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‘THE DEFENCE OF CONTRARIES’:

PARADOX IN THE LATE RENAISSANCE DISCIPLINES

Agnieszka Steczowicz

Magdalen College

Thesis submitted for the degree of Doctor of Philosophy

at the University of Oxford

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'The Defence of Contraries': Paradox in the Late Renaissance Disciplines

Agnieszka Steczowicz

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Thesis submitted for the degree of Doctor of Philosophy at the University of Oxford

Trinity Term 2004

ABSTRACT

The aim of this thesis is to examine the meanings and functions of paradox in the late Renaissance. My understanding of Renaissance paradox, in contrast to that of most critics and historians, rests entirely on contemporary definitions of the term, rather than on its present-day meaning. Paradoxes as they are envisaged in this study begin to appear in the wake of the humanist rediscovery and dissemination of Cicero's *Paradoxa Stoicorum*. In this work, paradoxes are characterized as 'admirabilia contraque opinionem omnium', a definition that draws attention to two important traits of paradox, repeatedly invoked in the Renaissance: its association with wonder, and its opposition to common opinion. This thesis examines the history of classical paradox as it was revived, expanded beyond the narrow confines of Stoic ethics, and adapted to new purposes so successfully that it became a recognisable genre of polemical writing, with hundreds of works in Latin and the vernacular being described as paradoxes. Previous studies of Renaissance paradox have centred almost exclusively on its literary and vernacular manifestations, and on the paradoxical encomium in particular. My own work charts the rise to prominence and the ensuing transformations of paradox in a range of disciplines: rhetoric and ethics, theology, law, medicine, and natural philosophy. I compare the different associations that paradoxes acquire in all these areas, and the argumentative strategies that they deploy. My analysis of specific examples of paradox is informed by the methods of both literary analysis and intellectual history. Paradoxes, I argue, offered their authors the possibility of departing from established norms and of voicing novel views in a period of intellectual unrest. In their challenge to received and common opinion, they paved the way for more radical ideas in the following century, and they have much to tell us about dissident ways of thinking in the late Renaissance.

'The Defence of Contraries': Paradox in the Late Renaissance Disciplines

Agnieszka Steczowicz

Magdalen College

Thesis submitted for the degree of Doctor of Philosophy at the University of Oxford

Trinity Term 2004

LONG ABSTRACT

This thesis traces the history of a mode of writing which rises to prominence and comes to be widely used in the late Renaissance. I explore a variety of sixteenth and early seventeenth-century works in Latin and the vernacular that explicitly describe themselves as 'paradoxes' in their titles or prefaces. Loosely modelled on a classical precedent, Cicero's *Paradoxa Stoicorum*, these range from ethical, theological, legal, and medical writings to texts in astronomy, philosophy and psychology. Although some of these works have been studied by historians of the specific disciplines to which they belong, no attempt has yet been made to bring them together and to examine them *qua* paradoxes, a genre characterized by its polemical and didactic aims. The interest of analysing this long-neglected form lies in what it has to tell us about the historical period when it emerged and reached the height of its popularity. In their challenge to common or received opinion, paradoxes show how ideas shifted and evolved at a time of spiritual, political and intellectual unrest. I view them as a factor of turbulence, unsettling mental habits and proposing alternative ways of considering familiar problems.

Existing work on Renaissance paradoxes addresses chiefly their literary and vernacular manifestations. Rosalie Colie's influential *Paradoxia Epidemica* (1966) looks at how paradox – in its broadest possible sense – functions in the works of canonical

literary figures of the Italian, French and English Renaissance, as well as in the scientific, philosophical and theological writings of the period. Most studies, in contrast to Colie's wide-ranging approach, focus on one particular form of paradox: the mock or paradoxical encomium praising unexpected or trivial subjects. Its popularity in the Renaissance owed a great deal to the joint influence of Lucian's satirical writings and of Erasmus's *Moriae encomium* (1511), which inspired a variety of works belonging to the same genre. In addition to a number of articles devoted either to the influence of Lucian, to individual authors (Erasmus, Lando, Rabelais, Montaigne, and Donne) or national traditions (Italian, French, and English in particular), two book-length studies have been produced on this subject. Patrick Dandrey's *L'Éloge paradoxal de Gorgias à Molière* (1997) analyses the classical and medieval precedents as a prelude to the study of early modern paradoxical encomia across all of Europe. Annette H. Tomarken's *The Smile of Truth* (1990) deals more specifically with French satirical eulogy and its neo-Latin and Italian antecedents, which she divides up into praises of vice, of disease, and of animals and insects.

Critics and historians of the Renaissance have seldom manifested any interest in the history of the word 'paradox' and in what its presence signals in the title of a work. This is one of the reasons why the importance of Cicero's *Paradoxa Stoicorum* for the Renaissance paradoxical tradition as a whole has been largely ignored. Two notable exceptions to this rule are Brian Vickers's '*King Lear* and Renaissance Paradoxes' (1968) and Letizia Panizza's 'The Semantic Field of "Paradox" in 16th and 17th Century Italy' (1997). Vickers draws our attention to Cicero's influence on what was 'one of several new forms' which at the time came to be applied to a variety of topics and fields, from soldiery and politics to philosophy, theology, medicine, law and physics. Panizza's article

is the most sustained effort yet to define paradoxes in the early modern period. She distinguishes between serious and didactic paradoxes of the Ciceronian variety, prevalent in the learned Latin disciplines and perceived as being predominantly true, and Lucianic paradoxes, a more popular genre characterized by its mixture of serious and playful elements, and associated with falsehood. My own approach to Renaissance paradoxes draws on and further develops these suggestions.

The aim of this thesis is, above all, to suggest a different way of thinking about Renaissance paradoxes, by defining and delimiting them more precisely, distinguishing what we today consider to be paradoxical from the Renaissance meaning of the term, and shifting the focus away from the mock or paradoxical encomium to the paradoxical tradition as a whole. I insist throughout this study upon the disparities between these two genres (which contemporaries saw as distinct) so as to bring out what is specific to 'learned' paradoxes. My study of specific examples of paradox is informed by the methods of both literary analysis and intellectual history. The thesis examines philosophical, theological, legal and medical texts in their academic and institutional contexts, and looks at how they evolve in the late Renaissance, a period which I take to extend from about 1520 to 1630. A literary approach to the mainly non-literary texts explored in this thesis has led me to privilege their titles, prefaces, dedications and other statements of intention in an effort to come to grips with what I argue was a distinctive form of Renaissance writing. One of the guiding assumptions of my study is that the title yields us information concerning the genre of a work, whether literary or not. In the late Renaissance, there are over a hundred works in a number of fields designated as paradoxes by their titles. The vast majority of these have not been discussed in the

literature dealing with Renaissance paradox, partly owing to the technical nature of the issues debated in many of these works, but also because titles and the attendant notion of genre are not seen as a legitimate or fruitful way into the subject.

The structure of my thesis follows the subject-divisions made by the Ramist Johann Heinrich Alsted in his *Encyclopaedia* of 1630, where paradoxes for the first time become a topic in their own right and are dealt with as a separate discipline ('Paradoxologia'). The successive chapters are presented as a miniature encyclopaedia of paradoxes in those fields and disciplines where they were most prevalent: Stoic ethics, the higher disciplines of theology, law, and medicine, and natural philosophy. The first chapter begins with an analysis of sixteenth-century definitions of the word 'paradox' in general and specialized reference works, where it is commonly associated with wonder, in keeping with Cicero's characterization of paradox at the outset of the *Paradoxa Stoicorum* as 'admirabilia contraque opinionem omnium' (1.1). I then examine Renaissance commentaries and interpretations of Cicero's work (1.2), before turning to critical responses in the form of anti-paradoxes (1.3). A final part contrasts Cicero's paradoxes with Lando's *Paradossi*, a vernacular collection of what I argue are mock encomia (1.4). Each subsequent chapter follows this pattern, in so far as it includes, though not necessarily in this order, a semantic part dealing with the specific connotations that the word 'paradox' has in a particular field; the analysis of influential works or collections which contribute to defining paradox in their respective area of enquiry; a section devoted to controversies surrounding individual paradoxes; and a discussion of the relationship that paradox entertains with the mock encomium.

Chapter Two examines the different uses to which paradox was put in the theological realm. Theological paradoxes were among the first to have been composed in the wake of the humanist rediscovery of Cicero's *Paradoxa Stoicorum* and, as such, they constitute an important link between the classical precedent and its Renaissance avatars. I distinguish between doctrinal and theological issues debated in the form of paradox, and less controversial paradoxes inherent in the Christian faith, such as the injunction to love one's enemy. The first part of this chapter explores the association of paradox with the negative notion of heresy in theological controversies. Depending on what was recognised as the prevailing orthodoxy, different confessions were accused of professing paradoxical beliefs. At the same time, paradoxes were used as a way of rectifying erroneous opinions and dogmas in whatever camp and, as such, were invested with a positive meaning (2.1). The protracted controversy opposing François Lambert, a renegade friar, and Nicolaus Herborn, a Franciscan superior, which led to the adoption of the Reformation in Hesse in 1526, illustrates the complex interactions between paradox and religious orthodoxy, its contrary (2.2). Attention is then given to the sub-genre of 'Christian paradox', as exemplified by the collections of Aurelio Brandolini Lippi, Coelio Secundo Curione and Juan de Horozco y Covarrubias (2.3). The chapter ends with a study of Sebastian Franck's eclectic and highly influential *Paradoxa ducenta octoginta* (1534) and its relation to vernacular mock encomia (2.4).

Chapter Three is concerned with paradoxes in the sphere of law. One of the earliest and most celebrated collections of Renaissance paradoxes, Andrea Alciato's *Paradoxa ad Pratum libri vi* (1518), deals specifically with controversial points of Roman civil law. I draw a link between the innovative methods of legal humanism

known as the *mos docendi gallicus* and legal paradoxes embodied in Alciato's *Paradoxa ad Pratum*, before considering the anti-paradoxes written in response to this provocative work (3.1). In the following sections, close attention is paid to the relation between law and other disciplines, namely medicine, politics and rhetoric. I consider three particularly difficult testamentary laws, which lend themselves to paradoxical interpretations: the *lex Falcidia*, the *lex Si is qui pro emptore, de usucapionibus*, and the *lex Gallus* touching on the vexed matter of the eleven-month pregnancies (3.2). The political implications of Roman law are the subject of the next section, dealing with the concepts of the *merum* and *mixtum imperium* in Roman law (3.3). The numerous links between law and the arts of the *trivium* are examined at the end of the chapter, which assesses the uses to which both paradoxes and mock encomia were put in legal training. In this connection, I look at the part played by paradox in *pro et contra* debates, the rhetoric of pleading in Charles Estienne's *Paradoxes* (1553), and the figure of Paradox at the London Inns of Court in the age of Donne (3.4).

The rise to prominence and ensuing transformations of paradoxes in medicine, one of the areas where this form of writing was most successful, are the subject-matter of Chapter Four. Medical paradoxes were, first and foremost, attacks on authorities, whether these be Arabic or medieval, ancient or 'neoteric'. In the first part of this chapter, which relates the genres of medical 'paradoxes' and 'errors' in the writings of Leonhart Fuchs and Laurent Joubert, I argue that these attacks became increasingly more radical in the course of the sixteenth century (4.1). The starting point of the following section, where I establish a connection between 'new diseases' and alternative medical views and practices, is Petrus Severinus's claim in the *Idea medicinae philosophicae* (1571) that

'paradoxical diseases produce paradoxical physicians' (4.2). Common medical opinion and the authorities challenged by unorthodox medical thinkers have their defenders, as is shown by controversies surrounding three different paradoxical works from across the period: Fuchs's *Paradoxorum medicinae libri tres* (1534), Joubert's *Paradoxorum decas prima atque altera* (1566), and Jacques de Marque's *Paradoxe que la moelle n'est pas la nourriture des os* of 1606 (4.3). Centred on an early vernacular paradox, Pierre Tolet's *Paradoxe de la faculté du vinaigre* (1549), and on its refutation by Barthélemy Aneau, the final section demonstrates an awareness on the part of sixteenth-century authors of the presence of competing paradoxical models, and in particular of the difference between learned and playful paradoxes (4.4).

Having surveyed the different meanings and functions that paradox acquires in the higher faculties of theology, law, and medicine, the final chapter turns to paradoxes in natural philosophy, one of the areas singled out by Alsted in his 'Paradoxologia'. Paradoxes were particularly prominent in astronomy, meteorology and psychology, which were among the most disputed areas of Aristotelian natural philosophy. Copernican theories, for instance, become one of the canonical examples of paradox in a later period. They are often described in terms of 'absurdity', a term which presents certain similarities with paradox (5.1). The link between natural philosophy and medicine is explored in the following section, dealing with meteorological paradoxes concerning elements, qualities and winds, which contrasts paradoxes and mock encomia in natural philosophy (5.2). Focused on Gomez Pereira's *Antoniana Margarita* (1554) and the objections raised by Miguel de Palacios against some of its most controversial claims, such as the notion that animals lack sensory experience, the next section turns to

paradoxes in Renaissance psychology (5.3). The relation between paradox, sceptical anti-Aristotelianism, and the concept of *libertas philosophandi* is examined in the works of Jean-Pierre Camus, Pierre Gassendi and Nathanael Carpenter, all written at the end of the period (5.4).

The main conclusions of this thesis, as regards the meaning, the genre, the extension, and the evolution of paradox, can be stated as follows. Paradoxes in the Renaissance understanding of the term rise to prominence in the wake of the humanist rediscovery and dissemination of Cicero's *Paradoxa Stoicorum*. In this work paradoxes are characterized as 'admirabilia contraque opinionem omnium', a definition which draws attention to two important traits of paradox: its association with wonder, and its opposition to common or received opinion. While the former points to the *content* of the paradox, the latter sets it up as a *form* of argument. I argue that paradoxes, a genre of writing with didactic and polemical aims, differ from paradoxical or mock encomia to which they are often assimilated by literary critics. From around 1520 onwards, paradox expands beyond the narrow confines of Stoic ethics, and comes to be used in scholarly debates not only in philosophy, but also in the higher disciplines of theology, law, and medicine, in which the word has, in addition to its core-meaning, other semantic and generic associations proper to each of these spheres. As a new form, paradoxes are well-suited to formulating problems in emerging fields of enquiry. Learned paradoxes change through contact with vernacular paradoxes, much closer to mock encomia, and through contamination by other neighbouring modes of thought. The word 'paradox' concurrently undergoes a lowering of its linguistic register, and, as it is imported into a growing number of fields, also loses some of its original vitality.

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INTRODUCTION

Sed finis sit paradoxorum: quorum sylva potest ab exercitatioribus ingeniis comportari, et secundum Encyclopaediae partes methodice digeri.

— J. H. Alsted, 'Paradoxologia'

By paradox we nowadays understand a statement or notion which strikes us as absurd because it involves an element of contradiction or is at variance with common sense, independently of whether it is true or false.[1] We are used to thinking of paradoxes as puzzles of a logical or linguistic nature which may or may not be resolved. Philosophy furnishes us with an abundance of puzzles and paradoxes of this kind, from Heraclitus's assertion that we can never step into the same river twice, Achilles' race with the tortoise and other paradoxes by Zeno of Elea, Epimenides the Cretan's claim that all Cretans are liars, and the Sorites paradoxes, one version of which endeavours to prove that a grain of sand is a heap.[2] Surprisingly, none of the above were actually called paradoxes when they were initially devised. Such topics were frequently discussed under the heading of 'insolubilia' or 'adunata' in the Middle Ages.[3] It is only with the advent of mathematical and logical paradoxes at the end of the nineteenth and the beginning of the twentieth centuries that they came to be referred to as such. Outside the specialized realm of

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[1] See *OED*, 2a-c.

[2] Michael Clark's *Paradoxes from a to z* contains a discussion of all these and many other familiar examples of paradox (Clark 2002). For an overview of the philosophical debate surrounding these paradoxes, see Quine 1966; Sainsbury 1995; and entries on 'paradox' in *The Oxford Dictionary of Philosophy*, in *The Oxford Companion to Philosophy*, and in the *Enciclopedia filosofica*.

[3] Aristotle, in his comment on Zeno's Achilles and the tortoise and similar problems, uses the term *paralogismoi* (*Physics*, 6. 9). Diogenes Laertius, who credits the Stoic Eubulides of Miletus with a number of such paradoxes, describes them as *aporiai* (2. 107-9). For a discussion of *adunata*, *impossibilia*, and *insolubilia*, see Curtius 1953: 95-98, Kneale 1962: 113-4 and Spade 1982: 246-53.

analytical philosophy which deals with semantic and logical paradoxes, the word, a victim of its own popularity, has acquired a wide currency and is now used in all sorts of contexts simply to signal the incongruity or apparent contradiction of an assertion or a phenomenon. To say that something is 'paradoxical' may be very vague indeed, but it does rely on a set of assumptions which show how much the word has evolved since the late Renaissance.

Few would find anything paradoxical in claims such as 'the entire globe is magnetic' or 'vinegar is not an astringent', two Renaissance examples of paradox taken respectively from the spheres of natural philosophy and medicine.[4] This is partly due to the fact that we have grown accustomed to a different conception of paradox from the one current in the early modern period. Whereas we tend to view paradoxes as something self-contained, and hence internally contradictory or puzzling, in the late Renaissance paradoxes were, for the most part, set off against an independent body of received opinion, the *doxa*,[5] with which they entertained a dialectical relationship. Inherited from classical antiquity, the Renaissance understanding of the term was much closer than ours to the etymology of the word. 'Paradox', from the Greek *para* with the sense of 'beside', 'alongside' and by extension 'contrary to', and *doxa* 'opinion', was taken to mean that which is beside or contrary to common or received opinion. Most definitions and studies insist on this being the original meaning of paradox, while some point out that this meaning is no longer very common.[6] Few, however, attempt to relate it to the current

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[4] These will be discussed in sections 4.4 and 5.1.

[5] I use this term on etymological grounds, without any of the theoretical connotations associated with Roland Barthes's well-known treatment of the subject.

meaning of paradox with its inherent notion of absurdity and self-contradiction. When and how did the word undergo such a semantic shift? What ensures the continuity between the two meanings? In order to answer these questions, one would have to consider the history of the word paradox, which spans over two thousand years, in its various developments, and pay special attention to the modern period which witnesses this shift.

The aims of this thesis are considerably more modest. It is first of all an attempt to uncover the Renaissance meanings of the word 'paradox' beneath consequent accretions of meaning which have partly obscured it. The modern debate concerning logical and semantic paradoxes is to my mind responsible for a certain amount of anachronism and confusion regarding paradoxes in the Renaissance, displayed by existing work on the subject. My own understanding of Renaissance paradox rests entirely on contemporary definitions of the term, and I have tried to steer clear of any present-day associations that the word carries with it. The present thesis is a history of classical paradox, embodied in Cicero's collection entitled *Paradoxa Stoicorum*, as it was revived during the humanist period, extended beyond the boundaries of moral philosophy, and adapted to new purposes so successfully that it became a recognisable genre of polemical writing with hundreds of works, Latin and vernacular, being described as 'paradoxes' during the century or so that this study focuses on. The length of the period (*c.* 1520-1630) allows me to chart the rise to prominence and increasing popularity of paradoxes in a range of

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[6] The *OED* defines paradox as a 'statement or tenet contrary to received opinion or belief; often with the implication that it is marvellous or incredible; sometimes with unfavourable connotation, as being discordant with what is held to be established truth, and hence absurd or fantastic; sometimes with favourable connotation, as a correction of vulgar error. (In actual use rare since 17th c., though often insisted upon by writers as the proper sense)' (1a). See also the definitions of paradox in the *Grande dizionario della lingua italiana*, the *Dictionnaire historique de la langue française*, and the *Grand Larousse de la langue française*.

disciplines: rhetoric and ethics, theology, law, medicine, and natural philosophy. Throughout this period, the word retains a certain unity of meaning, despite the specific connotations that it has in all these different spheres, and despite increasing pressures from the vernacular tradition, which operates with a rather different conception of paradox. The prominence and the diffusion of the genre are illustrated by Alsted's 'Paradoxologia', included among the 'Loci disciplinarum compositorum' in the expanded encyclopaedia of 1630, where for the first time paradoxes become a topic in their own right.

Rosalie Colie's *Paradoxia Epidemica: The Renaissance Tradition of Paradox*, which appeared in 1966, was the first book-length study to deal with paradoxes in the Renaissance, and it remains one of the most influential and frequently-cited works on the subject. Written from a literary perspective, and dealing mostly with canonical authors such as Petrarch, Rabelais, Donne, Pascal, Montaigne, Shakespeare, Spenser and Milton, the book nevertheless presents some interdisciplinary features. The four parts of the work deal respectively with rhetorical and psychological paradoxes, paradoxes in divine ontology, ontological paradoxes of being and becoming, and epistemological paradoxes, arranged in an order of growing complexity. There are sections devoted to paradoxes in the sciences and in theology, and one chapter discusses still-life paintings. In a critical review of *Paradoxia Epidemica*, which appeared in the *New York Review of Books*, Frances Yates commented on the fact that Colie makes no effort 'to define and delimit Renaissance paradox, to distinguish what is genuinely paradoxical from other modes of expression or thought', and that 'paradox, as she interprets it, does cover practically

everything in the period'.[7] Indeed, Colie considers as paradoxes utopias, *insolubilia*, oxymora, self-contradictions, statements of self-reference and ones involving negation, as well as mock encomia praising low and unworthy objects. She devotes entire chapters of her study to such notions as 'becoming' or 'nothing' without clearly relating them to the Renaissance meaning of paradox. This is because Colie operates on the assumption that all the different types of paradox across the ages are linked. Conclusions reached about one kind of paradox, whether they be mock encomia or modern-day logical and mathematical paradoxes, are therefore seen as relevant for all the other types.[8] This results in inevitable confusion, notwithstanding an otherwise ambitious program.

Most studies of Renaissance paradox, by contrast with Colie's broad-ranging and interdisciplinary approach, have been centred on the literary tradition of paradox and, in particular, on the mock encomium. Devoted to praising unexpected or trivial subjects in a somewhat gratuitous display of virtuosity and argumentative skill, this form, also referred to as 'mock praise', 'satirical eulogy', 'paradoxical encomium', 'mock declamation', or simply 'paradox', has its roots in classical epideictic oratory. Its popularity in the Renaissance owes much to the rediscovery of Lucian of Samosata's satirical writings, which inspired a spate of works belonging to the same genre, reaching its height with the publication of Erasmus's *Moriae encomium* in 1511. This aspect of Renaissance paradoxical writing has received a great deal of scholarly attention. The most recent and comprehensive work on the subject, Patrick Dandrey's *L'Éloge paradoxal de Gorgias à Molière* (1997), briefly considers the classical and medieval precedents as a prelude to

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[7] Yates 1967: 27-8.

[8] See Colie 1966: 3-6.

the study of Renaissance paradoxical encomia in the German, English, Italian and French traditions, followed in turn by a more detailed examination of paradoxes in the works of Montaigne, Pascal, and Molière. More limited in its scope, Annette H. Tomarken's *The Smile of Truth: The French Satirical Eulogy and Its Antecedents* (1990), also examines the combined influence of classical epideictic oratory, Erasmus's *Moriae encomium*, neo-Latin and Italian satirical eulogies in prose and in verse on French mock-encomiastic writings, which she divides into praises of vice, of disease, and of animals and insects. Both these works draw on a number of studies dealing specifically with classical epideictic literature,[9] Lucian of Samosata and his influence,[10] Erasmus and praises of folly,[11] Italian bernesque *capitoli* and their impact on French paradoxical writings, as well as with mock encomia in various national traditions,[12] and in the works of individual authors such as Ortensio Lando,[13] Rabelais and Montaigne,[14] Shakespeare, and Donne.[15]

Although some literary critics attempt to distinguish between paradoxes proper and mock or paradoxical encomia, the two are often assimilated. As a result, the playful and witty aspects of the paradoxical encomium, its tendency to argue for a point of view which is surprising and sometimes patently false, have been taken as defining features of all paradoxes. Brian Vickers, in his suggestive study on '*King Lear* and Renaissance

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[9] Burgess 1902; Pease 1926; and Malloch 1956.

[10] Robinson 1979; Mayer 1984; and Lauvergnat-Gagnière 1988.

[11] Kaiser 1963; Thompson 1964; Margolin 1982.

[12] Condeescu 1963; Miller 1956; Cherchi 1975.

[13] Rice 1932; Grendler 1969; Zilli 1993.

[14] Rigolot 1970; Bowen 1972; Glauser 1972; Ogino 1989.

[15] Vickers 1968 and Simpson 1931.

Paradoxes', attempts to redress the balance, arguing that 'paradox was essentially a mode of serious philosophical argument' and pointing to its non-ironic uses in the Renaissance. In particular, he draws attention to the influence Cicero's *Paradoxa Stoicorum* had on what was 'one of several new forms' which at the time came to be applied to a variety of topics and fields, from soldiery and politics to philosophy, theology, medicine, law and physics.[16] *Le Paradoxe au temps de la Renaissance* (1982), the proceedings of a conference edited by Marie-Thérèse Jones-Davies, explores some of the philosophical, theological and medical strains in the paradoxical tradition, in addition to more traditional treatments of mock encomia in neo-Latin, English, Italian, Spanish and French. I have found particularly illuminating Jean Céard's article on 'Paradoxe et erreur populaire: le projet de Laurent Joubert' and Alain Michel's 'Rhétorique, philosophie, christianisme: le paradoxe de la Renaissance devant les grands courants de la pensée antique'.[17] No coherent picture of paradox emerges from this study, however, as every contributor focuses on different aspects of and adheres to a different understanding of paradox.

The most sustained effort to define paradoxes in the early modern period is Letizia Panizza's article, 'The Semantic Field of 'Paradox' in 16th and 17th Century Italy: From Truth in Appearance False to Falsehood in Appearance True. A Preliminary Investigation', which appeared in *Il vocabolario della République des Lettres* in 1997. Panizza begins by examining the 'semantic field' of paradox at the end of the Quattrocento: she takes it to consist of three stable elements (Cicero's *Paradoxa Stoicorum*, Aristotle's *Sophistici Elenchi* together with its medieval interpretations, and

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[16] Vickers 1968: 305-8.

[17] See Céard 1982 and Michel 1982.

Christian paradoxes in the Gospels and in the *via negativa* tradition), and of a disruptive element in the shape of the recently rediscovered writings by Lucian of Samosata. She sees Lucian's popularity as the single most important factor in the revival of the paradoxical encomium, and notes that this form appears 'mainly in the *volgare*, which means that the semantic field spreads wider, and undergoes a 'lowering' of its linguistic register as it extends beyond university, humanist and clerical circles'.[18] By the same token, Lucian is held to be responsible for the alliance of paradox with duplicity, lies and laughter. Panizza goes on to study paradoxes in the sixteenth and seventeenth centuries, dividing them into two separate categories: the serious and didactic paradoxes of the Ciceronian variety, prevalent in the learned Latin disciplines and seen as predominantly true, and Lucianic paradoxes, a more popular genre, at once serious and playful, learned and parodic, and chiefly associated with falsehood. Lando's *Paradossi* are, on Panizza's view, representative of the latter type.

The decision to largely leave out the paradoxical encomium in the Lucianic vein from my own study of Renaissance paradox is explained by the fact that, whereas much excellent work has recently been devoted to the vernacular and neo-Latin paradoxical encomium, there is as yet no full-length history of those paradoxes in the period which contain no element of praise or blame. It is also guided by my conviction that the two belonged to different genres which came to be increasingly associated in the course of the sixteenth century and at times even equated, despite some evidence of contemporary awareness that they were distinct in kind. My own interest in intellectual history has led me to privilege the 'serious' paradoxes of the Ciceronian type, which were used as tools

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[18] Panizza 1997: 208.

for expressing new and dissident thought in a variety of academic disciplines. The number of replies to such paradoxes is testimony that they were not taken lightly, but rather seen as a threat to the dominant outlook and to prevailing views in certain spheres of intellectual activity. I have taken as a criterion of selection the presence of the word 'paradox' in the titles, prefaces or the body of such works, and in the responses that they provoke, in order to avoid any uncertainties as to whether a particular phenomenon or opinion would have effectively been regarded as paradoxical in the period under consideration. Paradoxical encomia are not discounted entirely, but I study them only inasmuch as they cast light on paradoxes proper. For this reason, I am particularly interested in those encomia which deal with a scholarly subject and are described as paradoxes, and yet display some or most of the features characteristic of mock encomia.

The term 'late Renaissance' is used in this study to indicate the period beginning around 1520 and ending in 1630. I do not see it as any more problematic than expressions such as 'early modern period' (raising questions about what 'modernity' is and when it began). It has a certain coherence given that my thesis deals with the rediscovery and consequent rebirth of a classical form. This period, generally taken to be a later phase or an 'autumn' of the Renaissance, is regarded by some as a reaction against the classical ideals of harmony and order, a 'counter-Renaissance' or an 'antirinascimento'.[19] By challenging received notions and the wisdom and authority of the ancients, paradoxes – particularly those written from the second half of the sixteenth century onwards – partake of this reaction. A parallel has been drawn by Richard Sayce between Renaissance

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[19] See Haydn 1950 and Battisti 1962. Similar boundaries are chosen by Eric Cochrane, editor of *The Late Italian Renaissance, 1525-1630* (1970) and by Peter Burke in *The European Renaissance: Centres and Peripheries* (1998).

paradoxes and the mannerist movement in the arts, whose advent coincides with this period.[20] While most of the works examined in this thesis fall roughly between 1520 and 1630, I have occasionally included a brief discussion of paradoxes which appeared before and after these dates, either as a point of contrast or so as to indicate prior or future developments of the form. The *terminus ad quem* is the publication of Alsted's *Encyclopaedia septem tomis distincta* in 1630, where the study of paradox first acquires the status of an independent discipline, under the heading 'Paradoxologia'. Although there are sporadic instances of paradoxes written before 1520, the third and fourth decade of the sixteenth century witnesses the appearance of three important works which come to define the genre in their respective spheres: Andrea Alciato's *Paradoxorum iuris civilis ad Pratum libri vi* (1518), reprinted in influential new editions throughout the following two decades, Sebastian Franck's *Paradoxa ducenta octoginta* (1534), and Leonhart Fuchs's *Paradoxorum medicinae libri tres* (1535).

In the first half of the sixteenth century paradoxes move beyond the narrow ambit of moral philosophy with which the form is associated in classical antiquity, and begin to spread to all sorts of other subjects and disciplines. There are paradoxes in theology, law, medicine as well as in astronomy, and the form is used to debate contentious issues regarding women, love, soldiery, political and economic phenomena. Since arguments which run counter to received opinion can be found in any given field, the number of spheres relevant to this study is potentially unlimited. The criteria of selection previously mentioned, namely the presence of the word 'paradox' in the title or the body of the work and the related emphasis on non-literary or rhetorical uses of paradox, have allowed me

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[20] Sayce 1972: 317-24.

to narrow down the subject considerably. The broader divisions of this study follow the typology proposed by Johann Heinrich Alsted in his 'Paradoxologia', where paradoxes are distinguished according to their subject-matter into theological, philosophical (ethical and physical), legal and medical types. The choice of these disciplines is not arbitrary. Those trained in the arts curriculum usually went on to study law, medicine or theology, and were often familiar with the methods and concerns of more than one of the so-called 'higher' disciplines.[21] Paradoxes are present in other spheres, such as history or economics, but in the late Renaissance they are most common in the four areas mentioned by Alsted. The decision to organize the thesis along those lines has led me to leave out of the discussion those paradoxes which do not fall within any obvious disciplinary boundaries, such as the ones devoted to love or friendship, or arguing for and against women's superiority to men, and – more rarely – those dealing with a variety of disciplines.[22] I have tried to avoid anachronistic terms, such as 'sciences' or 'arts', in order to remain as faithful as possible to contemporary disciplinary divisions.

There is enough material to write a whole thesis devoted entirely to medical or theological paradoxes in the period. I chose instead to favour a comparative approach and to examine how the same concept and form came to be used in a number of different, and yet related, fields. This meant having to be highly selective even within each of the five areas singled out for this study. I devoted most space to the more influential among the

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[21] In choosing these divisions, I was inspired by Ian Maclean's *The Renaissance Notion of Woman* (1980).

[22] The first category is illustrated by Giovanni Battista Manso's *I paradossi, overo dell'amore, dialogi* (1608); Jean Hotman's *Paradoxe de l'amitié et de l'avarice* (1598); Alexandre de Pontameri's *Paradoxe apologique, où il est fidellement démontré que la femme est beaucoup plus parfaite que l'homme en toute action de vertu* (1594); and George Silver's *Paradoxes of Defence, wherein Is Proved the True Ground of Fight to Be in the Short Ancient Weapons*. To the second category belongs Nathanael's Carpenter's *Philosophia libera* (1621), discussed by Alsted in the 'Paradoxologia'.

paradoxical works, the ones whose success is attested by the great number of references, imitations, and critical responses to them, some of which are studied alongside the works themselves. Others qualified for inclusion if they presented any representative or peculiar features, in line with the different strands of argument followed in this thesis. This could be an interesting definition or use of the word 'paradox', a preface which demonstrated some awareness on the author's part of the genre to which his work belongs, or an early instance of vernacular usage. Though this study concentrates on the early examples of paradox in a representative range of disciplines, I have sought to select texts from across the period in order to show how the form evolved. My aim was to compare the meaning of the word 'paradox', as well as the types of argument deployed in paradoxical writings in philosophy and in the higher disciplines. Each of these disciplines displays its own characteristic method and concerns, specialized terminology, and canon of authorities; paradoxes closely reflect all these. Yet they do not function in complete isolation from one another; on the contrary, there is evidence of a certain amount of common ground and cross-influences. The fascination of analysing a form such as this lies to my mind in the recurring patterns perceptible beneath the variety of themes and problems, interesting in and of themselves, to which paradoxes were applied.

During the century which is the primary focus of this study, the word 'paradox' is used fairly consistently within academic and scholarly circles, where Latin still retains its pre-eminence and which consequently privilege the Ciceronian model and understanding of the notion. This is no longer the case around the middle of the seventeenth century; the form is by then often seen as co-extensive with the vernacular mock encomium, and the word moves much closer to the modern meaning of paradox with its notion of inherent

contradiction and absurdity.[23] My research explores a variety of technical and unfamiliar texts, written for the most part in Latin for an audience of specialists. Paradoxes were, however, increasingly composed in French, Italian, English, Spanish and German (the last two languages are predominant, for reasons that will be discussed later, in theological and religious writings). Rather than limit my research to a particular language or national tradition, my aim is to suggest that the culture of paradox was a phenomenon on a European scale. Though the vast majority of paradoxes in the period, whether Latin or vernacular, were written by French, Italian, German, and English authors, and appeared in major printing centres such as Lyon, Basle, Venice and Paris (a factor which accounted for the international diffusion of the form), the paradoxical craze swept across the whole of Europe with works calling themselves 'paradoxes' being composed in Portugal and in Poland.[24]

My study of paradox in the late Renaissance disciplines draws on the methods of literary analysis and intellectual history. In so far as it examines a variety of non-literary texts within their academic and institutional contexts, it may be considered as an exercise in intellectual history.[25] Whenever relevant, I pay attention to the university and courtly

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[23] Although the *OED* signals that the word is used with this meaning as early as 1569 (giving as an example 'Crowley *Soph. Dr. Watson* i. 187 Your straunge Paradox of Christes eating of his owne fleshe'), all the other examples belong to the seventeenth century and beyond (*OED*, 2a). The *Trésor de la langue française* points out that sometime before 1662 the word 'paradoxe' ceases to apply merely to opinions and judgments, and is used when speaking of an 'être (chose ou fait) qui heurte le bon sens', as exemplified by fragment 131 (Lafuma) in Pascal's *Pensées*.

[24] Krzysztof Warszewicki, a Polish diplomat, is the author of a collection of theological and political *Paradoxa*, which are published in Prague, Cracow and Rome from 1588 onwards. *Paradoxo, eu sentença philosophica contra opinião do vulgo: que la natureza não faz o home senãs a industria*, by Jean Cointha Des Boulez, appears in Lisbon in 1566, prior to being translated into French. For the variety of places where paradoxes and their replies appeared, see the Appendix below.

[25] On the subject of intellectual history and its aims, I have found particularly helpful Gilbert 1972 and Kelley 1987.

circles within which paradoxes were produced and debated, and I consider how these were related to the printing centres where paradoxes appeared and which ensured their international diffusion. The range of texts examined in this thesis has not always enabled me to give sufficient account of the historical and intellectual background shaping some of the concerns raised in the paradoxes. I rely upon many detailed studies which deal with some of these issues, and provide the context relevant to the study of the disciplines and the writers examined in this thesis. Each chapter is centred on important authors who introduced or popularised the genre of paradox in their particular fields: Andrea Alciato in the sphere of law, Leonhart Fuchs and Laurent Joubert in medicine, Sebastian Franck in theology. But a number of lesser-known figures are also taken into account to give a sense of how the form evolved over time, and of the variety of issues dealt with in paradoxical works. In order to appreciate the novelty of the claims made by writers of paradoxes, I found it necessary to take as a starting point the generally accepted or expert opinion that is under attack. Replies to paradoxes are therefore considered together with the paradoxes themselves, so as to establish the general intellectual context of the debates in question. An intellectual and cultural history of paradox in the Renaissance is yet to be written; my thesis gestures in that direction.

A literary approach to the mainly non-literary texts explored in this thesis has led me to privilege titles, prefaces, dedications and other statements of intention in an effort to come to grips with what I take to be a distinctive 'genre' of Renaissance writing. I use this term in a loose way, not in the sense of a fixed and highly codified literary form, as is the case with 'tragedy', 'dialogue', or even the 'mock encomium', but as a type of writing which may be identified by its title and certain characteristics common to all the

works that share it.[26] One of the guiding assumptions of my study is that the title yields us information concerning the genre of a work, whether literary or not. There are countless instances in the medieval and Renaissance periods of 'secrets', 'theatres' and 'problems', recognisable titles which generated a certain number of expectations on the part of their readers.[27] In the case of paradox, the writings designated by that title tend to be polemical works designed for a learned audience, a fact which accounts for their use of prose, and aimed at challenging common or received opinion. Paradoxes may take the form of a treatise, a dialogue or a *quaestio*, and they either appear on their own or as collections of brief paradoxical statements borne out by arguments. Unlike the *speculum* in political writings or collections of *secreta* in natural philosophy, paradoxes are not confined to any particular discipline. Each individual discipline examined in this thesis refines its meaning of paradox, which carries distinct semantic and generic associations depending on the field: in medicine, for instance, paradoxes tend to be linked with the literature of 'errors', in philosophy with the notion of absurdity, in theology with heresy, enigma and riddles. This aspect of my work, as well as being an attempt at tracing the evolution of a mode of writing which originates in the late Renaissance, is influenced by word history as exemplified in Jean Starobinski's *Action et réaction: vie et aventures d'un couple* (1999).

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[26] My understanding of genre is partly inspired by Gérard Genette's discussion of titles as generic indicators in *Seuils* (1987: 54-98) and by Harry Levin's article on 'The Title as a Literary Genre' (1977). I draw on P. O. Kristeller's study of literary forms in the *Medieval Aspects of Renaissance Learning* (1974: 13-25), where humanist genres such as the oration and the dialogue are contrasted with the more traditional commentary and *quaestio*, and on Colie's discussion of the subliterary form of rhetorical paradox, in *The Resources of Kind: Genre-Theory in the Renaissance* (Colie 1973: 16-7).

[27] For studies of these, see Eamon 1994; Blair 1997 and 1999.

The history of paradox in the late Renaissance disciplines that is proposed here begins with the humanist rediscovery of classical paradox, of which Cicero's collection of *Paradoxa Stoicorum* provided an outstanding instance. The first chapter analyses sixteenth-century definitions of the word 'paradox' in general and specialised reference works, in which paradox is commonly associated with wonder or *admirabilia*, before turning to Cicero's *Paradoxa Stoicorum* and its Renaissance interpretations. I then look at two critical responses, in the form of anti-paradoxes, provoked by this controversial work. A final part contrasts Cicero's paradoxes with Lando's *Paradossi*, a vernacular collection of what I argue are mock encomia. Each subsequent chapter follows this pattern, in so far as it includes, though not necessarily in this order, a semantic part dealing with the specific connotations that the word 'paradox' acquires in a given field; the analysis of influential works or collections which contribute to defining paradox in their particular spheres of intellectual activity; a section devoted to controversies surrounding individual paradoxes; and a discussion of the relationship that paradox entertains with the mock encomium. These chapters are presented, in line with Alsted's suggestion at the very end of 'Paradoxologia', as a miniature encyclopaedia of paradoxes in those fields and disciplines where they were most prevalent: Stoic ethics, the higher disciplines of theology, law, and medicine, and natural philosophy. The order of these chapters, rather than being governed by chronological considerations, reflects the hierarchy of disciplines in the Renaissance. It is true that works describing themselves as paradoxes first appeared in moral philosophy and in theology, and then spread to other fields.[28] Yet, in the century beginning around 1520 or so, paradoxes co-exist in all these different spheres and I view them panoramically rather than in any kind of succession.

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[28] See Appendix.

My overall aim is to suggest a different way of thinking about Renaissance paradoxes by defining and delimiting them more precisely, distinguishing what we today consider to be paradoxical from the Renaissance meaning of the term, and shifting the focus away from the mock or paradoxical encomium to the paradoxical tradition at large. Why were paradoxes revived during the Renaissance and what were the aims of using this elusive mode? The great number of paradoxes that appear in print from the sixteenth century onwards testifies to the immense popularity of this form and suggests that it is an important element of the late Renaissance outlook. Paradoxes in this period offered their authors the possibility of departing from established norms and of voicing with relative impunity novel and often heterodox views. In their challenge to received and common opinion, paradoxes pave the way for more radical ideas in the following century. They constitute vital clues as to how ideas shifted and moved forward in a period of intellectual upheaval, when authorities and accepted ways of thinking were increasingly being challenged in a number of sensitive areas.

I. THE HUMANIST REVIVAL OF PARADOX

Paradoxes become a topic in their own right and the subject of methodical analysis for the first time in the German Johann Heinrich Alsted's *Encyclopaedia* of 1630, published at the end of the period here under discussion. 'Paradoxologia', described as a mixed discipline explaining the nature of paradoxes, is placed alongside other 'composite' arts that bring together some or all of the disciplines treated in the body of Alsted's encylopaedia, such as mnemonics, history, chronology, aenigmatography, criticism, gnomology, and Lullian art.[1] Following the Ramist order of presentation, the section dealing with paradoxes is divided into precepts (*praecepta*) and rules (*regulae*). The first part consists of a definition and distribution of the subject-matter, proceeding from the generic to the specific:[2]

PRAECEPTA

PARADOXOLOGIA, seu paradoxographia, est disciplina mixta, explicans paradoxa.

Paradoxa sunt decreta, quae praeter sententiam multorum sunt, et audita admirationem habent. *Unde quibusdam dicuntur* mirabilia et admirabilia.

Ea considerantur in genere, et in specie. Unde paradoxologia est generalis, vel specialis.

Paradoxa in genere spectantur in natura et usu suo.

Natura paradoxorum est, ut sint praeter opinionem, sed non praeter veritatem. Unde paradoxa dividuntur in *endoxa*, et *adoxa* seu *paraloga*.

Usus paradoxorum est, ut doceant cum admiratione.

Paradoxa in specie dividuntur vel a causa efficiente, id est, authoribus, vel a subjecta materia.

Ab autoribus paradoxa sunt Stoicorum, Platonicorum etc.

A subjecta materia paradoxa sunt simplicia, vel mixta.

Paradoxa simplicia sunt theologica, philosophica, iuridica, vel medica: mixta sunt variarum disciplinarum. Sic v. gr. paradoxologia Ciceronis est ethica; Puteani de cometa, est physica; Plateri, est medica; Cosmopolitani est mixta. (2297)

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[1] See Alsted 1630: I, 24 (table 33: 'Farragines disciplinarum, seu disciplinas compositas') and II, 2297-98 ('Paradoxologia'). For a critical analysis of the seventh section of Alsted's *Encyclopaedia*, see Hotson 1991:156-67.

[2] For the Ramist method and its influence on Alsted, see Ong 1958: 163-5; Lohr 1988: 634-5; Kenny 1991: 30; and Hotson 1991.

Paradoxes are defined as 'decreta, quae praeter sententiam multorum sunt, et audita admirationem habent', before being considered 'in genere' and 'in specie'. As a *genus*, they have a common nature ('ut sint praeter opinionem, sed non praeter veritatem') and a common function ('ut doceant cum admiratione'). Paradoxes are then divided into *endoxa* and *adoxa* or *paraloga*. They can be distinguished into *species* either by their efficient cause (in other words their author) or by their subject-matter. Stoic and Platonic paradoxes are given as examples of the former, while the latter are further sub-divided into simple and mixed paradoxes. Of the first kind are theological, philosophical, legal and medical paradoxes; mixed paradoxes draw on a variety of disciplines. Thus, Cicero's paradoxes are ethical; Puteanus's paradoxical work on the comets belongs to natural philosophy; Platter's is medical; and Cosmopolitanus's is mixed.[3] Some of these works are the object of a more detailed exposition in the *regulae* that follow, elaborating on and illustrating by means of specific examples the definitions and insights contained in the precepts.[4]

The fact that the first two rules in the following section deal respectively with Stoic paradoxes in general and the six paradoxes in Cicero's collection in particular reflects the central place of the *Paradoxa Stoicorum* within the paradoxical tradition as a whole. The first, 'Ea demum paradoxa probanda sunt, quae sunt orthodoxa', explores the suggestion that paradoxes, though they be (as the etymology suggests) outside of or contrary to the opinion or belief of many ('praeter opinionem aut sententiam multorum'),

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[3] Alsted is referring to Cicero's *Paradoxa Stoicorum* and to three contemporary works, Erycius Puteanus's *De cometa anni 1618* (1619), Nathanael Carpenter's (*alias* Cosmopolitanus) *Philosophia libera* (1621), and Felix Platter's *Quaestiones medicae paradoxae et endoxae* (1625).

[4] I shall consider the content of the *regulae*, when relevant, in the chapters that follow.

nevertheless are not besides or contrary to truth ('praeter veritatem'). Alsted here invokes those paradoxes associated with Stoicism which, to his mind, hardly need demonstrating: 'Sapientem imperturbabilem esse, non opinari, non fallere, non mentiri. Sapientem omnia recte facere. Sapientem aliquando sibi mortem consciscere posse, docere, debere. Omnia vitia esse in omnibus. Peccata aequalia esse'. He contrasts these with specific paradoxes attributed to Stoic philosophers, such as Epictetus's claim that 'Solos eruditos liberos esse' or Seneca's 'Tota vita discendum esse mori'. This leads to the second rule, 'Tota fere Stoicorum philosophia fuit paradoxologia', which extends the status of paradox to all of the Stoic doctrines. Alsted qualifies this statement somewhat by explaining that it does not apply to Stoic philosophy in its entirety, but rather to the many striking sayings which adorn it.[5] As examples of this, he adduces the six paradoxes in Cicero's collection to which I shall return below.

The association of paradox with Stoicism on the one hand, and Cicero's *Paradoxa Stoicorum* on the other, is reflected in *Les Épithètes* (1571) of Maurice de la Porte, who records that in the vernacular poetry of his time, 'paradoxe' is allied with the epithets '[m]erveilleux, incredible ou incroiable, ciceronien, opiniastre, stoïque, non-vulgaire'.[6] Similarly, Ambrosius Calepinus's *Dictionarium* of 1583 gives the following definition: 'PARADOXA, orum, a Graecis vocantur admirabilia praeter opinionem omnium. Hinc Paradoxa Stoicorum, de quibus extat Ciceronis libellus'. Frequently reprinted in the course of the sixteenth century, the object of many lectures, annotations, erudite commentaries and critical responses, Cicero's widespread *Paradoxa Stoicorum* informed

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[5] Alsted 1649: II, 2297.

[6] La Porte 1571: 192.

the understanding of the notion throughout the period. Cicero's characterization of paradoxes as 'admirabilia contraque opinionem omnium' in the *prooemium* to *Paradoxa Stoicorum* lies behind its many Renaissance analogues, including Alsted's own. Whether consciously or not, most authors who chose to entitle their work 'paradox' in the sixteenth century and beyond, modelled themselves after the great Ciceronian precedent, the best-known extant work bearing that title to have been handed down from classical antiquity. Another philosophical tract entitled *Peri paradoxon*, now lost but mentioned in Diogenes Laertius's *Lives*,[7] was written by the Stoic Hecaton of Rhodes in the second century BC. Some of the most famous examples of paradox in the present-day meaning of the term, such as The Liar or The Sorites, also originated in Stoic circles. Diogenes Laertius attributes this and similar dialectical arguments to the Stoic Eubulides of Miletus. Significantly, however, he refers to them as insoluble arguments (*aporiai*) and not as paradoxes.[8]

Few studies have sufficiently emphasized the importance of Cicero's *Paradoxa Stoicorum* for the Renaissance paradoxical tradition as a whole.[9] This is partly due to the fact that neither learned paradoxes nor the genre of paradox have been the primary focus of the research devoted to this tradition. The keen interest taken in the comic or playful strain within the paradoxical output has led critics in their discussion of paradoxes to privilege the Erasmian and Lucianic models at the expense of the Ciceronian one. This chapter aims to redress the balance in favour of Cicero's *Paradoxa Stoicorum*, while

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[7] Diogenes Laertius, 7. 125.

[8] The other 'paradoxes' that Eubulides is credited with are The Disguised, Electra, The Veiled Figure, The Sorites, The Horned one, The Bald Head. See Diogenes Laertius, 2. 107-9 and Kneale 1962: 113-4.

[9] Two notable exceptions are Vickers 1968 and Panizza 1997.

recognizing the influence of Eramus's and Lucian's paradoxical encomia and satirical dialogues on a certain kind of paradox.[10] Cicero's influential definition of paradoxes, and particularly its association of paradox with wonder and *admirabilia*, will be the focus of the first section of this chapter. In the following section, Cicero's *Paradoxa Stoicorum* will be discussed together with its many Renaissance interpretations, which are testimony to the popularity and the wide dissemination of this work. Yet not all responses to Cicero's work were positive. I consider separately, in the third section, two polemical works whose critical assessment of the *Paradoxa Stoicorum* takes the novel form of *anti-paradox*. The final section contrasts Cicero's paradoxes with the vernacular tradition of paradox as exemplified by Ortensio Lando's *Paradossi* (1543) and its translations. My aim will be to suggest that Lando's work is partly responsible for the generic confusion between the mock encomia of the Erasmian and Lucianic kind and the paradoxes in the Stoic-Ciceronian tradition.

