christ because he is confessed by demons.⁷⁴ Here the Catholics not only spurn the decrees of the holy martyrs, but are even prepared to share in the communion of demons simply because they have confessed Christ.⁷⁵ Thus, the Donatists continue, both parts of the catch-phrase concerning the admission to the Church of those baptised outside: 'not that what they lack may be present, but that what they have may be beneficial' recoil upon the Catholics themselves.⁷⁶ Their whole

argument is refuted, as has been said above, by the decrees of the holy martyrs, for if the Church is one and Christ undivided, how can anyone outside the Church obtain baptism? (PL 11. 1412B-1413A).⁷⁷

Finally, the Donatists return to the theme of separation between good and bad by refuting the Catholic interpretation of 1 Tim.5.22: 'Do not be hasty in the laying on of hands and do not share in other men's sins', which the Catholics had taken to imply a moral rather than a physical separation from evildoers.⁷⁸ That a physical separation is implied by this text is proved from other parallel texts of Scripture: 'Depart from the tabernacles of these most obdurate people and do not touch anything that belongs to them, in case you also perish along with them in all their sins' (Numb.16.26); 'Depart, go out from there and do not touch what is unclean; depart from among them, you who carry the vessels of the Lord' (Is.52.11). The Apostle Paul says the same: 'You are the temple of the living God, for he himself says: "I shall dwell in them and walk among them and I shall be their God and they my people. Therefore, depart from among them and be separate, do not touch what is unclean, and I shall receive you and be as a father to you and you will be to me as sons and daughters", says the Lord almighty' (2 Cor.6.16-18).⁷⁹

(e) Persecution

This justification of the existence of the Donatist Church in separation from the Catholics leads on to the final section in their treatise, in which persecution, which in this context means the enforcement of legal sanctions to bring about Church unity, is severely condemned.

The Catholics had contended that their opponents had no right to complain of persecution since they themselves persecuted the Maximianists. The Donatists reply to this point by drawing a distinction between seeking to regain Church property through the civil courts, as they had

done in the case of the Maximianists, without compelling anyone to join their communion against his will, and exercising a campaign of violence against the entire Christian community, as they claimed the Catholics had done from the moment their act of traditio had been condemned, by misrepresenting the Donatists before the rulers of this world so as to destroy them and force them into their own communion with threats and legal proscription, contrary to God's commandments. ⁸¹ To say nothing of how much

Christian blood was shed by Leontius, Ursatius, Macarius, Paulus, ⁸² Taurinus, Romanus, and the other officials whom the Catholics obtained from the rulers of the world for the destruction of the saints, when many venerable bishops were killed, others sent into exile, the Christian religion persecuted far and wide, consecrated virgins violated, the rich proscribed, the poor robbed, churches taken over, bishops reduced to fugitives on the run - everyone knows what crimes the Catholics have committed even in the present time: they have caused bishops to be exiled, fugitive Christians to be thrown over cliffs, they have oppressed the laity, despoiled the clergy, invaded churches, beaten those who refused

to submit, and in one town alone, Bagai, ⁸³ they were responsible for shedding the blood of many Christians. Having had their fill, they are not even today content to call a halt. ⁸⁴ It would be superfluous to produce Scriptural prohibitions against such crimes when they are forbidden even by worldly laws. May it be enough that the Donatists have refuted their opponents' error and destroyed their futile defence with the evidence of Scripture. ⁸⁵

The conventional good wishes with which the Donatists conclude their letter to the presiding judge come a little unexpectedly after this blistering attack. ⁸⁶

3. 5. Comparison of Extant Gesta with Augustine's Breviculus:

Augustine's Account of the Donatist Letter

Since, as I have already indicated (cf. 3.1 above), we are largely dependent on Augustine's Breviculus for that part of the doctrinal debate which is not covered by the extant Gesta of the Conference, it is necessary to make some assessment of the accuracy of the Breviculus where the extant Gesta allow us to do so. I shall therefore compare Augustine's account with that of the Gesta, first for the Donatist Letter (3.5), then for the debate immediately following it (3.7, below).

Throughout the Breviculus, Augustine is concerned to emphasize that, conscious of the hopelessness of their case, the Donatists did all they could to prevent the real issue between the two sides being dealt with.⁸⁸ Just how hopeless their case was, he now attempts to show in his summary of their Letter in reply to the Catholic Mandate (B3.8).

In summarising the Catholic Mandate itself (B1.10), Augustine gives only the barest outline of the Catholic case.⁸⁹ The reason for his extreme brevity is that he prefers to present the case contained in the Catholic Mandate side by side with his summary of the Donatist Letter. This summary, therefore, takes the form of a comparison of the two documents, with the acknowledged aim of showing how poor an answer the Donatists gave in reply to the Catholic case.⁹⁰ It is with this aim in view that Augustine, without confining himself exclusively to the documents with which he is dealing, continues the argument out of court, as it were, on behalf of his own side, restating the Catholic case in the light of the Donatist reply, in accordance with the nature of the Breviculus as a polemic tract.

In assessing the accuracy of Augustine's account, I shall first indicate what Augustine himself says in his *Ereivulus*, then comment upon it, section by section (B3.8.10-14).

B.3.8.10: Augustine first accuses the Donatists of completely ignoring the Catholic argument from the universal nature of the Church predicted in Scripture (cf.3.3(a) above)⁹¹. Secondly, he informs us that, although they tried to show from Scripture that it was predicted that the Church should not contain evildoers (cf.3.4(a) above), yet, when they came to the parable of the Net, they admitted that the Church did include⁹² offenders, if only those who remained unknown. In spite of this admission, the Donatists said that the tares were intermingled with the wheat, not in the Church, but in the world, because the Lord had said: 'The field is in the world' (Mt.13.38). With reference to the threshing floor, where the Catholics had said the chaff remained along with the grain till the time of winnowing, the Donatists, as though nothing of the kind had been said in the Gospel, did not even attempt to explain this parable, but, as if the Catholics had made it up themselves, objected that Jeremiah had said: 'What has chaff in common with grain?' (Jer.23.28). Jeremiah, however, was not speaking of the Church, but contrasting the divine visions⁹³ of the Prophets with human dreams. Finally, the Donatists omitted altogether the parable of the Sheep and Goats, because they could not have argued in this case that the shepherds were unaware of the goats which shared common pastures with the sheep, as they had argued in the case of the parable of the Net, that the bad fish were unknown to the fisherman (cf.3.3(b) and 3.4(b) above).

In this section, Augustine draws attention to two main points: (i) the Donatist evasion of the Catholic argument from the Church's universality and (ii) their failure to give a satisfactory answer to the Catholic argument from the four Gospel parables.

(1) The world-wide nature of the Church was not, it seems, a real issue between the two sides, but was employed as a polemical argument by the Catholics who had the advantage over the Donatists of being in formal communion with the rest of the orthodox Christian world.⁹⁴ It is worthy of note that the Catholics did not, at the Conference itself, accuse the Donatists of evading the issue here, but rather accepted, as the main point of dispute between the two sides, the question of whether the Church was intended to be morally pure or mixed in nature.⁹⁵ Thus, the Donatists did not attempt to refute the texts listed by the Catholics in support of the Church's universality, but simply counter-balanced these with another series of texts interpreted as showing that its purity and not merely its pervasiveness was the essential mark of the true Church.⁹⁶

(ii) Augustine points to the inconsistency between this insistence on the purity of the Church and the admission that the Church did include hidden offenders at least. But the Donatist interpretation of the parable of the Net followed logically from their affirmation of the principle of the Church's purity, since what they admitted was, that offenders may be present in the Church only if they succeed in deceiving the priests, not that they have any right to be there on the basis of which they may be openly and knowingly tolerated (cf. 3.4(b) (iii) notes 51 and 52). Augustine also suggests the Donatists are inconsistent in applying the parable of the Net to the Church and that of the Field to the world. This criticism is, of course, justified only on Augustine's own assumption that all four parables are simply different ways of saying the same thing. Yet, if the Donatists agreed with the Catholics in accepting the net as a figure of the Church (Mt. 13.47-50, cf. eg. Mt. 4.19), their identification of the field with the world was not arbitrary, but rested,

as they had pointed out, on the authority of the Lord's own interpretation (Mt.13.38). Augustine further accuses the Donatists of dismissing the parable of the Threshing Floor with an irrelevant quotation from Jeremiah.⁹⁷ But the Donatists had, in fact, quoted a number of texts which they understood as demanding a separation between good and bad incompatible with the toleration of evildoers in the Church for which the Catholics were arguing on the basis of this parable. The Donatist counter-argument does not, therefore, as Augustine implies, depend on Jeremiah 23.28 alone, but the inclusion of this text was no doubt to give it added force, since Jeremiah uses precisely the same figure employed in the parable to draw a distinction between true and false prophets. In spite of Augustine's protest, the Donatists probably considered the context of Jeremiah's words highly relevant to the distinction between worthy and unworthy bishops in the Church.⁹⁸ As Augustine points out, they did not attempt to explain the parable. They simply tried to show, on the basis of Scripture, that it could not be understood as their opponents wished without involving serious contradiction.⁹⁹ Finally, the Donatist failure to mention the parable of the Sheep and Goats was not brought up against them at the Conference itself so far as can be judged from the extant Gesta and Capitula and from Augustine's Breviculus. It is reasonable to expect that it would have been introduced into the debate following the Donatist letter if the Catholics had believed they could have established on the basis of this parable what they were finding so difficult to establish on the basis of others.¹⁰⁰ The Donatist line of approach to all four parables was clear: there was nothing to show that these parables supported the toleration of known offenders in the Church; if they applied to the Church and not, like the parable of the Field, to the world, they referred only to the presence of unknown offenders within it. It should be noted that these parables constituted the chief Scriptural foundation of the Catholic case for a morally mixed Church.¹⁰¹ If that were successfully undermined, the entire Catholic case would begin to collapse.¹⁰²

B.3.8.11: Augustine next turns to the Donatist reply to the section of the Catholic Mandate in which examples were quoted to show that the bad might be tolerated in the Church by the good without risk of contamination (cf. 3.3(c) and 3.4(c) above). He records that 'whatever' ¹⁰³ the Donatists replied to the example of the Prophets, Christ Himself and the Apostles, they passed over in silence the bishops (i.e., Cyprian) and the Maximianists. Explaining this silence Augustine first points out that they knew that Cyprian's authority weighed against them in that he advocated the toleration of evildoers in the Church (Ep. 54.3.1) and did in fact tolerate those whom he severely criticised (De lapsis 6), as the Catholics had shown in their Mandate (cf. PL 43.825). ¹⁰⁴ Cyprian, Augustine continues, was further in agreement with the Catholics in using the Lord's toleration of Judas (De Bono Patientiae 6) and Paul's toleration of those whom he accused of preaching from unworthy motives (Ep. 73.11.2) as ¹⁰⁵ examples of how evildoers should be tolerated in the Church. Secondly, Augustine explains, the Donatists were aware that the Catholics could point to living examples to prove their argument from the case of the Maximianists. ¹⁰⁶ He admits that the Donatists did reply, however, to the Catholic argument from the Donatist treatment of the Maximianists in regaining Church property from them, by distinguishing between civil proceedings on the one hand, and the use of legal coercion to achieve Church unity on the other (cf. 3.3(d) and 3.4(e) above). But, Augustine objects, did not Primian, the Donatist Primate of Carthage, once say of the Catholics: 'they take away what belongs to other people, while we renounce what is taken away'? ¹⁰⁷ The Donatists, he continues, did not even attempt to reply to the other Catholic arguments from the case of the Maximianists, namely, that the Donatists accepted those Maximianists who returned to them without depriving them of their clerical rank, ¹⁰⁸ that they

described those Maximianists who had not actually taken part in Maximian's consecration as 'not being polluted' by him, and finally that they did not rebaptise those who had been baptised in the Maximianist schism and had subsequently joined the Donatists (cf. 3.3 (e) and (d) above).

In summarising this section of their Letter, Augustine concentrates almost entirely on what the Donatists omitted to say rather than on what they said. He simply picks out two points to which they failed to reply, the Catholic arguments from Cyprian and from the case of the Maximianists, thus drawing attention away from the forceful argument the Donatists developed on the basis of Scripture in this section of their treatise. In so far as Augustine suggests that, in replying to the Catholic examples of the Lord's toleration of Judas and Paul's toleration of 'those who preached through envy' (Phil. 15-18), the Donatists were failing to reply to the Catholic argument from Cyprian, he is misleading, for in their Mandate the Catholics had not referred to Cyprian in connection with those two scriptural passages. Although a lacuna in the Gesta prevents us from knowing how the Donatists interpreted Phil. 15-18 (cf. 3.4(c), note 2 above), we do know they presented an impressive argument for their own position on the toleration of traitor bishops in the Church on the basis of the Judas passage. Augustine also omits any account of the lengthy Donatist argument from the Prophets,¹⁰⁹ or any reference to their emphasis on the difference between God's knowledge and man's, although this was relevant to the crucial distinction between 'known' and 'unknown' evildoers in the Church. Further, Augustine goes on to deal with the section on baptism without mentioning the Donatist argument for the heredity of sin, only part of which is extant in the Gesta, but which was probably an important part of their case at this stage in the development of their argument.¹¹⁰ Augustine's contention that, on the whole, the Donatists failed to reply to this section of the Catholic Mandate is therefore quite deceptive.

B.3.8.12: Augustine now defends the Catholic argument, in support of their view of baptism, from Paul's words about 'those who retain the truth in unrighteousness' (Rom.1.18) by accusing the Donatists of trying to obscure the issue by pointing out that those words refer to Gentiles, that is, pagans as opposed to Jews or Christians. He argues that it is irrelevant to whose error Paul was referring, since his words still establish the principle that the truth may be retained in unrighteousness: the error can be corrected and the truth approved, as happens in the case of those Donatists who are received back into the Catholic Church in that the truth of their sacraments is approved, while their heretical error is corrected. The Donatists had similarly tried to obscure the issue by saying that the Catholics spoke against the martyrs in claiming that heretical baptism is valid, although they did not say which martyrs.¹¹¹ They also said that the Catholics were willing to communicate with demons, because the Catholics had argued that Christ's baptism is no more harmed by being administered by heretics than Christ himself is harmed by being confessed by demons. Augustine rejects this Donatist argument by saying that the Catholics did not communicate with heretics since they anathematised their error without annulling their baptism, just as the wickedness of demons is anathematised even although Christ's name is not to be denied simply because it is heard being confessed by them (cf.3.3(d) and 3.4(d) above).

The Donatist objection, in this section, to the Catholic use of Paul's words in Rom.1.18 was pertinent. The Catholics wished to apply Paul's recognition that the Gentiles, although in error, knew enough of the truth so as to be without excuse, to justify their own partial recognition of sacraments outside the Church. The Donatist reply to this which was that if the truth is retained by the Gentiles is to be understood with reference to sacraments,¹¹² then Gentile sacraments or mysteries must on

this argument be accepted as true (cf.P.L.11.1412 C-D). The Catholics are thus accused of being willing to recognise Gentile mysteries and the absurdity of their argument is exposed. Further, Augustine simply records that the Donatists rejected the Catholic recognition of heretical baptism as contrary to the decrees of martyrs. He does not mention the main point of the Donatist argument here, namely, that if the Church is one and Christ undivided, how can baptism be given outside the Church? (cf.P.L.11.1413A). The Donatist view was certainly more consistent, if also more rigid than Augustine's. Finally, Augustine omits any reference to the quotation from Scripture, with which the Donatists end this section, urging that the Church should be clearly marked off from evildoers by a physical separation, that is, by its corporate communion of baptised members, rather than that, as the Catholics had argued, there should be merely a moral discrimination between good and bad within it (cf.P.L.11.1413A-B).

B.3.8.13: Augustine proceeds to the theme of persecution, pointing out that no reply was made to the Catholic charge that it was the Donatists themselves who had first appealed to the Emperor Constantine (cf.P.L.11.43.827), yet they complained of the imperial laws against them and blamed the Catholics for the self-inflicted deaths of the Donatist Circumcellions and for everything which the Donatists suffered under the law as a result of their own lawless conduct,¹¹³ not because they belonged to the Donatist communion. At Bagai, for example, they committed more wrongs than they suffered.¹¹⁴

These points introduce the historical issue at the Conference (cf.Chapter 4, below). In their Letter, the Donatists too had dealt only with the fact of persecution, without drawing out its doctrinal implications, which, however, were raised later in the debate which followed (cf.3.8 below).

B.3.8.11: Finally, Augustine points out that the Donatists did not reply to the Catholic argument in support of the innocence of Caecilian and his consecrator, Felix of Aptungi. He adds the important statement that the whole dispute between Donatists and Catholics turned upon this point.¹¹⁵ In conclusion, he affirms that in dealing with the parable of the Net, the Donatists had argued that unknown evildoers might remain in the Church without contaminating the good. Yet, they failed to answer the Catholic challenge that they should prove how Caecilian's guilt could infect the whole, world-wide Church, where Caecilian's guilt was unknown. This brings Augustine's account of the Donatist letter to an end.

The Donatist argument from the parable of the Net, where the bad fish were taken to represent offenders within the Church who escaped detection by the priests, was, as had been already said (cf. 3.4(b) (iii) above) a concession to the limitations of human judgement, not to the principle of a morally mixed Church. Caecilian had not escaped detection by Secundus's council which met in Carthage in A.D. 312. Yet, according to the Donatist argument, he was openly and knowingly tolerated in the Catholic Church, which thus became involved in his guilt. The Donatists did not argue, however, that Caecilian's guilt infected the world-wide Church, but had earlier asserted that the present dispute was purely between Africans and did not involve overseas Churches (cf. G3.99 and 3.9 below).

Although Augustine accuses the Donatists of failing to reply to the Catholic argument in support of the innocence of Caecilian and Felix of Aptungi, in their Mandate the Catholics had insisted that Caecilian's case was a separate issue from that of the Church.¹¹⁶ They had added a brief outline of their defence of Caecilian at the end of their Mandate to show that, although the Church's case did not stand or fall with

Caecilian's innocence or guilt, they had good reason for believing him
innocent.¹¹⁷ At the beginning of their Mandate the Catholics had stated
that the Church was more than adequately defended by Scripture and¹¹⁸
throughout they were primarily concerned to justify this claim: because
a morally mixed Church has been predicted in Scripture, the question of
Caecilian's innocence or guilt is irrelevant, since, even if he were
guilty, the good are not contaminated by the bad within the Church; only¹¹⁹
if the Donatists can show that the world-wide Church has been polluted by
those whom they accuse, will Caecilian's case become relevant and require
examination.¹²⁰ Thus, in so far as the Catholics treat the/^{Church's} case as a matter
of principle, as a question which can be settled on the basis of Scripture,
they are making it a separate issue from the purely factual question of
Caecilian's innocence or guilt. It is precisely with the principle of
whether the Church ought to be morally pure or mixed that the Donatists
deal in their reply. They do not go on to establish whether the Catholic
Church is actually morally mixed to the extent of having at one time
included traditor-bishops, although their characterisation of the Catholics
as 'persecutors' is no doubt intended to imply that they are, in fact, the
'sons of traditors' (cf. 3.4.(e) above). But, since the Catholics had
emphasised very strongly that the Church's case was a matter of principle
rather than of fact, Augustine is not justified in stating that the whole
dispute turned on Caecilian's innocence or guilt. In so far as they based
their case on the principle of a morally mixed Church, which might, in theory
at least, include even traditor bishops, the Catholics had surrendered in
advance any claim to be the Church on the basis of its purity. Caecilian's
innocence, even if it could be proved, was as irrelevant to this question
of principle as his guilt.

Since the Breviculus is only a summary, which it was at least possible, if not very easy to read in conjunction with an appended copy of the Gesta of the Conference, (cf.2.3 above) Augustine is under no obligation to refer to everything in the Donatist Letter. Further, the polemical purpose of the Breviculus naturally led him to emphasise the points in favour of his own case, while minimising those against it. But in trying to assess the usefulness of the Breviculus as a basis upon which to reconstruct that part of the debate for which the full Gesta are not extant, it may reasonably be said that Augustine's summary of the Donatist Letter would be very misleading indeed if it could not be checked against the actual Gesta of the Conference. Even with the Donatist Letter available, a considerable effort is required to shake off the spell of Augustine's rhetoric and let the Donatists speak for themselves.

3. 6. The Debate Following the Donatist Letter

As has already been noted, the extant Gesta cover the debate on the nature of the Church which followed the reading of the Donatist Letter up to the point at which the Catholics were permitted to give an Extended Reply.¹²¹ This part of the debate centred on the interpretation of the parables of the Threshing Floor and the Field, which had been used by the Catholics in their Mandate in support of their argument for a morally mixed Church and reinterpreted by the Donatists in their Letter so as not to sanction any such mixture of known offenders in the Church.¹²²

(a) The parable of the Threshing Floor (G3.261-4)

Thus, according to the Gesta, after the reading of their Letter, the Donatists requested that the Catholics should answer their arguments from Scripture on the basis of Scripture. Augustine, replying that the Catholics would answer both the arguments from Scripture and the charges made against persons in the Donatist Letter, began by stating that the point at issue about the Church was whether it was predicted in Scripture that it would be morally mixed or pure in this present age. The evidence on both sides was scriptural and therefore could not be self-contradictory. It required only to be correctly understood. (G3.261).

Augustine is about to argue (cf. B.3.9.16)¹²³ that the texts which the Catholics had quoted in their Mandate in support of a morally mixed Church (P.L.43.824-5) refer to the Church of the present while those quoted by the Donatists in their Letter in support of a morally pure Church (P.L.11.1408D-1409B) refer to the Church of the future, after God's Final Judgement. He begins, therefore with the former, with the Gospel parables upon which the Catholics had based their argument for a morally mixed Church, the Field (Mt.13.24-30, 36-43), Threshing Floor (Mt.3.12; Lk.3.17), Sheep and Goats (Mt.25.31-3) and Net (Mt.13.47-50). Of the three parables discussed by the Donatists in their Letter, that of the Field

had been shown to refer to the world rather than to the Church (FL.11.1409C), while that of the Net was admitted to refer to the Church, but to support the presence within it only of offenders who remained undetected, not of those who were openly and knowingly tolerated (FL.11.1410A-B). The Catholic argument from the parable of the Threshing Floor, however, for the coexistence of grain and chaff, good and bad in the Church, had been met simply by the quotation of other texts which appeared to contradict it, notably Jer.23.28: 'What has chaff in common with grain?' (cf.FL.11.1410A).¹²⁴ Concerned to show that the Catholic argument for a morally mixed Church is as firmly based on scriptural authority as the Donatist argument for a morally pure Church, Augustine now insists that the Catholics had scriptural authority for what they said with reference to this parable.¹²⁵

Thus he continues: 'It was not I who said that the Church is a threshing floor, nor any of us; the Gospel says so, where it is written that he who bears his winnowing fork in his hand will come and purge his threshing floor, "he will gather the grain into the granary" '. The Donatist bishop, Emeritus, at once picks him up with the objection: 'non legit aream'. Augustine then quotes John the Baptist's words: 'He will purge his threshing floor, he will gather the grain into the granary'. The presiding judge, Marcellinus, orders the disputed passage to be reread, but Emeritus's colleague, Petilian, raises the further objection that the Evangelist was referring here to evildoers who remained hidden, not to known evildoers within the Church. Augustine finally protests that the Donatists are not giving the Catholics a fair hearing (G3.261-4).¹²⁶

How are Emeritus's words 'non legit aream' to be understood in the context of this debate? Two interpretations seem possible:

(i) Emeritus is objecting that Augustine does not read the word 'area' in the Gospel text.

That is what these words, as they stand in the Gesta, may be taken to mean: 'He does not read 'threshing floor'. That is the sense Marcellus gives to Emeritus's statement in his Capitula Gestorum 3.262, where he indicates that, at this point in the Conference, the Donatists wished to interrupt, denying that the threshing floor is mentioned in Scripture (FL.11.124.7B).¹²⁸ Augustine himself seems to wish us to understand Emeritus's objection in that way in B.3.9.15, where he states that the Donatists interrupted to say that 'one did not read about the threshing floor in the Gospel text', but that when the passage in question was quoted more exactly by the Catholics, the Donatists again interrupted to say that it was hidden offenders who were spoken of as the chaff which would later be winnowed.¹²⁹ In c.Part.Don.p.Gest.10.14, where Augustine again refers to this incident, he tells us that the Donatists tried to deny that 'it is written in the Gospel that the Church is compared to a threshing floor'. But, Augustine continues, they were soon refuted by the quotation of the words of the Gospel and changed their minds so far as to say that even so, it is hidden, not obvious evildoers who are referred to in this passage.¹³⁰ By saying that the quotation of the parable refuted the Donatist objection, Augustine implies that the reason for Emeritus's objection that the Church is not compared to a threshing floor in the Gospel text was his (erroneous) belief that there is no mention of a threshing floor in the text. This is more clearly stated by Augustine in c.Gaud.2.4.4, where he informs us that when the two sides at the Conference were arguing about whether the chaff of the Lord's threshing floor, that is, the Church, should be tolerated and mixed together with the grain until the time of winnowing, Emeritus, when pressed, denied it with the words: 'non legis aream'. After Emeritus¹³¹

had received some private advice from his colleagues, however, he immediately corrected his lapse of memory, which had been the cause of his denial of what was written in the Gospel. Nevertheless, he did not alter his perverse view that the bad should not be tolerated by the good for the sake of the unity of the Church, but immediately stated that the chaff represented unknown offenders within the Church. ¹³²

Augustine thus explains that, at the Conference, Emeritus attempted to undermine the scriptural basis of the Catholic argument at this point by denying that the word 'area' occurred in the text and that the reason for this mistake was that his memory deceived him. That Emeritus forgot the text of this parable, however, is most unlikely, for the following reasons:

1. During the second session of the Conference, Emeritus went on record as saying he had a poor memory (G.2.28, FL 11.1356) and Augustine may possibly be alluding to this in c.Gaud.2.4.4. In reality, however, Emeritus was simply supporting a demand from the Donatist side that the minutes of the first session be made available in writing by insisting that no one could reasonably be expected to remember in detail what had already been said at the Conference. In Ep.87.1 Augustine echoes the general opinion of Emeritus as 'bono ingenio praeditus'. While Emeritus's memory may not have been infallible, the words of the parable had been ringing in Donatist ears ever since Augustine had made it a stock theme of his anti-Donatist polemic eighteen years earlier. ¹³³
¹³⁴

Emeritus, therefore, must, in all probability, have been only too well aware of this passage of Scripture and of Augustine's interpretation of it.

135

2. Augustine himself (B.3.8.10) suggests that the Donatists had subjected the Catholic Mandate to careful scrutiny in order to prepare

their reply. The Donatist Letter, in which the arguments contained in the Catholic Mandate are constantly referred to bears this out.¹³⁶ Now, as one of the seven disputants on the Donatist side and second only to Petilian in arguing the Donatist case at the Conference, Emeritus may reasonably be supposed to have studied his brief, as contained in the Donatist Letter, if not also to have helped in its preparation.¹³⁷ Since in their Letter, the Donatists directed the main thrust of their attack against the Scriptural basis of the Catholic argument for a morally mixed Church, beginning with the Gospel parables which had been used as evidence (PL 11.1409C-1412A), it is unlikely that anyone who, in the period immediately preceding this session of the Conference, had studied this Letter, still less anyone who had been engaged in its composition, would not be sufficiently conversant with the texts concerned so soon afterwards to remember the parable of the Threshing Floor.

Yet, if Augustine's explanation in terms of a lapse of memory on Emeritus's part is rejected as implausible, what possible reason could Emeritus have had for denying that the word 'area' is in the text?¹³⁹

(ii) Emeritus's words: 'non legit aream' may, however, be taken as an incomplete statement,¹⁴⁰ which would have continued, if he had been allowed to finish his sentence, with 'Ecclesiam esse' or words to that effect. The point of the objection, in that case, would be that the text of Scripture itself does not make it clear that it is the Church that is to be identified with the Threshing floor.

The following considerations support this interpretation of Emeritus's words:

1. In claiming that the Gospel speaks of the Church as a threshing floor, Augustine no doubt means that the parable was intended as a

comparison between the two and that it is scriptural, not merely an analogy invented by him or by anyone else on the Catholic side. But the particular way in which he makes this claim invites the objection that the Gospel itself does not speak of the Church as a threshing floor. Thus, coming immediately after Augustine's statement, such an objection would fit into the context of the debate at this point very naturally. Augustine: 'I did not say that the Church is a threshing floor the Gospel says so, where it is written that he will purge his threshing floor ...' Emeritus: 'He does not read (that the) threshing floor (is the Church)'.

2. The character of the debate at this stage as recorded in the Gesta is favourable to the supposition that Emeritus has been interrupted in mid-sentence. Emeritus, Augustine, Marcellinus, and Petilian all join in in quick succession. Marcellinus, in fact, comes in rather late with his ruling that the passage in question should be re-read. He is, it would appear, merely giving belated approval as presiding judge to what Augustine has already done. This suggests that Augustine repeated his quotation very quickly after Emeritus broke in with his objection and that he may therefore have cut Emeritus off in mid-sentence. This was a heated debate and similar interruptions soon followed when Augustine interrupted the Donatist bishop Adeodatus in mid-sentence, then found himself in turn unable to finish his own sentence.

Thus, Augustine asserts that not he, but Scripture speaks of the Church as a threshing floor and quotes the parable of the Threshing Floor. Emeritus begins to object that Scripture itself does not in fact make it clear that it is the Church which is to be identified with the threshing floor, but Augustine, anticipating his objection, cuts him short by quoting the passage before Marcellinus's ruling to that effect. Petilian then intervenes with a second objection, that the parable does not support the presence of unknown offenders in the Church.

The interpretation I have offered here of this part of the debate recorded in the Gesta of the Conference differs significantly from that given by Augustine and Marcellus. The difference may be accounted for as follows:

1. Capitula Gestorum

Marcellus's explanation of Emeritus's words represents the Gesta as they stand, where the words: 'non legit aream' could be taken to mean that Emeritus denied that the word 'area' occurred in the text from which Augustine had quoted, but it misrepresents the real point of Emeritus's objection.

2. B. 3. 9. 15. c. Part. Don. p. Gest. 10. 11. c. Gaud. 2. 2. 4

The quotation of the disputed passage of Scripture, in which, of course, the word 'area' does appear, would refute Emeritus's objection if the point of that objection was to deny (a) that Scripture compares the Church to a threshing floor because there is no mention of a threshing floor in the text. But if, as I have argued, Emeritus was attempting to deny (b) that Scripture itself makes the comparison of Church and threshing floor explicit, the point of this objection would only be confirmed, far less refuted, by the quotation of the parable, which says nothing about the Church. Augustine, I suggest, is taking advantage of the incompleteness of Emeritus's words as they are found in the Gesta to imply that by quoting the relevant text the Catholics answered Emeritus's point. Further, the fact that, in raising their second objection, the Donatists accepted (c) that Scripture may be understood to compare Church and threshing floor, enables Augustine to exploit the apparent inconsistency between the two objections made by the Donatists, first denying that Scripture compares Church and threshing floor, then admitting it, so as to suggest that they were indeed compelled by the

quotation of the parable to correct themselves. If, as I have tried to show, the force of Emeritus's objection derives from the fact that it was in direct response to Augustine's own express claim that not he, but Scripture itself identified Church and threshing floor, that Emeritus denied any explicit identification between the two, then there is no real inconsistency in the Donatist objections. The comparison between Church and threshing floor is not explicit: it has to be understood.

The essential principle for which the Catholics were arguing in adducing the evidence of the four Gospel parables of the Field, Threshing Floor, Sheep and Goats, and Net, was that Scripture supports the presence of known offenders in the Church and that therefore the Church could not have been destroyed by the presence within it even of those who were known to be traitor bishops. The Catholics it seems, failed to establish this principle on the basis of the parable of the Threshing Floor because, as the Gesta indicate, the Donatists objected firstly that, contrary to what Augustine had claimed, it is not clear, at least on the evidence of Scripture itself, that the threshing floor is to be identified with the Church, and secondly, that even if it is accepted that the parable of the Threshing Floor, unlike that of the Field, may be understood to refer not to the world but the Church, there is no obvious reason why it may not, like the parable of the Net, be taken to signify the presence of unknown rather than known evildoers within it. ¹⁴⁴ It does not, therefore, sanction the knowing toleration of traitor bishops in the Church.

(b) The parable of the Field (G3.265-81)

After yet another interruption (G3.264) Augustine resumes his insistence on the scriptural authority for the Catholic argument in favour of a morally mixed Church, this time with reference to the parable of the Field. ¹⁴⁴ There is, however a lacuna in the text here, almost certainly containing a reference to the Donatist interpretation of this parable. ¹⁴⁵

Thus, Augustine states (G3.265) that the evidence concerning the tares and the wheat is scriptural. The Donatists had tried to understand that evidence (as applying to the world, not the Church). Yet they had at last admitted with reference to the Net that the Church should contain both good and bad, though they said that the bad were unknown to the priests and therefore not prejudicial to the good, since they remained unknown. ¹⁴⁶ Augustine, however, claims to be able to show that a truer interpretation ¹⁴⁷ is that it is the Church which contains both good and bad, that is, the wheat and the tares, and that the word 'world' itself represents the Church, because the Lord himself says 'not that he may judge the world, but that the world may be saved through him (Jn.3.17)'. We know that the Lord saves only the Church. ¹⁴⁸

Emeritus (G3.266) interrupts at this point with the objection : 'the world did not know Thee (Jn.1.10)', therefore the Church did not know God, if the world is the Church. Or again : 'that the whole world may be held accountable to God (Rs.3.19)', or again : 'If you were of the world, the world would love its own, but as it is, since you are not of the world, the world hates and persecutes you (Jn.15.19)', or again : 'they are of the world, and the world listens

to them' (1 Jn.4.5), or again : 'If anyone loves the world, the Father's love is not in him (1 Jn.2.15)'.¹⁴⁹ Augustine (G.3.267) replies that the Catholics could have said all this and explained its apparent inconsistency with what preceded,¹⁵⁰ if only the Donatists would allow them to continue their reply to the Donatist Letter without interruption, which drew the rejoinder from the Donatist bishop, Adeodatus (G3.270), that they would be patient if their opponents had sound reasons for what they said, but that they could not remain silent when the Scriptures were being interpreted to mean what they did not.¹⁵¹

In order to understand Augustine's argument at this point, it is important to bear in mind the distinction he is going on to make (cf.3.8.1 below) between (a) the Church as it is now, when it includes both good and bad and (b) the Church as it will be, after God's final judgement, when it will include only the good. His argument appears to be that since the word 'world' in certain scriptural passages, such as Jn.3.17, may be taken to denote 'the good' among men and may be regarded as equivalent to the Church in sense (b), it may also be understood to be equivalent to the Church in sense (a) in the parable of the Field, where 'world' denotes a mixture of good and bad, which is what the Donatists have admitted the Church to be in the case of the parable of the Net, the only difference being that in the case of the Field it is clearly a question of known and not simply unknown offenders. Thus, Augustine is not contending that the word 'world' is used in exactly the same sense in the parable of the Field, where it denotes a mixture of good and bad, as in such passages as Jn.3.17, where it denotes the good only, but rather that it denotes the same thing, the Church, at two different stages in God's plan of salvation.¹⁵² There is no

salvation outside the Church, which nevertheless for the present includes an admixture of bad men who do not in fact attain that salvation, but who will be separated out from those who do only in the future, by God's final judgment. ¹⁵³ Thus the fact that Scripture identifies the field with the world (Mt.13.38) does not, in itself, prevent it being taken to represent the Church and therefore to sanction the presence within it of both wheat and tares, that is, the good and those who are known to be bad. It was precisely this scriptural identification of the field with the world that the Donatists had given as their reason for rejecting the application of the parable of the Field to the Church (cf.3.4.(b)(i) above).

To Augustine's argument that the world may be taken as equivalent to the Church in such texts as Jn.3.17, Emeritus objects that in other texts, such as Jn.1.10, 'world' clearly cannot be understood as equivalent to 'Church' without producing an absurdity, in this case, that the Church did not know God. His intention may be not merely to demonstrate that the word 'world' is not invariably equivalent to 'Church' in Scripture and therefore not necessarily so in the case of the parable under discussion, but rather to illustrate how 'world' in Scripture is frequently used in a sense in which it is actually opposed to the Church, far less equivalent to it. This is not to say, as Augustine suggests with reference to Emeritus's argument later, ¹⁵⁴ that 'world' may not be used in more than one sense in Scripture, but rather that the same word cannot be used in two such contradictory senses.

After some dispute (G3.267-72) as to whether the Catholics should be allowed to give an uninterrupted reply to the Donatist Letter or not,

Augustine again resumes his argument (G3.272). As he had begun to say and as the Donatists themselves had pointed out, the word 'world' is found in Scripture in both a good and bad sense. Examples of 'world' in a bad sense are, as the Donatists had said, 'and the world did not know him' (Jn.1.10), 'if anyone loves the world, the Father's love is not in him' (1 Jn.2.15). Examples of 'world' in a good sense are 'that the world may believe that Thou hast sent me' (Jn.17.21), for, as Augustine explains, it is not the part of evildoers to believe; 'he did not come ¹⁵⁵ to judge the world, but that the world may be saved through him' (Jn.3.17), for, as Augustine again explains, nothing will be saved except the Church in the world. Since, therefore, 'world' is used in both a good and a bad sense, why bring one set of texts into conflict with the other in this way? ¹⁵⁶ If, Augustine suggests, it is through failure to understand the Scriptures, apply the light of understanding and see that 'world' in a bad sense means all those throughout all nations who love temporal things, while 'world' in a good sense means all the faithful throughout all nations who have hope of eternal life. ¹⁵⁷ 'God was in Christ', says the Apostle, 'reconciling the world to himself' (2 Cor.5.19). Whether that world which is rejected and of which it is said that the love of Christ is not in him who loves the world (cf. 1 Jn.2.15), can be reconciled to God, is for those who say so to judge. Listen patiently, then, to what Augustine has to say. Holy Scripture clearly prefigures the Church as containing a mixture of good and bad, as the Donatists themselves have already admitted in the case of the Net... ¹⁵⁸

At this point, the Donatists interrupt noisily (G3.273), and Petilian raises an objection (G3.274) with regard to the interpretation of the parable of the Field. What the world is, as distinct from the Church, is most clearly defined by the author and maker of the world

himself, through whom all things were made and without whom nothing was made (cf. Jn. 1.3), ¹⁵⁹ for the Lord himself said 'this world is the field' (cf. Mt. 13.38). He could have said 'the world is the Church'. What man, therefore, dares to define what the world is, when the Lord himself, its maker and creator, has already been pleased to define it? ¹⁶⁰

Marcellinus then intervenes by requesting the Donatists to show clearly what the world is which Scripture says is to be saved (cf. Jn. 3.17). ¹⁶¹ Petilian replies that it is mankind who are spoken of as the world in the words 'reconciling the world to himself' (2 Cor. 5.19), for God did not wish wild beasts, but men to be reconciled to himself. Marcellinus further questions whether Petilian is saying that the Church, as it has afterwards been revealed, can consist of all those who are denoted by the word 'world' or whether he definitely rejects this view. Emeritus then complains that Marcellinus is taking them away from the clear objection that the Lord Christ said in the Gospel 'the field is the world'. Marcellinus finally requests the Donatists to allow the Catholics to reply to everything in their Letter, adding that he will pass a comprehensive judgment on everything (83.275-8). ¹⁶²

Augustine thus distinguishes two senses, good and bad, in the scriptural use of the word 'world' corresponding to a division of mankind into two classes, the good and the bad, or as he elsewhere describes it, two cities, the civitas Dei and the civitas terrena. In the former sense it is equivalent to the Church. Petilian challenges Augustine's argument, firstly for the interpretation of the world, with which the field is identified (Mt. 13.38), as the Church, on the ground that the Lord himself simply identifies the world with the field, a point which is reiterated by Emeritus soon after. Secondly, his answer to Augustine's argument for an equivalence between

'world' and 'Church' in such contexts as Jn.3.17 and 2 Cor.5.19 is that 'world' means 'men', as distinct from irrational creatures. Although Marcellinus presses him to affirm or deny whether the Church, as later revealed, may consist of all those who are denoted by the world in the texts under discussion, Petilian's objection may imply that 'world' in those texts means mankind in general because the possibility at least of salvation and reconciliation is open to all and not just to those who are in fact saved and reconciled, as Augustine's argument would seem to confine it.

After one group of secretaries engaged in recording the proceedings has been relieved by another (G3.279-80), Augustine again resumes his reply ¹⁶³ to the Donatist Letter by stating (G3.281) that the Catholics too, like their opponents, understand 'world' as denoting men. They would not be so foolish as to say that the salvation which Christ promised pertained to wild beasts and other irrational creatures. Indeed, they agree that 'world', in passages such as 'the world is in the power of the evil one' (1 Jn.5.19) denotes men; 'that the world may believe that Thou hast sent me' (Jn.17.21), men again; 'reconciling the world to himself' (2 Cor.5.19), again men; and so in other texts with 'world' in a bad sense. Two different groups of men are denoted in each case, for both extend throughout the whole world, the bad mixed with the good. So too the Church, which the Donatists have admitted is shown by the analogy of the Net to contain bad men. Even although they said that sinners lay hidden within the Church, they agree that the Church contains both good and bad. The point at issue concerning whether they should lie hidden or not is whether it pertained to the piety of the good to tolerate

the bad even when they were known, lest they abandoned the good, or whether those who perceived something bad in the Church have wished to abandon the whole on account of the bad. ¹⁶⁴ This is the question at issue. The Catholics will prove their point. For what they say is that ecclesiastical discipline should not be neglected, ¹⁶⁵ but that action should be taken against the bad, wherever they are brought forward, so that they may be corrected, not only by word of rebuke, but even by excommunication and degradation from office, that they may seek a lowly place of salvation in the Church. But this should be done by way of medicinal care, not in hatred, but out of concern for the salvation of the brethren, as in a certain place, the Apostle himself most clearly states: 'If anyone does not obey what we say in this letter, note that man and do not associate with him < that he may be ashamed; and do not look on him as an enemy, but rebuke him as a brother >' (2 Thess. 3.14). ¹⁶⁶

Augustine thus resumes his argument here by saying that just as the world of men comprises a mixture of good and bad, so too the Church contains good men and bad mixed together, as the Donatists had admitted in the case of the Net. He has, however, still not demonstrated that 'world' is equivalent to 'Church' in the case of the parable of the Field. There is still an important distinction between the world itself and the Church. The Donatist contention was precisely that it is only in the world, not the Church, that the good must remain mixed together with known offenders until the final judgment.

