Intellectual Communication between Rome and Spain: Judge and Judgment in Gregory the Great’s *Moralia in Job* and Taio of Zaragoza’s *Sententiae*¹

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ABSTRACT

Gregory the Great’s *Moralia in Job* was well known in the Visigothic kingdom thanks to the efforts of Taio of Zaragoza and his *Sententiarum libri V*. The aim of the present essay is to study the ways in which Gregory’s text was used by Taio to build his. As a case-study example, I focus specifically on the Taio’s engagement with Gregory’s concepts of judge and judgement because of their religious centrality. Taio, who dedicated to the judge a chapter of the fifth book, presents the ideal judge not as one with the “technical” qualities of the knowledge of law, for example, but rather is one who must be a pious and God-fearing man. Isidore of Seville in his *Sententiae* described the ideal judge in sufficient detail, yet Taio did not use the treatise of Isidore. Instead, he preferred to follow fragments of the *Moralia* concerning the way of living of the righteous man. In fact, Taio used Gregory’s text like a collection of bricks for his own treatise, embedding them in his own structure. Sometimes he shortened or altered the words of the original text, thus changing the content – and, in doing so, for instance, the righteous man of Gregory became the ideal judge.

¹ This paper has been translated from the original French by Fabian Zuk.
ESSAY

Pope Gregory the Great’s *Moralia in Job* is one of the most important and significant texts of medieval European culture. Its books have been epitomized by contemporaries such as Paterius of Brescia’s (d. 606) *Liber testimoniorum* as well as by Visigothic writers of the seventh century, for example in the *Sententiae* of Taio of Zaragoza (c. 600-683). Taio’s *Sententiae* is significantly influenced not only by Gregory’s *Moralia*, but also by Isidore of Seville’s *Sententiae*. Nonetheless, the bishop of Zaragoza had his own theological ideas to present, and his doctrine did not always echo that of Gregory or Isidore. To get a better grasp of such originality, this essay analyzes concrete situations in the text in an attempt to elicit Taio’s writing technique, that is, to see how he selected the necessary passages to cite and adapted them to his own thought.

The *Sententiae* of Taio is divided into five books. In the first, he speaks of God and angels, in the second, of those who have consecrated themselves to serve God (that is to say, saints, martyrs, clerics, and monks). In the third book Taio deals with the sacraments, as well as examples of primary Christian virtues. The next book, on the contrary, is dedicated to various types of sins. This is followed by the fifth book, which deals with crime, trial, and justice. In this structure, the system of the universe is thus exposed: God, then the angels, the righteous, and the sinners, ending with a description

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2 The latter is a central work of Visigothic literature which has been garnering increased interest from researchers in recent years. Amidst this interest, the first critical edition is being prepared now by Julia Aguilar Miquel. For now, I will use Jacques-Paul Migne’s edition: *Taionis Caesaraugustani Sententiarum libri V*, Patrologia Latina 80, cols. 723-990.

of the heavenly court, considered as the ultimate goal of human history. That is why the theme of the “ideal judge” and of judgement seem so important to the author, and why I choose here to analyze precisely this.

**Taio of Zaragoza and His Trip to Rome**

Little is known about Taio’s life: his *vita* was either lost or it never existed at all. Thus, his life is known more or less thanks to letters: one, addressed to Quiricus, the bishop of Barcelona (d. 667), the other to Eugenius II, the bishop of Toledo (d. 657), and two letters from the bishop of Zaragoza, Braulio (585-651), addressed directly to Taio himself. There is no concrete information on the place and date of his birth or on his family. In a letter to Quiricus the bishop of Zaragoza, Taio signed his nickname, Samuel (*Taius indignus Caesaraugustanae urbis episcopus, Samuhel cognomento*).\(^4\) Though this may indicate a Jewish origin, this remains only a hypothesis.\(^5\) Letter 4 (11) of Braulio makes it clear that Taio had been the abbot of a monastery on the outskirts of Zaragoza before becoming bishop. Likewise, according to a widely held opinion, he was a disciple of Braulio, but there is no solid evidence to affirm this and no reason to believe it.\(^6\) Nevertheless, it is clear that Taio was – somehow – a member of the cultural circle of Braulio and was in contact with his other pupil, Eugenius, the future bishop of Toledo. After the death of Braulio in 651, Taio became bishop of Zaragoza and participated in the Eighth Council of Toledo (653), from which was promulgated the *Liber Iudiciorum*. His signature is also in the acts of the Ninth Council of Toledo (655).