1. Wondrous paradoxes: *paradoxa* and *admirabilia*

The close alliance of paradox and wonder in the late Renaissance is reflected in Alsted's definition: 'Paradoxa sunt decreta, quae praeter sententiam multorum sunt, et audita admirationem habent. Unde quibusdam dicuntur mirabilia et admirabilia'. Alsted merely points out that paradoxes have the ability to leave those who listen to them in wonder, the implication being that they have something of an oral nature, but he notes that others take

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[10] In doing so, I am following Panizza's distinction between Ciceronian paradoxes with their emphasis on truth and serious didactic intent, and the serio-comic Lucianic paradoxes, at once learned and parodic. See Panizza 1997: 210.

the words *mirabilia* and *admirabilia* to be synonymous with *paradoxa*. In *De finibus*, for instance, Cicero gives 'admirabilia' as the Latin equivalent of the Greek word paradox.[11] Alsted's definition of paradox echoes that of many other Renaissance lexicographers who, drawing on Cicero's concise description of paradoxes as 'admirabilia contraque opinionem omnium',[12] have explained the meaning of the word by appealing on the one hand to its etymology, and on the other to its association with wonder and marvel. The following entry in Robert Estienne's *Dictionnaire françois-latin* of 1549 illustrates this: 'Paradoxes, c'est à dire choses merveilleuses et admirables, qu'on a point accoustumé d'ouir, et sont contre l'opinion de tous'.[13] Estienne's definition of paradox matches the one that Calepinus gives in his *Dictionarium* of 1547: 'Paradoxa [...] a Graecis vocantur admirabilia, sive inaudita, et quae sunt praeter opinionem omnium'. The Latin *admirabilis* can mean both that which is 'wonderful' and 'strange' or astonishing. This latter meaning, with its somewhat pejorative connotations, accounts for Randle Cotgrave's definition of paradox as 'a strange, and odd conceit, or assertion, which differs from common or received opinion'.[14] Despite some stable elements, there are subtle variations in the meaning attributed to the word not only in specialized dictionaries but also, as will be shown later, in different Latin and vernacular works featuring paradoxes. Charting these variations in order to arrive at a fuller and more complex picture of Renaissance paradox will be one of the chief aims of this study.

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[11] He says of the Stoics, 'haec paradoxa illi, nos admirabilia dicamus' (4. 74).

[12] *Paradoxa Stoicorum*, *prooemium*, 4.

[13] This definition is taken up almost word for word in Jean Nicot's *Dictionnaire françois-latin* of 1673.

[14] Cotgrave 1611.

Nearly all the components which enter the definition of paradox invite some interpretation. 'Paradox', from the Greek *para* with the sense of 'beside', 'alongside' and by extension 'contrary to', and *doxa* meaning 'opinion', signifies at once what lies outside of and what is contrary to common or received opinion.[15] Estienne distinguishes between the two meanings in his *Thesaurus*, where paradox is described as 'praeter seu contra omnium opinionem'. Understood in the first way, paradox need not necessarily impinge on the *doxa*, while the second sense implies an outright opposition to it.[16] This subtle semantic difference notwithstanding, the two meanings tend to be used almost interchangeably in the early modern period. Thus, in the title of his famous collection, Ortensio Lando glosses the word *paradossi* as '*sententie* fuori *del comun parere*', which Charles Estienne renders into French as *Paradoxes, ce sont propos* contre *la commune opinion*. The nature of that which is paradoxical is left somewhat unclear in most definitions. Rudolph Goclenius's *Lexicon philosophicum* is to my knowledge unique in distinguishing between paradoxes as thoughts, arguments or acts, defining paradox as 'quod est praeter opinionem, cum sententiis et argumentis tum factis attribuitur'. Goclenius's description of paradox is also precise in the content it assigns to the *doxa*: 'Dicuntur enim *paradoxa* quae praeter vulgi opinionem fiunt aut dicuntur, quae a communi omniumve opinione absunt, ut si quis mortem laudet'.[17] The Greek word *doxa* is here understood as the opinion of the vulgar or the common opinion of all men. What Goclenius's characterization of paradox does not take into account is the meaning that the

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[15] For a study of the etymology of 'paradox', see Margolin 1983: 27.

[16] In his *Paradoxa in artem parvam Galeni* (1516), one of the earliest sixteenth-century collections of paradoxes, Symphorien Champier explains that '*para* praeter vel contra et iuxta significat', and goes on to specify that his own paradoxes are 'iuxta [rather than 'contra'] Galeni sententiam' (Champier 1516: fol. i).

[17] Goclenius 1615: 206.

word *doxa* acquires in the specialized discourses of the higher disciplines, where the notion of 'common opinion' refers to the opinion common among the *periti*, the experts in a given field. Understood in this way, the *doxa* need not have any of the negative associations that it is invested with in the philosophical and the Platonic tradition, where it is placed in opposition to truth and philosophical opinion.[18]

The etymology of the word also lies behind the Latin translation of paradox as *inopinatum*, admittedly more faithful to the Greek original than *admirabilis*. This is how Quintilian renders paradox in his *Institutio oratoria*, in a passage often invoked by Renaissance commentators of Cicero's *Paradoxa Stoicorum*.[19] Paradox is characterized as 'extraneum vel inopinabile' in Anselm's *Dialogi*, and as 'inopinatum' in Isidore's influential *Etymologiae*.[20] Both *paradoxa* and *adoxa* are rendered as *inopinabile* by Boethius throughout his Latin paraphrase of Aristotle's *Elenchi sophistici*.[21] Although the boundaries between these two notions are often fluid, they tend to be distinguished in the classical and Renaissance periods. In rhetorical treatises, *paradoxon* or *admirabile* is contrasted with *endoxon* or *honestum*, *adoxon* or *humile*, and *amphidoxon* or *dubium vel anceps*, in divisions of judicial causes and figures, sometimes referred to as *schemata*. These describe different types of legal cases, in a hierarchy designed to enable the lawyer

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[18] Plato is explicit in his condemnation of the *doxa*, which he opposes to scientific knowledge (*episteme*) and to truth (*aletheia*): whereas knowledge pertains to the realm of essences, opinions dwell in the realm of generation and decrease. See in particular Plato's *Republic* V 479e; VI 508d; VII 534a.

[19] 'Sed quia non tantum per communicationem fieri solet, *paradoxon* alii nominarunt, id est inopinatum' (IX, 2. 23).

[20] Isidore of Seville, II, 21. 29-30. See *Patrilogiae cursus completus*, vol. 188, col. 1172 for Anselm's definition of paradox in the *Dialogi*.

[21] On this subject, see Panizza 1997: 204.

to select an appropriate strategy for his defence.[22] A similar classification reappears in Menander's brief discussion of different varieties of panegyrics in the first treatise of *Peri epideictikon*, where he divides encomia into *endoxa*, eulogies of undisputed goods, such as gods or manifestly good subjects; *adoxa*, concerned with demons and manifestly evil subjects; *amphidoxa*, which partake of both; and *paradoxa*, exemplified by works such as Alcidamas's encomium of death and Proteus the Cynic's encomium of poverty.[23] Goclenius, in the *Lexicon philosophicum*, gives the praise of death as an example of paradox. And yet he carefully distinguishes paradoxes from *adoxa*, such as praises of the fly or of quartan fever, *amphidoxa*, and *endoxa* (though noting that some philosophers deem paradoxes to be endoxical).[24] This is doubtless the source on which Alsted, a student of Goclenius, partly bases his division of paradoxes into *endoxa*, *adoxa* and *paraloga*.

In the sphere of rhetoric, *paradoxon* nearly always appears in conjunction with the notion of *admirabile*. George Puttenham thus calls paradox 'The Wonderer' in a section of *The Arte of English Poesie* of 1589 entitled 'Of Figures Sententious, Otherwise Called Rhetorical'.[25] Why was paradox associated with wonder in Cicero's *Paradoxa Stoicorum* and in so many works of the period here under discussion? Greek dictionaries

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[22] See, for instance, Cicero's *De inventione*, 1. 20; Quintilian's *Institutio oratoria*, IV, 1. 40-1. Halm's *Rhetores latini minores* contains a number of these divisions, loosely modelled on all these authorities, by Julius Rufinianus, Aurelius Augustinus, and others. See Halm 1863: 46, 109, 147-8, 316, 520, 586-7. In his definitions of paradox, Calepinus refers the reader to Rufinianus's *schemata*.

[23] *Peri epideictikon*, 346, 19-25 (Menander 1981: 32). For a discussion of this classification, see Burgess 1902: 157 and Dandrey 1997: 292-3.

[24] 'Quaedam tamen *paradoxa* accurate philosophantibus sunt *endoxa*. Unde extant quaedam *endoxa paradoxa* P. Scherbii Profess. Altorf.' (Goclenius 1615: 206). Reference is here made to Philippus Scherbius's *Endoxa paradoxa, de differentiis analytices et dialectices* (1589).

[25] Puttenham 1936: 226.

in the Renaissance give as synonyms of *paradoxon* the words *aprosdoketon* and *thaumaston*, the Greek for *admirabile*.[26] *Paradoxa* and *thaumasta*, used almost interchangeably, appear in titles of Greek and Latin works belonging to the Alexandrian genre of paradoxography. This form, modelled on the pseudo-Aristotelian treatise *On Marvellous Things Heard* (*Quae feruntur mirabiles auscultationes*), consists of catalogues of surprising and inexplicable facts which may be loosely characterized as natural history, ranging from descriptions of rivers, places, animals and plants to man, his body, habits, and various arts.[27] *Paradoxa* in such works are facts or sayings, grounded in an oral culture of hearsay. The genre of paradoxography may thus account for traces of an oral tradition present in words such as 'inaudita' in late Renaissance definitions of paradox. Renaissance paradoxes, by contrast with Alexandrian catalogues of marvels and curiosities, are not so much wonders or oddities of nature as surprising and telling formulations which excite wonder and cause admiration. Sebastian Franck, for instance, refers to his theological paradoxes as 'wondrous sayings' or 'wondrous words' culled from the Scripture in his *Paradoxa ducenta octoginta, das ist, cclxxx Wunderred, und gleichsam Rhäterschafft, auss der H. Schrifft* of 1534. We have seen that Alsted deems it to be the chief function of paradoxes 'ut doceant cum admiratione'. It is their ability to cast a spell over an audience and to act as a goad to intellectual enquiry that makes paradoxes particularly apt to instruct.[28]

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[26] See in particular Suidas's *Lexicon* and Estienne's *Thesaurus*.

[27] These writings are collected in Giannini 1966 and Westermann 1839. On the genre of paradoxography and in its association with wonders, see Daston and Park 1998: 223.

[28] For wonder as a cognitive passion, see Daston and Park 1998: 13-6.

If the link between paradox and wonder is almost mechanical in the sphere of rhetoric, it is more rarely made in that of poetics. *La deca ammirabile* (1587), one of the volumes of Francesco Patrizi's anti-Aristotelian treatise *Della poetica*, is unusual in the way that it relates the much-discussed concept of *mirabile* to that of paradox.[29] In a section of this treatise, entitled 'Il mirabile ciò che sia', Patrizi (1529-1597) lists paradox among the sources of the *mirabile*, a notion central to his poetic system.[30] The main argument of this section takes the form of a paradox. Having established that the poet is a 'facitore del mirabile e insieme mirabile facitore', Patrizi challenges those of his contemporaries who claim that incredible things do not bring about the *mirabile*, and that its only sources are the possible, the likely (*verisimile*) and the credible. It is his love of truth, the end to which all philosophy is directed, that prompts Patrizi to show this view to be unfounded.[31] The bulk of the section is devoted to the twelve interconnected sources of the *mirabile*: 'ignoranza, favola, novità, paradosso, inalzamento, tramutamento dall'usato, l'eccedente la natura, il divino, l'utile grande, lo esatissimo, lo inaspettato, e il subito'. All these disparate notions, enumerated at the end of a lengthy development full of citations from ancient authorities, follow on from each other. Paradox, briefly defined as 'fuor d'opinione' (303), acts as a link between several of them. Plutarch's account of Homer's life in the *Moralia* furnishes Patrizi some of his examples of paradox. The poet is credited with 'paradoxical and fabulous' (*paradoxos kai mythudos*) tales which fill readers with agony and wonder. The same account is drawn upon to show that there is a

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[29] For an overview of the debates surrounding the notion of marvellous in the Renaissance, see Hathaway 1968: 43-87 and Cave 1988: 53-63.

[30] On the notion of *mirabile* and its significance in Patrizi's poetic system, see Weinberg 1961: II, 772-4; Hathaway 1968: 64-69, and Tatarkiewicz 1974: III, 284-7.

[31] Patrizi 1969: II, 298.

connection between paradox and novelty, and paradox and the 'inalzamento delle cose oltre al verisimile e al credibile'. Further quotes from Aristotle's *Poetics* and Longinus's *On the sublime* are produced to suggest that paradox is the *mirabile* par excellence.[32] At the close of the list, the unexpected and the sudden are also said to be species of paradox. The twelve sources of wonder are clearly incredible rather than credible. Paradox, for instance, is 'fuor di nostra opinione, e fuor di nostro credere' (306). The view that he set out to challenge is thus incorrect. And yet Patrizi concludes that *mirabile* is a mixture of the two, whereby the credible seems incredible and the incredible credible. This section of a vernacular philosophical text is interesting in what it tells us about the relation between paradox and wonder. Paradox, by no means coextensive with wonder, is only one of its sources. At the same time, its affinity with other sources of the *mirabile*, in particular with novelty, the incredible, the sudden, and the unexpected, contributes by association to its definition.

2. Renaissance interpretations of Cicero's *Paradoxa Stoicorum*

Cicero's *Paradoxa Stoicorum*, the most important collection of paradoxes surviving from classical antiquity, not only informed the Renaissance understanding of the word, but it also provided examples of paradoxes in the form of the six moral *sententiae* expounded in the collection, and served as an authoritative model of the genre. The humanist interest in the *Paradoxa Stoicorum* owes much to the immense popularity of Cicero's works as a whole. Although the work was published on its own both in manuscript and in printed

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[32] Plutarch, 'De vita et poesi Homeri' (2.6); Aristotle, *Poetics* 1452a2-5; Longinus, *On the sublime* (35.5). See Patrizi 1969: II, 302-3.

form from the fifteenth century onwards, the *Paradoxa Stoicorum* appeared more often alongside Cicero's better known moral works such as *De officiis*, *De amicitia*, *De senectute* and the *Somnium Scipionis*. Printing undoubtedly played an important part in the propagation of the genre illustrated by Cicero's *Paradoxa*. Between the *editio princeps* of 1465 and the beginning of the seventeenth century, which saw a decline in the number of editions, the *Paradoxa Stoicorum* was reprinted nearly every year, either separately or as part of a collection, in all the major printing centres in Europe. The fact that it was translated into a number of vernacular languages during the first half of the sixteenth century is further testimony to its popularity. Among the many editors and commentators of the *Paradoxa Stoicorum* feature many famous humanists, most notably Erasmus (1466/9-1536), Josse Bade (1462-1535), Paulus Manutius (1512-1574), Omer Talon (1510-1562), Johannes Piscator (1546-1625), and Rudolphus Goclenius (1547-1628).[33] As an epitome of Stoic moral philosophy and an exercise in rhetoric, the work often featured on university curricula, particularly at an advanced level of study.[34] The wide range of extant commentaries reflects the variety of uses to which Cicero's *Paradoxa Stoicorum* was put and the different audiences that it would have appealed to in the Renaissance: some are simply textual or philological emendations, others provide notes on the historical context, still others present the arguments in syllogistic form. The annotations of Carolus Langius (d. 1573) and Paulus Manutius correspond to the first type; Franciscus Sylvius's remarks belong to the second category; Omer Talon's and Bartholomaeus Latomus's commentaries are representative of the third kind. The most

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[33] For a list of editions, commentaries and translations, see Appendix III in Ronnick 1991.

[34] See Ronnick 1991: 92-5 and Jensen 1996: 73.

detailed of these commentaries, by the German Xystus Betuleius (1500-1554), combines all of these approaches.[35]

Cicero's *Paradoxa Stoicorum*, composed in 46 BC and addressed to the Roman orator Brutus, consists of six paradoxes which are among the most controversial doctrines held by the Stoics. In the *prooemium* to the work, Cicero distinguishes his method from that of Stoic philosophers such as Cato. While Brutus and Cicero belong to a philosophical school which freely uses rhetorical ornaments to convey arguments which do not substantially differ 'ab opinione populari', Stoics such as Cato put forward theories at once unacceptable to the public ('quae non sane probantur in vulgus') and couched in a style which is itself abrasive, consisting of 'minutis interrogatiunculis, quasi punctis'.[36] Renaissance commentators identify the philosophical school in question with the Academics and sometimes the Peripatetics, and they show themselves aware for the most part that Cicero is not putting forward his own ideas in the *Paradoxa* but those of the Stoics, which he ridiculed in *Pro Murena* and in book four of *De finibus*.[37] In what was to become the focal point of Renaissance commentaries on the *Paradoxa Stoicorum*, Cicero then explains what he set out to do in this work:

> Sed nihil est tam incredibile quod non dicendo fiat probabile, nihil tam horridum, tam incultum, quod non splendescat oratione et tamquam excolatur. quod cum ita putarem, feci etiam audacius quam ille ipse de quo loquor. Cato enim dumtaxat de magnitudine animi, de continentia, de morte, de omni laude virtutis, de diis immortalibus, de caritate patriae Stoice solet oratoriis ornamentis adhibitis dicere. ego tibi illa ipsa quae vix in gymnasiis et in otio Stoici probant ludens conieci in communes locos. quae quia sunt admirabilia contraque opinionem omnium (ab ipsis etiam *paradoxa* appellantur) temptare volui possentne proferri in lucem – id est in forum – et ita dici ut probarentur, an alia quaedam esset erudita, alia popularis

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[35] Langius 1568; Manutius 1582; Sylvius 1545; Talon 1551; Latomus 1545; and Betuleius 1550.

[36] *Prooemium*, 2. All references to the *prooemium* of the *Paradoxa Stoicorum* will from now on be included in the text.

[37] See Sylvius 1545: 138v; Betuleius 1550: 5-6; Talon 1551: 7.

oratio: eoque locos scripsi libentius, quod mihi ista *paradoxa* quae appellant maxime videntur esse Socratica longeque verissima. (3-4)

Confident in the power of oratory, Cicero sets himself the ambitious task of making plausible or acceptable ('probabile') the most provocative and unacceptable among Stoic tenets by turning them into *communes loci*. This notion is glossed by Bartholomaeus Latomus as 'communes sententiae, vulgo etiam probabiles'.[38] Cicero thus promises to transform paradoxes into their opposite by making credible what is incredible and by transforming what is contrary to common opinion into something perfectly acceptable to the general public. The word 'ludens' is taken to signify haste ('tumultuarie') rather than a playful intention, in Erasmus's annotations to the *Paradoxa Stoicorum*. Others, for instance Xystus Betuleius, contend that Cicero 'delectationis potius haec, et tentandi ingenii gratia scripsisse, quam rem seriam instituisse videtur'.[39]

The next point raised in the *prooemium* is by now familiar. Cicero refers to the implausible sayings of the Stoics as 'admirabilia contraque opinionem omnium (ab ipsis [Stoicis] etiam *paradoxa* appellantur)' (4). To elucidate the meaning of the word paradox, Renaissance commentators draw on its etymology, cite Suidas's Greek definition of it, and allude to passages dealing with Stoic paradoxes in Cicero's other writings, namely *De finibus*, book four, the fourth question of the *Academica*, and *Pro Murena*. The ninth book of Quintilian's *Institutio oratoria*, where *paradoxon* is rendered as 'inopinatum', is frequently invoked, and Xystus Betuleius also mentions the division of causes in book

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[38] Latomus 1545: 140. For Cicero's understanding of this notion, see Moss 1996. On the *Paradoxa Stoicorum* as an example of a collection of commonplaces, see Goyet 1996: 109-10.

[39] See Erasmus 1545: 140 and Betuleius 1550: 5.

four of Quintilian's *Institutio*, according to which *paradoxon* is 'admirabile'.[40] The words 'contraque opinionem omnium' in Cicero's definition are glossed as 'praeter communem opinionem' by Talon, as 'a communi opinione abhorrentia' by Latomus, and as the opinion of all men ('hominum') by Manutius. The meaning attributed to common opinion is here general and unspecific. In the *argumentum* preceding his commentary, however, Manutius speaks of 'sententias illas, quae paradoxa vocantur, quae non sane probantur in *vulgus philosophorum*', thus giving greater consistency to the *doxa*. He further defines paradox by alluding to Plutarch's polemical works directed against the Stoics: 'Veterum Stoicorum sapientia in eo posita erat (ut Plutarchus in libello adversus Stoicos testatur) ut novum aliquid, inauditum, et admirabile in vulgus proferrent, quod ipsi tamquam peculiare sibi vindicabant'.[41] Reference is also made to Diogenes Laertius's life of Zeno, in book seven of the *Lives of Philosophers*, where, we are told, many other Stoic paradoxes can be found.[42]

In a passage that attracted the attention of most commentators, Cicero goes on to explain what prompted him to write his own Stoic paradoxes: 'eoque locos scripsi libentius, quod mihi ista *paradoxa* quae appellant maxime videntur esse Socratica longeque verissima' (4). Stoic paradoxes may be considered in the manner of Socrates ('Socratica') and most true in so far as they defy the *doxa*, which Socrates opposed to knowledge and to truth. Plato's dialogues are full of highly paradoxical statements made by Socrates, such as the assertion that nobody willingly commits bad actions, that a

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[40] See Talon 1551: 8; Sylvius 1545: 139; and Betuleius 1550: 7-12.

[41] See Manutius 1582: 641. The works where Plutarch mentions Stoic paradoxes, respectively entitled 'De Stoicorum repugnantiis', 'Compendium argumenti Stoicos absurdiora poetis dicere' and 'De communibus notitiis adversus Stoicos', are grouped in volume XIII in Loeb's edition of Plutarch's *Moralia*.

[42] Sylvius 1545: 138v.

tyrant's life is unhappy in the extreme, and that the evil-doer will only be happy if he meets with justice and punishment.[43] Alsted, as we saw, gives Stoic and Platonic paradoxes as examples of paradoxes classified according to the authors. How did Renaissance readers of Cicero understand the suggestion that Stoic paradoxes are 'Socratica longeque verissima'? One of the earliest humanist interpreters of the work, the Italian Ognibene da Lonigo, takes 'Socratica' to mean that the paradoxes are the work of Socrates himself, translated into Latin for the benefit of all by Cicero.[44] Later commentators show themselves aware that Socrates left no writings behind and that his thought is mediated through Plato and Xenophon. As Betuleius points out, despite the fact that so little is known of Socrates' actual thought, all philosophers wish to portray themselves as 'Socratic'. Cicero is quoted by some as saying that while many of the Stoic paradoxes are Socratic, this is by no means true of all of them.[45] Omer Talon, who devotes much space in his commentary to establishing that each of the paradoxes has its starting point in Socratic thought as handed down to us by Plato and Xenophon, explains that the paradoxes are Socratic not so much because Socrates never said anything which contradicted these notions, but because he sometimes did hold those views in his wide-ranging disputations.[46]

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[43] See, for instance, Plato's *Republic* V, 479; VI, 508d; *Gorgias* 472d.

[44] 'Cicero enim rem inusitatam et novam in hoc opere dicturus est: videns autem graecos in sententias praevidere has admirabiles sententias Socratis in latinum convertere voluit sermonem: ad hoc ut latini tanto non essent vacui bono' (Ognibene 1482: aa1r; quoted by Panizza 1997: 202).

[45] Sylvius 1545: 139v; Betuleius 1550: 12.

[46] 'Socratica sunt, non quia Socrates nihil unquam his contrarium dixerit, sed quia varie de rebus pene omnibus disputando nonnunquam in has Theses inciderit: ut intelligi potest ex Socraticis apud Platonem et Xenophonem sermonibus, in quibus harum disputationum quaedam vestigia reperiuntur' (Talon 1551: 8).

Cicero's collection consists of six discrete paradoxes, illustrating different but related aspects of Stoic moral philosophy: virtue is the only good and the sole requisite for a happy life (I. 'Quod honestum sit, id solum bonum esse'; II. 'In quo virtus sit, ei nihil deesse ad beate vivendum'); wrong and good actions do not admit of any degrees (III. 'Aequalia esse peccata et recte facta'); only the wise man is sane, free and rich (IV. 'Omnem stultum insanire'; V. 'Solum sapientem esse liberum et omnem stultum servum'; VI. 'Solum sapientem esse divitem').[47] Each paradox is first stated concisely in the Greek original and in Latin, in a formulation which more or less faithfully reflects the actual subject of the paradox. All commentators of the *Paradoxa* struggle to find a connection between the initial statement and the body of the fourth paradox, where Cicero argues that only the wise man is a citizen and that all unjust men are exiles.[48] These paradoxical statements are characteristically extreme ('solum', 'nihil', 'omnem'), reflecting the uncompromising nature of Stoic moral philosophy. The body of the paradox consists in a rhetorical amplification of the initial claim, displaying some of the stylistic features associated with the diatribe: the use of invective and apostrophe, diminutives, hyperboles, and rhetorical questions.[49] The work abounds in *exempla* drawn for the most part from Roman history and mythology. Renaissance commentators identify different types of arguments at work in the *Paradoxa Stoicorum*. 'A definitione', 'ab exemplis', 'ex repugnantibus', 'a subiecto', places of argument from Cicero's *Topica*, are

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[47] On Stoic moral philosophy of which these paradoxes are an epitome, see Kraye 1988: 360-74.

[48] This apparent inconsistency may be due to the fact that the text of this paradox is defective. See Molager 1971: 31-4 .

[49] On the affinities between the *Paradoxa Stoicorum* and the Cynic genre of diatribe, see Lee 1953: xxiv-v; Molager 1971: 57.

just a few of the categories listed by Latomus in his commentary.[50] The gist of Cicero's argument often lies in the redefinition (a version of the rhetorical figure known as *paradiastole*) of crucial concepts such as *bonum*, *virtus*, *exilium*, *servitus*, *dives*, by means of which the initial claim can be proven.[51] Betuleius comments on the ambiguous nature of Stoic language ('in disputando amphibologias et logomachias pariunt'), which greatly differs not only from philosophical but also, in the case of words such as *bonum* or *servitus*, from legal usage. He sums up this procedure in the fifth paradox, saying: 'Constat autem haec quoque disputatio, maxima ex parte argumentis a finitione ductis'.[52]

Cicero's interpreters were attentive to different aspects of his work, depending on their particular field of expertise and interests. While many commentators draw on the work of their predecessors, Xystus Betuleius alone points out the wide range and complementary nature of available commentaries: 'Nam si locorum et historiarum collationem desideras, Sylvium invenies sylvosum: si emendationem lectionis, Moristotus est oculatissimus: si artem, Latomus pro more *technikoteros* est'.[53] The *Paradoxa Stoicorum*, as a product of classical antiquity, lent itself to a typically humanist display of textual, philological and historical erudition. It was also valued as a work of moral philosophy, which contained the gist of Stoic ethics and showed certain affinities

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[50] Latomus 1545. On Latomus, one of Ramus's predecessors, see Ong 1958: 126-30.

[51] This is in keeping with Calepinus's statement, based on Rufinianus, that 'paradoxon item schema est *dianoias*, quod primum sensum suspendit, ac deinde subiicit aliquid contra expectationem auditoris'. See Calepinus 1583. On *paradiastole*, see Skinner 1996: 142-72 and Cave 1999: 100-6.

[52] See Betuleius 1550: 14; 17; 37; 41; 42; 44.

[53] Betuleius 1550: 50. Sylvius and Latomus are mentioned above. Moristotus's commentary is included by Draudius in his *Bibliotheca classica* under 'M. T. Paradoxa'. For a list of commentators of the *Paradoxa Stoicorum*, see Draudius 1625: 1449.

with Christian doctrines.[54] In the introduction to his lectures on the *Paradoxa Stoicorum* at the Gymnasio Romano, Vaz de Motta explains that, as a Christian, he derived the greatest profit from the Stoic precepts contained in the book, and that few other non-Christian doctrines are in such agreement with Christian piety.[55] Others remark on those aspects of the work which are incompatible with the Christian spirit. In his commentary on the second paradox, Omer Talon notes that the dispute between the Stoic and the Peripatetic sect over whether a good life consists in virtue alone or in other kinds of good is meaningless in the eyes of Christians, for whom happiness resides in God alone.[56] But the *Paradoxa Stoicorum* was not only read for its own sake, as a repertory of Stoic themes and edifying doctrines, it was also seen as an instance of rhetorical display and of dialectical skill. Certain commentaries grew out of lectures in the arts faculties and were designed to give students orderly habits of thought.[57] Hence the tendency on the part of commentators, particularly of the Ramist school, to identify dialectical and rhetorical strategies and to decompose the arguments into sets of syllogisms. The great variety of commentaries on and approaches to the *Paradoxa Stoicorum* is testimony to the enduring appeal and wide dissemination of the work.

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[54] On Stoic ethics and Christianity, see Kraye 1988: 367-70.

[55] '[H]abete paucis, nihil sanctorum hominum religionis nostrae testimoniis externos habuisse sapientes pietati christianae magis consentaneum, quam rationes huius porticus, quam praecepta Stoicorum' (Vaz de Motta 1585: 58-9).

[56] '[I]n quo magna est Stoicis cum Peripateticorum familia contentio, apud christianos ridicula, qui beatam hominis vitam, neque tribus bonorum generibus definiunt, ut Peripatetici, neque in una virtute mundana ponunt, ut Stoici, sed eam totam ad Deum referunt' (Talon 1551: 20).

[57] Witness the dedicatory letter prefacing Omer Talon's commentary: 'ita praesentibus in Ciceronis *paradoxa* praelectionibus nostris dialecticum artificium perpetua inventionis dispositionisque serie continuatum docui' (Talon 1551: 3-4).

3. Critics of the *Paradoxa Stoicorum*: the genre of anti-paradox

In his commentary on Cicero's *Paradoxa Stoicorum*, published in Basle in 1550, Xystus Betuleius mentions two of his contemporaries (while acknowledging that there may have been others) whose attack on Cicero's work took the form of anti-paradox: Veit Amerbach (1503-1557) and Marcantonio Maioragio (1514-1555). These two authors to his mind chose to exercise their talents in a comparatively easy task.[58] Both Amerbach and Maioragio show themselves aware of doing something original and hitherto unprecedented.[59] In choosing to entitle their replies to Cicero's work *antiparadoxa*, they initiate a new genre of counter-argument that will itself be imitated, particularly in medical and legal writings.[60] Amerbach's *Antiparadoxa cum duabus orationibus, altera de laudibus patriae, altera de ratione studiorum*, which first appeared in Strasbourg in 1541, precedes by a few years Maioragio's *Antiparadoxon libri sex*, published in Lyon by Gryphius in 1546.[61] While it is possible that Maioragio never read his predecessor's work, many of his arguments resemble Amerbach's own and some turns of phrase seem to have been lifted directly from the earlier work.[62] Despite these similarities, the two

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[58] 'Nescio an idem mecum crediderint, qui hodie adversus Ciceronem pari studio scripserunt *antiparadoxa* (Vitum Amerbachium nuncupo, et M. Antonium Maioragium, et si qui sunt alii, nescio) qui meo sane iudicio, ingenii vim in argumento non periculoso experiri voluerunt' (Betuleius 1550: 5-6).

[59] See Amerbach 1541: A7v and Maioragio 1546: 14; 58; 199.

[60] Witness Gessi Lanfranco's *Antiparadoxon libellus unus. In quo fere improbantur, quae Alciatus in primo Paradoxorum suorum libro adversus communes sententias proposuit* (Ferrara, 1547), Angelus a Sancto Ioanne's *Antiparadoxorum iuris civilis, adversus aevi nostri Colophonem D. Alciatum monomachia, paradoxis expedita* (Antwerp, 1563), and Barthélemy Aneau's vernacular *Pasquil antiparadoxe: dialogue contre le Paradoxe de la faculté du vinaigre* (Lyon, 1549). For a discussion of these anti-paradoxes, see sections 3.1 and 4.4.

[61] The work, however, may have been written as early as 1541. See Vasoli 1968: 607-29.

anti-paradoxes differ in their presentation and they reflect the different philosophical traditions from which they emerged. Maioragio's work, a dialogue involving seven speakers, was influenced by the Christian Platonism of the Florentine Academy.[63] Amerbach's *Antiparadoxa* is a treatise, whose rare allusions to theological disputes have been interpreted as signs of religious unrest on the part of the author, who frequented Lutheran humanists at Wittenburg before renouncing the new faith and converting to Catholicism, shortly after the *Antiparadoxa* appeared in print. The fact that his *Antiparadoxa* featured on several indexes of forbidden works is seen as further testimony of the work's 'heretical quality'.[64]

Unlike Maioragio, whose work (despite assurances to the contrary)[65] is a direct attack on Cicero as a thinker, Amerbach makes it clear that Stoic philosophy rather than Cicero himself is targeted in his *Antiparadoxa*. The fact that the work is by Cicero must not prevent one from criticizing it, all the more so as in his other writings Cicero indicts the very notions that he set out to defend in the *Paradoxa Stoicorum*. In this work, undertaken in the spirit of a rhetorical exercise, Cicero merely assumes the *persona* and imitates the manner of a Stoic, being himself an Academic.[66] With the exception of the fourth section, where Amerbach mimics the direct address in Cicero's fourth paradox (a

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[62] In book IV, for instance, it is claimed that Cicero's paradox 'cum [...] longe et a sermonis consuetudine, et a veritate abesse videatur' and 'non tantum contra omnium sententiam, sed contra naturam ipsam pugnare' (Maioragio 1546: 172), an argument which Amerbach develops at length.

[63] See Breen 1958: 42-5.

[64] Ronnick 1991: 87-88. On Veit Amerbach, a renowned German humanist, philosopher and lawyer, see Pietsch 1914: 199, and Spitz 1967: 379-80.

[65] 'Sed hoc sane neque contra Ciceronem esse, neque eius gravitati quicquam detrahere, facile quivis intelligere potest' (Maioragio 1546: 8).

[66] 'Scio equidem Cicero, non tuam esse prorsus hanc sententiam, Stoicorum personam assumpsisti, et illis tantum calamum et dictionem paulisper commodasti non sine certa causa. [...] Cum Stoicis mihi res est, non cum Academicis, aut tecum' (E7). See also the dedication to Amerbach's *Antiparadoxa* (A7v-B2).

diatribe aimed at Claudius), all the other anti-paradoxes strikingly leave Cicero's name out of the discussion. Amerbach impugns the 'absurd notions' of the Stoics, which he sees as opposed to mankind and nature itself: 'Videtis nunc pugnare Stoicos non nobiscum, sed cum toto genere humano, aut ipsa potius rerum natura?' (D5). Stoic philosophy, which ignores the body and its needs, and is so extreme as to admit of no degrees in virtue or in vice, strikes him as unnatural and inhuman, and, what is more, at odds with the Christian spirit of forgiveness and charity.[67] Amerbach uses words such as *simulachrum*, *somnium*, and *imago* to convey the illusory nature of the Stoic ideal.[68] His anti-paradoxes have much to tell us about the *doxa* of which they are an expression and to which, in contrast to paradoxes, they assign a positive value. They reassert the point of view commonly held, reflected in expressions such as 'omnes omnium aetatum populi et nationes' and 'commune omnium hominum iudicium' (B4), or 'tota reliquorum philosophorum et doctorum virorum, et communis loquendi usus' (E3v). Not only is Stoic philosophy opposed to the common opinion of all men but also to that of all philosophers, Plato and Aristotle in particular (D2).

The bulk of each anti-paradox is devoted to demonstrating the absurdity of Stoic claims, which Amerbach deems to be far removed from truth and contrary to reason and experience.[69] He ridicules the specious reasoning and the false logic that lie behind many of their assertions. In the first anti-paradox, for instance, in a *reductio ad absurdum* of Cicero's contention that a man surrounded by what is good cannot be anything but good,

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[67] Amerbach 1541: D5 and E7v.

[68] Amerbach 1541: C5, D5 and E4.

[69] '[Q]uis non videt, quam procul a vero absit, quamque pugnet cum omni ratione, cum iudiciis, cum legibus, et consuetudine' (D3v); 'Testatur enim hoc et ipsa experientia, et commune hominum iudicium' (C2v).

Amerbach asks himself, 'Quis enim sanus aut eruditus credat, omnia, quae tenentur, in suam naturam transmutare illa, a quibus tenentur? Aurum habet quis, ergo est aureus: lapideus est, qui lapidem habet' (B4v). Many of the arguments strike him as beside the point and as mere rhetorical flourishes. He subjects to scrutiny the *exempla* and images that Cicero uses in order to lend weight to his argument or elucidate a difficult point. His portrayal of Marcus Regulus, a Roman consul whose example Cicero invokes as proof that a life of virtue is a completely happy life, is particularly damning. Far from accepting that Regulus was happy even under torture, Amerbach thinks that he would have been much happier if, instead of keeping his oath and returning to Carthage after negotiating peace conditions, he had remained in his country with his wife and family (C3). Like many other commentators of the *Paradoxa Stoicorum*, Amerbach also objects to the freedom the Stoics take with the meaning of words, adjusting them to suit the needs of their argumentation. If the Stoics took the trouble to make plain when they suspend the ordinary meaning of words, as is the case in the fifth paradox, they would avoid many absurdities.[70] Amerbach invokes legal definitions of terms such as *bonum* or *servus* as the norm and proper measure of the meaning of words. Characteristic of the *Antiparadoxa* as a whole is a refusal to accept what is demanding about Stoic philosophy and constantly to contrast it with more balanced views and commonsensical positions.

Amerbach considers the Stoics to be responsible for all that is unconvincing about the arguments and rhetorical procedures at work in the *Paradoxa Stoicorum*. The full title of Maioragio's *Antiparadoxon, sive suburbanarum quaestionum libri sex, in quibus M.*

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[70] 'Sed opportune corrigitis ipsi vos, et exponitis animi vestri sententiam, cum dicitis, non ita vos intelligere servos, ut sint mancipia, quae sint dominorum facta nexu, aut aliquo iure civili: De animi fracti obedientia vos loqui, cum dicatis omnes improbos servos esse. Hanc vero expositionem in aliis vestris similibus sententiis non additis: quod si faceretis, fortasse minus haberent illa pleraque absurditatis' (E4v-5).

Tullii Ciceronis omnia paradoxa refellentur makes it plain that the author holds Cicero accountable for the paradoxes. The work must be considered against the backdrop of anti-Ciceronianianism which gathered strength in the wake of Erasmus's *Ciceronianus* of 1528. Maioragio had passionately defended Cicero against one of his most outspoken critics in the *Decisiones XXV quibus M. Tullium Ciceronem ab omnibus Caelii Calcagnini criminationibus liberat* (1543). And yet, three years later, he chose to publish a refutation of Cicero's paradoxes, which amounted to a full-blown criticism of Cicero as a philosopher. The *Antiparadoxon*, to be sure, is a dialogue, a form which enables its author to distance himself from the views that he expresses.[71] However, in the dedication of the work to Andrea Alciato, his former teacher and author of a polemical collection of legal paradoxes, Maioragio is less ambivalent about his intentions in writing the work. He explains, in language which echoes at times that of the *prooemium* to the *Paradoxa Stoicorum*,[72] that he undertook to write his refutation in the spirit of a rhetorical and playful exercise, fully intending to argue on both sides of the question: 'Eo animo quasi ludibundus disputationem hanc contra Ciceronis paradoxa conscribere coeperam, ut exponendis rationibus, quae contra dici posse viderentur, eas postea refellerem' (4). It soon became apparent to him, however, that he could not refute the arguments that he had put forward against Cicero. He then came to believe that his refutation was true and Cicero's paradoxes false.

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[71] On the Renaissance predilection for dialogue, see Cox 1992. For biographical details of the Italian philosopher and lawyer, Marcantonio Maioragio, and the controversy surrounding the *Antiparadoxon*, see Schmitt 1972: 15; Breen 1958: 37-48; Copenhaver and Schmitt 1992: 207; Cosenza 1962: IV, 2081-3; and Ronnick 1991: 90-2.

[72] Particularly in expressions such as 'nihil esse tam vere, nihil tam sancte dictum, quod non dicendo convelli, labefactarique possit', 'ex illa sacratissima Platonis officina' and 'ludens in dialogo conieci' (3-5). On this subject, see also Ronnick 1991: 91.

The dedication letter is signed from Ferrara in 1545, when Alciato still taught law there. It is perhaps not insignificant that Caelio Calcagnini and other critics of Cicero were also from Ferrara and that, not long before Maioragio composed his anti-paradox, Olympia Morata, the companion of Anna d'Este, lectured on the philosophical problems posed by Cicero's *Paradoxa Stoicorum* before a private audience at Renée de France's Academy.[73] Cicero's paradoxes aroused much interest and discussion in humanist circles in Ferrara and Maioragio's *Antiparadoxon* reflects this popularity. The dialogue, as the title indicates, takes place on the outskirts of Milan in a rural setting of which Maioragio gives detailed descriptions at various points of his narration. Depicted as a *locus amoenus* ideally suited for leisurely discussion, the garden of the Fanniani family evokes the setting of Cicero's *Tusculanae disputationes*. Six speakers take turns to refute each of the paradoxes in lengthy speeches delivered in the presence of Maioragio, who promises to defend Cicero against the arguments adduced by the speakers but fails to do so and remains evasive. Three of them are Maioragio's students and three more experienced scholars, including Maioragio's friend Girolamo Cardano (1501-1576).[74] The speakers are briefly characterized at the outset of each section and some attempt is even made to distribute the paradoxes according to the speaker's personality. The natural philosopher and physician Cardano argues against the fourth paradox, 'Omnes stultos insanire', which calls for a definition of sanity, and Maioragio's wealthy pupil Constantinus is asked to challenge Cicero's final paradox, 'Solum sapientem esse divitem'. The variety of

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[73] The prefaces to three of these lectures – delivered in 1541 when Morata (the daughter of a philosopher) was only sixteen – were gathered by Caelio Secundo Curione in a posthumous Basle edition of Morata's works. See Morata 1558; Cosenza 1962: II, 1706-1707; and Ronnick 1991: 83-4.

[74] See Breen 1958: 39-40.

presentation notwithstanding, in each dialogue the speakers attempt to challenge Cicero's paradoxes on two separate counts. They undertake to prove that, contrary to what Cicero asserts in the *prooemium*, the paradoxes are neither Socratic nor true.

This basic pattern informs every one of the refutations. Influenced by Florentine Platonism, echoes of which occasionally surface in the work, the *Antiparadoxon* reveals the author's familiarity with Plato's thought.[75] The six speakers have at their disposal a panoply of citations from various works by Plato which they readily summon to show that Cicero's paradoxes are not truly Socratic. The underlying assumption is that a work cannot be Socratic in spirit unless it coincides with Plato's portrayal of Socrates and the views of neo-Platonists. Given that Plato in many of his dialogues distinguishes between different kinds of goods, the first paradox ('Quod honestum sit, id solum bonum esse') cannot be attributed to Socrates. The classification of goods in the final part of *Philebus* is seen as proof that *honestum* is neither the only nor even the highest good according to Socrates (25).[76] The *Protagoras*, which states that the highest good in which all others have their origin is God, is even more in line with the Christian Platonism that Maioragio espouses, and his student Marcus does not fail to invoke this dialogue (27). Once the un-Socratic nature of each paradox has been fully demonstrated, it remains to be shown that they are not true. Although the substance of the criticisms does not greatly differ from Amerbach's own, here it is Cicero's ability to reason which is called into question. In his refutation of the third (and most controversial) paradox, Antonius repeatedly alleges that Cicero is a more convincing orator than a philosopher, hastening to add 'aliud esse orare,

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[75] On the neo-Platonic background, see Breen 1958: 43-5.

[76] *Philebus*, 66.

aliud disputare' (96). Similarly, Cardano accuses Cicero of using words in lieu of arguments and of ignoring the basic rules of logic (154-7). Cicero's mere authority is not enough to make an implausible statement ring true; Cardano asks for reasoned proofs (156). What is at stake in the *Antiparadoxon*, something which did not escape its critics, is the very nature of philosophical discussion, and whether or not it can be allied with rhetoric.[77] Many of the criticisms levelled against Cicero's paradoxes by Amerbach and Maioragio, in particular that they are absurd, illogical and untrue, often surface in anti-paradoxical writings which will be examined in subsequent chapters.

4. Lando's *Paradossi* and the vernacular tradition of paradox

The ambivalence of Maioragio's attitude towards Cicero, whom he fails to defend against his students and friends as he initially promised, calls to mind a similarly ambiguous stance vis à vis Cicero on the part of Ortensio Lando (*c.* 1514-1555), in his two-part dialogue *Cicero relegatus, Cicero revocatus* of 1534. The two works have much in common. Both are dialogues set in the countryside near Milan, have as a context the debate surrounding Erasmus's *Ciceronianus*, and were published (though some years apart) by Sebastian Gryphius in Lyon. Lando, who moved in the humanist circles in Ferrara in the 1540s and was a member of the Accademia degli Elevati, may well have met Maioragio in Ferrara.[78] In the *Sferza de' scrittori antichi e moderni* (1550), Lando

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[77] In *De veris principiis ars philosophandi* (1553), written partly in response to Maioragio's *Antiparadoxon*, the Italian humanist Mario Nizolio (1488-1567) comes to the defence of Cicero's alliance of rhetoric and philosophy, on the grounds that it is less esoteric than other styles of philosophy. See Breen 1958: 47-8.

includes Maioragio's name alongside his own in a list of Cicero's critics.[79] *Cicero relegatus, Cicero revocatus*, a mock treatment of the Ciceronian debate, consists of two dialogues, the first of which argues that Cicero is a poor stylist and dialectician and condemns him to exile, while the second proceeds to rehabilitate him on both counts and to recall him from exile.[80] Antilogy of this kind, where two radically differing points of view are confronted in the manner of a *pro* and *contra* debate, is a characteristic mode of Lando's writing. It is perhaps most fully embodied in the *Paradossi* (1543) and the *Confutatione del libro de' Paradossi* (1545), a sort of recantation where a fictional familiar of the author takes on the task of refuting one by one each of the thirty paradoxical theses that Lando initially supported.[81] The habit of confronting *doxa* and paradox could be viewed as a sign of deep-seated scepticism on Lando's part; in fact, the feeble retractions merely serve to reinstate the initial arguments in favour of the paradoxical statement. Erasmus himself noted that in Lando's Ciceronian dialogues 'Cicero odiosissime laceratur, frigide defenditur'.[82]

Lando undoubtedly knew Cicero's *Paradoxa Stoicorum*. In the final paradox of his own *Paradossi* ('Che M. Tullio sia non sol ignorante de filosofia, ma di retorica, di cosmografia e dell'istoria'), in which he finds new reasons to censure Cicero, Lando

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[78] Grendler 1969: 28. For biographical details, see Grendler 1969: 21-38; Seidel Menchi 1994; and Fahy 1965.

[79] 'Né sono io solo che lo biasimi. Biasimollo ancora Latantio Firmiano; biasimollo Agnolo Politiano; biasimollo Teodoro Gaza; biasimollo il dotto greco Argiropilo; biasimollo il Celio Calcagnino, il Maioragio, il Cesano, Erasmo et Ortensio Lando' (Lando 1995: 51-2).

[80] See Tucker 1996 and 2003: 271-2.

[81] Lando's other works abound in examples of *pro* and *contra*. The *Ragionamenti familiari di diversi autori* (1550), for instance, present arguments for and against water and wine, music, courtly life, marriage, etc.

[82] *Opus epistolarum Des. Erasmi Roterdami*, XI, 134; quoted by Fahy 1975: 36. On Lando and his stance in the Ciceronian debate, see also Gagliardi 1967 and Seidel Menchi 1974: 571ff.

mentions in passing 'sue Paradosse'.[83] In choosing to entitle his vernacular collection *Paradossi cioè sentenze fuori del comun parere*, he was clearly modelling it on Cicero's well-known classical precedent. Despite their title and some other superficial similarities, the works differ radically in their aims, their tone, and in the range of paradoxical themes that they explore. Whereas Cicero begins by quoting a particular Stoic maxim in Greek and Latin, which he then sets about proving in syllogistic fashion, Lando's paradoxes take as their starting point more general statements that cannot be pinned down to any particular school of thought as, for example, 'Che meglio sia abitare nell'umil case, che ne' gran palagi' (XVI). By contrast with the relative unity of the *Paradoxa Stoicorum*, variety characterizes Lando's collection. Beside paradoxes loosely inspired by Stoicism, particularly those dealing with various manifestations of wealth and poverty, and with freedom and exile, statements such as 'Meglio è d'esser ignorante che dotto' (III) or 'Meglio è d'esser pazzo che savio' (V) reflect the influence on Lando of Erasmus's *Moriae encomium* and Agrippa von Nettesheim's *De incertitudine et vanitate scientiarum et artium*. Some of the themes, including the Stoic ones, are in the vein of Christian paradoxes.[84] A number of paradoxes are devoted to women, their social position, fecundity, etc.[85] The final four are *ad hominem* attacks doubled with criticism of the works of Boccaccio, Aristotle and Cicero. Lando's *Paradossi* constitute a repertory, an

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[83] Lando 2000: 270. All references to Antonio Corsaro's edition of Lando's *Paradossi* will from now on be included in the text.

[84] Paradox XXIII, for instance, argues that 'Che meglio sia nascere di gente umile che di chiara e illustre' and paradox XXIV defends the following: 'Esser miglior la vita parca della splendida et sontuosa'.

[85] 'Meglio è d'aver la moglie sterile che feconda' (VIII), 'Non essere cosa detestabile né odiosa la moglie disonesta' (XI), 'Non esser da dolersi se la moglie si muoia e troppo stoltamente far chiunque la piagne' (XXI), and 'Che la donna è di maggior eccellenza che l'huomo' (XXV).

anthology of a kind, of paradoxical themes. Some are of his own devising, others have a long tradition behind them and reveal the variety of traditions that Lando drew on.