Augustine goes on to argue that where it is a question of preserving or destroying the unity of the Church (as it was in the case of the Donatist schism) even known offenders (including apostate bishops) should

be tolerated in the Church. The Donatists, on the other hand, regarded even those who were themselves innocent of apostasy as being implicated in that sin by the very act of tolerating it in others whom they knew to be guilty. Augustine is therefore concerned here to emphasize that the toleration of known offenders does not imply that their sin is condoned.

Although Augustine states that he will show that even known offenders are to be tolerated in the Church, both the development of his argument here on the nature and function of ecclesiastical discipline and the summary he gives of this Extended Reply in the Breviculus (cf.3.8.1 below), indicate that he did not continue to argue in support of this on the basis of the parable of the Field. Thus, it would appear that he had not yet established his argument on the basis of this parable when, as he informs us, the Donatists returned to it immediately after the Extended Reply from the Catholic side (cf.3.8.2 (a) (1) below).

3.7. Comparison of Extant Gesta with Augustine's Breviculus:

Augustine's Account of the Debate following the Donatist Letter.

As the extant Gesta end shortly after the Catholics began their Extended Reply to the Donatist Letter (cf. G3.281, C3.281 and Appendix 1. below), it is possible to check Augustine's account up to this point, from B3.9.15 to the beginning of B3.9.16. I have compared Breviculus and Gesta for the first and last parts of this passage elsewhere (cf. 3.6.(a) for G3.259-64; B3.9.15; and Appendix 1. for G3.281; B3.9.16). There I argue first that Augustine gives a misleading account of the debate over the interpretation of the parable of the Threshing Floor and, secondly, that there is sufficient correspondence between the beginning of B3.9.16 and G3.281 for the one to be regarded as a summary of the other. I shall now compare Breviculus and Gesta for the intervening part of this section, that is, for the debate on the parable of the Field, cf. 3.6(b) above.

In B3.9.15 Augustine informs^{MS} that a dispute arose over the interpretation of the word 'world', which the Donatists refused to understand as the Church, on the ground that it is explicitly stated in Scripture that the field is the world (Mt.13.38). They further produced many texts, such as 1.Jn. 2.15, to prove that Scripture uses the word 'world' only of the bad, thus showing it could not signify the Church. Against this, however, the Catholics quoted other texts in which 'world' is used in a good sense, such as 2 Cor.5.19, where 'world' must mean 'Church', since that is what is reconciled to God through Christ.

In saying that the Donatists tried to show that Scripture uses 'world' only of the bad, ¹⁶⁷ Augustine is misleading for the Donatists had contended that since Scripture frequently opposes world and Church, it cannot also use them as equivalent terms. They did not claim that 'world' is always used in a bad sense but maintained, as Marcellus's Capitula acknowledge (C3.275-6), that it meant simply mankind in those texts which the Catholics quoted to show it could be equivalent to Church. Thus the Catholics failed to establish their identification of 'world' and 'Church' and their argument on the basis of this parable for a morally mixed Church.

In summarizing the debate following the Donatist Letter up to the Extended Reply from the Catholic side, Augustine makes much of the fact that the Donatists constantly interrupted so as to prevent their adversaries from answering the Donatist Letter, ¹⁶⁸ There were indeed frequent interruptions, but not always from the Donatist side. ¹⁶⁹ As I have indicated above (3.5), it is a constant theme of the Breviculus that the Donatists, realising the weakness of their case, could only delay and try to prevent the real issue being dealt with. Against the background of this theme, Augustine's insistence here on the number of Donatist interruptions is misleading in so far as it suggests that these were not made in order to raise valid objections to the Catholic case. Further, as Marcellus's Capitula indicate (C3.268-72), it had apparently not been agreed beforehand whether the debate between the two sides should be conducted point by point or by means of extended statements from either side in turn, covering a number of points at once. ¹⁷⁰

The Donatist Letter had been read in reply to the Catholic Mandate, but the Catholics now wished to make another extended statement in response to the Donatist Letter.

The conclusion seems justified that if the Gesta for this portion of the debate were not available, a reconstruction on the basis of Augustine's summary, even with the help of the Capitula, would hardly give an adequate account of the debate at the Conference. It must be acknowledged therefore that the rest of the doctrinal debate, for which we are dependant chiefly upon the Breviculus, with the Gesta as an independant guide, can be reconstructed only very tentatively on the basis of the available evidence.

3.8. The Rest of the debate in Breviculus and Capitula

3.8.1. The Catholic Extended Reply to the Donatist Letter

171

In his Extended Reply, Augustine makes two main points. First, he introduces into the debate on the nature of the Church the important distinction between two periods (tempora) of the Church: present, when even known offenders, and future, when only the good are included (B.3.9.16). Secondly, on the basis of this distinction, he goes on to reinforce the argument already advanced by the Catholics in their Mandate (cf.3.3(d)) for the necessity of a moral, rather than a physical separation between good and bad in the Church of the present (B.3.9.17-18).

The Catholics, Augustine informs us, showed from many scriptural passages that offenders are, for the present, intermingled in the Church in such a way that, although Church discipline must be exercised with vigilance, not merely by words of rebuke but even excommunication and degradation from office, still they are as a rule tolerated in the Church for the sake of unity even when they are known, not only when they escape detection. The scriptural texts concerned are consistent in that those which speak of such an admixture of bad men refer to the Church as it is in the present time, while those which repudiate such an admixture refer to the Church as it will be in the future age. Present and future conditions of the Church are further distinguished by the fact that at present the Church is mortal, being made up of mortal men, while in the future, it will be immortal, when no one in it will die, just as Christ himself was for its sake mortal in this age, but, after his resurrection 'will never die again; death will no longer have dominion over him' (Rs.6.9) who will provide for his Church at the end of the age. These two periods of the Church are signified by the two accounts of fishing in the Gospels, the one,

before Christ's resurrection, when he ordered the net to be lowered without specifying on which side (cf. Luke 5.4-10), thus showing that both good and bad would be included within the net of his sacraments; the other, after his resurrection, when he ordered the net to be lowered on the right side (cf. Jn. 21.6-11), showing that after our resurrection the Church will contain only the good. In the former case, the net was broken, but not in the latter, since then there will be no more heresies or schisms. ¹⁷⁴ It is to this Church of the future that Is. 52.1 refers, prophesying that 'the uncircumcised and the unclean will not pass through it'. ¹⁷⁵ The 'unclean' are schismatics, as is signified by the crow, an unclean bird, which went out of the ark. The ark still contained unclean animals along with the clean until the flood, just as there are good and bad in the Church until the end of the age. But just as Noah used clean and not unclean animals for sacrifice, so only the good and not the bad within the Church reach God (cf. Gen. 7-8; E. 3.9.16). ¹⁷⁶

To the Donatist assertion that the Prophets did not communicate ¹⁷⁷ with those against whom they had spoken so severely, the Catholics replied that they all used one temple. None of the Prophets instituted another temple, other sacrifices or priests. ¹⁷⁸ To the Donatist texts about children being affected by the sins of their parents, the Catholics answered that this applied only to children who imitated their parents. ¹⁷⁹ Further, the Prophets' severe denunciation of the people led one to think that no good person was left among them, yet there were the holy Prophets themselves; indeed, that very people produced those whom the Lord himself, when he came in the flesh, found praiseworthy, such as Zechariah, Elizabeth, John, their son, Simeon and Anna (cf. Lk. 1 and 2). ¹⁸⁰ From this it is clear how wrong the Donatists were to accuse the Catholics throughout the world of the sins alleged against Caecilian, since they could not accuse Simeon and Anna and others like them of the sins of the people among whom they

were born and with whose sacraments they were consecrated; and these sins were alleged not by mere human opinion, but by God's word. The case was also quoted, Augustine informs us, of the good being marked with a sign so that they would not perish along with the bad whose sins they deplored, but from whom they did not physically separate themselves (E.9.2; B.3.9.17). Separation between good and bad should consist for the present in not sharing in other people's sins, that is, in a difference of attitude and moral conduct. Is.52.11 is to be understood in this way: 'Depart from their midst and withdraw from them, and do not touch what is unclean', that is to say, set yourselves apart by living differently and do not consent to uncleanness. This, Augustine remarks, was a most opportune moment for the Catholics to reply to what the Donatists said when they refused to be seated. 'I have not sat in the council of impious men' (Ps.26.1) should rather be taken to imply a moral separation. If the Donatists considered the Catholics to be impious, in order to be consistent, they should not have entered into the conference hall with them at all, for the same Psalm continues: 'I shall not enter with those who do wrong' (Ps.26.1). By doing so, the Donatists had tacitly admitted that this should be interpreted in a spiritual not a physical sense. Finally, the Catholics referred to the case of the Maximianists, which they had already brought up against their opponents so often: the Donatists denied that either they themselves or those to whom a delay was offered when they were in the Maximianist schism and allied to Maximian in his condemnation of Kirsian were contaminated by Maximian. Yet the Donatists claimed that the Christian world had perished as a result of Caecilian's sin. This brings to an end the account of the Catholic Extended Reply given by Augustine in his Breviculus (B.3.9.18).

It is not possible to say to what extent Augustine may have modified his reply in giving us this summary. The doctrinal debate which followed seems to have been confined to the interpretation of the parable of the Field, with which the Extended Reply had begun (cf.G3.281), and the distinction between two periods of the Church which had been made in the opening section (B.3.9.16). The specific arguments contained in the remainder of the Extended Reply, based on the distinction between a moral and a physical separation between good and bad in the Church of the present (E.3.9.17-18), do not appear to have played any further part in the debate, though this distinction is closely related to that between two periods of the Church, cf.3.8.2 below. Augustine's summary of his reply indicates that while he did give the evidence from the Prophets some further discussion in this connection, he left unanswered the Donatist reply to the Catholic arguments from the example of Christ and the Apostles (cf.3.3(c) and 3.4(c) above). The question of Baptism also seems to have been passed over in silence (cf.3.3(d) and 3.4(d) above). Augustine may, indeed, have been conscious of these and other omissions here in presenting the Catholic side in his summary of the Donatist Letter (cf.B.3.8 and section 3.6.1 above). So far as can be judged from Augustine's account in the Breviculus, the Catholic Extended Reply did not provide a very comprehensive answer to the arguments developed by the Donatists in their letter. Nevertheless, his distinction between two periods of the Church was a crucial element in the Catholic argument for a morally mixed Church and on this distinction the remainder of the doctrinal debate between the two sides at the Conference was concentrated.

3.8.2. The Debate Following the Catholic Extended Reply

This final section of the doctrinal debate at the Conference may conveniently be divided into two parts, of which the first (a) really concludes the debate proper on the nature of the Church, (B.3.10 and C.3.282-288), while the second (b) adds some further details with doctrinal implications (B.3.11 and C.3.289-311). I shall consider each part in turn on the basis of Augustine's Breviculus, comparing that where possible with Marcellus's Capitula, in an attempt to reconstruct and interpret the main features of this section of the debate, although it must be stressed that the nature of the evidence permits only partial and tentative answers to this problem.

3.8.2(a): The Conclusion of the Debate on the Nature of the Church

Augustine begins his summary of the debate following the Catholic Extended Reply by saying that the Donatists were unable to answer the strong arguments from Scripture it contained and the argument from the case of the Maximianists. Instead they went back to what had been already dealt with, denying that the world was rightly understood as the Church in which it is commanded that wheat and tares should grow at the same time. And they denied this in spite of the fact that the Catholics had already quoted so many Scriptural texts to prove that 'world' is used in a good sense, in which it can only mean the Church,

and that, in whatever sense the word 'world' might be taken, since both grew throughout the world, the wheat throughout the whole world should not be abandoned on account of the tares. ¹⁸⁸ When this had already been said and the question seemed settled, the Donatists quite pointlessly returned to it, repeating the same things over and over again. They asked how the devil could have sown tares in the Church. Then they misrepresented the Catholics as talking about two Churches, one with ¹⁸⁹ evil-doers now, the other, after the resurrection, without, as if it would not be the same people who would reign as saints with Christ who now, while living righteously, tolerated the bad for Christ's sake (B.3.10.19).

The Catholics, Augustine informs us, answered both these objections. To the argument that the devil could not have sown tares in the Church they replied that the Donatists themselves had admitted that offenders ¹⁹⁰ remained in the Church, if undetected: how did the devil sow these in the Church? The Catholics once again quoted Cyprian, who understood the parable of the Field as they did, since he had said that the tares were ¹⁹¹ in the Church and that they did not lie hid but were seen. The Donatists did not dare to reply to this because they relied on Cyprian's authority for their (mistaken) view of baptism. Secondly, the Catholics refuted the Donatist accusation that they had spoken of two Churches, pointing out more clearly what they had actually said: that Church which at present contains both good and bad is none other than the Kingdom of God where there will be no evil men. The self-same, one, holy Church at

present exists differently from what it will be: at present it contains evil men, but it will not in the future, just as at present it is mortal, in as much as it consists of mortal men, but will be immortal in the future since no one in it will be subject to physical death. There are not two Christs, although Christ first died, never to die again. There is a difference between the 'outer' and 'inner' man, but we do not speak of two men. ¹⁹² How much less, therefore, should we speak of two Churches, since it is the very same good men, who now tolerate the bad intermingled in the Church and who die, to rise again, who will then have no evil men intermingled with them and who will never die. In answer to the Donatist quotation from Scripture showing there is only one Church, not two, as they accused the Catholics of affirming, the Catholics replied that Scripture spoke of many Churches, including the seven to which John wrote (cf.Rev.1), yet these were understood as members of one Church. The Catholics should not, therefore, be accused of speaking of two Churches because they said the self-same Church was not at present as it would be in the resurrection, since no objection was raised against the Apostolic writings for speaking of many Churches out of which the one Church itself was made up. ¹⁹³ Again the Donatists, Augustine informs us, continued to repeat the same objections, adding the further misrepresentation that the Catholics said that the Church was mortal. The Donatists denied that the Church was mortal because the Trinity, by whose grace the Church is consecrated, ¹⁹⁴ is immortal and because Christ died for the Church with the express purpose of making it immortal. ¹⁹⁵ The Catholics did not deny this, but said that two periods of the Church should be distinguished, present, when all the saints die, as Christ himself died, and future, when they will rise, never to die again, but live with him who has already risen (B.3.10.20).

On the basis of Augustine's *Breviculus*, I shall now attempt to reconstruct the main features of this part of the debate and discuss their importance.

From Marcellus's *Capitula*,¹⁹⁶ we may infer that in response to Augustine's *Extended Reply* the Donatists (1) denied that evil men were sown in the Church and (2) accused the Catholics of speaking of two Churches. This corresponds to Augustine's statement above that the Donatists asked how the devil could have sown tares in the Church and that they misrepresented the Catholics as speaking of two Churches (B.3.10.19). Let us consider each of these points in turn:

(1) The parable of the Field

Augustine introduces the Donatist question about the devil sowing tares in the Church after accusing the Donatists of returning to what had already been settled and of insisting that the 'world' was not rightly understood as the Church, in which it is commanded that wheat and tares should grow together.¹⁹⁷ To show that the matter had been settled Augustine briefly recapitulates his interpretation of the parable of the Field, referring first to his attempt to interpret the 'world' with which the field is identified (Mt.13.38) as equivalent to the Church, on the ground that in texts such as 2.Cor.5.19 'world' is equivalent to 'Church'.¹⁹⁸ As has already been noted, the Donatists had refused to accept this equivalence, interpreting 'world' in such texts as denoting 'mankind' in general, rather than the Church in particular.¹⁹⁹ Secondly, Augustine recapitulates the argument with which his *Extended Reply* had begun where he had emphasised that both good men and bad are intermingled throughout the whole world and, in language reminiscent of Cyprian's interpretation of the parable of the Field (cf.Ep.54.1-2), had

asked whether the good should tolerate even known evildoers in the Church or should abandon the whole, on account of the bad.²⁰⁰

Now, there is an ambiguity in Augustine's argument here, which is common to his anti-Donatist polemic in general: he frequently fails to distinguish clearly between the world itself and the world-wide Church. Thus, for example, in his c.Litt Petil. 3.2.3 (A.D.402) Augustine concludes his usual argument from the parable of the Field in support of the co-existence until the harvest of wheat and tares in the Church, by saying that the field is the world, not Africa; the harvest the end of the age, not the time of Donatus. Similarly in his Ep.105.5.16 (A.D.409), Augustine can speak of the world, with which the field is identified and then go on to apply the mixture of wheat and tares in the field to the world-wide Church, which he describes as being 'in' the world. While Cyprian (Ep.54.3) had simply applied the parable of the Field to the Church without trying to show its applicability, Optatus (7.2) had skilfully exploited the identification of field and world (Mt.13.38)²⁰² in accordance with his emphasis on the world-wide extent of the Church. Augustine follows him in this, but it may well have been because he was conscious of the looseness of the connection between the world itself, with which the field is identified, and the world-wide Church, that, at the start of the debate on this parable at the Conference, he began with the closer identity between world and Church which he saw in passages such as 2 Cor.5.19. Since this idea had been rejected by the Donatists it is hardly surprising that at the end of Augustine's Extended Reply, they returned to the connection between 'world' and 'Church'.

Augustine is, therefore, scarcely justified in stressing the repetitiveness of the Donatist argument. He admits that they raised a new objection to the identification of 'world' and 'Church' by asking how

the devil could have sown tares in the Church. It is worth recalling here, that in his de Bapt.4.9.13 (ca.A.D.400) Augustine had already discussed a similar point. There he had answered the question of how those who belong to the devil come to be within the unity of Christ by referring to the parable of the Field, explaining that the devil was permitted to sow tares among the wheat in the Church of the present in order to encourage men to think more longingly of the Church of the future. ²⁰³

That is to say, the explanation is given in terms of his distinction between two periods of the Church and is thus parallel to his line of argument at the Conference. ²⁰⁴ In posing this question in de Bapt.4.9.13, Augustine is no doubt conscious of the traditional contrast between Christ and the devil, the Church and the world, which remained a common feature of Donatist literature and which Augustine reinterpreted in terms of his contrast between 'two cities'. But in asking, at the Conference, how the devil could have sown tares in the Church, the Donatists may well have had in mind the fact that the tares were agreed to represent obvious, rather than merely hidden offenders. ²⁰⁵ In the parable, the devil successfully sows tares in the field and these are allowed to remain there until the harvest. In their Letter, the Donatists immediately follow their discussion of this parable by insisting that it could not have been in the Church that the Apostles were taught by the Lord to allow tares to remain, otherwise they would not have expelled so many unworthy members. The Donatists went on to emphasise how negligence in this respect on the part of priests is ²⁰⁶ severely rebuked in Scripture. Augustine informs us that the Catholics answered this objection by asking how the devil could have sown in the Church the hidden evildoers whom the Donatists have admitted to be there (B.3.10.20). In his discussion in de Bapt.4.9.13, referred to above,

Augustine could go on to speak of the tares representing either hidden or obvious offenders (cf. de Bapt. 4.13.20). But in the context of the debate at the Conference, the tares can represent only offenders who are known and whom it is therefore possible for the priests to expel from the Church. The hidden offenders whom the Donatists have admitted to be in the Church ultimately belong to the devil as much as those who are known, but the former are present in the Church only because they succeed in deceiving the priests.²⁰⁷ In that case, the point of the Donatist objection would seem to be that the devil cannot sow tares in the Church because these, being obvious offenders, can be eradicated by the priests: the field in which the tares are sown and are allowed to remain, therefore, must be the world and not the Church.

The Catholics, Augustine informs us, fell back on the authority of Cyprian, to which they had already appealed in their Mandate, claiming his support for their interpretation of the parable of the Field in applying it to the Church and interpreting the tares as offenders who are known.²⁰⁸ Augustine comments that since the Donatists relied on the authority of Cyprian for their view of baptism, they did not wish to contradict his authority on this point and therefore turned to the question of whether the Catholics spoke of two Churches, not one. But there was, in fact, probably a very close connection between Cyprian's view of the Church, to which he applied the parable of the Field, and the issue of two Churches at the Conference, and this may best be discussed in relation to that section of the debate.

(2) Two Churches

Augustine informs us that the Donatists quoted from Scripture to show that there is only one Church, not two,²⁰⁹ as they had accused the Catholics of saying, one with an admixture of evil men now, the other, after the resurrection, without.²¹⁰ Marcellus's Capitula indicate that the presiding judge, Marcellinus, intervened to establish from the records of the proceedings whether the Catholics had, in fact, actually spoken of two Churches in their Extended Reply. When it was shown that they had not, the Donatists insisted that what their opponents had said still implied there were two Churches. To this the Catholics responded by defending their statement about the Church of the present and future²¹¹ in terms which may be gathered from Augustine's Breviculus.²¹²

The distinction between two periods of the Church, present and future, is already implicit in the parables quoted by the Catholic side in support of the view that for the present the Church does include bad men precisely because these are to be definitively separated out only in the future by God's final judgment. It was to this distinction that Augustine's whole argument had been leading up.²¹³ Augustine accepts that, in principle, the Church is meant to be pure and that, as the Donatists had emphasised in their Letter, Scripture does indeed speak of it as such, but he insists that such texts refer to the Church's ultimate goal, not its present condition. As far as the Church's present condition is concerned, it is a moral rather than a physical discrimination that is required between good and bad, so that the good may differ in moral conduct from the bad whose deeds they repudiate but whom they do not necessarily exclude from the Church.

Now, it is important to note that the Donatist objection that their adversaries spoke of two Churches could not merely have been concerned with the temporal distinction between present and future periods of the Church: they themselves had, after all, accepted that very distinction in their own interpretation of the parable of the Net, when they had insisted that it is only offenders known to God but not to man who may remain in the Church for the present and who will be separated out in the future by God's final judgment. I have already noted that in this they consistently applied the principle of the Church's moral purity which they had emphasised earlier. Their objection thus seems to have been concerned rather with the apparently contradictory principles applied by the Catholics to the Church of the present and to that of the future: on the one hand, a Church where evildoers are knowingly tolerated and, in Donatist eyes, condoned; on the other, a Church from which they are expressly excluded. Were not the Catholics talking about two fundamentally different Churches, one where the principle of a morally mixed Church is only too readily accepted, the other where the principle of the Church's purity is rigorously upheld? Some light on the significance of the Donatist objection here may perhaps be drawn from Cyprian. For the Donatists, as for Cyprian earlier, there is no fundamental difference of principle between what Augustine describes as present and future periods of the Church. Thus, while the principle of the Church's purity is maintained, a distinction is acknowledged between man's judgment of evildoers and God's. Having emphasised this distinction in Ep.55.18, Cyprian goes on to refer to the parables of the Field, Threshing Floor and Great House as scriptural support for the presence of penitent apostates in the Church.

His argument is that just as the disciples were forbidden by Christ to separate the tares from the wheat (cf. Mt. 13.29), so bishops (like Novatian) must not presume to exclude penitent apostates from the Church as though they were competent to discriminate the tares from the wheat. Since God alone knows the secrets of the heart, only he is competent to pass judgment on the tares, that is, in this context, ²²¹ on those whose penitence is either insufficient or insincere. These, it should be emphasised, gain readmission to the Church only because they have succeeded in deceiving the priests. From the point of view of the priests, they are not known to be unrepentant sinners. This is precisely the point which the Donatists illustrate in their Letter by the parables of the Net and the Wedding Guest (cf. 3.4.(b) (iii), above) and it is further reinforced when, refuting the Catholic argument from the case of Judas, they go out of their way to lay special emphasis on the distinction between God's knowledge of evildoers and man's (cf. 3.4.(c), above). Augustine, in seeking to justify the presence of known offenders in the Church and even among the clergy, has taken an important step further than Cyprian. Its significance, from the Donatist point of view, was that it involved a fundamental change of principle. The idea of the Church as a community of saints which, for the present, would inevitably include a certain number of hypocrites whom God alone knew and would finally separate out, has been jettisoned in favour of the idea of a manifestly mixed community of saints and sinners. ²²² Thus, in the context of the general argument of the Donatist Letter, the accusation now brought against the Catholics that they spoke of two Churches, one with a present admixture of known and tolerated offenders, the other without them in the future, is, I suggest, more concerned with a qualitative than with a quantitative difference between the present

and future composition of the Church. For Augustine, the vast majority of its present membership will not be included in the Church ²²³ as finally constituted by God's definitive judgment, while for the Donatists there are comparatively few exceptions to the rule that in general the judgment of the priests as to who are worthy members will ²²⁴ correspond to that of God himself. But Augustine has to contend not only with a much larger numerical discrepancy between the present and future membership of the Church than the Donatists, for, in this sense, both sides are talking about two differently constituted Churches. He has also to contend with the incompatibility which the Donatists saw between the principle of a morally mixed and that of a morally pure Church, between a Church which shares the guilt of sinners by condoning them and a Church from which they are expressly excluded. If, as far as it is possible to judge on the basis of the available evidence, that is the sense in which the Donatist charge that the Catholics spoke of two Churches is to be understood, it follows logically from their refusal to accept the presence of known offenders in the Church in terms of the parable of the Field (cf. 3.8.2(a) 1, above).

Augustine's answer to this objection was to insist as strongly as possible that it was the same, one, holy Church which he had spoken ²²⁵ of as existing under different conditions in the present and future. The difference is twofold: the Church's presently mixed nature as opposed to its future purity and its present mortality in contrast with ²²⁶ its promised immortality.

The Capitula indicate that the Donatists finally charged their opponents with speaking of the Church as mortal, whereas its immortality ²²⁷ is promised in Scripture. Augustine adds that they gave two reasons

for this objection, namely, that the Trinity, by whose grace the Church is consecrated, is immortal and that Christ died for the Church with the express purpose of making it immortal. To this, as the Capitula show, the Catholics responded by supporting their earlier statement with the assertion that immortality is promised to that Church which is at present made up of righteous mortals on earth.

If this last statement from Marcellus's outline represents at all accurately the way in which the Catholics expressed their answer, it may indicate an important link with what preceded, for it raises the question of the ambiguity of Augustine's language about the Church. Here is an explicit reference to 'that Church which is at present made up of righteous mortals on earth' as distinct from the Church which presently includes bad men as well as good. The same ambiguity is evident, for example, in the way in which Augustine speaks of the Church in de Bapt. 4.9.13, where the devil is allowed to sow wicked men in the Church during its earthly pilgrimage and in 1.17.26, where these are said not even now to belong to the Church. It is true, of course, that from the Platonist point of view, the Church of the future may be thought of as already existing in the ideal realm, as the reality behind the appearance which we know as the institutional Church. Augustine is arguing that corporeal existence imposes comparably severe limitations upon the Church's present realisation of its promised immortality and holiness alike: the presence within it of unworthy members is as inevitable a fact of its present condition as that its members are mortal. But while Augustine insists that it is not possible for us to know the state of heart even of a man who may be known to have committed a public act of apostasy, the Donatists regard the act of traditio itself, allied with the willingness to persecute, as an

infallible proof of infidelity to Christ. Clearly in objecting that the Catholics spoke of the Church as mortal even although its immortality is promised in Scripture, the Donatists must have been as well aware as their opponents that the Church is subject to the mortality of its members. Their aim may therefore have been to expose the inconsistency in Augustine's language about the Church by compelling the Catholics to admit that the immortality which is promised to the Church in Scripture is not applicable to the Church which they had defined as including even known offenders and which they had been concerned to defend throughout the debate. ²³³

This ended the debate on the nature of the Church at the Conference, although the further exchanges which preceded the inquiry into the historical issue contain some additional details relevant to the Donatist doctrinal argument.

3.8.2(b): Additional details with doctrinal implications

This intervening section (C.3.289-314 and E.3.11) takes up the charge of persecution which the Donatists had brought against their opponents at the end of their Letter (cf.3.4(e), above). ²³⁴

The Capitula indicate that the Donatists asserted that as a bad tree is known by its fruit (cf. Mt.7.16-20), so traitors may be known by their deeds (of persecution), and that they referred to the doctrine that Adam's sin has been inherited by all, no doubt as an analogy of the way in which Caecilian's act of traditio had implicated his successors. ²³⁵ ²³⁶ ²³⁷ Augustine makes no mention of this parallel, but he does refer to the Donatist argument from the tree and its fruit, adding that the Catholics retorted by pointing out the Donatist fruits of schism and rebaptism,

whereupon, as the Capitula inform us, the presiding judge, clearly hoping to get on to the historical issue, asked when the bad tree had come into being.²³⁸

It may be recalled here²³⁹ that the parable of the Tree and its Fruit had been earlier employed by Petilian in his pastoral letter in support²⁴⁰ of his argument that Catholic baptism is worthless because it issues from a worthless source.²⁴¹ With the theme of baptism is interwoven that of persecution and Petilian takes up the quotation again in that connection.²⁴² Later he develops the idea, again with reference to persecution, that a thorn bush can only produce thorns, alluding to the parable of the Field.²⁴³ Taking up Tertullian's phrase that the blood of martyred Christians is seed, Petilian insists that the true seed from which the Lord's harvest will grow is characterised by its readiness to fall into the ground and die (cf. Jn 12.24-5) at the hands of Catholic persecutors, who by contrast sow only tares.

It is impossible to be precise about the exact nature of the parallel which the Donatists drew between the involvement of all mankind in Adam's sin and the way in which Caecilian's sin was regarded as implicating his successors.²⁴⁴ It has recently been argued that the doctrine of original sin was already part of the African tradition even before it became particularly associated with Augustine as a result of his involvement in the Pelagian controversy. Although Pelagian ideas were already being discussed in North Africa, Augustine had not yet entered upon this controversy at the time of the Conference.²⁴⁵ The Donatists were therefore appealing, it would seem, to a doctrine which they knew their adversaries would not wish to deny, in support of their own view of the hereditary nature of Caecilian's sin. Although, as has been noted above,²⁴⁶ they emphasised the fact that as persecutors the

Catholics were imitating their traditor forebears in a betrayal of Christ in which a certain degree of culpable acquiescence was involved, by insisting at the same time that no good could come of an evil source,²⁴⁷ they were, it would seem, arguing that the evil consequences of Caecilian's act of apostasy upon his successors were as inevitable as the effect of original sin upon all mankind.²⁴⁸

Finally, it is worth noting the insistence with which the Donatists accused their adversaries of failing to answer their arguments from Scripture and pressed the presiding judge to pass judgment on the doctrinal issue now finished.²⁴⁹ Augustine assures us that the Catholics were equally eager.²⁵⁰ I have already argued that the real issue at the Conference was one of principle, of two conflicting views of the Church, and that the historical issue of Caecilian's innocence or guilt was irrelevant to this question of principle.²⁵¹ The Catholics possessed an impressive body of documents to prove that judgment had been given both by ecclesiastical and imperial tribunals in favour of Caecilian and both they and the presiding judge no doubt realised the relative ease with which this issue could be dealt with.²⁵² But the Donatist appeal was to the authority of Scripture and the African Church tradition ('the decrees of the martyrs'). Within the terms of the debate thus defined, they had presented a well argued and forceful case for their view of the Church's nature. This fact is underlined by their persistent demand for an immediate verdict on this issue.

3.9. The case presented by either side in the context of Catholic-
Donatist polemic

3.9.1. The Catholic case in relation to Augustine's anti-Donatist polemic

As has been indicated in the footnotes (cf. 3.3, 3.6 and 3.8 above), the Catholic case contains little that is new. All the arguments employed are already part of Augustine's anti-Donatist polemic, with perhaps one exception: although Augustine had already frequently applied the parable of the Field to the Church, he does not seem before the Conference to have based his argument explicitly on the equivalence between the word 'world' in Mt. 13.38 and the Church, on the analogy of such an equivalence in other texts (cf. 3.6 (b) above). A sharper distinction between the case of the Church and that of Caecilian, that is, between the doctrinal and historical issues involved, is maintained at the Conference than in Augustine's previous polemic, perhaps because of the reluctance of the Catholic disputants to abandon their advantageous collection of documents relating to Caecilian (cf. 4.1 below) while at the same time agreeing with their opponents that the question of the Church's nature could only be settled with reference to Scripture.²⁵³ The prominence of the argument from the Church's catholicity, which recurs throughout the Catholic Mandate, and the central importance of the argument from the Gospel parables in support of a morally mixed Church, which was the main theme of the doctrinal debate at the Conference, are, it should perhaps be again emphasised, both fundamental themes of Augustine's earlier writings against the Donatists.

3.9.2. The Donatist case in relation to other extant Donatist literature

Although the number of Donatist works which have survived is strictly limited, it is possible to draw parallels between arguments they employ elsewhere and their case at the Conference as expressed in their Letter and the debate which followed. Such parallels or possible links have already been indicated in the footnotes (cf. 3.4 and 3.6 above), but one aspect of their case may be given some fuller discussion here, namely, the question of their attitude to the catholicity of the Church.²⁵⁵

It has been observed above (cf. 3.7) that in their Letter the Donatists did not attempt to deny the texts which the Catholics had quoted showing that the Church's universal extent is predicted in Scripture, but countered their opponents' claim that it was they and not the Donatists who belonged to this universal Church by quoting other texts demonstrating that purity, not merely universality, is an essential mark of the true Church. The question of the world wide extent of the Church was not taken up in the doctrinal debate which followed the Donatist Letter and, perhaps surprisingly in view of the prominence of this theme in Augustine's anti-Donatist writings, does not appear to have been a real issue, the debate at the Conference being confined to the question of whether the Church is meant to be morally mixed or pure.

Now, at the Conference the Donatists repeatedly contested their opponents' claim to the word 'catholic'.²⁵⁶ Petilian insisted that the true, catholic Church is that which suffers, but does not inflict persecution.²⁵⁷ He rejected the title 'Donatist' and criticised the presiding judge for prejudging the issue by referring to the opposite party as 'Catholics'.²⁵⁸ Gaudentius argued that the word 'catholic' must refer to the wholeness or integrity of the Church and its sacraments,²⁵⁹

rather than to its geographical extent, simply because it does not
literally extend throughout the whole world.²⁶⁰ It has been recently
²⁶¹ argued that although Cyprian does speak of the universal extent of the
²⁶² Church, there is no clear evidence that he understood the word 'catholic'
in this precise sense, rather than in the more general sense of 'the one,
true Church' as distinct from schismatic and heretical groups.

Certainly, both Optatus and Augustine employ the argument that theirs
is the true Church since they are in formal communion with the 'catholic'
or universal Church, while the Donatists are limited to North Africa.²⁶³

But Augustine's contention that in bringing the charge of traditio
against the Catholic Church in North Africa, the Donatists were bringing
it against the world wide Church with which the African Catholics were in
communion, was rebutted at the Conference by Emeritus, who retorted that
the rest of the world had not given Augustine any mandate to speak on its
behalf and that it would recognise as Catholic whichever of the two sides
was shown to be Christian; the issue was purely between Africans and
could not prejudice others beyond Africa; whoever emerged vanquished
from a true inquiry into the dispute should be rejected by the rest of
²⁶⁴ the world.

The important question here is whether this merely represents a
clever tactic adopted by the Donatists at the Conference in order to ward
off Augustine's argument from the universality of the Church or whether
it, in fact, reveals, more accurately than Augustine's anti Donatist
polemic, the attitude of the Donatists to the rest of the Christian world.

The following considerations support the second of these two
possibilities:

1. Augustine's polemic very often represents the Donatists as though
they wished to confine the Church to their own North African faction.²⁶⁵

But it is not at all clear whether he is accurately reporting the views of

his opponents here or simply reducing the point of view he is opposing to what he himself sees as its logical (and absurd) conclusion.

2. Where it is possible to be sure that we are hearing the Donatists speak for themselves, they do not seem to have accused the world wide Church of the sins they alleged against Caecilian and his associates or to have spoken of the Church as being limited to North Africa.
266

Thus, it would appear that, at the Conference, the Donatists expressed an openness to the rest of the Christian world which was quite consistent with their condemnation of African traitors. Their claim was to represent the true, Catholic Church in North Africa. Doubtless, they were under no illusion that the formal verdict at the Conference might be pronounced in their favour. What they wished from the Conference was that their case should be set before the world at large and North Africa in particular, so that it might judge with what justice they claimed to be the African Church on the basis of Scripture and tradition.
267

3.10. Conclusions and Reassessment of the Donatist Case

It may be concluded from the foregoing discussion that as far as the doctrinal issue at the Conference is concerned, the Donatists, far from having no answer to the Catholic case, produced an impressively detailed refutation. The familiar flow of Augustine's anti-Donatist polemic is rudely arrested by a series of Donatist objections : universality is one mark of the Church, but purity another, which is supported by the Gospel parables so often cited as sanctioning the idea of a morally mixed Church; when Augustine shifts his ground to the nature of ecclesiastical discipline, and the distinction between a physical separation between good and bad and a moral discrimination within a presently mixed Church of saints and manifest sinners, of whom it will only finally be purged, the Donatists return to the parable of the Field, to insist, it would appear, on the possibility and necessity of excluding known offenders and on the fundamental contradiction in condoning new sins which are admitted to merit God's future condemnation.

Up to the beginning of the Catholic Extended Reply, the extant Gesta enable us to watch in vivid detail the progress of the debate. From that point onwards, only a tentative reconstruction is possible. But in so far as the evidence of Capitula and Breviculus may be interpreted as revealing a logical development of the case already stated in the Donatist Letter, consistent (where it can be checked) with the general features of Donatist polemic as a whole, it would appear that the Extended Reply from the Catholic side was countered with arguments of sufficient force for the Donatists to be able to insist with confidence on an immediate judgment on this part of the debate.

4. The Historical Issue at the Conference

Following upon the reappraisal in chapter three above of the case contained in the Donatist Letter and defended in the subsequent debate on the nature of the Church, it is now necessary to consider this in relation to the issue which took up the remainder of the Conference,¹ namely, the historical question of Caecilian's guilt or innocence of apostasy.

4. 1. Evidence and method of treatment

For the historical issue debated at the Conference we are once again dependent on Augustine's Breviculus (B3.12-25) and Marcellus's Capitula Gestorum (C3.316-587), though not entirely. On this aspect of the controversy the Catholic side possessed an impressive and already well worn collection of documents upon which they drew at the Conference.² The Donatists also had at their disposal a similar collection of their own.³ Thus, several of the documents referred to in this section of the debate are known, in whole or in part, from their quotation elsewhere.⁴

Within the limits of the available evidence, it is often difficult to interpret accurately the arguments put forward by the Donatists in reply to the Catholic case, which is better known from Augustine's anti-Donatist polemic.⁵ I shall attempt to reconstruct, as far as possible, the main features of the debate and assess its importance in relation to the doctrinal issue at the Conference.⁶

4. 2. Outline of argument

As Duchesne has argued, the case presented by the Catholic side evidently followed traditional lines. It was twofold : first the judgment in favour of Caecilian by both ecclesiastical and imperial courts (C3.315-543 and B3.12-22), then the acquittal of Felix, Caecilian's consecrator, of the charge of traditio falsely alleged against him by the Donatists (C3.544-585 and B3.23-5).

Accordingly, the Catholics produced evidence to show that Miltiades' court at Rome in A.D.313 had decided in favour of Caecilian and against Donatus, and that the decision of the council of Arles the following year had been finally confirmed by Constantine's own judgment declaring Caecilian innocent. At the same time, the African council which had condemned him in his absence was discredited by the alleged involvement of some of its members in the very sin of apostasy for which they condemned him.

In reply, the condemnation of Caecilian by the African council which had met at Carthage in A.D.312 under the presidency of the Numidian primate, Secundus of Tigisis, was emphatically upheld by the Donatists, who, in turn, discredited that which had met and vindicated Caecilian at Rome in A.D.313 under the presidency of Pope Miltiades, whom they accused of being implicated in the sin of traditio and thus incompetent to act as judge in a case of that nature. Further, the Donatists showed that the emperor Constantine had, in the end, granted them legal recognition and claimed that by condemning Caecilian, he had himself reversed the judgment of Miltiades' court. Finally, in the case of Felix of Aptungi, they argued that the emperor had not been prepared to

accept as definitive the African proconsul's judgment, produced by the Catholics at the Conference to establish his innocence.¹⁷

4. 3. Main features of the debate on the historical issue

In emphasising the relative importance of the African council which had condemned Caecilian¹⁸ the Donatists had a valid argument. The fact that their ancestors had also directed an appeal to the emperor Constantine through the African proconsul, Anulinus, did not necessarily mean, as the Catholics argued, that they regarded the decision of Secundus's council as subject to review by the courts which subsequently met in Italy and Gaul.¹⁹ Their appeal to the emperor seems to have been motivated by the explicit recognition of Caecilian in the imperial correspondence relative to the restoration of Church property and grants of money by the state following the Great Persecution in Africa²⁰ and by their consequent concern to win recognition for their own communion in Africa as the true Catholic Church in that part of the world. But to regard the decision of Secundus's council as more authoritative as far as Africa itself was concerned than that of 'overseas churches' was not without parallel.²¹

The condemnation by this council of Caecilian's involvement in apostasy included his consecration by apostate bishops along with his own personal attitude, as Mensurius's deacon, to the confessors in prison,²² a similar attitude on the part of Mensurius himself being revealed, in glaring contrast to that of Secundus, from an exchange of letters between the two North African primates.²³

Thus, the Donatists were adamant in their defense of Secundus's council against the denigration of some of its members by their opponents.