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\(^4\) Aguilar Miquel, “*Epistula ad Quiricum Barcinonensem*,” 197.


This is perhaps all that can be said about his episcopate; we do not even know the exact date of his death.⁷

Some assumptions can be made about the cultural formation of Taio. Braulio’s letter (number 11 in the edition by Luis Riesco Terrero and number 4 in the recent edition of Ruth Miguel Franco⁸) is curious and not always clear, and is no doubt a response to an offense on the part of Taio.⁹ In his now lost letter, he had apparently advised Braulio to sit on a camel and watch out so he didn’t bang his head on the church doors.¹⁰ In responding to Taio’s attacks (the meaning of which is not entirely clear), Braulio quoted Horace and Virgil, and mentioned the names of Quintilian, Ovid, Aesop, and others.

This is the only letter from Braulio in which there are so many references to works of classical authors. Apparently offended, he tried to demonstrate his intellectual superiority, but at the same time, all these authors should have been known by Taio—at least by name or in exposition—otherwise it would be impossible to explain this multitude of direct quotations and hidden allusions.¹¹ In fact, in another letter, addressed to Eugenius II of Toledo, Taio mentions the great ancient philosophers, all of whom had been mastered by Gregory the Great.¹²

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¹² Ep. ad Eugenium: “Quis namsque nostri temporis eloquentia facundus, prudentia praeditus, sapientia profundus, sanctum condignis efferat laudibus Gregorium? Nee ipsi, ut censeo, Graecae Romanaeque
The works of Gregory the Great, especially his *Moralia in Job*, are the main source of Taio’s *Sententiae*. It was he who brought the *Moralia* from Rome to Spain, although the Gregorian works in the kingdom of Toledo were known before Taio’s journey. For example, Isidore of Seville used the *Moralia* in his *Sententiae*, but, according to the *Continuatio Hispana*, Taio brought the remaining books of the *Moralia* from Rome (Cont. Hisp. 28: residuis libris moralium), that is to say, this work was not completely known in Spain. In this connection, Carmen Codoñer found that Isidore of Seville had omitted the six books: 11-17 and 19-25; it is obvious that he did not possess them. Perhaps the Isidorian copy had been lost at the time of Taio? In any case, among the *Moralia* and other Gregorian works that Taio brought to Spain were the *Homelieæ in Hiezechihelem*.

There is a legend that tells about the Spanish bishop’s research and his miraculous vision. This story of Taio was borrowed by medieval authors (e.g. those of the facundiae philosophorum praecipui, *Socrates scilicet, Plato vel, Cicero atque Varro*, si nostris temporibus adfluissent, condigna verba prompsissent.” Joel Varela Rodríguez. “¿Una edición “tajoniana?” Edición y estudio de un corpus preliminar a los *Moralia in Job*,” Sacris Erudiri, Journal of Late Antique and Medieval Christianity 57 (2018): 357.

18 See *Visio Taionis* in Varela Rodríguez, “¿Una edición tajoniana?,” 361-63, and Luis A. García Moreno, “*Urbs cunctarum gentium victrix*,” 300-03.
Continuatio Hispana), as this story was obviously important for Spanish historians since the recovery of Gregorian works, via Taio, was a great event for the development of Visigothic literature. Taio was acquainted not only with the Gregorian *Moralia* but also with epitomes of his work, such as that of the Brescia bishop Paterius, a notary of Gregory.\(^\text{19}\) Taio used Paterius’s method – arrange the chosen fragments of the *Moralia* in order to comment on the books of the Old Testament – in the *Excerpta Taionis*, of which only extracts remain.\(^\text{20}\) In general, Taio’s *Sententiae* – his famous work – has become a collection of excerpts and quotes from the *Moralia*, grouped by theme; according to the author, he did this to make life easier for the future reader.\(^\text{21}\) The question is, how did Taio engage and use the Gregorian text? I propose to examine this problem by analyzing the passages on judges and judgment, an issue at the heart of Christian ethics.