Rosalie Colie's claim that Lando's paradoxes 'are, in different wording, restatements of the themes of the *Paradoxa Stoicorum*' needs some qualification, given the thematic variety of the collection and its diverse sources of inspiration.[86] It is true, however, that nearly a third of the paradoxical theses in Lando's collection bear some resemblance to Stoic doctrines explored in the *Paradoxa Stoicorum*. At the outset of the first paradox, Cicero affirms that 'neque pecunias istorum neque tecta magnifica neque opes neque imperia neque eas quibus maxime astricti sunt voluptates in bonis rebus aut expectendis esse duxi' (I, 6). This statement finds an echo in a number of Lando's paradoxes.[87] Other paradoxes in Lando's collection deal with the themes of exile, death, freedom and servitude.[88] This is the subject matter of some of Cicero's most virulent attacks directed against his political opponents in the *Paradoxa Stoicorum*. In the second paradox, he spurns the threats of exile and death since they cannot weaken a man's virtue, with which a happy life is equated. The fourth and the fifth paradoxes redefine the notion of exile and citizenship, and that of liberty and servitude, in such a way as to make freedom an attribute of the wise man alone. Even when he handles similar topics, Lando adopts a different tone altogether. In the paradox devoted to praising exile, he begins by alluding to the 'uomini forti e virtuosi' (147) who have either chosen exile or borne it patiently.[89] Yet the serious beginning soon gives way to captious claims and burlesque

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[86] Colie 1966: 462.

[87] Paradoxes I, VI, XIII, XVI, XXII, XXIII, XXIV.

[88] Especially paradoxes IX, XIV, XIX, XXII.

assertions as he reflects on the hidden advantages of exile: no one envies an exile or asks him for loans, he is freed from costly laws of hospitality, does not have to keep servants or stay at home with his wife and children (Lando has shown elsewhere what a nuisance these are),[90] none of the ordinary duties of a citizen are incumbent upon him and he does not have to fear his prince's anger; on the contrary, he is freed from all kinds of worries ('spensieratamente vivesi') and can find consolation in the love of local widows, known for being well disposed towards exiles. These home-spun arguments are interspersed with references to classical literature and *exempla* of wise men sent into exile, including Cicero. Humour and comedy, for which there is no place in Cicero's essentially serious *paradoxa*, commingle with social and political satire in Lando's reinterpretation of the genre.[91]

Lando's collection provided vernacular writers of paradoxes with an alternative to the Ciceronian model and introduced in its place Lando's own peculiar understanding of paradox. Lando was among the first to have used the noun 'paradox' in the vernacular, and he gave it especial prominence by placing the word at the head of his collection. Written in the author's native Lombard dialect, the *Paradossi* first appeared in Lyon in 1543, printed by Gioanni Pullon da Trino, and was an instant success. The following year, the collection was reprinted in Venice by Andrea Arrivabene and went through several editions, some of which were clandestine, in Venice and in Lyon, before being

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[89] 'Meglio è vivere mandato in esilio che nella patria longamente dimorare' (paradox IX). On the topos of exile and Lando's handling of this theme, see Tucker 1996 and 2003: 275-7.

[90] See paradoxes XXII, VIII, XI, and XXI.

[91] In keeping with his contention that the literary adventurers or *poligrafi* such as Ortensio Lando, Nicolò Franco, and Anton Francesco Doni, represented a challenge to the values and institutions of sixteenth-century Italy, Grendler claims that '[i]n his *Paradossi* Lando used humor, tongue-in-cheek remarks, and double-entendre, for the serious purpose of social and moral criticism' (Grendler 1969: 30).

translated into French, Spanish and English.[92] In the *Confutatione*, Lando – in the guise of a detractor – comments proudly on the work's international renown:

> Furono l'anno passato stampati nella città di Vinegia et di Lione, non senza gran piacer de' curiosi, mille volumi di varii paradossi, li quali, per Italia a briglia sciolta (come si dice) correndo, di strane bugie la riempirono: ma che dico per Italia, il che sarebbe da sofferire, peggio è che hanno del loro mortal veneno amorbata tutta la Francia, anzi tutta l'Europa (colpa di chi li ridusse in lingua francese, in poco appresso nella latina li tradusse).[93]

The earliest translations that do survive first appeared a decade or so after the original. A Spanish version of the work was put on the Index shortly after it came into print in 1552. But Charles Estienne's free translation of twenty-five of Lando's paradoxes soon eclipsed the Italian original in popularity.[94] This is partly due to the fact that, as of 1554, Lando's name featured on several indexes of prohibited books. If the *Paradossi* were not initially targeted by censorship, the few authorized editions of the book that appeared after 1554 were heavily purged of their religiously and socially corrosive material, and transformed as a result.[95] It is the French *Paradoxes*, rather than Lando's own work, that Anthony Munday translates into English, under the title *The Defence of Contraries*.[96] Even though

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[92] For a list of the different editions and translation of the *Paradossi*, see Grendler 1969: 222-39 and Peach 1998: 37-47.

[93] Lando 1545: 3-3v. In the second book of the *Paradossi*, Lando already alludes to a purported translation into French by 'l'ingegnoso messer Maurizio Seva' (173). No such translation either into French or Latin is extant. See Fahy 1987: 188 and Clément 2003.

[94] *Paradoxes, ce sont propos contre la commune opinion: debatus, en forme de declamations forenses: pour exerciter les jeunes avocats, en causes difficiles* (Paris, 1553). It was followed by two different editions in 1553, four others in 1554, and reprinted under different titles at Paris, Lyon, Poitiers, and Rouen throughout the sixteenth and at the beginning of the seventeenth century. See Peach 1998: 8 and Fahy 1987: 183.

[95] On this subject, see Corsaro 1997: 309-12.

[96] *The Defence of Contraries. Paradoxes against Common Opinion, Debated in Forme of Declamation in Place of Publike Censure: Only to Exercise Young Wittes in Difficult Matters* (London, 1593). The work is

this expression is not present in Lando's title, it captures the essence of his paradoxes, which function as pairs of contraries: poverty is opposed to wealth in the first paradox ('Che miglior sia la povertà, che la richezza'), being ugly to being beautiful in the second ('Che meglio sia l'essere brutto che bello'), timidity to courage ('Che meglio sia d'esser timido che animoso e ardito') in paradox twenty-six. Each paradox alternates praise (*laus*) and blame (*vituperatio*) of pairs of contraries. Estienne brings the titles of each paradox even further in line with mock encomia: 'Pour la pauvreté'; 'Pour la laideur du visage'; 'Pour la craincte'.

Paradox, as it appears in Lando's *Paradossi* and in its translations, is effectively an amalgam of two distinct classical genres which appealed to humanists in equal measure: the moralizing and philosophical Stoic paradoxes, and the satirical and playful mock encomia inspired by Lucian's *Muscae encomium*, his dialogue *Parasitus*, and the *Vera historia*.[97] The mixture of sophistry, humour and learned satire characteristic of this second form is a trait of Lando's *Paradossi*, as is its ambivalent attitude towards truth. In the letter to the readers, Paulo Mascranico calls it a deformity ('sconciatura'), a 'capriccio bizarro' and a 'capricciosa bizzaria'. Its many inconsistencies are a result of the author's tendency to '*lodare* una cosa in un paradosso e la medesima *biasimare* in un altro'.[98] Praise and blame, indifferently apportioned to suit the needs of the argumentation, show the affinity of Lando's *Paradossi* with paradoxical encomia of the Lucianic kind. Perhaps the ultimate proof of the work's capricious nature is Lando's decision to write its

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reprinted in 1602. It contains only the first twelve paradoxes. For its influence on Shakespeare and in the English Renaissance more generally, see Vickers 1968: 309-314. On Estienne's and Munday's rendition of Lando's *Paradossi*, see Rice 1932 and Miller 1956: 156-7.

[97] For Lucian's influence on paradoxical writing, see Panizza 1997: 207-210 and 213-220; Lauvergnat-Gagnière 1988: 294-301; and Tomarken 1985.

[98] 'Paulo Mascranico alli cortesi lettori' (Lando 2000: 272-3; my italics).

refutation in the *Confutatione del libro de' paradossi*. Lando presents the writing of paradoxes as a mere distraction and a pleasant pastime, thus denying it any serious intent, in his dedication to Signor Madruccio: 'le mandassi una copia de miei Paradossi, quali avea scritto l'estate passata non per acquistarne fama, ma sol per fuggir la molestia del caldo' (5). Similarly, the author's signature at the end of the text, SUISNETROH TABEDUL, when read backwards gives 'ludebat Hortensius' (271).[99] The preoccupation with truth, an important feature of paradox as defined by Cicero, is not Lando's primary concern in the *Paradossi*. Lando's detractor in the *Confutatione* accuses him of having filled Italy, and all of Europe, with strange lies ('strane bugie') in the form of paradoxes. That paradoxes are false is assumed by Estienne, who attributes to them heuristic value on that count, in the preface to his *Paradoxes*:

> Tout ainsi, Lecteur, que les choses contraires rapportées l'une à l'autre donnent meilleure cognoissance de leur evidence et vertu, aussi la verité d'un propos se trouve beaucoup plus clere quand les raisons contraires lui sont de bien pres approchées [...]. A ceste cause je t'ay offert en ce livret le debat d'aucuns propos que les anciens ont voulu nommer Paradoxes, c'est à dire, contraires à l'opinion de la pluspart des hommes, à fin que par le discours d'iceux, la verité t'en soit à l'advenir plus clere et apparente.[100]

Paradox, according to this statement, is not true in and of itself. It is equated with 'raisons contraires et opposites' which only serve to reinforce the truth of the opposite claim, that is to say of the *doxa*. A similar assertion is made by John Donne, the author of the *Paradoxes and Problems* (1633), a collection of mock encomia which, if more original than Lando's work, partakes of the same spirit. According to Donne the purpose of

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[99] Lando's published most of his works – including the *Paradossi* – anonymously, or using a variety of fanciful pseudonyms: 'Philaletes Utopiensis', 'Anonimo d'Utopia', 'Hortensius Tranquillus', and 'Il Tranquillo'.

[100] 'Au lecteur'. See Estienne 1998: 59.

paradoxes is to make the reader find better reasons 'against them': 'for they are but swaggerers: quiet enough if you resist them'.[101]

That such an understanding of paradox is far from Cicero's characterization of it as *verissima* did not escape the notice of contemporaries. Pierre de Saint-Julien, in the 'Advertissement au lecteur' prefaced to his *Meslanges historiques et recueils de diverses matieres pour la plupart paradoxalles, et neantmoins vrayes* (1588), comments on the way that the word is misused by vernacular authors:

> Le mot de paradoxe n'a pas sa signification si ample que quelques-uns l'ont voulu estendre. L'exercice en la preuve du faulx n'est pas bien proprement paradoxe. Et si certain Italien s'est ingenieusement employé à faire paroistre vrayes quelques faulses propositions, depuis mises en nostre vulgaire françois: il a r'emporté louange, et reputation d'homme de bon esprit: mais (au reste) le titre de son oeuvre ne laisse d'estre impertinent. Car s'il faut rechercher exactement la vraye, et propre signification du mot de paradoxe (selon qu'il a esté employé par les anciens Grecz, et Latins, qui ont tenu le party des Stoïques) on trouvera qu'il ne signifie pas seulement chose contre la commune opinion: ains une proposition vraye, et qui neantmoins cause esbaissement, comme contraire à ce qu'est communement creu: et de laquelle on n'avoit encores ouy parler.

Pierre de Saint-Julien is here clearly alluding to Lando's *Paradossi* and Estienne's French translation of it. Lando is portrayed as a sophist, using his ingenuity to make false claims appear true and masquerading them as paradoxes. The title of the collection strikes Pierre de Saint-Julien as highly impertinent because Lando effectively divests the word of its 'true' meaning. The definition that he himself puts forward echoes closely that of Cicero, though he attributes it to ancient Greeks and Romans, and those with Stoic affiliations more generally. Saint-Julien insists that, despite being striking in so far as it is contrary to common belief, a paradox is nevertheless true. It is simply that its truth has yet to be demonstrated. This is precisely what he sets out to do in his own collection: 'Or pource je

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[101] Simpson 1948: 316.

maintien ces miens discours, intitulez Meslanges, estre vrays, et neantmoins non encore receuz pour veritables: ains contraires (pour la pluspart) aux opinions communes: je les ay qualifié Paradoxe, et declairé icelles mes Meslanges Paradoxalles'. Such a conception of paradox is consistent with Alsted's first rule ('Ea demum paradoxa probanda sunt, quae sunt orthodoxa') in the 'Paradoxologia', where he explains that paradoxes 'licet sint praeter opinionem aut sententiam multorum, tamen non sunt praeter veritatem'.

Renaissance definitions of paradox differ considerably in the detail of their formulations. Most will draw attention to at least two defining features of paradoxes: their opposition to the *doxa* or common opinion and their surprising and unheard of nature. Present under different guises in nearly all definitions, these two elements correspond to *admirabilia* and *contraque opinionem omnium* in Cicero's succinct characterization of paradox at the outset of the *Paradoxa Stoicorum*. The first term is the Latin equivalent of the word, and the second simply appeals to its etymology. Is it enough for a statement to merely oppose common opinion to be a paradox in the Renaissance meaning of the term, or is something more required? Pierre de Saint-Julien seems to suggest that it is the opposition to common opinion and the unheard of quality of paradox which cause wonder, but this reasoning is somewhat circular. The two could be viewed as complementary rather than coextensive: the notion of *admirabilia* adds an element of surprise, wonder and shock, over and above the mere opposition to the *doxa*. This element in Cicero's definition to my mind contains the seeds of the modern understanding of paradox as something self-contradictory, puzzling and even absurd.

The *Paradoxa Stoicorum*, written by one of the most influential classical authors, provided Renaissance writers who wished to cultivate the genre with a model to imitate. Two examples may serve to illustrate the numerous links between Cicero's *Paradoxa Stoicorum* and other collections of paradoxes which appeared in the wake of its rediscovery and popularization in the humanist period. Omer Talon's commentary on the *Paradoxa Stoicorum* was published by Charles Estienne in 1551, preceding by two years the latter's translation of Ortensio Lando's *Paradossi*. Coelio Secundo Curione, who showed great admiration for Olympia Morata's lectures on the *Paradoxa Stoicorum*, went on to write his own Christian paradoxes, which were printed in 1544 in Basle. Cicero's work is frequently alluded to in the prefaces to paradoxical works in a variety of spheres, and credited with the paternity of the genre. And yet, one could argue that the genre is not so much rediscovered as created during the Renaissance. Cicero's collection of paradoxes was unique in its kind in antiquity; it did not amount to a genre. In the Renaissance, paradox undergoes an extension of its sphere of influence beyond the narrow limits of Stoic ethics. It appears in the titles of innumerable treatises in disciplines as varied as theology, medicine, law, politics or history.

These works, despite their disparate concerns, share some common traits. They are polemical writings, written for the most part in Latin for a learned audience, and aimed at challenging received opinion and authorities which hold sway in their given fields. That paradoxes of this kind were taken seriously is amply testified by the number of responses and attacks directed against them, of which Maioragio's and Amerbach's anti-paradoxes are an early instance. The picture is further complicated, however, because of a certain amount of overlap between learned Ciceronian paradoxes with their

emphasis on truth and the Lucianic mock or paradoxical encomium, whose aim it is to praise or defend unworthy and disreputable subjects in a gratuitous display of ingenuity. Ortensio Lando, who uses the word paradox in the title of his immensely popular collection, translated into several vernacular languages, is in large measure responsible for the generic and linguistic confusion that ensues. How this evolution comes about and how paradoxes spread beyond the sphere of moral philosophy and rhetoric where they first appeared, to theology, law, medicine and other disciplines will be the subject-matter of subsequent chapters.

II. THEOLOGY

By far the largest number of works designated as 'paradoxes' in the late Renaissance are theological in substance. If paradox is more at home in theology than in other disciplines, it is because some of the most basic Christian tenets and creeds are paradoxical in their nature. Alsted devotes a section of his 'Paradoxologia' to theological paradoxes, and entitles it 'Tota Scriptura sacra est referta paradoxis'. He defines this type of paradox as 'decreta, seu effata, Spiritus sancti, quae carni et sanguini absurda videntur' and gives examples from the Old and the New Testaments alike: the creation *ex nihilo*, woman fashioned out of man's rib, man beguiled by a serpent, God at once one and three, the virgin birth, Christ both God and man in one person, the resurrection of the body in the Last Judgment.[1] If taken at face value, in their literal meaning, these notions do indeed seem absurd and incredible. Alsted goes on to cite Paul's Epistle to the Romans, in which Christ's death is declared to be a source of life, and two sections of the Epistle to the Corinthians, often drawn on by Renaissance paradoxists: 'Non multi sapientes, nobiles, et potentes placent Deo, sed qui stulti sunt, et ignobiles, et infirmi' (I Corinthians 1. 26-27) and 'sermo ille de cruce, iis quidem qui pereunt, stultitia est: iis autem, qui servantur, id est, nobis, potentia Dei est' (I Corinthians 1. 18).[2] To be convinced that these sacred paradoxes are true, it is sufficient to bear in mind the following common principles or 'axioms' briefly expounded by Alsted: God's nature infinitely surpasses our own, making it impossible to judge of the divine essence based upon laws of a finite nature; God is omnipotent and a free agent, and therefore has the power to act as he pleases; there must

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[1] Alsted 1649: II, 2297.

[2] On the subject of the folly of the Cross, see Screech 1980: 40.

be a first cause since nature abhors regress *in infinitum*; God is perfection, and whatever he wills comes to be; our soul is something spiritual and divine, not subject to the same rules as our body. When applied to the paradoxes of the Holy Writ, which only appear absurd and incredible because of the limits of our reason, these axioms make their truth immediately apparent.[3]

Renaissance theological paradoxes are often grounded in the Scriptures, and they hinge on the discrepancy between the carnal and the spiritual, the human and the divine. Some of the earliest collections of paradoxes, Alfonso Tostado's *Aenigmatum sacrorum Pentas* and Aurelio Brandolini's *Christiana paradoxa*, take as their starting point the life of Christ as expounded in the New Testament.[4] At the end of the period here considered, the Jesuit Alexander Pellegrinus undertakes a systematic study of paradoxes derived from the Gospels in his *Evangelium secundum Matthaeum paradoxis illustratum*: the first six chapters of the Gospel according to Saint Matthew are quoted in full and then illustrated by series of related paradoxes. Pellegrinus prides himself on having discovered a new method of reading the Gospels.[5] Based on the highest of authorities, that of the Bible, 'Christian paradoxes' are neither particularly contentious nor subject to dispute. Within the ambit of Christianity, they are all-embracing rather than sectarian. The same is not true of the majority of theological paradoxes. Throughout the late Renaissance, paradoxes

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[3] Alsted 1649: II, 2297.

[4] Alfonso Tostado de Madrigal, *Aenigmatum sacrorum pentas, Alphonsi Tostati abulensi episcopi paradoxa. De Christi, matrisque eius misteris, animarum receptaculis posthumis, iucundissimae disputationes* (Duaci, 1521); Aurelio Brandolini (Lippi), *Christiana paradoxa* (Rome, 1531). Both these paradoxes were written in the Quattrocento, but they first appear in print in the early decades of the sixteenth century.

[5] 'Evangelicae veritatis arcana, et sanctioris instituta vitae propono per paradoxa, tum quia hoc dicendi genus a nemine adhuc allatum fuit, tum etiam quia permultis hac aetate certo scio id non esse iniucundum'. See the address to the reader in Pellegrinus 1638.

are associated with heresy in its various guises. Depending on what is recognized as the prevailing orthodoxy, different confessions are accused of professing paradoxical beliefs: Catholics deal out accusations against reformists and Protestants, the latter against 'Papists' and the various sects within the Reformation (Lutherans, for instance, see Roman Catholics, Calvinists and radical Reformers as paradoxical). From the final decades of the sixteenth century onwards, the Jesuits, perceived as a threat by some Catholics and Protestants, see their ideas branded as 'paradoxical'. At the same time, paradoxes are used by all as a way of rectifying erroneous opinions and dogmas in whatever camp and, as such, are invested with a positive meaning. The various uses to which paradoxes are put in the sphere of theology account for their not being the object of systematic censorship. While the names of the Reformers who had recourse to the form of paradox (Martin Luther, Philip Melanchthon, Andreas Bodenstein von Karlstadt, Johannes Oecolampadius) feature on the papal Index of prohibited books, paradoxes themselves do not (in contrast to genres such as the *pasquillus* unambiguously devoted to deriding papal authority).[6]

A distinction must therefore be made between doctrinal debates where one side is either holding paradoxical views or is seen as doing so, and less controversial paradoxes inherent in the Christian faith. While the former tend to be composed in Latin, the language of scholarly disputation, the latter are addressed to a less learned audience and are increasingly, as the century wears on, written in the vernacular (German, Spanish, French and Italian). Latin and vernacular theological paradoxes are either collections or

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[6] See, for example, *Index librorum prohibitorum...Clementis papae viii. Iussu recognitus. Instructione adiecta de exequendae prohibitionis ratione* (Verona, 1596). On the subject of censorship and the Reformation, see Higman 1982: 305-26.

single paradoxes dealing with a variety of issues, as in the case of François Lambert, Sebastian Franck and Matthieu Cottière, or with a single issue: Guernerus, a Carthusian monk, writes eleven paradoxes on the subject of the Eucharist; Oecolampadius's paradox deals with the sacrament of penance; Johann Hasler's paradox is devoted to matters of biblical chronology.[7] The first part of this chapter examines how paradox is linked to heresy in theological matters: it is intended as an overview of late Renaissance doctrinal debates and of their antecedents. The second part, focused on the polemic between François Lambert, a renegade friar, and Nicolaus Herborn, a Franciscan superior, looks at paradox in relation to religious orthodoxy. I then turn, in the third part of the chapter, to the sub-genre of 'Christian paradox', before looking in more detail at Sebastian Franck's influential collection of *Paradoxa ducenta octoginta* (1534) and its relation to vernacular mock encomia in a final section.

1. Paradox in relation to heresy

The association between paradox and heresy in theology goes back to the early Christian controversies. In *Contra Julianum*, Augustine of Hippo (354-430) refers to various views on original sin and on baptism held by the Pelagians in the following way: 'Haec sunt sententiarum portenta vestrarum, haec inopinata mysteria dogmatum novorum, haec paradoxa Pelagianorum haereticorum, mirabiliora quam Stoicorum philosophorum'.[8]

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[7] François Lambert, *Paradoxa* (Ulm, 1527); Matthieu Cottière, *Paradoxe, que l'Eglise romaine, en ce qu'elle a de different des Eglises dites réformées, n'est ancienne que de 400 ans environ* (Geneva, 1636); Guernerus, *De venerabili sacramento missarumque valore paradoxa undecim* (Cologne, 1535); Oecolampadius, *Quod non sit onerosa Christianis confessio paradoxon* (Basle, 1521); Johann Hasler, *Paradoxus annorum mundi a creatione usque ad Jesum Christum* (Vilnius, 1596).

According to Augustine, the Pelagians, whose positions on these and related issues were condemned as heretical by three early Church councils, outdo even the Stoics in their characteristic mode of expression. Heretics, as sectarians holding views opposed to the official church doctrine, naturally utter paradoxes. This word is rendered by the Latin *inopinatum*, the usual translation of the Greek *paradoxon*. Unique to the theological context is the association of paradoxical opinions with 'mysteria' on the one hand, and with 'portenta' on the other. Whereas the first can have a positive meaning, the notion of monstrosity carries with it distinctly negative connotations. *Contra Julianum* is one of many anti-heretical treatises written by Church fathers, in particular Augustine and Tertullian, both widely read during the late Renaissance.[9] Several of the sixteenth- and early seventeenth-century titles, in which paradox and heresy are closely aligned, contain the word 'adversus' typical of the genre.[10] Part of Tertullian's work was also looked upon as heretical, and it is to defend him against this charge of heresy that his Renaissance editor, the bishop of Saint-Omer Jacobus Pamelius, writes the *Paradoxa Tertulliani cum antidoto*. This collection contains thirty-one paradoxical statements attributed to Tertullian, dealing with issues such as angels endowed with a human body (paradox 2), the corporeal soul (paradox 7), the resurrection of bodies (paradox 24), or the Trinity (paradox 31). In each instance, a quotation from Tertullian's work which smacks of

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[8] *Patrologiae cursus completus*, vol. 44, col. 705-6. For Augustine's attack on Julian, the Pelagian bishop of Eclanum, see Brown 2000: 383-99.

[9] Apart from *Contra Julianum*, Augustine also wrote a treatise entitled *Adversus Pelagianos*, and Tertullian is the author of *Adversus Judaeos*, *Adversus Valentinianos*, *Adversus Marcionem*, to name just a few of these works.

[10] For example, Jodocus Lorich's, *De traditionibus ecclesiasticis et voluntario Dei cultu, in genere, adversus duo paradoxa haereticorum nostri temporis* (Ingolstadt, 1579); and Ambrosius Reuden's, *Dissertatio theologica de Persona Jesu Christi, Servatoris nostri: adversus Roberti Bellarmini, haeretici et Cardinalis Romanensis libros quinque controversiae generalis secunda de Christo, capite totius Ecclesiae: qua omnia* sophismata kai paradoxa *Bellarminiana breviter, perspicue ac solide examinantur, confutantur* (Iena, 1605).

heresy is replaced within its context, explained, and confronted with his later and more orthodox views on a given matter. Underlying this defence of Tertullian is the notion that whereas paradox is merely an erroneous opinion, heresy implies the obstinate persistence in such error.

Paradoxes continue to be linked with erroneous or heretical opinions (often used interchangeably) in the pre-Reformation period. Some time before the Index of prohibited books was instituted, suspect theological and philosophical works were proscribed and registered in a *Fasciculus rerum expetendarum ac fugiendarum*, which appeared in 1535 in Cologne.[11] One of the items listed in the Index are *Paradoxa D. Johannis de Wesalia, sacrarum literarum doctoris, ac concionatoris Wormaciensis, quae feruntur a quibusdam Thomistis ex illius concionantis ore fuisse excepta; mox damnata per magistros nostros, haereticae pravitatis Inquisitores, de ordine Praedicatorum ... Anno 1479 Moguntiae.* Johannes Rucherat von Wesel (*c.* 1400-81), a forerunner of the Reformers, was forced to recant and to give up preaching in 1479 for his opposition to the papacy on the vexed issue of indulgences.[12] The *Fasciculus* contains the day by day account of a public examination of the eighty-year-old Johannes von Wesel by two university theologians, before a heresy tribunal in the city of Mainz. The Inquisitors are asked to examine 'articulos M. Johannis Wesaliae de haeresi suspectos' and to peruse his writings 'ut quivis perlegens, turpes errores extraheret, in quibus de haeresi suspectus iudicaretur' (fol. 164). Von Wesel is interrogated about his views on issues such as the authority and

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[11] *Fasciculus rerum expetendarum ac fugiendarum. In quo primum continetur Concilium Basiliense* [...]. *Insunt praeterea ... summorum aliquot virorum epistolae, libelli, tractatus, et opuscula, etc.* (1535).

[12] One of Johannes von Wesel's few extant writings is a long treatise on indulgences. On von Wesel and the public scandal caused by his trial, see Ritter 1971 and Cameron 1991: 82.

power of the Church, indulgences, fasting, original sin, the sacraments, monastic vows, grace and free will. What is remarkable is the degree to which his views coincide with those of sixteenth-century Reformers that they announce. He believes, for instance, that Christ did not give the apostles the authority to institute canons or laws of any kind; that indulgences have no efficacy and are fraudulent; that religion does not bring salvation but God's grace alone; that God can confer grace on a rational being independently of his free will; and that the decrees of Church Fathers or Councils are not to be believed, but Scripture alone (fols 163-7). In a trial which lasts a week, von Wesel at first firmly maintains his positions, but he is eventually forced to renounce his 'errors and heresies'.

Some of the earliest writings of the Reformers are described as paradoxes either by their authors or by their detractors. In 1518, Martin Luther (1483-1546) was summoned to attend the meeting of the general chapter of Augustinian Eremites at Heidelberg to present there some of his positions – carefully avoiding contentious issues such as indulgences, the subject-matter of Luther's famous ninety-five theses. A thesis is considered to be a paradoxical belief already in Aristotle's *Topics* (I, 104b20-5), and it is not uncommon for it to be equated with paradox in theological writings.[13] The Heidelberg disputation consists of twenty-eight theological theses dealing with sin, free will, and grace, and also of twelve philosophical theses advocating Christian folly and attacking various Aristotelian notions, doubtless in an effort to win the approval of the humanist audience.[14] The theological theses, presented by Luther as 'Theologica paradoxa' derived

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[13] More generally, as A. E. Malloch points out, paradoxes tended to be associated with the *thesis*, a bare 'proposition' to be supported with arguments, and by the same token with the *disputatio*. See Malloch 1956.

[14] For example, 'Qui sine periculo volet in Aristotele philosophari, necesse est ut ante bene stultificetur in Christo' (29), and 'Sicut libidinis malo non utitur bene nisi coniugatus, ita nemo philosophatur bene nisi

from Saint Paul and from Augustine, are first stated and then followed with a brief explanation giving the gist of the argument, a written trace of what would have been debated in the course of an oral disputation. They include statements such as 'Opera hominum ut semper sint speciosa bonaque videantur, probabile tamen est ea esse peccata mortalia' (3) and 'Liberum arbitrium post peccatum potest in bonum potentia subiectiva, in malo vero activa semper' (14), reflecting Luther's Augustinian outlook.[15] A fuller picture of the Reformers' stance on issues such as grace, faith and works, baptism, mass and the other sacraments, the right to excommunicate, monastic vows and so forth, emerges from the Wittenberg disputations, which appeared in print in 1521, a year after the papal bull *Exsurge Domine*, in which pope Leo X condemned some of Luther's theses as heretical, was issued.[16] The tract presents a list of assertions overtly defying traditional teachings of the Roman Catholic church put forward for debate by among others Luther, Andreas von Karlstadt (*c.* 1480-1541), and Philip Melanchthon (1497-1560) at the Wittenberg Academy, one of the new German universities that came to be associated with Luther's teachings. At this time, the Reformers were still united and shared a common stance on issues such as mass and the sacraments.

A section of the Wittenberg disputations deals with monastic vows and the much-disputed issue of whether or not members of religious orders should be allowed to marry. It is Karlstadt's contention that 'Religiosi possunt, si vehementer uruntur, uxores ducere'

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stultus, id est Christianus' (30). See Luther 1883: I, 353-74. For an account of the Heidelberg disputation, see Boehmer 1957: 206-10, and Cameron 1991: 173-4.

[15] They are supported, among other, by citations from Augustine's *Contra Julianum*, *Adversus Pelagianos*, *De spiritu et litera* and *De corruptione et gratia*.

[16] The full title reads *Christianissimi Wittenbergensis Gymnasii, multarum disputationum paradoxa et plane enigmata in Papistica illa mendaciis confusissima Ecclesia: vulgaria vero verae Christi Ecclesiae pronunciata. Atque ex his lector iudicabis, quid agatur in vere Christiana schola, quamque haeretica sit Lutecia, et omnes filiae eius* (1521).

and that 'Maius tamen malum incontinens admittit, qui iustus (ut cum Paulo loquar) peccat, quam qui ducit uxorem' (b2). Conrad Koellin (1476-1536), a professor of theology from Cologne, attacks those and similar views in an anti-Lutheran tract entitled *Adversus caninas Martini Lutheri nuptias, adversusque alia eiusdem, vel gentilibus abhominabilia paradoxa*, published at Tübingen in 1530.[17] Karlstadt was married and Luther, though he declared he would not follow in his footsteps, made public his support for the marriage of former monks and nuns. In 1525, a year after definitely leaving the Augustinians, he himself married a former nun, Catherine de Born, a union deemed scandalous by Catholics and frowned upon even by some of Luther's supporters.[18] Koellin accuses those monks and nuns who marry, despite their vow of chastity, of impudence and whoring, and claims that they have been joined by the devil rather than by God.[19] He asks himself why such a variety of opinions, falsities, errors, heresies, and plagues have appeared in his age, not comparable with any previous century, no matter how heretical. For Koellin, as for most Roman Catholics, paradox is on a par with falsity, error, heresy, and even plague.[20] But the Reformers argue that their theological and doctrinal paradoxes are ultimately true, just as theirs is the true faith. This comes across in the title of the Wittenberg disputations, where 'paradoxa et plane enigmata in Papistica illa mendaciis confusissima Ecclesia' are considered as 'vulgaria vero verae Christi

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[17] Koellin had already addressed this issue in a tract entitled *Eversio Lutherani epithalamii*, published in Cologne in 1527.

[18] Léonard 1961: 100.

[19] Koellin 1530: a6.

[20] 'Unde autem quaeso tantorum malorum pernitiosissima seges? Unde tam variarum opinionum, falsitatum, errorum, haeresum, pestis, miserabilium temporum horum, nullis retro saeculis, q[od]libet haereticis, comparandorum […]?' (a6v).

Ecclesiae pronunciata', and where the 'vere Christiana schola' is contrasted with the 'haeretica [...] Lutecia'. What is normally considered as paradoxical and enigmatic becomes an ordinary saying, and the church which prides itself in its orthodoxy is declared heretical. The same sort of reversal is present in a number of reformed works.[21]

As new orthodoxies emerge, Roman Catholicism becomes marginalized in some parts of Germany, in Switzerland and in Central Europe. This means that the prevailing view or the *doxa* on doctrinal matters is no longer dictated by Rome, but rather by Zurich, Wittenberg, Strasbourg, or Geneva. Catholics are in their turn accused of heresy and of professing paradoxical beliefs by the Reformers. André Rivet, a minister from Tours, produces an *Eschantillon des principaux paradoxes de la papauté*, which appears at La Rochelle in 1603. In another work, *Le Catholique orthodoxe opposé au catholique papiste*, he challenges the Jesuits' right to call themselves 'Catholics' and to confer upon Protestants, who are the true Catholics, the title of 'heretics'.[22] But the Reformers also apply the term 'paradox' in a derogatory manner to other sects within the Reformation, revealing the growing divisions within the Reform movement. Lutherans protest against the paradoxical opinions of Calvinists and of Anabaptists, as well as against those of the Roman Catholics. Albertus Grawerus, for instance, is astonished to find that Calvinist dogmas and paradoxes are preached in the Lutheran Academy of Rostock. He enlists the support of various Lutheran theologians to lend weight to his own indictment of certain heretical views on the origin and nature of evil, in a treatise entitled *Antilubinus, hoc est*

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[21] For instance, Thomas Morton, in a work dedicated to the archbishop of Canterbury, argues that the true 'Catholic' church is the Protestant one, in his *Apologia catholica, ex meris Jesuitarum contradictionibus conflata, in qua paradoxa, haereses, blasphemiae, scelera, quae a Pontifici obiici Protestantibus solent, ex ipsorum Pontificorum testimoniis diluuntur omnia* (London, 1605).

[22] Rivet 1603 and 1616. On La Rochelle as a stronghold of Huguenot publication, see Higman 1982: 323.

elenchus paradoxorum et emblematum Calvinisticorum Doctoris Eilhardi Lubini in Phosphoro de prima causa et natura mali.[23] The 'Catalogus paradoxorum Lubini' includes statements such as 'Bonum sine malo nec cognosci nec esse potuisse' or 'Necessarium fuisse, ut homines peccarent, ut bonitas Dei manifestaretur, quae alias innotescere non potuerit', quoted from Lubinus's work. Paradox has distinctly negative connotations in Grawerus's treatise. It is defined by association not only with heresy, but also with 'blasphemies', 'monstrosities' and 'absurdities'.[24] Grawerus and the Lutheran theologians whose opinions he summons adopt a rigid stance vis à vis what they perceive to be heretical, and, confident in their own orthodoxy, seem to forget that Luther himself once uttered paradoxes using the word in a positive and self-assertive way.

The gradual rise to prominence, in the second half of the sixteenth century, of the Jesuit order was perceived to be a threat by Catholics and Reformers alike. Within the Catholic camp, Dominicans felt that the Jesuits had impinged on their own territory by taking over their role as educators. The religious orders bitterly resented and opposed all criticism from the Society of Jesus and did not hesitate to brand the Jesuits' indictment of monastic practices as 'paradoxical'. The negative overtones this word came to acquire are manifest in the title of Augustinus Ardinghellus's *Paradoxa Jesuitica, hoc est impiae, nefariae, scandalosae et pestiferae Jesuitarum Germanicorum sententiae adversus omnes*

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[23] 'Hoc fine etenim praestissimorum quorundam theologorum Academiae Witenbergensis, Ienensis, etc. censuras collegi, huicque meae apologiae adiungere volui: qui omnes et singuli unanimiter mecum Lubini librum *tetris paradoxis* refertum esse testantur, ipsique eorundem re vocationem suadent' (Grawerus 1606: 4v; my italics).

[24] 'Mitto alias absurditates, quas in ipso tractatu notavi [...]. Nec iuvat Lubinum, quod praetendit se philosophice scripsisse: nam nec philosopho eiusmodi *blasphemias, portenta et paradoxa* evomere licet' (a2; emphasis mine).

religiosos ordines.[25] Yet Protestants likewise begrudged the Jesuits' the influence they had, through schooling, over the rich and powerful, as well as their successes as missionaries. Thus, Christophorus Pelargus calls the Jesuits a heresy 'pestilentior et nocentior, quanto gregis sui amplitudine, linguaeque disertitudine potentior, quanto ad seducendum technis variis instructior, quanto ad penetrandos orbis universi angulos impudentior omnibus est aliis' (4) in the preface of his *Novus Jesuitismus hoc est paradoxa sive absurdissima Jesuitarum dogmata in singulis christianae fidei articulis* of 1608. Paradox here, just as in the philosophical realm, is associated with absurdity. In his denunciation of the paradoxes and absurdities of the Jesuit order, Pelargus specifically aligns himself with Tertullian and Augustine, who combated heresy in the early days of Christianity.[26] Throughout the period under consideration, paradox is thus consistently linked to heresy, no matter who – whether a Lutheran, a Calvinist, or a Jesuit – faces the charge. In the context of religious controversies, the word can occasionally be used in a positive sense, as in the case of Luther's and the other Reformers' theses. More often then not, however, and especially when it designates the ideas of someone from a different side of the confessional divide, it acquires distinctly negative connotations.

2. The rise of the orthodox paradox

The widening gulf separating the views of the early Reformers from those staunchly defended by the Roman Catholic authorities is revealed in a rare confrontation between

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[25] Ardinghellus 1635.

[26] Pelargus 1608: 5.

their respective positions in around the year 1526. In October of that year, a renegade Franciscan friar from Avignon, François Lambert (1486-1530), debated a series of paradoxical theses before the Synod of Homburg, in which he denounced the errors and abuses of the Pontificate both in matters of doctrine and of worship, and advocated the adoption of the Reformation in Hesse.[27] These theses were publicly debated in Latin and in German, in the presence of the Landgrave of Hesse Prince Philipp, one of Luther's protectors, and members of various religious orders, who were given the liberty to contest any of the theses, provided that they argued *ex verbo Dei*. The preface to the *Paradoxa* mentions that Nicolaus Herborn (1480-1535), guardian of the Franciscan order at Marburg, violently opposed the theses, but since neither he nor a Johannes Sperber from Leipzig, were able to ground their objections in the Scriptures, Lambert was declared victor.[28] The political consequences of this victory were not negligible, since at the outcome of the Synod Prince Philipp proclaimed the Reformation in Hesse and enlisted Lambert's help to organize the Reformed Church in the principality, in what was the first such attempt – soon to be disavowed by Luther.[29] Lambert's paradoxes provided the basis of the *Reformatio Ecclesiarum Hassiae iuxta certissimam sermonum Dei regulam*, which became the official doctrine of the Reformed principality. In order to promote and defend evangelical truth an academy was founded at Marburg, where Lambert was appointed the

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[27] See Lambert 1732: 554-79. On Lambert and the Synod of Homburg, see Léonard 1961: 102-4; Haas 1987: 257-72; and Müller 1958.

[28] On the debate between Nicolaus Herborn, *alias* Nikolaus Ferber, and Lambert, see Müller 1958.

[29] In the aftermath of the Peasants' Revolts of 1524-6, Luther adopted a cautious stance in political matters, reflected in a letter to Philipp of Hesse (7 Jan. 1527), where he disapproves of the Hessian Reforms. See Léonard 1961: 104.

first Professor of Theology in 1527.[30] The previous year there had appeared in Cologne Herborn's refutation of Lambert's paradoxical propositions, consonant with the official doctrines of the Catholic church: *Assertiones trecentae ac viginte sex fratris Nicolai Herborni, Guardiani Marpurgensis, verae orthodoxae, adversus Francisci Lamberti exiticii monachi paradoxa impia, ac erroris plena, in Hombergiana Hessorum congregatione proposita, ac plusquam haereticissime deducta, et exposita*. The title, presenting the paradoxes in a negative light, distinguishes between the true and orthodox statements of the Franciscan guardian, and the impious and erroneous paradoxes of the apostate.

Lambert's paradoxes, a hundred and fifty-eight propositions that come under twenty-three title headings, constitute one of the most comprehensive accounts of early Lutheran doctrine.[31] We read in the preface that 'Paradoxa illa summam comprehendant doctrinae de fide, cultu et regimine Ecclesiae' (561). Indeed, they deal with a range of theological and ecclesiological issues, from the Church and priesthood, the sacraments, the cult of images, to celibacy and marriage, purgatory, benediction, prayer, baptism, and monasticism. The starting point of Lambert's propositions is the programmatic assertion that all deformed things must be reformed. The way of the reformation is through God's word alone.[32] Despite being described as 'rarius obvia, multisque forte nec visa quidem aut cognita' (556), in fact the paradoxes bear a close resemblance, in content as well as in

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[30] Lambert 1732: 560-2.

[31] They first appeared in print in Erfurt in 1527 and in Cologne (Haas 1987: 257).

[32] 'Nihil rectum, nisi quod Dei verbo congruit: quod ipsum solum certissima omnis rectitudinis norma' (titulus primus, paradox 1). That the principle of *sola Scriptura* was seen as both heretical and paradoxical is evidenced by Jodocus Lorich's *De traditionibus ecclesiasticis, et voluntario Dei cultu, in genere, adversus duo paradoxa haereticorum nostri temporis, scilicet: nihil esse et credendum, et observandum, quod non sit in Scripturis Sanctis expresse, cum praescriptum, tum praeceptum* (Ingolstadt, 1579).

form, to the propositions debated at the Wittenberg Academy in 1521. Like many other collections of theses, a polemical tool of which the Reformers made great use, Lambert's paradoxes consist of a series of bare statements which would have been fleshed out with arguments in the course of a protracted oral debate. Lambert mentions that it took him several hours to prove all his paradoxes.[33] Although these proofs were not written out, we may infer, given how adamant Lambert is about arguing *ex verbo Dei*, that they consisted largely in Scriptural citation. No explanation for the choice of the title is given in the *Paradoxa*. However, an earlier collection made up of three hundred eighty-five 'paradox[a], sive position[es]', which Lambert published in Strasbourg in 1525 under the title *Farrago omnium fere rerum theologicarum*, sheds some light on why he may have chosen to adopt this particular form. The work is prefaced with an epistle to the Bishop of Lausanne, Sebastian de Montefalcone, in which Lambert explains that he initially wanted to send him a reply to the hundred paradoxes or *Wunderreden* that the Augustinian Conrad Treger had addressed to him. Having realized that Martin Bucer and Wolfgang Fabricius Capito had already attended to this,[34] he decided to preface his work with a refutation of Treger's letter to the bishop, which formed part of the same edition. The conclusion makes the link between Treger's *Paradoxa* and his own *Farrago*, from which the Homburg paradoxes were partly derived, even more explicit, stating as one of the

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[33] '[C]oram omnibus paucis ex verbo Domini probavi ea, quae affixeram paradoxa, et id quidem aliquot horis continuis' (Lambert 1730: 24).

[34] The first in *Ein Kurtzer warhafftiger bericht, von Disputationen, und gantze handel, so zwischen Cünrat Treger Provincial der Augustiner, un den predigern des Evangelii zü Strassburg sich begeben hat. Sein, des Tregers Sendtbrieff an den Bischoff zü Losam. Und hundert Paradoxa, oder Wunderreden vom gewalt der Schrifft, Kirchen, uund Consilien verteüscht. Schrifftlich verantwortung und widerlegung der selbigen*, and the other in his *Antwurt ... auff Brüder Conradts Augustiner ordens Provincials vermanung, so er an gemein Eidgnoschafft jüngst geschriben hab*, two works which appeared in Strasbourg in 1524.

reasons for writing his paradoxical theses the wish to substitute his own true paradoxes for Treger's mendacious ones.[35]

In his point-by-point refutation of Lambert's theses, Herborn puts forward three hundred and twenty-six counter-propositions, roughly twice the number of Lambert's own. It is as if their sheer number were enough to outweigh his opponent's points. Every one of Lambert's propositions is examined in the light of Roman Catholic dogmas and found to be heretical. In the preface, addressed to the 'orthodox reader', Herborn explains that his work grew out of the 'hundred truly orthodox assertions' (A1v) that he made before the Synod of Homburg to counter Lambert's paradoxes. He declares himself prepared to prove them to be consonant with the Scriptures, stipulating however that his notion of what is 'scriptural' rests on the authoritative views of the pontificate and the Church Councils.[36] Lambert, we have seen, insisted that the Reformation must be based on the sole authority of God's word. In the body of his refutation, Herborn asserts that in reforming man's morals, as in all matters pertaining to faith, we must look not only to the written word, but also to the divinely inspired or revealed one, which provides us with the true interpretation of the Bible.[37] Thus, the basic disagreement over what may be considered 'scriptural' precludes any possibility of dialogue. For the most part, Herborn contents himself with merely stating the opposite of Lambert's propositions, in keeping

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[35] See Lambert 1525: 51v. On the similarities between the *Paradoxa* and the *Farrago*, see Haas 1987: 257-9.

[36] 'Pro Hombergiana Hessorum congregatione, Francisci Lamberti exiticii monachi paradoxa, eo loci exposita, valvisque affixa, quae Marpurgensi Minoritarum Guardianus frater Nicolaus Herborn, centum assertionibus vere orthodoxis sub idem tempus confutavit, evicit, ac diluit [...]. Quas idem Guard[ianus] paratus est sacris literis esse consonas probare, sub iudicibus competentibus per pontificiam iam seu Caesaream in futuro generali vel nationali conciliis, designandis autoritatem' (A4v).

[37] See assertions 1-7 and 34-5.

with the authoritative opinions of what he continually refers to as the 'orthodox Church'. His statements are only occasionally borne out by the Scriptures.[38] Nevertheless, he considers that Lambert was wrongly declared victor in the dispute. In an epistle addressed to the inhabitants of Cologne, where Herborn published his *Assertiones*, Lambert denounces his opponent as a liar and an impostor for asserting that he had the upper hand in the disputation, when in fact he suffered a shameful defeat, as all those present at the Synod are there to testify.[39] The epistle relates how the paradoxes were posted in public places to advertise the debate, which was conducted both in Latin and in the vernacular, in order not to exclude anyone from the discussion. Invited to contest the theses on purely scriptural grounds, Herborn repeatedly answered that this was not the place to respond. If he did raise any objections, they were either based on an 'adulterated' meaning of the Scriptures, or on the authoritative opinions of men ('opiniones homini'), which could not satisfy the assembly given the basic premise of the disputation.[40]

Two years after the *Assertiones* appeared, Herborn published an *enchiridion* of *loci communes* which elaborates upon some of the themes discussed in the *Assertiones* and adduces additional scriptural proofs.[41] Herborn's assertions or counter-propositions,

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[38] He claims, for example, that the cult of images as practised within the Catholic church is not forbidden either in the Exodus or the Deuteronomy (assertion 128) and that the Catholic stance on purgatory is derived from the Ecclesiastes, Paul, David and all of Scripture (158).

[39] Lambert mentions 'assertiones suas 326, in quibus vere plusquam sexcenties factus est mendaciorum assertor. De quibus priusquam speciatim quidquam agam, quoniam audet ubique blasphemare sanctam Hessiae synodum, et gloriari in victoria, cum fuerit turpissime victus' (Lambert 1730: 11-12).

[40] 'Nihil enim adducere in ea, quae dixeram, potuit: nisi aut scripturae textus in sensu adulterino (ut sophistae et Papistae omnes faciunt) aut mera hominum somnia atque figmenta; quae quia scit a nobis, velut voces alienas a voces pastoris Christi, non recipi, siluit, interim dicens: Non est respondendi locus' (24-6).

[41] 'Accessit et iis quod superiore anno trecentis illis ac vigintisex adversus Franc[isci] Lamperti exititii monachi haereticissimi dogmata ac paradoxa conclusionibus meis editis, non adieci certos scripturae locos,

reflecting the orthodox views on a number of issues, are in fact close to commonplaces, the contrary of paradox. And yet Herborn later resorts to his opponent's methods by publishing a work entitled *Paradoxa seu theologicae assertiones*, which appears in Paris in 1534, four years after Lambert's death. What changes is not so much the ideas as their manner of presentation, since the paradoxes making up the collection are written in strict conformity with the views espoused by the Roman Catholic Church. They are, in effect, orthodox paradoxes. In a final address to the reader, Herborn says that his decision to write about a topic as controversial as that of the Holy Scriptures and who should be admitted to reading them is likely to cause him trouble.[42] Following the advent of the Reformation in Hesse, Herborn is no longer at liberty to propagate in Marburg views so opposed to the principles most cherished by the Lutherans, such as the doctrine of *sola Scriptura*. Hence his collection may be considered 'paradoxical' in more senses than one: it at once runs counter to the prevailing view (that of the Reformers) and it explores what is wondrous or admirable about some scriptural prescriptions. The first paradox asserts that 'Scriptura sacra: neque a quibuslibet tractanda: neque passim legenda'. Invoking the authority of the Gospels and of Saint Paul, Herborn affirms that holy things should not be given to the dogs, nor pearls cast before swine (Matthew 7. 6), and that some things are so difficult to understand that they can easily be distorted unless one follow the sense commonly accepted by Church doctors. Since the letter kills and the spirit vivifies, the Scriptures must not be understood literally. According to the eleventh paradox, women and men must be kept away from the Scriptures, if they are intent upon the destruction of

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quibus nostra alioqui infracta, ac inferni portis robustiora probare[m], sacrisque scripturis ostendere[m] conquadrare'. See the address to the reader, in *Locorum communium, adversus huius temporis haereses, enchiridion* (1528).