Here the persistence with which the Donatists challenged the authenticity of the records of the council of Cirta is noteworthy.²⁴

According to Optatus,²⁵ these records formed part of the 'scripta Mundinarii', that is, of the evidence produced by the deacon Mundinarius against his bishop, Silvanus of Cirta, in retaliation for disciplinary action taken by the latter against himself. This evidence, which showed Silvanus not only to have been a traitor himself,²⁶ but also to have been ordained by traitors,²⁷ had already been employed by Optatus to discredit Secundus's council as including some of them²⁸ among its members, and was produced with the same object by the Catholics at the Conference.²⁹ The Donatists challenged these records on several counts and Augustine notes that they emphasised two in particular, first that ecclesiastical records did not traditionally bear a consular date as did the records of the purported council of Cirta, and secondly that such a meeting of bishops was not in any case possible in time of persecution.³⁰ The presiding judge ruled first that the consular date could have been added as a result of greater care and need not therefore cast any doubt on the authenticity of the document, and secondly that a meeting of some twelve bishops could have taken place in a private house when congregations met publicly for worship, as shown from contemporary acts of the martyrs.³¹ The Donatists no doubt wished to imply that traditionally the Church had felt it improper that the records of a meeting of Christian bishops should use the contemporary method of dating by the consuls for the year, in that these were associated with a pagan and, in this case, persecuting government. Although the Catholics could quote Scriptural precedent from the books of the Prophets for dating by contemporary rulers, the Donatists argued that this had not been a Christian practice, as proved by the very first council which met at Jerusalem (cf. Ac. 15) or Cyprian's great African council of A.D. 256,

and challenged their opponents to show otherwise.³² Indeed, it does seem unlikely that contemporary records of the council of Cirta would have borne a consular date, and if these records are authentic, the date must presumably have been added later to give this document greater chronological precision for the Catholic collection. There was, in fact, some confusion as to what that date was, as became apparent during the debate on the question of whether such a council could have met in time of persecution. The Donatists quoted a date from contemporary acts of the martyrs to show that the persecution was at its height at the very time of the disputed meeting. Augustine informs us that the date given by the Donatists for the persecution was 12 February A.D. 304, whereas that on the records of the council of Cirta was 3 March A.D. 305, and that there was thus an interval of thirteen months between them. At the Conference, Augustine explains, the official panel, when asked to check the dates, had failed to notice that that given for the council of Cirta was described as after the consulship recorded on the acts of the martyrs and had thus calculated (inaccurately) an interval of only a month between them, while the Catholics had at the Conference calculated (less inaccurately) an interval of eleven months, which, however, they were quite ready to change to one month following the panel's computation.³³ They then quoted from the same acts of the martyrs and others to show that congregations were able to meet for worship during the persecution, to which the Donatists responded by emphasising the distinction between a council of bishops and a congregational meeting and insisted that there was no evidence for any such gathering of bishops in time of persecution.³⁴

In addition to these two arguments, with which Augustine deals in his summary, the Capitula indicate that the Donatists went further in

their denial of the authenticity of the records of the council of Cirta. Subjecting the contents of the document to detailed criticism, they contended that if Caecilian's accusers had revealed their own guilt in such a way, Caecilian could have used this against them in his own defence. ³⁶ The implication was obviously that since he had not done so, no such incriminating meeting had taken place. Augustine informs us that the Donatists had pointed out that Optatus quotes Caecilian as replying to his accusers : 'if those who ordained me are traitors, let them (sc. the members of Secundus's council) come and ordain me themselves'. ³⁷ The Donatist argument here may be intended to suggest that not only did Caecilian virtually admit the guilt of his consecrators, but also implied that he considered the members of Secundus's council to be above reproach. Thus, the Donatists asserted that their bishops could not possibly have condemned another on a charge of which they themselves were proved guilty. ³⁸ Cresconius had earlier used a similar argument, to which Augustine responded, as it appears the Catholics did also at the Conference, by quoting the Scriptural admonition : 'in judging another, you condemn yourself, for you who judge commit the same sins' (Rs.2.1). ³⁹ The point of the Donatist argument, however, seems to have been that if the members of Secundus's council were indeed self-confessed apostates, it would not have been possible for them to pose as innocent in condemning Caecilian for precisely the same offence of which they themselves were so patently guilty.

Having thus insisted on the untarnished authority of the African council which had condemned Caecilian and his associates, the Donatists now turned to the evidence produced by their adversaries to demonstrate that Caecilian had later been acquitted. First they attempted to

undermine the authority of Miltiades' council of A.D.313, alleging his incompetence to act as presiding judge in a case of apostasy because of his own involvement in that very sin.⁴⁰ They quoted records of the seizure by the persecuting authorities of Church property at Rome in A.D.303 and its restitution later, when Miltiades as bishop had, as one of his deacons, a certain Strato, shown to be guilty of the act of traditio. The import of this was that Miltiades had, by condoning it in one of his clergy, become implicated in this sin. The Catholic side retorted that it was not necessarily the same person mentioned in each case, the Strato who handed over Church property to the authorities being described as a 'hortator superstitionis',⁴¹ while the Strato with whom Miltiades was associated is described as a deacon.⁴² The Donatists argued that 'hortator superstitionis' was an equivalent pagan phrase for 'deacon' in Christian terminology,⁴³ although the Catholics insisted that there could still have been two different people with the same name among the Christian clergy at Rome at that time and that Miltiades might have been ignorant of such a case of traditio in one of his clergy and so be innocent of complicity,⁴⁴ a point which Marcellinus accepted but the Donatists did not. Clearly, however, the Donatists had succeeded in casting serious suspicion on Miltiades' attitude to traditio and consequently on his competence to act as judge in the case of Caecilian.⁴⁵

Secondly, the Donatists claimed that the emperor Constantine had finally given judgment against Caecilian and in favour of Donatus, thus reversing the earlier decision of Miltiades' court.⁴⁶ This claim was based on a statement by Optatus which, they argued, deliberately glossed over the fact that Caecilian had been exiled at Brescia in

North Italy, while his rival, Donatus, had been allowed by the emperor to return to Carthage : 'Eodem tempore idem Donatus petit ut ei reverti licuisset et ad Carthaginem accedere; tunc a Philomene suggestore eius imperatori suggestum est ut bono pacis Caecilianum Brixiae teneretur, et factum est'.⁴⁷ This follows on in Optatus's account from his reference to the Donatist appeal to the emperor from the decision of Miltiades' court. Thus, the Donatist argument seems to imply, the Catholic polemicist Optatus is saying that Constantine kept Caecilian at Brescia for the sake of peace simply to cover up the fact that the emperor, reversing Miltiades' judgment, condemned and exiled Caecilian and finally vindicated Donatus. The Catholic side had quoted the letter of Constantine (of 10 November A.D. 316) to the vicar of Africa, Eusebius, to show that the emperor had confirmed the verdict of Miltiades' court and the council of Arles.⁴⁸ While accepting that he may have done so, the Donatists argued that the passage from Optatus quoted above showed that once apprised of the true facts of the case, he had afterwards changed his mind.⁴⁹ Asked to show more clearly that Constantine had condemned Caecilian, the Donatists made a statement which requires some elucidation.

Augustine informs us that 'when called upon to read a clear statement of what they said had been glossed over by Optatus, the Donatists were quite unable to do so, but after raising difficulties and procrastinating to no effect, when they even disputed over Donatus's name, that it was not Donatus Carthaginensis, but Donatus Casensis who had been Caecilian's adversary in Miltiades' court, a point which the Catholics also conceded, the debate at last moved on to something else' (B3.20.38).⁵⁰ The *Capitula Gestorum* note a statement from the Donatist side 'qua dicunt alium Casae non fuisse Donatum', to which the

Catholics responded that in the records of Miltiades' court Donatus Casensis is clearly named. When Petilian then said he was hoarse and unable to plead, the Catholics retorted that he wished an excuse to withdraw from the proceedings because Donatus Casensis had been clearly pointed out to him from the records, and Marcellinus ruled that since each side was represented by seven disputants, the removal of one could provide cause for complaint (C3.539-45).⁵¹ In C3.539 the Migne edition reads Casae for Case in the manuscript, no doubt intending a genitive or dative singular : 'of' or 'at Casa'. But this and similar place names are usually plural in form.⁵² If, however, the reading Casae is unsatisfactory, how far is the text corrupt? The Capitula seem to indicate that the Donatists denied precisely what Augustine would have us believe they affirmed : that there was another Donatus from Casae as distinct from Donatus of Carthage. The Catholic suggestion that Petilian's hoarseness was merely a pretext to cover up the fact that his argument had been effectively countered by the naming of Donatus as Casensis in the records of Miltiades' court, supports the negative form of the previous statement by the Donatists : that there was not another Donatus from Casae (C3.539). I propose therefore that the reading Case should be emended to Casen! as an abbreviation for Casensem and that the omission of the final 'n' of Casen! in the manuscript be explained by confusion with the following 'n' at the beginning of 'non' : 'disunt alium Case<nsem> non fuisse Donatum'.⁵³

If we can now proceed on the basis of this text, what sense can be made of the Donatist argument? W.H.C.Frend accepts Augustine's interpretation of the Donatist argument here, 'that there were two clerics called Donatus and that it was the "other Donatus" and not Donatus the Great whom Miltiades' council had condemned in 313'. This

argument is, of course, irrelevant to what the Donatists were asked to demonstrate, namely, that Constantine condemned Caecilian. The⁵⁵ Capitula, on the other hand, as Dom J. Chapman maintains,⁵⁶ indicate that the Donatists denied there was a second Donatus of Casae Nigrae and may suggest that their object was to insist that the Donatus whom Constantine permitted to return to his see at Carthage was none other than the Donatus previously condemned by Miltiades' court. Chapman's interpretation gains support from Optatus's words, quoted by the Donatists, 'Eodem tempore, idem Donatus', following upon Donatus's appeal from Miltiades' judgment. The Donatists may well have had those⁵⁷ words in mind in contending at the Conference that there was no Donatus Casensis as distinct from Donatus Carthaginensis : the fact that it was⁵⁸ the Donatus condemned by Miltiades whom Constantine vindicated shows that the earlier judgment in favour of Caecilian was reversed. Augustine would thus be misleading in suggesting that their motive for a dispute over two Donatuses was to disassociate Donatus of Carthage from Miltiades' condemnation,⁵⁹ a motive which is, in any case, suspect since to escape condemnation by a bishop believed guilty of condoning apostasy would have been of dubious advantage to one whom the Donatists honoured⁶⁰ as a martyr. The Catholics showed from the relevant records that the⁶¹ Donatus whom Miltiades condemned was Donatus Casensis, while the Donatus whom Constantine allowed to return to Carthage was doubtless agreed to be Donatus Carthaginensis. If this were the case, the fact that Constantine permitted the one Donatus to go back to Carthage while detaining Caecilian at Brescia need not imply a reversal of Miltiades' judgment against the other Donatus or the condemnation and exile of Caecilian as the Donatists wished.

The Donatists next quoted their ancestors' appeal to Constantine and his reply (of 5 May 321) to the vicar of Africa, Verianus, granting them freedom under the law, no doubt with the intended implication that although at first persecuted, they had finally won their case against Caecilian. The Catholic side could, however, point out that the opposite party had still been unable to quote any explicit reference to Constantine's condemnation of Caecilian.

Finally, the Donatists argued that the fact that the case of Felix of Aptungi had apparently been reopened, since the credibility of the chief witness, Ingentius, had in the emperor's judgment required a closer scrutiny, showed that Felix had not in fact been cleared of the charges against him by the evidence produced at the Conference by the Catholic side showing him falsely accused. Having made this point, they were unable, when called upon by the presiding judge, to produce further evidence of equal antiquity in response to that brought forward by their opponents, but requested that the case be concluded and judgment passed.

4. 4. Conclusion

Apart from the emphasis placed upon the African council which condemned Caecilian, the Donatist case here relied mainly on picking holes in the Catholic evidence. The evidence clearly established, however, that Caecilian had been vindicated at Rome, Arles and finally by the emperor Constantine himself. Unfortunately, the judge's sententia, which presumably came at the end of the Gesta, is not extant, but some idea of the main points upon which Marcellinus's judgment turned may perhaps be inferred from the edict attached to the

Gesta on their official publication and preserved in the manuscript at the beginning of the third session (and misleadingly placed in the Migne edition at the end of the extant Gesta as the judge's ⁶⁸ 'sententia'). There the fact that Caecilian was pronounced innocent by the emperor Constantine is given crucial significance ⁶⁹ and from the legal point of view Marcellinus may have been correct in basing his judgment on the outcome of the earlier legal proceedings against Caecilian. Similarly, in his Breviculus, Augustine focuses attention on the fact that Caecilian was proved innocent in the courts as the crucial point upon which the entire Catholic-Donatist controversy turned. ⁷⁰ But this is to concentrate much too narrowly on only one aspect of the controversy and to ignore the more fundamental issue between the two sides. As I have argued in chapter three above, this concerned the very nature of the Church itself and to this issue the fact that historically Caecilian had been acquitted in a series of legal proceedings was largely irrelevant.

5. General Conclusions

In a political context in which religious unity had already become an accepted assumption of Christian empire, the older, Cyprianic ideal of a Church within whose unity the relative independence of different provincial churches could be respected was growing out of date. By insisting on the authority of the African council which had condemned Caecilian, as against that of the councils of Rome and Arles and the judgment of the emperor himself, the Donatists were reaffirming this older tradition. Yet, the fundamental issue between Catholics and Donatists did not turn on the historical fact, whether true or false, of Caecilian's apostasy.

Within the broader perspectives of Tyconian soteriology and Platonic philosophy which Augustine took over and developed into a new doctrine of the Church, the Donatist concentration on one particular point of penitential discipline seems narrowly legalistic. Yet their insistence that those who had overtly apostatised during the Great Persecution could only be readmitted to the Church as penitents, the clergy among them as laymen, was consistent with the traditional view of the Church as a communion of saints, set apart on the basis of discernible sins from the rest of mankind. Within the more restricted terms set for the debate on the nature of the Church, the Donatists presented at the Conference a case whose merits must be judged by its claim to rest on the authority of Scripture understood in the light of the African theological tradition upon which Cyprian had set his seal.

Appendix 1The Authenticity of G1.281

Monceaux (4, p.420) explains the occurrence of the long lacuna at the end of the extant Gesta of the Conference as being due to the method by which the original Gesta were recorded. ¹ They were produced piecemeal, by different groups of secretaries working in rota. One group, on completing part of the proceedings in shorthand, would relinquish the task of shorthand recording to a second group and get on with the job of copying out into longhand that part of the proceedings already minuted. ² Monceaux's explanation of the lacuna at the end of the manuscript of the Gesta is that each section, completed by a different group of secretaries, formed a separate volume or volumes and that this division of the original Gesta into volumes was maintained in subsequent editions of the Gesta, such as that of Marcellus. The last volume or volumes of the copy of Marcellus's edition, from which the surviving manuscript of the Gesta derives, went missing. The manuscript would end immediately after the first change over of secretaries during the third session of the Conference were it not for an incomplete statement, some twenty eight lines long in the Migne edition, by Augustine. Monceaux suggests that this has been added to the manuscript later by a copyist.

Monceaux's explanation is unsatisfactory for the following reasons:

1. If early editions of the Gesta ran into several volumes, ³ these would not necessarily correspond to the original division of the Gesta into different sections, since this was purely a consequence of the process

by which they were copied out, section by section, from shorthand into long. Not being subject to the special conditions under which the Gesta were first produced, subsequent editions would be free to follow a different pattern of division into volumes.

2. If G3.281 is a later addition by a copyist, wishing, one might assume, to let Augustine rather than Emeritus have the last word in the argument preserved in the incomplete Gesta, he might add a piece which ends in mid-sentence, but would he add one which breaks off before the point of the sentence is made? The point is that although the Catholics do not deny the necessity of ecclesiastical discipline, they wish to emphasize that it should be administered in a brotherly spirit. The last sentence thus ends with a quotation of 2 Thess.3.14 : 'Si quis non obandivit verbo nostro per epistolam, hunc notate, et nolite commisceri cum eo', which suggests the opposite of what was intended unless the rest of the verse is supplied : 'ut erubescat; et non ut inimicum existimetis, sed corripite ut fratrem'.

3. The content of the Extended Reply by the Catholics is indicated in Augustine's Breviculus (B3.9.16). As is shown by Marcellus's Capitula (C3.281 : 'Prosecutio Catholicorum qua prelatas a Donatistis epistolae plena adsertione respondent') it began at G3.281. The beginning of Augustine's summary of this, cf.3.8.1 above, corresponds as well as might be expected with the content of G3.281, given the general degree of correspondence between Breviculus and Gesta as a whole:-

(a) Augustine's reference to 'many scriptural texts and examples', showing how the bad are intermingled with the good in the Church, is a reference to the scriptural basis of the Catholic argument for a morally mixed Church. This is given in the Catholic Mandate as the parables of the Threshing Floor, Field, Net, Sheep and Goats, and examples from the Prophets, Christ himself and the Apostles. It is unlikely that the whole of this argument was repeated at the beginning of the Extended Reply, since it was precisely that argument which had already formed the subject of the debate between the two sides following the reading of the Donatist Letter. The debate had so far centred on the interpretation of the parables of the Threshing Floor and Field. In G3.281 Augustine begins with the meaning of the word 'world', which was relevant to the interpretation of the parable of the Field, and goes on to refer to that of the Net. It is quite possible that this is all that lies behind his phrase 'many scriptural texts and examples' in B3.9.16, since this could be simply a general reference to the scriptural basis of the Catholic argument for a morally mixed Church.

(b) Augustine's statement that the scriptural evidence shows that 'the bad not only lie hidden in the Church and remain unknown, but are, as a rule, also known and tolerated in the Church for the sake of peace and unity' corresponds more closely to the statement in G3.281 that 'the point at issue is whether the bad should lie hidden or not, whether it pertains to the piety of the good to tolerate the bad even if they are known, lest they abandon the good, or whether those who perceive something bad in the Church should wish to abandon the whole on account of the bad'.

(c) Finally, Augustine's statement that although ecclesiastical discipline ought to be watchful and rebuke them (sc. the bad) 'non solum verbis, sed etiam excommunicationibus et degradationibus' corresponds

almost exactly with the words used in G3.281 of ecclesiastical discipline, by which the bad are to be corrected 'non solum sermone correctionis, verum etiam excommunicationibus et degradationibus', although G3.281 goes on to refer to the brotherly spirit in which this should be done. The correspondence of phraseology, even if rather stereotyped, is nevertheless striking.

4. Perhaps the most convincing reason for regarding G3.281 as an integral part of the Gesta is the ease with which this passage fits into the context of the debate at this stage during the Conference. After a brief interlude (G3.279-80) during which a change over of secretaries is arranged, the Catholics continue their answer to the Donatist Letter, as Marcellus's Capitula show. G3.281 follows on naturally from what precedes. The following points of continuity may be noted:-

(a) In G3.281 Augustine states that the Catholics too understand 'world' to refer to 'men'. They would not be such fools as to say that the salvation which Christ promised pertains to wild beasts and other irrational creatures. In G3.276 Petilian had argued that 'world' in 2 Cor.5.19 denotes 'men' and not 'wild beasts', for example. Thus Augustine's statement at the beginning of G3.281 may be taken as a specific answer to Petilian's point in G3.276. The way Augustine puts it 'we would not be such fools as to think' fits in well as a retort to Petilian's rather provocative remark. Augustine adopts Petilian's exact word 'belluas', softening it a little with the phrase 'et quaecumque irrationabilia animalia', and accepts Petilian's contention that 'world' in such texts as 2 Cor.5.19 denotes 'men'. The opening lines therefore of G3.281 provide a most natural transition from the preceding debate.

(b) In G3.281 Augustine continues that 'world' in such texts as 1 Jn.5.19, Jn.17.21, 2 Cor.5.19, and in other texts in which it is used

in a bad sense, refers to men, to two different groups of men. Augustine's argument here gains in clarity if the distinction made earlier in G3.272 between two senses of the word 'world', good and bad, is presupposed.

(c) G3.281 continues by stating that just as good and bad men are intermingled throughout the whole world, so too in the Church, which they have admitted is shown by the analogy of the Net to contain bad men. Even though they said that sinners lay hidden within the Church, they agree that the Church contains both good and bad. This point most naturally refers to the Donatist interpretation of the parable of the Net, as given in their Letter, cf.3.4(b)(iii) above. Augustine had already made a similar reference to this in G3.272, which he may be understood to be resuming here in G3.281, after being interrupted and after answering Petilian's objection in G3.276.

(d) Augustine declares in G3.281 that the point at issue concerning whether the bad should lie hidden or not is whether it pertained to the piety of the good to tolerate the bad even when they were known, lest they abandoned the good, or whether those who perceived something bad in the Church have wished to abandon the whole on account of the bad. Now, the point at issue in the doctrinal debate at the Conference was precisely the question as to whether those who were known to be serious offenders should be openly tolerated in the Church. Further, although Augustine uses different words here, his thought is closely parallel to that of Cyprian in Ep.54.3.1, which had already been quoted by the Catholics in their Mandate (cf.3.3(c) above) and was explicitly referred to again later at the Conference, (cf.3.8.2(a)(1) above). The parable of the Field to which Cyprian refers had been the subject of considerable debate,

in which the interpretation of the word 'world', with which G3.281 begins, was a crucial factor.

(e) Finally, in G3.281 Augustine states that ecclesiastical discipline should not be neglected, but administered in a brotherly spirit. The insistence that it should not be neglected may be understood as a reply to statements the Donatists had made in their Letter implying that the Catholics, by tolerating known offenders in the Church, were neglecting their duty as priests (cf. 3.4(b)(1) above). Augustine may also be understood to be pointing out in G3.281 that according to Scripture ecclesiastical discipline should be administered in a brotherly spirit in contrast to the more rigorous way in which the Donatists in their Letter envisage it as functioning, by insisting on the necessity of excluding known offenders.

If all these points of continuity between G3.281 and the rest of the Gesta are taken together, they represent a very strong link between the two. Although the meaning of the word 'world' in Scripture, the interpretation of the Net as sanctioning hidden offenders in the Church, and the nature of ecclesiastical discipline are frequently discussed elsewhere in Augustine's works, the particular way in which they are combined and presented here suits the context of the doctrinal debate at the Conference so exactly that there can hardly be any doubt that G3.281 should be regarded as an integral part of the authentic Gesta of the Conference.

Appendix 2

The Process by which the Records of the Conference were produced.

This subject has been carefully examined by E. Tengström in *Die Protokollierung der Collatio Carthaginensis* (1962), on which I base my outline here.

The second edict (G1.10)¹ of the presiding judge relative to the summoning of the Conference makes it clear that extraordinary care was to be taken over the accurate recording of the proceedings, so that there might be no cause for complaint. The system outlined there may be checked and supplemented with references in the Gesta themselves and in Augustine's works relating to the Conference.

Tengström² distinguishes fourteen stages in the process by which the gesta were produced. (1) A shorthand record was first made (exceptio) by two groups of secretaries working in rota. In addition to the secretaries (exceptores) provided by the official panel, each side, Catholic and Donatist, was asked to provide four ecclesiastical secretaries (notarii).² Thus, a first group of secretaries would be formed by two ecclesiastical secretaries from each side assisting (probably) four official secretaries³ in taking down (it is not quite clear whether with stilus on codices of wax tablets or on paper codices with pen and ink)⁴ a shorthand version of the proceedings. This first group would then be relieved (after completing two codices each, representing between 52 and 54 columns in the Migne text)⁵ by a second group of eight secretaries. Such a change over of secretaries was necessary once during the first and twice during the third and longest session of the Conference.⁶ Each secretary⁷ took down a verbatim record of the proceedings, including the statements of the judge and of either party, the documents which were

quoted, and also noted such things as interruptions, noise or laughter, the sealing and unsealing of records, the entry and exit of the participants.⁸ (2) When one secretarial group was relieved by another, or at the end of a session, the shorthand records were sealed temporarily (*prima impressio sigillorum*) before removal for copying out into longhand.⁹ For this purpose either side was asked to provide four bishops (*custodes*) to be responsible both for the custody of the records and for supervising the process of copying out.¹⁰ Two custodian bishops from either party were thus made available for each of the two groups of secretaries.

(3) After opening the sealed records in the presence of the custodian bishops,^{10a} the secretaries of each group would compare their shorthand versions (*collatio codicum*).¹¹ (4) The process of copying out into longhand (*descriptio*) could, by means of this *rota* system, begin while the Conference was still in session.¹² The shorthand records of the first session of 1 June were, however, only partially copied out (*in vellum*) into longhand for the official 'original' record (*scheda*) of the proceedings by the time of the second session on 3 June.¹³ (5) The original record thus produced was corrected (*emendatio schedae*),¹⁴ before (6) receiving the judge's signature (*subscriptio iudicis*), of which, surprisingly, there is no indication in the extant *Gesta*.¹⁵ Tengström suggests that the judge's signature was in any case a formality, since it was he who authorized the publication of the records. (7) The signatures of the episcopal disputants (*subscriptio episcoporum*) was another matter, since this was essential to tie the parties to their statements in the record.¹⁶ The extant *Gesta* show that this procedure was meticulously carried out.¹⁷ Thus, for example, the original record of the first two sessions was completed and signed by the disputants of

either party probably on 3 or 4 June.¹⁸ (8) The original record bearing these signatures would finally be sealed with the judge's seal and those of the eight custodian bishops (*ultima impressio sigillorum*),¹⁹ then (14) filed in the archives (*reductio in archivum*), probably a special archive (*scrinium*) of the proconsul,²⁰ but not before (9) official copies (*authentica*) were reproduced (*editio*), (10) compared, corrected (*collatio et emendatio authenticorum*), and (11) signed by the official secretaries in charge,²¹ and finally (12) authorised for publication by an edict of the judge (*programma*). Thus, for example, it would appear that such official copies of the original record of the first two sessions of the Conference were made available to either party by 6 June, and that this was achieved by the secretarial body working day and night, the ecclesiastical secretaries dictating from the original record while the official secretaries reproduced copies.²² The judge's edict authorising their publication is found at the beginning of the second session,²³ and Tengström suggests that these were made public chiefly for the benefit of the bishops of either party at this stage (the Donatists having insisted on receiving a copy).²⁴ (12) The publication of the full *Gesta* of the Conference (*propositio*) apparently did not take place until 26 June, and was authorised by an edict of the presiding judge of that date.²⁵ Official copies were posted up in public places, including the Church which had served as the Donatist headquarters during the Conference, the *Theoprepia*, in Carthage.²⁶

It would be from such official copies of the original record that further private copies and editions, such as that of Marcellus,²⁷ were made.

Postscript

In his edition of the 'Actes de la Conférence de Carthage', vol.1, pp.280-1 (cf.pp.216, note 2, and 262, note 1), S.Lancel includes a note complémentaire on 'La leçon "non legis aream" dans Gesta III, 262'. There he argues that the manuscript reading 'legit' should be emended to 'legis' following Augustine's quotation in c.Gand. 2.4.4 of Emeritus's words as 'non legis aream'. Lancel further suggests that two interpretations of Emeritus's objection are possible:

- (1) Habetdeus did not read 'area' in the Donatist Letter, which he read out at the Conference and in which Mt.3.12 was not actually quoted but merely referred to indirectly.
- (ii) Augustine did not read 'area' in the Gospel, because Mt.3.12 did not, strictly speaking, form part of the Gospel taught by the Lord himself as distinct from the teaching of John the Baptist.

Lancel's point is that the presiding judge must have misunderstood (ii) for (i) in ordering a rereading of the disputed passage (which he took to be the relevant part of the Donatist Letter) because Mt.3.12 had just been requoted by Augustine (cf.G3.262).

My own suggestion for the interpretation of G3.262 is given in 3.6(a) above and is also the subject of a note which has been accepted for publication in the Journal of Theological Studies. Here I offer the following criticism of Lancel's view:

- (1) First, the fact that the Donatists had neither quoted the parable of the Threshing Floor directly nor mentioned the word 'area' explicitly in their Letter was doubtless the reason for Augustine's

contention (G3.261) that it was not he, but the Gospel which spoke of the Church as a threshing floor. But (a) since Augustine is arguing that it is the Gospel which speaks of the Church as a threshing floor, it would have been quite irrelevant for Emeritus to point out that Habetdeus had not read the word 'area' in the Donatist Letter, and (b) it would have been even more difficult, as Lancel acknowledges, for the presiding judge to have misunderstood his objection in that sense if, on Lancel's own argument, Emeritus said 'legis', not 'legit', for that would have left no doubt that it was Augustine, not Habetdeus, he was referring to. In fact, Augustine's substitution of the second person for the third in quoting Emeritus's words in c.Gaud.2.4.4 seems natural enough not to require the emendation of 'legit' to 'legis' in G3.262, where I understand Emeritus to be referring to his opponent in the third person. The Gesta show that it was quite natural for the disputants to refer to their opposite numbers in this way, cf.eg. G3.183 : 'Petilianus...dixit: "Legaliter agit (sc. Augustine) an more forense?"; 200 'Emeritus...dixit: "Breve sum dicit (sc. Augustine) esse postulatum"'.

- (2) Secondly, Lancel suggests that what Emeritus was concerned to deny was the dominical status of the parable of the Threshing Floor. But (a) to say : 'non legit (or legis) aream' in response to Augustine's claim (G3.261) that the Gospel speaks of the Church as a threshing floor, does not seem a very natural way of objecting that the parable which had just been quoted represented John the Baptist's teaching but not Christ's, and (b) in the very next statement from the Donatist side (G3.263) Petilian (or, as Lancel prefers on the basis of c.Gaud.2.4.4, Emeritus himself) accepts the parable as nothing less than the authoritative words of the Evangelist : 'hoc dixit Evangelista'.

Notes to 1.

1. cf. 3.5 below.
2. Age of the Fathers, vol.2 (1903) pp.146-54.
3. Geschichte, vol.3 (1909) pp.367-8.
4. Early History of the Church (Fr.1906-10), vol.3 (E.F.1924) pp.95-9.
5. Le Catholicisme de Saint Augustin (1920; 5ed.1929) pp.305-20.
6. History of the Church to A.D.461, vol.3 (1922) pp.19-24.
7. Saint Augustine and the Donatist Controversy (1950) pp.70-6.
8. cf. Age of the Fathers, vol.2, p.151; Le Catholicisme de Saint Augustine, pp.312-13.
9. Histoire Litteraire, vol.4 (1912) pp.82-7 and 388-425.
10. For Donatist Letter and Catholic Mandate cf. 3.1.ff. below.
11. Histoire Litteraire, vol.4, p.412 : 'ils ne cherchaient que des pretextes a obstructions nouvelles. Ils preparerent notamment une refutation systematique du "mandatum" de leurs adversaires', cf. p.413; the outline of the Donatist Letter is given on p.414.
12. Histoire Litteraire, vol.6 (1922) pp.62-78 (Petilian), pp.139-143 (Primasius), pp.161-173 (Emeritus), p.194 (Caudentius), cf. also pp.239-247; vol.7 (1923) pp.179-88 (Augustine).
13. Donatist Church (1952) pp.275-89.
14. Donatist Church, p.321.
15. Augustine of Hippo (1967) pp.331-4.
16. Donatist Church, p.281.
17. Augustine of Hippo, p.332.

18. Augustine of Hippo, pp.212-25 and 334. Bonner, St.Augustine of Hippo (1963) pp.268-9 and Willis (see note 7 above) may similarly neglect the debate at the Conference because they deal with the issues at stake in the controversy more generally elsewhere. Bonner emphasizes that the issue at the Conference turned on the historical fact and, following Friend, Donatist Church, p.279, note 2, suggests that the Donatist were careless in preparing their brief, but quotes as an illustration of this an irrelevant Catholic reply to a Donatist argument from Optatus (cf.4.3, note 47 below). Willis tends to refer in the footnotes to Augustine's Breviculus rather than the Gesta of the Conference.
19. Donatist Church, p.324.
20. Saeculum (1970) p.112.
21. Saeculum, pp.111-26. It should perhaps be added that two other modern scholars who have made important contributions to Donatist studies and to whom I refer in the footnotes, refer to the Conference only incidentally : Brissan, Autonomisme et Christianisme (1958) concentrates on the continuity between Gyprian and the Donatists, while Tengstrom, Donatisten und Katholiken (1964) examines the role played by force (as opposed to argument) in the controversy.
22. cf.3.4, note 81 below.
23. G1.4, P.L.11.1260A-1261B.
24. cf.Brown, Augustine of Hippo, p.331.
25. cf.Friend, Donatist Church, p.278.
26. G1.5, P.L.11.1261C-1263A.

27. cf. c. part. Don. p. Gest. 24. 41.
28. cf. 3. 9, note 267 below.
29. The seven Catholic disputants (cf. G1. 55, P. L. 43. 827) were Aurelius of Carthage, Alypius of Thagaste (in Numidia, cf. P. L. 11. 1315, note 261), Augustine of Hippo (in Numidia, cf. P. L. 11. 1316, note 262), Vincentius of Calusitana (in Proconsular Africa, cf. P. L. 11. 3. 6, note 263), Fortunatus of Constantine (in Numidia, cf. P. L. 11. 1316, note 264), Fortunatianus of Sioca Veneria (in Proconsular Africa, cf. P. L. 11. 1316, note 265), and Possidius of Calama (in Numidia, cf. P. L. 11. 1317, note 266), of whom Augustine stood out clearly as the leading spokesman (cf. Monceaux, 7, pp. 179-88), supported in the main by Alypius. The seven Donatist disputants (cf. G1. 148, p. 1. 11. 1320B) were Primian of Carthage, Petilian of Constantine, Emeritus of Caesarea (in Mauretania, cf. P. L. 11. 1318, note 274), Protasius of Tubunae (in Numidia, cf. P. L. 11. 1283, note 31), Montanus of Zama (in Numidia, cf. P. L. 11. 1284, note 44), Gaudentius of Thamugadi (in Numidia, cf. P. L. 11. 1296, note 142), and Adeodatus of Milevis (in Numidia, cf. P. L. 11. 883, note 1), of whom Petilian and Emeritus shared the leading role. Petilian, Emeritus, Primian and Gaudentius are vividly portrayed by Monceaux, 7, pp. 1-85 and 111-219.
30. G1. 10, P. L. 11. 1263C-1266A; for the process by which the Gesta were produced cf. Appendix 2.
31. cf. G1. 1, P. L. 11. 1257B.
32. cf. G1. 213-14, P. L. 11. 1350.
33. As Augustine suggests, B. 3. 8. 10.

34. G.3.258, cf. 3.4 below
35. cf. eg. G3.193, P.L.11.1397A-C.
36. cf. 3.6 and 8 and 4.1-4 below.
37. cf. B3.25.43 and 4.4 below.
38. Mistakenly described as the 'sententia cognitoris' in P.L.11.
1418B-1420B.

Notes to 2.

1. cf. Praefatio Marcelli Memorialis : 'Ac iam quidem in hanc operationem qua in Ecclesiae negotio pro singulorum viribus laboratum est, quantum mea mediocritas potuit, officii mei symbolam dedi : quod a viro spectabili, et in quo plurimum insignis probitatis est, tribuno et notario Marcellino curarum ascitus in partem, non tam merito nec quam dignatione consentis, communicavi cum iudice librandae disceptationis laborem', P.L.11.1231A-B; cf. Monceaux, 4, pp.418-19. Marcellus does not appear among the secretaries mentioned by name in the extant Gesta.
2. cf. Severianus of Ceramusca in Numidia and Julianus of Tashalta in Bysacenia (P.L.11.1311A-B and note 232; 1294A and note 119).
3. cf. Monceaux, 4, p.419, where the closing months of A.D.411 are suggested.
4. 'ut totius membra negotii et articulos actionis, quod per istud volumen actorum, prosecutiones partium per longos explicuere conflictus modulata per me brevitatis distinguat et colligat... Quicquid igitur laxius a partibus peroratum est et quicquid inter-fatibus indicantis utrobique signatum est, sedula breviatione succinxi, consequenter affigens etiam per ordinem, notas calculantibus familiares, ut inquirentis intentio indice secuta brevitatem, ad id quod deprehendere velit in paginis actionis, non absque commoditate

compendii numeris ducibus directa perveniat', P.L.11.1231A-1232A.

Tengstrom, Protokollierung, pp.31-3, argues convincingly that Marcellus produced a table of contents for the unabridged Gesta rather than, as some have thought, an abbreviated version of the Gesta.

5. Cod.Lat.Paris.1546, now in the Bibliothéque Nationale at Paris. The manuscript is dated to the ninth century, cf.Monceaux, 4, p.419 and Baluze's preface in P.L.11.1225A-B.
6. The secretaries were changed twice during the last session, cf. C3.279-80 and C3.421. The missing portion is represented by 307 numbered sections in Marcellus's edition out of a total of 587 for this session, but this gives only a rough indication of the actual length of the lacuna, cf.4, note 1 below.
7. cf.note 4 above and the Capitula Gestorum, P.L.11.1231C-1258C, as compared with the Gesta, P.L.11.1257D-1418A.
8. cf.eg.C3.241 and G1.133.
9. This may perhaps be illustrated from the way the interminable roll call of bishops in the first session is dealt with : most are lumped together into several long sections, cf.G1.120,121,126,128,133,135, 143,187,197,198,201,206 and 208, but the points of polemical interest are singled out more precisely, cf.G1.111-20,121,122-6, etc.
10. cf.eg.C and G1.6-9,32-44,56-112.

11. C and G1.4,5 and 10.
12. C and G1.16 and 18.
13. 13.C and G1.55.
14. C and G3.258.
15. G3.316, 318, 321, 337, 342, 347, etc.
16. cf.eg.G3.278; G3.26 and 28.
17. cf.eg.G3.262 and my discussion in 3.6(a) below.
18. cf.Manesaux, 4,p.418, cf.7,pp.118-9.
19. cf.Augustine's preface to the *Breviculus Collationis* : 'id effecerunt (sc.Donatistae) multiplicitate gestarum, ut quod actum est non facile legeretur. Unde visum est isto brevario cuncta complecti, ut ad signa numerorum, quae et in isto breviculo et in ipsis gestis annotantur, sine difficultate quisque inveniat quod voluerit', and *Retract.2,39* : 'Posteaquam facta est cum Donatistis nostra collatio, breviter commemoravi quae gesta sint, litterisque comprehendi secundum tres dies quibus cunctis contulimus; idque opus utile existinavi, quo quisque communitus, vel sciat sine labore quid actum sit, vel consultis numeris, quos rebus singulis annotavi, legat in eisdem gestis ad locum quodcumque voluerit; quoniam fatigant illa nimia prolixitate lectorem. Huius autem operis titulus est *Breviculus Collationis*', P.L.32.646.

20. Augustine frequently emphasises that the Gesta made extremely difficult reading, cf. note 19 above, and also e. part. Don. p. Gest. 23.39; Ep. 141.1 and 7. Presumably therefore hearing them read through from beginning to end in Church during Lent every year would be more in the nature of a penitential exercise than an illuminating experience, cf. de Gest. c. Enar. 4: 'Deuterium obstringe ut, quemadmodum fit apud Carthagenam, apud Tagastem, apud Constantianam, apud Hippenem, apud omnes diligentes ecclesias, sic etiam deinceps facere non pigrescat, ut annis omnibus per ieiuniorum dies, id est quadagesima ante pascha, quando vobis maxime ieiunantibus plus vacat audire, eadem gesta collationis per annos singulos universa a capite in finem recitentur ex ordine'.
21. Thus, Augustine has 15 paragraphs for the first session (corresponding to 224 sections in Marcellus's edition), 3 for the second (corresponding to 73 sections in Marcellus's edition) and only 5 for the third session (corresponding to 507 sections in Marcellus's edition). The division into chapters in modern editions of the Breviculus does not correspond to Augustine's own division for the third session of the Conference, cf. B3.1, 2, 7, 8, 12. The last two paragraphs ('quarto loco', C.S.E.L., 53, p. 59, line 20, and 'quinto loco', C.S.E.L. 53, p. 72, line 12) cover the doctrinal and historical issues respectively.
22. Augustine's 'nine difficultate' (see note 19 above) is to be understood relatively.
23. For a detailed comparison of part of the Breviculus and Gesta cf. 3.5 and 7 below.

Notes to 33.1-3

- (1) G3.258, PL 11.1408B-1414A. It is described as 'libellus sive litterae' in G3.249, cf.B3.8.10, and 'epistola' in G3.258 (PL 11.1408C and D), cf.C3.281. I refer to this document as the Donatist Letter. Drawn up between 2 and 7 June (cf.Monceaux, 4, p.412) in the name of the Donatist episcopate, headed by the primate of Numidia, Jamarinus, and addressed to the presiding judge, Marcellinus, it sets out the case for the seven disputants already appointed on 25 May by the Donatist Mandate (G1.148).
- (2) G1.55, PL 43.821-7. I refer to this document as the Catholic Mandate. It contains a detailed statement of the case which the seven disputants on the Catholic side were on 30 May, by this same mandate, appointed to plead. Two briefer statements of some of the main points in their case were included by the Catholics in their letters (G1.16, cf.Aug.Ep.128, of about 25 May, and G1.18, cf.Aug.Ep.129, of between 26 and 31 May, cf.Monceaux, 4, p.403), replying to Marcellinus's second edict (G1.10, of about 20 May, cf.Monceaux, 4, pp.399-400) and refuting the Donatist notaria of 25 May (G1.14).
- (3) I refer to the uninterrupted reply which Augustine was eventually allowed to make to the Donatist Letter as the Catholic Extended Reply, cf.C.3.281: 'Prosecutio Catholicorum qua prolatae a Donatistis epistolae plena adsertione respondent'. The beginning is given in G3.281 and the whole is summarised in B3.9.16-18, cf.Appendix 1.
- (4) cf.3.3, 3.4 and 3.6 below.

- (5) cf.3.5.and 3.6.below.
- (6) cf. 3.8.below.
- (7) cf.3.9 and 3.10 below.
- (8) cf.3.11 below.
- 70
- (9) cf.3.4 note^a below.
- (10) Thus the Catholic Mandate begins with the words: 'Quamvis causa Ecclesiae Catholicae, ... satis superque divinis testimoniis defendatur ...' and goes on to demonstrate this (FL 43.822). The Donatists introduce their Letter by saying: 'In mandato suo legalia quaeque se posuisse dixerunt. Haec eadem legalia nos Scripturis legalibus convincimus' G3.253 (FL 11.14070).
- (11) These are to a large extent as I indicate in the footnotes, already stock texts of Catholic - Donatist polemic. In an attempt to avoid a surfeit of Scriptural quotation, I have on occasion relegated to the footnotes texts which reinforce but do not really develop the argument on either side, but since this is deliberately presented almost entirely in the words of Scripture, I have in the main preferred direct to indirect quotation.
- (12) cf.B.3.10. and 3.5. 3.8. below.
- (13) The full list of texts quoted (together with references indicating their earlier use in anti-Donatist polemic is as follows:
 Gen.22, 16-18, 26.3-5, 28.14 (cf.eg. c.Ep.Parm.1.2.2): Is.54.1-5
 (cf.c.Cresc.3.64.72); Is.52.10, 49.6 (cf.Ep.ad Cath.7.16); Mal.1.10-11
 (cf.c.Cresc.3.64.72); Jer.16.19 (?); Zeph.2.11
 (cf.Ep.105.4.15); Ps.2.7-8 (cf.c.litt.Petil.2.92-210) 71.8-11 (cf.c.