**Judge and Judgment in the *Sententiae* of Taio**

According to Taio, a sinner would be obligatorily punished during his life or after his death. Therefore, the subjects of judges and judgment occupy an important place in his *Sententiae*. The judge is described in chapter 12 of the fifth book. In general, the image of the lay and earthly judge is extremely negative. According to the bishop, the chief vice of judges is their greed and their vain desire for earthly goods. They are willing to suffer any insult to obtain financial reward, but they cannot restrain themselves and

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\(^\text{20}\) Varela Rodríguez, “Las sententiae de Tajón de Zaragoza,” 12.

\(^\text{21}\) *Ep. Ad Eugenium*: “[...] studiosus quisque, cum in eisdem voluminibus cujuslibet sacri testimonii explanationem requirit, ne multiplici lectione fatigatus, non cito reperiat quod voluerit, ad ista quae decerpsit recurrens, repente quod desiderabat liberae satisfactionis discretione reperiet.” (Varela Rodríguez, “¿Una edición tajoniana?,” 358.)
endure any reproach for the kingdom of God. Moreover, these judges are ungodly: they spend the whole day at the public hearing, but they cannot devote an hour to prayer. They are able to tolerate all difficulties such as hunger, misery and exile, but only to acquire earthly riches.

In contrast, the ideal judge must be gentle and pious, and diligent in prayer. These are meritorious, although one might expect an ideal-type judge to display also technical qualities, such as a knowledge of laws, incorruptibility or impartiality. For example, according to Isidore of Seville, the good judge is just, equitable and benevolent (Isidore, Sent. 3.52.2-4). Yet, Taio does not use this Isidorian fragment. Taio’s quote is reminiscent of the Moralia 19.27.49 where the righteous are compared with the palm tree. This tree, unlike the others, has a slender base and branchy crown, just as righteous men are concerned rather with their souls and divine affairs and despise earthly affairs.

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<tr>
<th>Taio, Sent. 5.12</th>
<th>Gregory, Moralia 19.27.49</th>
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<tr>
<td>Judices saeculi hujus pro terrenis lucris multas injurias tolerant, et pro coelesti mercede, vel tenuissimi verbi ferre contumelias recusan. Terreno judicio tota etiam die assistere judices fortes sunt; in oratione vero coram Domino ad unius horae momentum lassantur. Saepe nonnulli judicum nuditatem, dejectionem et famem pro acquirendis</td>
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It is quite remarkable that, with the exception of a few words (the differences of which can probably be explained by the differences of the manuscripts), Taio literally repeats the Gregorian text. This is why at the end of this fragment he associates the bad judges with the vast tree at its base (Taio, Sent. 5.12). This metaphor will become clearer if we keep in mind that Taio had the *Moralia* as a starting point. But in the similar fragment Gregory had spoken of men just as Taio extended their features onto judges, converting moral qualities into professional qualities. In his *Moralia*, Gregory did not mention the judge and his functions, and Taio elected and borrowed a Gregorian fragment that suited his idea. At the same time, it should be noted that according to Taio, the judge must foremost be a just man.

Therefore, in essence, Taio imposed only two requirements on the judge – to be pious and to fear the punishment of God. This idea set was very close to that of Isidore who, in his *Sententiae*, had promised the good judges the kingdom of heaven and eternal life.²² Besides, the bishop of Seville was more demanding of judges and had dedicated

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²² *Isid., Sent. 3.52.3:* “Boni iudices iustitiam ad solam obtinendum salutem aeternam suscipiunt, nec eam muneribus acceptis distribuunt, ut, dum de iusto iudicio temporalia lucra non appetunt, praemio aeterno ditentur.” Citations of Isidore’s *Sententiae* are from the critical edition: *Sententiae*, edited by Pierre Cazier, Corpus Christianorum Series Latina 111. Turnhout: Brepols, 1998.
to them an entire chapter\textsuperscript{23} that Taio did not take up. Thus, whereas Isidore insisted on the mercy of the judge in addition to the rigorous promotion of justice (Isidore, \textit{Sent.} 3.52.4), this is an element to which Taio attached little importance.