[42] 'Ad lectorem' (Herborn 1534: 50v).

the Church. Luther's example and the deleterious effects of his vernacular Bible are evoked in passing. In a final paradox, Herborn argues that erudition in biblical matters only leads to disagreements and that we should therefore content ourselves with Jerome's Vulgate translation of the Bible.[43] Similar arguments would doubtless have been put forward by various Church officials to place the vernacular Bible and the New Testament on the indexes of prohibited books.

Given their general outlook, Herborn's paradoxes may be described as orthodox. Until the second half of the following century, when the word 'heterodox' acquired a wider currency and became the antonym of 'orthodox', paradox fulfilled that function.[44] Cotgrave defines 'orthodoxe' as 'of a right faith, true beliefe, sound opinion' in 1611, and the word was used in theological and ecclesiastical doctrine to signify what is '[r]ight, correct, true; in accordance with what is accepted or authoritatively established as the true view or right practice' (*OED*, 2). 'Paradox' and 'orthodox' are found associated in the titles of early seventeenth-century treatises, when the word 'paradox' appears in various oxymoronic combinations, to show that despite being paradoxical an opinion is true and correct.[45] The two words are starkly juxtaposed in Ralph Venning's *Orthodox Paradoxes, Theoretical and Experimental, or, A Believer Clearing Truth by Seeming Contradictions*, first printed in London in 1647. Though he fails to acknowledge it, Venning's paradoxes

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[43] See paradoxes 3, 4, 11 and 14.

[44] The two words appear conjointly in Johannes Hoornbeeck's *De paradoxis, et heterodoxis Weigelianis commentarius* of 1644, but only paradox – the more familiar of the two words – is used in the body of the tract. See Hoornbeeck 1644.

[45] Jacques Duval, for instance, writes a treatise on the *Méthode nouvelle de guarir les catarrhs et toutes les maladies qui en despendent, en laquelle 71 paradoxes sont monstrez estre ortodoxes* (1611). In his 'Paradoxologia', Alsted divides paradoxes into *endoxa*, *adoxa*, and *paraloga*, and states in one of his rules that 'Ea demum paradoxa probanda sunt, quae sunt orthodoxa' (Alsted 1649: 2297).

are indebted to *The Character of a Christian in Paradoxes and Seeming Contradictions* (1645), a work by Herbert Palmer for a time mistakenly attributed to Francis Bacon.[46] In the dedication to the *Orthodox Paradoxes*, Venning recognizes that the chosen title may appear somewhat contradictory:

> As for the matter, though it seem *contradictorious*, yet it doth but seem so; for *utraque pars est vera*: and though it be made up of *paradoxes*, yet they being grounded, not on *Stoicisme*, but *Christiantie*, I hope they will answer the name of *orthodox*. Yet what can a man call *orthodox* in this *heterodox* age, wherein scarce any one thing is spoken or written, but every man *comments* or *glosses* upon it, interpreting, not as the text speaketh, the truth requireth, or the *author* meaneth, but as his *opinionative* phansie pleaseth to criticize [...].[47]

To do away with the contradiction, Venning explains that the paradoxes are 'orthodox' in so far as they are based on Christian beliefs, rather than on Stoic ones (thus implicitly alluding to Cicero's *Paradoxa Stoicorum*). Both the title and the paradoxes themselves reveal the semantic shift that the word 'paradox' had undergone since the early sixteenth century. 'Paradox' is no longer considered as that which is besides or runs counter to the *doxa*, an external body of opinion, but rather an antithesis or a 'seeming contradiction' built into the very fabric of the paradox. Venning's paradoxes are in fact juxtapositions of apparently contradictory and opposite statements drawn from the Bible, illustrating the affinity between *paradoxa* and the genre of *contradicentia*.[48] In stating a believer's creed, each follows a similar pattern: 'He believes that no man hath seen God at any time; *and yet* he believes that Moses talked with him face to face' (40); 'He knows that he was once

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[46] On Herbert's 'Christian Paradoxes' and its 'non-Baconian, and actual, authorship', see Grosart 1864.

[47] See 'To the right worshipful Colonell Francis West Esquire, Lieutenant of the Tower of London' (emphasis in the original).

[48] Couples of antithetical biblical statements are included in a disputation presided by D. Dolschi in the Wittenberg debates of 1521. Hans Denck's tract, *Wer die Warhait warlich lieb hat* of 1526, sometimes described as a collection of 'Paradoxa', also contains 41 opposites drawn from the Bible.

an enemy to God; *and yet* he believes that God was never an enemy to him' (111).[49] These self-contained statements speak for themselves and need not be resolved or borne out by any further arguments, as was the case with Luther's or Lambert's paradoxical theses, or indeed with Cicero's *Paradoxa Stoicorum*. The initial oxymoron of the title serves to underline the internal contradictions of the paradoxes, rather than making a normative statement about the right views or correct beliefs. Venning's paradoxes are, as we shall see, closer to the dialectic of Christian paradoxes with their inherent notion of contrariness than to the paradoxes dealing with doctrinal matters typical of the early Reformation.

3. Christian paradoxes

Alongside the doctrinal issues debated in the form of paradox that we have so far been considering, there is an entirely less polemical type of paradox dealing with the mysteries of Christian religion and the values underlying Christian ethics. The earliest collection of such paradoxes, possibly composed as early as 1437 but printed in the first decades of the sixteenth century, is a treatise on Mariology and Christology written by the Spanish theologian, Alphonso Tostado (d. 1455): *Aenigmatum sacrorum pentas, Alphonsi Tostati abulensis episcopi paradoxa: de Christi, matrisque eius misteriis, animarum receptaculis posthumis, iucundissimae disputationes*.[50] Of the two versions of the work, Latin and

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[49] The emphasis is my own.

[50] The first Latin work was published in 1508. On the vexed issue of the precedence of the Latin or the vernacular editions, see Parilla García 1998: 8-9 and 58. All references to the modern edition, *Las çinco figuratas paradoxas* (1998), will be included in the text.

Castilian, the vernacular one is dedicated to Queen Mary, first wife of Juan II of Castille, whose enquiry about certain metaphorical expressions applied to Christ and to the Virgin prompted Tostado to compose the treatise. The paradoxes are pairs of mutually exclusive propositions predicated in succession of a vase, a lion, a lamb, a serpent and an eagle, more or less obvious symbols of the Virgin and, in the case of the last four, of Christ.[51] The Virgin, for example, is represented as 'un vaso çerrado y non çerrado; pequeño et non pequeño; lumbroso et non lumbroso; vazío et non vazío; mas vaso limpio et non limpio' (76). Tostado begins his monumental treatise by asserting that while neither one of the 'ocultas metáphoras' is found in the Scriptures, far from being discordant with Catholic truth they are clarified by it, and may therefore be considered as authentic. The metaphors are to him 'proposiçiones admirabiles dignas de seer llamadas paradoxas' (*paradoxa* and *admirabilia* are coupled here as in most definitions of paradox), in so far as they openly defy the rules of logic, affirming one thing and negating it immediately after, in keeping with Aristotle's definition of contradiction. Tostado goes on to draw a parallel between his own work and Cicero's *Paradoxa Stoicorum*, explaining that, just as Cicero's paradoxes,

> estas figuradas locuçiones, por seer contradictorias quanto a la corteza literal, a todo onbre que en ellas speculare a la primera vista paresçen seer impossibles, prinçipalmente a los vulgares onbres et communes, los ingenios de los quales non se alçan en alta speculaçión.[52]

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[51] Christ as serpent is an allusion to Numbers 21. 6-9, where Moses builds a serpent of brass to protect his people from the venomous bite of serpents.

[52] See chapters 5 and 6 of the 'prohemial prelocuçión', entitled 'Que estas metáphoras son propossiçiones maravillossas por tener todas en sí oppossiçión de contradictorias' (74-5) and 'Que por qué se llama un libro de Tullio *De las Paradoxas*. Que estas propossiçiones se deven llamar figuratas paradoxas, et del título de este libro' (75-6).

Such a characterization of paradox is a mixture of familiar and new elements. While the discrepancy between common or vulgar opinion and paradox is frequently stressed, the insistence on the contradictory character of paradoxes and on their seeming impossibility is more unusual and brings us closer to the contemporary meaning of paradox.[53] Tostado repeatedly describes the five 'figuradas locuçiones' as occult mysteries, parables, and enigmas hidden from the vulgar. Paradox is in fact equated with *aenigma* in the Latin title and at the beginning of each section of the treatise. The word thus acquires a whole new range of associations in the theological realm.

Christian paradoxes constitute a sub-category and a distinctive strain within the body of theological paradoxes.[54] Aurelio Brandolini Lippi's *Christiana paradoxa* is to my knowledge the first work to actually bear that title. The first extant edition of the work appeared in Rome in 1531, and it contained two paradoxes: 'Diligendos esse inimicos' and 'Mortem flagitio anteponendam esse'. This was followed in 1543 by a Basle edition with five additional paradoxes claiming that happiness cannot be found in this life, and that neither honours, fame and glory, virtue, or human knowledge result in happiness.[55] Despite showing the influence of ancient philosophers who have left the greatest mark on Christian ethics, Plato and the Stoics especially, the value-system that these paradoxes reflect is distinctly Christian. Whereas the claim that happiness does not consist in honours, riches, fame and glory is consistent with Stoic philosophy, and coincides with some of the arguments put forward in the *Paradoxa Stoicorum*, such is not the case with the final paradoxes, affirming that 'Felicitatem in virtute non esse' and that

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[53] On this subject, see the Introduction.

[54] For a study of the rhetorical tropes characteristic of 'Christian paradoxes', see Panizza 1997: 206-7.

[55] Panizza 1997: 210-11.

'Felicitatem in disciplinarum scientia, et humana rerum contemplatione non esse'. Brandolini (1440-1497), also known as Lippi, was an Augustine monk who became one of the most prominent orators of his age. This is reflected in the highly ornate but lively style of his paradoxes, full of rhetorical questions, anaphora, and interjections. The Christian reader is constantly solicited in a manner and style more akin to a sermon than to an academic disputation. Structurally, the paradoxes present an alternation of argument and of *exempla*, designed to prove and illustrate the initial paradoxical statement. Drawn from ancient and more recent history, the lives of philosophers and of Christian martyrs alike, the *exempla* tend to come in series. There is a progress from the illustrious figures of antiquity to Christian heroes and biblical quotation, which constitute the highest of truths. Lando's paradoxes, of which several are informed by Stoic and Christian ideals, follow a similar pattern.[56] I shall look more closely at the two paradoxes which feature in the first edition of the *Christiana paradoxa*, as they are among the most striking instances of Christian dialectics.

The uncompromising nature of Christian prescriptions is illustrated by the first of these paradoxes: 'Diligendos esse inimicos'. The oration begins *in medias res* with an imaginary dialogue:

> Quid est obsecro, quod tibi hac in re grave inprimis et difficile videatur? Non possum (inquis) ignoscere ei, qui me contumeliis indignis affecit, spoliavit bonis, dignitate, patriaque privavit et quod indignissimum est vita etiam privare tentavit. Quidnam est causae cur non possis? Num aliqua re maior vis prohibet an te vires deficiunt? Animus (inquis) admissae in se iniuriae memor, ultionisque cupidus ponere indignationem, reconciliarique non potest. Immo non vult, rectius dixisses. (A2)[57]

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[56] See, in particular, paradoxes 2, 4, 10, 14 and 17 in Lando's collection.

[57] All quotations refer to the 1531 edition; the punctuation has been altered.

Brandolini here touches on some of the reasons that might make one naturally unwilling to forgive one's enemy. And yet a Christian must show himself able to rise above all such feelings, since the highest of virtues consists in forgiving all affronts and trespasses done unto us. There are two stages to the argument. In order to deserve being called a Christian we must learn to forgive our enemies and to rid ourselves of all hatred. But this in itself is not sufficient for, unless we love our enemy, our hatred is merely dissimulated and not extinguished. The command to love our neighbour does not merely extend to our friends and those near us, but to all of mankind, descended from one man. We must imitate all those who have forgiven and loved their enemies, above all Christ our Redeemer, who loved and pleaded for those who crucified him. The height of Christian perfection is precisely to love and honour our enemy, going against our nature and will.[58] The second paradox ('Mortem flagitio anteponendam esse') is built around sets of binary oppositions between body and soul, and life and death. At first sight, it appears absurd to choose death over disgrace, and Brandolini is keen to show that his paradox is not the product of Stoic schools or monastic cells, on the contrary, it is verified by ordinary experience.[59] Man's nature is at once corporeal and spiritual, but the body was created for the soul, and it is the use of the intellect that sets us apart from other animal species. For a man to 'live', therefore, is to exercise his higher faculties, and physical actions such as sleeping, eating, and pursuing sensual pleasures are a death falsely referred to as 'life' by some. In a manner reminiscent of Stoic paradoxes, Brandolini suspends the ordinary meaning of

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[58] Brandolini 1531: A2-B2. This theme is also explored in a vernacular paradox which appeared in Lyon in 1640, Jean du Rozier's *La Consolation des honnestes gens: ou paradoxe chrestien, en faveur de l'amour des ennemis, et du pardon des injures, qui preuve que personne n'est offensé que par soy-mesmes*.

[59] 'Vereor ne cui hominum se immoderate amantium stulta haec et vana? magisque ex Stoicorum scholis aut coenobiis monachorum quam ex communi hominum vita deprompta esse oratio videatur. Verum ego sanae mentis hominibus brevi eam et rectam et veram et populare esse ostendam' (B2).

words, but his paradox also operates an inversion typical of Christian dialectics, whereby life becomes death, and vice versa. Our virtue in this brief and contemptible life, so the Christian believes, will ensure us eternal bliss in the next one, just as sin will lead to an eternity of damnation. Death must therefore be preferred to disgrace.[60]

The stark inversions of values that Christianity may have inherited from Stoicism are nowhere more pronounced than in Christ's Sermon on the Mount. The first two beatitudes in the Gospel according to St Matthew furnish Caelio Secundo Curione (1503-1569), an Italian humanist dedicated to the cause of the Reformation, with the subject-matter of his *Paradoxa Christiana duo*: 'Beati pauperes spiritu, quoniam ipsorum est regnum coelorum' and 'Beati qui lugent, quoniam hi consolationem suscipient'.[61] The Latin wording of the title heading of each paradox is preceded by the Greek original, on the model of Cicero's *Paradoxa Stoicorum*. Curione, a humanist scholar and a professor of rhetoric, would have known this work well. He was a close friend of Olympia Morata, who lectured on the *Paradoxa Stoicorum* in 1541 at Renée de France's Academy in Ferrara. Prefaces to three of these lectures featured in a posthumous edition of Morata's works that Curione himself had edited.[62] The preface to Curione's Christian paradoxes echoes the *prooemium* to the *Paradoxa Stoicorum*, using its very formulations. A strict parallel is thus drawn between the terse and paradoxical manner of expression peculiar to Stoics such as Cato, and that of Christ in his Sermon on the Mount: 'In quo sermone ea fere dixit, quae non sane probantur in vulgus, nec ullum secutus est florem orationis, nec

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[60] 'Stultum enim et rationi maxime contrarium est pro fluxo stabile, pro caduco sempiternum amittere, et pro brevi atque anxia corporis vita aeternam ac beatissimam animae vitam profundere' (C1v).

[61] Curione 1544: 163-89. On Caelio Secundo Curione, see Chavasse 1996 and Guggisberg 1982: 42.

[62] Morata 1558: 9-15. On this subject, see section 1.3.

dilatavit argumenta: verum breviter ac nude omnia est elocutus' (164).[63] Christ, we are told, expressed himself as a God speaking to men, without recourse to subtle arguments, his sole concern being with truth. But we who are men must expound his teachings and adorn them with rhetorical flourishes 'ut potentius in animos influant' (164). This is the task Curione appears to set himself:

> Itaque partim ut meipsum consolarer, partim ut tentarem an splendescere oratione possent, quaedam conieci in communes locos, quae multo verius, multoque iustius paradoxa appellavimus, quam veteres quidam Stoicorum proposita. Quae enim Deus ipse loquitur, ea sola admirabilia, contraque opinionem omnium et sunt, et appellantur. (164-5)

The parallel with Cicero's *Paradoxa Stoicorum* is patent. Like Cicero, Curione writes the paradoxes partly as a way of consoling himself (he alludes in passing, at the outset of his prefatory letter, to the persecutions of the 'hostes Evangelii' which have forced him into exile), and partly to attempt to render persuasive and acceptable Christ's brief and simple message by turning it into 'communes locos'.[64] He goes so far as to suggest that the term 'paradox' is much more appropriate to designate the words of Christ than those of the Stoics, since only the words of God can be considered truly wondrous and contrary to the common opinion of all men, in keeping with Cicero's influential definition of paradox.

The *Paradoxa duo*, published in Basle in 1544, were written in Latin, in a lively oratorical style designed to appeal to a humanist readership, and similar to that adopted by Brandolini in his *Christiana paradoxa*. Here as well, the reader is appealed to directly

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[63] Compare with Cicero's *prooemium*, 2: 'Cato autem, perfectus mea sententia Stoicus, et ea sentit, quae non sane probantur in vulgus, et in ea est haeresi, quae nullum sequitur florem orationis neque dilatat argumentum; minutis interrogatiunculis, quasi punctis, quod proposuit efficit'.

[64] Cicero's 'ego tibi illa ipsa quae vix in gymnasiis et in otio Stoici probant ludens conieci in communes locos' (*prooemium*, 3) informs this statement as much as the previous one.

through the use of the second person pronoun and frequent interrogations. A decade later appear Curione's *Quatro lettere christiane, con uno paradosso sopra quel detto: beati quegli che piangono*, translated into Italian for a vernacular audience, and published the same year in Bologna and in Basle.[65] In contrast to scholarly disputations, which usually took place in Latin so as to enable foreigners to participate in the debates, Christian paradoxes were thematically and stylistically closer to the vernacular sermon, and this may account for their being written in German, Italian, Spanish, and French.[66] The choice of the vernacular was partly dictated by the audience for which these paradoxes were intended. Tostado's five paradoxes, for instance, were written in Castilian for the queen and the lay public and, shortly afterwards, translated by the author into Latin for a more learned audience.[67] By the time Juan de Horozco y Covarrubias (*fl.* 1589-1608), Archdeacon of Cuellar at the Santa Yglesia of Segovia, sets out to write his *Paradoxas christianas contra las falsas opiniones del mundo*, over a century and a half later, Castilian is a more established idiom, spoken both in Spain and in its dominions. The author proudly comments on the astonishing extension of its influence in justifying his use of the vernacular.[68] Horozco y Covarrubias prefaces his work with a dedication to the reader, in which he explains his own conception of Christian paradox. Like Curione and Brandolini before him, he implicitly recognizes Stoic paradoxes to be a model for the

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[65] Curione 1552.

[66] For the distinction between the Latin academic disputation and the vernacular sermon, see Bagchi 1991: 98.

[67] The precedence of the vernacular over the Latin work, however, is subject to debate. See Parilla García 1998: 8-9.

[68] 'Pues no solo aprovecha lo que se escriviere bueno en nuestra lengua a los que la tienen por propria, mas a todos los que se precian de entenderla, que son muchos mas, por averse estendido tanto' (Horozco y Covarruvias 1592: 6v).

Christian ones, saying that certain truths dimly made out by Stoic philosophy announced the truth more fully revealed in the 'school of Christ'. In order to express the truths taught 'en la escuela christiana y verdadera philosophia', he has chosen 'algunas sentencias, que por ser tan contrarias a lo que el mundo siente son paradoxas, aunque por si ninguna dificultad tienen, antes son llanas y averiguadas verdades' (5v). The link with Stoic paradoxes is further reinforced when Horozco y Covarrubias declares that his paradoxes have the same abrasiveness and capacity to awake the spirit that Plutarch ascribed to the doctrines of the Stoics.[69]

The collection is made up of two books, each containing seventeen paradoxes. Built around pairs of contraries, not unlike Lando's and other mock encomia, they exhibit the inversion of values typical of Christian paradoxes. Three deal with life and death and explore different facets of the *topos*: 'Que no se han de llorar los muertos sino los vivos' (I, 1), 'Que en la vida esta la muerte, y en la muerte esta la vida' (I, 6), and 'Que lo mejor de la vida es la muerte' (I, 17). Some analyse biblical sayings, such as 'Que la sabiduria deste mundo, es tontedad a cerca de Dios' (I, 13), 'Que el que ama su vida esse la aborrece, y el que la pierde esse la halla' (II, 1), or 'Que si la mano o el pie nos escandalizare devemos cortarlos y si el ojo nos escandalizare devemos sacarle' (II, 9). Others take as their point of departure a proverb or an expression which need not be Christian: 'Que toda esta vida si bien se mira es sueño' (II, 5) or 'Que la verdadera nobleza consiste en la virtud' (II, 8). By far the most surprising of these paradoxes, given the date of its composition, is the one affirming 'Que la tierra es la que se mueve y el

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[69] 'Y no les falta lo que Plutarcho dixo de la doctrina de los Stoychos, que tenian agudeza, y que los ingenios alcançavan con ella seguridad' (5v).

cielo es el que no se muda' (II, 2).[70] The collection, published at the height of the Inquisition, is prefaced with an official approval, stating that the work contains nothing in any way opposed to the Catholic faith. The address to the reader further states that the book deals with 'verdades provadas con la authoridad de las divinas letras y la doctrina de los sanctos', for which the author professes a 'particular inclinacion'.[71] And yet one of the paradoxes contains an apology of heliocentrism, a theory in contradiction with certain passages of the Scriptures and officially condemned by Councils and the highest Church authorities. At the outset of the paradox, Horozco y Covarrubias recognizes that a subject belonging to natural philosophy and mathematics may seem out of place in a collection of 'doctrinas maravillosas de la escuela de Christo' (132v). However, he is not so much concerned with the scientific issues at stake,[72] as with the implications of heliocentrism for Christian morality. Since movement is less perfect than rest, it is natural that the earth where we dwell in this life should move, and that the heavens where God dwells in all eternity should be at rest. The theory of heliocentrism thus in reality conforms with Christian and Catholic truths. Horozco y Covarrubias's vernacular collection illustrates the diversity of themes that come under the heading of 'Christian paradoxes': astronomical, political and (loosely defined) humanist *topoi* all furnish the matter of his religious meditations.

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[70] Horozco y Covarrubias 1592: 132-7. On Copernican paradoxes, see section 5.1.

[71] Horozco y Covarrubias 1592: 6. On censorship and the Catholic Reformation, see Bujanda 1996: X, 17.

[72] He refers the reader in passing to 'un libro no solo curioso mas conforme a las reglas de la sciencia con que se haze demonstracion quanto a esto' (133v), without naming its author.

4. Sebastian Franck's *Paradoxa ducenta octoginta*

Christian in spirit, Franck's *Two hundred and eighty paradoxes* are nevertheless radical in content and not wholly uncontroversial, by contrast with most Christian paradoxes.[73]

Sebastian Franck (1499-1542) himself is a figure difficult to assess: a Catholic priest turned Lutheran minister, a radical Erasmian influenced by Anabaptists, whose practices he described in his *Chronica, Zeitbuch und Geschichtsbibel* (1531), he is often counted among 'spiritualists' such as Hans Denck and Caspar Schwenckfeld.[74] An eclectic thinker, Franck drew on a variety of sources in composing his paradoxes. The title lays stress on the fact that the paradoxes or *Wunderreden*, 'wondrous sayings', are 'culled from the Scriptures', but many are also derived from patristic writings, ancient philosophy, proverbial wisdom, negative theology and German mystics, as well as contemporary theological works.[75] The end of the preface, where Franck promises to write several hundred more paradoxes drawn from the Bible, Pythagoras, Plato, Plotinus, Plutarch, Cicero, Seneca, Erasmus, Vives and Caelius Rhodoginus gives us a measure of Franck's humanist learning. The collection as a whole, and specific paradoxes such as 'Peccata quaevis paria' (261) and 'Omnia opera in fide paria' (262), reflect the influence

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[73] The full title of this work, first published in Ulm in 1534, republished in 1542, and in 1558 in Pforzheim, is *Paradoxa ducenta octoginta, das ist CCLXXX Wunderreden und gleichsam Räterschafft, auss der H. Schrifft, so vor allem flaisch unglaublich und unwar sind, doch wider der gantzen Welt wahn und achtung gewiss und war.*

[74] For an assessment of these various influences, see Hayden-Roy 1994 and Koyré 1955. Franck himself had followers among spiritualists such as David Joris, Hendrick Niclaes and Dirck Volckertsz Coornhert, whose collection of *Paradoxa* (1558) is almost certainly influenced by Franck's. For Franck's influence on Dutch spiritualists, see Van Veen 2002: 134-50.

[75] For a useful categorization of the different types of paradoxes, see Furcha 1983: 105-9.

of Stoic paradoxes and of Cicero's *Paradoxa Stoicorum*. Although highly critical of Luther, Franck knew his works well and some of his paradoxes bear traces of the Reformer's theses.[76] Franck was equally familiar with the writings of Erasmus, whom he quotes repeatedly in his collection. The year when *Paradoxa ducenta octoginta* first appeared also saw the publication of *Vier Kronenbüchlein*. These included, alongside an original work (*Encomion: Ein Lob des Thorechten Göttlichen Worts*), a German translation of Erasmus's *Moriae encomium* and of select passages from Agrippa of Nettesheim's *De incertitudine et vanitate scientiarum et artium declamatio invectiva*, and a separate translation of chapter thirteen of *De incertitudine*, entitled *Ein Lob des Esels*.[77] Critics have frequently drawn attention to the paradoxical character of these works.[78] Their influence makes itself felt especially in those paradoxes in Franck's collection dealing with the opposition between worldly wisdom and Christian folly (63-5, 81, 240).

In its length, scope, and variety of presentation, and in the unparalleled number of paradoxes that it brings together, Sebastian Franck's collection stands apart from other theological paradoxes. Lambert's one hundred fifty-eight propositions and Herborn's replies to them may well come close to it in number, but both are merely statements or assertions which their authors neither explain nor bear out with arguments. Franck's paradoxes, by contrast, consist of an initial brief formulation in Latin and in German,

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[76] See, for instance, paradoxes 77: 'Sancti sunt, quicumque, vere fideles', 78: 'Justus in bono opere impingit', 215: 'Fides absque operibus justificat', 216: 'Fides est et facit omnia', and 258: 'Justus etiam bene agens, in bono opere peccat'.

[77] On these translations, see Hayden-Roy 1994: 132-7.

[78] Agrippa's *De incertitudine* was translated into French in 1603 as *Paradoxe sur l'incertitude, vanité et abus des sciences*. His praise of the ass in chapter 13 of the work, as well as Erasmus's *Moriae encomium*, are among the most studied of paradoxical encomia. On *De incertitudine* and paradox, see Bowen 1972b: 250-6.

which is followed by a longer argument or development in German. In Cicero's *Paradoxa Stoicorum*, each paradox is similarly first stated in Greek and then expounded in Latin. The two hundred ninety-three paradoxes either stand on their own or are grouped into sets of as many as seven, and their length varies from half a page to twenty-five.[79] However, the author insists on the brevity and allusiveness characteristic of the form, where meaning is implied rather than fully expressed.[80] We have seen that Cicero as well draws attention to this feature of Stoic paradoxes in his preface to the *Paradoxa Stoicorum*. The themes of different paradoxes easily merge into one another, due to transitions at the beginning of a paradox and cross-references to previous paradoxes or ones to come. A word in a paradoxical statement is the object of endless variations in the following ones or a single rhetorical device is explored in a set of paradoxes. Thus, 'Deus solus dominus est' (10) leads to 'Mundi dominatio infima servitus' (11), then to 'Invictus deus, et omnia in Deo' (12), and 'Triumphus penes victos' (14); 'Omnia in omnibus Christus' (135) is followed by 'Unus Christus omnis justitia' (136), and later echoed by 'Christi vita Christus et omnia' (139). All this creates a sense of continuity between individual paradoxical statements or sets of paradoxes and imparts unity to the collection as a whole. It moves, roughly, from a consideration of God's attributes, the Word of God and Christ's nature, to various facets of human nature in its relation to God and his prescriptions. Within this broad scheme, there are a number of recurring themes, such as

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[79] Paradox 149b is only half a page, whereas the section concerning free will (paradoxes 266-70) runs to nearly 25 pages in the Wollgast edition. It is not clear why Franck insisted on the number 280 in the title of his collection. Both the 1534 and the 1542 editions contain thirteen additional paradoxes. See Furcha 1983: 112.

[80] 'Dieses könnte ich wohl sehr umfassend mit vielen Exempeln und Historien ausführen, wenn ich mir nicht vorgenommen hätte, kurze Paradoxa und Symbola zu schreiben und auf alle Dinge nur mit einem Finger zu deuten und mit Absicht mehr den Gedanken wegzulassen als auszusprechen' (297).

free will, sin, justice, charity, faith and works, knowledge and ignorance. The great number of paradoxes announced in the title is somewhat misleading, as similar themes are common to several paradoxes.

The preface, which grows out of five initial paradoxical statements, provides a key to the reading of the collection as a whole.[81] It begins with a definition of paradox which, as Franck has it, the Greeks call 'ein Ausspruch, der gleichwohl gewiß und wahr ist, den aber die ganze Welt und was nach Menschenweise lebt, nichts weniger als für wahr hält' (3). A series of examples illustrates this point, the first of which is Stoic in origin and corresponds to Cicero's sixth paradox: 'daß allein die Weisen und Frommen reich sind'. The Stoic-Ciceronian influence may also lie behind Franck's rendering of the Greek *paradoxa* as *Wunderreden* (in keeping with Cicero's characterization of paradoxes as 'admirabilia contraque opinionem'), and his repeated insistence on truth and certainty as attributes of paradox:

> Nun habe ich diese meine Philosophie 'Paradoxa' betitelt und Paradoxon als eine 'Wunderrede' oder ein 'Wunderwort' verdeutscht, weil die Theologie, der rechte Sinn der Schrift (die allein Gottes Wort ist), nichts ist als ein ewiges Paradoxon, gewiß und wahr wider allen Wahn, Schein, Glauben und Achtung der ganzen Welt. [...] Darum bleibt die Schrift eine ewige Allegorie, Wunderrede, Rätsel, ein verschlossenes Buch, ein tötender Buchstabe und ein unverständliches Rotwelsch für alle Gottlosen, aber eine besondere Sprache der Kinder Gottes. (4-5)

Many paradoxes hitherto considered were ultimately grounded in Scripture. Franck takes this a step further by declaring that Scripture itself is an eternal paradox or 'wondrous saying', incomprehensible to the godless but easily grasped by the children of God. Paradox is also, as in Tostado's *Aenigmatum sacrorum pentas*, associated with allegory,

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[81] 'Evangelium verbum Dei, paradoxum merum et perpetuum'; 'Scriptura liber septem signaculis clausus, obsignatumque aenigma'; 'Litera scripturae Antichristi gladius, occidit Christum'; 'Scriptura sine luce, vita et interprete spiritus, obscura lucerna, et occidens litera'; and 'Haereses et secta ex secta litera scripturae' (3).

wonder, riddles, secrecy and enigma.[82] All these have in common an obscure and allusive nature, which calls for some sort of unravelling or interpretation. To comprehend 'the secret paradoxes of God' (3), Franck tells us, we must let go of the letter and turn to the spirit, the inner and true meaning of the Gospels. Franck's paradoxes are intended for the spiritually-minded, who alone can decipher them. From the outset, the reader's attention is thus drawn to the fundamental opposition between the letter and the spirit, which informs the entire collection and accounts for some of its most striking paradoxical formulations.[83] This opposition doubles into carnal and spiritual, outward and inward, appearance and being in the rest of the *Paradoxa*. It is clearly expressed in paradox 57, 'Bifrons Janus omnia', where Franck enlarges on the fundamental dichotomy between the human and the divine present in all things. God is the world's exact opposite and counterpart. Therefore, on the one side, there is evil, sin, heresy, death and the devil, and on the other side, goodness, justice, God's word, life and God himself (100). In Franck's mind, humankind, world, flesh and devil are one.[84] Taken to its extreme, this equation of man with the devil results in the paradoxical condemnation of all that the world values, including justice and virtue.[85]

There is something undeniably mechanical in the constant inversions underlying Franck's paradoxical reasoning, most evident perhaps in the final assertion of the preface:

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[82] Franck associates paradox and enigma in paradox 64 ('Stultitia modo sapit, et ignorantia sola omnia novit'): 'Also wird Schein und Sein ewig wider einander bleiben und Gottes Wort ein ewiges Änigma und Paradoxon bleiben' (107).

[83] On this dichotomy dominating Franck's thought, see Koyré 1955: 32 and Lebeau 1982: 150.

[84] See paradox 66 ('Homo, mundus, caro et Satan unum').

[85] Witness paradoxes 31 ('Et malum in conspectus dei non est malum'), 32 ('Peccatum coram deo nihil est'), 75 ('Etiam justi non sunt justi'), 151b ('Jus et justitia seminarium malorum'), and 202 ('Perizoma adae omnis mundi virtus').

Halt einer nur in allen Dingen von dem, wie und was sie redet, glaubt, tut, hält usw. das Gegenteil, so hat er recht. Die Wahrheit besteht nur aus Wunderreden, die die Welt nicht also hält, tut, redet und glaubt. Hörst du den Pöbel etwas reden, glauben und halten, so halte du, rede und glaube das Gegenteil, so hast du das Evangelium und Gottes Wort gewiß. Das Recht liegt tief. Es ist alle Dinge ein verkehrter Silenus und viel anders, als es scheint. (15-6)[86]

Since truth is intrinsically paradoxical, it is enough to hold the opposite of what the world holds so as to arrive at God's word and at the truth. The figure of the Silenus, a popular Renaissance image for the hidden truth behind the outward appearance, here becomes a metaphor for paradox.[87] Franck borrows the image, which features prominently in the introduction and the conclusion of his *Paradoxa*, from Erasmus's *Moriae encomium* and the 'Sileni Alcibiadis'. The very first mention of Silenus is associated with Erasmus, to whom Franck attributes the claim that the letter is 'a certain sign and the very colour of the Antichrist, and a true Silenus of Alcibiades' (10), and so is the last, where Franck bids us to look at all things more thoroughly, as if they were a Silenus of Alcibiades, rather different from what they first appear to be.[88] Erasmus's influence is present throughout the work, albeit indirectly, in Franck's frequent references to his edition of *Moriae encomium.* These form the starting point of three paradoxes dealing with Christian folly and learned ignorance, a seemingly contradictory notion elaborated by Dionysius, Nicholas of Cusa, and others: 'Arbor scientiae boni et mali, mors' (paradox 63), 'Stultitia

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[86] Similar ideas are expressed in paradox 14, 'Triumphus penes victos', which illustrates the notion of 'Inversus Silenus omnia'.

[87] Much has been written on the Silenus of Alcibiades with relation to paradox. Walter Kaiser sees in it a 'hint of concealment' and the suggestion of an esoteric meaning as well as an 'implication of paradox'. Frances Yates, in her review of *Paradoxia Epidemica*, criticizes Colie for seeing paradoxes everywhere, including in the image of Silenus-box, which Colie construes as a 'strict correspondence of opposites' and therefore a paradox. See Kaiser 1964: 60; Colie 1966: 48 and Yates 1967: 27.

[88] 'Hiermit will ich jetzt schließen und hiermit anderen Ursache gegeben haben zu philosophieren, und alle Dinge besser im Grunde anzusehen und nachzudenken, weil alle Dinge ein Silenus des Alkibiades und viel anders im Grund als äußerlich im Scheine anzusehen sind' (456-7).

modo sapit, et ignorantia sola, omnia novit' (paradox 64), and 'Quo doctior, eo perversior' (paradox 65). These three paradoxes form a whole and Franck stresses their unity at the outset of the third paradox.[89] They are only tenuously linked to the final section of the *Moriae encomium*, where Erasmus meditates on the folly of the Cross. By the time Franck chose to include these paradoxes in his collection, the Pauline concept of wise folly had become a stock theme and almost a requisite in any work of a paradoxical stamp. Thus, Ortensio Lando includes a paradox entitled 'Meglio è d'esser ignorante che dotto' dealing with this *topos* in his collection of *Paradossi*.

Towards the end of the preface, Franck expresses the hope that his readers may find his work both pleasing and useful.[90] The same mixture of seriousness and pleasure is ascribed to Lando's *Paradossi* by his editor Paulo Mascranico. Franck's work has more literary qualities than most theological paradoxes and his use of imagery in particular is striking.[91] And yet the *Paradoxa ducenta octoginta* are above all a work of Christian moralizing, and the contrast with Lando's half-serious half-mocking *Paradossi* could not be more pronounced. Irony, such an important feature of Lando's collection, is virtually absent from Franck's *Paradoxa*. Truth, accessible through paradoxical reasoning, is his ultimate aim. Lando's own motivations are much more difficult to assess, but all in all the *Paradossi* are closer in spirit to Lucianic satire than to Cicero's *Paradoxa Stoicorum* with

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[89] 'Aus den letzen zwei Wunderreden folgt dieses. Denn weil aller Menschen Weisheit und Kunst eine Frucht des Baumes des Wissens gut oder böse sind, und deshalb der Tod und Feindschaft Gottes [...] eine verkehrte Torheit und Unwissenheit Gottes ist, die man entlernen, erkennen, fliehen und ausspeien muß, so muß ihn befolgen je gelehrter immer in aller Menschen die Kunst wird, je verkehrter er sein muß' (107).

[90] 'Hiermit lasse dir, mein Leser, gedient sein, dann erachte ich, daß dir meine Arbeit angenehm sein, nützen und zugute kommen wird' (14).

[91] Critics have commented on this aspect of Franck's work. See Furcha 1983: 104.

their emphasis on truthfulness.[92] Many of Lando's paradoxes are inspired by Christian ethics and his work abounds in scriptural citation. He does not hesitate, however, to use biblical passages to comic effect, as in the seventh paradox, where he cites a version of psalm 77 as proof that drunkenness is far better than sobriety: 'Resurrexit Dominus tanquam potens, tanquam crapulatus a vino' (141). The uniformity of tone and subject-matter in Franck's *Paradoxa ducenta octoginta* contrasts with the great variety of its paradoxical formulations. Moreover, whereas Lando's paradoxes are built around pairs of contraries confronted in an initial statement ('Che meglio sia / che'), Franck's paradoxes follow no set pattern. Some involve binary opposites ('Mundi dominatio infima servitus' in paradox 11), others seem absurd and contradictory ('Deus hoc ipsum, quod credit, non credit' in paradox 18), or merely ambiguous ('Christus omnibus omnia in omnibus' – paradox 117), others still explore Christian implications of a proverb ('Ut oculus, ita opus est' in paradox 62). At times, as in the case of paradox 48 ('Verbum domini perstat in aeternum') the initial statement seems hardly a paradox at all.[93] One is led to ask whether Franck oversteps the legitimate use of paradox. But this would imply that there is such a thing as a legitimate and codified use of paradox in the late Renaissance. Theological and especially Christian paradoxes certainly seem to disprove this notion.

Wonder and its opposition to the *doxa* or common opinion define paradox, imported from rhetoric and philosophy into theology, and then into other fields of intellectual inquiry.

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[92] See section 1.4 for a discussion of Lando's *Paradossi*.

[93] Franck recognizes this himself: 'Es ist eine gemeine, doch unverstandene Rede, die niemand für ein Paradoxon oder eine Wunderrede hält, nämlich: Gottes Wort bleibt ewig, ist allweg gewesen und wird allweg sein' (93).

Each particular discipline refines upon this meaning of paradox. In the sphere of theology, the word is frequently – unsurprisingly given the abstract and sacred nature of the issues discussed – associated with mystery, riddles and enigma. In three very different works, Tostado's *Aenigmatum sacrorum pentas*, the Wittenberg Academy disputations, and in the introduction to Sebastian Franck's *Paradoxa ducenta octoginta*, paradoxes are characterized by appealing to the notion of enigma, that is to say an obscure or allusive speech, or a parable.[94] While this sense is peculiar to paradoxes in the theological realm, the negative association of paradox with heresy and error, examined in the first part of this chapter, persists in other disciplines. In medicine, for instance, members of reformed academies such as Tübingen who composed paradoxes were often accused by their detractors of heresy.[95] Unlike the notions of heresy and orthodoxy, which originated in theology and were then used by extension in other fields, the word 'paradox' is highly unspecific. This is perhaps why it was partly supplanted in the third decade or so of the seventeenth century by the notion of heterodoxy, more firmly rooted in the theological context. Until then, 'paradox' was the contrary of 'orthodox'; but the word 'heterodox' soon takes over that function. A pre-history of heterodoxy would thus necessarily include the study of theological paradoxes.

Theological paradoxes were among the first to have been composed in the wake of the humanist rediscovery of Cicero's *Paradoxa Stoicorum* and, as such, they constitute a vital link between the classical precedent and its Renaissance avatars. The indebtedness to the Ciceronian model is most notable in the 'Christian strain' of theological paradoxes,

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[94] *OED*, 1a and 1b.

[95] See Montuus's reply to Fuchs's *Paradoxorum libri tres* discussed in the third section of chapter four.

which have in common with Cicero's paradoxes their concern with morality and a lively oratorical style. While recognizing the formal influence of Cicero's *Paradoxa Stoicorum*, writers of Christian paradoxes are keen, however, to stress the superiority of Christian over Stoic ethics. The connection between Cicero's *Paradoxa Stoicorum* and paradoxes of the doctrinal type, used as tools in religious controversies, is rather less obvious, but they may be said to take from Cicero's work its polemical tone and crucial attribute of truthfulness emphasized in the *prooemium*.[96] What may loosely be characterized as a 'theological' paradox, Christian or doctrinal, occurs within a variety of contexts and is put to very different uses during the late Renaissance. Paradoxes take the form of theses posted in public places to announce a theological disputation, items to be examined in a heresy trial, brief statements or 'seeming contradictions' exploring the conflicting nature of biblical prescriptions, and lengthy arguments in support of a controversial proposition. Some relate to matters of practical piety or ecclesiology, whilst others engage with more convoluted issues such as the mode of Christ's presence in the Eucharist. If this makes theological paradoxes somewhat difficult to pin down, it is also a testimony to the astonishing versatility of the form.

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[96] On the *prooemium* and Cicero's understanding of paradox, see section 1.2.

III. LAW

Paradoxes in the sphere of law are best exemplified by Andrea Alciato's *Paradoxa iuris civilis* or *Paradoxorum ad Pratum libri vi*, one of the earliest and most celebrated collections of Renaissance paradoxes. Self-consciously modelled on Cicero's *Paradoxa Stoicorum*, Alciato's six books of paradoxes first appeared in Milan in 1518, together with other works by the author, and were shortly followed by two new editions printed several times over the next decades in Basle, Venice and Lyon.[1] The interest shown in the work by influential printers such as Andreas Cratander and Sebastian Gryphius doubtless contributed to the international success of the collection. In the ensuing century, most legal paradoxes either explored the subject-matter of the *Paradoxa iuris civilis* or made explicit reference to Alciato's seminal work. The influence of Alciato's collection of paradoxes did not confine itself, however, to the study of law. Precisely because of its wide diffusion and readership, the work contributed to the popularity of the genre as a whole. The important prefaces to the different editions of the *Paradoxorum ... libri vi* set the tone for later writers of paradoxes in their respective spheres of enquiry and contributed to defining the chief characteristics of learned paradoxes. Nevertheless, written in Latin for an audience of specialists and dealing with controversial and obscure passages of the *Corpus iuris civilis*, Alciato's collection of paradoxes is a highly complex and technical work destined in the first instance for academics and those versed in Roman law.

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[1] See Abbondanza 1960: 70 and 1963: 95-6.

Unlike in other disciplines, where paradoxes reach the height of their popularity in the second half of the sixteenth century and then gradually go out of fashion, in law the tradition is still alive in the seventeenth and the eighteenth century. In fact, the majority of legal paradoxes, often published in Germany, appear after the period here considered.[2] I shall concentrate on the legal paradoxes written within a century or so of the first publication of Alciato's *Paradoxa iuris civilis*. Sixteenth-century paradoxes are concerned above all with Roman civil law embodied and handed down in the *Corpus iuris civilis*, the set of compilations made on the orders of Emperor Justinian (AD 527-565), and comprising the Institutions, the Digest, also referred to as the Pandects, the Code, and the Novels.[3] This is reflected in the titles of some of the collections, such as Joannes Basius's *Paradoxorum disputationum iuris civilis, libri iiii* (1575) or Petrus Grangianus's *Paradoxa iuris civilis* (1581), published respectively in Basle and Lyon. Few paradoxes deal with canon, feudal or customary law as such, although specific customs or laws are at times invoked in the discussion of Roman laws. The first collections of paradoxes coincide with the advent of legal humanism and they partake of some of its aims and methods: restoring legal sources to their original purity by ridding them of the erroneous interpretations of the glossators and post-glossators, and achieving a greater understanding of classical law by means of philological and historical criticism.

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[2] For example, Gottlieb August Jenichen's *Paradoxon iuridicum de necessario tutorum in sponsalibus minorum contrahendis consensu* (Leipzig, 1730); Carl Ferdinand Hommel's *Paradoxon iuris: si emptor in mora accipiendi sit, licere venditori rem venditam ulterius vendere etiamsi lex commissaria non adiecta fuerit* (Leipzig, 1764); Johann Peter von Ludewig's *Paradoxorum pro iure retractandi transactionem, novis instrumentis repertis* (Halle, 1704); and Friedrich Gottlieb Loescher's *Paradoxon praxeos victorem expensas condemnatum* (Erfurt, 1708). See also the entry under 'paradoxa' in Martin Lipenius's *Biblioteca realis iuridica*.

This is not surprising since Alciato himself was one of the leading proponents of the *mos gallicus*, the innovative school of legal exegesis centred around the university of Bourges, which set itself against the more traditional methods of the post-Bartolists or *mos italicus*.[4]

Johannes Calvinus's definition of paradoxes in his *Lexicon iuridicum* as 'ea, quae sunt praeter opinionem et inaudita' is not particularly illuminating as to the peculiarity of paradoxes in the sphere of law.[5] Legal paradoxes, like all other paradoxes, are surprising statements that run counter to common or received opinion. Common opinion is here to be taken in the specific sense of the *communis opinio doctorum*, the authoritative view of the experts, as expressed not only in the *Corpus iuris civilis*, but also in the apparatus of glosses and *consilia* meant to elucidate obscure points of law. The expression can refer at once to a consensus among jurists, to a majority decision, or to the decisions of experts in a given field of legal study.[6] It is in their critical stance vis à vis the ever-growing body of common opinions and traditional authorities that authors of paradoxes were deemed to be arrogant and polemical. Legal paradoxes in the Renaissance may be roughly divided up into the following categories. As in theology and in medicine, certain works described as paradoxes are simply lists of polemical statements which would have been expounded by candidates for a given law degree in the course of a public examination, exemplified by the collections of Alexander Glorieri from the Collegio Romano and of Andreas Bayer

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[3] On these different compilations making up the *Corpus iuris civilis*, see Reulos 1985: 11-23 and Robinson, Fergus, Gordon 2000: 2. References to the four parts of the *Corpus iuris civilis* will follow the conventional abridged forms: Institutions (*Inst*), Digest (*D*), Code (*C*), and Novels (*Nov*).

[4] On the subject of legal humanism, the *mos italicus* versus *mos gallicus*, see in particular Maffei 1956; Gilmore 1963: 33; Maclean 1992: 13-18; Piano-Mortari 1980: 307-10.

[5] Calvinus 1622: 670.

from the Tübingen Academy.[7] A number of works, such as Mario Salomonio degli Alberteschi's *In l. Gallus et in § responsa prudentum paradoxa* of 1531 and Franciscus Husmanus's *Paradoxa ad legem Falcidiam* of 1584, deal with specific laws which pose difficulties of interpretation. Yet another kind of paradox are miscellaneous collections concerning a number of titles and books of the *Corpus iuris civilis*. All these paradoxes have as their subject-matter specific legal issues or controversial points and, as such, they must be distinguished from paradoxical encomia dealing with law as a discipline, usually presented in a satirical light. To this latter category, which will be dealt with only as a point of contrast with the other legal paradoxes, belong works such as Charles Estienne's *Paradoxe du plaider* appended to the author's translation of Ortensio Lando's *Paradossi*.

In the first section of this chapter, I shall examine the connection between legal paradoxes and humanist methodology as embodied in Alciato's *Paradoxorum ad Pratum libri vi*, before considering the anti-paradoxes written by Lanfranco Gessi and Angelus a Sancto Joanne in response to this work. In the following sections, special attention is paid to the relation between law and other disciplines, namely medicine, politics and rhetoric. I first consider three particularly difficult laws of succession, which lend themselves to paradoxical interpretations: the *lex Falcidia*, the *lex Si is qui pro emptore, de usucapionibus*, and the *lex Gallus* touching on the vexed matter of eleven-month pregnancies. Laws of succession fall within the ambit of private law. The political implications of public law are examined in the next section, dealing with the concepts of the *merum* and *mixtum imperium* in the second book of Alciato's paradoxes and with Andreas Bayer's *Paradoxorum Jacobi Cujacii ... non paradoxorum decades tres* of 1627.

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[6] On this subject, see Piano-Mortari 1955: 1-12; Maclean 1992: 75 and 93; and Tournon 2000: 165-6.

I then turn, in a final section, to the influence of the *trivium* on legal paradoxes. In connection with this, I look at the role of the *disputatio* in legal training, the rhetoric of pleading in works such as Charles Estienne's *Paradoxes*, and the figure of paradox at the London Inns of Court in the age of Donne.

1. Andrea Alciato's *Paradoxa ad Pratum* and the *mos gallicus*

Published in 1518, when Andrea Alciato (1492-1550) was twenty-six, the *Paradoxorum ad Pratum libri vi* is one of Alciato's earliest writings. This fact is stressed in the prefaces to the work, and in particular in the dedicatory epistle to Antoine du Prat, where the Milanese jurist voices the fear that some may attribute to arrogance 'quod tyrone[m], et de gymnasiis vix eductum' he had dared to write 'contra receptas sententias, et praeiudicii praescriptione tutissimas'.[8] The paradoxes, heralded as a work of genius, established him at an early stage as one of the leading figures of legal humanism, along with the other members of the 'triumvirate' of new jurisprudence, the French humanist Guillaume Budé (1467-1540) and the German jurist Ulrich Zazius (1461-1536).[9] The former, despite some differences of opinion, deemed Alciato to be his only worthy successor in the reformation of legal studies, whereas the latter was struck by the 'admirable doctrine' and eloquence of Alciato's paradoxes, which appeared to him 'non

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[7] See Glorieri 1565 and Bayer 1627.