Crescon.4.64.72) 49.1-2 (cf.c.Crescon.4.54.64); Lk.24.44-7 (cf.c.litt. Petil.2.14.33); Ac.1.7.8 (cf.c.litt.Petil.2.38.91); Col.1.16 (indirect allusion, cf.c.Crescon.3, 38.42). Jer.16.19 does not seem to have been used before by Augustine in this sense. Of the rest, Gen.22. 16-18 and Lk.24. 44-7 are, wholly or in part, and occasionally in conjunction, among the most commonly cited (cf.eg. c.Ep.Parm. 2.13.27; c.litt.Petil.1.23.25, 2.8.20, 2.14.33, 3.50.62; Ep. ad Cath. 6.11, 19.51, 24.70, 25.75; c.Crescon.3.63.70, 4.58.70, 4.61.74; and c.litt.Petil.2.13.30, 16.38, 68.154, 73.164, 84.187, 104.239; Ep. ad Cath.10. 24-26, 11.28, 13.33, 17.43, 19.50, 22.63, 25.75; c.Crescon. 4.54.64).

- (14) 1.Cor.1.10-13 is quoted in full, cf.e.g. De Bapt.1.10.14.
- (15) Is.66.5 is quoted in full, cf.e.g. Aug.Ep.88.9 and cf.Ps.c.p. Don. E and S for a similar argument.
- (16) This point, which follows the reference to baptism in the name of Christ in 1.Cor.1.13, is taken up again in section (d) where the validity and efficacy of baptism are distinguished.
- (17) These parables are referred to indirectly here, as so often in Augustine's anti-Donatist polemic. Since their interpretation was seriously challenged in the Donatist Letter (cf.3.4(b) below) and throughout the subsequent debate (cf.3.6. and 3.8 below) it is worth indicating at this stage the frequency with which they are cited by Augustine in support of this argument: for the Field, cf.e.g.Ps.c.Don. O; C.ep.Parm.1.14.21, 2.2.5, 2.6.11, 2.19.38, 2.23.43, 3.1.2, 3.2.13, 3.2.16, 3.5.27; De Bapt.4.9.13, 6.26.48; c.litt.Petil.2.26.61, 2.39.93, 2.76.174, 2.90.199, 3.2.3; Ep. ad Cath. 14.35, 15.38, 16.43, 17.45, 18.48, 19.51-2, 24.70; c.Crescon.3.66.75, 3.68.78; for the

Threshing Floor, cf. list of texts discussed in 3.6. note 134 below; for the Net, cf. e.g. Ps.c.Don. A; c.Ep.Parm. 2.17.36, 3.3.19, 3.5.27; c.litt.Petil.3.2.3; Ep. ad Cath. 14.35, 18.48, 20.55; De Bapt. 4.25.33; for the Sheep and Goats, cf. e.g. c.ep.Parm. 3.3.19, 3.5.27; De Bapt. 4.19.26; c.litt.Petil.3.2.3.

- (18) For this argument from the Prophets, cf. e.g. Ps.c.p.Don.N,R,P.
The contrast is between worshipping alongside evildoers while morally rejecting their evil deeds and physically withdrawing from worship with them altogether.
- (19) cf. e.g. Ps.c.p.Don.Q.
- (20) i.e., a comparably serious offence to apostasy, of which the Donatists accused the Catholics and which was the reason for their withdrawal from them as 'sons of the devil', cf. e.g. Acta Saturnini 19, PL 8. 702 B-C: 'diabolus ... eos pollutis traditionibus iungens sibi' and the Donatist Letter, PL 11. 1409C.
- (21) cf. e.g. Ps.c.p.Don.V.
- (22) This is a reference to Cyprian, De Lapsis, 6: 'insatiabili cupiditatis ardore ampliandis facultatibus incubabant.fundos insidiosis fraudibus rapere, usuris multiplicantibus faenus augere'. Augustine refers to 'avaritiam quorundam collegarum usque ad crudelitatem fenoris, rapinasque fundorum'.
- (23) 'Nam etsi videntur in Ecclesia esse zizania, non tamen impediri debet aut fides aut caritas nostra; ut quoniam esse zizania in ecclesia cernimus, ipsi de Ecclesia recedamus', Ep. 54.3.1. where Cyprian (as in Ep. 55.25. also) applies the parable of the Field to sanction the presence within the Church of penitent apostates, but not of apostate

clergy (cf. Epp. 67.6.3 and 72.2), which was really the point at issue here between Donatists and Catholics, cf. Passio Donati 2, where the idea that 'posse tenere lapsos illicite rursus ecclesiasticos honores' is explicitly rejected. Augustine frequently refers to this passage of Cyprian cf. e.g. C. Cresc. 2.34.43.

- (24) 'dicentes eos illius sacrilegi surculi plantariis non esse pollutos' PL 43.825. cf. Gesta c. Emer. 10 and 11 for the sentence of Donatist Council of Bagai (24 April 394. cf. c. Cresc. 4.39.46) against the Maximianists to which was added a clause permitting those who supported Maximian but had not actually taken part in his consecration a period of time within which to return to the Donatist Church: 'eos autem quos sacrilegi surculi non polluere plantaria, hoc est, qui a Maximiani capite proprias manus verecundo fidei pudore retraxerunt, ad matrem Ecclesiam redire permisimus'. Augustine frequently exploits this internal schism within Donatism, which arose in A.D. 393 when Primian's succession to Parmenian as Donatist Primate of Carthage, was contested by Maximian, cf. e.g. c. Cresc. 4.4.5. As A.C. de Veer has pointed out (L'exploitation du schisme maximianiste par S Augustin dans sa lutte contre le Donatisme', Rech. aug. 3, 1965, pp. 235-7), Augustine's argument here was really irrelevant to the particular sin of 'traditio', in which the Donatists believed the Catholics had become implicated.

- (25) This argument on the basis of Rs. 1.18 had recently been developed by Augustine in Unic. Bapt. 4.6. (ca. A.D. 410, Monceaux, 7, p. 276 and A.C. de Veer: La date du de unico baptismo, Revue des études augustiniennes, X, 1964, pp. 35-8).

- (26) In de Bapt.1.7.9, Augustine uses the example of the man who did not follow Christ along with the disciples, but nevertheless cast out demons in his name (cf.Lk.9.49-50) to support his argument for heretical baptism, which, like the potency of Christ's name in casting out demons, should be recognised even outside the Church. This is the point Augustine wishes to make here when he compares baptism in Christ's name by heretics with Christ's confession by demons (cf.Lk.4.41).
- (27) i.e., not that they may receive baptism on returning to the Church as though they lacked it altogether, but that the baptism they have received outside the Church may be beneficial to them within the unity of the Church (cf.e.g., de Bapt.1.3.4).
- (28) For this argument cf.e.g., c.Ep.Parm.1.4.9.
- (29) 'Ne communices peccatis alienis'. The word 'communices' was interpreted in the sense of 'sacramental communion' and the text applied to the question of heretical baptism in Cyprian, Sent.Episc. 41, as Augustine acknowledges in de Bapt.7.5.8-9. In c.Ep.Parm. 2.21.40, Augustine implies that this text had been quoted by Parmenian in his letter against Tyconius and Augustine interprets it as urging a moral rather than a physical discrimination between good and bad. Petilian had used 1.Tim.5.22 to illustrate the involvement of laity in the guilt of sinful clergy whose sacraments they received, cf.Ep.Petil.63, and context 61-63. Cresconius seems to have used it in a similar sense, cf.c.Cresc.3.36, 39-40. The text is later employed by the Donatists in their Letter, where heretical baptism is rejected and the necessity for a physical separation from evildoers is upheld, cf.3.4(d) below. There the

inclusion of the first part of the text: 'Manus cito nemini imposueris neque communicaveris peccatis alienis' (cf. PL 11. 1413A) may be intended as a rejection of the Catholic practice of admitting to the Church, by the laying on of hands, those who had received heretical baptism, since the text comes at the end of the section of the Donatist Letter dealing with heretical baptism. The Donatist use of 1 Tim. 5.22 seems to be understood by Augustine as illustrating the general Donatist principle of the necessity for a physical separation (in the matter of sacramental communion) between good and bad, whether applied to apostate bishops (as in Ep. Petil. 63) or to heretics and schismatics (as here, in the Catholic Mandate).

(30) see note 24 above.

(31) 'Qui baptizatur a mortuo (quid proficit lavatio eius)'. Cyprian had earlier employed this text in rejecting heretical baptism as that of those who are spiritually dead, cf. Ep. 71.1 (cf. also Sent. Episc. 27 for a similar application, quoted by Augustine in de Bapt. 6.34.65). Parmenian apparently used it, along with other texts, cf. c. Ep. Parm. 2.10.20, where Augustine refers, as in the Catholic Mandate, to the sentence of the Donatist council of Bagai condemning Maximian's associates as spiritually dead. (cf. c. Crescon. 4.16.18: 'Sed veredica unda in asperos scopulos nonnullorum naufraga proiecta sunt membra, Aegyptiorum admodum exemplo pereuntium funeribus plena sunt litora (cf. Ex. 14.30) quibus in ipsa morte maior est poena, quod post extortum aquis ultricibus animam nec ipsam inveniunt sepulturam' and PL 43.826 'quos cum damnarent mortuos esse dixerant'). Of these, Augustine continues in c. Ep. Parm. 2.10.20, Felicianus of Musti had been received back along with his congregation into the

Donatist Church and the sacraments administered by him while in schism had been recognised by the Donatists. (See further 3.6 note 15 below). Thus, in the Catholic *Mandate*, the Donatist inconsistency is exposed in rejecting Catholic baptism in terms of Sir.34.30, while accepting Maximianist baptism, equally condemned by them as spiritually dead. In c.Ep.Parm.2.10.20-22, Augustine's contention is that if the text is to be applied to Christian baptism rather than to pagan rites (cf.c.Ep.Parm.2.10.22, c.litt.Petil.1.9.10 and c.Crescon.2.24.29 ff), the Donatists have bishops guilty of various serious or mortal sins, known or unknown, so that, on their own argument, baptism administered by such clergy is profitless. This seems to imply that Parmenian's application of Sir.34.30, unlike Cyprian's, was not to heretical or schismatic baptism in particular, but rather to the baptism of a priest guilty of mortal sin (contrast Brisson, *Autonomisme*, p.147, n.4, where Parmenian's use of this text is regarded as parallel to Cyprian's). That is certainly the application given to this text by Petilian, who develops the theme with explicit reference to the sin of *traditio*, cf.Ep.Petil.4 and context, where it is argued that clergy known to be implicated in apostasy confer its guilt upon those who, knowing their guilt, receive baptism from them. That is to say, Petilian uses this text to condemn Catholic baptism not simply because it is schismatic, but because it is the baptism of apostates. To Petilian Augustine gives much the same reply as to Parmenian (cf.c.litt.Petil.1.9.10, 2.7.14-16, taken up again in c.Cresc.2.24.29-2.28,36). In c.Cresc.2.27.33 Augustine raises the question as to whether the Latin text may require correction from the Greek Septuagint to give a quite different sense. He had earlier, in his lost work '*contra Epistolam Donati Haeretici* (ca.A.D.393-4),

accused Donatus of tampering with the text, though he retracts this later, acknowledging that many codices, all of them African, omitted from the middle of the verse, the words: 'et iterum tangit illum' (cf. *Retract.* 1.21), which would alter the sense to: 'If one washes after touching a dead man and then touches him again, what is the good of washing?' In *c. Crescon.* 2.27.33, Augustine is content to hint at this, preferring, in the works referred to above, to meet the Donatists on the common ground of the African Bible. The Catholic Mandate stops the quotation of *Sir.* 34.30 before the versions diverge.

- (32) cf. e.g. *c. Ep. Parm.* 1.11.18-13.20 for this argument from the legal action taken by the Donatists against the Maximianists as parallel to the Catholic attempt to bring the Donatists increasingly under pressure from the heresy laws; see further 3.6, n.16 below.
- (33) cf. n.12 above and n.35 below.
- (34) 'quem malorum fontem in concilio suo ipsi dixerunt, ' *PL* 43,827. The council to which Augustine refers here was that which met at Carthage in A.D. 312 (cf. *Monceaux*, 4, p.327) under the presidency of Secundus of Tigisis, primate of Numidia, and condemned Caecilian as one who had been ordained by traditors. The records of this council were quoted during that part of the third session of the Conference for which the *Gesta* are not extant, cf. *C* 3.347: 'ibi offerunt Donatistae conditum a patribus suis de Caeciliani damnatione decretum, et hoc iubente iudice recitatur', cf. *Monceaux*, 4, 332. In summarising this, Augustine again refers to Felix of Aptungi as having been described by this council as 'fons malorum omnium', *B* 3.14.26, cf. *C. Cresc.* 3.61.67 and *Ep.* 88.3. Optatus who does not

quote this phrase informs us that 'illo tempore a tot inimicis nihil in eum (sc.Caecilianum) potuit confingi, sed de ordinatore suo, quod ab his falso traditor diceretur, meruit infamari,' though he employs the same metaphor against the Donatists - to suggest that they were merely trying to shift the blame from themselves: 'interea de suorum criminum fonte, qui apud eos multorum flagitiorum venis exuberaverat, unum traditionis convicium in ordinatorem Caeciliani derivandum esse putaverunt', Opt.1.19 and 20. A brief quotation from the records of this council giving the verdict of one of the bishops present is found in *Adversus Fulgentium*, ed. Lambot, p.221, lines 11-19, concluding with the words: 'unde Caeciliano in schismate a traditoribus ordinato non communicare oportet', cf. Augustine's 'tamquam a traditoribus ordinatus', B.3.14.26, and Monceaux, 4, p.330. The plural 'a traditoribus' does seem to indicate that Felix of Aptungi was not the only consecrator of Caecilian believed to be guilty of traditio. In B.3.14.26, Augustine goes on to mention that in the records of this council quoted by the Donatists 'nominati sunt etiam quidam collegae Caeciliani, qui traditores asserebantur publicis gestis', and in c.Part.Don.p.Gest.22.38 he appears to refer to two of these as Novellus of Tyzica and Faustinus of Thuburbo. It is not clear whether in describing Felix as 'fons malorum omnium' the council was accusing him of being more deeply involved in 'traditio' than the others or of bearing greater responsibility for Caecilian's ordination, which appears to have been deliberately rushed in order to prevent the Numidian episcopate led by Secundus of Tigisis taking part (cf.Opt.1.18) and which the council further regarded as invalid on the principle that a primate could only be ordained by another primate, B.3.16 29 cf.Monceaux 4, 217. Augustine adds that the council's condemnation of Caecilian did not derive solely from the

unworthiness of his consecrators but also from his own personal unworthiness in opposing the martyrs at Carthage B.3.14.26: *et quia, cum esset diaconus, victum afferri martyribus iss custodia constitutis prohibuisse dicebatur.* The *Acta Saturnini*, 17 and 20, take up the same charge, making Caecilian along with themselves responsible for the deaths of the martyrs from starvation, cf. Monceaux, 4,329. It seems clear that Augustine has focused attention on the phrase '*fons malorum omnium*' because Felix, whom the Donatists specifically mentioned in a later appeal to the Emperor, could be shown on good evidence to have been subsequently acquitted of the charge of *traditio*, cf. *Aug. Ad. Don. p. Coll.* 22.38; cf. *c. Cresc.* 3.70.81; *Unic. Bapt.* 16.28.

- (35) The evidence supporting the innocence both of Caecilian and Felix had been collected probably not long after A.D.330 and was added by Optatus as an appendix to his work against Parmenian. It has been partially preserved under the title of '*Gesta purgationis Caeciliani et Felicis*' cf. Optatus, ed. Ziwsa, CSEL 26, pp.183-216; L. Duschesne: '*Le dossier du Donatisme*', *Mélanges d'archéologie et d'histoire*, 10, Rome 1890, p.590 ff.; Monceaux, 4, p.211 ff.. For Caecilian's case cf. ch.4 below.
- (36) '*Ecclesiae causa(m), quam nunc clementissimus imperator cognoscendam et demonstrandam recenti praeceptione curavit...*', PL 43,827. The conference was officially summoned by the Emperor Honorius in an edict of 14 October, A.D.410 (cf. Monceaux, 4,390-4). The edict, which was read out at the beginning of the first session (Gl.4) does not distinguish between Caecilian's case and that of the Church, but refers in general terms to the truth of the Catholic religion being established and Donatist '*superstitio*' being overthrown: '*et quamvis una sit omnium et manifesta sententia Catholicae legis, plenam veritatem recto hominum cultu*

et coelesti sententia comprobata, studio pacis et gratiae
 venerabilium virorum episcoporum legationem (sc. the legation of
 African Catholics who requested the Conference) libenter admisimus,
 quae congregari Donatistas episcopos ad coetum celeberrimae
 desiderat civitatis, ut electis etiam sacerdotibus quos pars utraque
 delegerit, habitis disputationibus, superstitionem ratio manifesta
 confutet', PL 11.1260 B,C.

- (37) .i.e., since the rest of the world has hardly even heard of Caecilian
 how could it be affected by his sin? (cf. e.g., c. Ep. Parm. 1.5.10).
 The Donatists argued that it was only the knowing toleration of
 offenders in the Church that had a contaminating effect upon those
 who tolerated them (cf. 3.4 below).
- (38) The question is really more specific: whether apostate clergy may
 continue to hold office in the Church; but this raises the more
 general question of the Church's nature.

Notes to 1.4

39. cf.note 1. above.

40. The Letter was read by the Donatist bishop, Habetdeus, one of seven who were appointed as assistants to the seven disputants on the Donatist side, but who did not themselves have a voice in the proceedings, cf.G1.10, P.L.11.1263D - 1264A and G1.218, P.L.11.1352A. Of these, four are named as present at the beginning of the third session, Habetdeus among them, G3.2, P.L.11.1361A. He is probably to be identified with the Habetdeus who answers his name as 'episcopus Aurusulianensis' (of uncertain geographical location) on the roll of signatories to the Donatist mandate, G1.206, P.L.11.1343B, cf.table in col.1227 ff. There is also mention of a Habetdeus who complains of having lost possession of the see of Marasanae, in Byzacenia, to his Catholic counterpart, Eumomius, G1.133, P.L.11.1305B-1306A, and who is one of several Donatist bishops whose protest is recorded against the claim of their Catholic rivals to sees of which they themselves do not appear as bishops in the list, as given in the Gesta, of signatories to the Donatist mandate.

Habetdeus took over from one of the official secretaries, Romulus, after a protest from Emeritus that the Donatist Letter was not being read properly: 'Non legit, non distinguit sensus', G3.255; cf.Petilian's supporting remark: 'Non de fide dubitatur officii, sed de pronuntiatione', G3.256. Monceaux, 6, pp.170-1, criticises

Emeritus's pedantry here (and he was certainly, as Friend, Donatist Church, p.281, has put it - 'a longwinded, pedantic and exasperating speaker' cf.eg.G2.28) about a matter of diction at such a critical moment in the history of his Church. The official secretary had, however, continued to read exactly from where he had left off after being interrupted by Marcellinus near the beginning of the Donatist Letter and this happened to be in the middle of a sentence. The flow of the Donatist argument was thus broken by a series of exchanges between Marcellinus and Emeritus, G3.252-4, even although what the official secretary continued to read still made grammatical sense. That argument was that since the Donatists had in their mandate, cf.G1.148, charged their spokesmen to plead their case (interruption, G3.251-2) that case should now be stated, just as the Catholics had given a full statement of their case in the mandate by which their spokesmen were formally appointed, G3.258, P.L.11.1408B-C. In picking the official secretary up on this technical point and having him replaced by a Donatist, Emeritus gained the important advantage that the key phrases in this Donatist manifesto would be given due emphasis and the many anti-Catholic innuendoes (indicated in the footnotes below) in the scriptural texts cited would be given greater poignancy by the way they were read.

41. Apart from Donatist martyrology, where one would naturally expect it, the theme of persecution plays a prominent part in works as diverse as a Christmas sermon, cf. Sermo in Natali Innoc., ed. Wilmart, passim; a pastoral letter attacking Catholic baptism, cf. Petilianus Epistola, reconstructed by Monceaux, 5, pp.311-28;

a technical treatise on scriptural exegesis, cf. Tyconius, *Liber Regularum*, ed. Burkitt, p.30, lines 13-31, p.67, lines 7-15, p.68, line 16; and a chronicle of biblical history, cf. *Liber Genealogus*, ed. Mommsen, 546 and 611-27 (which is part of the Donatist recension written between A.D.405 and 411).

42. They describe themselves as 'episcopi veritatis Catholicae, quae persecutionem patitur, non quae facit'. Petilian had used a parallel expression shortly before in claiming the title 'Catholic' for the Donatist Church: 'Apud nos enim vera Catholica, quae persecutionem patitur, non quae facit', G3.22. While Petilian may already have had in mind here the opening words of the Donatist Letter, a similar phrase had earlier been employed by Crescens towards the end of A.D.401 (Monceaux, 4, p.498) to prove his opponents' complicity in the apostasy of those who had handed over copies of the Scriptures to the authorities during the Great Persecution from their own readiness to persecute: 'Quis pro lato testamento minus consentit, qui persecutionem patitur an qui facit?', c.Crescens 3.71.83. This antithesis may, therefore, by the time of the Conference represent a familiar Donatist catch-phrase for the well worn Donatist theme that to be persecuted is a mark of the true Church, cf. note 41 above and esp. *Sermo in Natali Innoc.*, passim. It is reiterated later (between A.D.412 and 420, Monceaux, 4, p.505) in *Adv. Fulg.* 12, ed. Lumbot, p.218, lines 3-4: 'Haec est vera (sc.Catholica) quae persecutionem patitur, non quae facit', although the attribution to Fulgentius of the exact phrase used by the Donatists at the Conference, may simply be a convenient device in

this part of the imaginary dialogue, which seems to have moved from a refutation of Fulgentius's actual treatise to a wider discussion of the points at issue in the controversy, cf. Lambot, introduction, pp.177-90 and 213, lines 33-5. Other parts of the Gesta of the Conference relevant to this same question of Catholicity are quoted by the Catholic interlocutor in the dialogue shortly before, Adv. Fulg.5, ed.Lambot, p.215, lines 1-4, cf.83.91(of.123), 99 and 146.

43. Throughout, the Donatists consistently use the African Old Latin version, cf. Monceaux, 1, p.157 ff.
44. The words 'aqua' and 'fons' here are no doubt seen as a prophetic reference to Christian baptism, as, for example, 'fons aquae vivae', Jer.2.12-13, in c.Ep.Parm.2.10.20 (Parmenian); Adv.Fulg.III, ed.Lambot, p.193, lines 5-8 (Fulgentius); or 'fons signatus', Cant.4.12, in Opt.2.13 (Parmenian); c.Crescon.4.63.77 (Cresconius); cf.Cyp.63.8 'Quotiescumque autem aqua sola in Scripturis sanctis nominatur, baptismum praedicatur, ut apud Esaiam significari videmus: "...et faciam in deserto viam, et flumina in loco inaquoso adaquare genus meum electum (Is.43.19)'''. Christ's saving work is thus linked to baptism as in Eph.5.25-7, which follows soon after in this list of texts. Is.62.11-12 and 35.3-6 connect Is.52.1 and 35.8-9 with the coming of Christ and thus facilitate the application of the Holy City or Way described here to the Church.
45. To this is added 2 Cor.11.2 : 'Desponsavi enim vos uni viro virginem sanctam assignare Christo'. For Eph.5.25-7 cf.Opt.2.18 (Parmenian);

Adv.Fulg.13, ed.Lambot, p.218, lines 7-8 (Fulgentius); and many indications that this was an important Donatist text in Augustine, eg.c.litt.Petil.3.49.59, 56.68; c.Crescon,2.20; de Bapt.6.3.5. Tyconius links it to Cant.4.7, as contrasted with Cant.1.5, in Liber Reg. ed.Burkitt, p.10, lines 13 ff. Cyprian had used Eph.5.25-6 (Ep.79.2,6) in defending the Church's purity from heretical baptism.

46. G1.55 : 'Urgendi ergo sunt isti harum evangelicarum similitudinum et tam perspicuae veritatis inimici, ut doceant quod intendunt...', P.L.43.824.
47. Omitting the parable of the Sheep and Goats. On this see 3.5 below.
48. The Donatists were probably influenced to some extent in their view of these scriptural characters by later tradition. Some of them are listed by Tertullian in his comparison of heretics with apostates in de Praescr.Haer.3.11-12 : 'Minus est si apostolum eius (sc. Christ's apostle, Paul) aliqui, Phygelus et Hermogenes (cf.2 Tim.1.15) et Philetus et Hymenaeus (cf.2 Tim.2.17-18) reliquerunt : ipse traditor Christi de apostolis fuit. Miramur de ecclesiis eius si a quibusdam deseruntur cum ea nos ostendant christianos quae patimur ad exemplum ipsius Christi?'

The popularity in Africa of the Acts of Paul and Thecla (tr.M.R.James, Apocryphal N.T. pp.272-81; cf.H.Leclercq in Dictionnaire d'archéologie chrétienne et de liturgie, vol.13, part 2,

col.2666 ff.) is attested perhaps as early as Tertullian's denunciation of them as spurious, cf. de Bapt. 17.5, and well established by the time of Augustine, cf. eg. c. Faust. Man. 30.4 (A.D. 397/8); de Sanct. Virg. 44.45 (ca. A.D. 401). Although it is Demas and Hermogenes (cf. 2. Tim. 4.10 and 1.5) who share the villain's role in these Acts, the influence which they could exert on a number of allied scriptural texts may be illustrated by Ambrosiaster's comments on the following: 2. Tim. 1.15 (Phygaleus and Hermogenes): 'Hi quos memorat, fallacia pleni erant; simulabant enim amicitias Apostoli (cf. Acts of Paul and Thecla, 1, tr. James, p. 272), ut adherentes ei addiscerent unde illi calumniam facerent (cf. op. cit., 12, p. 274) aut per alios imiterent (cf. op. cit., 14 and 16, p. 275). Qui postea quam viderunt manifestos se, recesserunt ab eo', P.L. 17.515A; 2 Tim. 2.17-18 (Hymenaeus and Philetus): 'Hi autem sicut ex alia scriptura docemus, in filiis fieri resurrectionem dicebant (cf. op. cit., 14, p. 275), quibus non deerat qui assensum praestaret perversus contra fidem quam in primordio fuerat consecutus', P.L. 17.516B; 2 Tim. 4.9-14: 'Alexander iste, et Demas supradictus, collegae fuerunt. Hi prius cum Apostolo erant, simulantes illi amicitiam (cf. op. cit., 1, Hermogenes 'the copper-smith', p. 272) et quia fallaces tempore probantur, ab eo recesserunt. Hic autem avarius qui audacior erat in malis, sic ab eo recessit, ut et contradictor verborum eius existeret. Qui ergo Apostolus ausus erat contradicere non immerite evitandum hunc admonet, Dei iudicio istum dimittens'. Simon's role (Ac. 8.20-1) was variously embellished, cf. eg. Vercelli

Acts of Peter, 4 ff., tr. James, p.306 ff.

In the Donatist list, Erastus, who simply 'remained at Corinth', 2 Tim.4.20, is probably associated with Demas, 2 Tim. 4.10, and Hermogenes, 2 Tim.1.15, as having abandoned Paul to the prospect of martyrdom, cf. 2 Tim.4.16. Tertullian, in de Praescr. Haer. 3.11 (quoted above) links such apostasy to heresy, in referring to Philetus and Hymenaeus, cf. 2 Tim.2.17-18, and the inclusion of Alexander in the Donatist list may similarly be due to his implied heresy, cf. 1 Tim.1.19-20, where Alexander is associated with Hymenaeus, and cf. also 2 Tim.4.15 : 'avoid him'. An earlier Donatist use of the examples of Simon and Philetus may lie behind Augustine's argument in de Bapt.1.10.14, 11.17 and 4.12.18. Their argument here seems to be that if the Lord had taught that the parable of the Field should be understood as the Catholics wish, the Apostles would not have acted in the way they did. The example of the Apostles thus not only supports the Donatist view that this parable was not intended as a prediction of how evildoers are to be tolerated in the Church, but also shows how they are to be disciplined.

49. Lev. 10.9-10 had been used by Parmenian, cf. Aug., c.Ep.Parm. 2.23.43. The Donatist interpretation of these and similar texts probably follows that of Cyprian, cf. Brisson, Autonomisme, p.150, in that it includes some idea of ritual purity, cf. Brown, Augustine, pp.218-20. But it was, as Brown emphasises, the sin of apostasy in particular which they regarded as disqualifying a man from the priesthood. That is to say, it is a question of ritual purity in

so far as they were concerned with the necessary qualifications for performing the function of priesthood. They did not of course follow the Mosaic Law literally in regarding, say, a physical taint as a disqualification. Rather they considered what they took to be a public denial of Christ as incompatible with clerical office, though they could follow Cyprian in speaking of this in terms of a physical taint, cf. eg. Cyp., Ep. 65.2 : 'quomodo putat manus suam transferri posse ad Dei sacrificium et precem Domini quae captiva fuerit sacrilego et crimini, quando in Scripturis divinis Deus ad sacrificium prohibeat accedere sacerdotes etiam in leviori crimine constitutos et in Levitico dicat : "Homo in quo fuerit vitium et macula non accedet offerre dona Deo"'. In the texts cited they may have in mind the effects of a compromised clergy on Church discipline, as is indicated by the phrase : 'Clarum est adversarii qua conscientia partocinantes erroribus malos nolint a bonorum communione discerni', below, following another reference to Ezekiel's condemnation of the failure to separate clean and unclean, Es. 22.18-22, P.L. 11.1410C-D.

50. Earlier Donatist references to Jer. 23.28 are discussed in 3.6, note 136 below. 2 Cor. 6.14 was a stock Donatist text for the necessity of separation between good and bad, cf. Acta Sat. 19, P.L. 8.701D-702A, and c. litt. Petil. 2.40.95 (Petilian), where it is apostates and persecutors who are referred to. The idea of communion in both 2 Cor. 6.14 and Sir. 13.21 may be regarded as suggesting the technical senses of 'the communion of the faithful'

and 'the sacrament of communion' in addition to the simple sense of 'association', cf. Blaise, Dictionnaire, p.177. The implication of the Donatist argument is that the parable of the Threshing Floor does not sanction a mixture of good and bad within the Church any more than the parable of the Field. In the debate which followed the reading of the Donatist Letter the Donatists took the parable of the Threshing Floor as parallel to that of the Net as scriptural support for the presence unknown rather than known offenders in the Church, cf. 3.6 below. It was the presence of known offenders in the Church that the Catholics wished to interpret these parables as sanctioning.

51. That is to say, although the Donatists insist on the duty of priests to maintain the purity of the Church, they recognise the limitations of human judgment and allow that some offenders may escape detection by the priests. The parable does not, however, in their view, support the Catholic contention that even those offenders who are known to the priests may for the sake of unity be permitted to remain in the Church. It cannot therefore be used as evidence that the Church ought, in principle, to contain both good and bad, because it implies that the Church ought to contain only the good, since the bad are there merely because they have succeeded in deceiving the priests, not because they have any right to be there.
52. The implication is that the man ought not to have gained admittance, that is to say, that evildoers ought not to be openly

tolerated in the Church, with the connivance of the priests.

That Parmenian had already used the parable of the Wedding Guest may be inferred from Opt. 5.10 : 'Postremo, qualis est illa pars tractatus tui de caelestibus nuptiis, ubi spem amputans futurorum totum in praesenti tempore posuisti dicendo a societate vestra proiectum esse eum, qui ianitores et ministros defecerit vestros, ut a communione fidelium foras cum iniuria mitteretur', which suggests that Parmenian may have interpreted the man without the wedding garment as representing the case of an offender who at first escaped detection, but was later excommunicated on becoming known.

53. dic, manuscript; εἶπεν, LXX; dicit, Migne ed.
54. This seems to be a reference to Jewish ritual washing such as is described in Ex. 30.17-21; Lev. 22.6; cf. c. litt. Petil. 2.33.77 (Petilian) : 'Vos ergo huiusmodi (those who have been baptised by priests defiled by apostasy) non debeo baptizare, etsi, ut carnem Iudaei quasi baptizant, millies vos lavetis?' The implication of the Donatist argument seems to be that separation between good and bad is even more essential under the N.T. dispensation when Christian baptism is available only once.
55. 'Tamen etiam sic inveniuntur eidem prophetae a malorum communionem se abstinuisse, quando Sophonias propheta, qui ad Hieroboam in schismate positum missus, nec panem nec aquam iubetur accipere, qui circumventus, violato praeepto, a leone confectus est',

P.L.11.1410D. The following points may be noted on this passage :

(i) The identification of the unnamed 'man of God' of 1Ks.13 with a prophet called Zephaniah seems to be without parallel, though Josephus, Antiquities, 8.9, provides an example of an attempt to supply him with a name. Cyprian Ep.69.6.2, refers to him simply as 'homo Dei'.

(ii) The mention of Zephaniah first in a list of Old Testament prophets most naturally denotes the Zephaniah who gives his name to one of the prophetic books.

(iii) There are only two verbs, 'iubetur' and 'confectus est', for the three subordinate clauses introduced by 'quando...qui... qui...' unless one of the participles, 'missus' or 'circumventus', is treated as a verb.

Thus, it seems necessary to suppose a lacuna after the mention of Zephaniah which would include at least an appropriate quotation from the book of Zephaniah and some words introducing the reference to 1 Ks.13. If the 'man of God' was introduced as a prophet, as he is by Augustine in e.part.Don.p.Gest.20.29 (cf. also 1Ks.13.18 and 23) where the Donatist use of this passage at the Conference is referred to : 'quod ergo iussus est quidam propheta nec panem manducare nec aquam bibere in Samaria, quo missus fuerat', the lacuna could be explained either as a copyist's association of the name Zephaniah with the word prophet occurring later, unattached to a proper name, or, if Zephaniah was himself qualified by the word prophet, as Hosea is soon after (cf.P.L.11.1411A, though Elijah, Elisha, Amos, Isaiah, Haggai and Malachi are not, cf.P.L.11.1410D-1411C), by confusion of the second mention of the word prophet with the first. The second

'qui' clause could then be taken in juxtaposition to the first, without a conjunction. There is, unfortunately, no example of an obviously relevant quotation from Zephaniah in extant Donatist literature. But since the Donatists are arguing that the Prophets' often sweeping condemnation of evildoers did involve physical withdrawal from or non-participation in their religious rites, perhaps some specific reference to polluted sacrifices may have been included, eg. Zeph.3.4: 'sacerdotes eius profanant sacra et consecraverunt legem' (following the text in Tyconius, Reg., ed.Burkitt, p.42, lines 26-7), which could be taken to imply that Zephaniah did not participate in their sacrifices. A similar argument is used with reference to Hos.9.4; Is.1.11-15, 66.3; Mal.1.6-7 below.

56. 'qui ad Hieroboam in schismate positum missus...confectus est (see note 54 above). Helias etiam et Heliasus altaribus schismatis Samariae nunquam communicaverint, neque consenserint, qui magis in solitudine morabantur?' P.L.11.1410A. 'Schismat <ie> is' should perhaps be read for 'schismatis' in the manuscript. The analogy of the rival centres of worship to that at Jerusalem which were set up in Samaria by Jeroboam (cf. 1 Ks.13) was one which the Donatists frequently applied to the Catholics, as Cyprian had already done to the Novatianists. Cyprian's argument in Ep.69.6.2-3 provides a close parallel with the Donatist use here of 1 Ks.13: 'Et tanta indignatio Domini extitit adversus illos qui schisma fecerant, ut etiam cum homo Dei ad Hieroboam missus esset qui ei peccata sua exprobraret adque ultionem futuram praediceret, panem quoque apud

illos edere et aquam bibere veteratur. Quod cum non custodisset et contra praeceptum Dei prandisset, statim divinae censurae maiestate percussus est, unde regrediens impetu ac morsu leonis in itinere necaretur. Et audeat quisquam vestrum dicere aquam baptismi salutarem et gratiam caelestem communem cum schismaticis esse posse, cum quibus nec terrestris nec saecularis potus debent esse communis? Satiat adhuc in Evangelio suo Dominus et maiorem intellegentiae lucem manifestat quod idem qui tunc se a tribu Juda et Benjamin sciderant et Hierosolymis derelictis Samaritanos secesserant, inter profanos et gentiles computarentur (cf. Mt. 10.5)'. The description of Elijah and Elisha staying in the desert rather than associate with schismatics is probably chiefly a reference to Elijah's flight from persecution to the desert, where his mantle is given to Elisha, who is to take over his prophetic role, 1 Ks. 19; cf. eg. 2 Ks. 9.1-3. The Donatist use of this analogy, implied by the Catholic counter-argument in Aug., Ep. ad Cath. 13.33, is illustrated in Liber Geneal. 546 (LFG) : 'Et fuit scisma inter Reboam filium Salomonis et Hieroboam filium Nabath : et proelium erat inter eos omnibus diebus vite eorum (cf. 1 Ks. 14.30) sicuti nunc inter veros Christianos et falsos catholicos'; and Adv. Fulg. II, ed. Lambet, p. 191, lines 19-26, where apostate baptism is rejected : 'Et ne passim et ubique bibi posse diceretur, merita aquarum ipse disceravit dum Samariae apostasiae originem improprie fonte damnavit (Jn. 4.13-14)'. Jeroboam may well have been regarded as an apostate (cf. 1 Ks. 12.28) as well as a schismatic. For further discussion, cf. 3.8, note 178 below.

57. This was a common Donatist text, cf. Acta Sat., 19, and c.litt. Petil. 2.52.119 (Petilian, who associates it with Is. 66.3, as here, cf. P.L. 11.141B-C). Cyprian had applied Hos. 9.4 to schismatic (Novatist) sacraments, cf. Epp. 59.5 and 69.9, but had also employed it of the sacrifices of an apostate priest, cf. Ep. 67.3 : 'Nec sibi plebs blandiatur quasi immunis esse a contagio delicti possit cum sacerdote peccatore communicans et ad iniustum adque illicitum praepositi sui episcopatum consensus suum commendans'. This is the sense in which the Donatists also employ it in the above references, and here they are probably thinking of apostate, not merely schismatic sacrifices, cf. previous note.
58. The reference to the denunciation of Amos before Jeroboam by Amaziah, priest of Bethel, and his enjoined exile (cf. Amos 7.9-13), together with the reference above to the persecution and flight of Elijah (cf. 1 Ks. 19) is in accordance with the Donatist idea that God's true prophets necessarily suffer persecution, cf. eg. Sermo in Natali Innoe., 5, ed. Wilmar, p. 283, lines 5-6 : 'Inde iam omnes iusti et electi prophetae per tractus temporum et decursiones aetatum impiis dominantibus oppressi, fugati, necati sunt'; c.litt. Petil. 2.14.31, where Mt. 23.33-5 is quoted by Petilian; cf. also 3.4(e) below.
59. The whole passage, Is. 1.11-15, is quoted : "Quo mihi multitudinem sacrificiorum vestrorum?" dicit Dominus. "Plenus sum. Holocausta arietum, et adipem agnorum, et sanguinem taurorum et hircorum nolo, nec sic veniatis in conspectu meo. Quis enim exquisivit ista de manibus vestris? Calcere sulam meam non adificietis; si attuleritis

similaginea, vanum. Incensum abominatio est mihi. Neomenias vestras, et sabbata et diem magnum non sustineo. Ieiunium et ferias, et dies festos vestros edit anima mea. Facti enim estis mihi in abundantia multa. Iam non parco peccatis vestris. Cum extenderitis manus, avertam oculos meos a vobis; et si multiplicaveritis preces, non exaudiam vos. Manus enim vestrae sanguine plene sunt". To this is added Is.66.3: 'Facinorosus autem qui sacrificat mihi vitulum, quasi qui canem occidat; et qui simulam offert, quasi sanguinem percussit; et qui thus in memoriam, quasi blasphemus'. In Is.1.11-15, final emphasis is probably deliberately placed on the phrase: 'your hands are full of blood', to suggest that it is not least their role as persecutors which has revealed their rivals' apostasy and annulled their ministry. Parmenian had earlier quoted a similar passage, Is.59.1-8, cf. e. Ep. Parm. 2.3.6. Is.66.3 is quoted by both Parmenian and Fulgentius, cf. e. Ep. Parm. 2.5.10; Adv. Fulg. I, ed. Lambot, p. 198, lines 5-9; and Petilian probably provides a good illustration of the force the Donatists wished these texts to have here, in e. litt. Petil. 2.52.119: 'Si sacrificia vos facere indicatis, de vobis quippe nequissimis Deus ipse sic dicit: (Is. 66.3). Scitote vestram sacrificium, qui humanam sanguinem iam fundistis (followed by Hos. 9.4)'. For the idea that the prayer of a sinful priest is not heard cf. Cyp. Ep. 65.2; e. litt. Petil. 2.53.121: 'Si precem Domino facitis aut funditis orationem, nihil vobis penitus prodest. Vestras enim debiles preces arumata vestra conscientia vacuat'; cf. 2.105.240: 'Si peccaverit populus, orabit pro illo sacerdos; si autem sacerdos peccaverit, quis orabit pro eo? (cf. 1 Sam. 2.25)'.