Taio says that piety was the main virtue of the ideal judge. Whoever serves God and not his own wallet would judge correctly and fairly. While, on the contrary, the greedy man would surely exchange justice for money. Taio took this fragment from the ninth book of the \textit{Moralia} (Gregory, \textit{Moralia} 9.25.38). In his work (and then in Taio’s), Gregory deliberated on the reasons by which the judge guided himself when he provided justice. In his opinion, the judgment could sometimes be correct, but only because the judges hoped for reward.\textsuperscript{24} The ideal judge should seek justice in the name of the triumph of justice par excellence,\textsuperscript{25} i.e. divine justice.

What does the word \textit{iustitia} mean here? In his fragment, Gregory quoted the book of Deuteronomy 16:20: \textit{Iuste, quod iustum est exsequeris}. According to the text of the Bible, the concept \textit{iustum exsequeri} includes respect for the laws, impartiality, and the refutation of gifts (Deut. 16:19). In the third book of his \textit{Sententiae}, Taio deals with the cardinal virtues, among which was justice (\textit{iustitia}).\textsuperscript{26} According to his opinion, a person can be called just (\textit{iustus}) if she understands how to act and if she has enough strength to act in a chosen way.\textsuperscript{27} In other words, \textit{iustitia} is unthinkable without wisdom

\textsuperscript{23} Isid., \textit{Sent.} 3.52.
\textsuperscript{24} Taio, \textit{Sent.} 5.12: “Quibus si spes nummi subtrahitur, a defensione protinus justitiae cessatur; et tamen defensores se justitiae cogitant, sibique se rectos asserunt, qui nequaquam rectitudinem, sed nummos quærunt.”
\textsuperscript{25} Taio, \textit{Sent.} 5.12: “Juste ergo justum exsequi est in assertione justitiae eamdem ipsam justitiam quaerere.” See also Greg., \textit{Moralia in Job} 9.25.38 and Paterius, \textit{Liber testimonium veteris testamenti} 5.7.
\textsuperscript{26} Taio, \textit{Sent.} 3.20. See also the main sources, Greg., \textit{Moralia in Job} 2.49.76 and Isid., \textit{Etym.} 2.14.5.
\textsuperscript{27} Taio, \textit{Sent.} 3.20: “Sed qui prudenter intelligit quod agat, et fortiter agit quod intellexerit, jam procul dubio justus est [...]”
and firmness. In addition, the author adds, that justice must always be associated with temperance (temperantia), otherwise it risks becoming cruelty (crudelitas). Taio argues that true justice must always be moderate. Then the author almost literally repeats the idea of Gregory, according to which cruelty is often concealed under the mask of justice. So, according to Taio, iustitia in itself, without clemency, does not hold great value.

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Gregory’s commentary here is on Job 32:18-20, in which Elihu says: “For I am full of matters to the utter; the spirit within me compels me. Like a new wineskin with wine under pressure, my bosom is ready to burst.” In this broader passage, Elihu, enraged, debates and defends the merits of God’s justice, despite it leading sometimes to suffering, with three friends. Gregory explains to the readers that though their words seem just, they are indeed unfair and incorrect. Gregory presents the text to indicate how vices are often concealed while having the appearance of virtues: prodigality

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28 Taio, Sent. 3.20: “[...] sed ejus justitiam temperantia sequi debet, quia plerumque justitia si modum non habet, in crudelitatem cadit.”
29 Taio, Sent. 3.20: “Ipsa vero justitia vere justitia est quae se temperantiae freno moderatur, ut in zelo quo quisque fervet sit etiam temperatus; ne si plus ferveat perdat justitiam, cujus servare moderamina ignorat.”
appears to be mercy and justice. Taio transforms this into an important example of *iustitia*.

In Taio’s *Sententiae* then, the word *iustitia* has two fundamental meanings: correct conduct and divine justice. The author often uses expressions such as *iustitia Dei* or *divina iustitia*\(^{31}\) mainly in contexts related to the Last Judgment. Here, *iustitia* means the highest divine justice, the measure according to which the Lord will judge all the living and the dead. So, this word still refers to the legal and judicial sphere, although it does not mean a terrestrial but rather heavenly justice.

The image of the heavenly court can be found in the fourth book of Taio’s *Sententiae*, which begins with his reasoning on four modes of discussion. The second chapter is dedicated to a description of the Final Judgment (Taio, *Sent. 4.2*), then follows a list of sins and their rankings (Taio, *Sent. 4.3-36*).