[8] Alciato 1543: A4. Alciato deals with the issue at length in the *prooemium* to the sixth book, where he insists that the opinions of young people must not be spurned, invoking one of the pseudo-Aristotelian problems ('cur ingenii celeritate, efficaciaque promptiores senioribus iuvenes essent') in support of his claim (Alciato 1543: 96). On the polemical character of Alciato's youthful production, see Tournon 2000: 170.

[9] The expression 'triumvirate' was coined by Claude Chansonnette (Viard 1926: 55).

iam paradoxae, sed verae et fundatissimae'.[10] The collection is named after its dedicatee Antoine du Prat, chancellor of the university of Bourges, where Alciato was to teach from 1529 to 1533, and which became the main centre of French legal humanism, referred to as the *mos docendi gallicus* to distinguish it from the more traditional methods of the post-Bartolists which dominated the study of law at Italian universities, the so-called *mos italicus*. Among Alciato's followers and successors at Bourges, spitefully designated as 'Alciatei', were such eminent French jurists as Eguinaire Baron, François Le Douaren, Hugues Doneau, François Baudoin, François Hotman and Jacques Cujas.[11] The university, receptive to Lutheran doctrines, was perceived as a hub of heterodoxy in both legal and religious matters.[12] In the letter to the reader which precedes his commentaries on the Code, Alciato relates how his students at Bourges, many of whom were drawn to his lectures by the novelty and the subversive nature of his *Paradoxa*, protested when he began his interpretation of the Digest by quoting Bartolus of Sassoferrato (1314-1357) and other commentators, and threatened to cease attending his lectures unless he reverted to the unconventional style of his earlier writings.[13] Although his reputation rested chiefly on the use of philological and historical methods of exegesis elaborated by the humanists Lorenzo Valla (1405-1457) and Angelo Poliziano (1454-1494), Alciato did not wholly reject the authority of medieval interpreters of Roman law such as Accursius and

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[10] Zazius repeatedly alludes to the *Paradoxa* in his letters to the Basle editor Boniface Amerbach, saluting in their author a great reformer of Roman law. See Zasius 1774: 13-15.

[11] On Bourges and on the *mos gallicus*, see Abbondanza 1960: 71; Skinner 1978: I, 205 and II, 269; Kelley 1984: VII, 264; and Maclean 1992: 15-6.

[12] Kelley 1970: 100.

[13] Alciato 1547: III, 177ff ('Ad lectorem'). Quoted by Viard 1926: 72-3.

Bartolus; on the contrary, he was very critical of the 'grammatici' (Valla chief amongst them), whom he reproached with their ignorance of legal matters.[14]

The originality of Alciato's approach to Roman law lies partly in his recourse to new and often fragmented forms, a sign of his humanist leanings. The *Paradoxa iuris civilis* was printed together with the *Dispunctiones* and *Praetermissa*, lists of critical notes and philological emendations of the text of the Digest. Alciato also experimented with new genres in the *Parerga*, a collection of asides and digressions of a rhetorical, historical and literary nature gleaned from a legal commentary, and in the *Emblemata*, his best known work.[15] The *Paradoxorum iuris civilis libri vi* partakes of the fragmentary and annotative nature of all these different works, but it is more resolutely polemical than any of them. The very title chosen for the collection – bound to evoke Cicero's *Paradoxa Stoicorum* to a humanist audience – proved highly controversial, as Alciato explains in an important new address to the reader dating from 1530:

> Alii titulum repraendunt tanquam nimis superbum, qui Paradoxa inscripserim: quod admirabilia ipsi interpretantur. sed cum *paradoxon* apud rhetores argumentum et illud sit, quod in fronte (ut Hermogenes ait) malae est opinionis: vel quod, cum maximam expectationem fecerit, leve aliquid (ut Quintilianus existimat) inducit: cur potius hanc interpretationem non assumunt, et me ampullosi lemmatis crimine non absolvunt? quamvis et ipsi sciant, me non alia ratione ita inscripsisse, quam ut ostenderem, quae hic disputantur conclusiones, praeter communem sententiam esse. (A2v)

Whereas the first element of Cicero's definition of paradox ('admirabilia contraque opinionem') is generally understood as 'wondrous' with the sense of being unheard of rather than worthy of admiration, here this second meaning must be implied, since it alone explains why Alciato would have been accused of excessive pride in entitling his

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[14] Maffei 1956: 135; Viard 1926: 44-8; and Drysdall 2003.

work as he did. It is to ward off this kind of accusation that Alciato invokes the decidedly negative connotations ('malae est opinionis') that the word has in the rhetorical tradition as exemplified by Hermogenes and Quintilian.[16] The fact that he quotes these authorities at the outset of his work shows that Alciato sees a strong link between law and the *studia humanitatis*. Wishing to avoid further ambiguity, Alciato specifies that he takes *paradoxa* in the title of his work simply to mean 'praeter communem sententiam'. This definition is already present in his dedication to Du Prat, where he also complains about the negative reactions provoked by the title of his work: 'cum Paradoxa, id est, praeter caeterorum opinionem, scripturum me in ipso limine prodiderim, multum mihi invidiae vel titulus ipse concitaturus videbatur' (A4). The specific meaning that Alciato assigns to 'common opinion' may be inferred from the prefaces to individual books of the *Paradoxa*. He speaks disparagingly of the 'authority of the multitude' and of the power that number has over skill in the *prooemium* to the first book (1). He states that the second book 'a frequentissimis illis *Iurisperitorum* opinionibus recedit' (20). That the *communis opinio doctorum* is targeted by Alciato is obvious from the titles placed at the head of each paradox, where the opinions of the vulgar jurists, the doctors, the glossators and the commentators, as well as the *recentiores*, are singled out for criticism.[17]

The *Paradoxorum iuris civilis* is made up of six books, possibly an echo of the six paradoxes in Cicero's collection, each consisting of up to twenty-one paradoxes dealing with very specific points of Roman law. While no obvious thematic progression is

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[15] For Alciato's recourse to these genres, see Tournon 2000: 149-50 and Drysdall 2003: 698.

[16] Quintilian mentions paradoxes twice in the *Institutio oratoria*, in IV.i.40 and IX.ii.23. Hermogenes' writings were known indirectly, but the definition that Alciato attributes to him is present in later rhetorical treatises by Iulius Rufianus and Aurelius Augustinus (Halm 1863: 147-9). On this subject, see section 1. 1.

[17] See, for instance, paradoxes I, 2; I, 7; I, 8; II, 3; III, 10; VI, 7.

discernible after the third book, the first one is concerned mostly with verbal contracts or stipulations as set out in a section of the Digest, *De verborum obligationibus*; in the second book, Alciato goes on to discuss matters such as the delegation of power, the *merum* and *mixtum imperium*, addressed at the outset of the Digest; the third book deals with legitimation and the *lex Gallus*; successions, testamentary and hereditary laws, and various sections of *De bonorum possessione* are the subject-matter of the remaining books. The paradoxes perfectly illustrate the methods of legal study associated with the *mos docendi gallicus*. In very brief chapters, written in elegant Latin and full of literary and historical allusions, in marked contrast to the length and 'barbaric' language of traditional commentaries, Alciato offers his own interpretation of a difficult or controversial passage of the *Corpus iuris*. The titles of the paradoxes insist on the novelty and the elegance of the solutions.[18] The brevity and the clear style of exposition owed much to the fact that the glosses which weighed down scholastic legal commentaries had been relegated to the margins of the page.[19] This went hand in hand with reading the text of Roman law directly, not mediated through glosses and commentaries, and the adoption of simpler forms of reasoning than those characterizing the work of his predecessors.[20] Alciato reproaches the glossators and the commentators with their ignorance of Latin (IV, 7), their verbosity (VI, 2), their frequent distortions and misinterpretations of the text of Roman law (II, 3) and their failure to place the laws within their proper historical context which, in his eyes, lies at the source of many errors of interpretation. Witness the title of

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[18] See, for instance, 'Si sententiae arbitri paritum non sit, poenam statim committi, nec expectari quid bonus vir, ad quem proclamatum est, iudicet: et longissima quaestio aliter quam caeteri, brevissime explicata' (I, 18).

[19] Gilmore 1941: 48.

paradox seven in book four: 'Quanta differentia sit inter iustam haereditatem et legitimam: pugnantia simul iura a duello exempta, tum error recentiorum ex Latinae linguae ignoratione' (64).[21]

Alciato openly invites criticism and a sceptical attitude towards his paradoxical assertions at the end of his address to the reader.[22] Two of the responses to his work take the form of 'anti-paradoxes', calling to mind Amerbach's and Maioragio's refutations of Cicero's paradoxes. The first is the *Antiparadoxon libellus unus in quo ea fere omnia improbantur, quae Alciatus in primo Paradoxorum suorum libro adversus communes sententias proposuit* by the Italian jurist Lanfranco Gessi or Gypsi. Published in Ferrara in 1547, nearly thirty years after the *Paradoxa* first appeared in print, the work followed closely on Maioragio's *Antiparadoxon* which, although published in Lyon by Gryphius in 1546, was almost certainly composed in Ferrara. The revival of interest in Alciato's early work may thus have been the result of a certain *engouement* for the paradoxical form within the Ferrarese humanist circles.[23] The chief interest of Lanfranco Gessi's work lies in the reply that Alciato reluctantly conceded to write in response to his objections to the first three paradoxes in the collection. These objections initially took the form of a 'brief and familiar epistle', addressed to Alciato himself, rather than made public.[24] Gessi, a jurist and procurator in the Duke of Ferrara's Council, would have known Alciato well,

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[20] Piano-Mortari 1978 and Abbondanza 1960: 114-6.

[21] Viard 1926: 48.

[22] 'Ego, candide lector [...], duplici foenore locupletatum opus emissem, et ea in quibus pyrrhonico more, ceu ambiguis, lectori amplius deliberandum censui, quoquo modo declarassem: quae tamen spero fore, ut quamprimum aliis a me lucubrationibus dilucidentur' (Alciato 1543: A4v).

[23] The dedication letter to Maioragio's *Antiparadoxon* is dated from Ferrara in 1545. On the popularity of paradoxes in Ferrara in the 1540s and 1550s, see Tucker 1996, and section 3 of chapter 1.

since he too at the time was employed in the service of the Duke.[25] The author briefly alludes to disputations that took place at the Gymnasium in Ferrara, and which may have given rise to the exchange.[26] In his address to the reader, the editor of the *Libellus* is greatly impressed by the friendly and modest character of Gessi's contentions, motivated by the pursuit of truth rather than of glory, and by Alciato's equally civil reply to them.[27] The tone of the disputation contrasts with the uncompromising and aggressive nature of the replies to theological or medical paradoxes. Encouraged by Alciato's readiness to respond, Gessi transformed his epistle into a *libellum*, comprising the initial refutation, Alciato's reply to it, as well as the criticisms of twelve more paradoxes in the first book of Alciato's *Paradoxa*. The *Antiparadoxon*, as the title indicates, is confined to the first book of Alciato's work, dealing for the most part with verbal contracts and stipulations.[28]

The exchange between Alciato and Gessi shows what is at stake in humanist legal paradoxes. In the first of the paradoxes under attack, for instance, Alciato sets out to prove that the three species of stipulation, praetorian, judicial and common, 'aliter nostri legum Doctores declarare videntur, quam et veteres Iurisconsulti acceperint, et veritas ipsa admittat' (2). This statement is illustrative of Alciato's historical approach to legal institutions, of his concern with the opinions of the ancients, and of the preoccupation

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[24] Gessi 1547: 2.

[25] Abbondanza 1960: 73.

[26] Gessi 1547: 1.

[27] See 'Io. Baptista Fuschinus Lugiensis Lectori. S. D.' (Gessi 1547: i).

[28] Berger defines *stipulatio* as 'An oral, solemn contract concluded in the form of a question [...] and an affirming answer (*responsio*) of the debtor [...]. The answer had to agree perfectly with the question; any difference or restriction (addition of a condition) made the *stipulatio* void. Presence of both parties was required, and any interruption between question and answer was inadmissible. *Stipulatio* was used for any kind of obligation, from the payment of a sum of money to the most complicated performances' (Berger 1953: 716).

with truth which writers of paradoxes often claim as their goal. The praetorian stipulation is usually taken to mean that which originates in the edict of the praetor, the judicial in civil law, and the common stipulation in both. This understanding, according to Alciato, stems from an erroneous interpretation of Pomponius in *De verborum obligationibus*.[29] If we consider the wording of the law more carefully ('subtiliter'), Alciato argues, it will become apparent that it is not the *origin* from which they stem but rather the *exercise* of power that defines the different stipulations. Otherwise, how could one account for the fact that a *cautio* for fraud which, as Pomponius clearly states, is judicial originates in the edict of a praetor? In reply to this, Gessi points out that the verb *proficiscor* in Pomponius's formulation, accompanied by the preposition *a* or *ex*, can only have one meaning, since the verb always indicates the cause or the origin of a thing, whether in legal or in literary usage, as exemplified by the writings of Cicero, Erasmus, Etienne Dolet and other 'illustrators' of the Latin tongue.[30] Alciato points out, in answer to this particular point in Gessi's refutation, that Pomponius does not define praetorian stipulations as those which arise 'ex praetoris edicto', which would make Gessi's interpretation probable, but rather 'a mero praetoris *officio*' (21), which argues in favour of his own interpretation. The meaning of words is thus at the heart of the controversy.

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[29] 'Stipulationum aliae iudiciales sunt, aliae praetoriae, aliae conventionales, aliae communes praetoriae et iudiciales. iudiciales sunt dumtaxat, quae a mero iudicis officio proficiscuntur, veluti de dolo cautio: praetoriae, quae a mero praetoris officio proficiscuntur, veluti damni infecti. [...] communes sunt stipulationes veluti rem salvam fore pupilli: nam et praetor iubet rem salvam fore pupillo caveri et interdum iudex, si aliter expediri haec res non potest: item duplae stipulatio venit ab iudice aut ab aedilis edicto' (*D* 45, 1, 5).

[30] Gessi 1547: 5.

Whereas Gessi considers the words of the Digest quite literally, Alciato looks more carefully at the context and the spirit of the law.[31]

In contrast to the limited scope of Lanfranco Gessi's *Libellum*, Angelus a Sancto Ioanne's *Antiparadoxorum iuris civilis, adversus nostri aevi Colophonem D. Andream Alciatum Monomachia, Paradoxis expedita*, which appeared in Antwerp in 1563, after Alciato's death, covers a wider range of topics across the six books of the *Paradoxa iuris civilis*. The author shows a particular interest, however, in the second and third book of Alciato's work, which inspire most of his anti-paradoxes. Each anti-paradox is an exact match of the paradox, a confrontation made easier by the fact that Alciato's paradoxes, cited in full, precede the body of the refutation. Chapter thirty-two ('In Galli Consilio institutionem filii *requiri*, Papiae inductione aversa'), for instance, is the counterpart of Alciato's sixth paradox in book three ('In Galli Consilio *non requiri* ullam filii institutionem, neque necessario accipiendum, cohaeredem filio datum esse'). Angelus a Sancto Ioanne calls his work a 'monomachia' and the metaphor of combat runs through his preface. The author sets himself the task of setting free 'novas quasdam Regiones a Monarcha paradoxis occupatas' (Av). It is as if Alciato's paradoxes amounted to a territorial invasion of entire areas of civil law. Angelus a Sancto Ioanne is conscious of the difficulty of arguing against the opinions of Alciato, who had become at this stage one of the most venerated authorities of jurisprudence. Alciato's brilliant interpretation of obscure and difficult points of Roman law paved the way for the more systematic approach in the works of humanist jurists in the *mos gallicus* tradition, such as Ulrich Zazius, Claude Chansonnette, and Jacques Cujas, whose own output was later portrayed

as paradoxical in Andreas Bayer's *Paradoxorum Jacobi Cujacii Jcti celeberrimi, non paradoxorum decades tres* of 1627.[32] The passages of the Digest and the Code analysed in the *Paradoxorum iuris civilis* became the subject-matter of many works of a paradoxical stamp which explored the full implications of Alciato's elliptic conclusions in greater detail. In what follows I shall consider the legacy of Alciato's paradoxes in a number of disputed areas of civil law.

2. Testamentary laws and their paradoxes

Matters of succession, hereditary rights and testamentary laws are very well represented in Alciato's *Paradoxa iuris civilis*. One such law, corresponding to a single section of the Digest (*D* 28, 2, 29), inspired as many as nine paradoxes in book III.[33] The *lex Gallus*, dealing with the inheritance of the *postumi*, children born after the death of their father or after he had made his will, gave rise to endless discussions from the glossators onwards. It is mentioned in chapter twelve of Rabelais's *Pantagruel* alongside laws such as *Frater*, *Quinque pedum*, *Si quis*, and other real (and imaginary) laws notorious for their difficulty.[34] In the proemial remarks to the third book, Alciato praises Gallus Aquilius, and hopes to establish that the law bearing his name was misconstrued by Accursius, Bartolus, Alexander ab Alexandro, and other interpreters of Roman law (38). Whether

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[31] On Alciato's insistence that interpretation should be a sense translation (*ad sensum*) rather than literal (*ad literam*), see Kelley 1984: VI, 787.

[32] On the continuity between Alciato's school of legal interpretation and Cujas's methods, see Mesnard 1950: 529 and 535.

[33] See III, 2; III, 7; III, 13; III, 15; III, 17; III, 18; III, 8; III, 20.

[34] Rabelais 1994: 383.

Alciato is the first to have dealt with this law in a paradox is debatable. A work entitled *In l. Gallus et in § Responsa prudentum paradoxa*, by Mario Salomonio degli Alberteschi, a distinguished jurist and political writer, although first published in Lyon in 1529, may well have been composed before 1518, the date of the first publication of Alciato's paradoxes.[35] In his lengthy exegesis of the *lex Gallus*, Salomonio does not refer to Alciato's more succinct treatment of the same subject in the third book of the *Paradoxa iuris civilis*. Neither does Alciato, who commends Salomonio's erudition in a letter of 1520 to the printer Francesco Calvo,[36] so much as allude to *In l. Gallus ... paradoxa* in the third book of his *Paradoxa ad Pratum*. Subsequent discussions of the *lex Gallus*, however, associate Alciato's and Salomonio's names and attribute to them similar opinions in this matter. Joannes Basius, in the *Paradoxorum disputationum iuris civilis, libri iv* of 1575, aimed at reconciling opposed views of different schools of legal study, points to the differences of opinion on the subject of the formulation of this law between Bartolus and his followers on the one hand, and Alciato, Salomonio, François Hotman and other recent writers on the other.[37] The fourth book of the 'paradoxical disputations', a title that bears witness to the close alliance in the late Renaissance of the scholastic *disputatio* and paradox, deals almost exclusively with the *lex Gallus* and repeatedly invokes Salomonio's and Alciato's authoritative views on the subject, mostly

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[35] Mario d'Addio, in *L'idea del contratto sociale dai sofisti alla Riforma e il 'De principatu' di Mario Salomonio*, gives 1519 as the date of the composition of the *In l. Gallus ... paradoxa*, but he does not substantiate this claim (D'Addio 1954: 18). The work first appears in Lyon in 1529, followed in 1530 by a Basle edition by Andreas Cratander, who was also responsible for the 1523 edition of Alciato's *Paradoxa*.

[36] Barni 1947: 60.

[37] Basius 1575: 230. The full title of Basius's work reads *Paradoxorum disputationum iuris civilis libri IIII. In quibus dubiae et ambiguae iurisconsultorum traditiones, responsaque inter se repugnantia, in iudicium et examen revocantur, aequaque lance ponderantur, atque reconciliantur* (Basle, 1575).

in order to refute them. At this stage, their once paradoxical opinions hold sway with legal audiences and Basius's refutation constitutes a further twist in the spiral of contrary opinions.

One of the most heated debates surrounding the *lex Gallus* concerned the duration of pregnancies, and in particular the possibility of eleven-month pregnancies, a subject Alciato deals with in paradox seven of the third book. This matter, which lies within the province of medicine, was also relevant to the practice of law since it had bearing on issues such as the legitimacy of heirs and their succession rights. Rabelais makes comic capital of this debate in the third chapter of *Gargantua*, entitled 'Comment Gargantua fut onze mois porté dans le ventre de sa mère', where he mocks 'Messieurs les anciens Pantagruelistes' for having declared 'non seulement possible, mais aussi légitime, l'enfant né de femme l'onzième mois après la mort de son mari'. A number of classical authorities are invoked by Rabelais in defence of eleven-month pregnancies, followed by the 'robidilardique loi Gallus. ff. de lib. et posthu.', one of many laws with the aid of which 'les femmes veuves peuvent franchement jouer du serrecroupière à tous envis et toutes restes, deux mois après le trépas de leurs maris'.[38] And yet, on the contrary, Gallus is said in the Digest to have argued that, if a son dies during his father's lifetime, the grandchildren *postumi* could be instituted heirs provided they were born 'in *decem mensibus* proximis' after the time of their father's death.[39] Gallus's formula would appear

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[38] Rabelais 1994: 27-29. This chapter has been the object of a detailed study by M. A. Screech, 'Eleven-month pregnancies: a legal and medical quarrel à propos of *Gargantua*, Chapter three: Rabelais, Alciati and Tiraqueau', to which I am indebted in what follows. See Screech 1969.

[39] 'Scaevola libro sexto quaestionum. Gallus sic posse institui postumos nepotes induxit: "Si filius meus vivo me morietur, tunc si quis mihi ex eo nepos sive quae neptis post mortem meam in decem mensibus proximis, quibus filius meus moreretur, natus nata erit, heredes sunto"' (*D* 28, 2, 29). Other passages of the

to set the maximal possible duration of a pregnancy at ten months; a *postumus* born after this period would be regarded as illegitimate and could not be made heir to his or her father's or grandfather's estate. Emperor Justinian also pronounced himself in a decree against eleven-month pregnancies.[40] Their views did not coincide, however, with the medical and philosophical consensus regarding this question. Following the opinion of ancient authorities and above all of Aristotle, who deals with the duration of pregnancies in the *History of Animals*, doctors such as Laurent Joubert believed that pregnancies could take up to eleven and even twelve months.[41] Lawyers took a more sceptical view of these matters and abided by Justinian's rejection of eleven-month pregnancies, arguing at most for the possibility of the birth of a legitimate child a few days after the tenth month.[42] That this dispute opposed doctors, lawyers, theologians and philosophers alike in the late Renaissance, is noted by Montaigne, who – incidentally – gives the circumstances of his own birth as a reason for siding with those who held eleven-month pregnancies to be possible.[43]

Alciato's treatment of the subject, in the third book of *Paradoxorum iuris civilis*, was alluded to in most treatises dealing with the duration of pregnancies. Paradox seven

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Corpus iuris civilis where this issue is dealt with are *D* 38, 16, 3, 11; *Nov* 39 and *D* 1, 5, 12. See Nardi 1962: 124-5.

[40] *Nov* 39 (Iustinianus, a. 536: *De restitutionibus et ea quae parit undecimo mense post viri mortem*).

[41] In section VII, 4 of the *History of Animals* Aristotle affirms that a 'pregnancy may be of seven months' duration, or of eight months or of nine, and still more commonly of ten months, while some few women go even into the eleventh month' (584a37-b1). Joubert endorses this view in his *Erreurs populaires* (III, 2).

[42] For a list of other ancient authorities dealing with this topic, see Screech 1969: 95 and Nardi 1962: 112-26.

[43] 'Voylà les médecins, les philosophes, les jurisconsultes et les theologiens aux prises, pesle mesle avecques nos femmes, sur la dispute à quels termes les femmes portent leur fruict. Et moy je secours, par l'exemple de moy-mesme, ceux d'entre eux qui maintiennent la grossesse d'onze moys' (Montaigne 1992: II, 557).

of book three is quoted in full, along with Rabelais's direct source for his chapter, André Tiraqueau's *lex Si unquam* of 1535, in Frederick Bonaventura's *De natura partus octomestris adversus vulgatam opinionem libri decem*, a work destined for philosophers, doctors and lawyers alike, which appeared in Urbino in 1600. We may note that this treatise styles itself as a paradox in the title ('adversus vulgatam opinionem') and in the address to the reader, which is very closely modelled on the *prooemium* of the *Paradoxa Stoicorum*:

> Haec autem etsi non proba[n]tur in vulgus, etsi me ea sentire scio, quae multum discrepant ab opinione populari, ut ob id admirabilia, et *paradoxa* appareant; tentare tamen volui, possentne proferri in lucem, id est in forum, et ita dici, ut probarentur; eoque scripsi libentius, quod mihi ista paradoxa maxime videantur esse peripatetica, longeque verissima. (bv)[44]

Significantly, Bonaventura substitutes 'peripatetica' for 'Socratica' in Cicero's original wording. The paradoxes will be in the style of Aristotle, the chief authority on the length of pregnancies, and they will reflect the spirit if not the letter of his opinion. Bonaventura takes Alciato to be in favour of eleven-month pregnancies, as did most of his interpreters.[45] And yet Alciato's paradox does not allow us to conclude either way as to his opinion in this matter. The seventh chapter of the third book, entitled 'Quot mensibus mulier uterum gerat, disputatumque adversus Justiniani constitutionem, et Andreae Siculi nova quaedam opinio confutata', is a paradox within a paradox. Emperor Justinian's pronouncement against eleven-month pregnancies and the resulting statute which condemned women who gave birth at that time to penalties seem to Alciato very severe, if not unjust ('quod profecto injuste non dicam, sed summo rigore statutum

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[44] Compare with Cicero's *prooemium*, 4 cited in section 1.2.

existimaverim'), given that classical authorities such as Aristotle, Marcus Varro, and Aulus Gellius admitted the possibility of pregnancies lasting that long and that Emperor Hadrian recognised it in his statutes. This is Alciato's greatest fault in the eyes of his critics.[46] And yet the paradox does not so much reside in Alciato's cautious criticism of Justinian, as in that of the Sicilian jurist Andrea Barbazza (*c.* 1410-1480), professor of Roman and canon law at Ferrara and Bologna.[47] Justinian's over-riding authority – as a legislating emperor – in the matter of the eleven-month pregnancies, furnishes Alciato with an argument to refute Barbazza's 'nova opinio' regarding the rule which states that the majority opinion of doctors in interpreting the law is to be followed. He does not pronounce himself clearly on the issue of eleven-month pregnancies itself.[48]

Also bearing on hereditary rights, the *l. Si is qui pro emptore, de usucapionibus*, lent itself to paradoxical interpretations in the late Renaissance. Alciato deals with this law in two of his paradoxes.[49] It is the subject of a long commentary by Sebastiano Maffa, which appeared in Venice in 1572, accompanied by the 'paradoxes and arguments of the most learned Doctor Thomas Simeonti'.[50] The work is dedicated to the cardinal

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[45] Bonaventura 1600: 8 and 848.

[46] See Basius's chapter 6 of book IV, entitled 'Alciatum immerito reprehendisse Iustinianum, quod contra undecimi mensis partum tanquam illegitimum, constitutionem aedidisset, ac Iustiniani declarata constitutio' (Basius 1575: 247) and Angelus a Sancto Ioanne's Antiparadox 33 (A Sancto Ioanne 1563: S3v-S4).

[47] On Barbazza, see Cosenza 1962: I, 413.

[48] See Alciato 1543: 43. On the question of the authority of the legislating emperor with relation to that of the majority opinion of doctors, see Maclean 1992: 91-2. For an interpretation of this paradox, see Screech 1969: 96-7 and 104.

[49] 'Legem impossibilia fingere, et extrema idonea non requiri, et meras affaminas esse, quae in l. Si is qui pro emptore Bartolus, ex seipso deprompserit' (III, 16) and 'Legem, Si is qui pro emptore, de usucapionibus, non videri recte intellectam esse: quamobrem alio sensu enodata' (VI, 2).

[50] *Commentaria excellentissimi J. C. D. Sebastiani Maffae Salernitani. Una cum paradoxis et argumentis, doctissimi viri D. Thomae Simeonti. In l. Si is, qui pro emptore, de usucapionibus* (Venice, 1572).

Francesco Alciato (1522-1580), the nephew and literary heir of the jurist, on whom Maffa bestows the highest of praises in the dedication (4). From the outset, Maffa comments on the difficulty of the law, invoking Bartolus's opinion in this matter: 'Haec lex est difficilis in textu, difficilior in glossis, et difficillima in materia, ut inquit Bar[tolus] in principio eiusdem legis: in qua Doctores multa congesserunt' (12). The law grows in difficulty as one moves from the text to the glosses, and finally to the matter which inspires it, in other words from the words (*verba*) to the thing itself (*res*). Difficult and obscure laws, we have seen, are an ideal ground for paradoxes which thrive where there is matter for controversy. The difficulty of this particular law, which states that 'in successoribus locum non habere usucapionem' in the case where someone who possesses as a purchaser (*pro emptore*) 'ante usucapionem ab hostibus captus sit' (*D* 41, 3, 15),[51] owes much to the counter-factual nature of two related legal fictions mentioned in the context of this law: the *lex Cornelia* and the *postliminium*. Whereas the *lex Cornelia de captivis* feigns for the purposes of inheritance that a Roman citizen dies the moment he is captured by the enemy, through *postliminium* a Roman who had been made a slave regains all his rights upon his return to the Roman state as if he had never left it.[52] Paradox sixteen in Alciato's third book is written to refute Bartolus and other medieval authorities who maintain that such fictions must be within the realm of possibility for the law to be binding.[53] Both these legal fictions are carefully considered in *D* 41, 3, 15, to see whether they have any bearing on inheritance rights, before the conclusion that

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[51] Berger defines *usucapio* as the 'Acquisition of ownership of a thing belonging to another through possession of it for a period fixed by law' (Berger 1953: 752).

[52] See the entries on 'Lex Cornelia de captivis' and 'Postliminium' in Berger 1953.

[53] For Alciato's treatment of this subject, see Maclean 1999: 3 and 9.

usucapion is not held to run for successors is finally reached. Maffa considers at length all the different elements entering the discussion of this particular law.[54] His commentary is interspersed with Thomas Simeonti's critical remarks and objections to authoritative views of jurists such as Bartolus of Sassoferrato, Alexander ab Alexandro, Alciato's teacher Jason of Maino, and other scholastic authorities.[55]

Alciato's second paradox of the sixth book is frequently invoked in the course of the commentary and is certainly one of the sources of Maffa's work. Similarly, Franciscus Husmanus's *Paradoxa ad legem Falcidiam*, published in Paris in 1584, treats a topic that would have been familiar to readers of the *Paradoxa ad Pratum*.[56] The collection is dedicated to Jacques Cujas (1522-1590), one of the leading proponents of the historical method of legal study initiated by Alciato. The dedication to Cujas mentions that the latter approved of Husmanus's work and encouraged him to make it public (a2v). Husmanus knows that his work is bound to strike the ordinary lawyers (*sequax iuris cohors*) as an 'insuetus, horribilis et monstrosus partus' (a2v). Monstrosity and horror are the negative face of *admirabilia* in Cicero's definition of paradox. Much like Alciato, who thought that the polemical title of his work would be put down to the arrogance of youth, Husmanus foresees that his own collection of paradoxes will appear insolent on account of its claims to novelty and of its author's youth:

> Hi me dicent novitatis insolenter affectare studium, illi inaniter disputare de apicibus iuris, non pauci difficiles tractare nugas, forsan et nonnulli ineptire, delirare, insanire. Aliis videbor arrogans, quod tam

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[54] For instance, 'Servi facti amittunt omnia civilia iura' (2); 'Lex Cornelia, quod fingat circa captum' (8); 'Possessio est iuris, non etiam facti' (13).

[55] See, for instance, Maffa 1572: 16, 18, 19v, 35v, 97v.

[56] Alciato devotes two paradoxes in book six to this subject: VI, 4 and VI, 6.

> iuvenis non erubescam scribere paradoxa: aliis impudens, quod tam rudis in materia tam ardua: aliis iniuriosus, quod tam vilis homuncio contra ipsum etiam Imperatorem Iustinianum vel potius contra Tribonianum. et quid non? prout haec sunt tempora, prout hi sunt mores in perverse iudicandis vel senum quoque nedum iuvenum scriptis, quis ille est? (a2v-a3)

We may note that, unlike Alciato, who in his paradoxes openly criticises the glossators, commentators and the post-Bartolist school, but who for the most part refrains from direct criticism of Roman legal authorities, here it is 'Justinian, or rather Tribonian' who are seen as bearing the brunt of the attacks. An important distinction, reflected by the 'vel potius' in the citation, is made in the Renaissance between law-makers such as Justinian, and interpreters of Roman law represented by Tribonian, whose activity of editing and re-arranging excerpts of Gaius, Ulpian, Paul, and other ancient jurists was deemed a perversion of the original jurisprudence. By the time Husmanus's collection appears, the attacks against the interpreters of Roman law, culminating in François Hotman's *Antitribonianus* of 1567, have become something of a commonplace. The address to the reader further dwells on the negative responses that the title is bound to elicit, given that 'paradoxi nomen per se odiosum est' (e1v). And yet, asks Husmanus, is not a paradox what 'praeter opinionem vulgarem est'? Whereas it is ill-advised to go against the *communis opinio doctorum*, to be opposing 'vulgar' opinion presents matters in a more positive light. Truth, rather than the desire to triumph in an argument, is the unique motivation for writing paradoxes: 'Loquor ut sentio, sive victor, sive victus, aveo discere et invenire veritatem in rebus tam obscuris, dubiis atque incertis' (e2). While the quest for truth is frequently alluded to in the prefaces to works of a paradoxical stamp, more interesting is the relation between paradoxes and *dubia*, uncertain and problematic matters, that this sentence gestures at. Legal paradoxes, as we have seen, thrive where there is uncertainty and doubt as to the correct interpretation of a difficult passage. Hence

the subtitle of Joannes Basius's paradoxical legal disputations of 1575: 'in quibus dubiae et ambiguae iurisconsultorum traditiones, responsaque inter se repugnantia, in iudicium et examen revocantur, aequaque lance ponderantur, atque reconciliantur'. As the century wears on, paradoxes in general tend to be associated more and more with *dubia* and *problemata*, a comment on the intractable nature of their subject-matter rather than on the latent scepticism of the form.[57]

Husmanus's collection is made up of twenty paradoxical statements dealing with different aspects and ramifications of a single law. The *lex Falcidia*, occupying a section of the Digest, granted that bequests should not exceed three quarters of the value of an estate. A fourth part, known as *Falcidia* or *quarta Falcidia*, was shared among the heirs appointed in the testament. This law was meant to ensure that an inheritance heavily burdened with bequests would not be refused by the heir(s).[58] The initial two statements may serve as examples of paradoxical reasoning in a legal context. Harking back to the preoccupations of legal humanism, the first paradox argues that the *lex Falcidia* in its current state is incomplete ('Legem Falcidiam non extare integram'). It raises questions about the completeness of extant passages of the *Corpus iuris civilis* in general, at a time when the authority of Roman law was increasingly being challenged.[59] Whereas other testamentary laws such as the *Cornelia*, *Furia* and *Voconia* have all but perished, many firmly believe, according to Husmanus, that this law alone was perfectly preserved. The contrary, argues Husmanus, is evident. In support of this statement he invokes the

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[57] For other examples, see Rorarius 1566 and Donne 1633.

[58] *D* 35, 2, 1. On the *lex Falcidia*, see the relevant entries in Calvinus 1622 and Berger 1953.

[59] Franklin 1963: 1-2 and 45.

authority of the jurist Marcellus and that of emperors Diocletian and Maximian.[60] Unlike in natural philosophy and medicine, where 'reason' and 'experience' are beginning to be seen as the only valid forms of proof, arguments from authority still hold sway in legal paradoxes in the late Renaissance. This is because the *Corpus iuris civilis* and the opinions of ancient jurists contained in it were regarded at the time as the *ratio scripta*, an ideal providing at the same time the premises of 'probable' reasoning and practical rules that took the place of experience.[61]

The second paradox stages a conflict of authorities. Whereas Emperor Justinian, whose opinion the *vulgus* adheres to, maintains that the *lex Falcidia* was instituted for the sake of the testator, Husmanus stands by the jurisconsult Paul's claim that it is solely for the benefit of the heir that this law was introduced ('Solus heredis non testantis gratia introductam esse legem Falcidiam'). The paradox begins with a series of rhetorical questions intended to cast doubt on the received view. For how could something which puts a constraint on the will of the testator be done for his sake? The heir is the only one who stands to benefit from a law which protects his interests by ensuring that at least a fourth part of his inheritance cannot be bequeathed (4). To this someone may object, however, that the true purpose of the law is to compel the heir to come into his inheritance, since it is in the interest of the *respublica* that the last wishes of the testator be fulfilled and that the deceased have successors (6). Yet the heir, Husmanus responds, is at liberty to refuse the inheritance. The paradox ends with a reconciliation of opposed

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[60] 'Verba legis Falcidiae per se non multa sed ita solenniter extant proposita, ut vix aliquid illis deesse vulgo putetur. Verum si Iurisconsulto et Imperatoribus fides habenda est, pleraque adhuc eius formalia desiderantur' (1-2).

[61] For the *Corpus iuris* as *ratio scripta*, see Coing 1970: 536; Kelley 1984: II, 44; and Piano-Mortari 1980: 86.

views by means of a distinction between efficient and final causes: 'finis Falcidiae legis est ut heres habeat quartam hereditatis partem, ad hoc legem movit, ut eo facilius adeat hereditatem, et ne deseratur ultima testatoris voluntas' (8). This solution has the advantage of preserving both Justinian's and Paul's authority intact, whilst remaining true to the meaning of words (*verum sensus verborum*). By alluding to the interest of the *respublica*, this paradox touches on the public and political implications of Roman law, which will be explored in the following section.

3. *Merum* and *mixtum imperium*: political paradoxes in Roman law

One of the central concepts of Roman public law, which aroused much controversy in the late Renaissance as before, was that of the *imperium*. Along with concepts such as the *princeps legibus solutus* and the *lex Regia*, it was used to legitimise the absolute power of emperor or prince, but it could also be interpreted in a constitutionalist sense.[62] Invested with a particular aura, the notion of *imperium* received little in the way of a definition in the *Corpus iuris*. Under the title *De iurisdictione omnium iudicium*, the jurisconsult Ulpian distinguishes between the 'simple' (*merum*) and 'mixed' (*mixtum*) *imperium*. He defines the former as the *potestas gladii* and the power of criminal jurisdiction, and the latter as that which also partakes of jurisdiction and consists in the capacity of granting *bonorum possessio*.[63] Ulpian's statement left room for all sorts of interpretations and the

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[62] On the notion of *imperium*, see Skinner 1978: II, 128-30, Kelley 1984: VII, 265 and Gilmore 1941: 20-1.

[63] 'Merum est imperium habere gladii potestatem ad animadvertendum facinorosos homines, quod etiam potestas appellatur. Mixtum est imperium cui etiam iurisdictio inest, quod in danda bonorum possessione consistit' (*D* 2, 1, 3). On these definitions, see Gilmore 1941: 21-5.

two notions were invested with different meanings as they came to be applied to political realities which bore very little resemblance to those of the Roman state, the original context out of which they arose. A number of paradoxes in the second book of Alciato's *Paradoxorum ad Pratum libri vi* deal with the notions of *mixtum* and *merum imperium*.[64] In two of these, he criticises precisely the liberties that commentators, and Bartolus in particular, took with Ulpian's definition of *imperium*.[65] Bartolus's exhaustive discussion of *imperium* in his commentary on the first title of the second book of the Digest had become the authoritative view on the question. Alciato is thus paradoxical in criticising Bartolus of Sassoferrato whom, according to his own expression, 'uti legalis reipublicae principem alii sequuntur' (27). In keeping with the methods of the commentators, Bartolus introduced several new distinctions in lieu of those present in Ulpian's *De iurisdictione omnium iudicium*, in an attempt to clarify the jurist's statement and to adapt Roman law to the practical needs of contemporary feudal society. He thus divided *iurisdictio* into *iurisdictio simplex* pertaining to the 'officium mercenarium' (civil suits), and *imperium* pertaining to the 'officium nobile iudicis' (high criminal jurisdiction), which he sub-divided into *imperium merum* exercised for public utility, and *imperium mixtum* exercised for private utility.[66] Alciato denounces the 'impudence' of Bartolus and other such writers 'qui ipsi novas finitiones excogitant, tanquam ea quae Iurisconsulto Ulpiano traditur, veris rationibus non subsistat' (27). He points out that the distinction between the *officium nobile* and *mercenarium* was not known to the ancients. On

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[64] See in particular II, 1; II, 2; II, 6; II, 7; and II, 8.

[65] 'Quid sit merum imperium, Ulpiani definitio vera defenditur, et temeritate alii notantur, qui veriora quam Iurisconsulti se tradere opinati sunt' (II, 7) and 'Mixtum imperium quid sit, et novo atque eodem vero sensu perceptum responsum Iurisconsulti ultimum, in lege, imperium, de iurisdict. om. iudi.' (II, 8).

Alciato's view, very much that of a humanist, Ulpian's definition is to be preferred to Bartolus's own on account of its historical accuracy, brevity and elegance (27-8).

More controversial still and destined to have a large following among jurists and political writers was Alciato's stance in the dispute which opposed the glossators Lothair and Azo on the vexed question of whether the *merum imperium* belongs to the prince alone or to the inferior magistrates as well.[67] The two wagered a horse on the issue and Emperor Henry IV was asked to adjudicate. The emperor awarded the prize to Lothair, who argued that *merum imperium* could never be exercised by the inferior magistrates, but the doctors of law all stood by Azo's interpretation which safeguarded the interests of the feudal lords. A common saying had it that Lothair may well have won a horse (*equum*), but Azo had been in the right (*aequum*). Alciato summarizes this debate at the outset of the sixth paradox in book two.[68] After nearly three centuries of consensus in favour of Azo's opinion, he paradoxically claims that it is Lothair who in fact had been in the right:

> Verum posteriores ita rem iudicatam damnavere, ut maximo silentio quaestionem omnem texerint, solaque Azonis opinio sic probatur, ut neminem unquam extitisse credibile videatur, qui in contrariam ire ausus sit. Verum ipse vereor, num fortasse probabilior sit causa, quae rei iudicatae autoritate defenditur, quod videlicet magistratus solum meri imperii exercitium habent, at ius ipsum in principe resideat. (26)

The assertion that magistrates have only the exercise of rather than the actual right to (*ius ipsum*) *imperium* is made in a characteristically tentative way ('*fortasse* probabilior sit causa') that contrasts with the use of hyperbole ('neminem', 'unquam') in the preceding

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[66] Gilmore 1941: 37-43.

[67] For a discussion of this dispute, see Skinner 1978: II, 127 and Gilmore 1941.

statement, conveying the self-assurance of the *doxa* in its refusal even to envisage the contrary view. More generally, while Alciato is adamant in his rejection of the positions he opposes, his own opinions tend to be cautiously presented as probable rather than obviously true.[69] His paradoxes serve to cast doubt on the endoxical position, but the difficulty of the matters being discussed means that they stop short of dogmatism. Alciato's argument in support of Lothair's unpopular view is grounded in Papinian's assertion in *De officio eius cui mandata est iurisdictio* (*D* 1, 21, 1) that any power that has been delegated cannot be re-delegated. Alciato takes this to apply to the magistrates, whose *merum imperium* he sees to be a usufruct rather than a proper right, as is demonstrated by the taking of oaths and other consecrated formulas which clearly designate the magistrate as a mere administrator of public power. Although criticised by some,[70] Alciato's paradoxical opinion, doubtless partly motivated by his political ideals, rapidly gained ground amidst proponents of the sovereign's absolute power. Thus Jean Bodin, in *Les Six livres de la République*, takes sides with Alciato and the celebrated jurist Charles Du Moulin (1500-1566), who brought Alciato's theories to bear on French legislation, affirming that 'il n'y a doute que l'opinion de Lothaire ne fust veritable'.[71]

In the address to the reader, placed at the head of the *Paradoxorum ad Pratum libri vi* in 1530, Alciato adamantly dismisses the suggestion that he had maintained in his

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[68] 'Meri imperii ius ipsum soli principi competere: eius exercitium etiam caeteris ordinariis communicari: et cur illud delegari nequeat, nova ratio' (26).

[69] For a study of the rhetorical procedures designed to create this effect in Alciato's *Paradoxa*, see Tournon 2000: 170-6.

[70] See, for instance, Sancto Ioanne's second antiparadox: 'Meri imperii ius ipsum soli principi non competere, sed et caeteris ordinariis communicari: et cur illud delegari nequeat, evulsa ratione nova, novissima stabilitur' (C-C2v).

[71] Bodin 1986: III, 123.

Paradoxa that 'mixtum imperium cum iurisdictione idem esse', since, as he puts it, 'nemo, nisi plane delirus, non videat, contrarium semper et ubique a me tradi' (a3). The violence of the language used here indicates how implausible the equation of *mixtum imperium* with *iurisdictio* appeared to Alciato. And yet Jacques Cujas makes just this claim in chapter thirty of book twenty-one of his *Observationum et emendationum libri XXVIII*, published in Paris in 1585.[72] Speaking of Ulpian's statement on the *merum* and *mixtum imperium*, discussed above, Cujas reaches the following conclusion:

> Duo [...] in ea lege proponuntur imperii genera, duo sunt in ea termini tantum, merum et mixtum imperium, non tres *ut plerique opinantur*, merum et mixtum imperium, et iurisdictio simplex, quia nulla est iurisdictio simplex vel nuda, nulla sine imperio, cuius vi ad effectum perducatur, quod ex hac etiam societate, atque iunctura, qua iurisdictione connexum est, mixtum appellantur. quamobrem *mixtum imperium et iurisdictio, res una et eadem est*.[73]

Bartolus, we recall, had divided *iurisdictio* into *iurisdictio simplex*, and *merum* and *mixtum imperium*. Cujas argues that *iurisdictio simplex* does not exist without *imperium*, whose strength makes it effective; *iurisdictio* is in fact a redundant category which need not be distinguished from *mixtum imperium*, of which it is a part. This opinion, presented by Cujas himself as contrary to the majority view ('ut plerique opinantur'), is included among the paradoxes in Andreas Bayer's *Paradoxorum Jacobi Cujacii ... non paradoxorum decades tres* of 1627. The reflexive title of this collection reveals a growing tendency towards the end of the period for the word 'paradox' to appear side by side with near-cognates or contraries, such as 'orthodox paradoxes' or 'endoxical paradoxes'.[74]

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[72] Gilmore 1941: 85-6. For Alciato's influence on Cujas, see Robinson, Fergus, Gordon 2000: 75 and Mesnard 1950.

[73] Cujas 1623: 522 c; my italics.

[74] See Venning 1647, Platter 1625, and Scherbius 1589.

Besides the question of *mixtum imperium* and *jurisdictio*, the collection includes a political paradox based on observation thirty of book fifteen, where Cujas denies that a *princeps* is *legibus solutus*, presented as an 'ebulliens Paradoxum' and placed at the outset of the collection.[75] Bayer's paradoxes, which appeared in Tübingen, were to be defended in a public disputation held before the president of the Academy and various officials of the Faculty of Law.[76] In the brief introduction, the candidate proposes to defend Cujas's work, unjustly accused of having fallen 'in horrenda errorum et paradoxorumque praecipitia' (1). Part of the defence will consist in proving that the apparent paradoxes in Cujas's output are not in fact paradoxical, as the title of the collection indicates. Dealing with a variety of contentious topics in Roman law, the paradoxes are mere citations of the precise passages of the Digest, Cujas's works, and other *loci* where a discussion of a given matter can be found. A law or a specific passage serves as a shorthand for an argument that the candidate would have expounded in the course of an oral examination. This brings us to the final section of this chapter in which the role that paradoxes played in legal training will be examined.

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[75] For a precedent to this paradoxical stance, see Mario Salomonio degli Alberteschi's *De principatu* (Salomonio 1514: fol. 56).

[76] The full title reads *Paradoxorum Jacobi Cujacii Jcti celeberrimi, non paradoxorum decades tres. Quas, divina favente gratia, permissu et authoritate nobilissimi et mmplissimi Jure-Consultorum Collegii, Praeside, Dn. Andrea Bayero Jurisconsulto, et in florentissima Tubingensi Academia, Antecessore celeberrimo, p. t. Decano Facultatis Juridicae spectabili, fautore ac praeceptore suo devota mentis*

4. Paradoxes and the rhetoric of pleading

The revival of the oratorical ideal in the Renaissance meant that the strong links between law and the arts of the *trivium* (grammar, dialectic and rhetoric) were further reinforced.[77] The orator became a model for the lawyer, and the rhetorical and dialectical procedures associated with oratory were put into practice in the courts of law. The part of dialectic known as the *ars opponendi et respondendi* finds an ideal ground in the contest opposing the plaintiff and the defendant in a legal trial. Litigation is the subject-matter of the *Paradoxorum libellus* by the German Nicolaus Vigelius (1529-1600), a short work printed in Basle together with the jurist's better-known *Dialectices iuris civilis libri tres* in 1581.[78] Vigelius's *Libellus* consists of nine brief paradoxes, some of which merely refer the reader to a given section of the *Dialectices iuris civilis libri tres*, where he sets out to explore in a more methodical fashion, bearing traces of Ramist influences, the different components of legal dialectic.[79] The *Libellus* provides little by way of a reflection on the genre of legal paradox. Vigelius takes for granted that his reader will instantly recognise what is paradoxical in assertions such as, for instance, 'Omnis causa ex qua vel agitur vel excipitur, nihil aliud est, quam argumentum' (I), 'De actione et exceptione certius iudicari non potest, quam si in formam syllogismi vel enthymematis redigatur' (III), or 'Iudex nisi statum controversiae in iudicando observaverit, certo

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observatia perpetim suspiciendo. Disquisitioni publica subjectas defendere conabitur.... Iunii, hora locoque consuetis (Tübingen, 1627).

[77] On the *trivium* as propaedeutic to legal studies, see Maclean 1992: 8.