60. Hag.2.12-15 is quoted in Acta Sat.19, and Adv.Fulg.XVI, ed.Lambot, pp.203-3 (Fulgentius). Both passages relate it to the implication in apostasy of those who receive the sacraments of an apostate priest. Parmenian had also employed this text, cf.Opt.6.3.
61. benedicta, manuscript; ἁλισθημένη, LXX. The manuscript reading is perhaps supported by the context, since the passage probably is intended to illustrate priests whose acts belie their profession.
62. To these texts are added Ps.44.21 : 'Noune Deus inquit ista? Ipse enim scit latentia cordis', and Rev.2.23 : 'Et scient omnes ecclesiae quoniam ego sum scrutator renum et cordis', which are particularly relevant to the sin of apostasy, cf.Ps.44.20, and Rev.2.20-3 (cf.eg. 1 Ks.21.25). This distinction between God's knowledge and man's was crucial to the Donatist argument for the presence only of unknown offenders in the Church and the exclusion of those who were known. It was precisely the knowing toleration of apostates in the Church and especially among the clergy that they regarded as implicating others in their act of betrayal, cf.c.Crescon. 2.17.22, where Augustine quotes Cresconius as explaining Petilian's insistence on the word 'sancte' in the phrase : 'conscientia sancte dantis attenditur quae abluat accipientis', cf.c.litt.Petil.2.3.6 and 3.22.26, in the following terms : 'Quaeruis habeat conscientiam maculosam, mihi tamen, qui ab eo baptizor, quia latet et nescio, sufficit quod ab eo accipio, cuius innocentem, quia in Ecclesia est, conscientiam puto. Nam ideo (inquis) conscientiam dantis attendo,

non ut, quod fieri non potest, de latentibus iudicem, sed ut, si quid de eo in publica conscientia est, non ignorem. Propter hoc enim ab omnipotente deo dictum est : "Quae nota sunt, vobis, quae occulta, mihi" (Deut.29.29). Semper igitur attende conscientiam dantis, et quia ipsam non video, quid de ea in publico notum est quaere, nec ad rem pertinet, si aliud sit in secreta conscientia, aliud in publica fama. Sufficit enim scisse, quia necdum eius a quo accipie damnata conscientia est'; cf. also Adv.Fulg.X, ed.Lambot, p.198, lines 14-15, where Fulgentius's use of Deut.29.29 in the same context is referred to. For the distinction between God's knowledge and man's in relation to man's assessment of the worthiness of Church members, cf. Tertullian, de Praescr.Haer. 3.7-9 and Cyp., de Lapsis, 27, in both of which the exclusion of known offenders such as heretics and apostates is implied.

63. 'traditor' here, P.L.11.1411B, is doubtless intended to have the double meaning of 'betrayor' and also 'betrayor of the Scriptures' in the technical sense the word acquired in the course of the Donatist controversy, cf. eg. Petilian's development of the Judas theme in c.litt.Petil.2.6.17 : 'Iudas Christum carnaliter tradidit, tu spiritaliter furans Evangelium sanctum flammis sacrilegis tradidisti; Iudas legialatorem tradidit perfidia, tu quasi eius reliquias legem Dei perdendam hominibus tradidisti'. A pointed allusion is probably also intended to that collusion between Catholic clergy and secular authorities which is the object of Donatist attack elsewhere, cf. eg. Passio Donati 6 : 'ex castris ecce ad instar dominicae passionis cohors militum progreditur ad Christianorum necem a Pharisaeis neotericis procurata'.

64. For the Donatist use of the example of Judas, cf. esp. e. litt. Petil. 2.8.17, 43.101, 44.103; and cf. e. Crescon. 2.19.24, where Cresconius alludes to the same point which the Donatists are making here : 'Nostris hoc (inquis) de Scripturis probant, quoniam Judas traditor, antequam damnaretur, omnia sicut apostolus gessit'. Thus the consequences of Judas's exposure as the Lord's betrayer show that there is no place for known offenders, particularly for those known to be traitors, in the company of the faithful. The double entendre of the word traditor narrows the question of the presence of evildoers in the Church to the chief case in point, namely, that of Cassilian and his traitor associates.
65. 'Sive per occasionem, sive per veritatem Christus annuntietur', Phil. 1.18; cf. B3.8.11, where Augustine argues that Cyprian's application of this text to those within the Church, not those outside it, supports the Catholic interpretation. In his Ep. 73.14, where he quotes this text, Cyprian is arguing against those who cite it in support of the acceptance of heretical baptism : Paul, he argues, is referring here to those within, not those outside the Church; therefore the text does not apply to heretics. Petilian had used this text to refute the Catholic argument that compulsion may be employed to bring about Church unity, cf. e. litt. Petil. 2.81. 179, where his point is that those who preach Christ should be left in peace, not persecuted. In reply, Augustine argues that if this text applies to those within the Church, it supports the Catholic contention for the non-contagiousness of sin; if, on the other hand, it applies to those outside the Church, it supports the

Catholic argument for the acceptance of heretical baptism.

Augustine adds that Petilian appears to take the text to refer to those outside the Church and that therefore he must choose the second part of the alternative, e.litt.Petil.2.81.180. It is not clear in what sense the Donatists interpreted the text here, but Augustine's remark in B3.8.11 referred to above, may possibly indicate that he interpreted it as referring to those outside, rather than those inside the Church. In B3.8.11, Augustine admits the Donatists said something in reply to the Catholic arguments from the example of the Prophets, Christ Himself and the Apostles, but denies they even attempted to answer the Catholic argument from the example of bishops (ie. Cyprian) or of the Donatists themselves in dealing with the Maximianists who returned to them. The lacuna, then, presumably does not include these points and the Donatist reply to this section of the Catholic Mandate thus ends with their argument from the example of the Apostles, which may have included a reference to their opponents' citation of 2 Cor.11.26 as showing Paul's toleration of false brethren, though their own allusion to Paul's implied condemnation of Philetus, etc. (cf.3.4(b) above) may have been intended as a refutation of this point.

66. As in its original context, this is intended to be taken metaphorically, cf.eg.Cyp.Ep.73.1.2, 11.2, 21.2; Opt.4.8 (Parmenian); e.litt.Petil.2.57.129 (Petilian) : 'Unusquisque vestrum si carnaliter castus sit, spiritaliter moechus est, quia adulterat sanctitatem'.
67. This example may have been employed earlier by Parmenian, cf.e.Ep. Parm.2.19.38, where the rejection of the house of Eli is referred

to (1.Sam.2.30), and it is mentioned later in Liber Geneal.542 (LG. i.e.after A.D.427) : 'ut secundum sententiam domini nullus ex semine Eli in domo domini sacrificium administraret' (cf.1 Ks. 2.27).

68. The subject of the heredity of sin is taken up later towards the end of the doctrinal debate (G3.309-13) and had earlier been used as a weapon against Augustine personally (G3.227-249). It was obviously an important element in the Donatist case, cf.3.8.2, below. Augustine does not mention this argument from the Donatist side in his summary of this document in his Breviculus, where the baptismal question follows immediately upon his treatment of the Donatist reply to the Catholic argument from the example of the Prophets, etc.(B3.8.11-12), but he does refer to it later (B3.9.17), when he says that the Donatists quoted texts to show that children are affected by their parents' sins. This throws no further light on the content of the lacuna.
69. 'Iam vero quod dicunt baptismum Christi ita defendi sicut ipsa Catholica defenditur, ubique et apud omnes esse', P.L.11.1412B. This is a reference to the Catholic contention that since the Church to which they belong can alone claim that universality which is, according to Scripture, a mark of the true Church, and since even known offenders may be tolerated within it without risk of contamination, the baptism administered by this Church must also be true : 'baptismum nostrum...sic defendendum (ferendum in MS) est, quemadmodum ipsa Ecclesia cuius donum est. Non enim audebunt amplius baptismum accusare quem damus, si ab eorum criminibus

Ecclēsia purgabitur quam tenemus', P.L.43.826. The emendation of 'ferendum' in the manuscript here to 'defendendum' seems justified on the basis of the Donatist reference quoted above.

70. 'decretis patrum nostrorum martyrum beatissimorum compendie brevitatis excluditur', P.L.11.1412B. Augustine, B3.8.12, points out that they did not say which martyrs. Brissen, *Antoninisme*, p.293, note 1, takes this as a specific reference to the 'martyrum decreta' of Acta Sat.16. P.L.8.699D, Cf. Acta Sat.2 and 17, P.L.8.690C and 700B, quoted in Acta Sat.16 : 'Si quis traditoribus communicaverit, nobiscum partem in regnis coelestibus non habebit... Scriptum est (inquiunt) in Apocalypsi : "Quicumque adiecerit ad librum istum apicem unum aut litteram unam, adiciat illi Deus innumerabiles plagas; et quicumque deleverit, deleat partem eius Dominus libro vitae" (Rev.22.18-19). Si ergo additus apex unus, aut littera una dempta de libro sancto radicatus amputat et sacrilegus facit et subvertit auctorem, necesse est omnes eos qui testamenta divina legesque venerandas omnipotentis Dei et Domini nostri Iesu Christi profanis ignibus tradiderunt exurendas, aeternis gehennae ardoribus atque inexstinguibili igne torqueri', P.L.8.701B-C. This repudiation by the martyrs of communion with traitors implies a rejection of their sacraments, which is clearly spelt out by the author of the Acta in the words of Hos.9.4, P.L.8.702C. Similar expressions, 'sanctorum martyrum decretis insultant', 'omnia haec, ut supradictum est, sanctorum martyrum sententiis evacuantur', P.L.11.1412D and 1413A, are used shortly afterwards by the Donatists in rejection of the qualified recognition

of heretical or schismatic baptism for which the Catholics had argued, cf. 3.3(d) above. The second of these expressions is immediately followed by an appeal to the Cyprianic principle that baptism cannot be given outside the Church: 'Unde enim fieri potest si una est Ecclesia et indivisus est Christus (cf. 1 Cor. 1.13), ut foris positus baptismum consequatur?', P.L. 111413A; cf. eg. Cyp., Ep. 69.3: 'Propter quod cum sola Ecclesia habeat aquam vitalem et baptizandi adque abluendi hominis potestatem, qui dicit apud Novatianum baptizari et sanctificari aliquem posse, prius ostendat et doceat Novatianum in Ecclesia praesidere. Ecclesia enim una est, quae una et intus esse et foris non potest'; cf. Sententiae Episcoporum, C.S.E.L., 3, 1, pp. 435-461. Thus, in using the expressions 'martyrum decreta/sententiae' the Donatists may not be thinking exclusively of the 'martyrum decreta' of Acta Sat. 16, but rather of the twofold rejection of apostate and heretical sacraments for which Cyprian supremely had stood and which others had followed him in sealing with their blood. This appeal to the authority of the martyrs is, of course, in line with the Donatist claim to represent that Church whose authenticity is attested by martyrdom.

71. 'Illud autem quam incaute, immemores sui, inimici veritatis oppugnant apud fures et raptores quoslibet extraneos datum baptismum suscipi debere', P.L. 11.1412B, a reference to the Catholic argument: 'Sed si illud, ut assolent, obiciendum putaverint, quod baptismum Christi etiam foris a nostra communione traditum agnoscimus potius quam improbamus nec rescindere audeamus; respondeatur eis ...divina Ecclesiae dona et apud fures vel usurpatores vel etiam

raptores inventa, agnoscenda esse potius quam neganda', P.L.43.826; cf. Pseudo-Cyprian, Ad Novatianum, 2, where Jn.10.1 is applied to schismatics.

72. Rel.18-24 is quoted in full: 'Revelabitur enim ira Dei de caelo super omnem impietatem et iniustitiam hominum eorum qui veritatem Dei in iniustitia detinent; quoniam quod cognoscibile est Dei, manifestum est illis. Deus enim illis manifestavit. Etiam quae invisibilia sunt eius a constitutione mundi, per ea quae facta sunt intellecta conspiciuntur. Sempiterna quoque virtus eius et divinitas, ita ut sint increusabiles; quia cum cognovissent Deum, non ut Deum honorificaverunt, aut gratias egerunt, sed evanuerunt in cogitationibus suis, et intenebratum est insipiens cor illorum. Dicentes enim se esse sapientes, infatuati sunt, et immutaverunt claritatem incorrupti Dei in similitudine imaginis corruptibilis hominis et voluorum et quadrupedum et serpentum. Propter quod tradidit illos Deus in concupiscentia cordis illorum in immunditiam'. 'Detinent' may mean either 'retain', as Augustine understands it, or 'suppress'.

73. 'Unde, secundum hunc sensum, etiam gentilium inquinata mysteria se suscipere profitentur', P.L.11.1412D. The word 'mysteria' can also be used of Christian sacraments.

74. For the Catholic argument cf. 3.3(d) and note 26 above.

75. 'Hoc loco non solum sanctorum martyrum decretis insultant, sed magis parati sunt daemoneiorum quia Christi confessi sunt, communioni misceri', P.L.11.1412B. The Catholic readiness to receive into the Church those baptised by heretics is taken to imply, on the basis of their own comparison of heretical baptism and demonic confession, an equal readiness to receive demons, and so the Catholic argument is reduced to absurdity.
76. For the Catholic argument cf. 3.3(d) and note 27 above. The Donatists appear to be arguing that this catch-phrase recoils upon the Catholics, who admit heretics to the Church 'not that what they lack may be present', because heretics, in the Donatist view, lack proper baptism and do not receive it on entering the Catholic Church, and 'so that what they have may be of advantage to them', because heretics find full scope for their activities within the Catholic Church.
77. See note 70 above.
78. See 3.3(d) note 29 above. It is not clear whether the Donatists are thinking here of the admission to the Church, by the laying on of hands, of those baptised by heretics, which would follow on naturally from their discussion of heretical baptism, or the hasty ordination of clergy without proper consideration of their worthiness, as they claimed had happened in the case of Caecilian.

79. The example of Core, Dathan and Abiron, Num.16.26, had been employed by Cyprian both against schismatics, cf.Ep.69.9, and apostates, cf.Ep.67.3. The Donatist had earlier used it against the Maximianist schismatics, cf.e.Crescon.3.19.22. Parmenian, cf.e.Ep.Parm.3.4.20, follows Cyprian in using Is.52.11 against apostates, cf.de Lapsis 10. 2 Cor.6.16-18, a key Donatist text, brings their argument here to a forceful conclusion, cf.e.Ep.Parm. 2.18.37 (Parmenian) c.litt.Petil.2.40.95 (Petilian); Acta Sat.,19, P.L.8.701D-702A. In the last two references it is clear that it is separation from traitors that is foremost in mind.
80. For a discussion of this, see 3.5 note 107 below.
81. cf.Passio Donati, 3 (relating to the earliest persecution of Donatists ca.A.D.317) : 'ante plebem nimis sibi (sc.the devil) semper obsecutam ideoque a Deo desertam, Catholicam vocans, ut de praecudio nominis, qui communicare noluerunt, haeretici dicerentur'. Petilian's accusation that the Catholics have branded the Donatists as heretics, c.litt.Petil.2.95.218, and have falsely taught the emperors the duty of persecution, 2.92.202 : 'Vos autem huius saeculi imperatores, quia christiani esse desiderant, non permititis esse christianos, cum fuce et nebula vestri mendacii eosdem bona mente credentes ad iniquitatem vestrum proxsus adducitis, ut armis suis contra hostes reipublicae praeparatis in christianos incurrant, putentque se suasionibus vestris Deo officium facere, si nos quos odistis occidant', was taken up by him at the Conference, G3.193 : 'Qui saepius apud imperatoris aures...in crimen nos invidiamque deducunt, ut haereticos nominent, ut schismaticos quoque appellent, hoc doceant,

hoc dilue', with specific reference to the Catholic request for a conference, cf. Codex Canon. Eccl. Afric. 107, of the council of Carthage of 14 June 410, resulting (a) in the reinforcement by an imperial edict of 25 August 410 of the anti-heretical legislation which had been revoked by an edict earlier the same year, and (b) in the authorisation of the Conference by another edict of 14 October, cf. Cod. Theod. 16.5.51, P.L. 11.1222A and 43.815; Monceaux, 4, pp. 81-2, 382-3.

82. Leontius and Ursatius are associated with the persecution suffered by the Donatists in ca. A.D. 317, cf. Passio Donati, 2, P.L. 8.753B, where the former is described as 'dux', the latter as 'comes', the imperial notaries Paulus and Macarius with that in 347, cf. Passio Marculi, P.L. 8.761A-B, Count Taurinus with that in 340, cf. Optatus, 3, 4, and Count Romanus with that in 364, referred to by Petilian in a similar list to that given here in e. litt. Petil. 3.25.29; cf. Frend, Donatist Church, pp. 159, 176-9, 197; and Seeck, Geschichte, vol. 3, pp. 329, 331, 336, 338 and Appendix, pp. 514, 516, 521-2, for full references.
83. The Passio Marculi, P.L. 8.761D-762C, 765A-B, relates how the Donatist bishop Marculus, who, along with others had been viciously beaten at Vegesela, near Bagai, was finally thrown dead (Monceaux) or alive (Delehaye) over a cliff at Nova Petra, cf. Monceaux, 5, p. 73, and H. Delehaye: 'Domus Marculus', Analecta Bollandiana, 53, pp. 81-9. At the Conference the Donatist bishop of Nova Petra, Dativus, solemnly declared that there was no rival Catholic bishop in that place to himself 'quia illic est domus Marculus, cuius sanguinem Deus exigit in die iudicii', G1.187, P.L. 11.1329A. For 'domus' as an equivalent expression to 'sanctus' cf. Delehaye, Sanctus, pp. 59-64. The Donatist catalogue of suffering here probably owes some inspiration to the

Passio Marouli. For the massacre of Donatists at Bagai and the death of Donatus, their bishop, cf. Opt. 3.4 and 6; Monceaux, 5, pp. 81-2.

84. A reference to more recent anti-Donatist legislation, cf. 3.5, note 107 below, and possibly also to the tone of the imperial edict summoning the Conference itself, cf. C1.4. For an examination of religious persecution of the Donatists, cf. P. Brown, Religion and Society, pp. 301-31; Tengstrom, Donatisten und Katholiken, pp. 91-164.
85. The doctrinal implications of this theme of persecution are not made explicit here. They are two: first, that the hallmark of the Church, its purity, is stamped upon it by persecution. Since the righteous inevitably suffer in this world, persecution itself may be regarded as a mark of righteousness. Thus, the true Church is 'that which suffers persecution, but does not persecute' as the Donatists had stated at the beginning of this Letter; and secondly, that persecution on the part of the Catholics is a result of that original act of surrender to the persecutors of the Church by those who gave up the Scriptures to the imperial authorities during the Diocletian persecution. This point is taken up later in the debate which followed, cf. C3.309-13, and B3.11.23.
86. 'Dominus te incolumem conservat', quod optamus, P.L. 11.1414A.

Notes to 3.5

88 cf.eg.B1, praefatio : 'Sed qui (sc.Donatistae) causam bonam non se habere sciebant, id egerunt primum quantum potuerunt, ut nec ipsa collatio fieret et ut proprus causa ipsa non ageretur'. This theme is kept up throughout, cf.B1.8 : 'Ista ergo calumiose et tergiversatoris, quae nec in foro iure agerentur, dicebant, nolentes ut aliquid ageretur'; B3.2 : 'De qua re cum diu confligeretur, Catholicis recusantibus, et ut remotis superfluarium morarum tergiversationibus ad causam veniretur vehementer instantibus, contra Donatistae obnixissime contendebant...! On the legal points of procedure raised by the Donatists, cf.A.Steinwenter, Eine Kirchliche Quelle des nachklassischen Zivilprozesses, Acta congressus iuridici internationalis, 2, 1935, pp.123-44. The Donatist tactics seem to have been to confront their opponents with a dilemma : if the Conference was in the nature of a lawsuit, the normal procedure for establishing who was taking whom to court and for what should be followed, cf.G1.20 : 'Emeritus episcopus dixit : "Acta est, ut arbitrator, causa et ad huc conflictantium non est statuta persona. Tibi enim, iudicium verissime, nihil aliud incumbit quam tenere veritatem. Si enim omnium negotiorum avertamus instantiam, primo de tempore, de mandato, de persona, de causa, tunc demum ad merita negotii veniendum est"', P.L.11.1267D; but if, on the other hand, it was not a matter for wordly litigation, then Scripture must be the basis upon which the issue should be settled, cf.G1.31 : 'Emeritus episcopus dixit : "...in hanc formam legis consentire debes...ut non praestigis iuris...sed testamento novo ac vetere, quod instituit Deus, quod sacrauit Dominus Christus,

causa possit audiri"', P.L.11.1269D; cf. Frend, *Donatist Church*, pp.280-1. This enabled them to score a number of good propaganda points, such as demonstrating their much underestimated numerical strength, G1.33-223, and raising the awkward question of Catholic motives in requesting a Conference, G3.37-200, while also gaining time to compose a detailed written refutation of the case contained in the Catholic Mandate, cf.B3.8.10.

- 89 The two main themes of the Church's universality and its morally mixed nature, together with Caecilian's case as a separate issue, are indicated. The case of the Maximianists is given special mention as demolishing the Donatist charges against Catholic baptism and against the Catholics both as persecutors and as having been contaminated by communion with evildoers, cf.B1.10. Augustine had devoted at least as much space to a summary of the much shorter statement of the Catholic case contained in the reply, G1.18, to the Donatist notaria of 25th May, G1.14, cf.B1.7. For the text of G1.18, see *Aug.Ep.129*.
- 90 '*lectae sunt supradictae litterae Donatistarum, quibus conati sunt respondere mandato Catholicorum, quod gestis primae actionis insertum est. Cui mandato non eos potuisse respondere inveniet qui utraque legere et considerare voluerit...*', B3.8.10. Augustine proceeds to make a comparison of the two documents.
- 91 '*has ergo partes testimoniorum tantorum cum omni non attingissent, sed tanquam in illo mandato Catholicorum, cui respondere videbantur,*

dicta non fuerint, praeterissent...', B3.8.10.

- 92 Augustine again refers to the Donatist interpretation of this parable at the end of his account of their Letter, cf. B3.8.14, discussed below.
- 93 Augustine may well be hinting here at the use made by Donatist propaganda of dreams, cf. eg. Passio Maximiani et Isaac, P.L.8.768C and 770D-771B.
94. For a discussion of this point see 3.9 below.
- 95 cf. C3.261 : 'Augustinus...dixit : "Quaestio est de Ecclesia utrum permixtos malos usque in finem habitura praedicta est, an omnino omnes bonos, omnes sanctos atque immaculatos in hoc saeculo, isto etiam usque in finem ultimum saeculi..."; C3.281 : 'Augustinus... dixit : "De latendo et de non latendo quaestio est, utrum pertinuerit ad pietatem bonorum etiam malos cognitos tolerare ne desererent bonos an propter malos totum deserere voluerint quibus mali quid in Ecclesia apparuerit. Ipsa quaestio est"; cf. also B3.9.16-3.11.23 and C3.281-313, showing that this remained the central issue in the doctrinal debate at the Conference and that the question of the Church's universal extent was not a subject of controversy in this debate.
- 96 'Adversarii enim nostri, decursis testimoniis quibus Ecclesia cum laude sui ubique diffunditur, id prius mandant suis defensoribus peragendum, ut contra nos, qui Ecclesiam defendimus puritatem,

isto modo agant ut eandem Ecclesiam habituram in se permixtos simul bonos et malos, usque in finem saeculi, dicant esse praedictam. Cuius rei cause, nos magis ostendimus Ecclesiam Domini in Scripturis divinis sanctam et immaculatam fore ubique nuntiatam...', G3.258, P.L.11.1408D, cf.3.4 (a) above.

- 97 For further discussion of this point, see 3.6(a) note 136 below.
- 98 Lev.10.9-10; Ezek.22.26; Jer.23.28; 2 Cor.6.14-15 (cf.2 Cor.6.16-18 quoted later, P.L.11.1415B); Sir.13.21; P.L.11.1409D-1410A and 3.4(b) above. For the Donatist use of Jer.23.28, cf.c.Ep.Parm. 3.3.18, where Augustine quotes Parmenian's words: 'Admonet Jeremias sanctissimus infructuosas et steriles peccantium turbas ab honorata fruge iustorum discerni, dicens: "Quid paleis ad triticum?"'
- 99 They could describe the Catholics as 'false prophets', cf.c.litt. Petil.2.16.36, where Mt.7.15-16 is quoted.
- 100 The Donatists do not make it clear in their Letter whether they understand the parable of the Threshing Floor to refer, like that of the Field, to the world, or, like that of the Net, to the Church, but in the debate which followed they took it to refer to the Church, cf.G3.263 and 3.6(a) below.
- 101 cf.G3.259-81, G3.281-8 and B3.9.16-10.20, where the debate centres on the other three parables, particularly that of the Field. It

is noteworthy that the parable of the Sheep and Goats plays merely a supporting role in Augustine's anti-Donatist polemic generally, cf.3.3 note 17 above.

- 102 This is true not only of the Catholic Mandate, but of all Augustine's anti-Donatist polemic, cf.3.3 note 17 above.
- 103 '...illi in suis litteris...de Prophetis et de Domino Christo et Apostolis quodcumque dixerunt, de episcopis autem et Maximianistic siluerunt', P.L.43.629. Augustine does not expand on the 'quodcumque'.
- 104 As has been already noted, 3.3(e) notes 22 and 23 above, Cyprian was not referring in these passages to the toleration of apostate bishops in the Church, which was the specific point at issue between Donatists and Catholics.
- 105 In de Bono Patientia,6, Cyprian refers to Christ as the supreme example of Christian 'patience': 'qui Iudam potuit usque ad extremam longa patientia sustinere, cibum cum inimico capere, hostem domesticum scire nec palam ostendere (a point stressed by the Donatists in their Letter, cf.3.4(e) above), traditoris osculum non recusare'. Cyprian is discussing this virtue on the basis of Tertullian's earlier treatise, cf.Tert., de Patientia,3.7: 'Parum hoc si non etiam proditores suos secum habuit nec constanter denotavit', but relates it to his own ideal of episcopal concord, cf.de Bono Pat.,15 and Ep.73.26.2. In Ep.73.14 Cyprian is arguing against those who wish

to apply Phil. 1.15-18 to support the recognition of heretical baptism and in favour of applying it to those within the Church who rebelled against ecclesiastical discipline, but who still assisted in the initial stages of spreading the Gospel, cf. 3.4 note 65 above. Both texts were probably written in A.D. 256 during the baptismal controversy. In neither passage is Cyprian referring to the toleration in the Church of apostate bishops.

106 'De Karthianistis autem quid responderent, cum adhuc hincque viverent, de quibus postea apertissime Faullinaque conrinet?', P.L. 43.630. Augustine is thinking in particular of the Donatist and formerly Karthianist bishop, Felicianus of Karti, who was named, but not present at the first session of the Conference, when, as Augustine points out in B1.12, the Catholics had tried to draw attention to him as exemplifying their arguments from the case of the Karthianists. After Victorinus the Catholic bishop of Karti had named two Donatist counterparts in his diocese, Felicianus Martianus and Donatus Tunensis, Alypius, one of the Catholic disputants, raised a point: 'De nomine Feliciani, utrum in communione sit Prisciani', to which Petilian retorted: 'Quis tibi hoc mendavit aut ex cuius persona hoc exitus?' (cf. G1.10, P.L. 11.12650, where the Karthianists are expressly excluded from the proceedings) and then: 'Hoc iam interme notionis est', G1.121-5. The point of Alypius's question was to reveal the Donatists as inconsistent in their attitude to the Karthianists on the one hand, and to the Catholics on the other. Petilian's answer was, in effect, that since the present case was agreed to be between Donatists and Catholics, the dispute between

Donatists and Maximianists was irrelevant. Felicianus features regularly in Augustine's anti-Donatist polemic, in company with Prætextatus of Assuras, both of whom were numbered among the twelve consecrators of Maximian and condemned by the Donatist council of Bagai of A.D.394, cf.P.L.11.1198-90, then, after legal action had been taken against them by the Donatists for the recovery of the Church buildings involved, were received back into the Donatist Church without being deprived of their episcopal status or having the baptisms administered by them in schism repeated, cf.c.Crescen.3.56.62 and 4.4.4. In c.Ep.Parm. 3.6.29 (ca.A.D.400) Augustine speaks of Prætextatus as having recently died. In A.D. 411, however, Felicianus was still alive to illustrate at least three of the four arguments mentioned below by Augustine from the case of the Maximianists (the exception being the argument concerning those who were not involved in Maximian's consecration and who were described in the sentence of the council of Bagai as 'not being polluted' by him).

107 *Ubliti* (se. the Donatists) quod Primitianus aliquando dicendum apud acta mandavit : "Illi (se. the Catholics) auferrent aliena, nos intermittimus ablate", P.L.43.630. This is an excerpt from Primitian's reply, incorporated in the municipal records at Carthage, to the proposal which came from the Catholics in A.D.403 through the official channel of the local magistrates, for a conference between the two sides (cf. Monceaux, vol.6, pp.128-32) Augustine makes similar use of this statement from the Donatist Primate in his *Cont.Cresc.*4.47.57 (A.D.405), where he contrasts it with Primitian's

part in the legal action which resulted in Maximian being deprived of his home at Carthage (ca. A.D. 394). Since Augustine does not enlighten us as to the context of Primian's words, it is not possible to be sure of the precise meaning, although the general sense seems fairly clear: the Catholics deprive us of our property, while we regard property with indifference. Such an expression of indifference to property and worldly riches is a feature of Donatist literature noted by A. Pinchart in 'Un Sermon Donatiste Attribué A.S. Optate Di Milevi', *Bijdragen*, 22 (1923) pp. 146-7, where he compares the 'praelecta pauperies' of the sermon (cf. sermo 8, ed. Wilmar) with Petilian's statement: 'nos autem pauperes spiritu, non divitiis metuimus sed divitiis formidamus', c. li. Petil. 2. 99. 227. It may be added that, in making the very point to which Augustine is replying by his quotation of Primian's statement, the Donatists had, in their Letter, referred to the Maximianists as 'companions in poverty' ('compauperum' P.L. 11. 1413C). In the context of the distinction between civil proceedings to regain Church property, on the one hand, and legal coercion or, as the Donatists preferred to call it, religious persecution to bring about Church unity, on the other, the expression 'companions in poverty' seems to mean that in the Donatist view the Maximianists shared with them the position of those who, unlike the Catholics, had not surrendered to worldly wealth and power, of *Passio Donati* 2, where the devil is described as securing his grip on those who had yielded in the Diocletian persecution: 'mentes quas in praesens tormentorum metu subegit, blandimentis adversus tempora pacis erexit...regali amicitia muneribusque terrenis circumscribens avaros', probably a reference to Constantine's financial provision for the clergy mentioned in his

letter to Caecilian, cf. Eusebius, H.E. 10.6; Passio Marculi, P.L. 8.761B, where Macarius's mission is described: 'cum hoc negotium sanguinis in reliquis provinciis per subtilitatem diu attentasset, in Numidia tamen, et erga Marculum gloriosum aperta crudelitatis barbarae et insolitas feritatis indicia publicavit', which is probably the Donatist version of what Optatus describes as a distribution of charity to the poor: 'Paulum et Macarium primitus non ad faciendam unitatem misisse, sed cum elemosynis, quibus sublevata per ecclesias singulas posset respirare, vestiri, pasci, gaudere paupertas', which was spurned by Donatus himself in the words of Daniel: 'dona tua tecum sint, rex' (Dan. 5.17), Opt. 3.3; c. litt. Petil. 2.63.141, 92.202 (1 Ks. 21.5ff.), 98.225, 99.227, where riches are constantly associated with those who persecute, poverty with the righteous who suffer persecution, as in the case of Naboth (cf. 1 Ks. 21.13), 'hominis iusti vel pauperis'. Augustine may thus have in mind this appeal to the biblical theme of the righteous poor in quoting Priscian's words here, his object being to reveal the inconsistency between the Donatist profession of indifference to property and the fact that, over a matter of property, they were prepared to take the Maximianists to court. The first part of Priscian's statement referring to action taken by the Catholics to deprive the Donatists of their property must be understood against the background of anti-Donatist legislation. Apart from the edicts of union of A.D. 316 and 347, which had formed the historical context within which Donatist self-consciousness as a persecuted Church had developed and which had included, among other penalties, the confiscation of Church property, Priscian may well have been referring

more specifically to the attempt by the Catholics to have recent legislation against heretics applied to the Donatists. At the very time of Primian's statement, A.D.403, the case of Crispinus of Calama represented the first, and in the end successful, attempt by the Catholics to apply to a Donatist bishop the law of 15 June, 392, imposing on heretics involved in ordaining clergy a fine of 10 lbs. of gold and the confiscation of their places of worship, cf. Cod.Theod.16.5.21, quoted in P.L.43.806, and Monceaux, 4, pp.256-8. As Monceaux notes: 'pendant une douzaine d'annees (ie. up to the edict of union of 405) l'amende des dix livres d'or fut une menace constamment suspendue sur la tête des cleres schismatiques' (op.cit.p.256). If Primian was referring to the imposition of fines and not simply to the confiscation of Church property, this would both better suit his expression of indifference to property (ie. indifference to worldly wealth rather than to places of worship) and also make the Donatists less inconsistent here than Augustine would have us believe. If, however, Augustine's charge of inconsistency is to be accepted, it is noteworthy that he does not challenge the validity of the Donatist distinction between lawsuits for the recovery of Church property and the use of coercive legislation in the sphere of religion. For a discussion of the Donatist attitude to poverty cf. Briscoe, *Antoninism*, pp. 325-410.

108 This particular point was not made in the Catholic Mandate, but in an earlier summary of the Catholic case contained in their letter in reply to the edicts summoning the Conference, cf. Aug.Ep.128.4 and 61.16.

- 109 of. the vague allusion later in B3.8.14 : 'quod...divinis testimoniis
velut astruunt'. This may be partly because he refers to this
argument in his account of the Catholic Extended Reply, B3.9.16-18,
and 3.8.1. below, where Augustine did not deny that these texts
applied to the Church, but contended that in so far as they
referred to the present rather than the future they implied a
moral rather than a physical separation between good and bad.
- 110 Thus the Donatist denial that baptism is 'everywhere', following
on immediately from their argument for the heredity of sin, should
probably be interpreted to mean that those who had, in their view,
inherited the evil effects of an original act of apostasy, could
not administer true baptism, cf. e. litt. Petil. 2.6.12-13, 7.14, 7.16,
22.49-50, 33.77.
- 111 cf. 3.4 note 70 above.
- 112 of. 'sacramenti veritates', B3.8.12.
- 113 The precise role of the Circumcellions has still not been entirely
elucidated, cf. eg. Frend, the Cellae of the African Circumcellions,
JTS, 1952, pp. 87-9; Briasson, Autonomisme, pp. 325-336; Funstun,
Donatisten und Katholiken, pp. 24-78. They seem to have been
impelled to violence by a combination of religious fanaticism and
social and economic grievances. Optatus, 3, 4, speaks of their
self-inflicted deaths : 'ex ipso genere fuerunt qui sibi perussores

sub cupiditate falsi martyrii in suam perniciem conducebant. Inde etiam illi, qui ex altorum mentium cacuminibus viles animas proicientes se praecipites debant'. Donatist councils had apparently expressly condemned this, cf. e. Crescon. 3.49.54. Later at the Conference the Catholics referred to their violence, cf. C3.296-303; B3.11.22-3, but the Donatists refused to take any responsibility for what was done by Circumcellions, cf. C3.297: 'Ubi dicunt Donatistae quod Circumcelliones faciunt ad sacerdotes minime pertinere'. For their violence cf. eg. e. Crescon. 3.42.46, 48.52, where reference is made to their blinding their victims with acid, a point taken up at the Conference, cf. C3.298-302.

- 114 cf. Opt. 3.4 for the part allegedly played by the Donatist bishop, Donatus of Bagai, in opposing Macarius's mission with a band of Circumcellions and thus provoking retaliation. The injuries inflicted in A.D.404 on the Catholic bishop of Bagai, cf. e. Crescon., 3.43.47 and Meneaux, 4, p.76, were sufficiently severe to play some part in bringing about the anti-Donatist legislation of A.D.405, cf. Aug. Epp. 88.7 and 185.7.26.
- 115 'cum illis tota causa propter quam venerant, verberetur', B3.8.14.
- 116 'Hanc vanam et sacrilegam criminationem (sc. that Caecilian's sin infected the world wide Church) hi, quibus mandamus, ita redarguant et refellant, ut primitus Ecclesiae causam a causa quorundam hominum distinguant atque discernant', P.L.43.824.
- 117 'quibus peractis (sc. the Church's case) nec ipsam Caecilianii causam volumus deserant, sed eam non tanquam Ecclesiae matris, sed tanquam episcopi fratris suscipiant', P.L.43.826.

- 118 'causa Ecclesiae Catholicae...satis superque divinis testimoniis defendatur', P.L.43.622.
- 119 'primitus Ecclesiae causam a causa quorundam hominum distinguant... quoniam Ecclesia primitus males habitura praedicta est', P.L. 43.624.
- 120 'Si enim hoc fieri potuisse monstraverint, tunc utique ad causam Ecclesiae pertinebit aliam fortasse suscipere atque discutere questionem : utrum Caecilianus eiusque collegae vel tales fuerint quales ab istis fuisse dicuntur', P.L.43.624, cf. 63.225 and 249, where Emeritus claims that, on the Catholic own argument, it is unnecessary to discuss Caecilian's case at all. In 63.188 and 200 he presses the Catholics to choose whether they wish to argue their case on the basis of Scripture or 'human documents', that is, documents relating to the case of Caecilian. In 63.260, immediately after the reading of the Donatist Letter, Emeritus asks the Catholics to reply on the basis of Scripture to the Donatist arguments from Scripture.

Notes to 3.6.

- 121** cf.3.1.above.
- 122** cf.3.3(b) and 3.4(b) above.
- 123** Sic ostendentes (sc.the Catholics, whose spokesman is at this point Augustine, cf.G and C3.281) divina testimonia conscrnare, ut et illa, quibus commendaretur ecclesia cum malorum commixtione, hoc tempus eius significarent, qualis est in praesenti saeculo, et illa testimonia, quibus commendatur non habere commixtos malos, illud eius tempus significarent, qualis venturo saeculo in aeternum futura est.
- 124** The identification of Church and threshing floor is made by Tertullian, who regards the chaff as apostates in de Fuga 1.4: Haec (sc.persecutio) pala illa, quae et nunc dominicam aream purgat, Ecclesiam scilicet, confusum acervum fidelium eventilans et discernens frumentum martyrum et paleas negatorum (cf. de Praescr. Haer.3.8-9, where the chaff is taken to represent heretics, who are equated with apostates in 4.5). The same identification of Church and threshing floor is made by Cyprian, who gives the parable a similar application in Ep.37.2.2, but a significantly different one in Epp.54.3.2. and 55.25.1, where, together with the parables of the Field and the Great House (2 Tim.2.20), the parable of the Threshing Floor is adduced to support the presence of penitent apostates in the Church (cf.Ep.55.22.1,ff.). The Donatists agreed with Cyprian that penitent apostates should be readmitted to the Church, but that apostate clergy should not be allowed to remain in office cf. the decision of the council of Carthage of A.D.312 quoted in Adversus Fulgentium, ed.Lambot,p.221: turificati, traditores, abhorrentes deo manere in ecclesia dei non possunt, nisi cognito ululatu suo per paenitentiam reconcilientur. Unde Caeciliano in schismate a traditoribus ordinato non communicare oportet. and Passio Donati, 2 (PL.8,

753C), where there is implicit approval of the principle that: ad eum quem negaverunt reverti per poenitentiam posse, ipsumque Dominum ad suscipiendam dolentium exomologesim promptum utpote non volentem mortem morientis, quantum ut revertatur et vivat (cf. Ez. 33.11) but outright repudiation of the principle that: posse tenere lapsos illicite rursus ecclesiasticos honores, cf. 3.3 note 23 above. Augustine is going much further than Cyprian in using this parable to justify the presence in the Church even of apostate clergy against whom no disciplinary action had been taken. The argument of the Catholic Mandate was that even if the Donatist allegations of apostasy against Catholic clergy in the time of Caecilian were true, the knowing toleration of such clergy within the Church could not destroy it, cf. e.g., PL. 43.825: Ecclesiam Christi nullorum malorum usque in finem sibimet permixtorum, non solum ignotorum, verum etiam cognitorum, quasi corruptione pestifera posse inquinari atque deleri.

125 Augustine himself makes this point in summarising the Donatist Letter in B3.8.10 (quoted in note 128 below). The Donatists had, in fact, referred only to the Catholic interpretation of this parable, not to the parable itself: illud quoque adversarii subiungunt, paleas cum frumentis deberi simul in Ecclesia permanere, PL. 11, 11, 10A. Indeed the Catholics themselves in their Mandate had not quoted the actual text of these parables, but had referred to them indirectly, thus: quoniam Ecclesia permixtos malos habitura praedicta est, quousque...a frumentis palea ventilata discedat...Homines autem quilibet in Ecclesia, si boni sunt...frumenta eius sunt...sin autem mali sunt...palea...eius sunt. Non ergo propter eos tota...area...damnata est, PL. 43.824.

126 The suggestion in Migne (PL.11.144D) that this statement came from Emeritus is no doubt due to Augustine's contention in c.Gaud.2.4.4. that, once corrected, Emeritus himself admitted that the threshing floor represents the Church, cf.note **132** below. The manuscript of the Gesta attributes the sentence to Petilian.

127 G3.261: Augustinus episcopus Ecclesiae Catholicae dixit: '...Quaestio est de Ecclesia utrum permixtos malos usque in finem habitura praedicta est, an omnino omnes bonos, omnes sanctos atque immaculatos in hoc saeculo, isto etiam tempore usque ad finem ultimum saeculi. Utraque testimonia divina sunt et utique repugnantia esse non debent, nec omnino possunt, si intellectorem inveniant. Aream esse Ecclesiam non ego dixi. Non quisquam nostrum, sed Evangelium loquitur, ubi scriptum est venturum qui ventilabrum ferat in manus sua et mandaturum aream suam, "Frumenta recondet in horreo". Et cum diceret (Et alia manu: Recognovi), 262: Emeritus episcopus dixit: 'Non legit aream'. (Et alia manu: Emeritus episcopus recognovi). Augustinus episcopus Ecclesiae Catholicae dixit: 'Joannes dixit: "Mundabit aream suam, frumenta recondet in horreo" '. Et cum diceret (Et alia manu: Recognovi), Marcellinus vir clarissimus tribunus et notarius dixit: 'Hoc quod postulat relegatur'.