It is interesting that the author does not limit the jurisdiction of the divine tribunal to the posthumous process alone: according to Taio, God judges man during his life on Earth. Here he repeats the ideas of his predecessors, like Isidore and Gregory.\(^{32}\) The Pope explained to readers why the righteous suffered in life, while sinners prospered. In his opinion, the misfortunes that persecute pious and righteous people redeem their smaller sins so that happiness awaits them in eternal life. On the contrary, the good fortune of the wicked deprives them completely of redemption after death.\(^{33}\) Of course,

\(^{31}\) Taio, *Sent. 3.34; 4.2; 4.16; 5.30; 5.33 et passim.*

\(^{32}\) Greg., *Moralia in Job 5.1.1; Isid., Sent. 1.27.7; Isid., Synon. 1.31.*

\(^{33}\) Greg., *Moralia in Job 5.1.1: “Nam cum bonis male est, malis bene, hoc fortasse deprehenditur, quia et boni si qua deliquerunt, hic recipiunt, ut ab aeterna plenius damnatione liberentur, et mali bona, quae*
we see the opposite situations: the righteous prosper, while the sinners suffer, but, according to Gregory and Taio, this seeming paradox also reveals the divine wisdom – it is the judicial system of reward and punishment.\textsuperscript{34} That is why Taio insisted that man could not question the veracity of divine justice.\textsuperscript{35} It is better not to look for causes and diverted meaning in God’s decisions, because the human mind is incapable of understanding them, and excessive thinking will inevitably lead to the superfluous doubts and anger of the Lord.\textsuperscript{36} So, Taio invited his readers not to train in theological reflection, but simply to believe that the judgment of God is always just and impartial.

Isidore in the similar passage of his \textit{Sententiae} (Isidore, \textit{Sent.} 1.27 \textit{De iudicio}) wrote about the principles of the divine tribunal and the Final Judgment. He, too, squeezed the \textit{Moralia}, but the Sevillan bishop had elected other fragments that would not eventually coincide with those of Taio (for example \textit{Moralia} 9.26.40, \textit{Moralia} 32.7.9 etc.). According to Isidore, the Lord’s judgment is always correct, – even if it is obscure for man – impartial, and inevitable for both sinners and innocent people alike (Isidore, \textit{Sent.} 1.27.3-5, cf. Gregory, \textit{Moralia} 9.26.40). In this chapter, the bishop of Seville focused on those who have been judged, always employing Gregorian ideas (Isidore, \textit{Sent.} 1.27.9-11, Taio quoted them in chapter 17 of the fifth book). But, unlike Taio, Isidore used several texts and sometimes rephrased material with his own words.

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\textsuperscript{34} Greg., \textit{Moralia in Job} 5.1.1 “Cum bonis in praesens saeculum bene est, et malis male, incertum valde fit utrum boni idcirco bona accipient, ut provocati ad aliquid melius crescant; an justo latentique judicio suorum operum remunerationem recipiant, ut a praemiis vitae sequentis inanescant.” See also Taio, \textit{Sent.} 4.2.

\textsuperscript{35} Taio, \textit{Sent.} 4.2: “Divinorum factum judiciorum semper indiscussa veneranda sunt, quia injusta esse nequaquam possunt.”

\textsuperscript{36} Taio, \textit{Sent.} 4.2: “Ad semetipsam humana mens redeat, et quod de divinis judiciis apprehendere non valet, non requirat, ne si divinae irae causa provocetur, […] Quia per hoc quod de humo sumptus est, judicia superna discutere dignus non est.”
Conclusion

Taio of Zaragoza is responsible for bringing the main Gregorian theological works to Spain, thus introducing them into Visigothic culture and then for all of medieval European culture. His Sententiae, because of their smaller volume and intelligible structure, have become one of the texts from which the ideas expressed in the Moralia have been widely spread.

Taio tended to quote his main source pretty closely, but we cannot say that he did not have his own ideas. He used the quotations from the Moralia as bricks for his own works, keeping in mind the examples of Paterius and Isidore. Moreover, occasionally, Taio transferred one Gregorian fragment or another and put it in a different context. In this way, he changed the meaning of the Pope’s words and entered into a virtual dialogue with him.
Bibliography

Primary


Secondary