[78] *Nicolai Vigelii de Dreisa Hessorum Iurisconsulti Dialectices iuris civilis libri III. Iurisprudentiam omnibus respublicis accommodatam continentes. Accessit De litis contestatione: item Paradoxorum libellus eiusdem authoris* (Basle, 1581).

pronuntiare non potest' (VI). Without explicitly referring to the *doxa*, Vigelius pronounces himself on the modes of exchange between *actor* and *reus*, the proof as *argumentum*, the part played by logical arguments in pleading, the central role of the *status*, a notion derived from Hermagorean rhetoric in which he sees the crux of any legal case.[80] It is not until the final section that some light is cast on the meaning he assigns to paradox. Arguing that 'Dilatio amplius quam semel dari non debet', Vigelius explains that 'Merito inter Paradoxa hoc numeratur' (615) given that, in the current state of legal procedure, there are as many as twenty and even thirty postponements before a judge pronounces his final verdict. The paradox is thus not so much opposed to a common opinion as to a common practice or habit. What follows is valid for the collection as a whole and not just the final paradox:

> Haec atque huiusmodi alia, quamvis partim apertissimis legibus, partim etiam sensu communi constent, et revera prima practices iuris civilis sint principia: tamen ab iis hodie in praxi iuris versantur, et re et verbis negantur, illisque sunt paradoxa: neque ii qui reformandis iudiciis praeficiuntur, tam crassos errores perspiciunt: sed etsi perspiciant, defendere tamen, quam emendare, malunt. (615-6)

His 'paradoxes', Vigelius argues, are consistent with manifest laws and common sense alike; they are in fact the very foundations of civil law. It is only the discrepancy between the theory and the practice of law that makes these statements seem paradoxical. Paradox is here as elsewhere presented as an antidote to the persistent 'errors' of common legal practice.

The kind of dialectical reasoning that took place in the courtroom was familiar to students of law through the *pro et contra* debates, which formed an essential part of

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[79] On the Ramist influences in Vigelius's *Dialectices iuris civilis libri III*, see Kelley 1984: I, 630.

[80] Vigelius 1581: 605-14. For a discussion of these different elements of legal dialectic, see Giuliani 1962.

university training. The *pro et contra* debate found its legal expression in the medieval *brocardica*, collections of legal maxims, axioms or rules known by the obscure name of 'brocards'.[81] Listing parallel and sometimes contrary passages of the *Corpus iuris civilis*, the brocards provided the bare outline of a legal argument and were designed to prepare for the *quaestio disputata*. Paradoxes may be considered as one side of an *in utramque partem* debate. To debate against a received view is arguably more difficult and requires greater ingenuity than to maintain a position which holds sway with the experts. This may partly explain why paradoxes feature so prominently in public examinations. There are many instances of legal paradoxes orally disputed in an academic context, most of them published after 1650. In the period here considered, besides Bayer's paradoxical miscellany, where the date and the hour at which the paradoxes were defended in a public disputation are mentioned on the title page, there is extant Alexandro Glorieri's collection of three hundred *Paradoxa, theoremata, positiones iuris civilis* of 1565.[82] The title page indicates that the paradoxes were publicly debated before the Rector of the Gymnasium Romanum in a disputation which spanned a period of three days, and which took place first before an audience of doctors and then of students in the gymnasium.[83] The *Paradoxa, theoremata, positiones iuris civilis* are inspired by a tract on the acquisition of

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[81] The most famous of these collections, *Azonis brocarda*, was compiled in the twelfth century by the glossator Azo. In the *Lexicon iuridicum*, Calvinus defines them as follows: 'Brocardica materia dicitur, quae est contrariorum opinionum rationibus involuta. l. quicquid. de verb. oblig.' (127). On the *brocardica*, see Calasso 1954: 534, Coing 1970: 537, and Maclean 1992: 103.

[82] *Alexandri Glorieri scholaris romani, paradoxa, theoremata, positiones iuris civilis, ex lectionibus Boni Bonii Iuris consulti clarissimi, in tractatu bonorum possessionum, et acquirendae possessionis deprompta, ex auctoritate Sylvii Antoniani Ro. Gymnasii pro rectoris digniss. publice Romae disputanda proponuntur* (Rome, 1565).

[83] 'Disputantur die VI. Mensis Maii, hora xix. cum tribus diebus sequentibus continuis, prima die in sancto Eustachio, et secunda in almo urbis Gymnasio cum doctoribus, sequentibus duobus diebus cum scholaribus, in eodem urbis Gymnasio'.

goods and the *bonorum possessio* written by Glorieri's teacher, Bonius Bonius, to whom Glorieri alludes at the outset and at the end of his collection.[84] They are designed, as the dedication to cardinal Borromeo tells us, to give us a specimen of their author's ingenuity and diligence. The opening propositions may serve as an illustration:

1 Bonum cum illud esse *omnes affirment* quod omnia expetunt, idcirco recte ab Ulpiano naturaliter bona dicuntur quoniam beant, hoc est, nos beatos faciunt nam beare est prodesse.

2 Neque tamen *contradictoria* ponimus, si omnia bonum non expetere concedamus.

3 Sed *quid si* bona etiam quae prosunt non beare affirmemus?

4 Triplex dicimus esse bonum, honestum, utile, et iucundum.

5 Sed *quid si* in primis decem generibus esse bonum confiteamur?

6 Civilis facultas quae vere ea est, quae de moribus tractat, et haec nostra quae illi subiicitur de triplici bono agit, de bonis autem Animi principaliter, de reliquis autem quatenus instrumenta sunt ad bene, beateque vivendum.

7 *Quid si* de Animi bonis nostram facultatem non pertractare contendamus?

Although the discussion of the good is here firmly rooted in a legal context, it calls to mind Cicero's treatment of the subject in the first and second of his *Paradoxa Stoicorum*, 'Quod honestum sit, id solum bonum esse' and 'In quo virtus sit, ei nihil deesse ad beate vivendum'. Paradoxes are not distinguished from *theoremata* and *positiones* in the three hundred propositions that make up Glorieri's collection, and which would have been developed in the course of a public disputation. And yet in the succession of propositions paradoxes are easily discernible by their position in the flow of the argument and by the doubt that they cast through the use of the interrogatory style ('sed quid') on endoxical

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[84] Berger defines *bonorum possessio* as 'The law of succession introduced by the praetors as a system of inheritance parallel to that of the *ius civile*, in order to correct certain iniquities (*iniquitates*) in the latter'. This law is the object of *Inst* 3, 9; *D* 37, 1 and 38, 13; and *C* 6, 9 (Berger 1953: 375).

statements such as 'omnes affirment'. This kind of paradox is intended to test a student's ability to argue rather than his knowledge of legal matters.

Glorieri's paradoxes are concerned with a legal topic, the *bonorum possessio*, to which an entire section of the Digest is devoted. But the sort of dialectical and rhetorical skills that paradoxes were meant to foster could easily be acquired when debating issues other than legal. We need look no further than to Charles Estienne's 1553 translation of Lando's *Paradossi*, entitled *Paradoxes, ce sont propos contre la commune opinion: debatus, en forme de Declamations forenses: pour exerciter les jeunes advocats, en causes difficiles*. Absent in the Italian original, the subtitle emphasizes the pedagogical ambitions of a collection specifically aimed at lawyers. This is perhaps deemed too specific, for in a later edition the words 'jeunes advocats' are replaced by 'jeunes esprits', thus enlarging the potential audience significantly.[85] The legal background is present in the address to the reader, where Estienne explains that 'pour bien faire un advocat, apres qu'il a longuement escouté au barreau, il luy faut donner à debattre des causes que les plus exercez refusent soustenir: pour à l'advenir le rendre plus prompt et adroict aux communs plaidoyers et procés ordinaires' (59). Someone who finds the appropriate arguments to convince an audience that it is better to be a bastard than a legitimate child will be able to fight his way through any trial. Estienne's choice of subtitle is reflected by certain changes in the presentation of his work. Paradoxes are renamed 'declamations' at the head of each section, testifying to a certain confusion between the two genres in the

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[85] See Peach 1998: 38-9. The legal dimension is further attenuated in Anthony Munday's *The Defence of Contraries, Paradoxes against Common Opinion, Debated in Forme of Declamations in Place of Publike Censure: Only to Exercise Young Wittes in Difficult Matters* of 1593 where 'forenses' no longer qualifies 'declamations'.

vernacular writings of the period.[86] Estienne's paradoxes, whose commitment to truth is left ambivalent, in contrast to the Ciceronian type of paradox, naturally invite a comparison with the *declamatio* as characterized by Agrippa von Nettesheim:

> proinde declamatio non iudicat, non dogmatizat, sed quae declamationis conditiones sunt, alia joco, alia serio, alia false, alia severe dicit: aliquando mea, aliquando aliorum sententia loquitur, quaedam vera, quaedam falsa, quaedam dubia pronunciat [...] multa invalida argumenta adducit.[87]

Each of Estienne's declamations is preceded by a stark formulation of the paradoxical statement, emphasizing at the expense of the courtly manner of the original its affinities with the scholarly *pro et contra* debate familiar to lawyers.[88] There is an echo of this at the outset of the first paradox, where Estienne addresses *in medias res* an imaginary courtroom: 'Considerant *pour qui* et *contre qui* me fauldra maintenant parler en vos presences' (61). The oral dimension of the *declamatio* is accentuated throughout the collection in an attempt to give the paradoxes the outward appearance of a case fought in a courtroom or before the Roman Senate.

Estienne is responsible for the legal colour of the opening and concluding remarks to a number of paradoxes, where there is talk of 'advocat', 'court', 'cause', 'proces',

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[86] Cotgrave defines *declamation* as 'an oration made for a fained subject, or onely for exercise'. Agrippa's *De incertitudine et vanitate scientiarum* was translated into French as *Declamation sur l'incertitude et la vanité* in 1582 and then as *Paradoxe sur l'incertitude et la vanité* in 1603. In Jean Duval's 1603 edition of Estienne's work the two words appear jointly in the title: *Les Declamations paradoxes, où sont contenuës plusiers questions, debattuës contre l'opinion du vulgaire*. On the affinities between the two genres, see Bowen 1972b: 251 and Peach 1998: 19.

[87] This definition appears in the Lyon edition of Agrippa's *Apologia adversus calumnias, propter declamationem de vanitate scientiarum ... intentas, xlii* (n.d.: II, 326-7). See Screech 1951: 246 and Maclean 1977: 38.

[88] 'Pour la pauvreté' (1), 'Pour la laideur du visage' (2), 'Pour l'ignorant' (3), 'Contre celuy qui lamente la mort de sa femme' (20).

'debat' and 'adverse partie'.[89] For example, when arguing 'Que l'exellence de la femme est plus grande que celle de l'homme' in declamation twenty-four, his initial comments are full of legal jargon: 'Et me semble estre (soubz correction) recevable en dits mon adverse partie, quand il allegue les fautes qui se trouvent en ce sexe, qui sont bien moindres toutesfois que ne sont pas celles des hommes' (222). Most importantly, the French translation of Lando's *Paradossi* is supplemented by an additional paradox, the work of Estienne himself, maintaining 'Que le plaider est chose tresutile et necessaire à la vie des hommes'. To argue for the usefulness and the necessity of pleading was indeed a paradox at a time when lawyers and their art were frequently the butt of satire. Agrippa, who devotes chapters 91-5 of *De incertitudine et vanitate omnium scientiarum et artium* (1530) to this issue, is one in a long line of humanist authors who took part in the polemic against law.[90] Estienne's 'Paradoxe du plaider' falls within this tradition. His defence of pleading is in fact a barely veiled criticism of the legal profession. A close acquaintance with litigation, Estienne argues, makes one an able rhetorician, renders ladies less proud as they stoop to all manner of ignominies to further their cause, prevents many illnesses and discomforts without the aid of laxatives or clysters, fosters generosity towards needy creatures such as solicitors and other members of a practice. The figure of *paradiastole*, a characteristic device of mock encomia, abounds in this particular paradox where every vice is transformed into a neighbouring positive quality.[91] Thus, lying under oath becomes a 'subtile disposition, subtile invention et bonne disposition d'esprit' (245). The

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[89] See in particular paradoxes 1, 4, 5, 6, 10, 12, 17, 19, 23, and 24.

[90] On the polemic against law, see Garin 1966: 20-4.

[91] For a discussion of this figure, see Skinner 1996: 142-172 and Cave 1999: 100-6.

use of judicial eloquence and the courtroom setting are even more noticeable here than in the previous declamations. Appeals to an imaginary jury designated as 'messieurs' and allusions to different parties in the trial punctuate the entire 'Paradoxe'. A plea for pleading, this paradox is a fitting conclusion to the 'Declamations forenses' advertised in the title.

Whether their subject-matter be legal or not, mock or paradoxical encomia bear a certain resemblance to a judicial procedure, in that they often take the form of an apology designed to free the guilty subject of accusations or aspersions levelled against it by the common opinion.[92] Hence perhaps the popularity of this kind of paradox with students of law. The revels which took place at the Temple and Gray's Inn at the end of the sixteenth and the beginning of the seventeenth century testify to a culture of paradox at the Inns of Court. Set pieces, such as a 'Defence of Woman's Inconstancy', were recited at the revels and plays held yearly around Christmas at the larger Inns.[93] This is incidentally the theme of a paradox by John Donne (1572-1631), whose collection of *Paradoxes and Problems*, composed in the early 1590s when Donne himself was studying law at Lincoln's Inn, owes as much to this passing fad for paradoxical compositions at the Inns as to Lando's influence.[94] 'The Masque of Mountebanks', performed at Gray's Inn in the 1618-19 revels, even features a character named Paradox, described as 'a slip of darkness', the

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[92] 'En prenant souvent un caractère encomiastique [...], le discours paradoxique s'apparente du même coup à l'éloquence judiciaire. Il se coule dans le moule d'un plaidoyer (d'une *apologia*), visant à détruire les arguments de la partie adverse, de l'accusation (*katègoria*), représentée par l'opinion commune ou la tradition' (Margolin 1982: 62).

[93] For a study of the revels at the Inns of Court, see Finkelpearl 1969: 34-40 and 228; and Green 1931: 40-56.

[94] This paradox is listed under 'Dubia' (40) in Helen Peters's edition of Donne's *Paradoxes and Problems* (1980). On Donne's paradoxes and the Inns of Court, see Peters's introduction, Donne 1980: xv and xx.

offspring of an Anabaptist mother and a Jesuit father, a *coincidentia oppositorum* if ever there was one.[95] Even in a legal context, we may note, paradox continues to be linked with religious heterodoxy. Before the beginning of the main masque, the actor playing Paradox comes forward to utter various paradoxical statements. These include, 'A Drunkard is a good philosopher; for he thinks aright that the world goes round', 'Old things are the best things; for there is nothing new but diseases', 'Taverns are more requisite in a city than academies; for it is better the multitude were loving than learned' and 'The Court makes better scholars than the university; for where a King vouchsafes to be a teacher, every man blushes to be a non-proficient'.[96] Playful and ironic, these miniature self-contained paradoxes need no further comment as their gist is immediately apparent. In this respect, they are closer to modern-day paradoxes. Once the masque is over, Paradox returns to dance an 'antimasque' with his disciples. Faithful to his name and parentage, he constitutes a foil to the main entertainment. 'The Masque of Mountebanks' is testimony to the appeal that rhetorical paradoxes, comic counterparts of those which formed part of legal training, had for students of law.

From 1518 onwards, many legal works devoted to the study of Roman law were called paradoxes in imitation of Alciato's influential *Paradoxorum ad Pratum libri vi*. These ranged from detailed studies of individual laws (*lex Gallus* or *Falcidia*) and passages of the Digest (*De verborum obligationibus* or *De bonorum possessione*) to entire collections dealing for the most part with Roman civil law. While attacking glossators, commentators

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[95] On 'The Masque of Mountebanks', see Green 1931: 117-121.

and contemporary jurists of the post-Bartolist school, the *mos italicus* whose traditional methods were challenged by the innovative *mos docendi gallicus*, these works did not often undermine the authority of Roman law itself. François Hotman is among the few to have questioned the usefulness of the study of Justinian and the applicability of Roman law to contemporary French society in his *Antitribonianus* of 1567.[97] With rare exceptions, Roman law, as expressed in Justinian's *Corpus iuris civilis*, continued to be considered as the *ratio scripta* and its authority was comparable to that of Aristotle's and Galen's in natural philosophy and medicine. Nor was the *communis opinio doctorum*, more codified in law than in any other discipline, entirely rejected. This is due, in part, to the fact that the opinions of doctors provided the very foundation of legal arguments. As Machiavelli says at the outset of the *Discorsi sopra la prima deca di Tito Livio*, 'le legge civile non sono altro che sentenze date dagli iureconsulti, le quali, ridotte in ordine, a' nostri presenti iureconsulti iudicare insegnano'.[98] Machiavelli's statement goes some way to explaining why reason and experience are so seldom alluded to in legal paradoxes, in contrast to paradoxes in medicine and in natural philosophy, which discount arguments from authority as invalid and claim to be grounded solely in reason and experience. Legal opinions hold the place of both reason and experience in the sphere of law.

While there is a marked evolution in medical and philosophical paradoxes from the attacks on medieval 'barbarians', guilty in the eyes of humanists of having distorted the original meaning of classical authors, to criticisms of the ancient authorities

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[96] Green 1931: 118-9.

[97] 'Car si l'estude des livres de Justinien est utile, il faut que le fruit d'icelle appartienne à l'usage de la vie et du bien public. [...] Quelle raison y a il de nous faire si curieusement estudier, fueilleter et esplucher les loix qui appartiennent à l'état consilaire ou au magistrat de la republique romaine, veu que telles loix ne sont aucunement ny ne peuvent estre recuës ny pratiqués en ce Royaume?' (Hotman 1681: 16-17).

themselves, no such clear evolution is evident in legal paradoxes. Throughout the sixteenth century, paradoxes in the sphere of law display a tendency to study Roman law for its own sake. This discipline-internal approach is perhaps best illustrated by Cujas's famous reply, when asked how he positioned himself with regard to the religious issues dividing France in his day, 'Nihil hoc ad edictum praetoris'.[99] Legal paradoxes, particularly those dealing with controversial concepts such as the *merum* and *mixtum imperium*, subject to a great deal of political manipulation, did not present a merely antiquarian interest. Precisely because of the continuing relevance of Roman law to contemporary legal and political debates, any emendations or innovative readings of the *Corpus iuris civilis* were highly significant and bound to provoke controversy. In the concluding remarks to the *Dispunctiones*, published together with the *Paradoxa* from 1518 onwards, Alciato is of the view that, whereas in most disciplines those who challenge received opinion and put forward novel views do not incur any great danger, the same does not hold true for civil law. This is because in all disciplines, apart from medicine and theology, an error is without any real consequence; but any omission or misunderstanding can have disastrous effects when it comes to the interpretation of a text of law.[100] Though they fall short of radical innovation, legal paradoxes in the late Renaissance do involve an element of risk.

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[98] Machiavelli 2001: I, 5.

[99] Robinson, Fergus, Gordon 2000: 180.

[100] Alciato 1543: 109.

IV. MEDICINE

From the third decade of the sixteenth century onwards, various medical works calling themselves 'paradoxes' were printed both in Latin and in the vernacular. These range from individual paradoxes dealing with a specific disease (the plague, catarrh) or medical field (anatomy, surgery),[1] to entire collections of paradoxes in the works of Leonhart Fuchs, Laurent Joubert and Felix Platter.[2] Paradoxes tend to be prose treatises, but they can also take the form of a dialogue, an epistle or a *quaestio*.[3] Whether or not the appearance of this new kind of writing was in any way linked to the invention of printing, its novelty was not without appeal to an audience used to the more traditional forms of medical debate like the commentary and the *quaestio*. Fuchs could thus be accused by a critic of having entitled his work *paradoxa* only so as to entice a potential buyer.[4] Placed at the head of a tract or a collection, the word 'paradox' promised controversy and departure from accepted norms and habitual ways of thinking at a time when these were increasingly being challenged by innovative physicians and surgeons. Although the genre of paradox continues to be used as a polemical tool well into the eighteenth century, in medicine its rise to prominence coincides with various trends peculiar to the 'medical Renaissance': the

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[1] See, for instance, Claude Fabri's *Paradoxes de la cure de la peste par une méthode succinte contre l'opinion de ceux qui ont escrit ... au passé* (Paris, 1568), Nicolas Habicot's *Paradoxe myologiste, par lequel est demontré que le diaphragme n'est un seul muscle* (Paris, 1610), and Jacques Fontaine's *Deux paradoxes appartenant à la chirurgie: le premier contient la façon de tirer les enfans du ventre de leur mère par la violence extraordinaire ... l'autre est de l'usage des ventricules du cerveau, contre l'opinion la plus commune* (Paris, 1610).

[2] Leonhart Fuchs, *Paradoxorum medicinae libri tres* (Basle, 1535); Laurent Joubert, *Paradoxorum decas prima atque altera* (Lyon, 1566); Felix Platter, *Quaestiones medicae paradoxae et endoxae* (Basle, 1625).

[3] Silvestro Facio's *Paradossi della pestilenza* (Genoa, 1584) is a dialogue, each paradox in Joubert's collection takes the form of a medical epistle, and Platter's work is entitled *quaestiones*.

humanist rejection of scholastic and Arabic authorities, the challenge to traditional medicine posed by discoveries in botany and anatomy, the spread of 'new diseases' and the radical alternatives to Greek medical thought propounded by men like Paracelsus. Paradoxes at once reflect and bring about some of these developments.

What is specific to medical paradoxes may be assessed by comparing them to other modes of medical writing with which they tended to be associated in the sixteenth and the seventeenth centuries. Like the cognate genre of *errata*, paradoxes are devoted to exposing and rectifying erroneous medical opinions. In fact, judging by the work of Fuchs and of Joubert, where these two terms are closely allied, paradoxes in the medical sphere may be seen as an outgrowth of error literature. Yet, whereas in the *errata* the emphasis is placed on medical inconsistencies and errors attributed to others, in the *paradoxa* the focus is on the author's own controversial stance, intended as a corrective to the errors in question. There are certain affinities between these two genres and those of *contradicentia* or *controversiae*, which attempt to reconcile opposing and contradictory views of various authorities.[5] *Contradictiones*, *dubia* and *paradoxa* are grouped in the title of a work by Nicolaus Rorarius. Rorarius hardly distinguishes between these different modes in the main body of his treatise, but assigns all three a pejorative value: 'Contradictiones (quas reperi) pro virili mea conciliavi; paradoxa ad communem, rectamque medicorum sententiam redegi; et dubia aperta feci'.[6] This assertion yields elements of a definition and places paradoxes within the realm of learned medicine. It is not just any *communis opinio* that Rorarius

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[4] In the words of Sebastianus Montuus, 'sua contumeliis errata locupletare studuit, quae (titulum incudi reddens) paradoxa vocavit, quo videlicet *titulationis novitate emptorem circumveniens, vendibiliora faceret*' (Montuus 1537: 2; my italics).

[5] On these genres of conciliation, see Maclean 2002: 212-3.

[6] See the dedication to *Contradictiones, dubia et paradoxa, in libros Hippocratis, Celsi, Galeni, Aetii, Aeginetae, Avicennae, cum eorundem conciliationibus* (Rorarius 1566: a2v).

is referring to, but more specifically that of physicians. On his count, paradoxes need to be brought back to the common *and* orthodox (with the etymological meaning of 'right') opinion of doctors. As we shall see, not all doctors equated common opinion with right opinion. The positive or negative meaning given to the word 'paradox' largely depended on the physician's outlook and in particular on his receptiveness to innovative thought and critical assessments of authorities.

This is not to say that only the most forward-looking members of the medical community had recourse to paradoxes. At Montpellier, these appeared as set questions in examinations, placed side by side with *assertiones*, *quaestiones*, *problemata*, and contrasted with neighbouring *endoxa*, *amphidoxa*, *amphilecta*. The earliest surviving example of such exercises is the *Laurea Apollinea Monspeliensis*, a thesis printed in Basle in 1586 at the request of Andreas Kragius, a Danish student who graduated from Montpellier. The collection contains, among other questions set for examination, sixty-six 'problemata paradoxa varia'. Later examples, all dating from the beginning of the seventeenth century, a time when the tendency to conflate the paradoxical with other modes of thought is already pronounced, include Johannes Antonius Pelissarius's *Endoxa, problemata, paradoxa, ex omnibus medicinae partibus desumpta* (1607), Charles Delorme's *Varia endoxa, amphidoxa, paradoxa quae omnia ut vera variis congressibus propugnant* (1608), and Lazarus Riverius's *Quaestiones cardinales quatuor, quibus accesserunt assertiones et paradoxa 500 ex singulis medicinae partibus* (1611).[7] Paradoxes in this format present themselves as bare formulations, such as 'Ex urinis dignosci potest impraegnatio' or 'Sanguis non generatur in hepate, sed in corde',[8] to be developed by the student arguing either for

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[7] Pellissarius 1607; Riverius 1611; and Delorme 1608. On Kragius, see Dulieu 1979: 64.

[8] Riverius 1611: 32-33.

or against them in the course of an oral examination. They can be drawn from any sphere of medical theory or practice: physiology, pathology, therapeutics, surgery, anatomy, semiotic, hygiene, diet, pharmacology, chemistry, etc. To give a few examples:

> Physiology: 'Mulier cui non fluxerint menstrua valet concipere'.
>
> Pathology: 'Lues venerea absque concubitu potest contrahi'.
>
> Diet: 'Victus humidus febricitantibus non convenit'.
>
> Anatomy: 'Cerebrum non propria vi sed arteriarum movetur'.
>
> Pharmacology: 'Medicamenta omnia purgantia, deleteria sunt'. [9]

Whether intended as light relief or as a way of assessing the students' argumentative skills and their knowledge of orthodox opinions on a number of medical issues, their presence among questions disputed for the doctorate suggests that there was a culture of paradox in medical studies, just as paradoxes were a part of legal training at the London Inns of Court in the age of Donne.

These examples go to show that paradoxes are not confined to any specific part of medicine. They are particularly prominent, however, in the fields of anatomy, botany and pathology, which were the theatres of some of the most radical departures from established theory and practice in the period. Medical paradoxes are, first and foremost, attacks on authorities, whether these be Arabic or medieval, ancient or 'neoteric'. In the first section of this chapter, which examines the relation between the genres of 'paradox' and 'error', I argue that these attacks became increasingly radical in the course of the sixteenth century. In the late Renaissance, the adjective 'paradoxical' also has the meaning of 'unheard of' and it is closely associated with

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[9] See Pelissarius 1607: 26 and 33; Delorme 1608: 25-33.

novelty. The focus of the second section, where I go on to establish a connection between 'new diseases' and alternative medical views and practices, is Severinus's claim in the *Idea medicinae philosophicae* of 1571 that 'paradoxi morbi paradoxos medicos peperere'.[10] But common medical opinion and the authorities challenged by unorthodox medical thinkers have their defenders. The third part is devoted to the medical debates surrounding Leonhart Fuchs's *Paradoxorum medicinae libri tres* (1535), Laurent Joubert's *Paradoxorum decas prima atque altera* (1566), and Jacques de Marque's *Paradoxe que la moelle n'est pas la nourriture des os* (1606). Centred on an early vernacular paradox, Pierre Tolet's *Paradoxe de la faculté du vinaigre* (1549), the final section attempts to place medical paradoxes within the paradoxical tradition as a whole.

1. Against received opinion and authorities: paradoxes and 'errors'

In medicine, more so than in any of the other disciplines that we have examined so far, paradoxes are closely related to the genre of errors. One of the earliest and most prominent collections of medical paradoxes,[11] the *Paradoxorum medicinae libri tres* of 1535, written by the German physician and botanist Leonhart Fuchs (1501-1566), is an amended and somewhat expanded version of the author's *Errata recentiorum medicorum*, published a few years earlier.[12] Fuchs himself refers to it as a 'second

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[10] Severinus 1571: 3. Quoted by Maclean 2002: 14 and 23.

[11] The earliest collection of medical paradoxes that I have come across is Symphorien Champier's *Paradoxa ... in Artem parvam Galeni*, which appeared in 1516 in Lyon. Champier defines *paradoxa* as 'iuxta sententiam vel inopinabilia seu admirabilia', and invokes Cicero as a model for his own paradoxes (Champier 1516: fol. 1). On Champier's *Paradoxa*, which offers new interpretations of several difficult passages in Galen's *Ars parva*, see Joutsivuo 1999: 35.

edition' (a4v) of his previous work, the title of which had been changed to reflect its different arrangement and many other alterations. The new title struck him as both pleasing and particularly apt as a description of the content of the treatise, at variance with commonly accepted medical opinion:

> Praeterea [...] inscriptionem quoque immutare volui, ut si opus tractatione placere non posset, inscriptione saltem placeret. Nulla autem, mea quidem sententia, commodiore inscriptione quam *ton paradoxon* insigniri potuit, singula nanque quae hic tractantur, praeter vulgarium medicorum sententiam opinionemve dicta videntur. Et ut plane novam faciem opus universum indueret, longe alio quam in priore usi sumus ordine, multa quoque huic aeditioni adiecimus quae in alia desiderantur. (a4v-5)

Fuchs's paradoxes could thus be characterized as 'errors' with a new label. As such, they belong to a tradition reaching back to Nicolò Leoniceno's *De Plinii ac plurium aliorum in medicina erroribus* (1492), on which Fuchs's *Errata* are self-consciously modelled. The controversy surrounding Pliny's natural history was sparked off by an exchange of letters between Leoniceno (1428-1524), professor of medicine at Ferrara, and the humanist philologist and poet Angelo Poliziano, in which the former had criticised Avicenna along with other medieval authors, and pointed out that Pliny had confused a Greek herb ('kisthos') with ivy ('ciseos').[13] Poliziano did not object to Leoniceno's criticism of Avicenna and the medieval commentators, but he reproached him with undermining the authority of an ancient author. *De Plinii erroribus*, published in Ferrara in 1492 as a response to this accusation, drew attention to Pliny's many other lapses in naming fruits and herbs put to medicinal use. Philological in substance, this attack on a Latin author has been viewed as a product of 'medical Hellenism', a movement which endeavoured to return to purer – in other words Greek

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[12] The *Errata recentiorum medicorum lx numero adiectis eorundem confutationibus* appeared in 1530 in Hagenau, followed in 1535 by the *Paradoxorum medicinae libri tres*, published in Basle. All further references to the *Paradoxorum ... libri tres* will be to the 1546 edition unless otherwise indicated.

– sources of medicine, by ridding them of accretions of medieval Latin and Arabic commentaries, perceived to be a potential source of error.[14]

In the introductory epistle prefaced to his book of paradoxes, Fuchs explicitly aligns himself with Leoniceno and other prominent members of the school of Ferrara, such as Giovanni Manardo, who have all contributed to the literature of 'errors'.[15] He makes no claims of originality for his *Paradoxa*; his only merit consists in having assembled in a single book and drawn on the opinions of 'probatissimorum autorum' to refute the errors that his predecessors had merely remarked upon. We may note that the most common accusation made by Fuchs's detractors is in fact that of plagiarism.[16] Leoniceno's influence on Fuchs's *errata* and *paradoxa* is discernible both in the method and the subject-matter of the two collections.[17] Fuchs takes Leoniceno's prejudice against scholastic commentators and Arabs to new extremes. He spares them no insults and deplores the fact that a student's earliest exposure to Greek *prisca medicina*, the purest fount of knowledge, is mediated through the works of Arabic and medieval Latin authors who inevitably corrupt it.[18] At Tübingen, where he began teaching medicine in 1535, Fuchs succeeded in revising university statutes so as to exclude from the curriculum 'Arabs and other inept and barbaric authors' and replace them with Galen and Hippocrates.[19] The sense that a lack of equation between

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[13] For the circumstances of the controversy surrounding Leoniceno's *De Plinii ... erroribus*, see Reeds 1991: 20 and Wear 1996: 252-5.

[14] On 'medical Hellenism', see French 2000 and Wear 1996: 255-65.

[15] He speaks of 'errata aliquod Medicorum quae antea Leonicenus, Brissotus, Manardusque, viri longe doctissimi, memoriae prodiderunt' (a2r). On Ferrara as a centre of medical humanism, see Nutton 1997: 2-19.

[16] Samoggia 1964: 22 and 31.

[17] For an account of this influence, see Samoggia 1964.

[18] See the preface (b1v-b2).

res and *verba* in medical matters can pose a serious threat to human health lies behind his efforts to stabilize medical terminology, just as it did behind Leoniceno's own. In paradox seventeen of the second book, for instance, he accuses his contemporaries of giving four different names to the same disease, an error largely resulting from their ignorance of Greek and the fact that they follow the interpretations of the Arabs.[20] By contrast, chapter four of the first book sets out to prove (as Manardi had done) that modern and ancient rhubarb, despite being generally given the same name, differ in their appearance (their smell in particular), their provenance and their curative properties.[21]

Where subject-matter is concerned, Fuchs's three books of paradoxes, devoted respectively to 'medical matter' or botany (book I), diseases and their cure (book II) and anatomy (book III), closely reflect Leoniceno's own interests in medicine.[22] *De Plinii erroribus* deals with botany and anatomy, and Leoniceno's *Libellus de epidemia quam Itali morbum gallicum, Galli vero Neapolitanum vocant* of 1497, though chiefly concerned with syphilis, describes and attempts to identify several other diseases. It is perhaps not a coincidence that paradoxes and errors should have emerged in these three particular fields. In the 1530s and 1540s, partly as a result of humanist efforts at translating recently discovered classical texts by Galen, Hippocrates, Dioscorides and others, these hitherto neglected areas saw many important innovations, leading to the establishment of the first botanical gardens,

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[19] See Reeds 1991: 23, and Thorndike 1923-58: V, 500.

[20] 'Non esse diversa morborum genera prunam seu ignem persicum, carbunculum atque anthracem, ut multi medicorum hodie putant, sed unum potius eundemque diversis his designari nominibus morbum' (II, 18).

[21] 'Rhabarbarum nostrum et vulgare in plerisque a veterum rheobarbaro differre, atque adeo diversum esse' (I, 4). On the dispute regarding rhubarb, see Nutton 1997: 11. For the different categories of 'error' in Leoniceno and Fuchs, see Maclean 2002: 214.

[22] Bylebyl 1979: 341.

anatomical theatres, the increasing use of hospitals and bedside teaching advocated by the Italian physician Giambattista da Monte.[23] In all these different spheres of medicine, direct observation and practical knowledge were seen as essential and provided tangible arguments against received opinion. If the *Paradoxorum libri tres* undeniably partakes of the spirit of these developments, Fuchs's excessive reliance on Greek authorities meant that these took priority over personal observation. This is particularly conspicuous in the third book, devoted to anatomy, the one most often criticized in the literature dealing with Fuchs's 'errors' and 'paradoxes'.[24] Despite his repeated insistence that the reading of authorities must be accompanied by frequent dissections,[25] Fuchs argues, for instance, that the uterus is not made up of seven cells or concavities but of two: 'Uterum non habere septem sinus seu cellulas, ut Mundinus praeter omnem veritatem astruit, sed duos tantum, idque in homine' (III, 9). He quotes relevant passages in Hippocrates, Galen, and Avicenna (for once correct) in support of this assertion, and sees as ultimate proof the fact that a woman has two breasts matching the number of concavities in her womb.[26]

Fuchs's humanist attack on Arabs, medieval 'barbarians' and their followers are only a stage in the development of medical paradoxes. The criticism of authorities is more generalized in Joubert's *Paradoxorum decas prima atque altera* (1566), written some thirty years later.[27] Laurent Joubert (1529-1583), chancellor of the

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[23] For a discussion of these various developments, see Bylebyl 1979: 342, Wear 1996, and Maclean 2002: 22-6.

[24] See in particular Thorndike 1923-58: V, 501.

[25] Witness his claim that there are few who 'ex Galeno, tanquam optimo eius rei artifice, dissectionis notitiam haurirent, non neglecta tamen crebra partium corporis inspectione, oculataque fide, sine qua autorum lectio parum aut nihil ferme proderit' (195). See also Fuchs 1546: 173r-4v.

[26] 'Sicut enim duo uteri mulieribus facti sunt, in unum collum finiti, sic et mammae duae in iis cuilibet utero una veluti ministra quaedam existens' (197).

university of medicine at Montpellier, is better known today for his *Erreurs populaires au fait de la medecine et regime de santé* (1578), a work dedicated to Marguerite de Navarre, which enjoyed something of a *succès de scandale* when it first appeared, partly owing to its sexually explicit descriptions thought to be inappropriate for a vernacular (and feminine) readership.[28] Joubert's collection of 'popular' errors is not as closely linked to his paradoxical output as was the case with Fuchs's *paradoxa* and *errata*. The two collections deal with different topics and were not written with the same audience in mind, a fact underlined by the respective choice of Latin for one and of French for the other. Whereas the *Paradoxa* is a learned work targeting specifically the *opinio communis medicorum*, the *Erreurs populaires*, aimed at a wider audience, denounce the errors and superstitious beliefs of ordinary people, charlatans and midwives.[29] In his *Erreurs populaires*, Joubert at times refers back to some medical errors previously discussed in the two decades of paradoxes and debated in lecture rooms, specifying that it is not his aim to deal with them in his vernacular work: 'Ici je traite seulement des plus vulgaires [erreurs], et qui sont de la capacité ou cognoissance du peuple'.[30] This suggests that his paradoxes also deal with errors, those of common physicians rather than of the common people. Joubert's two decades of paradoxes take the form of medical epistles addressed to colleagues and former students from the university of Montpellier. They were born, as was the case

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[27] A version of the first decade of the paradoxes appears in Lyon as early as in 1561, published by Joubert's students. An enlarged collection of paradoxes authorized by Joubert, which bears the title *Paradoxorum decas prima atque altera* and is dedicated to Michel de l'Hôpital, first appears in print in Lyon in 1566. On this subject, see Dulieu 1969: 144.

[28] The immense popularity of the *Erreurs* is attested by its many editions, continuations and translations from 1578 onwards. The work is translated into Italian by Lorenzo Gioberti in 1592, and imitated throughout the seventeenth century in works such as Scipione Mercurii's *De gli errori popolari, libri sette* (1603), James Primrose's *De vulgi erroribus in medicina libri IV* (1639), and, famously, in Thomas Browne's *Pseudodoxia Epidemica* of 1646. See Céard 1982: 126-7.

[29] For a comparison of Joubert's *Paradoxa* and *Erreurs populaires*, see Céard 1982.

with Fuchs's work, out of an academic context of scholarly debate. The subjects dealt with, which would doubtless have been heated topics of medical controversy at the time, include the revulsion of blood in the veins, the salubrious quality of rain water, the optimal time for digestion, menstrual blood and its innocuousness, fevers and their relation to putrescent humours. His *Paradoxorum decas prima atque altera* contains twenty paradoxes, but Joubert originally intended to supplement them with eighty other paradoxes drawn from all parts of medicine and natural philosophy.

In the preface to the *Paradoxorum decas prima atque altera*, Joubert shows his admiration for unorthodox thinkers such as Giovanni Argenterio, Jean Fernel and his colleague Guillaume Rondelet, who have distanced themselves from the opinions of ancient authors and of Galen in particular.[31] In his influential *Methodus medendi*, Galen described his own opinions as 'paradoxical' in the eyes of other physicians.[32] Those seeking to challenge traditional medicine found additional justification for their criticism of ancient authorities in the fact that the ancients themselves, Galen and Aristotle chief amongst them, had often challenged the opinions of their predecessors and warned against excessive and uncritical reliance on authorities alone, unaided by reason and experience.[33] Why should their own writings not be subject to the same scrutiny? Joubert voices similar ideas at the outset of the sixth paradox of the first decade, in a variation on the *topos* 'veritas filia temporis':

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[30] Joubert 1587: I, 158 and II, 15 and 43-4.

[31] Other writers of paradoxes, such as Jacques Duval, also consider themselves as following in the footsteps of Vesalius, Fernel and Argenterio (Duval 1611: B1v-B2). Nancy Siraisi links these different figures in her article on 'Giovanni Argenterio and Sixteenth-Century Medical Innovation'. See Siraisi 1990: 177.

[32] 'Cum vero ratione de iisdem differens [...] tum *paradoxologon* me, quod paradoxa dicere viderer, appellabant' (*Opera*, VII, fol. 63v).

[33] Maclean, 2002: 193.

> Hoc Galeni nostri consilium est, quo admonet priscorum vel maximi nominis autoritatem, nec contemnendam, nec sine ratione temere nobis suscipiendam esse, ne praeiudicata opinione semel persuasi, una cum illis aberremus. [...] Sed quid si, non modo ratione coniiciam, sed et sensibus experiar, aliter rem se habere quam ab antiquioribus traditum sit: num potior adhuc erit illorum sententia? Potestne, aut debet aliquid autoritatis prae se ferre vetustas, ut mentibus nostris imponat? Num maior est temporis praeteriti, quam praesentis, excellentia, et in sentiendo veritas? (148-49)

Prefaces to paradoxes are marked by a common insistence on truth as a goal, and on reason and experience being more authoritative than the expert opinion of ancient and more recent writers.[34] There is, however, a discrepancy between the avowed intention of the prefaces and the way that authorities, reason and experience are used in the body of paradoxes.[35] More often than not, paradoxical arguments are set against the backdrop of traditional medicine: elements, qualities and humours are still the essence of medical explanations and, no matter how novel the claim that is being made, it still relies on Galen's method. In that sense it is more correct to think of paradoxes as provocative rather than radical, merely paving the way for novel medical thought. Paradoxes in medicine tend moreover to be grounded in reason, rather than in experience. What matters most, as the next example will show, is proving them to be theoretically possible rather than actually true.

The second paradox of the first book, where Joubert famously claims that it is possible to live for many days and even years without food, illustrates the complex ways in which authority interacts with experience and with reason in a paradoxical argument. Joubert starts by positing a distinction between theology, the tenets of which are not subject to any proofs and are a matter of faith alone, and scientific and mathematical disciplines relying on causal reasoning and demonstrations to establish the truth of their propositions. In the case of the latter, to postulate something without

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[34] For example, Ex Cavigiolis 1541: 3-4 and De Marque 1606: a2r.

[35] Lonie 1981: 35.

any demonstration, in the way that a legislator does, strikes him as ridiculous.[36] His paradox will aspire to scientific reasoning, as the title indicates: '*Rationi consonum* esse quosdam *asites*, hoc est a cibo abstinentes, per multos non solum dies, sed et annos vivere posse'. From the outset, he admits that he has not actually observed any of the prodigies that he is about to describe.[37] If need be, however, he can produce a number of reliable authorities who have witnessed and written about cases of *inedia*: Hippocrates, Pliny, Albertus Magnus, Rondelet, and Boccaccio in his *Decameron*.[38] The gist of the argument appears to be that people of a phlegmatic (cold and wet) nature consume less heat and have an excess of phlegm which means that they require little, and in extreme cases, no food to entertain their vital heat. Joubert invokes the example of dormice and crocodiles, as described by Pliny, in support of his claim. His reasoning, relying on elements, humours and temperaments, is in strict conformity with the Galenic method and principles. In fact, he considers himself to have demonstrated his paradoxes by drawing on 'vulgo notis principiis' derived from traditional medicine, which he likens to lines, surfaces, angles and figures in geometry. It is in starting from universally accepted principles that mathematicians and natural philosophers arrive at their astonishing conclusions.[39] In like manner, paradoxes are made up of commonplaces which, when put together, result in

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[36] 'In disciplinis vero, quae *mathemata* et vere scientiae dici merentur, quod rem omnem per causas explicent, sine demonstratione aliquid affirmare, et legislatorum ritu sancire, ridiculum putamus' (33). We may note that the paradox is dedicated to the jurisconsult Jean Papon. See section three in this chapter for objections raised to this distinction by Israel Harvet.

[37] 'Nil enim dubitabis in nostram venire sententiam, quum ex rerum natura evidentissimas rationes causasque pro fundamentis depromptas habeat. Id observasse me, non dicam, sed fieri posse confirmabo' (34-5).

[38] François Valleriola mocks the use of this last authority in his reply to Joubert's paradox, denying that it is consonant with either reason or experience: 'sacrificum illum Romanum quadraginta totos annos in omnimoda inedia vitam protulisse, fabulam plane Bocatio suo autore dignam iure merito existimo' (Valleriola 1582: II, 93).

[39] Joubert 1566: 52-3. For a detailed commentary of this passage, see Céard 1982: 138-9.

seemingly unacceptable formulations. Joubert ends his paradox by adding that, though he proved his 'paradoxas, sed tamen verissimas propositiones' by means of certain method, he was pleased to find a confirmation of his thesis in Avicenna. His recourse to this last authority gives us a measure of how much paradoxes have evolved since Fuchs's *Paradoxorum libri tres*, where Arab authorities were the object of constant criticism. More importantly still, the recourse to an established authority is here almost an afterthought. Rather than being at the heart of the discussion, it merely props up arguments grounded in reason and 'experience'.

2. 'New diseases' as a challenge to orthodox medicine

Galen's method, the geometrical neatness of his axioms and principles, come under attack in Petrus Severinus's *Idea medicinae philosophicae* of 1571. In this treatise, one of the most successful attempts at presenting Paracelsian medicine in a systematic and rational fashion, the Danish physician Peder Sørenson (1542-1602) lists various tenets of Galenic theory before examining some of the reasons which made many physicians challenge it in recent years:

> Nostra aetate nova morborum cohors, et antiquorum remedia in morbis nostris irrita et vana, magnas in arte medica peperere controversias: dum unusquisque ex Galenicis principiis et tot seculis custodita ac quasi per manus tradita methodo, tam insolentium symptomatum, et cedere non volentium morborum, causas et curationes eruere conatur. Itaque paradoxi morbi, paradoxos medicos peperere.[40]

Playing on different senses of the adjective 'paradoxical', Severinus makes a causal connection between the so-called new diseases ('paradoxi morbi') and unorthodox medical thinkers ('paradoxos medicos'). In the sixteenth century, 'paradoxical' had

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[40] Severinus 1571: 3. See Maclean 2002: 22.

the meaning of 'unheard of' and it was closely associated with novelty and wonder. It could thus be used as a metaphor for the recent epidemic outbreaks of syphilis, whooping cough, the 'English Sweats', rickets, smallpox, and even plague which, if not strictly speaking new, was often counted among them. Virulent and frequently taking the shape of epidemic outbreaks, these diseases puzzled their contemporaries, who were at pains to account for them in terms of temperamental imbalance or humoral disorder.[41] The notion of a 'paradoxical' disease aptly reflects the disarray into which university-based medicine was thrown by the emergence of new diseases that did not fit neatly into existing classificatory schemes or respond to traditional therapeutic methods.[42] The most prominent among them and the one that gave rise to the largest number of medical controversies is the 'great pox', named 'syphilis' after the hero of Fracastoro's poem of 1530, and often referred to by its vulgar name *morbus gallicus* in Renaissance medical treatises. It is depicted as unusual ('morbum insuetum') in the first lines of Fracastoro's *Syphilis*, and as new and marvellous throughout the rest of the poem. These are also, incidentally, qualities attributed to plague in the first book of the poem, where Fracastoro compares the epidemic of plague that occurred two centuries before to the more recent outbreak of syphilis.[43]

Of disputed origin, the French disease spread across Europe in the 1490s, after the French army had been contaminated with it at Naples, and it was thought to have been initially contracted by Columbus's crew in the New World.[44] In the decade

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[41] On the subject of new diseases, see Brockliss and Jones 1997: 45, Wear 1996: 218-20, and Maclean 2002: 23.

[42] I have dealt with this subject in a study of 'Paradoxical Diseases in the Late Renaissance: The Cases of Syphilis and Plague' (Steczowicz 2003).

[43] See in particular book I, 12, 14, 243, 261 and book II, 4-5 and 16. Fracastoro describes plague as an 'insolita [...] febris' (I, 189).

[44] See Wear 1996: 218-9; Arrizabalaga, Henderson, French 1997: 16; Brockliss and Jones 1997: 45.

following the first outbreak of syphilis, the very idea that an illness could appear *de novo* was highly controversial and stimulated much discussion both in courtly and in academic circles. The first in a long line of treatises dealing with this subject, Nicolò Leoniceno's *Libellus de epidemia quam vulgo morbum gallicum vocant* of 1497, arose out of a dispute which took place at the court of Ferrara.[45] While Leoniceno did not see any reason for identifying the recent outbreak with any of a number of well-known diseases displaying similar symptoms (*elephantiasis*, *asaphati*, *pruna*, *ignis persicus*, or *lichenas*), he also refused to think of it as an entirely new disease. Since neither human nature nor the causes of disease are subject to change, he argued, this disease must have been known to ancient authorities by a different name, which we are yet to discover.[46] To a Hellenist like Leoniceno, this view had the advantage of preserving the authority of *prisca medicina* intact. Sébastien Monteux (Montuus) of Vienne invokes Leoniceno's authority in his refutation of Fuchs's paradox devoted to the French disease: 'Siquidem causae illud efficientes, millies post mundi initia (ut praedicto libro inquit Leonicenus) extitere: quare simile malum ex causis similibus etiam superioribus aetatibus contigisse par est'.[47] Fuchs follows Leoniceno – *contra* Symphorien Champier (*c.* 1472-1535), the eccentric Lyonnese physician whose position on this matter Montuus defends – in distinguishing between syphilis and the disease called *lichen* in Greek and *impetigo* in Latin. But he departs from Leoniceno's

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[45] For the exact circumstances of the dispute and its participants, see chapter four of Arrizabalaga, Henderson, French 1997.

[46] 'Ego sicuti neque illis assentior, qui varias huic morbo indidere appellationes haud quaquam eius naturae congruentes, ita ubi desidero eadem natura praeditos homines, sub eodem coelo natus, sub eisdem syderibus educatos, eisdem etiam semper fuisse morbis obnoxios cogor existimare, neque mihi potest in captum mentis pervenire natam hanc repente labem nostram, ita infecisse aetatem, ut nullam superiorem' (Leoniceno 1535: a3v).

[47] Montuus 1537: 87. On this particular controversy, see Copenhaver 1978: 77-8 and Arrizabalaga, Henderson, French 1997: 105-6.

view by calling the disease new and unknown to the ancients: 'Morbum quem vulgo Gallicum vocant, non esse eum quem Graeci lichenem, Latini vero impetiginem appellant, sed novum potius et veteribus incognitum'.[48] To most physicians in Fuchs's day this assertion was nothing short of a paradox.