263: Petilianus episcopus dixit: 'De occultis reis hoc dixit Evangelista, non de evidentibus quos tu vis tecum esse permixtos'. (Et alia manu: Petilianus episcopus recognovi). 264: Augustinus episcopus Ecclesiae Catholicae dixit: 'Prosecutio nostra pro ipsorum epistola habeatur. Legi coepit, nullus a nobis relatus est strepitus, nulla interturbatio, nulla interruptio. Permittat ut finiam quod coepi eloqui, et sic respondeat...'. This text represents that of the

manuscript, from which the Migne text does not differ significantly. The passage has not received the close attention of historians of the Conference, cf.eg. Monceaux,6, pp.75 and 165, and 7, p.186. For Lancel's discussion of the reading 'legit' see Postscript below.

128 Ubi volunt interrumpere Donatistae negantes aream in Scripturis esse nominatam.

129 Tunc Donatistae interrumpentes dixerunt quod de area non legeretur in Evangelio scriptum. Cumque expressius a Catholicis locus Evangelii commemoraretur, rursus interrumpendo dixerunt occultos malos dictos esse paleam postea ventilandam. This account follows on from what Augustine had already said about the way the Donatists had dealt with this parable in their Letter, cf.B3.8.10: de area sane, cui paleam Catholici dixerant (sc.in their Mandate) usque ad tempus ventilationis admixtam, tamquam omnino in Evangelio nihil tale scriptum sit, exponere similitudinem istam ne conati quidem sunt, sed quasi hoc a se ipsis Catholici dixerint, eam tantummodo reprehenderunt, velut ex testimonio Hieremiae prophetae, qui ait: 'Quid paleis ad triticum?' (Jer.23.28).

130 Tentaverunt sane episcopi vestri negare scriptum in Evangelio, quod areae sit Ecclesia comparata; sed mox evangelicorum verborum commemoratione convicti ad id se converterunt, ut etiam ibi dicerent occultos malos significatos, non manifestos, de quibus scriptum est: 'Veniet ferens ventilabrum in manu sua et mundabit aream suam, frumenta recondet in horreo, paleas autem comburet igni inextinguibili'.

131 Augustine substitutes the second person for the third in quoting Emeritus's words.

132 Nonne tibi (sc.Gaudentio) venit in mentem, cum de palea dominicae areae, id est Ecclesiae, usque ad tempus ventilationis in una permixtione toleranda disputabamus, cum Emeritus urgeretur, negasse illum atque dixisse: 'Non legis aream'? Qui cum et a suis secretius admoneretur et a nobis apertius commemorantibus ex Evangelio Dominum esse venturum ferentem ventilabrum in manu sua, qui mundabit aream suam et frumentum recondet in horreo, paleam vero comburet igni inexstinguibili, continuo correxisse oblivionis errorem quo negaverat scriptum, nec tamen schismaticam vel haeticam convertisse perversitatem, qua negabat malos a bonis debere pro unitate Ecclesiae sustineri, continuoque dixisse quod nomine paleae mali significarentur occulti.

133 Sunt quidem humana ingenia ita velocitate sui prompta ut vel visu vel auditu facile cuncta capiant quae in eorum notitiam perferuntur. Sed hoc doctis forte aut eruditis viris pro rei ipsius qualitate permisum sit; me autem ad hanc rem minus idoneum esse profiteor...Si hac felicitate ingenii gaudent, non se iactent de arrogantia memoriae suae. Mihi autem non competit nisi saepius repetere et diuturna lectione edoceri....

134 If numerous references elsewhere in Augustine's writings are excluded and only those in works addressed specifically to the Donatists themselves are considered, the following examples show how commonplace this theme had become before A.D.411: Ps.c.Don.O-Q: Omnis qui Scripturas legit novit quod volo aperire./ Johannes Baptista dixit tunc ad Iudaeos aperte,/ quod illos tanquam aream suam posset Christus ventilare./ Misit in messem operarios discipulos praedicare (cf.Mt.9.38)/ per quos area collecta est et ventilata de cruce/...Illi tanquam semen erant (cf.Mt.13.24), quod toto dispersum est orbe,/ ut alia surgeret messis,

quae ventilanda est in fine/...Pone in corde areas duas (sc.the people of God in the Old Testament and the Church) ...iusti iniustos sufferebant venturo ventilatore...(so too) secunda messis Ecclesiae,/quae per totum orbem crescit, plura debet sustinere (in accordance with Christian toleration exemplified in the New Testament). In his anti-Donatist polemic in general Augustine concentrates on the second part only of this double application of the parable, as in c.Crescon. 2.22.27: In scriptura quippe sancta, quae neminem fallit, area dicta est Ecclesia Dei Dominumque ipsum cum ventilabro esse venturum et mundaturum aream suam, ut frumenta recondat in horreo, paleam vero conburat igni inexstinguibili; cf.Ps.c.Don.L; c.Ep.Parm.1.7.12, 2.3.6, 2.6.11, 2.17.36, 3.3.17-19, 3.5.27; c.Litt.Petil. 2.23.55, 2.26.61, 3.2.3; c.Crescon.2.22.27, 2.34.43 (where Cyprian, Ep.54.3 is quoted, cf.2.38.48, 3.68.78, 3.81.95), 4.26.33; Unic.Bapt.16.30; Epp.23.6, 105.5.16, 108.3.11-12 (Cyp.Ep.54.3). Thus, writing to Emeritus himself sometime between 405 and 411 (for date, cf. Monceaux, 7,p.282) Augustine again refers to it: si eam (sc. Catholicam Ecclesiam) ante ultimum tempus ventilationis palea purgare non possumus, Ep.87.8.

135 Tunc itaque Donatistae protulerunt litteras...quibus responderetur mandato Catholicorum, quod primo die actionis fuerat allegatum et die sequenti, antequam ad secundam actionem die tertio veniretur, data notaria, Donatistae edi sibi poposcerant, ut instructi possent ad cognitionem venire. Et fortasse propter has litteras diligenter scribendas etiam ipsa secunda actione dilationem petiverunt, quae illis sex dierum concessa est.

136 Thus, for example, the Catholics specifically challenged the Donatists to examine the evidence of the Gospel parables: *urgendi ergo sunt isti harum evangelicarum similitudinum et tam perspicuae veritatis inimici, ut doceant quod intendunt, a challenge which was taken up in the Donatist Letter: malos in illa (sc.Ecclesia) inter bonos esse mansuros, per zizaniorum similitudinem incompetenter affirmant...*, PL.43.824 and ll.1409C-1410B. The Donatists may indeed, as Augustine suggests in B.3.8.10 (see note 129 above), have treated the Catholic reference to the threshing floor as if it had no scriptural foundation, but not, of course, because they were any less aware of the relevant text in this case than in that of the other parables. In fact, Jer.23.28 and Mt.3.12 had already been brought into opposition much earlier in the controversy. In c.Ep.Parm.3.3.18. Augustine, in the course of his usual interpretation of Mt.3.12, introduces one of Parmenian's arguments thus: *ammonet, inquit, Hieremias sanctissimus et infructuosas et steriles peccantium turbas ab honorata fruge iustorum discernit dicens: 'Quid paleis ad triticum?'* and in c.Crescon.4.59.71. Augustine again refers to Parmenian's use of this text after first accusing Cresconius of deliberately ignoring Augustine's repeated quotation of the parable of the Threshing Floor: *ne quid sane fallaris aut fallas, quoniam id, quod tam crebro commemoravi, non advertens vel te advertisse dissimulans dixisse me adfirmas non esse frumenta dominica quam ego Ecclesiam Catholicam sic adserui, quomodo eam non adserit scriptura divina, frumenta sola in horreo recondentur, nunc Ecclesia tamquam area cum palea trituratur.* Cresconius had apparently contended that Augustine's argument implied that the Lord's wheat was not to be identified with the Church.

- 137 cf. Gl. 148 and Monceaux, 6, p. 161 ff. for further references.
- 138 cf. 3.1, note 1 above.
- 139 There is, of course, no question of a textual variant here between different versions used by either side.
- 140 The possibility that Emeritus's words might be taken as a question should, perhaps, be considered. The omission of a question mark in the manuscript of the Gesta could be explained as being due to the fact that these words are not interrogative in form (for questions of this type, cf. R. Kühner, *Grammatik der Lateinische Sprach* (1912-14), band 2, teil 2, sections 229.2 and 232.1). But to take them as a question would mean that Emeritus made the point of his objection only indirectly. By asking: 'He reads "threshing floor", does he not?' he would be leaving his audience to infer that Scripture indeed speaks of a threshing floor, but not the Church, as Augustine had just appeared to say it did. This leaves rather too much to be inferred and I think it preferable, therefore, to accept that Emeritus's words are incomplete as they stand.
- 141 *Aream esse Ecclesiam non ego dixi. Non quisquam nostrum, sed Evangelium loquitur, ubi scriptum est...*, G3.261.
- 142 cf. G3.270 and 272, P.L. 11. 1415D-1416D. The last sentence in 272: *Video Scripturam sanctam commixtos bonos et malos, sicut ipsi de rebus iam confessi sunt, praesignasse Ecclesiam*, is completed in the Migne edition by the insertion of 'per' before 'commixtos', instead of which I suggest some such word as 'habituram' has to be understood after 'Ecclesiam' for the sense, on the analogy of similar expressions in 261 (*permixtos malos...habitura praedicta est*) and 265 (*malos et bonos habitura est Ecclesia*).

143 It should be noted that the Gesta often indicate when one speaker interrupts another. Thus, in the passage under discussion, the phrase 'et cum diceret' is added after Augustine's statements to show that he has been interrupted first by Emeritus, then by Marcellinus. The omission of a similar indication that Emeritus too has been interrupted may be explained by the confused nature of the debate at this stage and also, perhaps, by the fact that Augustine has just begun that Catholic reply to the Donatist Letter, so that it is the flow of his statement which is felt to be arrested.

144 In spite of Augustine's skilful ridicule in c.Part.Don.p.Gest. 10.13-14: Petilian's interpretation of the Threshing Floor thus follows that of Tertullian, de Praescr.Haer.3.7-9 : 'Tu, ut homo, extrinsecus unumquemque nosti, putas quod vides, vides autem quousque oculos habes. "Sed oculi", inquit, "Domini alti. Homo in faciem, Deus in praecordia contemplatur" (cf. † Sam.16.7)...et de primis novissimos ostendit et ventilabrum in manu portat ad purgandam aream suam. Avolent quantum volunt paleae levis fidei quocumque adflatu temptationum, eo purior massa frumenti in horrea Domini reponetur.'

- 144^a The debate between the two sides centres on this parable for some considerable time, continuing beyond the point at which the extant *Gesta* come to an end, cf. G3.265-81; G3.283; B3.10.19-20.
- 145 'Ergo ut dicere coeperam, divina sunt testimonia de zizaniis et tritico ea quae intelligere conati...', G3.265. The lacuna begins after 'conati'. As the words 'ut dicere coeperam, divina sunt testimonia' indicate, Augustine is resuming his earlier point: 'utraque testimonia divina sunt', G3.261, where he had referred both to the texts quoted by the Donatists in support of the Church's purity and to those quoted by the Catholics in support of a morally mixed Church. Having failed to establish the scriptural basis of the Catholic argument for a morally mixed Church with reference to the parable of the Threshing Floor, he now turns to that of the Field. In their Letter, cf. 3.4(b)(1) above, the Donatists had rejected the Catholic interpretation of the parable of the Field by insisting that the Lord himself applied this parable to the world, not the Church. Augustine's words 'testimonia de zizaniis et tritico ea quae intelligere conati' may therefore be taken as a reference to the way the Donatists had interpreted this parable there. Immediately after the lacuna Augustine refers to the way in which they had applied the parable of the Net to the Church, cf. 3.4(b)(iii), and he goes on to argue that the parable of the Field should likewise be applied to the Church rather than the world. It is possible then that the lacuna contains nothing more than a reference to the Donatist application of this parable to the world, since if that reference is supplied, the argument of G3.265 develops naturally: the Donatists tried to understand the parable

of the Field as applying to the world, not the Church, yet they admitted that the parable of the Net refers to the Church and to the presence of unknown offenders within it. But the parable of the Field may more truly be interpreted as referring also to the Church, since 'world' may be understood as equivalent to 'Church'.

146 While the Donatists had taken the bad fish to represent unknown offenders who remain undetected by the priests in the Church, 3.4(b)(iii) they had taken the tares to represent known evildoers whom it is the duty of the priests to separate from the Church, 3.4(b)(i). Thus, Augustine, in attempting to show that the parable of the Field refers to the Church and not to the world, in the sense in which the Donatists had understood it, is trying to establish on the basis of this parable what he had just failed to establish on the basis of the parable of the Threshing Floor, namely, that the presence even of known offenders (and therefore of known traitor bishops) in the Church has scriptural authority. It is for this reason that the parable of the Field occupies such a central place in the doctrinal debate at the Conference (cf. note 144 above).

147 That is, truer than that given by the Donatists, to which Augustine has doubtless referred above (cf. note 145 above). It is the Church, not the world, Augustine is arguing, which contains wheat and tares since the world with which the field is identified (Mt. 13.38) may be understood as equivalent to the Church.

- 148 G3.265 : 'Augustinus...dixit: "...Ergo, ut dicere coeperam, divina sunt testimonia de xizaniis et tritico ea quae intelligere conati (lacuna). Verum tamen de retribus aliquando confessi sunt quod males et bonos habitura est Ecclesia; sed eos dixerunt esse sacerdotibus incognitos et ideo non praesudicare bonis quoniam ignorarentur. Ego autem possem qualibuscumque facultatulae meae assertionibus ostendere illum esse veriore intellectum quod Ecclesia habeat et bonos et malos, xizania scilicet et triticum, mundumque ipsum appellatum esse pro Ecclesiae nomine, quandoquidem Dominus ipse dicit: 'Non ut iudicet mundum, sed ut salvetur mundus per ipsum' (Jn.3.17), cum sciamus Dominum non salvare nisi Ecclesiam"'.
- 149 G3.266 : Emeritus...dixit : "'Mundus te non cognovit' (Jn.1.10). Ergo Deum Ecclesia non agnovit, si mundus Ecclesia est. Et iterum dixit : 'Ut reus fiat totus mundus Deo' (Rs.3.19). Et iterum dixit : 'Si de mundo essetis, mundus quod suum esset amasset; sed nunc quoniam de mundo non estis, propterea odit et persequitur vos mundus' (Jn.15.19). Et iterum : 'Ipsi de mundo sunt, et mundus obaudit eis' (1 Jn.4.5). Et iterum : 'Si quis dilexerit mundum, non est charitas Patris in illo' (1 Jn.2.15)".
- 150 Augustine is going on (G3.272) to explain the apparent contradiction between the texts just quoted by Emeritus (G3.266) and the text he himself had quoted (G3.265) by distinguishing two senses in which the word 'world' is used in Scripture.
- 151 G3.267 : 'Augustinus...dixit : "Omnia ista possemus et nos dicere et velut contraria primo proposita solvere. Itaque sine causa

interrumpunt isto strepitu..." GJ.270 : Adeodatus...dixit : "Possumus praebere patientiam; quam quidem praebemus, si ea quae pars diversa asserit habeant firmissimam rationem. Nam cum aliter lex interpretatur quam est, quis ferat, quis patiatur silentio adferri praesudicium?"

- 152 of.B3.10.20 : 'eandem ipsam unam et sanctam Ecclesiam nunc esse aliter, tunc uatem aliter futuram, nunc habere mixtos, tunc non habituram', and 3.8.2(a)(2) below.
- 153 Ratzinger, *Volk und Haus Gottes*, p.147, draws attention to Augustine's use of the parable of the Great House (2 Tim.2.20-1) in support of the presence of good and bad in the Church and to his distinction between the good, who may be said to constitute the house, and the bad, who are said merely to be 'in' the house, cf. de Bapt.7.51.99, where the parable is associated, as in Cyprian earlier (cf.Epp.54.3 and 55.25), with those of the Field and Threshing Floor : 'Haec domus etiam triticum dicitur sive tricennum sive sexagenum sive centenum fructum adferens (cf.Mt.13.23) cum tolerantia (sc. of the bad)...Haec est quippe in bonis fidelibus ...alios (sc. the bad) ita dico esse in domo, ut non pertineant ad compaginem domus nec ad societatem fructiferam pacificamque iustitiae, sed sicut esse palea dicitur in frumentis'. A similar analogy seems to lie behind Augustine's argument here : the world, in the sense of 'good men', is the Church, 'in' which bad men, like the tares in the parable of the Field, are intermingled for the present. For further discussion see note 158 and 3.8.2.(a)(2) below.

- 154 G3.272 : 'Si reconciliari potest Deo (cf. 2 Cor. 5.19) detestatus ille mundus de quo dictum est quia non est charitas Christi in eo qui dilexerit mundum (cf. 1 Jn. 2.15), iudicent qui loquuntur'. The Donatists often stressed the sense the word 'world' had traditionally acquired in Christian martyrology, cf. *Passio Donati*, 7, for the quotation of Jn. 15.19, P.L.8.756A; cf. also *Passio Marouli*, P.L.8.762C; *Passio Maximiani et Isaac*, P.L.8.774B; *Sermo in Natali Innoc.*, 3, ed. Wilmart, p.262, line 29.
- 155 Augustine has conflated Jn. 12.47 ('venit') and Jn. 3.17 ('misit Deus filium suum').
- 156 That is, why does Emeritus (G3.266) oppose one set of texts to the other as though they were contradictory? Emeritus was not, of course, suggesting that Scripture was self-contradictory, in its use of the word 'world', but rather that the texts quoted by him contradicted Augustine's argument for an equivalence between 'world' and 'Church'.
- 157 G3.272 : 'Vide mundum in malo omnes dilectores temporalium per universas gentes ; vide mundum in bono omnes fideles et sperantes aeternae vitae per universas gentes'. Augustine thus distinguishes two senses of the word 'world' in Scripture in terms of a division of mankind into two classes, good and bad, cf. *Tract. in Joh. Ev.* (A.D. 414-416/17) 52.10, for a good example of his distinction of different senses of 'world' in Scripture. Having first distinguished between the place and its inhabitants, he goes on to distinguish further between 'world' in the sense of

'bad men' and 'world' in the sense of 'good men' : 'Sed mundus appellatur in malis hominibus, qui toto orbe terrarum diffusi sunt; sicut appellatur domus in his a quibus habitatur, secundum quod dicimus, "Bona domus est", vel "Mala domus est", non quando reprehendimus sive laudamus aedificium parietum atque tectorum, sed quando mores vel bonorum hominum vel malorum... Appellatur etiam mundus in bonis qui similiter toto terrarum orbe diffusi sunt; inde dicit Apostolus : "Deus erat in Christo, mundum reconcilians sibi" (2 Cor.5.19). A similar distinction had already been expressed by Augustine in terms of two cities, cf.eg.e.Ep.Para. 2.4.8-9. For a discussion of the development of the two cities theme in Augustine's works, cf.Lauras and Rondet, *Études augustiniennes*, 1953, pp.97-160. For the application of this idea to the parable of the Field cf.D.C.D.20.9.1, where Augustine distinguishes two senses of the Kingdom of Christ corresponding to present and future periods of the Church : 'Ac per hoc ubi utrumque genus est, Ecclesia est qualis nunc est; ubi autem illud solum erit, Ecclesia est qualis tunc erit, quando malus in ea non erit. Ergo Ecclesia et nunc est regnum Christi regnumque coelorum. Regnant itaque cum illo etiam nunc sancti eius, aliter quidem quam tunc regnabunt : nec tamen cum illo regnant minima, quamvis in Ecclesia cum tritice crescant... Postremo regnant cum illo, qui eo modo sunt in regno eius ut sint etiam ipsi regnum eius. Quomodo autem sunt regnum Christi qui, ut alia taceam, quamvis ibi sunt donec colligantur in fine saeculi de regno eius (cf.Mt.13.41) tamen illic sua quaerunt, non quae Iesu Christi (cf.Philip.2.27)'

Although Augustine makes no explicit reference to the two cities

here, the saints who even now reign with Christ and who will reign with him hereafter belong to the city 'quae praedestinata est in aeternum regnare cum Deo', D.C.D.15.1.1. For a discussion of the relationship between the heavenly city and the institutional Church in Augustine's thought cf. Gross, *De Civitate Dei* XV.2, *Speculum*, 25, 1950, pp.215-25; Markus, *Saeculum*, pp.117-26, where it is related to the debate at the Conference.

- 158 G3.272 : 'Augustinus...dixit : "Ut ergo dicere coepimus, ipsis adhaerentibus, invenimus in Scripturis mundi nomen in malo, mundi nomen in bono. Nam mundi nomen in malo, sicut ipsi dixerunt : 'Et mundus cum non cognovit' (Jn.1.10) et 'Si quis dilexerit mundum, non est charitas Patris in illo' (1 Jn.2.15), et cetera. Mundi autem nomen in bono : 'Ut credat mundus quoniam tu me misisti' (Jn.17.21). Non enim credere malorum est. Mundi nomen in bono : 'Non venit ut iudicet mundum, sed ut salvetur mundus per ipsum' (cf. Jn.3.17). Non salvabitur nisi Ecclesia in mundo. Cum ergo in bono mundus et in malo mundus, unde ista Scripturarum rixa? Si intellectore careat, adhibe lumen intelligentiae. Vide mundum in malo omnes dilectores temporalium per universas gentes; vide mundum in bono omnes fideles et spem gerentes aeternae vitae per universas gentes. 'Deus erat in Christo' inquit, 'mundum reconcilians sibi' (2. Cor.5.19). Si reconciliari potest Deo detestatus ille mundus de quo dictum est quia non est charitas Christiani eo qui dilexerit mundum, iudicent qui loquuntur. Audiat ergo patienter nobilitas tua. Vide Scripturam sanctam commixtos bonos et malos, sicut ipsi de retribus iam confessi sunt, praesignasse Ecclesiam..." Et cum diceret cumque streperetur,

Alypius episcopus Ecclesiae Catholicae dixit : "Scriptum sit quia perstrepuunt". The Donatists interrupted before Augustine could finish this sentence, cf. note 141 above. He may have intended to go on to make some specific reference to the parable of the Field, since it is the interpretation of that parable that is the subject under discussion, cf. 'Ego autem possem... ostendere illum esse veriorum intellectum, quod Ecclesia habeat et bonos et malos, zizania scilicet et triticum...', G3.265.

- 159 Petilian increases the force of his objection by saying that the world in Mt.13.38 is identified with the field by none other than Christ himself, the Divine Word by which the world itself was created, cf. Jn.1.3. The implication is that he should have known precisely what he meant by 'world' in identifying the field with it in Mt.13.38. It may also be suggested that 'world' here, in the Donatist view, meant the created world order in which good men and bad find themselves mixed together in contrast to the Church, from which, as they had argued, it is possible to separate known offenders. For Augustine's acknowledgement of this sense of 'world' in Scripture see note 157 above.

- 160 G3.274 : 'Petilianus...dixit : "Quid sit mundus, quid sit Ecclesia, apertissime definitum est ab ipso auctore mundi atque factore, per quem omnia facta sunt et sine quo nihil est factum. Ipse enim Dominus dixit : 'Mundus hic ager' (cf. Mt.13.38). Potuisset dicere : 'Mundus Ecclesia est'. Quis igitur audeat definire quid mundus sit, cum ipse Dominus factor atque opifex iam dignatus fuerit definire?'"

- 161 'Quid mundus sit, qui salvandus dicitur (cf. Jn. 3.17), quoted by Augustine in G3.265 and 272) evidenter ostendite', G3.275.
 'Salvandus' is probable used for a future passive here, cf. Gen. 18.18 : 'cum...benedicendae sint in ille omnes nationes terrae', Rensch, *Italia und Vulgata*, p.432, and would thus correspond to the use of the future tense in G3.272 : 'Non salvabitur nisi Ecclesia in mundo'. Marcellinus thus urges the Donatists to answer Augustine's point (G3.265 and 272) that 'world' may be identified with 'Church' in so far as in contexts such as Jn. 3.17 it denotes those who will in fact be saved.
- 162 G3.275-8 : 'Marcellinus...dixit : "Quid mundus sit qui salvandus dicitur evidenter ostendite". Petilianus...dixit : "Homo dictus est mundus, ubi dixit : 'Mundum reconcilians sibi' (2 Cor. 5.19). Non enim sibi Deus belluas, sed homines voluit reconciliari"... Marcellinus...dixit : "Ex his omnibus qui mundi nomine nuncupantur, dicis Ecclesiam posse constare, postea declaratum, an certe remiss?" Emeritus...dixit : "Tollis nos a manifesta praescriptione. Ait Dominus Christus in evangelio : 'Ager mundus est'"... Marcellinus... dixit : "Patiamini ergo, ut ad omnia quae epistolae tertus continet respondeant et tunc plenissime de omnibus iudicabo".
- 163 This is the beginning of the Catholic Extended Reply, cf. G3.281, which is summarised by Augustine in B3.9.16-18. For the authenticity of G3.281 and the lacuna at the end of the extant Gesta cf. Appendix 1.

- 164 A reminiscence of Cyprian, Ep.54.3, cf. Appendix 1. The past tense is no doubt intended to relate it specifically to the origin of the Donatist schism.
- 165 In c.Ep.Parm.3.1.1-3.2.16, Augustine had already related his view of the nature and function of ecclesiastical discipline to his interpretation of the parable of the Field in support of the toleration of known offenders in the Church. His account in that passage illustrates the relevance of this section on ecclesiastical discipline here. Arguing, in c.Ep.Parm.3.1.1, that to tolerate even known offenders in the Church is not necessarily to condone their sin, he draws a distinction between a physical and a moral separation between good and bad, a distinction which is emphasised in the Catholic Mandate, cf.3.3(d) above, and again in Augustine's Extended Reply, cf.3.8.1 below (B3.9.17-18), and which is basic to Augustine's conception of 'two cities', morally distinct even now, but physically separated only after God's final judgment. It is in the context of this distinction that his view of ecclesiastical discipline is to be understood. Its object is not to anticipate God's final judgment by attempting to separate the bad from communion with the good 'physically', but rather to encourage sinners to repent, which can often be done best if they are kept within the Church: 'non dormiat severitas disciplinae, in qua tanto est efficacior emendatio pravitatis, quanto diligentior conservatio charitatis', c.Ep.Parm.3.2.13. Its function is medicinal in this sense, cf.c.Ep.Parm.3.2.5., where Mt.9.12: 'Non est opus sanis medicus, sed aegrotantibus' is quoted, and it

should be administered in a brotherly spirit, cf. e. Ep. Para. 3.1.3, where 2 Thess. 3.14-15 is quoted.

166 GJ.281 : 'Augustinus...dixit : "Mundus ergo non enim aliter et nobis videri potuit, in hominibus intelligitur. Non utique ita stultissimus ut belluas etiam et quaecumque irrationabilia animalia ad salutem, quam Christus promisit, pertinere dicamus. Proinde haec dicimus : 'Mundus in maligno positus est' (1 Jn.5.19): homines sunt; 'Ut credat mundus quia tu me misisti' (Jn.17.21): homines sunt; 'Mundus reconcilians sibi' (2 Cor.5.19): homines sunt, et caetera quae in malo dicta sunt, homines illi, homines illi. Per totum enim mundum utriusque, mali mixti bonis. Sic et Ecclesia, quam confessi sunt retium nomine declaratum habere malos, sed dixerunt latere peccatores, constat iam quod habeat bonos et malos. De latendo et de non latendo quaestio est utrum pertinuerit ad pietatem bonorum etiam malos cognitos tolerare, ne desererent bonos, an propter malos totum deserere voluerint quibus mali quid in Ecclesia apparuerit. Ipsa quaestio est. Hoc probamus. Dicimus enim nos non negligendam quidem ecclesiasticam disciplinam, et ubicumque fuerint prodiiti mali, coercendos eos esse ut corrigantur, non solum sermone correctionis verum etiam excommunicationibus et degradationibus, ut humilem locum salutis in Ecclesia quaerant, ad medicinam ipsorum fieri, non odio, sed studio salutis fraternae, sicut quodam loco etiam ipse Apostolus evidentissime declarat dicens : 'Si quis non obaudivit verbo nostro per epistolam, hunc notate et nolite commisceri cum eo...' (2 Thess. 3.14)". The extant Gesta end here, but the rest of the quotation may be supplied in the

version in which Augustine quoted it from c. part. Don. p. Gest. 4.6 :
'ut erubescat et non ut inimicum existimetis, sed corripite ut
fratrem'. It is in the missing part of the quotation that the
point is made, namely, that ecclesiastical discipline should be
administered in a brotherly spirit, 'corripite ut fratrem',
of. 'studie salutis fraternae' above.

Notes to 3.7

- 167 B3.9.15 : 'multa testimonia protulerunt quibus sancta Scriptura mundum non nisi malos commemorasset', cf. c. part. Don. p. Gest., 6.9 : 'Unde illi dicebant mundum semper in malam significationem positum... Nos vero non solum in malam, sed etiam in bonam significationem mundum in Scripturis positum respondebamus'.
- 168 B3.9.15 : 'Incipientibus ergo Catholicis respondere, Donatistae interrumpere et obstrepere coeperunt, ne perpetua respondentes sermo decurreret... Tunc Donatistae interrumpentes... rursus interrumpendo dixerunt... Inde inter strepitus et interruptiones eorum... Et haec agebantur, Catholicis sermonem suum proseguendo perpetuare conantibus, illis autem ne id fieret, perstreptibus... sed crebras contradictiones interponendo ne Catholicorum prosecutio imperturbata procurreret, impedirent... !
- 169 cf. eg. G3.262, 270.
- 170 of. G3.264, 268-72, where after some dispute between the two sides, Marcellinus ruled that the Catholics should be allowed to reply to the Donatist Letter as a whole, and this was eventually accepted, cf. G3.281; C3.281; B3.9.16-18.

Notes to 3.8.

- 171 I refer to this section (B3.9.16-18) as the Catholic Extended Reply, cf.G3.281: 'Prosecutio Catholicorum qua prolatae a Donatistis epistolae plena adsertione respondent'. Apart from this brief reference in the Capitula, we are entirely dependent here on Augustine's Breviculus after the first few lines, which are extant in the Gesta (cf.G3.281 and Appendix 1). G3.281: 'Augustinus...dixit', shows the reply was made by Augustine himself.
- 172 The phrase 'multis sanctarum Scripturarum testimoniis et exemplis' does not correspond precisely to anything in G3.281 as we have it (cf.Appendix 1). It could conceivably refer to texts quoted by Augustine to illustrate how compatible the proper functioning of ecclesiastical discipline is with the toleration even of known offenders in the Church. One such text occurs in G3.281, 2 Thess. 3.14(-15), where the brotherly spirit in which discipline should be administered is stressed. It is possible that Augustine quoted more than one text to this effect, as he does for example in c.Ep.Parm 3.1.1-3.2.16. It is much more likely, however, that he is referring back to the scriptural 'testimonia' and 'exempla' which the Catholics had quoted in their Mandate in support of the Church's morally mixed nature (cf.3.3(a),(b) and (c) above) and which, together with further texts quoted by either side, had formed the subject of the debate following the Donatist Letter and of the opening lines of the Extended Reply itself (cf.G3.281).

Augustine would thus be referring to the scriptural evidence in general supporting the Catholic argument at the point at which the Extended Reply began. This reference thus prepares the way for 'sic ostendentes divina testimonia consonare' below, cf. note 173.

173 cf. 3.6, note 123 above.

174 As early as de Div. Quaest. 83, 81.2-3 (ca. 396/7), Augustine had similarly distinguished between the Church, morally mixed while subject to the conditions of mortal life, but morally purified in its final state of immortality, supporting his argument with reference to the two accounts of fishing, before and after Christ's resurrection.

175 First in the series of texts quoted by the Donatists in support of the principle of a morally pure Church, cf. 3.4(a) above.

176 For an earlier use of the image of the Ark by Augustine cf. c. Faust. Man. 12.15 (ca. 397/8), where the presence of clean and unclean animals in the Ark, to which Peter's sheet in Acts 10.10-15 is seen as a parallel, is taken to justify the presence of both good and bad in the Church. In c. Faust. Man. 12.20, the crow symbolises those who leave the Church, for example, to receive rebaptism (sc. from the Donatists), and in 12.21, the fact that only clean animals were used for sacrifice (cf. Gen. 8.20) is interpreted as signifying the future release of the just from the present conflict between flesh and spirit (cf. Gal. 5.17), from the weakness and concupiscence of our mortal state. This is very close to what Augustine is saying here.

- 177 What the Donatists had in mind here is indicated by their concluding statement at the end of the section on the Prophets (cf. 3.4(c) above) to which Augustine is now replying: the fact that the Prophets remained among those whom they condemned was a matter of 'comoratio' not 'communio' (cf. FL 11.1411C). The Donatists in turn were replying to the Catholic argument that in spite of their severe damnation of the people, the Prophets did not withdraw from them physically (cf. 3.3(c) above).
- 178 Augustine had used this argument as early as his Ps.c.Don. P (ca.393), where the point that the Prophets shared one temple with those they condemned is combined with reminiscences of Cyprian's condemnation of schismatics who set up a rival altar, cf. Cyp., de Un. 17: 'hostis altaris, adversus sacrificium Christi rebellis... constituere audet aliud altare'. A. Pincherle, L'Ecclesiologia nella Controversia Donatista, Ric. Rel., 1925, pp. 40-1, noting that Cyprian's words were turned against the Donatists by both Optatus (cf. Opt. 1.19) and Augustine (cf. eg. Ps.c.Don. B, F, I and epilogue), points out that the Donatists also took up this Cyprianic theme against their Catholic rivals, the altar (i.e., the regularly ordained priesthood) being one of the six 'dots' with which Parmenian held the true Church to be endowed as Christ's betrothed (cf. op. cit., p. 38 and Opt. 2.2 and 2.8). Pincherle further refers to Opt. 4.6, where Is. 66.3 (God's rejection of the sacrifice of a sinner) is mentioned as having been quoted by Parmenian, and Opt. 3.12, where the Donatist condemnation of Catholic sacrifices at the time of the Edict of Union of 347 is mentioned, and interprets these references in line with Cyprian's words: 'adversus sacrificium

Christi rebellis', as indicating the Donatist view that it was the Catholics who had set up a rival altar to the true one. As has been already noted (cf.3.4(c) note⁵⁶ above), in their Letter the Donatists made the point that the Prophets Elijah, Elisha, Hosea and Amos did not communicate at 'the schismatic altars of Samaria' (FL 11.1410D-1411A). Clearly, from the Donatist point of view, the 'schismatic altars' set up by Jeroboam (cf.1Ks.12.25-33) provided a striking example from the time of the Prophets of the position their Catholic opponents had come to occupy. The Donatists had, indeed, gone on to argue that even in Jerusalem itself the Prophets could not have taken part in sacrifices they condemned in such words as Is.66.3 without incurring the charge of prevarication (FL 11.1411B-C). Thus Augustine's insistence that the Prophets did not institute another temple or sacrifices than those at Jerusalem. This does not, of course, demonstrate that the Prophets did take part in the sacrifices of priests they regarded as unworthy and there is no reason to suppose the Donatists would have disputed Augustine's further point that at a later period there were men like Zechariah (cf.1k.1) who were worthy of their office, cf.note 180 below.

179 The point here is whether the successors of those who supported Caecilian could still be considered to be implicated in his alleged act of traditio. The argument that other people's sins are harmful only if imitated is a common theme of Augustine's anti-Donatist polemic, cf.eg.Ps.c.Don.,N. In c.Ep.Parm. 3.1.ff. there is a fuller account of how Augustine understood what it meant to imitate sinners who were tolerated in the Church (cf.3.6.(b) note 165 above). In the Catholic Mandate, as in Augustine's anti-Donatist polemic

generally, the Donatist comparison of the effects of the toleration of sinners in the Church to an infectious disease is exploited, cf.eg. PL 43.825: 'Ecclesiam Christi nullorum malorum usque in finem sibimet permixtorum non solum ignotorum, verum etiam cognitorum, quasi corruptione pestifera posse inquinari atque deleri'. Although the Donatists undoubtedly used this comparison, cf.eg. c.litt.Petil. 2.44.103: 'nos enim, ut scriptum est (cf.Gal.3.27), baptismo nostro Christum induimus traditum, vos vestro contagio Iudam induitis traditorem', and Passio Donati, 10, PL 8.756C: 'communione eius contagium', their main contention seems to have been that knowingly to tolerate evildoers in the Church was to condone their sin and thus to share its guilt (cf.eg.c.litt.Petil.2.92.202: 'thuris (ie. apostasy) enim conscientia omnes implicuit qui Mensurio consensistis', cf.Acta Sat.17, PL 8.700C). But, in what sense was the guilt of those who had supported Mensurius and Caecilian, by remaining in communion with them and receiving their sacraments, shared by their successors a century later? In their Letter (PL 11.1412A-B) the Donatists had quoted texts from the Old Testament showing how children were punished for their parents' sins and how the priests of Eli's house were cut off and their place taken by others (cf.3.4(c) above). Earlier at the Conference (cf.G3.221-247) they had tried to link Augustine personally with Caecilian through his ordination on line of succession to Caecilian and his colleagues. Petilian could speak of baptism administered by an unworthy priest as not only being deprived of its life giving power, but actually conferring deadly sin (cf.c.litt.Petil.2.4.8: 'qui fidem sciens a perfido sumpserit, non fidem percipit sed reatum'). Yet, this process was not automatic, for Petilian's insistence that only he who knowingly receives the sacrament of a sinful priest incurs his sin (cf.c.litt.Petil.3.22.26 ff.)

implies that some degree of culpable acquiescence on the part of the recipient must be assumed. The Catholic Church's part in persecuting the Donatists lent support to the view that that Church had, through the apostasy of Caecilian and his colleagues, changed sides in the conflict between the Church and the world, Christ and the devil (cf.eg. Acta Sat.19, FL 8.701-2). Behind the fact of persecution lay that change of allegiance which, in the Donatist view, to condone apostasy entailed, cf.eg. the Judas theme in Petilian's pastoral letter, c.litt.Petil.2.8.17, 43.101, 44.103, and its development in the Donatist Letter at the Conference, 3.4(c) above. To the Catholic protest that they were not the sons of traditors Petilian replied: 'Eius est aliquis filius cuius facta sectatur. Hi enim certissimi filii sunt, idemque parentibus similes quos non ista caro nec sanguis, sed mores et facta parentibus consimiles genuerunt', c.litt.Petil. 2.11.25, and he was thinking of persecution. The theme that a tree is known by its fruits (Mt.7.15-17, already employed by Petilian, cf.c.litt.Petil.2.6.12, 16.36) was introduced later at the Conference (C3.309; B3.11.23) to illustrate how the action of Christians who persecute their fellow Christians can only be explained as a consequence of the betrayal of Christ in which they had already acquiesced even while professing his name, (cf.eg. Acta Sat.19, FL 8.702B: 'diabolus...eos pollutis traditionibus iungens sibi, sub praetextu sanctissimae religionis extinguat'; Sermo in Natali Innoc. 2, ed.Wilmart, p.282: 'subdolis tamen subtilitatibus adoraturum se dominum simulat' (sc.Herod, as a prototype of Catholic persecutors)).

180

For the argument from the case of Zechariah, etc., cf.eg.c.Ep.Parm. 2.5.10 (ca.400). The Donatists, in fact, accepted that a succession

of just men had continued from the beginning, cf.eg.Sermo in Natali Innoc. 5, ed.Wilmart, p.283: 'semper enim innocentia pro veritate in saeculo laboravit quia inter ipsa initia mundi inimicitias cum diabulo insidiatore suscepit... Denique statim Abel iustus innocens a fratre necatur, et qui deo placuerat crudeli vulnere trucidatur... Inde iam omnes iusti et electi prophetae per tractus temporum et decursiones aetatum impiis dominantibus oppressi...'; c.litt.Petil.2.14.31 (where Mt.23.33-5 is quoted); Liber Geneal.25 (LTFG): 'Ab ipso (sc.Seth) resuscitavit deus semen iustum a cuius pro genie pervenimus usque ad dominum Jesum Christum'. Zechariah is mentioned in a later passage in which the Liber Genealogus echoes the concern of Chronicles with an authoritatively instituted priesthood, Liber Geneal.536 (LG): 'octava Abia, unde fuit Zaccharias' (cf.1 Chron.24.10 and Lk 1.5). It is, of course, the same idea which Augustine reinterprets in terms of his 'civitas dei', cf.Y.Congar, *Ecclesia ab Abel*, *Abhandlungen uber Theologie und Kirche*, 1954, pp.79-108.

- 181 For the use of this text cf.eg.Ps.c.Don.N.
- 182 'communicetur', cf.acts 11.18.
- 183 cf.3.4(d) above and PL 11.1415B.
- 184 B2.1 and G2.3-7, cf.G1.144-6. The Donatists did not actually quote this Psalm, but Augustine seems correct in his identification of their allusion: 'non sedemus, maxime cum lege divina consessus prohibeatur, ne cum huiusmodi adversariis nostris considerare velimus', cf. c.Ep.Parm.3.5.26, where Augustine attributes the quotation of Ps.26.1-10 to Parmenian, and Opt.1.14, which may contain indirect hints of Parmenian's use of this text. In c.Ep.Parm.3.4.23, it is

taken by Augustine along with Is.52.11 (also quoted by Parmenian, cf.c.Ep.Parm.3.4.20) as implying a moral rather than a physical separation, and thus provides an early example of his argument here.

- 185 That is to say, the Donatists themselves were unaffected by the sins of those Maximianists who returned to them, cf.3.3, note 24 above.
- 186 A more likely reason why the rest of the debate now centred on the distinction between two periods of the Church is that this was, in fact, a crucial point (cf.further discussion below), not that the Donatists had no answer to Augustine's other arguments.
- 187 cf.note 198 below.
- 188 cf.note 200 below.
- 189 This clause is obviously a comment inserted by Augustine at this point in his account of what the Donatists said, but it represents an argument that doubtless was used by the Catholics shortly afterwards in reply to this Donatist objection: 'cum iidem ipsi qui nunc boni tolerant permixtos malos et resurrecturi moriuntur, tunc nec mixtos malos habituri sint, nec omnino morituri', B3.10.20, which is consistent with a later point made by the Catholics and registered by Marcellus in his Capitula in connexion with the argument over the Church's immortality: 'eam Ecclesiam immortalem esse promissam, quae nunc ex iustis mortalibus constat in terra', C3.288. cf.note 229 below.

- 190 A reference to the Donatist interpretation of the parables of the Net (cf.3.4(b) (iii)) and Threshing Floor (cf.3.6(a)).
- 191 Cyprian's Ep.54.3.1 had already been quoted in the Catholic Mandate (cf.3.3.(c)). Augustine's specific reference here, 'in Ecclesia diceret esse zizania, nec latere, sed cerni', B3.10.20, is to Cyprian's phrase: 'quoniam zizania esse in Ecclesia cernimus'.
- 192 'quod in ea nullus esset vel corpore moriturus', B3.10.20. See note 174 above for an earlier example of Augustine's use of this argument.
- 193 cf.2 Cor.4.16: 'Et si exterior homo noster corrumpitur, sed interior renovatur de die in diem'. Interpreting this text in terms of the Platonic distinction between the world of appearances and the realm of ideas, Augustine is drawing a parallel between the individual human being, who though one, may be thought of as made up of two distinct elements, body and soul, and the Church which 'corporaliter' includes bad men, but 'spiritaliter' only the good, cf.eg.de.Bapt.6.14.23: 'sed et qui tales (sc.mali) videntur intus, non solum spiritualiter foris sunt, sed etiam corporaliter in fine separabuntur'. For an early example of the distinction between the 'outer' and 'inner' man and its interpretation cf.de Div.Quaest. 83, 51.1.
- 194 The New Testament idea that there are many local churches yet one Church is taken up in the (later second century) Muratorian Canon, lines 55-9: (Paul wrote to various churches) 'una tamen per omnem orbem terrae Ecclesia deffusa esse denoscitur. Et Johannis enim in Apocalipsy licet septem ecclesieis scribat, tamen omnibus dicit' (Gwatkin, Selections, p.86). The same idea is developed by Cyprian

in a passage on the unity of the Church: 'Ecclesia una est quae in multitudinem latius...extenditur...numerositas licet diffusa videatur...unitas tamen servatur in origine', de Un.5 (cf.also Ep.55.24.1). Augustine frequently charges the Donatists with not being in communion with the churches throughout the world, for example, the seven to which John wrote (cf.Rev.1.11). His de Un.Eccl.12.31 provides an example of this argument, in the course of which Augustine refers to the Church's unity in multiplicity: 'An placeat vobis ut contra ecclesias quae membra sunt unius Ecclesiae toto orbe diffusae, quas nobis per Scripturas suas Spiritus sanctus commendavit et tradidit, undelibet prolata quaelibet hominum maledicta credamus?' Thus, the Donatists, not being in communion with the other members of the one Church throughout the world, do not themselves belong to the one Church. Augustine may wish to allude to this familiar argument here, while the subject of the Church's unity is under discussion, but his immediate point, that the Church is both one and many, brings out another aspect of its twofold nature corresponding to the same fundamental distinction referred to in the previous note. Nevertheless, the fact that Scripture names many local churches hardly answers the Donatist objection that Augustine spoke of two Churches, one where evildoers were tolerated, the other where they were not.

195 Probably a reference to the Trinitarian baptismal formula.

196 C3.282: 'Prosecutio Donatistarum adversus prosecutionem Catholicorum quam contra Epistolam retulerunt (ie. the Donatist answer to the Catholic Extended Reply to the Donatist Letter). 283: Prosecutio

Catholicorum, qua ostendunt malos in Ecclesia seminatos, quod Donatistae fieri posse negaverunt, <et> qua defendunt quod se dixisse de duabus Ecclesiis dixerunt Donatistae'. In support of the insertion of 'et' there is an example of 'prosecutio qua... et qua...' in the manuscript at C3.110, and Augustine treats these as two distinct points in his summary in B3.10.20: 'Ad haec Catholici responderunt...et vicissim quaesierunt quomodo eos in Ecclesia diabolus seminaverit...De duabus etiam Ecclesiis calumniam eorum Catholici refutarunt...'

- 197 'ad illud quod iam peractum fuerat redierunt, dicentes mundum non bene intelligi Ecclesiam, in qua simul et triticum et zizania iussa sunt crescere...cum quaestio ipsa iam terminata videretur, ad eam rursus summa inopia redierunt, eadem per eadem replicantes, quaerentes quomodo potuerit diabolus in Ecclesia seminare zizania', B3.10.19.
- 198 'cum Catholici et tot testimonia divina iam commemorassent, quibus ostenderetur mundus etiam in bona significatione positus, et in ea non nisi Ecclesia posset intelligi', B3.10.19, cf.G3.265, 267, 272 and 3.6(b) above.
- 199 cf.G3.274-8 and 3.6(b), notes ^{149 &} 162 above.
- 200 'quomodolibet acciperetur mundus, quando utrumque semen per mundum cresceret, non debere propter zizania totius mundi triticum deseri', B3.10.19, cf.G3.281: 'Per totum mundum utrique, mali mixti bonis. Sic et Ecclesia...constat quod habeat bonos et malos...quaestio est utrum...propter malos totum deserere voluerint, quibus mali quid in Ecclesia apparuerit' cf.3.6(b) notes ^{164 and 166} above.

Augustine's phrase 'quomodolibet acciperetur mundus' presumably means: whether the word 'world' is taken as equivalent to the Church, as the Catholics had argued, or is understood simply as the world, as the Donatists insisted. Augustine's contention here seems to be that whether we think of the field as representing the world-wide Church or simply the world itself, the Donatists are still open to the accusation that they have abandoned the wheat beyond their own Church, which is confined to Africa. In other words, this is merely the argument from the Church's Catholicity presented in terms of the parable of the Field. It is not clear whether the 'totum' which those who see something evil in the Church might wish to abandon (cf.G3.281) refers to the 'whole Church' or to the 'whole world' throughout which good men are intermingled with bad. It is of course with the coexistence of good and bad in the Church that Augustine is concerned and the link between 'Church' and 'world' is provided by the idea of the Church as a world wide organisation.

201 Ep.54.3 is quoted in 3.3(c) note 23 above.

202 Optatus develops the image of the field considerably, introducing associated ideas such as Christ the Sower (cf.Mt.13.3-9, 18-23), the rain which falls on the just and the unjust (cf.Mt.5.45), but he can speak of the 'ager qui est totus orbis, in quo est Ecclesia' and at the same time apply the coexistence of wheat and tares in the field to the Church. Augustine's language in Ep.105.5.16 follows Optatus closely: 'Sic enim eos (sc.malos) in isto mundo, in quo Ecclesia Catholica per omnes gentes diffunditur, quem agrum suum Dominus dicit, tamquam zizania inter triticum...toleramus'.

203 Augustine is trying to show from the words of Cyprian himself, whose authority the Donatists claimed in support of their view of the Church and of baptism, that it is his position which Cyprian really supports. In Ep.73.11, Cyprian had argued that those who preach Christ through envy (cf.Phil.1.15-18) are inside, not outside the Church (cf.3.5, note 105 above). In de Zelo et Livore 4 (written about the same time, A.D.256) Cyprian had referred to Wis.2.24-5: 'invidia autem diaboli mors introivit in orbem terrarum: imitantur ergo illum qui sunt ex parte eius'. In de Bapt. 4.9.12-13 Augustine links these two Cyprianic references to suggest that since Cyprian regarded those who preach Christ through envy as being inside the Church, he tacitly admitted the presence in the Church of those who belong to the devil. 'Unde', asks Augustine, 'sunt in unitate Christi, qui sunt ex parte diaboli? Procul dubio, sicut ipse Dominus ait: "Inimicus homo hoc fecit", qui "superseminavit zizania" ' (cf.Mt.13.28 and 25). Augustine then continues his explanation: 'Hoc fortasse de hominibus dici potest, ut sic extra Ecclesiae communionem non habeat deus aliquem suorum, sicut inter angelos sanctos non habet diabolus aliquem suorum, Ecclesiae vero huic, quae adhuc carnis mortalitatem portat, quamdiu peregrinatur a Domino, licuerit diabolo miscere zizania, hoc est malos homines, et permixtus sit propter ipsius Ecclesiae peregrinationem, ut requies illius patriae qua sancti angeli perfruuntur, desideraretur ardentius'.

204 cf. note 213 below.

205 cf. esp.G3.281 and also 3.6.(b) notes 145 and 146 above. Augustine refers to this point later in c.Gaud.2.4.4(ca.420): 'in nostra collatione...asserebatis agrum Christi de quo ait: "Ager est

hic mundus", non esse Ecclesiam, sed mundum praeter Ecclesiam, ut ea quae cernerentur posset habere sianaia', cf. note 191 above.

206 of.3.4(b) (1) above.

207 of.3.4(b) (111) above.

208 of.3.3(e) and note 191 above.

209 'quoniam Donatistae Scripturarum testimonio unam Ecclesiam commendaverunt, velut contra duas quas Catholicos affirmasse iactabant', B3.10.20. The text quoted was doubtless one of those collected by Cyprian in support of the principle of the Church's unity and later taken over by the Donatists against their Catholic opponents, whom (note 178 above) they regarded as schismatics, cf. eg. Cyp. de Un. 4, for Cant. 6.8: 'Una est columba mea, perfecta mea', received by the Donatists, cf. Opt. 2.18 (Parmenian). In de Bapt. 4.10.16, Augustine shows how such a text could be applied to the point at present under discussion at the Conference.

210 'Deinde calumniantes, quod duas Ecclesias Catholici dixerint, unam quae nunc habet permixtos sales, aliam quae post resurrectionem eos non esset habitura', B3.10.19, cf. G3.282-3 (quoted in note 196 above).

211 G3.284: 'Interlocutio quae praecipit ut ex codice recitetur, utrum duas Ecclesias dixissent Catholici prosequentes (cf. G3.281). 285: Ubi interpretari volunt Donatistae, de duabus Ecclesiis sensisse Catholicos, quoniam duas eos Ecclesias dixisse non constitit. 286: Prosecutio Catholicorum qua defendunt quid dixerint de Ecclesia praesentis temporis et futuri'.

- 212 cf.B3.10.20: 'De duabus etiam Ecclesiis calumniam eorum Catholici refutarunt, identidem expressius ostendentes quid dixerint...', and my account of this passage in the text.
- 213 cf.G3.261: 'Utraque testimonia divina sunt, et utique repugnantia esse non debent, nec omnino possunt, si intellectorem inveniant', and B3.9.16: 'Sic ostendentes divina testimonia consonare, ut et illa quibus commendaretur Ecclesia cum malorum commixtione, hoc tempus eius significarent, qualis est in praesenti saeculo, et illa testimonia quibus commendatur non habere commixtos malos, illud eius tempus significarent, qualis venturo saeculo in aeternum futura est', cf.also 3.6, note 123 above.
- 214 cf.3.4(b) (iii) above.
- 215 cf.3.7.1(ii) above.
- 216 cf.eg. the accusation made by the Donatists in their Letter: 'clarum est adversarii qua conscientia patrocinantibus erroribus malos nolint a bonorum communione discerni', PL 11.1410D.
- 217 cf.B3.9.16: 'illa testimonia quibus commendatur non habere commixtos malos, illud eius tempus significarent, qualis venturo saeculo in aeternum futura est', and G3.258: 'ostendentes Ecclesiam Domini in Scripturis divinis sanctam et immaculatam fore ubique nuntiatam...', PL 11.1408D-1409B.
- 218 cf.Ep.55.18: 'Neque enim praeiudicamus Domino iudicaturus quo minus si paenitentiam plenam et iustam peccatoris invenerit, tunc ratum faciat quod a nobis fuerit hic statutum. Si vero nos aliquis paenitentiae simulatione deluserit, Deus qui non deridetur et qui cor hominis intuetur de his quae nos minus perspeximus iudicet et servorum sententiam Dominus emendet'.

219 Ep.55.25, cf.Ep.54.3.

220 Cyprian is primarily concerned with the readmission of penitent apostates to the Church, though the same would apply to those repenting of any serious offence, cf.Ep.55.26-7. In Ep.55.17 he advocates the immediate readmission of 'libellatici' and, at this stage, the reinstatement of 'sacrificati' only in danger of death.

221 cf.Ep.55.25: 'Tunc deinde quantus adrogantiae tumor est, quanta humilitatis et lenitatis oblivio, adrogantiae suae quanta iactatio, ut quis aut audeat aut facere posse se credat quod nec apostolis concessit Dominus, ut zizania a frumento putet se posse discernere aut, quasi ipsi palam ferre et aream purgare concessum sit, paleas conetur a tritico separare; cumque Apostolus dicat: "In domo autem magna non solum vasa aurea sunt et argentea, sed et lignea et fictilia" (2 Tim.2.20), aurea et argentea vasa videatur eligere, lignea vero et fictilia contemnere, abicere, damnare, quando non nisi die Domini vasa lignea divini ardoris incendio concrementur et fictilia ab eo cui data est ferrea virga (cf.Ps.2.9) frangantur.

26 Aut si se cordis et renis scrutatorem (cf.Rev.2.23) constituit et iudicem, per omnia aequaliter iudicet et...fraudatores et moechos a latere adque a comitatu suo separet...27 Neminem putamus a fructu satisfactionis et spe pacis arcendum, cum sciamus iuxta Scripturarum divinarum fidem auctore et hortatore ipso Deo et ad agendam paenitentiam peccatores redigi et veniam adque indulgentiam paenitentibus non denegari', cf.also Ep.55.18, quoted in note 218 above.

- 222 cf.eg. the Donatist use of Ez.22.18-22, P.L.111410C and 3.4(b) (iii).
- 223 cf.eg. Enarr. in Ps.47.9 : 'Non possumus enim negare plures esse malos et tam plures ut inter eos prorsus boni non appareant, quomodo non appareat grana in area'; c.Part. Don.p.Gest.20.27 : 'Proinde ne putaretur, sicut ipsi putant, quod velut unus in turba latenter subrepiisset ignaris, continuo Dominus in eodem ipso uno, quem ligatis manibus et pedibus in tenebras exteriores ex illo convivio proici iussit (cf.Mt.22.13), multam societatem malorum esse intelligendam, inter quos pauciores boni in convivio dominico vivunt, significare non distulit. Nam...continuo subiunxit : "Multi enim sunt vocati, pauci vero electi (Mt.22.14)"'.
- 224 cf.eg.Cyp.Ep.73.7 (referring to Mt.16.18-19 and Jn.20.21-3) and the Donatist use of the parable of the Wedding Guest (Mt.22.11-13) already discussed, 3.4(b) (iii).
- 225 'ostendentes quid dixerint, id est, non eam Ecclesiam quae nunc habet permixtos malos alienam se dixisse a regno Dei, ubi non erunt mali commixti; sed eandem ipsam unam et sanctam Ecclesiam nunc esse aliter, tunc autem aliter futuram...cum idem ipsi qui nunc boni tolerant permixtos malos et resurrecturi moriuntur, tunc nec mixtos malos habituri sint, nec omnino morituri, B3.10.20. For a fuller exposition of this point by Augustine cf.D.C.D.20.9. 1, already quoted in 3.6(b) note 157 above. R.A.Markus, Saeculum, p.121, note 2, remarks that 'Augustine's answer as here summarised by himself could have done little to convince his opponents that their charge was mistaken : "as if the saints who are to reign with Christ were not the same people as those, who now, living justly,

put up with the wicked for his name's sake"', B3.10.19 and see my note 169 above. Markus then continues : 'The question was not whether these people were the same or not, but whether the Church which contained only them could be said to be the same Church as one which contained them along with sinners'.

- 226 This twofold distinction had been emphasised by Augustine already in his Extended Reply, cf. B3.9.16 and note 174 above, and was now taken up by the Donatists.
- 227 'Prosecutio Donatistarum ubi dicunt etiam mortalem Ecclesiam dixisse Catholicos, cum Ecclesiae immortalitas sit promissa', C3.287.
- 228 'ideo negantes eam mortalem esse, quia Trinitas immortalis est, cuius gratia consecratur Ecclesia, et quia Christus ideo pro ea mortuus sit, ut eam faceret immortalem : quasi Catholici dixerint non eam fieri immortalem gratia Dei et effuso pro ea sanguine Salvatoris', B3.10.20.
- 229 'Prosecutio Catholicorum ubi adsunt supradictis assertionibus suis, eam Ecclesiam immortalem esse promissam, quae nunc ex iustis mortalibus constat in terra', C3.288. The Migne edition emends 'adsunt' to 'asserunt', no doubt with the following reported statement in mind, but a verb of saying may be understood from the phrase 'adsunt supradictis assertionibus suis' : 'The statement of the Catholics in which they defend their previous assertions, that immortality is promised to that Church which is at present made up of just mortals on earth'. That it is not simply what the Catholics had already said that is referred to, but rather what they now said in support of that earlier assertion is shown by the

introduction of the word 'promissam' indicating a response to the Donatist objection : 'etiam mortalem Ecclesiam dixisse Catholicos, cum Ecclesiae immortalitas sit promissa', C3.287.

230 'Et semper ab illius Ecclesiae quae sine macula et ruga est (cf.Eph.5.27) unitate divisus est etiam qui congregationali sanctorum in carnali obduratione miscetur', de Bapt.1.17.26. Commenting on this passage in *Retract.*2.18, Augustine reaffirms the distinction between present and future periods of the Church : 'ubicumque in his libris commemoravi "Ecclesiam non habentem maculam aut rugam" non sic accipiendum est quasi iam sit, sed quae praeparatur ut sit quando apparebit etiam gloriosa'.

231 See for example J.Ratzinger, *Volk und Haus Gottes*, p.146.

232 The fact, however, that the Church is made up of mortal men is strictly irrelevant to the central question of the debate, namely, who among mortals should constitute its present membership.

233 Thus, by making the mortality of its members the basis of a distinction between the Church as it is now when it may include even known offenders, and the Church as it will be after God's final judgment when it will no longer do so, Augustine invites the Donatist objection that he is involved in the apparent contradiction of making mortality a distinctive attribute of the very Church to which immortality is promised in Scripture.

234 cf.B3.11,passim and C3.296-313.

235 C3.309 : 'Ubi dicunt Donatistae traditores, id est, malam arborem, ex factis suis, id est, ex fructibus posse cognosci'. That the

fruits referred to are Catholic acts of persecution is clear both from the general context and from Augustine's statement in B3.11.23, quoted in note 235 below.

236 C3.312 : 'a primi hominis culpa haereditaria in omnes transisse delictum'.

237 So Frend, *Donatist Church*, p.288. This seems clear from the context, where the connexion of present acts of persecution with an original act or acts of traditio is being considered.

238 B3.11.23 : 'Cumque his Donatistae respondentes exaggerarent identidem velut persecuciones quas paterentur, tanquam ex his fructibus suos adversarios malam esse arborem iactitantes (cf. C3.309, note 235 above), et petentes identidem ut de agro et zizaniis et de una et immortalis Ecclesia iudicaretur (cf. C3.312 : 'Prosecutio Donatistarum, non sibi ad omnia esse responsum et ad singula. 313 : Iudicem debere ferre sententiam); contra autem Catholici fructus eorum commemorarent schismata et rebaptisationes (cf. C3.310 : Catholicorum ad ista responsio. 311 : Interlocutio quaerens quando mala arbor exstiterit)'.
A comparison of the *Capitula* and *Breviculus* here suggests that Augustine has rearranged the order slightly, as he does frequently throughout. The order seems to have been : Donatist reference to bad tree and fruit (C3.309), Catholic reply pointing to Donatist fruits of schism and rebaptism (310), Marcellinus's question as to when bad tree came into being (311), Donatist charge that Catholics had not answered their case in general

and their arguments in particular relating to parable of Field and unity and immortality of Church (312), Donatists repeat request that judgment be passed on these points (312, cf. 290 and 292) and introduce further argument on analogy of original sin (313).

- 239 See note 179 above, where the connexion between apostasy and persecution is discussed.
- 240 c.litt.Petil.2.6.12 : 'Arbor bona fructus bonos facit, arbor mala malos fructus facit : numquid colligunt de spinis uvas (cf.Mt.7.16-17)?' The order of the verses is reversed in Petilian's quotation.
- 241 The argument for authentication by reference to origin or source upon which Petilian relies here was a traditional one, to which he had just explicitly referred : 'Omnia res enim origine et radice consistit; et si caput non habet aliquid, nihil est; nec quidquam bene regenerat, nisi bono semine regeneratur', c.litt.Petil.2.5.10. He introduced this same argument at the Conference, when the question of Augustine's relationship and that of his colleagues to Caecilian was raised, cf.G3.221 ff., esp.236 : 'Tandem aliquando expressius dicat utrum patris loco habeant Caecilianum, ex quo deducta est ista progenies. Non enim potest aliqua res sine generatore suo nasci, aut sine capite incipere, aut sine radice sua crescere. Videt igitur nobilitas tua se originem non habere saepius protestatur. Si igitur originem non habet, ipse est magis haereticus, qui non habet patrem,

qui habitum patrem iudicio suo damnavit'. For the same line of argument cf. Tertullian, de Praeser. Haer. 20.7 : 'Omne genus ad originem suam censeatur necesse est', and Cyprian, de Un. 12 : 'cum haeresees et schisma postmodum nata sint...veritatis caput adque originem reliquarunt'. The argument Tertullian had used against heresy and which Cyprian in turn had employed against schism, Petilian now applies to sinful clergy.

242 c.litt.Petil.2.16.36,17.38 : 'Monet etiam Dominus Christus : "Cavete a pseudopropheta, qui veniunt ad vos in vestimentis ovium, intus autem sunt lupi rapaces : ex fructibus eorum cognoscetis eos (Mt.7.15-16)". Sic, sic, improbe persecutor, quocumque te velamine bonitatis obtexeris, quocumque nomine pacis bellum oculis geras, quolibet unitatis vocabulo hominum genus illicias : qui hactenus fallis ac decipis, vere diaboli filius es, dum moribus indicas patrem'.

243 c.litt.Petil.2.89.196,90.198 : 'Christianitas enim mortibus proficit. Nam nemo fidelissimus viveret, si mors a fidelibus timeretur. Dicit enim Dominus Christus : "Si granum tritici cadens in terram non moriatur, solum manet; si autem moriatur, multum fructum facit (Jn.12.24-5)". Sed vos spinas atque sisanias, non semina spargitis, cum quibus vos in summo iudicio deceat concremari. Non maledicimus; sed omnis spinosa conscientia Dei sententia sic tenetur'. Blaise, Dictionnaire, p.770, notes Petilian's special use of the phrase 'spinosa conscientia' in this context 'de ceux qui repandent spinas atque sisanias'. Thus, the Catholics sow thorns (cf.Mt.13.7 and 22) rather than the

true seed (cf. Mt. 13.3 ff. and c.litt.Petil.2.90.198) which is authenticated by martyrdom (cf. Jn. 12.24-5 and c.litt.Petil.2.89.196), while the thorns or tares will be burned in the fire of God's final judgment (cf. Mt. 13.30 and c.litt.Petil.2.90.198), for they produce only bad fruit (cf. Mt. 7.16-20 and c.litt.Petil.2.6.12). Petilian seems to be deliberately playing on the phrase 'spinosa conscientia' here to suggest also the sense of 'guilty conscience' on the analogy of 'spinae' in the sense of 'vices' and following his earlier denunciation of baptism administered by traitors and persecutors, where he contrasts the 'conscientia sancte dantis... quae abluit accipientis' (c.litt.Petil.2.3.6 and 3.22.26) with 'qui fidem sciens a perfido suscepit, non fidem percipit sed reatus... "numquid colligat de spinis uvae?"' (c.litt.Petil.2.4.8 and 6.12).

As in Petilian's letter, the parables of the Tree and its Fruit and the Field may have been intentionally linked in the Donatist argument at this point in the debate, cf. note 238 above.

- 244 G.Bonner, *Les origines africaines de la doctrine augustinienne sur la chute et le péché originel*, Augustinus, 1967, pp.97-116. Referring (on pp.100-101) to the acts of the council of Carthage which first condemned Pelagian views as expressed by Caesestius, and relying on the dating of this council to near the end of A.D.411 by J.H.Koopmans (*Vigiliae Christianae*, 8, 1954, pp.149-163), Bonner argues that these acts, quoted by Augustine in *de Pes.Orig.*4.3 (cf. P.L.44.387), clearly indicate that Aurelius of Carthage and, for that matter, the deacon Paulinus from Milan, held the so-called

Augustinian view of original sin before Augustine had become involved in the controversy. As an indication of the earlier tradition of such a doctrine in Africa, Bonner cites Cyprian, Ep.64.5 : 'secundum Adam carnaliter natus contagium mortis antiquae prima nativitate contraxit', op.cit.p.113, note 64, and p.115.

245 cf. Bonner. op.cit.pp.103 ff.

246 cf. note 179 above.

247 cf.note 238 above.

248 There may also be a suggestion that true baptism was as necessary in the one case as the other, cf.c.litt.Petil.2.7.14 : 'ambo vitam baptismi non habent, et qui nunquam penitus habuit et qui habuit et amisit'.

249 cf.C3.289 : 'Interlocutio quae dicit de peracta quaestione in sententia se dicturum esse quod sentiat, et iubet ut causa pandatur erroris. 290 :Prosecutio Donatistarum quae petit ut de singulis articulis cognitio ~~(ne)~~ decursa pronuntiet : et ubi dicunt testimoniis legalibus suis non esse responsum', cf.B3.11.21 : 'Tunc Donatistae urgere coeperunt, ut de his quae audisset primitus indicaret', and C3.312-13, note 238 above. In C3.290, 'cognitio' seems awkward as the subject of 'pronuntiet' and if emended to 'cognitiens', the judge may be understood as the subject from the previous section. Clearly, the Donatists wished to bring the proceedings to a triumphant conclusion at this point. Marcellinus apparently considered Caecilian's case relevant as demonstrating the origin of the dispute (cf.C3.289) and ruled that he could not pass

judgment on half the subject of the inquiry, cf.C3.292 :

'Interlocutio indicis qua dicitur legibus prohiberi ne sententia pro parte negotii proferatur', cf.C3.314 : 'Interlocutio de omnibus simul ferendam esse sententiam, ne motus indicis ante finem negotii publicetur'.

250 B.3.11.21 : 'Quod cum etiam Catholici exigerent...' The Capitula give no clear indication of this. I take C3.291 : 'Catholicorum ad haec secundum superiora responsio', as a reference to the Catholic argument about the immortality of the Church in C3.288, on the analogy of similar expressions to 'secundum superiora' referring to previous statements by the same speaker, cf.eg.C3.23, 56, 162, 190.

251 cf.3.7 above.

252 cf.eg. P.Brown : 'Augustine of Hippo', pp.332 and 334.

Notes to 3.9

- 253 cf. Catholic Mandate : 'Quamvis causa Ecclesiae...satis superque divinis testimoniis defendatur', P.L.43.822, and 'Quibus peractis nec ipsam Caecilianian causam volumus deserant...ut demonstratur iam olim esse finita ecclesiasticis et publicis documentis...', P.L.43,826. During the third session of the Conference, the Donatists pressed their opponents to choose between 'human documents' and Scripture by threatening to treat the inquiry purely as a civil lawsuit if they chose the former, cf.eg.G3.149, where Petilian argues : 'Si igitur ad legem se retinet (ie. if the Catholics agree to argue on the basis of Scripture), pervidet praestantia tua nullatenus eos harum chartularum quas proferunt facere posse mentionem', and G3.155, where Augustine insists that the Donatist charges of traditio against Caecilian can only be dealt with by reference to the historical documents. The historical issue had already begun to be inquired into when the Donatists introduced their Letter, followed by the examination of the doctrinal issue, after which the inquiry into Caecilian's case was resumed, cf.G3.220 and G3.315 : 'Prosecutio Catholicorum postulans ut chartae quae recitari coeperant perlegantur, 'cf.B3.12. For an early distinction between these two aspects of the dispute in Augustine's polemic, cf.Ep.34.6 : 'valde sanctis Scripturis, vel documentis ecclesiasticis aut publicis discutienda est' (A.D.396, Monceaux,7, p.279).
- 254 For a comprehensive list, cf.Frend, Donatist Church, pp.337-8.
- 255 For a detailed analysis of the Donatist view of the Church's

Catholicity of. Brissen, *Autonomisme*, pp.202-239. Brissen draws attention to the tension left unresolved by the baptismal controversy between Cyprian and Stephen, to the fact that the African and Roman Churches differed on the question of the rebaptism of heretics and yet, in Cyprian's view, even such fundamental differences ought not to undermine the unity of the Church (cf. esp. pp.110-21). He considers how far the Donatist Church may be regarded as simply maintaining Cyprian's idea of the independent responsibility of provincial churches within the wider framework of the one Church in contrast to the much tighter form of Church unity which the emperors from Constantine onwards encouraged in the interests of the political unity of their Empire. Although Brissen has been criticised by Mandouze, particularly for jumping the chronological gap between Cyprian and the Donatists (cf. *Encore le Donatisme*, pp.92-3), this seems to me to be a useful approach, though I differ from Brissen on some points of emphasis and interpretation and relate my discussion specifically to the Conference.

- 256 cf. eg. G1.14 (Donatist mandate) : 'Primianus et caeteri sinceræ Christianitatis episcopi et catholice veritatis'.
- 257 G3.22 : 'vera catholica, quæ persecutionem patitur non quæ facit'; the same expression occurs at the beginning of the Donatist Letter, G3.258, cf. 3.4, note above.
- 258 G3.30 : 'Donatistas nos appellandos esse credunt, cum si nominum paternorum ratio vertitur, et ego eos dicere possim, imo palam aperte

designo Mansuristas et Caecilianistas esse, eosdem traditores et persecutores nostros', cf. e. Cresc. 4.6.7, where Augustine records Cresconius's protest at being called a Donatist: 'Ac primum quod interrogas quare vestros Donatistas appellem, adiungens quod Donatus non auctor et institutor Ecclesiae quae ante non fuerat, sed a Christo deductae et antiquae unus ex episcopis fuerit'.

- 259 G3.93: 'Ante causam inane nomen est illis. Etiam de ipso nomine erit disputatio nobis atque contentio. Tum demum obtinebit hoc nomen qui fuerit inventus esse Christianus', to which Marcellinus responds: 'Certum est post habitum conflictum eos Catholicos nuncupandos, apud quos veritas fuerit deprehensa. Ego autem etiam in hac parte formam necesse habeo sequi praeceptionis augustae, in qua Catholicos eos appellare dignata est', a reference to the imperial edict summoning the Conference, in which the parties are designated 'Catholics' and 'Donatists', cf. G1.4. Petilian raises the same objection later (cf. G3.146) and Marcellinus gives a similar reply. The Donatist claim that their rivals had usurped the title 'Catholic' is an old one, cf. Passio Donati, 3: 'Tamen insatiabilis praedo moleste ferens quod non omnes hac arte possederit (ie. by open persecution of Christians by pagans), subtilius argumentum ad violandum fidei sinceritatem invenit salutis inimicus. "Christus", inquit, "amator unitatis est; unitas igitur fiat"; ante plebem nimis sibi semper obsecutam, ideoque a Deo desertam, Catholicam vocans ut de praesudicio nominis, qui communicare noluerunt, haeretici dicerentur' (ca. A.D. 320, Monceaux, 4, p. 490), P.L.S. 754A, cf. also 757B.

- 260 G3.102 : 'Catholicorum nomen putant ad provincias vel ad gentes referendum, cum hoc sit catholicum nomen quod sacramentis plenum est, quod perfectum, quod immaculatum, non ad gentes. Nam doceat sibi omnes gentes communicare, et plenus est catholicus'. For the association of the word 'catholic' with the purity of the Church and its sacraments cf. Acta Sat.20 : 'Fugienda est ergo et execranda pellitorum omnium congregatio vitiosa, et appetenda omnibus beatissimorum successio gloriosa, quae est Ecclesia sancta, una et vera Catholica ex qua martyres profecti sunt et a quibus divina testamenta servata sunt. Haec enim sola persecutionis infestae impetum fregit, haec legem Domini usque ad effusionem sanguinis conservavit, in hac virtutes populi sancti Spiritus praesentia frequentantur, baptisma a Salvatore perficitur, vita perpetua reparatur', P.L.8.702-3 (ca.A.D.320, Moneaux, 4,p.490). For a similar criticism of the use of the word 'Catholic' to describe the Church's extension throughout the whole world, cf. c.Crescon.4. 61.74-5, where Cresconius refers both to pagans and heretics as being in the world but outside the Church.
- 261 Brisson, *Autonomisme*, pp.58-9, criticised by Mandouze, *Encore le Donatisme*, p.85ff. I agree with Mandouze that Brisson's account of Cyprian's use of the word 'unitas' in terms of a distinction between 'unité' and 'unicité', or cohesive unity and uniqueness, is too dogmatic, but accept Brisson's point that there is a difference of emphasis on the element of geographical extension in Cyprian's doctrine of the Church, as compared with that of Optatus and Augustine, which should probably be taken into account in evaluating the precise meaning they attached to the word 'catholic'. Thus

Brisson (op.cit.pp.203-4) may be right in interpreting Petilian's comment : 'Si vos tenere Catholicam dicitis, Catholicos illud est quod graeco dicitur unicum sive totum. Ecee in toto non estis, quia in partem cessistis', c.litt.Petil.2.38.90, in line with Cyprian's emphasis on the one, true Church, though perhaps in neither case can this idea be entirely divorced from that of the Church's world wide extent.

- 262 cf.eg.Cyp.de Un.5 : 'ramos suos in universam terram copia ubertatis extendit'.
- 263 cf.eg.Opt.2.13 : 'Et cum sit nobis cum universo terrarum orbe communicio et universis provinciis nobiscum, sic iam dudum duas ecclesias comparare voluisti, quasi sola habeat Africa populos christianos, in qua, vitio vestro, duae videntur partes effectae'; 7.1 : 'revera sufficiebat sibi Ecclesia Catholica habens innumerabiles populos in provinciis universis'; cf.2.3, where Optatus refers explicitly to the exchange of letters of communicio by which a bishop was formally recognised on taking up office; cf. also Augustine's criticism of the Donatist, Tyconius, for failing to see the consequences of his own argument : 'Non vidit quod consequenter videndum fuit, illos videlicet in Africa christianos pertinere ad Ecclesiam toto orbe diffusam, qui utique non istis ab eiusdem orbis communicioe atque unitate seiunctis, sed ipsi orbi terrarum per communicioem connecterentur', c. Ep. Parm. 1.1. Ratzinger, Volk und Haus Gottes, p.131, notes that Augustine's emphasis on the universality of the Church was not merely a good polemical argument, but also a fundamental element in his doctrine of the Church. That this is

in fact demonstrated in the discussion at the Conference on the interpretation of the word 'world' in Scripture, is pointed out by Markus, *Saeculum*, p.122, cf.3.6(b) above. The question here however is whether the Donatists rejected the Church's universality.

264 To Augustine's statement : 'Ecclesia quod audire non vultis, et necesse est audiat, quoniam tot testimoniis et divinis eloquiis proclamatur toto terrarum orbe diffusa, cuius communionem videmus tenere, falsis criminationibus a vobis appetitò est', Emeritus responded : 'Puto importunum esse alienam causam velle defendere, et id in medium negotium mittere, quod praeter ruborem non potest unusquisque sine mandato in iudicio ventilare. Possem enim nunc asserere et clamare adversus istos universum orbem reluctari, reniti : "Non vobis mandavi, ab huius cognitionis eventu longe mea posita est conscientia. Ego agnosco victorem. Quicumque iustis legitimisque ex causis Christianus fuerit approbatus, ille meus est catholicus, illi hoc nomen imponitur, ille debet sibi hanc regulam vindicare." Quaevis ipsa catholica, quae nunc pro praescriptione partis adversae quasi in fronte quadam rite adversum nos temperari cognoscitur, medium esse debet : et in iudicio ita constitui ut hoc nomen victor accipiat. Intelligit praestantia tua nihil nobis de peregrinis, nihil nobis de longe positis praesudicare posse, cum inter Afros hoc negotium ventiletur; sed magis hoc expectari ut quicumque ex veridica cognitione fuerit superatus, is ab orbe videatur esse reiectus', G3.98-9. Later the Donatist bishop, Adeodatus, even turned his opponents' argument back on themselves

by maliciously suggesting that in their mandate to the emperor requesting a conference with the Donatists, they had made the same false accusations against the Church in other provinces of the empire as they had against the Donatists in North Africa and that that was the reason for their reluctance to produce a copy of this mandate in court : 'Sed si fortitan eadem quae adversus nos mandastis, etiam adversus alias provincias mandasse te constat, bene facis non prodere. Non te ergo in medium proferas. Quoniam me primum insequi desideras, servas hoc aliis provinciis. Ostendisti quod fecisti, ostendisti quid celes. Teneo tuum mendacium, teneo falsitatem', G3.163, P.L.11.1392A.

- 265 This is a constant theme of Augustine's anti-Donatist writings, cf. eg. c. Ep. Parm. 2.2.5 : 'Donatus autem dicit agrum Dei in sola Africa remansisse' (referring to the parable of the Field). Friend, Donatist Church, p.167, comments on Donatus's view as expressed by Augustine : 'the result of the acceptance of Caecilian by clergy in other provinces of the Empire was merely that for the time being the field of God was to be found in Africa alone'. I understand Augustine to be presenting here and in similar passages the conclusion of his own argument in the form: this is what Donatus is in effect saying; his view of the Church and of baptism compels him to confine the Church to North Africa. That Donatus himself wished to gain formal recognition for his church from the Christian world is indicated by his contact with the semi-Arians at a time when the outcome of the Arian controversy was by no means certain, cf. Friend, op.cit., p.170 and Aug. Ep. 44.2.3.

266 In c.Ep.Parm.1.2.2, Augustine quotes Parmenian as referring specifically, in his letter against Tyconius, to Italy, Gaul and Spain as being implicated in the charges of traditio which the Donatists brought against Caecilian : "Legatione", ait, "Functi quidam fidelissimi testes ad easdem provincias venerunt; deinde geminate adventu sanctissimorum Domini sacerdotum dilucide plenius ac verius esse publicatum". It is not clear from the context what Parmenian may have intended by this reference, but it is possible that he is alluding to the fact that the Donatist case against Caecilian had been plainly heard both at Miltiades' court in Rome and later at Arles, cf.c.Ep.Parm.5.10 and 6.11, indicating that Parmenian went on to refer to these councils. The Donatists accused Miltiades himself of traditio, cf.c.Ep.Parm.5.10, a charge taken up again at the Conference, cf.C3.489-518 and B3.18.34-6, and blamed Hosius of Cordova for Constantine's policy of persecution, cf.c.Ep.Parm.5.10. But the fact that only those who were immediately involved are mentioned indicates that the Donatists did not extend their condemnation indiscriminately to the whole Christian world. Secundus's council at Carthage in A.D.312 condemned Caecilian specifically, cf.Adv.Fulg.,ed.Lambot, p.221, lines 18-19 : 'Unde Caeciliano in schismate a traditoribus ordinato non communicare oportet'. In Acta Sat.17, the charge of traditio is expressly limited to Mensurius of Carthage and his deacon, Caecilian, while the Passio Donati, 2 and 8, again focuses attention on Caecilian, along with the secular officials involved in the persecution of which the Donatists here complain. The Donatist recension of the Liber Genealogus (A.D.405/411) extends the charge to include Miltiades' predecessor, Marcellinus, and his deacons, Strato and Cassian, at Rome, Liber Geneal.626, (LFG); cf.C3.489-518

and B3.18.34-6. Although the Donatists undoubtedly included in their condemnation of traitor clergy those who knowingly remained in communion with them, the remaining extant Donatist works (cf. Frend's list referred to above, note 254) provide no positive evidence for a wholesale condemnation of the rest of the Church by the Donatists or for a reduction of the Church to Africa alone. Augustine occasionally lets slip further hints in this direction, as, for example, when he says that he is not aware of what Donatist council condemned the rest of the world (with which the African Catholics are in communion), c.Ep.Par.3.4.2f; or when he quotes Crescensius as saying that his rejection of his opponents' claim to Catholicity did not rest solely on the fact that parts of the 'whole' world were still heathen : 'ut omnia ista non sint, quia providentia Dei in Christianum nomen totus cotidie vertitur mundus', c.Crescon.4.61.74. Such an idea of conversion to Christianity on a worldwide scale seems quite incompatible with the condemnation of the Church throughout the rest of the world. That the idea of the Church's universality was simply taken for granted is indicated in the Donatist Sermo in Natali Imoc., 10, ed.Wilmart, pp.286, lines 158-166 : 'Ista sunt odoramenta quae magis ex ultimis terris Christo portabant: <aromata portabant> totius Ecclesiae... Quod etiam Salomon ante canebat (Cant.3.6) ...Ecclesiam gentium praevidebat a deserto, id est, a saeculo venientem, ex spinis et sterilitatibus enascentem, sanitatis et passionis odore flagrantem.'

267 The importance of public opinion as a guarantee of justice was stressed by Marcellinus in his edict dealing with the procedure to be adopted at the Conference : 'A me vero ita per omnia promulganda sententia est, ut in publicam dimissa notitia toto splendidae Carthaginiis populo iudice ponderetur. Ita quippe oculis non solum urbis huiusce, verum etiam universae provinciae totus emensae disputationis ordo pandetur, ut tam prosecutiones disputantium episcoporum quam prosecutionum nearum serie subsecuta, digestis in publico voluminibus explicetur. Haec enim in iudice securitas fidei est, ut se non timeat iudicari, G1.10, P.L.11.1264C-D, cf.1265D. This was immediately acknowledged by Petilian : 'Egisti partes tuas, vir nobilis, ut et partibus te iustum futurum esse promiseris, et auribus publicis popularem', G1.12, P.L.11.1266A-B, and soon exploited by him : 'Omnia non dico Carthaginem, sed Africanam fecimus testem', G1.29, P.L.1268D-1269B, and by Emeritus : 'iudicium tuum de quo est Deus et populus iudicaturus', G1.147, P.L.11.1271B-D. That the Donatists later relied on the publicity given to their case at the Conference is illustrated by Emeritus's appeal to the Gesta on the occasion of his dramatic confrontation with Augustine at Caesarea in A.D.418 : 'Gesta indicant si victus sum aut vici, si veritate victus sum aut potestate oppressus sum', Gesta c. Emer.3. cf. also Brown, Augustine of Hippo, p.331.