Severinus is not the only one to have drawn a parallel between paradox and 'new diseases'. In a work which appeared in Poitiers in 1541, entitled *De morbis novis interpola, cum aliquot paradoxis*, Baptiste des Cavigioles de Messarie, publishing under his Latin name Baptista ex Cavigiolis, considers whether there are such things as new illnesses, what they are, and lists some possible causes. In addition to the usual examples of the English sweating sickness, whooping cough, typhus, and smallpox, a variety of less-known local epidemics as well as heartache and anxiety are invoked.[49] Unlike Fuchs, who saw no real need to prove that new diseases existed, given that the 'French disease' was known to have appeared in 1494, Baptista ex Cavigiolis appeals to reason and experience in arguing for the theoretical possibility of new diseases. In a manner directly opposed to Leoniceno's way of thinking, he argues that neither Greek nor Arabic physicians can have known the same diseases as his contemporaries, since they lived in very different geographical areas, had different habits and practices, and ate different foods. He claims to have observed new diseases peculiar to the region of Poitiers, which called for new treatments. The link between new diseases and medical innovation is made explicit from the outset: 'si novos prodendo affectus, novas exploro causas, si priscorum hallucinationes exaro, demiretur nemo' (4v). Baptista ex Cavigiolis sees himself as pursuing the work of the Italians Leoniceno and Manardi, who have exposed the errors of their predecessors.[50]

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[48] Chapter 17 of book II (Fuchs 1546: 157v-160v).

[49] Ex Cavigiolis 1541: 3 and 7.

Paradoxes and errors are thus associated yet again. In the second volume of his work, he looks at possible causes of new diseases ('a Deo offenso, ab astris, ab elementis, a constitutionibus, a ventis, a regionibus, a victus ratione'), the study of which gives rise to many almost discrete paradoxical developments. Not all of them are medical; some are philosophical and astrological. For example, he argues that three rather than four elements enter into the composition of simples, an opinion which ran counter to that of most contemporary philosophers.[51] Paradox, to use his own expression, is 'woven into' the study of new diseases, and appears naturally to grow out of it.

Having looked at 'new diseases' and the sense in which they may be described as paradoxical, we may now turn to the *paradoxi medici*. Severinus has in mind physicians such as Jean Fernel, to whose concept of diseases of total substance operating through 'occult' properties he briefly alludes, and perhaps Girolamo Fracastoro, whose theory of contagion, and specifically the notion of 'seeds of disease', was used to account for the rapid spread of plague and other epidemic diseases, including syphilis.[52] Other physicians, such as Argenterius, also used the idea of disease of total substance, affecting the total substance or form of the body rather than the balance of its qualities, to account for the spread of plague and syphilis.[53] Notions such as the disease of total substance were used to classify specific illnesses that did not fit into standard categories of disease based on the theory of temperaments. Yet Severinus, an exponent of Paracelsian medicine, thinks that Fernel and other such doctors did not go far enough in their rejection of ancient doctrines.

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[50] 'Eadem pro me adduco verba, plurimum Leoniceno primo, Manardo secundo, Italis nostris debemus, quod Arabum errata enuclearint' (4v).

[51] 'Paradoxum. Tria duntaxat, non quatuor elementa ingredi compositionem simplicium compositorum, praeter omnes philosophos' (65).

[52] For a detailed account of these theories, see Nutton 1990 and Richardson 1985.

They have kept the principles, the method and the cures set out by Galen virtually intact. He sees Paracelsus, who 'entirely transformed the medicine of our times' (4-5), as far more radical. Described by some as 'the Luther of medicine', Paracelsus (1493-1541) may be considered unorthodox on several counts. He is thought to have been influenced by the radical reformist views of Sebastian Franck.[54] In medicine, he rejected the authority of ancient and medieval doctors, refusing to teach medicine from Hippocrates and Galen and famously burning Avicenna's *Canon* in Basle. He waged battle against humours and qualities, and introduced in their place a new cosmology combining astrological, alchemical and mystical elements, and founded on the belief in a strict analogy between the microcosm and macrocosm.[55] In the case of syphilis, Paracelsus objected to the use of remedies such as guaiac wood, which had to be imported and was out of reach for most patients. Instead, he advocated chemical remedies such as mercury, expurgated of its noxious elements, whose rapid effects contrasted with the slow action of simples in Galenic medicine.[56]

These new and original approaches to disease and its cure soon found followers, not least among writers of paradoxes. Claude Fabri's *Paradoxes de la cure de peste* of 1568, published in Paris, illustrates the widespread diffusion of their ideas.[57] Fabri describes himself on the title page as a 'medecin et astrophile'. This last qualification accounts for his use of an astrological figure at the end of the treatise,

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[53] Wear 1996: 262.

[54] See Pagel 1958: 40-2 and Maclean 2002: 78. On Franck's collection of theological paradoxes, see section 2.4. Even though he himself never used this word in a title of his work, a Latin Frankfurt edition of Paracelsus, the *Operum medico-chimicorum sive paradoxorum* of 1603-5, presents his corpus as 'paradoxical'.

[55] Wear 1996: 310-15 and Temkin 1973: 129-32.

[56] Arrizabalaga, Henderson, French 1997: 103-104.

[57] The full title reads *Paradoxes de la cure de peste, par une methode succinte, contre l'opinion de ceux qui en ont escrit et pratiqué au passé* (1568).

with the help of which he predicts an imminent onslaught of the plague in all of Christian Europe for the year 1568. Insisting that the plague is unlike other diseases, Fabri likens it to the French disease ('grosse verolle') which arrived in Europe some sixty years before, sent by God as a punishment for our sins. He begins by explaining that the cause of this 'fievre pestilente contre l'opinion commune' has long been hidden, occult and doubtful, partly as a result of it being, like syphilis, a contagious disease.[58] Physicians and empirics, ancient and modern, have erred in prescribing phlebotomy and purgation, two traditional treatments, as if they were effective remedies for pestilential fever. For Fabri, the root of their error lies in ignoring the true cause of the event:

> on a eu plus d'égard à la putrefaction des humeurs, qu'à la cause occulte, secrette, specifique et celeste, venant d'enhaut, et n'ayant origine premiere des elemens ny de leurs qualitez, ny des humeurs comme les autres maladies. Dont convient chercher autres remedes premiers et certains que phleubotomie et purgation, pour obvier à une telle qualité veneneuse. (3)

Implicit in this statement is a criticism of the classical Galenic account of disease based on such notions as 'temperamental imbalance', and the 'putrefaction' of humours in the case of pestilential fever. In his eyes, a new disease calls not only for new remedies but for rethinking the very foundations of traditional medicine, in which elements, qualities and humours take the place of all other explanations. Not unlike Paracelsus, with whom he shares an enthusiasm for astrological and religious causes, Fabri claims that God made remedies readily available to all, and in the name of Christian charity he urges the reader to dispense them to all those in need of cure. The 'unorthodox' elements of Fabri's thought can easily be traced to Fernel, Fracastoro and Paracelsus, even though none of these authorities is directly invoked.

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[58] Fabri 1568: 2.

In contrast, Silvestro Facio's *Paradossi della pestilenza* (1584), published in Genoa two decades later, is explicitly a criticism of Fracastoro's theory of contagion as an explanation of the spread of plague. Facio's paradoxes take the form of a dialogue between three characters all described as physicians at the outset of the dialogue: Steffano Mari, Giuseppe Ratto and Silvestro Facio himself. Ratto is committed to defending the *doxa* against the paradoxically-minded Facio, while Mari convenes the speakers in the first place and weighs the relative merits of the arguments. The courtly and literary qualities of the dialogue are further enhanced by the fact that the dialogue spans a period of seven days, described as *giornata prima, seconda, terza*, and so on, in a manner evocative of Boccaccio's *Decameron*, which opens with one of the most celebrated accounts of plague-stricken Florence. The dedication to the Prince contains the initial formulation of the paradox, fully exposed and supported with arguments in the course of the seven *giornate*:

> La mortalità che ultimamente con tanto spavento ha tormentato questa patria [...] ha desto nell'animo mio uno ardente desiderio di sapere se stata sia forestiera venuta col mezo di robe appestate di Lombardia, *come suona il publico grido*, overo paesana tratta dall'aria pestifera. Ma da *vive ragioni e palpabili esperienze* invitato a non istimarla forestiera, ma partorita dalla malvagità dell'aria, sono entrato tanto oltre col pensiero, che ho giudicato haver deboli fondamenti lo stimare che alcuna pestilenza per l'introduttione di poche robe di appestati nelle città, o provincie si accenda giamai. *Laqual oppenione, come che contraria all'oppenione di tutti gli huomini, credo nondimeno che non si lontani del vero*. (a2-a3; my italics)

On Facio's count, the opinion of the vulgar ('come suona il publico grido') has it that the current outbreak of plague had spread from Lombardy by means of infected objects carrying disease, rather than having been caused by pestilential air. Facio rules out this theory, which he sees as based on weak foundations. In a manner typical of writers of paradoxes, he claims that his own opinion is consonant with reason and experience ('vive ragioni e palpabili esperienze') and, even though it runs counter to the views commonly held, is nevertheless close to the truth. This statement amounts

to a partial rejection, in favour of the traditional aetiology of miasma or bad air as an explanation of the spread of plague, of Fracastoro's theory of contagion. Facio objects chiefly to the idea of *fomites* or intermediaries such as food or clothes, thought to carry within them 'seeds of disease' able to generate putrefaction in a healthy host. Initially devised to account for the spread of syphilis, the theory of contagion was usually invoked in contemporary discussions about plague.[59] Ratto, in his exposition of the general belief that plague is contagious, alludes in passing to the similarly contagious *mal francese*.[60] Fabri's and Facio's paradoxes, both dealing with plague, which at the time was often counted among new diseases, at once illustrate Severinus's claim and show that the study of disease was one of the fields where paradoxical medical opinions thrived.

3. From dialectic to duel: paradoxes and their critics

In the preface to the *Contradicentia medicorum libri duo*, Cardano counts disputation among the indispensable parts of medical learning.[61] By definition controversial and provocative, Renaissance paradoxes are polemical tools aimed at eliciting a response from individuals and from the medical community at large. The advent of the printing press may well have facilitated some of these exchanges and contributed to their wider diffusion, but the intended audience of paradoxical tracts cannot for all that be

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[59] Nutton 1990: 201-3 and 225.

[60] 'Ne mancherò di ricordare a questo proposito il mal francese nel contagio simile alla peste, il qual si sa che fu recato dal mondo nuovo, e si scoperse in Italia l'anno 1494, mentre i Francesi vincevano il regno di Napoli, e con forza poi del puro contagio si diffuse per tutto il mondo vecchio' (28).

[61] 'Experimento doctorum virorum quatuor sunt necessaria: horum maximum est, ut legenda scribere norint: proximum huic, ut profiteri ac docere sciant: tertium, ut exercitatione valeant: ultimum, ut disputationibus sint assueti' (Cardano 1565: 2r).

described as 'indeterminate'.[62] Paradoxes sometimes take the form of medical epistles, addressed to a colleague or a student, and they attack fellow physicians or surgeons who are usually named, as well as common medical opinion. The *ad hominem* nature of some of these attacks calls for a reply or a counter-attack, which can result in a protracted debate *in utramque partem*, with one side putting forward and arguing for a new claim and the other upholding the *doxa*. Witness the spiral of exchanges between Leonhart Fuchs and Sebastian Montuus: the latter first challenges Fuchs's *Errata recentiorum medicorum* (1530) in his *Annotatiunculae* of 1533, a defence of his teacher Symphorien Champier and of other physicians whom he deems to have been unjustly attacked in the *Errata*. *Paradoxorum medicinae libri tres*, which appeared two years later, is written partly in response to some of Montuus's objections. The dedicatory letter specifically alludes to 'Sebastiani Montui medici Rivoriensis nuper aeditae annotatiunculae' as one of the reasons which had prompted the author to publish the new edition of his 'errors'.[63] Champier's cause finds another champion in the person of the Spanish theologian and physician Michael Servetus, whose *In Leonardum Fuchsium apologia* of 1536 is a refutation of two paradoxes where Fuchs had challenged Champier's understanding of a drug called scammony and of syphilis respectively.[64] Montuus in turn publishes his *Dialexeon medicinalium libri duo* (1537), in which he faithfully reproduces Fuchs's arguments in the *Errata*, his own objections in the *Annotatiunculae* followed by Fuchs's replies to them in the *paradoxa*, and finally his new response to these replies. In keeping with the meaning he assigns to 'dialexis', Montuus offers his readers the possibility of weighing the

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[62] Lonie 1981: 20. For a critique of this thesis, see Maclean 2002: 50-51.

[63] Fuchs 1546: a4v.

relative merits of contrary arguments in order to arrive at the truth.[65] Fuchs's final word on these issues takes the form of *Apologiae tres* (1538), where he also responds to two other of his critics.[66]

The critique of Fuchs's paradoxes in the *Dialexeon medicinalium libri duo* begins with the title itself. Having accused Fuchs of changing the title from *errata* to *paradoxa* so that its deceptive novelty may make it easier to sell ('vendibiliora'), he goes on to say:

> [Ac] recte (si quid indico) titulum praetulit interpollator: nulla siquidem ratione probari possunt, ideoque admirabilia sunt: nam admirationi solent esse ea, quorum de causa non liquet, ut inquit Aristoteles in moechanicis. Sunt etiam contra opinionem eruditissimorum omnium, ut latius in sequentibus explicabitur. Quam ob rem paradoxa iuxta vel nominis etym[ologiam] vel Ciceronis interpretationem decenter nuncupantur. (2)

Montuus succeeds in casting the term 'paradox' in an entirely negative light. The element of wonder in Cicero's characterization of paradox as 'admirabilia contraque opinionem omnium' here takes on the Aristotelian meaning of something of which we do not know the cause and in which reason plays no part.[67] Moreover, on Montuus's count, it is not the *vulgus medicorum* that Fuchs's paradoxes attack, but rather the *opinio eruditissimorum omnium*, the superlative making the challenge even less justifiable. Montuus does not so much object to the controversial nature of Fuchs's work as to the pretension and insulting manner of its author. In his eyes, the aggressive tone does little to disguise the weakness of Fuchs's arguments, which he

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[64] On Servet's *Apologia*, published under the pseudonym Michael Villanovanus, see Tollin 1885; Copenhaver 1978: 78-9; and Bainton 1953: 61-3.

[65] He defines it as 'argumentorum ad aliquid probandum vel improbandum comparatio: qua remotis vel falsis vel ambiguis vel incertis, ad ea venitur quae dubio procul sunt vera' (Montuus 1537: a2). On the notion of 'dialexis' in medical writings, see Maclean 2002: 104 and 129.

[66] The *Apologiae tres* (1538) contains three parts, directed against Gulielmus Puteanus, Montuus, and Hieremias Thriverius, author of natural philosophical paradoxes which will be discussed in the second section of the following chapter.

criticizes for being rhetorical rather than dialectical.[68] Fuchs himself had made fun of Montuus for being ignorant of the art of dialectic in the paradox dealing with the French disease.[69] Montuus and Fuchs in fact belong to different traditions of humanist dialectic, the latter being influenced by the dialectics of the Protestant Melanchthon, the former by more traditional methods.[70] Montuus, a Catholic, establishes a link between Fuchs's unorthodox medical ideas and his heterodoxy in religious matters precisely while defending his own skills as a dialectician. In paradox twenty of book one, Fuchs had claimed that an 'argumentum ab autoritate etiam negative ductum' is sometimes valid, as in the case of theological arguments which all ultimately rest on Scriptural authority, including the question of justification by faith independent of works. Montuus reproaches Fuchs with deriving his knowledge of dialectics from theological writings rather than from Aristotle and Boethius, and with mixing profane with sacred matters and thus falling into heresy.[71] It is for this reason that Fuchs's paradoxes were brought to the attention of the Inquisitor in Paris, who had them publicly burned.[72] Montuus then cites a long extract from Servet's *In Leonardum Fuchsium apologia*, where the latter accuses Fuchs of reviling the Catholic church in the introductory epistle to his *Paradoxes* by calling its members 'Papists' and 'men of

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67 Reference is made above to the beginning of the pseudo-Aristotelian treatise *Mechanics* (847a10).

68 Writing to Symphorien Champier, Montuus says of Fuchs: 'confutare nititur argumentis rhetoricis, potiusquam dialecticis' (Montuus 1537: 3r). On this subject, see Kusukawa 1997: 422.

69 'Validum plane argumentum, quod vel puer infringere potest ita colligens: Coli dolores paralysis magna ex parte sequi solet, coli igitur dolor paralysis dici potest. […] Quibus argumentis quid per Apol[od]oro insultius? quid magis ridiculum? Tanta est Montui in dialecticis ignorantia, ut plane minima eius artis principia non calleat' (Fuchs 1546: 160r).

70 Kusukawa 1997: 422-3.

71 'Ex his coniicere licet Fuchsium *theologotaton* esse, et quam suam theologicis chartis dialecticen didicisse, non item ab Aristotele aut Boëtio. Non est ergo quod posthac se timeat parum in dialecticis eruditum videri, sed interim infoelix dum sacra prophanis miscet, eademque indoctius tractat, in haereseos pravitatis crimen incurrit' (Montuus 1537: 49-50).

the belly', followed by Servet's refutation of the Lutheran principle of justification by faith alone. This takes up a whole section in a medical work purportedly devoted to criticizing Fuchs's two paradoxes dealing with scammony and syphilis.[73]

Writing thirty years later in a changed religious and political climate, Laurent Joubert faces similar charges at the hands of his Catholic critic Israel Harvet. Harvet devotes several pages of his refutation of Joubert's paradox concerning *inedia* to challenging the view expressed by Joubert in the preface to his paradox that theology, unlike scientific disciplines, does not admit of any demonstrations and that its truths are a matter of faith alone.[74] Like Fuchs, who held a chair at the recently established Lutheran university of Tübingen, Joubert, himself a Protestant, taught at the university of medicine in Montpellier, at a time when many of its members were committed to the Reformation.[75] The link between non-conformism in medical matters and religious heterodoxy would thus appear to be partly institutional. Educational reforms dictated by religious motivations at places such as Tübingen, Montpellier and Basle, where Felix Platter and Paracelsus were active, created a propitious ground for expressing paradoxical opinions. Joubert himself is responsible for popularizing the genre and creating something of a culture of paradox at Montpellier. His doctoral speech of 1558 already took the form of a paradoxical declamation: 'Declamatio qua illud paradoxe interpretatur nutritionem vincere naturam ex Platone'.[76] It was annexed to the end of the first decade of the *Paradoxorum decas prima atque altera* and to the

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[72] 'Flamma etiam universos paradoxorum errores publice per carnificem expiare fecit Morinus theologus, doctor Parisiensis, publicus haereticorum censor' (Montuus 1537: 50).

[73] Servet 1536: A2-A4v.

[74] Harvet 1597: 7-10.

[75] See Reeds 1991: 13 and Dulieu 1979: 252-7.

[76] For a comparison of paradox and *declamatio*, see section 3.4.

second paradox in the first decade in the *Opera latina*, indicating that the speech was seen as related to the rest of Joubert's paradoxical output. In the preface to the paradox arguing that menstrual blood is innocuous, Joubert explains that he began composing his 'enarrationes paradoxas' in the wake of his first published treatise *De risu*. Although these started out as nothing other than a 'iucunda exercitatio', they soon led him to question the axioms he had previously held to be most true.[77] Joubert is keen elsewhere to distinguish his paradoxes from mere rhetorical traps and to affirm their serious nature: 'Cogita me non rhetorum modo, verisimilitudine quadam et fuco, rem persuadere velle, sed evidentissimis et a sensu petitis rationibus (quibus non sunt aliae certiores) atque *analytikôs*, nullo verbo lenocinio contendere' (3).

Several of Joubert's paradoxes are addressed to his students and allude to debates in lecture rooms, where they would first have been publicly disputed.[78] One of Joubert's students, Barthélemy Cabrol, comments on the immense popularity of the paradoxes: 'Pour le jourd'huy, ses paradoxes sont en telle vogue, et en tel prix, que jusqu'au plus profond d'Allemagne, on les debat et soustient comme l'on void par les ecrits des plus sçavants de ce temps'.[79] The numerous replies to Joubert's work, many of which are appended to the *Paradoxorum decas prima atque altera* in the *Opera latina* edition of 1582, prove that they were not only popular but also taken seriously by the medical community at large. The replies either focus on individual paradoxes, such as the seventh paradox of the second book to which Joubert's student Thomas Jordan from Cluj in Romania wrote a detailed response, or, in the case of François Valleriola's *Animadversiones sive annotata*, consider the collection as a whole. The

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[77] Joubert 1566: 311.

[78] See Céard 1982: 136-7.

[79] See the 'Epistre apologitique', dated from 1579, at the head of the second part of the *Erreurs populaires* (Joubert 1587). On this subject, see Dulieu 1979: 144 and Céard 1982: 125.

three paradoxes dealing with fevers, particularly the first one, regarding putrefaction and humoral fever, attracted by far the greatest number of responses. In them, Joubert challenges the widely accepted notion that fevers arise from putrescent humours, arguing that there is no reason for humours to putrefy in their natural locus.[80] Basing his opinion on that of Hippocrates rather than of Galen, he sees in bile, the most combustible of all humours, the cause of all fevers. In a final paradox, he contradicts Fernel by asserting that the seat of both intermittent and continuous fevers is in the heart.[81] In a counter-reply to Valleriola's objections to the first of these paradoxes, Joubert lists proudly all those who have responded to his paradox, either to criticize it or to defend it. The paradox was first attacked by the German Bruno Seidelius in his *Sententia*, then defended by the exiled Italian doctor Simone Simoni taking his side in the debate. Counter-attacked in turn by Thomas Erastus, a renowned German medical authority, in his *Disputatio de putredine*, it was again defended by Simoni in a long commentary written in response to Erastus's arguments in the *Disputatio*.[82] Joubert consequently found himself in the strange position of being a 'spectator' in the debate which his paradox had set in motion: 'Ego qui litem movi, spectatorem iam me praebeo'.[83]

Most paradoxes and their replies were composed in Latin, the *lingua franca* of the learned community of physicians. The use of Latin in the *Paradoxorum decas prima atque altera*, by contrast with the vernacular of Joubert's *Erreurs populaires*, which he aimed at a different kind of audience, makes for the international character

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[80] '[M]ihi venit exagitanda vulgaris opinio, quae humores putrere, dum febres humorales fiunt, sustinet. Quod (opinor) facile ac paucis absolvemus, cum vix probabilis ulla ratio doceat, qui putreant in vasis humores: amplo scilicet spatio, et naturali loco incluso' (Joubert 1582: 108).

[81] For the background to this debate, see Lonie 1981: 36-39.

[82] On these different figures, see Dulieu 1969: 157.

of the disputation on putrefaction and fevers. Such disputes increasingly took place in the vernacular, however, as the debate between Jacques de Marque and Jean Lanay, both members of the college of barber-surgeons in Paris, testifies. We are told that the written exchange between them followed on from many previous discussions on the nature of marrow and whether or not it nourishes the bones. These discussions were made public when Jacques de Marque's *Paradoxe que la moelle n'est pas la nourriture des os* appeared in print in 1606. The treatise begins with a formal address to Lanay, challenging him to reply promptly to the present paradox:

> Pour satisfaire à la semonce que vous m'avez souventesfois faite, tant de bouche que par escrit, j'ay exposé en public les raisons de mon opinion, sur la question plusieurs fois agitee entre nous deux. C'est à vous maintenant à y respondre, si voulez vous acquiter de vostre promesse, comme je m'assure que n'y faudrez et de bref. (a2)

De Marque distinguishes two radically differing opinions touching the nourishment of the bones: there are those who believe that marrow feeds the bones, and those, including himself, who maintain that the bones are nourished by blood. According to de Marque, the first view rests entirely on arguments from authority, whereas the second is backed by reason and experience.[84] The notion of progress informs the dedication to 'Monsieur Guillemeau, chirurgien du Roy' (a2). De Marque maintains that those who blindly adhere to the opinions of ancients resemble cranes following one another and that, if all men had been guilty of such enslavement, no art would ever have been invented. Since neither truth nor the secrets of nature have yet been fully disclosed, he feels that there is every reason for writing paradoxes.[85] In his

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[83] Joubert 1582: 100.

[84] De Marque 1606: 4-5.

[85] 'Pour ces causes, et recognoissant que nature n'est sterile ou abastardie en nous; [...] que ses secrets ne sont encore tous descouverts, que la sapience n'a pas accompli entierement son œuvre, et que jamais l'occasion ne sera ostee d'y ajouter; que la verité n'estant encore toute occupee, est exposee à tous ceux

paradox, de Marque argues that it is impossible for marrow, hot and humid in its essence, to nourish the bones, which are dry and cold. Melancholic blood, of cold and dry (terrestrial) quality, is closest to a bone's consistency. It is therefore most apt to nourish it. This view is in his opinion confirmed by anatomical observation, which discloses many small veins conveying blood to the bones.

De Marque's argument is interspersed with a multitude of ironic remarks directed at his opponent, whose objections he foresees and dismisses in his paradox. Lanay repays him in kind in his *Responce au paradoxe de Maistre Jacques de Marque*, published just a year later. From the outset, he presents the exchange as a 'duel qui m'est signifié en forme de paradoxe, par l'un de nostre compaignie', briefly relating the circumstances surrounding the dispute. More than two years ago, he was asked by some students to lecture on osteology. It was in the course of these lectures that he first claimed that marrow is the nourishment of the bones, 'qui est l'opinion commune de tous les medecins, philosophes, et des chirurgiens, mais non de tous, comme il appert du paradoxe *nouveau* à ce contraire'.[86] Paradox is here once more associated with novelty, with the pejorative connotation of strangeness. Lanay's reply, with its succession of sections entitled PARADOXE and RESPONSE, could be mistaken for a dialogue, a form that paradoxes sometimes adopt.[87] While he accepts that bodily parts are more easily nourished by substances of a similar nature, he sees no reason for thinking that marrow, being hot and wet, is generated by a cold, dry, and terrestrial kind of blood. Nor is marrow likely to be the excrement of the bone, as de Marque had argued, since it is housed in the bone rather than being expelled by it. His

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qui sont capables de la recevoir; j'ay dis-je pour ces raisons delaissé et mis en arriere toute crainte, pour faire esclore en plain jour ce present paradoxe' (Jacques de Marque 1606: a2r).

[86] Lanay 1607: 7.

[87] For instance, Silvestro Facio's *Paradossi della pestilenza* (1584), discussed in the previous section.

opponent would have better employed his time in proving those two debatable points, instead of losing himself in a flood of 'paroles offensives et injurieuses' in his *Replique* to Lanay's objections.[88] De Marque's many contradictions furnish him with 'arms' for the defence of the marrow which resumes in his *Triomphe de la moelle* of 1609. The long-drawn-out military metaphor of the preface strikes a comic note in an otherwise technical medical debate:

> Car quand elle ne s'ayderoit d'autre moyen pour emousser et rechasser les traits que vous luy descochez et lancerez en toute ceste seconde charge, que de ces vostres parolles, elle seroit encore assez forte pour remporter la victoire contre le sang melancholic, comme elle fera, demeurante au surplus triomphante et paree des despouilles de ses ennemys, faisant ainsi paroistre la raison, fidelité, et magnanimité de tous ces anciens et modernes oracles de la medecine, qui ont tenu et tiennent encore son party: sous la baniere desquels j'ay aussi selon mon pouvoir combatu pour icelle, estimant leur raison et authorité plus meure et de plus grand poids que la vostre. (3-4)

Latin or vernacular, playful or seriously intended, the three collections of paradoxes examined in this section illustrate the belligerent and polemical nature of the form. That they constituted a threat to the medical establishment is attested by the great number of replies and controversies to which they gave rise.

4. Medical paradoxes in the paradoxical tradition

Jacques de Marque's *Paradoxe que la moelle n'est pas la nourriture des os* is one of several Renaissance medical paradoxes written in French. Since courses in practical medicine, surgery, and pharmacy were usually taught in the vernacular, it is hardly surprising that paradoxes in French are particularly prominent in areas like anatomy, of obvious relevance to surgeons.[89] For charitable reasons, paradoxes dealing with

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[88] Lanay 1609: 5.

various diseases and their remedies also tended to be composed in the vernacular, so that everyone would stand to benefit from them.[90] Writers of these paradoxes often feel the need to justify themselves for writing in the vernacular. In a Latin epistle addressed to fellow physicians, Claude Fabri explains that he opted for the French tongue in order to make his paradox available to those surgeons and apothecaries not versed in Latin:

> Porro non est quod quis miretur, si iam latine, nonnumquam etiam et alibi vernacule de peste scripserim : hoc enim factum est a me quo mea scripta tum chyrurgis, tum seplasiariis, et aliis qui gallice tantum sciunt, grata, utilia et notissima forent: quod fuisse utilissimum, imo etiam necessarium quisque sanae mentis facilime iudicabit.[91]

Like Fabri, Pierre Tolet prefaces his *Paradoxe de la faculté du vinaigre* (1549) with two separate epistles: one in Latin, destined for a learned audience, and one in French, addressed to surgeons ('Au lecteur chirurgien'). The two epistles are interesting in that they provide different justifications for adopting the vernacular. In the Latin epistle, Tolet claims that his first duty is towards those who initially raised the question, and who happen to be educated in French ('vulgariter erudiuntur'), adding: 'Quis multorum imperitorum bellum quorumvis hostium bello gravius esse non putet?' (6). In contrast, his French epistle boldly states that one can reason in French and in any other vernacular tongue as well as in Latin: 'aussi bien l'on peut ratiociner en françois, ou autre langue vulgaire, que en latin' (10).[92] Tolet's lifelong endeavour to promote the use of French in medical writings accounts for this firm stand in

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[89] This category is represented by the paradoxes of Jacques de Marque, Jacques Fontaine, and Nicolas Habicot. On the subject of medical training in the vernacular, see Brunot 1967: II, 36; Stone 1953: 320; Brockliss and Jones 1997: 95; and Maclean 2002: 39-41.

[90] Jacques Duval for instance writes a paradox about catarrh, while Silvestro Facio and Claude Fabri devote theirs to plague.

[91] Fabri 1568: 5.

[92] For a study of these prefaces, see Mayer 1951.

favour of French and of other vernaculars. Associated with figures such as Jean Canape, Pierre Tolet (*c.* 1502-1586), chiefly known for having translated into French Paul of Aegina and various works by Galen bearing on surgery, is counted among the great translators of medical works in sixteenth-century France.[93]

Tolet's only original work, the *Paradoxe de la faculté du vinaigre* (1549), was published in Lyon by Jean de Tournes, who specialized in vernacular publications and played himself an important role in the vulgarization of medical works. A friend of Rabelais, Pierre Tolet studied medicine at Montpellier before he began practising at the newly established Hôtel-Dieu in Lyon. Rabelais mentions him briefly in chapter thirty-four of the *Tiers Livre*, as one of the participants in 'la morale comœdie de celluy qui avoit espousé une femme mute', a farce staged for the carnival by the faculty of medicine at Montpellier, in which Rabelais himself, Jean Quentin, Antoine Saporta, Rondelet and others took part.[94] Medical debates often took the form of paradoxes at Montpellier. But the University did not have its own printing press until the 1590s, and this meant that it depended on printing centres such as Basle and Lyon.[95] It is in Lyon and in Basle, renowned for their humanist learning, that many of the early Renaissance paradoxes were first printed. Both these cities were geographically located at the confluence of several cultures and experienced some degree of political independence and of religious freedom at a time when political and ecclesiastical authorities exercised increasing control over printers elsewhere.[96] The lively cosmopolitan atmosphere of a city like Lyon is manifest in

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[93] On Canape, Tolet, and the use of French language in Renaissance medicine, see Mayer 1951; Longeon 1980: 49 and 169-70; Stone 1953: 316; and Brunot 1966-1979: II, 36-7.

[94] See Rabelais 1994: 761 and Dulieu 1979: 78-9.

[95] Reeds 1991: 141-5.

Pierre Tolet's paradox, where he casually alludes to opinions of Swiss and Florentine physicians visiting Lyon (16-7). At the time when Tolet's *Paradoxe de la faculté du vinaigre* came out of Jean de Tournes's workshop, Lyon was going through something of a paradox craze. From about 1530 to 1550, Sebastian Gryphius printed Cicero's *Paradoxa Stoicorum* almost yearly, in addition to Andrea Alciato's *Paradoxorum ad Pratum libri vi*, works by Fuchs, and Marcantonio Maioragio's *Antiparadoxon* of 1546.[97] Lando's vernacular *Paradossi* was also printed in Lyon by Gioanni Pullon da Trino in 1543.

A dispute between two local Lyonnais surgeons over the properties of vinegar, and whether or not it is an astringent, prompted Tolet to write his *Paradoxe de la faculté du vinaigre, contre les escrits des modernes, ou plusieurs choses sont demonstrees non eslongnees de la verité*. The Latin epistle refers to a 'quaestio [...] de aceti facultate inter chirurgos Lugdunenses ort[a]' in which 'alter astringere affirmat, alter vero contra' (5). Much of the treatise's interest lies in its frequent digressions which, though they undeniably hinder the progress of the argument, are highly relevant to the study of paradox. The first of these digressions reviews most of the topics which have been discussed in the course of this chapter: that the excessive trust placed in one's predecessors hampers invention in the arts (13); the notion of progress and the moderns surpassing ancients exemplified by Vesalius's anatomical writings and the challenge they pose to Galenic medicine (14-15); contagious diseases and alternative treatments ministered by empirics (16-17); and even *inedia* in connection with a case studied at Montpellier (18). This lengthy digression does not so much shed light on the debate about the properties of vinegar as prepare the ground for the

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[96] For the humanist printing culture in these cities, see Zemon Davis 1982; Bietenholz 1971 and Guggisberg 1982.

[97] See volume VIII of Baudrier 1895-1921.

paradoxical stance that Tolet defends. It is a mere compendium of commonplaces usually invoked by authors of paradoxes, and Tolet does not hesitate to contradict some of these statements later in the body of his treatise. Having first praised recent advances in medicine, he then cautions against the hasty and unwarranted criticism of authorities by young and inexperienced men.[98] He recommends that one always make an effort to understand the manner and the intention of an ancient authority in order to unravel his apparent contradictions and inconsistencies. These may simply stem from the concise nature of many ancient works, which call for certain qualifications.[99] Dioscorides must not, for instance, be taken literally when he makes the claim that vinegar is an astringent, since he speaks of vinegar together with its dregs, that is to say 'en universel, sans particulariser, ny specifier, ce que nous disons in genere, et non point in specie' (19).

The full title of Tolet's treatise makes it clear that it is not directed against any ancient authorities, but 'contre les escrits des modernes'. He believes that the Moderns are to be blamed for misinterpreting and distorting ancient sources dealing with the properties of vinegar.[100] For this reason, he will refute their erroneous opinions simply by referring to relevant passages in works of medical authorities to support his claims (41). Tolet's work thus belongs to the early stage of paradoxical writing, consisting in textually-based philological analyses and comparisons of

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98 'Il faut donques que le conseil que le bon vieillard Sylvius donne à une jeune personne, qu'un chacun le prenne pour soy, et lors nous ne serons si prompts à reprendre noz predecesseurs, comme aujourdhuy noz jouvenceaux sentans encores la plume fole, à peine bien sortis de leur nid, ilz conspirent et fabriquent contre leurs conducteurs' (25).

99 Such is also Rorarius's approach in the *Contradictiones, dubia, et paradoxa*, where seemingly contradictory, dubious or paradoxical assertions of authors such as Hippocrates, Galen, Aetius and Paul of Aegina are clarified and reconciled. Rorarius's work contains chapters dealing with properties of vinegar which coincide with Tolet's conclusions on the subject. See in particular 'Acetum nullo pacto adstringere' (Rorarius 1573: 184-6).

various medical opinions on a given issue with the aim of eliminating all errors of interpretation. Although Tolet considers in succession statements of both ancient and modern authorities (Galen, Aetius, Paul of Aegina, Symeon Sethus, and Jacobus Sylvius), the bulk of his analysis is centred on select writings by Galen. The authority of Galen alone, 'seul autheur en medecine irrefragable' (34), will suffice to confound his opponents.[101] He quotes a limited number of passages from books three and four of *Catageni*, *De alimentorum*, and book four of *De sanitate tuenda*, where Galen asserts that vinegar is both cold and hot (due to putrefaction), made up of tenuous and subtle parts, its acidity helping medicines to penetrate and travel with great speed to various body parts. An astringent, on the other hand, is hot and thick like aloe, and it tightens and unifies pores. Determining the exact properties of vinegar would have been important for its use in cauterizing wounds, and this furnishes a key as to why the debate may have been of some consequence to surgeons, Tolet's target audience. Leaving aside other places in Galen which confirm his thesis, Tolet then turns to the *loci* often invoked by those who hold a contrary view. In a passage reminiscent of Leoniceno's and Fuchs's humanist criticism of different errors resulting from poor translation, Tolet accuses Galen's German translator Cornarius of committing 'une apparente erreur contre toute verité' (36) by confusing vinegar (*acetum*) with alum in book six of *Catatopous*. As a translator of Galen and Paul of Aegina, Tolet is particularly sensitive to these issues.

In a final digression which comes near the end of the treatise, where Tolet examines the different virtues and properties of vinegar, he explains the meaning of

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100 We may note Tolet's rather precocious use of the word 'moderne'. Most medical treatises use instead the word 'neoteric'. It is only in the context of the *querelle des anciens et modernes* that the word 'moderne' comes to be widely used.

101 Tolet explicitly states: 'le vinaigre est de telle efficace, ce que oultre son effect, par seul Galen je veux prouver n'avoir occultement aucune astriction' (24).

the title with reference to Lando's and Cicero's collections of paradoxes. Knowing that his decision to entitle the treatise a 'paradox' is bound to associate it in people's minds with mock or paradoxical encomia, he worries that this will lead some to misinterpret his reasons for writing the work: 'Car [...] facilement plusieurs cuideroient, que ce fust plus par raisons sophistiques et apparentes, que vrayes, que je vueille prouver le vinaigre non astringent' (54). Insisting that the two differ in their 'intention', a term which he draws from the legal sphere, he carefully distinguishes his own from merely ingenious paradoxes 'lesquels montrent plus de gaieté et curiosité que de doctrine'. For examples of the last category he turns to Lando's *Paradossi*: 'Il est mieux, dit il, estre bastard que legitime. Aller à pied que à cheval. Estre plus tost povre que riche. Estre laid, que beau et bien formé'. He refers his readers to the Italian original for more in a similar vein, assuming familiarity with this language: 'comme un chacun pourra voir, car ilz sont imprimez en langue Tuscane' (54). The *Paradossi* had not yet been translated into French at the time. Tolet's criticism of the empty reasoning behind Lando's paradoxes naturally leads him to consider their celebrated classical precedent, Cicero's *Paradoxa Stoicorum*. He distinguishes the latter from linguistic puns, for instance Themistocles' saying 'Nous estions perduz, si nous ne fussions esté perduz' (taken from Plutarch's life of the Greek general). These strike him as being only one step away from paradoxical claims worthy of Lando, such as that it is better to endure exile rather than to be a free citizen. Tolet caricatures the procedure underlying such paradoxes by inventing one of his own (incidentally not unlike some of Machiavelli's paradoxical statements): 'Je pourrois aussi dire et faire un autre paradoxe, qu'il est mieux d'estre homicide, que charitable. Car un Espagnol, à l'occasion d'un homicide qu'il feit, il s'enfuit, et devint grand homme aux lettres, là ou paravant estoit un ribleur' (55). This positive

dénouement strikes him as a purely accidental and by no means necessary consequence of having committed a crime. In any case, he thinks that such statements differ a great deal from medical paradoxes as practised by Fuchs, which he instinctively associates with 'errors'.[102]

Pierre Tolet's paradox was not immune to criticism. The anonymous *Pasquil antiparadoxe. Dialogue contre le Paradoxe de la faculté du vinaigre*, attributed to the humanist poet and jurist Barthélemy Aneau, appeared in Lyon the same year.[103] Aneau's refutation of the *Paradoxe de la faculté du vinaigre* takes the form of a satirical dialogue confronting the views of Pasquil, 'Medicin Romain, et des vieulx' (a2v) and Paradoxoleros, the fumbling double of Tolet. The lively exchange between the two characters calls to mind scenes of comedy: Pasquil is equipped with a stick to beat Paradoxoleros, who parries the blows with some difficulty. Like Fuchs, Joubert and La Marque before him, Tolet (in the guise of Paradoxoleros) is accused of putting forward novel ideas out of a desire for vainglory, rather than for truth. On this count, Aneau contrasts Cicero's, Rufinian's and Alciato's 'vrayz Paradoxes' with Tolet's own paradox. He argues that Tolet's treatise is not strictly speaking a paradox, because it is neither admirable in the positive sense of the word, nor does it contradict the common medical opinion which is that of Hippocrates and Galen, followed by all modern physicians.[104] If we accept this definition of *communis opinio*, interesting in

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102 'Je cuide que Fuchsius, homme certes de grande erudition, n'ha ainsi prins ses paradoxes en medecine, là ou il reprent beaucoup de choses qui estoient de mauvais usage, comme de saigner du bras du costé malade: n'ha gueres que c'estoit non seulement paradoxe, mais grande erreur' (55-6).

103 On Barthélemy Aneau, regent of the famous Collège de la Trinité in Lyon, see Gerig 1910-12 and Biot 1996: 226-53. Aneau's interest in remedies and cures is attested by his 1555 translation of *Tresor des remedes secrets par Evonime Philiatre. Livre physic, medical et alchymic et dispensatif de toutes substantiales liqueurs.* See Brunot 1966-1979: II, 46.

104 'Paradoxe (dy je) est chose oultre l'opinion commune et par ce admirable, et tresexcellente. Et en tel sens propre le ha usurpé Ciceron orateur, Rufinian Rheteur, et Alciat jurisconsult en leurs vrayz Paradoxes. Or en telle signifiance ce mot paradoxe ne convient a ton oeuvre. Car il n'est point

and of itself, then indeed Tolet's attack of the moderns is not a paradox. After the title, Aneau moves on in his critical 'anatomy' of the *Paradoxe* to a consideration of the body of the treatise, which he finds lacking both in its form and in its content. Tolet's paradox strikes him as unmethodical and digressive, its many errors being partly due to the author's ignorance of Greek.[105] Pasquil mocks the claim that Dioscorides wrote about vinegar 'universellement, sans particulariser' (it is exactly the opposite that must be going on to arrive at Tolet's conclusion), accuses Tolet of boldly changing *res* for *verba* in his criticism of Cornarius's translation, and refuses to grant his opponent that vinegar can ever be purified of its dregs. To put an end to all the blows showered upon him, Paradoxoleros sees himself forced to recant and admit that the moderns he had so unjustly abused in his paradox were correct in attributing astringent qualities to vinegar.[106] The actual topic of the controversy set aside, the vernacular *Paradoxe* and *Antiparadoxe* are interesting insofar as they demonstrate the presence of well-defined paradoxical models by the mid-sixteenth century, and, where Tolet is concerned, an awareness of the difference between learned and playful paradoxes.

In the *Novum organum*, Bacon lists three factors which to his mind have hampered progress in the scientific realm: the perception of experiments as being undignified, the authority of the ancients, and the excessive admiration for what has already been

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admirable, ne tresexcellent, et si n'est contre opinion commune [...]. Car s'il est contre opinion commune, il est donc contraire a l'opinion, et sentence commune, et universele de Hippocras, et Galen, desquels les opinions suyvent tous les modernes medicins' (A5).

105 'Car au lieu de tracter la faculté du vinaigre par bonne methode, et suite de propos ordonnez, tu saultes du coq à l'asne, non entrelaceant, mais entrebisant plusieurs divers propos' (b5r).

106 'Tu me rues tant de coups, et te couvres si finement, que je ne say plus quasi de quel baston me ayder' (d1r).

discovered.[107] In their challenge to authorities (whether these be Arabic or medieval, ancient or neoteric), their insistence that any recourse to authority must be backed by reason and some form of 'experience', and their conviction that the acquisition of knowledge is a cumulative process, medical paradoxes in various ways contribute to 'progress'. As the editors of *The Medical Renaissance of the Sixteenth Century* point out, the idea of progress in the sixteenth century would not necessarily have been equated with ground-breaking discoveries. Elucidating the true meaning of an original source, and adopting a rational approach supported by the evidence of the senses, instead of blindly following medical authorities, were deemed no less 'progressive' by Renaissance physicians.[108] In sharp contrast to paradoxes in the sphere of theology or law examined in the previous chapters, where the authority of the Scriptures and of the legislator are of necessity the basis of all debates, medical paradoxes are much closer to those in natural philosophy in the importance that they assign to reason and experience. Joubert's paradox dealing with *inedia* is revealing in this respect, aspiring as it does to the ideal horizon of mathematical reasoning.

In the course of this chapter, I have considered the development of what I argue is a genre of medical writing: paradoxes in their various Latin and vernacular articulations. In the sphere of medicine, paradoxes emerge from the literature of 'errors' with which they continue to be linked. The notion of what is paradoxical is closely dependent on that of common or received opinion which is far from static. Paradoxes reflect the changing attitudes towards classical authorities in the century or so following the publication of Leonhart Fuchs's *Paradoxorum libri tres*, one of the first prominent collections of medical paradoxes. Fuchs's wholesale rejection of

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[107] *Novum organum*, book I, aphorisms 83-5.

[108] French, Lonie, Wear 1985: xi.

Arabic and medieval authorities, in keeping with the agenda of medical Hellenists whose aim was to return to the purest sources of medical learning, represents the initial phase of paradoxical writing. Writers of paradoxes later move on to challenge *prisca medicina* itself, and they are highly critical of Galen and Hippocrates, the two authorities that Fuchs followed almost religiously. Despite the attacks on individual aspects of their doctrine, however, the methods and theories underlying the arguments remain largely a synthesis of Galenic medicine and Aristotelian natural philosophy. Paradoxes stop short of radical innovation and in that sense they may be considered as rehearsals of more radical medical opinions.

V. NATURAL PHILOSOPHY

Among the various branches of philosophy, two are of particular importance for the study of paradox in the eyes of Alsted. Having divided paradoxes into theological, philosophical, legal and medical, Alsted then distinguishes between ethical and 'physical' paradoxes, as illustrated by Cicero's *Paradoxa Stoicorum* and Puteanus's *De cometa* respectively. A whole section of 'Paradoxologia' in the *Encyclopaedia* of 1630 is devoted to paradoxes dealing with celestial phenomena (*paradoxa altioris indaginis*). In this section, Alsted briefly alludes to the discovery of new stars by Tycho Brahe, and to other recent theories put forward by proponents of Copernican theories such as William Gilbert, who affirmed in the sixth book of *De magnete* that the earth rotates on its axis in twenty-four hours. As in the case of theological paradoxes, Alsted defines this kind of paradox in terms of absurdity: 'Quaedam paradoxa sunt altioris indaginis; et proinde licet prima fronte appareant *absurda*, tamen non simpliciter sunt rejicienda'.[1] Imported from music, the word 'absurd' came to mean that which is 'out of harmony with reason or propriety; incongruous, unreasonable, illogical',[2] making it particularly appropriate for defining paradoxes in philosophy. Both absurdity and paradox etymologically imply a certain deviation from a norm, whether it be harmony, reason, or common opinion, producing a jarring effect. And yet Alsted clearly states that paradoxes dealing with celestial phenomena only appear absurd at first sight, thus implying that upon more careful consideration they may prove to be true. The strategy adopted by many of the

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[1] Alsted 1649: II, 2298; emphasis mine.

[2] *OED*, 2.

writers of paradoxes whose works will be considered in this chapter consists precisely in showing that it is the opinion they are arguing against, rather than their own, which results in absurdity and is inconsistent with experience. In doing so, they place themselves firmly on the side of reason.

What Alsted describes as 'physical' and celestial paradoxes were, in the period studied, the concern of natural philosophy. The Renaissance understanding of natural philosophy was largely shaped by Aristotle's *libri naturales*: *Physics*, *De caelo*, *De generatione et corruptione*, *Meteorology*, *Parva naturalia*, and, surprisingly from our perspective, *De anima*.[3] In natural philosophy, as in the other disciplines, paradoxes are above all attacks on authority or received opinion. It is hardly surprising that Aristotle, as the highest authority in natural philosophy, bears the brunt of these attacks and is at the centre of all discussions. Works such as Marcantonio Mocenigo's *De eo, quod est paradoxa, theorema quae, ex Aristotelis philosophia deprompta* (1559) or Niccolò de Vito Gozze's *Paradoxa in peripateticam physiologiam proposita* (1583), testify to the continuing interest in Aristotle's system of natural philosophy.[4] Treatises bearing the title of 'paradoxes' grapple with a variety of contentious issues in natural philosophy: from highly specific works on the subject of comets or winds,[5] to collections dealing with entire areas covered by the *libri naturales*, such as Paul Mazin's *De rerum naturalium generatione paradoxa* (1549) or Antoine Mizauld's *Paradoxa rerum caeli* (1576), both

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[3] See Wallace 1988: 201-2.

[4] Paduan Aristotelianism is a context for both these works. The former is published in Venice and the latter in Padua.

[5] See *Eryci Puteani De cometa anni 1618 novo mundi spectacula, libri duo. Paradoxologia* (Cologne, 1619) and *Paradosso dell'Eccelente Sig. Francesco Santagata ... Nel quale si prova che la Corina è un vento salutifero e vitale; e la Borea nociva e mortale* (Pesaro, 1584).

published in Paris. Paradoxes were particularly prominent, however, in the fields of astronomy, meteorology, and psychology, which were among the most disputed areas of Aristotelian natural philosophy, and the ones where the greatest innovations were taking place, paving the way for the new science of the following century. In astronomy, for instance, new optical instruments, which made possible the observation of comets and of new stars, prompted radical departures from established theory.

A number of the above-mentioned works, as well as others that will be discussed in this chapter, were written by physicians and bear witness to the practical concerns underlying some of the theoretical debates concerning elements, qualities and humours. Of the three higher disciplines, medicine was the one most closely related to natural philosophy, from which it took some of its basic principles and tools of analysis. But considerations of a theological nature also played an important role in natural philosophy, given how often novel theories questioning accepted views were the object of censure at the hands of ecclesiastical authorities. The most famous instance of such interference, one which profoundly marked contemporaries, was the debate surrounding Copernicus's theory of heliocentrism, put on the Index in 1616 and declared heretical in 1633 in the wake of Giordano Bruno's and Galileo's defences of the theory. The first part of this chapter, dealing with Copernican and astronomical paradoxes, will look at the ways in which proponents of heliocentrism addressed these theologically sensitive issues. The relation between natural philosophy and medicine, discussed in the previous chapter, is explored in the following section, devoted to meteorological paradoxes. The third part is centred on Gomez Pereira's psychological paradoxes in the *Antoniana Margarita*, where the theory of animal machines is formulated for the first time, and on the reply to it by

Miguel a Palacios. In a final section, I consider the relationship between scepticism and paradox in three texts written at the end of the period. Special attention will be paid, in all the different sections, to the presentation of paradoxes, and to the complex relation between authority, reason and experience that they exhibit.