Notes to 4.

1. It is difficult to say how accurate an impression the Capitula give of the relative space taken up by the historical debate, for which there are some 270 entries, cf.C3.315-585, as compared with about 60, cf.C3.253-313, for the doctrinal debate. But, as has been noted in chapter 2 above, such entries may represent anything from 1 to 300 lines in the Migne edition of the Gesta and although a considerable number of quotations of varying length from historical documents would have to be taken into account under the former statistic, these would have to be balanced against the very full doctrinal statements contained in the Catholic Mandate, Donatist Letter and Catholic Extended Reply, each of which is represented by a single entry in the Capitula, cf.C1.55,3.258 and 281. Augustine devotes some 13 pages (in the C.S.E.L. edition, vol.53) of the Breviculus to the doctrinal issue, cf.B3.8-11 ('quarto loco'), and 20 pages to the historical issue, cf.B3.12-25 ('quinto loco'). Probably, any difference in the actual length of the debate on either issue is not sufficient to be regarded as a significant factor in determining their relative importance.

2. cf.L.Duchesne, *Le dossier du donatisme, Mélanges d'archéologie et d'histoire*, 10 (Rome 1890), pp.590-643. One manuscript has partially preserved the collection of documents which Optatus, as he himself tells us, cf.eg.Opt.1.14, 19-20, 22-27, appended to his seven books against Parmenian the Donatist and which was already old by that time (ca.A.D.366, 1st.ed.,384, 2nd ed; cf.Optatus,

ed. Ziwa, pp. 185-216 for this Appendix). Duchesne reconstructs the remainder of the Catholic collection from references and quotations in Optatus and Augustine and from the documents employed at the Conference.

3. Thus, in their Mandate the Catholics had stated that Caecilian's case should not be reopened, but simply shown to have been long since settled in his favour from both ecclesiastical and public records, 'quorum nonnulla sufficient' to prove both Caecilian and his consecrator, Felix of Aptungi innocent, cf. P.L. 43. 826-7. The documents they in fact quoted are referred to below.

4. cf. eg. Opt. 1.22, where Optatus disparagingly refers to Donatist documents: 'Sed quia audio aliquos de societate tua litigandi studio chartas habere nescio quas', and Aug., c. Crescon. 3.33-37, where Cresconius claims to have documentary evidence against Catholic traitors: 'extant etiam libri quibus ordo rerum gestorum fideliter ac diligenter adscriptus est; sunt acta, sunt litterae, multorum quoque tenetur manifesta confessio'. It seems reasonable to suppose that the documents produced by the Donatists at the Conference formed part of a collection giving their version of the origin of the controversy in opposition to that of their rivals, though many of the same documents were doubtless used by both sides and interpreted to suit their own case. Thus, for example, the records of the council of Carthage of A.D. 312, quoted by the Donatists at the Conference (cf. C3. 347, 351-86 and B3. 14.26) were included in the Catholic

collection (cf. Opt. 1.19-20; Aug. e. Crescon. 3.3.3; Adv. Fulg., ed. Lambot, p. 221), while the Donatist appeal, together with the letter of Constantine (of 5 May, A.D. 324) to the Vicar of Africa, Verinus, revoking repressive measures against them and granting them freedom under the law, which were also quoted by the Donatists at the Conference (cf. C3.544-552 and B3.21.39, 22.40.), were not apparently available to the Catholics, cf. Aug. c. part. Dom. p. Gest., 31.54: 'haec tam excellentia documenta, quod fatendum est, non habebamus in manibus'.

5. As indicated in the footnotes below, 4.3.
6. Thus, for example, it is difficult to be sure of their precise argument concerning the distinction between 'Donatus of Carthage and Donatus of Casae Nigrae', cf. Dom J. Chapman, *Revue Bénédictine*, 26, 1909, pp. 9-23. For further discussion of this point, see below, 4.3.
7. Duchesne (see note 2 above) has stressed the continuity of the Catholic argument in Optatus, Augustine and at the Conference. By the time of the Conference, Augustine had already greatly improved upon Optatus's proficiency in making use of the historical evidence, cf. Monceaux, 7, pp. 246-7.
8. See notes 2 and 7 above.

9. The same twofold pattern is discernible in the Catholic Mandate, see 3.3(e) and notes above.
10. Optatus shows no knowledge of the council of Arles of A.D.314, but Augustine refers to it, cf.eg.Ep.43.2.4 (A.D.397/8); c.Ep.Parm. 1.6.11. It was given only passing mention in the debate at the Conference, cf.G3.516 : 'Recitatio iudicii Constantini, quo apud se quoque Caecilianum fuisse purgatum post Arelatense concilium, significat Imperator'; cf.B3.19.37 : 'recitatum est iudicium Constantini, quemadmodum se inter partes causam Caeciliani cognovisse ad Eumalium vicarium Africae scripsisset...commemorans etiam in Arelatensi oppido pro Caeciliano factum episcopale iudicium', and cf.eg.Frend, Donatist Church, pp.150-2. The Catholic argument at the Conference centred on the council of Rome of A.D.313 and the emperor's judgment of A.D.316 (cf.G3.320-6, 403, 490-514, 540 and B3.12.24, 17.31, 18.34-6; G3.456, 460, 494, 515-17, 520-30, 533-42 and B3.19.37, 20.38, 23.41).
11. Optatus similarly discredits the members of Secundus's council at Carthage by first of all stressing the involvement of some of them in apostasy, as shown by their own earlier admissions at Circa, cf.Opt.1.13-14 and 19-20, and Augustine follows the same line of argument, cf.eg.Ep.43.3; c.Crescon.3.27.
12. For the probable date of this council, cf.Monceaux, 4,p.327. The point was raised at the Conference whether this council met before

or after the charges against Caecilian were addressed by his opponents to the emperor Constantine through the proconsul of Africa, Anulinus, on 15 April A.D.313, cf.C3.377,379; B3.16.30, but Monceaux is probably correct in taking this date as a terminus ad quem for the council. If this approach to Constantine was in response to his recognition of Caecilian as lawful bishop of Carthage, cf.note 18 below, it presupposes that he was not so recognised by those who protested and that he had therefore probably already been formally condemned by Secundus's council.

13. cf.C3.334-343; B3.13-25 and 15.27; C3.347, 351-386; B3.14.26; C3.434, 445-48, 472; B3.17.32.
14. cf.C3.490-514; B3.18.34-6.
15. cf.C3.544-52; B3.21.39, 22.40, 24.42.
16. cf.C3.533-542; B3.20.38 and c.part. Don.P.Gest.31.54.
17. For the Catholic argument cf.Opt.1.27 and Appendix, ed.Zivsa, pp.197-204; Aug.,e.Gresson.3.29.33, 79.80. The stages of the official inquiry into the case of Felix of Aptungi are dated to between the end of 313 and 15 February 314 by Monceaux, 4, pp.219-21. For the Donatist argument cf.C3.556-8; B3.23.41-24.42, and Aug.,Ep.141.11 : 'iudicium suum mutavit', i.e. the Donatists suggested that the emperor had been persuaded finally to change his judgment in favour of the Donatists.

18. G3.472 : 'Prosecutio Donatistarum Caecilianum in Africa ubi damnatus fuerat, debuisset purgari', and cf. further references in note 13 above. The Catholics attempted to draw a parallel between the condemnation of Caecilian by Secundus's council and the condemnation of the present Donatist primate of Carthage, Primian, by the schismatic Maximianist council of Cabarsussa (G3.371-4). In e.part.Don.p.Gest., Augustine employs the Donatist reply (G3.372) 'nec causam causae, nec personam praedjudicare personae' as a constant refrain throughout, but, as A.C.de Veer has pointed out (L'exploitation du schisme maximianiste, Rech.ang., 3, 1965, pp. 235-7), the parallel takes no account of the fact that the case of Maximian concerned schism, that of Caecilian apostasy.
19. B3.16.30 : 'Ad haec, et si quae alia prolixa prosecutione dixerunt, breviter responderunt Catholici, non sufficere ad causam Caecilianam Carthaginense concilium, ipsos etiam iudicasse, qui eam ad imperatorem accusando miserunt; et sic demonstrarunt hoc potius esse expectandum quo res pervenerit usque ad imperatoris sententiam, cui eandem causam mittendam dixerunt'; cf. G3.376 : 'Prosecutio Catholicorum...ubi dicunt ipsos illius temporis Donatistas de suo iudicasse concilio qui Caecilianum quem damnaverant accusare apud Constantinum principem voluerunt'. The Donatists specifically challenged their opponents with the question whether Caecilian himself had appealed against the decision of Secundus's council, G3.278 : 'Ubi quaerunt Donatistae utrum Caecilianus ab illo episcoporum iudicio appellaverit', probably with the implication that since he had not, the hearing of his case at Rome could not

properly be considered to be in the nature of an appeal from the African court.

20. of. Constantine's letters to Caecilian, bishop of Carthage, and Anulinus, proconsul of Africa, Eusebius, H.E.10.6 and 7. For the Latin text, cf.P.L.43.777. In the first, in which Caecilian is addressed as bishop of Carthage, it is probably the Donatists who are referred to in the passage : 'Et quoniam accepimus quosdam non satis compositae mentis homines id agere ut sanctissimae et catholicae Ecclesiae populum improba atque adulterina falsitate corrumpant... Itaque si quos eiusmodi homines in hac amentia perseverare conspexeris, absque ulla haesitatione supradictos iudices adibis (Se. the proconsul, Anulinus, and the vicar of the prefects, Patricius) idque ipsis referes ut in eos, quemadmodum ipsis coram mandavi, animadvertant'. This may suggest that the Donatist approach to the emperor was rather in their own defence. In the second letter there is a reference to 'Ecclesia catholica cui Caecilianus praesert'.

21. Thus, Cyprian's council of A.D.256 had maintained an independent line, though one which was also followed by the Church in Asia Minor, on the question of the rebaptism of heretics, from that of the Roman and Egyptian Churches. Augustine himself later regarded the decision of the council of Carthage condemning Apollinaris as authoritative over against that of the bishop of Rome, cf.Brisson, *Autonomie*, pp.231-4, Markus, *Saeculum*, pp.109-10, and Bonner:

Augustine's visit to Caesarea in 418, SCH, 1, 1964, pp. 104-13.

As has been already noted (3.9 above), the Donatists argued at the Conference that the present dispute was purely between Africans and had nothing to do with 'overseas churches'. Thus, the Capitula indicate that the Donatists pressed the Catholics to acknowledge the authority of Secundus's council, (C3.368) : 'Si de sententiis dictis nemo dubitat, Caecilianum iure damnatus est', and C3.370 : 'Ubi exigunt a Catholicis Donatistae utrum illud verum esse concilium, quo Caecilianus damnatus est, fateantur'.

22. C3.347 and B3.14.26, cf. 3.3(e) note 14 above.

23. C3.334, 337-342 and B3.13.25.

24. C3.351-470 and B3.15.27, 17.31-3. The authenticity of these records has been accepted in the main by modern scholars, eg. Duchesne, Dossier, cited above in note , and Early History of the Church (E.T.), 2, pp. 79-80, Monceaux, 3, p. 100, Frend, Donatist Church, pp. 12-13, although Jones, Constantine, pp. 121-3, leaves the question of their authenticity open.

25. cf. Opt. 1.14, and Monceaux, 4, p. 232.

26. cf. Opt., Appendix, ed. Zivna, pp. 186-192.

27. The meeting of bishops at Circa, referred to as 'the council of Circa', had as its purpose the ordination of Silvanus as bishop of

that place. Part of the alleged records of this meeting are quoted by Augustine in c.Crescon.3.27.30.

28. cf.Opt.1.13-14 and 19-20.

29. cf.C3.351 ff.

30. B3.17.31 : 'Hoc ergo falsum demonstrare conantes, multa dixerunt; sed alia levia esse ipsi iudicantes, duo quaedam in ea quaestione multum commendaverunt, et in eis multum inmorati sunt : unum quia contra ecclesiasticam consuetudinem ipsum Cirtense concilium diem et consulem haberet; alterum autem quod persecutionis tempore non posset concilium congregari', cf.C3.353 : 'Ubi principio concilii recitata, interrumpunt Donatistae, negantes consulem et diem ecclesiasticis adiaci solere decretis', cf.C3.365, 383-86, 388, 390, 392-97, 399-400, 407; C3.408 : 'Ubi Donatistae contendunt, illud decretum adversus damnatores Caecilianii a Catholicis recitatum ideo nulla veritate fulciri, quia persecutionis tempore non possit concilium congregari', cf.C3.409-52, 454, 464-5.

31. C3.396 : 'Interlocutio, ex maiore diligentia consulis adiecti, fidem non perire decreto', and C3.452 : 'Interlocutio quae definit duodecim episcopos in unam domum tunc colligi potuisse, quando collectae plebis publice fieri potuerunt', cf.B3.18.33. The acts of the martyrs quoted first by the Donatists (C3.434) and then by the Catholics (C3.447) are not named, but it has been suggested that they may have been the Acta Saturnini, cf.P.L.8.688-9 (Baluze's

Preface) and 689-703 (text); Duchesne, Dossier; Monceaux, 3, pp.141 and 144. These include references to (i) the suspension of confessors on the rack, cf.C3.443 : 'Prosecutio Donatistarum non potuisse concilium eo tempore congregari quo martyres in equuleo dependebant', and Acta Sat., 8 : 'eum penderet in equuleo'; (ii) meetings for worship (held in prison?) cf.C3.445 : 'Ubi Catholici respondent etiam tempore persecutionis tantam fuisse Christianorum diligentiam, ut in carceribus baptizati martyres fuerint, collecta plebis facta, ex gestorum posse recitatione clarescere'; (Tecerint collectas...factas', Baluze) B3.17.33 : 'ut fervente persecutione etiam in carcere doceantur baptizati martyres et illic a Christianis celebrata sacramenta, ubi Christiani propter eadem sacramenta tenebantur inclusi', and Acta Sat., 16 : 'inter quos (sc. the confessors in prison) erant episcopi...qui legem Domini asserentes collectam dominicamque constanter et fortiter celebrabant, quique Scripturas dominicas divinaque testamenta de flamma...conservantes se ipsos diris ignibus cruciatibusque diversis, Mashabaico more, pro divinis legibus obtulerunt', P.L.8.700A. This could have been understood as a reference to religious services actually held in prison rather than to meetings for worship which, together with refusal to hand over the Scriptures, were the reason for the confessors' imprisonment and suffering. Other acts apparently had to be read to prove congregational meetings in time of persecution apart from worship in prison, cf.C3.449 : 'Item offerunt alia martyrum gesta Catholici, unde collectae plebis tunc factae doceantur, et recitantur. 450: Interlocutio quae definit ex recitatione gestorum collectas plebis persecutionis tempore celebratas', although this could have been

shown from the Acta Saturnini, cf. eg. 4 : 'Christiani qui contra interdictum imperatorum et Caesarum collectam dominicam celebrassent', P.L.8.692A. There is no mention in the Acta Saturnini of the baptism of prospective martyrs in prison. The version which survives bears no specific date, cf. Acta Sat., 2 : 'temporibus...Diocletiani et Maximiani', P.L.8.690B, but, as Augustine informs us, the acts quoted by both sides at the Conference did, cf. B3.17.32 and note 33 below.

- 32 C3.388 : 'Ubi Donatistae illud concilium quo Caeciliani damnatores invicem sua crimina donaverunt, ideo arguunt falsitatis quia huic contra ecclesiasticum et apostolicum morem, consul adiectus est', cf. C3.383, 390, 399-400; B3.16.30 : 'assererent hanc esse ecclesiasticam consuetudinem, ne dies et consules decretis episcoporum conscriberentur, legi volentes etiam concilium Cypriani, ut hoc probarent'; B3.17.31 : 'Erigebant ergo Donatistae a Catholicis ut vel alia concilia proferrent antiqua episcoporum ubi ostenderent consules et dies etiam conscriptos, vel de ipsis sanctis Scripturis tale aliquid recitarent...Catholici et in Melchiadis concilio diem et consulem demonstrabant, et de ipsis sanctis Scripturis commemoraverunt prophetas indicia antiquissimorum temporum suis litteris praenotasse, quoto anno, cuiusque mense anni, quoto die mensis factum esset super eos verbum domini'. The fact that the records of Miltiades' court had a consular date was irrelevant as

the Donatists were concerned with ancient episcopal councils, that is, before the Constantinian period. They claimed that in not having a consular date, the records of Secundus's council were in accordance with established practice, cf. C3.351-3. In referring to the Prophets, the Catholics doubtless had in mind such texts as Is.1.1; Jer.1.2-3; Hos.1.1 (kings of Judah and Israel); Hag.1.1; Zech.1.1 (Darius).

33. B3.17.32 : 'Haec gesta martyrum quibus ostendebatur tempus persecutionis, consulibus facta sunt Diocletiano novies et Maximiano octies, pridie idus februarias; gesta autem episcopalia decreti Cirtensis post eorundem consulatum tertio nonas martias : ac per hoc tredecim menses interesse inveniuntur, plures utique quam undecim quos prius Catholici minus diligenter computando responderant : sed officium ut falleretur et mensem interesse responderet, eundem consulatum putavit, post consulatum autem non advertit, ubi annus iam alius agebatur', cf. C3.436-40. Augustine suggests that the reason for the panel's miscalculation was that the 'post', which may have been written as an abbreviation (ie. probably \hat{p} , cf. Cappelli, p.256), was less obvious than when written out and open to closer examination in the Gesta : 'Officium autem in computando errans falsum renuntiaverat, quod postea conscripta et diligentius considerata gesta docerunt, sicut potest probare, quem liberit legere et non pigerit computare', B3.17.32. Augustine offers no comparable explanation for the Catholic miscalculation of eleven months. The date given for the council of Cirta in the records as quoted by Augustine in c. Crescon (A.D.405) 3.27.30, is 'Diocletiano VIII

et Maximiano VII CSS IIII Non Mart (ed. Petschenig, C.S.E.L., vol.52, p.435), i.e. 4 March 303, which would produce an interval of eleven months before 12 February 304. Optatus informs us 'post persecutionem apud Cirtam civitatem...consecerunt die III Iduum Maiarum', Opt.1.14, i.e. 13 May 'after the persecution'.

Monceaux, 3, p.101, accepts the Donatist argument that such a meeting of bishops could not have taken place at Cirta during the persecution in selecting 5 March 305 (E3.17.32) rather than 4 March 303 (c.Crescon.3.27.30) as the date of this council.

34. See note 31 above.

35. C3.467 : 'Prosecutio Donatistarum quamvis collectas tunc factas sint plebis, tamen episcoporum contrahi tunc non potuisse concilium'. They may have had in mind the fact that Cyprian had had to wait until the first phase of the Decian persecution was over before summoning his series of councils at Carthage from the spring of 251 onwards to deal with the pressing question of the lapsed (cf. eg. Ep.43.7), cf. E3.17.32 : 'Donatistis instantibus ut hoc ex aliis conciliis ostenderentur (sc. Catholici) si aliquo tempore persecutionis facta episcoporum concilia reperire potuissent'.

36. C3.453 : 'Prosecutio Donatistarum qua adhuc de decreti falsitate contendunt, et ipsius decreti sententias et verba discutiunt, et Caecilianum contra damnatores suos ille se decreto dicunt defendere potuisse, si constaret tunc factum hoc fuisse decretum'.

37. B3.16.29 : 'Si traditores sunt qui me ordinaverunt, ipsi veniant, et

ordinent me'. This is an approximate quotation from Opt.1.19 :
 'Iterum a Caeciliano mandatum est ut si Felix in se, sicut illi
 arbitrabantur, nihil contulisset, ipsi tanquam adhuc diaconum
 ordinarent Caecilianum', and cf.C3.375 : 'Prosecutio Donatistarum
 ...promittens ex Optati episcopi Catholici scriptis posse
 monstrari Caecilianum fuisse confessum quia a traditoribus
 fuerit ordinatus'.

38. C3.469 : 'Prosecutio Donatistarum, non potuisse episcopos suos in
 eo crimine alterum condemnare, si eo ipsi tenerentur obnoxii'.
39. cf.c.Crescon.3.27.31, where Rs.2.1 and 2.21-2 are quoted, and
 C3.470 : 'Catholicorum de scripturis dominicis ad ista responsio'.
40. C3.472 : 'Prosecutio Donatistarum,...Miltiadis autem pro eo
 sententiam non valere, quia simili etiam crimine tenebatur',
 cf.473-514 and B3.18.34-6, cf.c.Ep.Parm.1.5.10 (caA.D.378, Monceaux,
 4,493), which is the earliest known reference to this Donatist
 charge of traditio against Miltiades; cf.also Unie.Bapt.16.27.
 The Donatist recension of the Liber Genealogus, 626 (LFG, i.e.
 between A.D.405 and 411) has a reference to Strato and Cassian
 (cf.B3.18.36) as deacons at Rome who were compromised by traditio.
41. C3.505 : 'Ubi Donatistae ex hoc illud interpretari volunt ibi
 diaconum significatum quod iisdem gestis hortator superstitionis
 fuerit nominatus'; cf.B3.18.34 : 'hortator vanissimae superstitionis'.

42. C3.501 : 'Ubi asserunt Donatistas eum Stratonen quasi diaconum a Miltiade directum ad res Ecclesiae repetendas, qui invenitur ante tradidisse'; cf. B3.18.34 : 'Dixerunt Donatistas, Stratonen diaconum, quem cum aliis Malchiades ad recipienda loca ecclesiastica miserat, superioribus gestis recitatum esse traditorem'.
43. C3.510 : 'Prosecutio Donatistarum eundem Stratonen esse qui primo tradidit, postea res suscepit ecclesias; nec obesse veritati quod ibi hortator superstitionis est dictus, quia gentiles diaconum (diabolum in Migne ed.) dicere noluerunt; tunc de Miltiade oportere indicari Stratonis consortie maculatum (maculato in Migne ed.)'.
44. C3.514 : 'Prosecutio Catholicorum duo Stratones tunc esse potuisse, nec abhorrere a consuetudine ut duo uno nomine censeantur, Miltiadem vero reum esse non posse, nisi traditionem Stratonis scisse doceatur'; cf. 518, where the Donatists insist on Miltiades' guilt. Traditio, of course, by its very nature as a public act, would normally be ascertainable, so that if Strato the deacon were guilty, Miltiades might reasonably have been expected to have known about it. In B3.18.36 Augustine informs us that the Donatists similarly accused another of Miltiades' deacons, Cassian, after the Conference, although they had apparently already done so in Liber Geneal., 626, see note 40 above, and insists that there could have been two different Cassians as well as Stratos.
45. cf. Frend, Donatist Church, p.287.

46. cf. e. part. Don. p. Gest. 31.54 : 'imperatoris posteriore iudicio in contrarium commutato'.
47. B3.20.38, ed. Petschenig. Zivna's edition of Optatus, 1.26 reads : 'licuisset ** ad Carthaginem accederet...Filomeno suffragatore eius....' I accept the version given by Augustine as that quoted by the Donatists. Marcellinus ruled that the context should be read to make Optatus's meaning clearer and the sentence 'Caecilianus omnino supra memoratorum sententiis innocens est pronuntiatus', Opt. 1.24, was quoted, at which, Augustine tells us, the Catholics were unable to restrain their laughter, cf. B3.20.38, amid protests from the opposite side, cf. e. part. Don. p. Gest. 31.54 : 'Audiant qui riserunt'. In fact, the quotation of Opt. 1.24 was irrelevant to the Donatist argument as it referred to the acquittal of Caecilian by Miltiades' court, whereas the Donatists were talking about his condemnation by Constantine.
48. C3.516 : 'Recitatio iudicii Constantini, quo apud se quoque Caecilianum fuisse purgatum post Arelatense concilium, significat imperator'. There is a brief quotation from this document in c. Crescon. 3.71.82 : 'In quo pervidi Caecilianum virum omni innocentia praeditum ac debita religionis suae officia servantem, eique ita ut oportuit servientem, nec ullus in eo crimen repperire potuisse evidenter apparuit, sicut absentem fuerat adversariorum suorum simulatione compositum'.
49. C3.533 : 'Ubi asserunt Donatistae Caeciliano nihil prodesse rescriptum, quia invenitur postea condemnatus; et hoc volunt

recitata Optati lectione constare'. The same argument had already been used by Cresconius, cf. e. Crescon. 3.71.83.

50. B3.20.38 : 'Flagitatum est ab eis ut aliunde manifestum legerent, quod ab illo dicerent extenuatum. Quod cum minime potuissent, etiam inde post aliquantas morarum inanium perplexitates, cum et de Donati nomine contendissent quod non Carthaginensis, sed Casensis Donatus in iudicio Melchiadis adversus Caecilianum adstitisset, quod et Catholici concedebant, aliquando transitum est'.
51. G3.538 : 'Interlocutio, debere Donatistas qui hoc Optatum temperantius posuisse dixerunt, evidentius approbare Caecilianum ab imperatore fuisse damnatum. 539: Prosecutio Donatistarum qua dicunt alium Casae non fuisse Donatum. 540: Catholicorum ad ista responsio quod in actis Melchiadis Donatus Casensis evidenter expressus sit. 541: Ubi Petilianus episcopus partis Donati impedimento rancidinis agere se non posse testatur. 542: Ubi Catholici testantur, ideo se Petilianum excusationi subtrahere voluisse, quod ad Donatum Casensis ex gestis evidenter ostensus est. 543: Interlocutio, cum septeni adstant, de unius defectu querelam esse posse', P.L.11.1256D.

52. cf. eg. B3.12.24 : 'Donatus a Casis Nigris'; e. Crescon. 2.1.2.

Examples of similar place names are found in G1.198 : 'Benenatus episcopus a Casis Silvanas'; G1.204 : 'Servandus episcopus a Casis Favensibus', P.L.11.1335A and 1342B. Eleven such examples of place names with Casae are listed for North Africa in Pauly-Wissowa, vol. 3, pp. 1632-3.

53. In the manuscript of the Gesta, at C3.539, the end of the

line reads: ^{donatū.} case Nonfuisse The name of this place is

again mentioned in G1.149, where the manuscript reads:

Ianuarius ep̄s casen̄. nigren̄. and is repeated shortly afterwards

in G1.157: Ianuari [an] us ep̄s casen̄.d (cf.P.L.11.1320C and

1321G). This is in accordance with the abbreviations employed

in the very long list of episcopal place names in this part of the

Gesta, G1.112-215; for close parallels, cf.G1.188 :

casen̄. basealen̄. 198: casen̄. medianen̄. cf.135: pl̄. casas

(a case of dittography ?) medianen̄. 133: loci casen̄. calanen̄.

In the Capitula Gestorum, on the other hand, it is the unabbreviated

form of a bishop's see which is normally given in the manuscript,

cf.G1.114,122,129,134,136,177,200 (P.L.11.1235D-1237A), unless

there is a question of lack of space as, for example, in G1.143,

where the end of the line reads: uictoris ep̄i ippomen̄. diarrit̄.

ie. 'of Victor, bishop of Hippe Diarrhytes'. In C3.540 and 542

'Donatus Casensis' is the form given, cf.B3.18.36 and 20.38, which

may suggest that Donatus was qualified simply by 'Casensis' in the

records of Miltiades' council quoted at this point, and one would

naturally expect a similar form in C3.539. Of course, abbreviation

by suspension with an apostrophe and full stop leaves the appropriate

case to be understood from the context. Thus, G1.177 gives an

example of an accusative case: donatiantumbagaic̄.& privatum uagen̄.

(cf.P.L.11.1325A : 'Donatiantum dico Bagaiansem et Privatum Vagensem').

I suggest that a similar abbreviation has been adopted in C3.539

because of the lack of space at the end of the line so clearly

indicated in the manuscript and that we should read: casen̄. which

the context shows should be construed as an accusative :

'dicunt alium Case \langle nsem \rangle non fuisse Donatum'. The possibility that casen. has been mistaken for case \hat{N} (-non, Cappelli, p.229) seems to be ruled out by the fact that the following statements in C3.541-2 require a negative statement in C3.539.

54. Donatist Church, p.287.

55. While it is possible that the Donatists tried to evade the judge's demand here, as they are stated to have done, for example, in C3.405 : 'Interlocutio quae a Donatistis exigit, utrum habeant aliquid proferendum contra recitatum iudicium Miltiadis. 406: Item interlocutio quae Donatistae aliud agentes admonet, ut ad quaestia respondeant' (cf.404), the nature of their evasion in this case, as described by Augustine, seems unsatisfactory, cf. note 50. above and my comments below.

56. 'Donatus of Carthage and Donatus of Casae Nigrae', Rev.Ben.,26, 1909, pp.9-23. Chapman, following one possible reconstruction of Opt.1.26, suggests that Caecilian was placed in the same position as Donatus and that neither was permitted to return to Carthage. Although this would certainly be a less damaging statement to expect from Optatus, the fact that the Donatists made so much of this passage (cf.C3.477-88, 533-43) supports the version of Optatus given by Augustine, B3.20.38, see note 47 above.

57. I do not think it necessary to set Petilian at loggerheads with his Donatist colleagues here in order to square the Capitula with

Augustine's account, as Chapman does in suggesting that Petilian denied, while the rest of the Donatists accepted two Donatuses. It seems easier to accept that Breviculus and Capitula do not correspond here.

58. The distinction is first mentioned by Augustine in c. Crescon. 2.1.2 (ca. 405) : 'sed quia per Donatum non tantum Carthaginis, qui hanc haerese[m] maxime roborasse perhibetur, sed etiam maiorem Donatum a Casis Nigris, qui altare contra altare in eadem civitate prius erexit, magnum scandalum factum est, cf. 2.3.2 and Retract. 1.21.3; de Haer. 69. Chapman, op.cit., and Monceaux, 5, pp. 100-5, both argue convincingly for only one Donatus, not two, whether Donatus is regarded simply as a native of Casae Nigrae and also bishop of Carthage, or first bishop of Casae Nigrae and later transferred to Carthage.
59. 'Nisi forte ipsis licuisset Casensem a Donato Carthaginensi distinguere, cum timerent ne maior auctor ipsorum Donatus Carthaginensis damnatus in Melchiadis iudicio putaretur, et Catholicis non liceret in tanta multitudine clericorum Romanorum habere plures similibus nominibus appellatos', B3.18.36.
60. G2.10 : 'Petilianus episcopus dixit : "...Donatum autem sanctae memoriae, martyrialis gloriae virum praecessorem scilicet nostrum, ornamentum ecclesiae istius civitatis, loco suo meritoque veneramus"; cf. Aug., c. part. Don. p. Gest. 16.20.
61. G3.540 cf. note 51 above. Petilian appears to have been taken

aback by the fact that the Donatus condemned by Miltiades was named in the records of that council as 'Casensis'. Catholic polemic, in referring to the council of Rome, had apparently spoken of Caecilian's adversary simply as Donatus, cf.eg. Opt.1.23-4; Aug.,c.Ep.Parm.1.10. The distinction between two Donatuses spoiled the Donatist argument for a reversal by Constantine of Miltiades' judgment.

62. C3.544-53; B3.22.40 and 24.42.

63. cf.C3.550.

64. They quoted the letter of Constantine to the *proconsul Probianus* (dated by Monceaux, 4, p.221, to the beginning of A.D.315) ordering that Ingentius be sent to him, C3.556-8; B3.23.41 and 24.42; cf.c.Crescen.3.70.81 for the text of this letter.

65. This evidence was the records of the inquiry into Felix's case, cf. note 17 above, and C3.554, 562, 569, 571.

66. They doubtless intended to suggest that after examining Ingentius more closely, Constantine changed his mind, as evidenced by their quotation from Optatus, 1.26, and by Constantine's letter to Verinus, cf.Aug.,Ep.141.11 (of 14 June, 412) : 'eos...calumniose dixisse quod imperator misso ad comitatum Ingentis, iudicium suum mutavit, et Caecilianum quem prius purgaverat, postea condemnavit'.

Augustine here argues that the emperor's letter to Probianus summoning Ingentius antedated his vindication of Caecilian in his letter to Eusebius.

67. G3.575-585.

68. cf. P.L. 11.1418B-1420B.

69. 'Cui etiam illud ad correptionis causam non omni ex parte sufficiat tot iudiciis patefacta Donato auctore schismatis comprobatio, Caeciliani persolutio atque purgatio, ultimaque sententia triumphabilis memoriae Constantini, qua evidentius docetur expressa et Caeciliani innocentia et Donati sociorumque eius calumniosa criminatione, Felicis quoque Aptungensis ordinatoris eius proconsularis sententiae documentis ostensa purgatio?', P.L. 11.1418D. The doctrinal aspect was dismissed with a reference to Caecilian's sin not affecting the world wide Church, while the condemnation of Caecilian by Secundus's council was put on a par with the condemnation of Priscian by the schismatic Maximianist council of Cabarsussa, cf. note 18 above.

70. cf. eg. B3.8.14 : 'cum illic tota causa propter quam venerant, versaretur'.

Notes to Appendix 1

1. cf. Appendix 2.
2. Thus, the Gesta of the first and second sessions of the Conference would comprise three separate sections completed by different groups of secretaries, G1.1-133, G1.134-223, G2.1-73. Similarly, the Gesta of the third session would comprise three sections, G3.1-280, G3.281-G3.421, G3.422-587.
3. Augustine's words 'magna gestorum volumina', Ep.141.1, Marcellinus's words 'digestis in publico voluminibus explicetur' G1.10, P.L.11.1264D, and Marcellus's prefatory mention of 'in tota voluminum serie', P.L.11.1232A, may suggest that they did.

Notes to Appendix 2

1. Of between 18 and 25 May, cf. Monceaux, 4, pp.399-400.
2. G1.10 : 'Ii autem qui excipiendi funguntur officio praeter eos qui dicationi meae de publico praestolantur officio, etiam quaterni de singulis partibus ecclesiastici alternis debebunt adstare notarii', P.L.11.1265A.
3. cf. Ang. Ep. 141.2 : 'Dati sunt etiam a nobis et ab ipsis notarii quatuor hinc et quatuor inde, ut bini cum exceptoribus iudicis alternarent, ne aliquis nostrum se dixisse aliquid causaretur quod non fuisset exceptum'. The number of official secretaries is not specified, but in G1.1 four are assigned the function of recording the proceedings along with two ecclesiastical secretaries from either side; cf. also G2.1 and G3.1.
4. Tengstrom, p.15, seems to favour wax tablets, though on the plate he includes of the diptych of Rufius Probianus (4th century A.D.) illustrating secretaries recording legal proceedings, A. Venturi, *Storia dell'arte italiana I*, Milano, 1902, p.486, identifies an inkstand in each picture.
5. G3.279 : 'codices binos implevimus', for P.L.11.1363C-1417C (54 columns); cf. G1.132 : 'codices implevimus', for P.L.11.1259A-1298B (40 columns) + P.L.43.822-7 (6 columns) + P.L.33.488-93 (6 columns).
6. G1.132; G3.279 and G3.421.

7. This seems implied by the fact that they compared notes afterwards, cf. note 11 below and Tengstrom, p.13.
8. cf. eg. G3.272 : 'et cum diceret, cumque streperetur'; G1.133 : 'cumque ab utrisque partibus tabulae susciperentur atque signarentur'; 'quo recitato, et accedente episcopo Paulino Catholice, idem dixit'; G1.2 : 'ingressis universis episcopis partis Donati'; 217 : 'quibus agressis'.
9. cf. G1.133 : 'Marcellinus...dixit : "...et ad susceptas tabulas ad maiorem diligentiam alteratrum signet sollicitudo custodum, ut hisdem praesentibus reseratas, describi possint, atque ea quae gesta sunt schedarum serie contineri"; cf. G1.223 '...id quod postea (sc. during the second half of the first session) exceptum est, signatis nunc tabulis crastino describetur'. An incident during the second session of the Conference shows that the shorthand records of the first session together with that part of them which had so far been copied out were kept sealed while the process of copying-out had been temporarily suspended : G2.53 : 'Marcellinus...dixit : 'Susceptae tabulae ab ecclesiasticis notariis recitentur.' Cumque intra Sabanum volumen schedae membranaceum pro parte descriptum et codices tabularum pariter obsignati, iudicialis offerrentur adspectibus, Marcellinus...dixit : "Custodes edicant utrum signum cognoverint." Leo episcopus Ecclesiae Catholicae dixit : "Agnosco sigillum meum." Marinianus episcopus dixit : "Agnosco sigillum meum." Marcellinus...dixit : "Quoniam ab utraque parte impressionem signorum agnitam constat, ea quae praecipi a notariis relegantur." The date agreed upon for the second session

is then checked in the records of the first. On the meaning of scheda here as the original longhand record in process of composition, cf. Tengström, pp.35-41.

10. G1.10 : 'quorum (sc. of the secretaries) fides ne qua vacillet ambage, quaterni episcopi partium singularum delecti suorum iudiciis praependantur, ut eosdem exceptores ac notarios, pervigili ac sollicita observatione custodiant', P.L.11.1265A; cf. G1.222 : 'ut designatos custodes exceptoribus atque codicibus in describendis schedis invigilare faciant, quatenus fideliter omnia conscribantur'.
- 10a. cf. note 9 above.
11. G1.10 'Omne igitur spatium conferendi vicissim diei unius intercapedo distinguet'; cf. G3.279 : 'alii nobis exceptores subrogantur, ut ad conferendum exeamus, datis nobis custodibus'.
12. G1.10 : 'Quatenus cum eisdem exceptoribus ac notariis egressi (sc. the custodian bishops) per vias, subinde faciant perspicua digeri descriptione quae dicta sint, ut nihilominus adhaec episcopis supradictis (sc. the seven disputants on either side) in disceptatione versantibus, transeat in apices evidentes profligatae pars aliqua quaestionis'.
13. cf. note 9 above.
14. Tengström, pp.20-1, illustrates this stage from the production of legal and administrative documents, but acknowledges that in the case of the Conference any correction or normalisation of the spoken language to its written form must have been very slight.

15. In his edict outlining the procedure for the Conference he undertakes to sign all his statements in the records, G1.10 : 'interfatibus meis me primitus per omnia subscribente', P.L.11.1264D.
16. G1.10 : 'Noverint omnes non solum oportere, verum etiam expedire servari, scilicet ut interfatibus meis me primitus per omnia subscribente, etiam omnes disputantes episcopi suis in scheda prosecutionibus universi absque ulla prorsus exonatiōne subscribant. Exigit enim meritum fidei, ut adversus eum qui assertionibus suis perfidum forte subducere tentarit assensum et inficiari quae dixerit, etiam testimonii sui consistat auctoritas', P.L.11.1264D-1265A; cf.G2.61-2.
17. The statements of the disputants throughout the extant Gesta are followed by some such phrase as : 'Et alia manu : "Petilianus episcopus recognovi", G1.9.
18. G2.61-2 : 'Quoniam suggestit officium hodie (sc. 3 June) me schedas posse complere, edicat santitas vestra utrum hodie vel crastino die sit parata subscribere'. Adeodatus episcopus dixit : 'Cum nobis scheda oblata fuerit, subscribemus'.
19. G1.10 : 'schedas subinde scriptas pariter atque subscriptas, tam mei sigilli quam illorum octo custodum signabit impressio', P.L.11.1265C.
20. Rather than the ordinary proconsular archives or an imperial archive for state documents, cf.Tengström, p.29.

21. The process of reproducing copies from the original was first authorized by the judge, cf.G1.223 : 'Et alia manu : "Edantur"', followed by the signature of the secretaries : 'Et item alia manu : "Hilarus et Martialis exceptores edidimus"'; cf.G2.73 : 'Hilarus et Martialis exceptores edidimus et haec similiter ut supra emendavi <mus>'; cf.Tengstrom, pp.23-5.
22. cf.G2.63-4 : 'Marcellinus...dixit : "Edicat nunc officium post subscriptionem schedarum, etiam in editione gestorum quot dierum sufficere possit sine ulla excusatione dilatis". Hilarus exceptor dixit : "Si crastino die subscriperint vel hodie, possumus die noctuque invigilantes post tertium diem gesta edere, ita ut notarii eorum nobis de scheda subscripta dicent"'.
23. cf.P.L.11.1353A : 'Proponatur'.
24. In the edict Marcellinus addresses himself to 'your holiness', meaning, presumably, the bishops, though in his earlier edict it is the public at large he seems to have had in mind, cf.G1.10 : 'ut cœfestim ea cum a septenis episcopis subnara subscriptione celerem expectationi publicae tribuant notiones', P.L.11.1265B.
25. cf.P.L.11.1420B : 'Proponatur'. This edict is found in the manuscript at the beginning of the records of the third session.
26. cf.Ang., Ep.139.1.
27. cf.notes 17, 21, 23 and 25 above.

Bibliography and Abbreviations

1. Manuscript

Cod. Lat. Paris, 1546, now in the Bibliothèque Nationale, is dated to the ninth century, when it was presented to St. Stephen's Cathedral at Lyons, as indicated on the title page: 'Liber oblatuſ ad altare ſci Stephani / voto Fulcherii canonici', cf. P.L. 11.1225A-B where Baluze notes that this is ſimilar to that which begins the codex containing the Corpus Agobardinum of Tertullian's works, alſo dated to the ninth century: 'Liber oblatuſ ad altare ſci Stephani ex voto Agobardi epi', cf. Cehler's edition of Tertullian, vol. 1., p. v. There it apparently remained until diſcovered in the ſixteenth century by Jean du Tillet, biſhop of Meaux, who provided Francois Baudouin with the manuſcript for hiſ 'Historia Carthaginiſis Collationis' (1566), cf. P.L. 11.1439-1506. The firſt edition of the Geſta, by Jean-Papire Maſſon did not appear until 1589. The lateſt modern edition is that by L.E. Dupin (1702) on which the Migne text is baſed.

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