1. Copernican paradoxes

The paradoxical nature of Copernicus's claims regarding the mobility of the earth and the sun-centred universe is stated emphatically in the letter of dedication to Pope Paul III attached to the first edition of *De revolutionibus orbium coelestium* (1543).[6] Nicolaus Copernicus (1473-1543) foresees that his views are bound to be violently opposed by some people because of their novelty and apparent absurdity. The fear of such reactions made him hesitate whether to publish his discoveries at all, or to follow the example of Pythagoreans who kept certain 'philosophical mysteries' from the multitude:

> Itaque cum mecum ipse cogitarem, quam absurdum *akroama* existimaturi essent illi, qui multorum seculorum judiciis hanc opinionem confirmatam norunt, quod terra immobilis in medio caeli tamquam centrum illius posita sit, si ego contra assererem terram moveri, diu mecum haesi, an meos commentarios in eius motus demonstrationem conscriptos in lucem darem, an vero satius esset, Pythagoreorum et quorundam aliorum sequi exemplum, qui non per literas, sed per manus tradere soliti sunt mysteria philosophiae propinquis et amicis duntaxat, sicut Lysidis ad Hipparchum epistola testatur. (36-7)

Copernicus thinks that his theories will appear to people as absurd *akroama*, secret or esoteric teachings accessible only to a few initiates. This kind of knowledge, associated in the Renaissance with theology, the philosophy of nature and mathematics, stood in

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[6] *Nicolai Copernici Torinensis De revolutionibus orbium coelestium libri VI* (Nürnberg, 1543). All further references to this text will be based on Koyré's 1934 edition of *Des revolutions des orbes célestes*.

opposition to exoteric learning aimed at persuading the many and in conformity with common opinion.[7] The notion of *absurdum*, which appears for the first time in this passage, is repeatedly used in the letter in a sense not far removed from the meaning of paradox. The claim that the earth moves will strike the common run of men as absurd in so far as it contradicts the long-established *doxa* ('multorum seculorum judiciis [...] opinionem confirmatam') which holds that the earth lies motionless at the centre of the universe. Copernicus hopes that the clarity of his demonstrations will dissipate these 'clouds of absurdity' and make people admire his theories.[8] A similar idea is expressed by means of another metaphor in book one, chapter ten, where Copernicus asserts that though his theories and, in particular, the claim that the motion which seems to be that of the sun is in reality that of the earth 'difficilia sint, ac pene inopinabilia, nempe contra multorum sententiam, in processu tamen, favente Deo, ipso Sole clariora faciemus' (113). The use of the term *inopinabile* and the idea of going against the opinion of many people bring us closer still to the concept of paradox.

Regardless of its technical and specialized nature, Copernicus's work is not aimed solely at an audience of mathematicians.[9] Though he asserts at the very end of the letter that 'mathemata mathematicis scribuntur', and dismisses those who, in their ignorance of mathematics, will take exception to his writings simply 'propter aliquem locum Scripturae, male ad suum propositum detortum' (47), Copernicus clearly states that he

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[7] I am indebted for my understanding of this notion to Fernand Hallyn's article on 'L'«Absurdum *akroama*» de Copernic'. See Hallyn 2000: 13-22.

[8] 'Fore ut quanto absurdior plerisque nunc haec mea doctrina de terrae motu videretur, tanto plus admirationis atque gratiae habitura esset, postquam per editionem commentariorum meorum caliginem absurditatis sublatam viderent liquidissimis demonstrationibus' (39).

[9] On this subject, see Koyré 1973: 38; Kuhn 1957: 142; and Hallyn 2000: 13-24.

does not wish to escape the judgement of anyone, learned or unlearned; hence his decision to make public his discoveries and to dedicate the book to Pope Paul III.[10] He explains to Paul that it is his desire to find a reliable explanation of celestial phenomena that prompted him to dare 'contra opinionem mathematicorum, ac propemodum contra communem sensum [...] imaginari aliquem motum terrae' (40). The conclusions at which Copernicus arrived on the basis of his observations were not only opposed to prevailing mathematical theory, but were also deeply counter-intuitive, in that they ran counter to everyone's daily experience of celestial phenomena as observed from the earth. Aristotle reproached the Pythagoreans with failing to take sense experience as the starting point of their reasoning and with forcing the phenomena to accommodate their theories. He claimed, in *De caelo*, that the phenomena were fully accounted for by the geocentric hypothesis alone, as elaborated by astronomers and mathematicians.[11] Copernicus himself firmly believed that calculations based on homocentric and eccentric circles and epicycles failed to establish anything with certainty and, crucially, were not in keeping with phenomena.[12] In his search for an alternative theory, one that would conform to his assumptions about the harmony of the universe and the symmetry of its parts, Copernicus turned precisely to those authors and sects whom Aristotle criticized for their unfounded theorising: Nicetus, Heraclides of Pontus, the Pythagoreans Philolaus and Ecphantus,

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[10] 'Ut vero pariter docti atque indocti viderent, me nullius omnino subterfugere iudicium, malui Tuae Sanctitati, quam cuiquam alteri, has meas lucubrationes dedicare' (46-7).

[11] *De caelo*, II, 13, 293a20-26 and II, 14, 297a2-6. On the meaning and role of experience in Aristotle's works on natural philosophy, see Dear 1995.

[12] The classic account of the expression 'saving the phenomena' (*salvare apparentia*), used in astronomical writings to affirm the need for a scientific theory to conform with sense experience is Pierre Duhem's *Sôzein ta phainomena*, first published in 1908. For Copernicus's use of this phrase in his letter to Paul III, see Duhem 1994: 71-79.

whose ideas supported his notion that the earth moves.[13] While basing his theories on observation and reason, Copernicus does not do away completely with authority, but he is paradoxical in that he adopts the views of minor thinkers and sects, straying from the dominant Aristotelian-Ptolemaic model.

Even though Copernicus does not explicitly refer to his theories as paradoxical, his followers frequently portray them as such, and Copernican ideas become one of the most common illustrations of paradox in the following century.[14] Thomas Digges, one of the earliest exponents of the Copernican system, described the 'new Theoretick or model of the world' as 'hard strange and incredible', words often associated with paradox.[15] The word itself appears in connection with Copernicanism in Giordano Bruno's *La cena de le ceneri* of 1584.[16] In the first of five dialogues, devoted to the praise of Copernicus's system as well as of Bruno's own, Teofilo (Bruno's spokesman) relates the circumstances of the philosophical banquet of *La cena*. John Florio and Matthew Gwinne came to tell Bruno how much Fulke Greville desired to converse with him 'per intender il suo Copernico et altri paradossi di sua nova filosofia'(23). Bruno is quick to assert his own independence from Copernicus and to dissociate himself from his 'più matematico che natural discorso' (25). When asked for his opinion of Copernicus, Teofilo praises him

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[13] In the letter to Paul III, he mentions Cicero's *Quaestiones academicae*, IV, 29 and Plutarch's *De placitis philosophorum*, III, 13. In chapter 9 of book I, he also mentions Philolaus and Aristarchus of Samos as proponents of the mobility of the earth criticised by Aristotle. On Copernicus's humanist approach and its limitations, see Kuhn 1957 and Westman 1980: 107-11.

[14] Under the entry 'paradoxe' in his *Dictionnaire*, having briefly mentioned the Stoics, Furetière gives as an example 'l'opinion de Copernic' which is 'paradoxe selon le peuple, et est tenuë pour certaine selon tous les Sçavants'.

[15] Digges 1576: C2v. On the subject of Digges's Copernicanism, see Koyré 1957: 35-9.

[16] On the circumstances of this debate, see Yates 1939-40: 181-207 and Jeanneret 1991: 91-6. The second article makes occasional reference to paradox as traditionally understood by literary critics.

'per essersi liberato da alcuni presupposti falsi de la comone e volgar filosofia, non voglio dir cecità', but he regrets that 'più studioso de la matematica che de la natura, non ha possuto profondar e penetrar sin tanto che potesse a fatto toglier via le radici de inconvenienti e vani principii' (24). Throughout the dialogues Teofilo distances his own opinion from that of vulgar or common philosophers.[17] His chief targets there are scholastic philosophers and those who blindly follow the dictates of ancient philosophers, Aristotle especially. This attitude is ridiculed in the person of Prudenzio, who proclaims that 'Ne l'antiquità è la sapienza', provoking Teofilo's famous remark that we are more ancient than the ancients because of the greater store of accumulated knowledge which we have at our disposal. Prudenzio remains unconvinced:

> Dite quel che vi piace, tiratela a vostro bel piacer dove vi pare, io sono amico de l'antiquità; e quanto appartiene a le vostre opinioni, o paradossi, non credo che sì molti e sì saggi sien stati ignoranti come pensate voi e altri amici di novità. (33)

In this statement as in the previous one, paradox is associated with novelty, but here both terms have decidedly negative connotations. Teofilo retorts that if this 'volgare e vostra opinione per tanto è vera, in quanto che è antica, certo era falsa quando la fu nova'. He explains that the motion of the earth that he endorses was professed by *prisci philosophi*, Chaldeans, Egyptians, the Magi, Orpheans and Pythagoreans, long before being refuted by certain logicians and mathematicians within the Aristotelian-Ptolemaic tradition represented by Prudenzio. To uphold the antiquity or novelty of a view is thus meaningless, given that 'non è cosa nova, che non possa esser vecchia; e non è cosa

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[17] He uses terms such as 'filosofi volgari' (28), 'cecità del volgo e volgar filosofia' (39), 'comone intelligenza' (91), 'comone filosofia' (98).

vecchia, che non sii stata nova' (33). Since opinions run in cycles, as Aristotle himself held, that which is now paradoxical would once have been received wisdom.[18] Opinions regarding the motion of the earth testify to the endless recurrence of ideas.

In what calls to mind Copernicus's *akroama* and 'mysteria philosophorum', Bruno maintains that truths in the realm of natural philosophy should not be disclosed to the multitude.[19] In arguing for the esoteric nature of natural philosophy he has recourse to theologically-charged images such as casting pearls before swine. Further on, he cites approvingly the beginning of the letter to Pope Paul III, making Copernicus say, in a somewhat distorted version of the original, that 'le opinioni di filosofi son molto lontane da quelle del volgo indegne d'esser seguitate, e degnissime d'esser fugite: come contrarie al vero e dirittura' (64). He comes back to this idea in the fourth dialogue, where the issue of the religious orthodoxy of Copernicus's ideas is raised. We have seen that Copernicus simply dismisses those who twist certain biblical passages to affirm that the sun moves and the earth is stationary.[20] But Andreas Osiander (1498-1552), a Lutheran preacher whose preface of 1543 preceded Copernicus's work in many editions, was much more sensitive to the theological implications of Copernican theories. Both Luther and Melanchthon, who taught natural philosophy at the reformed university of Wittenberg, opposed Copernicus's system, largely because it contradicted the literal meaning of the

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[18] 'For the same opinions appear in cycles among men not once nor twice nor occasionally, but infinitely often' (*Met.*, I, 3, 339b29).

[19] 'Oltre, color ch'hanno la possessione di questa verità non denno ad ogni sorte di persona comunicarla, si non vogliono lavar (come se dice) il capo a l'asino, se non vuolen vedere quel che san far i porci a le perle, e raccogliere que' frutti del suo studio e fatica, che suole produrre la temeraria e sciocca ignoranza' (30).

[20] Most often quoted to reject Copernicus's world-view was Joshua 10. 12-13, where the prophet commands the sun, and not the earth, to stand still, Psalm 93, and a passage from Ecclesiastes: 'The sun also ariseth, and the sun goeth down, and hasteth to his place where he arose' (1. 5-6).

Scriptures to which the reformers adhered, in reaction to allegorical or metaphorical biblical interpretations.[21] Partly to free Copernicus from possible charges of heterodoxy, Osiander presented the astronomer's discoveries as mere hypotheses, neither necessarily true nor even probable, and valid only in so far as they facilitate mathematical computations. Bruno passionately denies such an interpretation of Copernicus in the third dialogue, claiming instead that 'intese [la terra muoversi] come la disse, e con tutto suo sforzo la provò' (63). In the fourth dialogue, his defence of Copernicus's orthodoxy is in every way opposed to Osiander's own. He maintains that Copernican theories are true and that they contradict only the literal meaning of the Scriptures which, having a practical aim and intended for a vulgar audience, speak the language of ordinary men.[22] Pondering on the possible risk of misinterpreting biblical allegories and metaphors, Bruno takes this reasoning even further and declares that 'dove dumque gli uomini divini parlano presupponendo nelle cose naturali il senso communemente ricevuto, non denno servire per autorità' (93). Such freedom of interpretation would have opened all sorts of avenues for questioning Scriptural authority and it would have amounted to an effective separation of theological and philosophical realms.[23]

Some of these ideas are echoed in the prefatory remarks to William Gilbert's *De magnete* (1600), the sixth book of which sets out to demonstrate the Copernican theory of

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[21] On Osiander's preface and on the Protestant rejection of Copernican theories, see Duhem 1994: 77-9 and 105-6, Kuhn 1957: 192-3, and Westman 1980: 107-9.

[22] 'Parlare con i termini de la verità dove non bisogna, e voler che il volgo e la sciocca moltitudine dalla quale si richiede la prattica abbia il particular intendimento, sarrebe come voler che la mano abbia l'ochio: la quale non è stata fatta dalla natura per vedere, ma per oprare e consentire a la vista' (93).

[23] For the 'double truth' theory, which amounts to a distinction between what is true from the point of view of faith and from that of reason, and for the resistance of the arts and medicine faculties vis à vis the dictates of the theologians, see Maclean 1998.

the diurnal rotation of the earth by means of Gilbert's 'magnetic philosophy'. According to Gilbert (1540-1606), the earth is a giant lodestone which rotates around its own axis, much like any other magnet.[24] The mathematician Edward Wright, in an address to the reader placed at the head of *De magnete*, argues much like Bruno that the Scriptures do not contradict the doctrine of the earth's mobility in any meaningful way: 'neque Mosis aut prophetarum institutum fuisse videtur, mathematicas aliquas aut physicas subtilitates promulgare; sed ad vulgi captum et loquendi morem, quemadmodum nutrices infantibus solent' (5). While recognizing the authority of the Bible, he holds the diurnal motion of the earth to be entirely probable ('satis probabile') on the basis of experiments and philosophical reasons. The title of the work, *De magnete, magneticisque corporibus, et de magno magnete tellure; physiologia nova, plurimis et argumentis, et experimentis demonstrata*, further testifies to the importance attached by the author to experimentation and reason, as opposed to authority. Both Wright and Gilbert stress the unheard of and paradoxical character of the magnetic discoveries. Wright's address to the reader, asserting that the discovery that the entire globe is magnetical 'quamquam forte plerisque vel ad stuporem usque *paradoxotaton* videbitur, tot tamen experimentis tamque ad rem appositis et accommodatis' (4v-5), evokes the author's preface, where Gilbert ponders whether to make public

> philosophiam hanc inclytam, et propter *inaudita* plurima quasi *novam, et incredibilem*, damnandam et maledictis dilacerandam exponerem? Sed vobis tantum vere philosophantibus, viris ingenuis, qui non ex libris solum, sed ex rebus ipsis scientiam quaeritis, fundamenta ista magnetica commendavi, *novo Philosophandi genere*. At si ipsis opinionibus, et *paradoxis* assentire aliquibus visum non fuerit; videant tamen experimentorum, et inventorum (quibus praecipue floret philosophia omnis) magnam frequentiam. (ii-v; my italics)

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[24] Book VI of *De magnete* is entitled 'De telluris globo, magno magnete'. For a study of the work and of Gilbert's Copernican agenda, see Henry 2001 and 2002: 60-1.

Like Bruno, Gilbert is opposed to the vulgar sort of philosophy, which blindly subscribes to the dogmas of the ancients, and he vindicates the right to philosophize freely, as the ancients themselves did. In book six, he appeals to the views of various representatives of the Pythagorean sect, who maintained that the earth moves, a belief which held sway among philosophers until the discipline came to be handled by the many and its theories had to be adapted to the capacity of the 'vulgar' (318). Throughout the book, Gilbert rejects notions such as the *primum mobile* or the spherical orbs as imaginary and absurd suppositions. Whereas Copernicus, as we have seen, feared lest his theories be perceived as absurd, half a century later it is the contrary opinion which is accused of being out of harmony with reason and experience.

In his 'Paradoxologia', Alsted reproduces word for word some of the reasons put forward by Edward Wright for the earth's diurnal rotation, without giving their source.[25] Since 'frustra sit per plura, quod commode fieri potest per pauciora' (a version of Ockham's razor), why claim that the whole heavens and all the fixed stars whirl at high speed around the earth, when the phenomenon of diurnal rotation can be accounted for by the daily rotation of the earth? Is it better to concede some motion to this miniscule globe, or to burden the eighth, ninth and tenth spheres with it? Since the earth has poles, which cannot be observed in the heavens, is not diurnal rotation therefore more appropriate to the earth?[26] These are some of the reasons that Alsted produces as proofs of the paradox of the earth's spherical movement. Moreover, the experiments performed by Gilbert on

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[25] Gilbert ignores the two other motions which Copernicus attributed to the earth. On this subject, see Koyré 1957: 55-57.

[26] Alsted takes this final reason from book VI, chapter 6, of Gilbert's *De magnete*, rather than from Wright's address to the reader.

the *terrella*, a magnetic miniature replica of the earth, make it obvious to him that circular motion is not contrary to the nature of the earth. Thus, reason and experimentation go hand in hand in proving the truth of an apparent paradox. Alsted also considers to be paradoxical the claims of the Danish astronomer Tycho Brahe (1546-1601) and of other moderns that new stars appear in the heavens ('Tale est illud Tychonis Brahe et aliorum recentiorum, *novas subinde in coelo stellas apparere*'). Brahe's observations of the nova of 1572 and the comet of 1577 led him to challenge the belief that nothing new can be born in the heavens and to discard the celestial spheres that Copernicus himself had used to account for planetary motion.[27] These ideas feed into paradoxical works. Erycius Puteanus, in his tract *De cometa anni 1618. Novo mundo spectaculo, libri duo. Paradoxologia* of 1619 asserts, in keeping with what Brahe believed, that the comet is not – contrary to what Aristotle and the Peripatetic school held – a fiery meteor but a star in the heavens, and therefore a superlunary rather than a sub-lunar phenomenon. He thinks that the existence of new stars, demonstrated by recent observations of Cassiopea, undermines Aristotle's authority.[28] New stars and comets observed thanks to technical innovations such as the telescope thus contributed to a sceptical reassessment of ancient theories, not unlike new diseases in medicine.

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[27] See entry on 'Tycho Brahe' in the *Dictionary of Scientific Biography*, II, 401-16.

[28] Puteanus 1619: 21-29 and 38: 'Sed quid? novum in caelo sidus fulgere posse, superiori saeculo Cassiopea ostendit: imo vero pleraque aliter se habere, quam ab Aristotele prodita sunt, sensu tandem exploratum est'. For a detailed study of Puteanus's *Paradoxologia*, see Van Nouhuys 1998: 303-21.

2. Elements, qualities, winds: meteorological paradoxes

Whereas theology was closely related to metaphysics, and law to moral philosophy, medicine as a discipline was shaped by natural philosophy, from which it derived some of its dogmatic foundations or *praecognita*, categories such as elements, qualities and humours.[29] Physicians prided themselves on being at once philosophers and doctors, and saw their grasp of natural philosophy as what set them apart from surgeons, apothecaries, and other non-university-trained practitioners. This explains why a large proportion of paradoxes in natural philosophy were composed by physicians, whose professional interests frequently surface in the midst of more theoretical discussions. Antoine Mizauld's *Paradoxa rerum caeli* of 1576, the author's last published work, is exemplary in this respect. Mizauld (*c.*1512-1578), the founder of a school of astrological medicine which operated in Paris from the middle of the sixteenth century onwards, emphasizes the close connection between astronomy and medicine in the penultimate chapter of his *Paradoxa*, entitled 'Rerum caeli cognitionem et usum medicis ac medicae arti plurimum conferre, magnumque aegrotantibus auxilium praestare' (28v).[30] He quotes a number of authorities, from Hippocrates and Galen to Hermes Trismegistus, together with moderns such as Marsilio Ficino and Hieronymus Wolfius, to prove that the practice of medical art requires a prior knowledge of astronomy or astrology, two sciences that ancient Greeks never separated. The harmony between the inferior and the superior world that Mizauld postulates in his treatise does not mean, however, that the same categories apply to both

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[29] Maclean 2002: 82 and 117-18.

[30] On Mizauld and his school of astrological medicine, see Jean Dupèbe's unpublished doctoral thesis entitled 'Astrologie, religion et médecine à Paris: Antoine Mizauld (*c.* 1512-1578)'.

these realms. Two of the *Paradoxa*, written in the form of epistles addressed to a fellow physician, deal with the purported qualities of the planets. In the fourth paradox, Mizauld argues that since the heavens do not belong to the sublunary world of generation and decrease, and are free from any corruptible qualities or elements, planets or stars can only be described as hot, cold, wet or dry in so far as they confer or breathe forth these qualities onto things in the sub-lunar world. He goes on to reject, in the following paradox, the suggestion that the colour of a planet or a star tells us something about its quality as unworthy of philosophers or physicians, who know well that colours are not faithful witnesses of primary qualities.[31] It would thus be wrong to claim, for instance, that Saturn is a cold planet because of its bluish hue or that Mars is a fiery one on account of its reddish glow. Colours are in fact errors of vision or hallucinations produced by the changing qualities of intermediate air (20-1v). Mizauld, author of a meteorological work, thus abides by the strict division between the superlunary and the sub-lunar phenomena.[32]

One of the frequently challenged areas of Aristotle's natural philosophy in the late Renaissance was meteorology, the study of comets, meteors, winds, earthquakes, thunderbolts, and other natural phenomena of the sub-lunar world, which it explained in terms of fiery and watery exhalations.[33] The earliest collection of paradoxes dealing with this part of natural philosophy is Jeremias Drivere's *Paradoxa ... de vento, aere, aqua et igni*, published in Antwerp in 1542. Drivere sets himself the task of examining some

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[31] 'Nam inter philosophos et medicos praeclare convenit, colores infidos esse testes primarum qualitatum' (20-20v).

[32] Mizauld's *Meteorologia, sive rerum aerarium commentariolus: fortuitarum aurae tempestatum omnium causas, species, generationem, naturam, differentias, et effectus 'aphoristikos kai methodikos' exibens*, which appeared in 1547, is among his earliest works.

[33] Aristotle, *Meteorology*, I, 1. On meteorology as a frequently challenged area of Aristotelian natural philosophy, see Blair 1997: 91.

controversial issues and problems surrounding the nature and qualities of wind, air, water and fire. For example, in the third section he considers whether rain or fountain water is best ('an aqua pluvia sit optima aut etiamdiu fontana'), and paradoxically opts for the former, arguing that any putrefaction in such water is accidental rather than essential (C1v-C4). Aristotle's authority is called into question from the very outset, when Drivere rejects his definition of wind as something that is generated from a hot and dry exhalation. For many centuries this opinion held sway and went unchallenged, despite its being opposed to sense experience and reason.[34] Drivere alludes to some rival theories concerning the generation of winds from air, but he is convinced for his own part that we must look to the stars and the heavens as the proper origin of winds (A4v). He concludes that 'omnia alia problemata, et controversias omnes quae circa naturam et generationem ventorum contigunt, promptius penitusque haec nostra *haeresis* dissolvet quam ea, quam utcunque tuetur Aristoteles' (A6). Paradox, at that time recently imported into natural philosophy, is here equated with more familiar genres like the *problemata* and *controversiae*, both associated with academic debates in medicine and physics.[35] Similarly, in the second section, he complains that in some matters people consider it a sin to question Aristotle's dogmas, no matter how counter-intuitive these are. He himself never swears by the Philosopher's 'prophana verba', preferring to believe experience rather than Aristotle (B2v). Despite the repeated criticisms, Drivere asserts that his paradoxes are not written to insult anyone or to mock Aristotle (for whose exhaustive

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[34] 'Haec opinio per multa secula quasi per manus ad nos deducta est, atque ab omnibus propemodum recepta: tanta Aristotelis fuit authoritas. Parum tamen cum sensu aut ratione convenire aliquibus putatur' (A4).

[35] For a study of *problemata* as a genre in natural philosophical writing, see Blair 1999.

treatment of the subject he claims to have a great deal of admiration), but in the spirit of an *exercitatio*, so as to show young people how to discuss these matters freely.[36]

Theological considerations also play a part in Paul Mazin's critical stance vis à vis ancient authorities in *De elementorum natura et eorum situ paradoxa* and *De rerum naturalium generatione paradoxa*. These two works, published together in Paris in 1549, were doubtless conceived as companion pieces. Written by a physician contemporary with Jean Fernel, they are addressed to ecclesiastical authorities, which explains in part the religious tenor of the prefatory remarks.[37] In the dedication of the first work, Mazin points out that the ancient philosophers had all failed to distinguish properly between actions that are natural and those that are divine in origin. Unaided by providence and the light of Christian truth, ancient philosophers were oblivious to the role played by God in the creation of things, and they all tended to seek causes of things in matter, rather than in the heavens (3-5). Are not the origins of things, their causes and faculties, he asks, better known to us Christians than to heathen philosophers?[38] It is the desire not to detract from the glory of the 'highest artisan' that led Mazin to write his philosophical paradoxes. Paradox is associated in the rest of the dedication with novelty, truth, unorthodox views (5), and 'admirabilia theoremata', followed closely by a reference to Cicero's work (10-

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[36] 'Iam nequaquam haec diximus, ut aliquem laederemus, ut authoritatem alterius extenuaremus: aut Aristotelem ex scholis exibilaremus: sed ut spinas quae in huiusmodi diatribis natae sunt erueremus. [...] ac iuventutem quam liberrime de iis omnibus disceptare convenit' (C7v). The word *exercitatio* appears at the end of the first section (A6). The link between criticisms of Aristotle and the concept of *libertas philosophandi*, foreshadowed in Drivere's remarks, will be touched on in the final part of this chapter.

[37] The first one in the order of composition, *De elementorum natura et eorum situ paradoxa*, is addressed 'Ad Carolum Tournemine abbatem de Bournet, Regisque Eleemosynarium', and the other 'Ad Episcopum Tuletanum, Tuletanorumque Comitem'.

[38] 'Nonne, inquam, rerum origines, causae et facultates, nobis notiores potius quam Ethnicis illis philosophis esse debent? Nonne multa simul cum Christo Christianis hominis sunt divinitus allata, a veteribus omnino non integre percepta?' (16).

11). In the body of the two collections, Mazin frequently explains how his opinion differs from that of his predecessors. For example, he affirms that water is the heaviest of all elements, running counter to the opinion of all philosophers and physicians, who think earth is the heaviest element.[39] Since great cold is accompanied by density and great heat by rarity, it follows that water as the coldest element will also be the heaviest. Although not as radical in his rejection of ancient theories of elements and humours as Paracelsus, Mazin's unorthodox views are in some respects close to Paracelsean cosmology.[40] He thinks that visible elements such as fire and water are not true elements; they merely proceed from the two primordial elements, ethereal fire and air. The true elements are neither hot and dry, moist and hot, dry and cold, cold and moist, nor mixed, which the ancients believed to cause generation and nurture. A critical reappraisal of categories like elements and qualities, the foundation of ancient medicine and natural philosophy, thus prepares the way for a rejection of traditional theories of generation and corruption which rely on these categories.[41]

In contrast to the Latin paradoxes considered thus far, Francesco Santagata's *Paradosso ... nel quale si prova che la Corina è vento salutifero e vitale; e la Borea nociva e mortale* is a vernacular work. Published in Pesaro, in 1584, it is addressed to the Duke of Urbino and clearly aimed at a courtly rather than a university audience.[42] This partly accounts for the difference in tone and the particular form adopted by the author.

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[39] 'Dubitaret forte non immerito quispiam, quid fieri possit, ut aqua sit omnium elementorum infima, cum terra omnium cum philosophorum, tum medicorum sententia sit omnium gravissima' (30-1).

[40] For Mazin's opposition to the traditional doctrine of the elements, see Pagel 1958: 305-8.

[41] See 'Quod ignis noster et aqua fontana non sint elementa' (20-23) and 'Quod elementa non sint calida sicca, humida calida, sicca frigida, frigida humida tantum, nec inter se mista' (23-27).

[42] See the printer Girolamo Concordia's address 'Al Serenissimo Monsignor Duca d'Urbino'.

Despite being written by a 'fisico', dealing with a topic belonging to natural philosophy, and containing many learned philosophical and medical allusions, its mode is essentially playful and it displays several generic features typical of mock encomia. In his address to the Duke of Urbino, the printer Girolamo Concordia already speaks of the work in those terms, presenting it as 'le presenti lodi de la Corina' (A2). In the paradox itself, the praise or *laus* of Corina, an Austral wind, is systematically balanced by the blame or *vituperatio* of Boreal winds, a dual structure reflected in the title. The opening paragraph, featuring words such as 'vituperio', 'encomii', 'lodi', and 'calunnie', and characterizing the work as a 'difesa', sets the tone of the debate. The paradox consists in maintaining against the opinion held 'non solamente da i volgari, ma anco da quelli che nel Mondo sono maestri di coloro che sanno' (A3), Hippocrates amongst them, that the northern winds are unwholesome and pestilence-bearing, whereas the southern winds preserve health and life. The fact that the vulgar as well as the learned opinion is under attack distinguishes this kind of paradox from the scholarly kind, where only the common opinion of philosophers or specialists is targeted. Mock encomia appeal to a larger audience but retain the flavour of specialized discourse which they mimic. Italians were among the first to adopt the paradoxical or mock encomium, a genre that flourished in the second half of the sixteenth century, having been popularised by Lando, Francesco Berni, Sperone Speroni and others.[43] By alluding at the very end of the work to 'l'unico Signor Sperone' and presenting his work as a 'tratenimento' for the Duke, written in jest and not really to contradict Hippocrates, he clearly places his work within that tradition.[44]

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[43] On this subject, see in particular Condeescu 1963 and Dandrey 1997, quoted in the introduction and the final section of the first chapter.

The similarities and differences between the two genres are all the more apparent when the subject-matter is similar. In the first part of his *Paradoxa ... de vento, aere, aqua et igni*, Drivere deals with wind and its erroneous definition as a hot and dry exhalation. He specifically states that he leaves to astrologers, who study the influence of specific stars on winds, the task of distinguishing between Boreal or Austral winds and their qualities.[45] His concern is with wind in general, its origin and substance, rather than with a particular wind. Santagata, on the other hand, deals with a southern wind, which he personifies by using its vulgar name of Corina. He undertakes to prove the innocence of 'questa povera Corina' (A3), victim of calumny and great injustice. The *serio ludere* of the tone is a characteristic feature of mock encomia, as is the recourse to personification and the adoption of a highly-wrought and metaphorical style. Such playful elements are altogether absent in Drivere's work. Whereas Drivere's paradox unfolds in a linear fashion, Santagata's is clearly articulated into three distinct parts. The many virtues and benign faculties of Corina are extolled in the first part. Hot and humid, she is endowed with vital qualities, since Aristotle defined generation as 'la prima participatione del calor naturale nell'humido nativo' (A4). By contrast, being cold and dry, Boreal winds are opposed to our nature and are deadly. The language styles itself as natural philosophy, but the effect produced is comic. The second part of the paradox shows the perfection of the wind through a series of comparisons with the macrocosm and the microcosm. In the final part, Santagata proceeds to refute the suggestion that Corina, owing to its hot and

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[44] 'Questo è (Serenissimo Principe) quanto m'è parso di dire nel presente Paradosso; il quale cominciai à Gradara, perche fosse tratenimento à V. A. Serenissima. Può credere che quel ch'hò detto, sia stato per ischerzo, e non per contradire veramente al saggio Hipocrate precettore della vera medicina, e raro esploratore dei secreti naturali, e delle forze dei venti' (D2).

[45] Drivere 1542: A6v.

humid qualities, is an agent of disease, pestilence and putrefaction. Thus he points out that the natural heat of the wind could never be intense enough to produce putrefaction. More or less convincing, such arguments are ultimately nullified when, in a final *volte face*, Santagata decrees that all this complex edifice of proofs is designed merely to entertain, and not to cast doubt on the validity of Hippocrates' claims. More than anything else, this sets his work apart from learned paradoxes.

3. Gomez Pereira's *Antoniana Margarita* and animal automatism

With Gomez Pereira's *Antoniana Margarita*, a work which first appeared in Medina del Campo in 1554, we move away from astronomy and meteorology to psychology.[46] Psychology, a term coined in the late Renaissance to describe the complex of problems dealt with in Aristotle's *De anima* and *Parva naturalia*, fell at the time within the ambit of natural philosophy. Pereira's work, chiefly remembered for its original thesis concerning animal automatism which may have influenced Descartes,[47] deals with a variety of contentious issues in natural philosophy and metaphysics: the tripartite division of the soul, common sense, the operations of sense and intellect, universals, *ens et essentia*, prime matter, the immortality of the soul. These topics are presented in a continuous development, the discussion of one concept leading to a related one, rather than as discrete paradoxes. Some draw on notions which are discussed in the *Physics*, *De*

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[46] The term is first used by Joannes Freigius, a German humanist, in 1575. See Kessler and Park 1988: 455.

[47] On the debate concerning Pereira's possible influence on Descartes, a subject which has generated considerable interest chiefly among Spanish scholars, see Sánchez-Vega 1954: 361-508; Bandrés and Llavona 1992: 164-7; and Barona 1994: 49-56.

coelo, and *Metaphysics*, but the core of the argument is centred on Aristotle's *De anima* and its treatment of the different kinds of soul, animal physiology, and problems of cognition specific to human beings. Pereira's discussion of metaphysical categories such as the universals grows out of his consideration of various faculties attributed to the intellective soul. *De anima*, the third book of which is paraphrased by Pereira in one of the appendices to the work, was one of the most important texts read in the late Renaissance university curriculum. Its popularity in the arts course was largely due to the wider applicability of some of the notions it analysed: the debate concerning the immortality of the soul was of obvious relevance for theologians; and there were many links between physiology and medicine.[48] This may go some way to explaining the subtitle of Pereira's *Antoniana Margarita, opus nempe physicis, medicis, ac theologis non minus utile, quam necessarium*, which emphasises the usefulness of the work to other professions and disciplines. Pereira himself was a doctor as well as being a natural philosopher, and the first known reply to his work was written by a theologian.

The title of the work, calling to mind Gregor Reisch's *Margarita philosophica*, a philosophical textbook dealing with the division of the souls and faculty psychology (among other subjects),[49] is an amalgam of the Christian names of the author's parents. Pereira confesses to having initially envisaged a different title for his work:

Non parum anceps ac haesitabundus per aliquot dies fui, quam iis nostris lucubrationibus inscriptionem imponerem, cum scribendi modum hunc nostrum inusitatum ab omnibus censendum existimarem. Si enim paradoxon inscriberem, etiam si non esset ab re, superbum commentariis nostris indidisse nomen mihi

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[48] For a discussion of the relation of *De anima* to these disciplines, see Kessler and Park 1988: 457.

[49] Reisch's *Margarita*, a synthesis of Aristotelian natural philosophy, neo-Platonism and Galenic medicine, was written at the end of the fifteenth century, printed several times in the following century, and translated into French and Italian. See Kessler and Park 1988: 465-68.

videbar. Si aliud quodvis, minus operi convenire, nec quadrare putebam. Quas ut fugerem ambiguitates, ex paterno ac materno nominibus operis titulum conficere decrevi. Cumque meus pater Antonius, et Margarita mater, dum viverent, appellarentur, Antonianam Margaritam Commentaria nostra nominari; ut decreveram, execuutus sum.[50]

Although to call his work a paradox seemed not inappropriate ('non esset ab re') given how unusual ('inusitatum') this manner of writing would be deemed by all, after many hesitations he decided to steer clear of such a title for fear that it would appear arrogant. The *Antoniana Margarita* is thus a paradox disguised by a less contentious name. While accusations of insolence and seeking undue glory or publicity were frequently levelled against authors of paradoxes, such as Alciato or Fuchs, sometimes precisely because they used the word paradox in their titles, Pereira is to my knowledge unique in explaining his decision *not* to entitle his work a 'paradox'. The author's intentions are further spelled out in a preface to the *Antoniana Margarita* ('Ad lectorem scopus authoris in conficiendo opere'), and in the letter to the reader introducing his apology. He begins the preface by saying that his advanced age exculpates him from any accusation of seeking glory by taking on a difficult task, as a rash adolescent might do. Like many writers of paradoxes, he claims to be guided solely by the pursuit of truth, which must be tracked and hunted down. Pereira here uses the metaphor of the hunt, commonly associated with discovery and the quest for truth in the Renaissance.[51] When investigating medical matters, his ideas are supported by reason and experience rather than the authority of the ancients. This methodological stance is also evident in the title of Pereira's anti-Galenic treatise on fevers, *Novae veraeque medicinae, experimentis et evidentibus rationibus comprobatae*

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[50] Pereira 1554: 4 ('De ratione inscriptionis operis huius').

[51] '[M]ecum ipse ratus, si ubi tantum coniectura quadam, et citra demonstrationem ullam veritas venanda est, a veritatis scopo non defecimus' (5v). On discovery conceived as a *venatio*, see Rossi 1970: 42 and Eamon 1994: 269.

of 1558. In the letter to the reader, he attacks those who think that his ideas, even if they are true, are not credible simply because they were unknown to the ancients. To this he objects that new things are revealed to us with time. Thus, no one suspected the existence of the West Indies sixty years ago and the so-called French disease was not mentioned in any ancient medical treatise (col. 1). Together with many of his contemporaries, Pereira sees in the recent geographical discoveries and appearance of new diseases a justification for questioning the assertions of the ancients and undermining their dogmas.[52]

The paradoxical character of Pereira's work did not escape the notice of his contemporaries. In the wake of its publication, Miguel a Palacios, professor of theology at the University of Salamanca, wrote a rather feeble refutation of some of Pereira's theses, significantly entitled *Obiectiones ... adversus nonnulla ex multiplicibus paradoxis Antonianae Margaritae*, which was appended to the *Antoniana Margarita* together with an apology by Pereira the year after. As in the case of medical controversies looked at in the previous chapter, the exchange between Pereira and Palacios is likened to a duel, and it is presented in bellicose terms.[53] In the preface to the *Obiectiones*, Palacios takes his opponent to task for criticising all ancient schools of philosophy, Aristotelians, Stoics, and Academics alike: 'Tu unus quasi novus Aristarchus,[54] quasi novus orbis censor, tui libri censoria virgula universa sapientum dogmata explodenda censes: et quod sacra antiquitas nescit, te reperisse gloriaris' (1v). Thus Palacios considers Pereira guilty of temerity and pride, which is precisely what the latter sought to avoid by refraining from

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[52] On this subject, see Eamon 1994: 272.

[53] Pereira speaks of 'duellum hoc' at the end of his address to Palacios (*Apologia*, fol. 6v), while the metaphor of war runs throughout the preface to Palacios's work.

[54] Aristarchus, a distinguished critic from Alexandria, who thought many of Homer's verses were spurious, stands for any severe critic. See the entry on 'Aristarchus's in the *Latin Dictionary*.

calling his work a 'paradox'.[55] He further accuses him of wanting to immortalize his name through his 'monstrous' philosophy, much like Parmenides, Melissus, Zeno and Heraclides before him, who 'portentorum suorum famam aeternam retulerunt' (1v). These philosophers, belonging to minor sects and often criticized by Aristotle, were at the time associated not so much with paradox as with empty ingenuity and falsehood.[56] As in the theological realm, paradox is here associated with monstrosity, the negative face of wonder. In the *Apologia*, Pereira adamantly denies Palacios's suggestion that he wished to emulate Parmenides, Melissus or Zeno, whose falsehoods he denounced in the past. If he strove to imitate anyone, it was rather Hercules, Perseus, Bellophon and all vindicators of oppressed truth. Just as the first liberated the world from monsters, so he is trying to free present and future natural philosophers from false dogmas. Similarly, Bellophon's and Perseus's exploits are used as similes for Pereira's ridding the world of fictive chimeras such as universals, acts of the soul distinct from the soul itself, intelligible species, and sentient animals. Far from being a new Aristarchus and despising the Stoics, Academics or the Peripatetic sect, as Palacios had suggested, he simply disagrees with some of their dogmas, compelled in doing so by reason and experience (6-6v). Although he borrows Palacios's imagery, the monsters in his eyes are the false dogmas that the paradoxist sets out to refute, rather than the paradox itself.

Palacios singles out in his *Obiectiones* five among the many paradoxes contained in the *Antoniana Margarita*. The first, to his mind the most monstrous ('maxime omnium

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[55] 'Durissimam tibi coepisti provinciam: gloriosam tamen (superbam dicet alius) verum si labor tuus fortunate tibi cesserit' (1v).

[56] What we think of as Zeno's paradoxes, for instance, were referred to as 'insolubilia' in the Middle Ages and the Renaissance. See Spade 1982: 246-53.

portentosum'), is the claim that animals lack sensory experience ('bruta carere sensu'). Of all the new theories put forward in the treatise, this is by far the most controversial, and, largely because of its affinity with Descartes's conception of *animaux machines*, one destined to arouse the greatest interest and controversy.[57] Pereira's position may briefly be summarized as follows: since sensation necessarily implies judgment and cognition, to endow animals with sensitivity would amount to attributing to them intelligence and the capacity to reason. But Pereira sees cognitive processes as what distinguishes man from animals, and he operates a clear distinction between the rational/spiritual and the material realms. He therefore devises an alternative theory explaining animal behaviour in purely mechanistic terms.[58] Significant, for a study of paradox, is Pereira's insistence on the originality of his undertaking: 'audebo de his diserere, quae nullus ante nos nec scriptis nec verbis protulit' (col. 3). The views put forward in the *Antoniana Margarita* are bold and innovative, despite the traditional scholastic format of the treatise.[59] Pereira begins with possible objections to his views, answers them and then sets out fully his own position. Thus, the *doxa* is the starting point of the discussion: it seems so evident to both the learned and the vulgar that animals and man have in common a sensitive faculty that no one questions it, any more than one would question the assertion that 'every whole is greater than its part'. Pereira will not

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[57] Although Descartes firmly denied ever having read the *Antoniana Margarita* in a letter to Mersenne, he may have come across Pereira's ideas in the works of Francisco Vallés or of the Jesuit Francisco Suárez, who both discussed at length Pereira's views on the soul of animals. Pereira's name is mentioned in the same breath as that of Descartes in Bayle's *Dictionnaire historique et critique*, the *Encyclopédie*, and Voltaire's *Dictionnaire philosophique* in connection with animal automatism. See Bandrés and Llavona 1992: 164-7; and Barona 1994: 55-7.

[58] Pereira 1554: col. 1-66.

[59] See Lonie 1981: 39-41.

attempt to persuade by demonstration *physicorum vulgus*, since the beliefs of such men are grounded in faith rather than in knowledge (col. 1); they are impervious to any reasoned arguments. He later specifies that Aristotle's authority should not be appealed to in matters 'quae speculationi, et non fidei attinent', especially given that the obscurity of the Philosopher's claims means that they can be used in support of both sides of an argument ('in utramvis partem').[60] Pereira carefully distinguishes between arguments valid respectively in the philosophical and theological realms. While in theology arguments based solely on authority and faith are acceptable, in philosophical disputations reason must be the chief ground of discussion. It is reason which forces him to conclude that if animals were our equals in sensitivity, there would be nothing properly human which would not also be common to animals (col. 4-6).

In his reply, Palacios objects to Pereira's thesis precisely because he perceives it to be too theoretical and opposed to our daily experience of animal sense perception. He briefly rehearses the received view – inherited from the Galenic-Aristotelian tradition – about the 'ladder of nature' and the place of animals on it, more noble than inanimate beings and plants, because endowed with the capacity of motion and sensation, but inferior to humans whose capacity to reason they do not have.[61] By contrast with Pereira, who posited a strict link between sense and intellect, Palacios considers that animals have the power to apprehend without the ability to judge. He believes that Pereira's thesis, at best true only as regards internal senses, such as cogitation or common sense, is manifestly wrong when it comes to the external senses of vision, hearing, smell, taste and

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[60] On the obscurity of Aristotle's philosophy, frequently criticized by his detractors, see Schmitt 1965.

[61] On this subject, see Lovejoy 1936 and Harvey 1975: 3.

touch.[62] What is more, Pereira's doctrine strikes him as being vulgar rather than philosophical, for it is the vulgar who think that animals lack sensitivity. This is because they are unable to distinguish between sense and intellect, just as some *prisci philosophi* confused these two faculties and equated sense with the intellect. It is for this reason that Aristotle criticized Empedocles, Democritus and Parmenides in the first book of *De anima* and in the fourth book of *Metaphysics*. And yet Pereira sees fit to resurrect these theories from their ashes ('horum cineres iam diu combustos, et oblitos, in orbem nostrum excitas'), proving Aristotle's remark about the cyclical nature and the infinite recurrence of opinions to be true (3). This remark is also summoned by Teofilo in Bruno's *La cena*. Like Teofilo, Palacios uses it to comment on the eternal cycle of ideas; but, contrary to Teofilo, he does not see in *prisca philosophia* the fount of all knowledge. Palacios ends his refutation of the paradox by alluding to Averroes's claim that of all the different philosophical schools, the Peripatetic one is the safest to follow: whoever strays from its path faces great danger.[63] Despite the widespread criticism of scholastic thought by innovative thinkers in the late Renaissance, Aristotle's authority remains unshaken in the eyes of more traditional thinkers such as Palacios. Arguments *ab auctoritate* still hold sway with them, in natural philosophy as in other domains, and Peripatetic thought is deemed superior to any alternative philosophical trend.

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[62] 'Verum argumentorum tuorum pondus, quo nostram philosophiam premere contendis, plus revellit sensum interiorem, quam exteriorem' (2).

[63] 'Propterea scite admodum dixit commentator, inter varias philosophorum vias, quae minori periculo laborat, est via peripatetica: haec si displicuerit, in alias divertens, magnis periculis se dabit' (3v).

4. Sceptical anti-Aristotelianism and the *libertas philosophandi*

Among the new or recently revived opinions used to challenge the Aristotelian system of natural philosophy in the late Renaissance, Academic and Pyrrhonian sceptical arguments held pride of place.[64] These were known chiefly through Cicero's *Academica*, Diogenes Laertius's *Life of Pyrrho*, and Sextus Empiricus's *Hypotyposes*, a work translated into Latin by Henri Estienne in 1562, a date generally considered to mark the revival of Pyrrhonian scepticism in the Renaissance. In the dedication to the humanist patron Henri de Mesmes, Estienne relates how an attack of quartan fever rekindled his interest in the writings of Sextus Empiricus.[65] While in good health, he found the arguments of the Pyrrhonian sect off-putting owing to their difficulty and paradoxical nature ('partim difficultate deterritus, partim *paradoxologian* pertaesus'). During his illness, however, he resumed the work he left off with renewed appetite and succeeded in completing his task. Just as sweet tastes appeared bitter to him when he was ill, the fever made him turn away from his favourite authors and seek precisely those doctrines for which he ordinarily felt some repugnance. Estienne wonders about the causes of this strange sympathy between quartan fever and sceptical ideas. The illness, which he tells us came about as a result of excessive study, led him to privilege those ways of thinking which constitute an antidote to the dogmatic and impious philosophy of his age.[66] The link made by Estienne between

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[64] Popkin's classic study of *The History of Scepticism from Erasmus to Spinoza* (1979) is still a useful reference work dealing with the revival of sceptical ideas in the early modern period. See also Popkin 1988: 679-84; Schmitt 1967 and 1972.

[65] Estienne 1562: 3. For an interpretation of Estienne's account of the genesis of his work, see Cave 1992: 199-202 and 1999: 31-35.

[66] Estienne 1562: 3-7.

paradox and scepticism, which – each in their own way – undermine and cast doubt on the validity of commonly accepted views and doctrines, reappears in other philosophical writings of the period. Whereas most paradoxes tend to be quite dogmatic in their assertions, firmly believing that their criticism of the *doxa* is well-founded, the form is increasingly associated with sceptical ideas and methods. The three examples to follow are drawn from roughly contemporaneous works written at the very end of our period, a time at which the boundaries between the paradoxical and other modes of thought, such as scepticism or *in utramque partem* debates, become increasingly blurred.

The first features in a vernacular work, the 'Essay sceptique', which appeared in Paris as part of *Les Diversitez de Messire Jean Pierre Camus Evesque et Seigneur de Belley* in 1620. As Camus explains in the dedication, the *Essay* is a work of youth written under the sway of Sextus Empiricus, whose influence initially prompted him to consider 'ce probleme bizarre de l'opinion, de la verité, de l'indifference'.[67] The work consists of three unequal parts which proceed to establish – in what calls to mind the dialectical pattern of thesis, antithesis, and synthesis – that all our beliefs are false (204-352), then that they are all true (352-79), leading in a final part to the affirmation of sceptical indifference (379-92). Camus begins by arguing for what is explicitly stated to be a paradox: 'que nous jugeons de tout plus par opinion que par verité, j'entends plus ambiguement et douteusement, que distinctement; et avec plus de vraysemblance que d'assurance et certitude' (204). He offers a striking definition of 'paradoxe' in relation to this proposition: 'N'est-ce pas cela d'abord *renverser la cervelle de chacun*, de dire que tout consiste plus en opinion, qu'en verité?' (204; my italics). The image of the double-

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[67] Camus 1620: 201.

faced Janus illustrates for Camus the diversity of contrary opinions, in which he sees the chief cause for the proliferation of paradoxes in his age:

> Epictete nous enseigne que toutes choses ont deux anses, c'est à dire se peuvent prendre en deux sens: seroit-ce point à l'aventure ce que nous vouloit enseigner l'antiquité par le double visage de son Janus? Car à vrai dire, y a-il chose au monde qui ne puisse estre prise en deux, voire cent non seulement diverses, mais aussi contraires façons? Il n'est rien qui ne se puisse soustenir en l'une et en l'autre part: de là tant de paradoxes ou discours soutenus contre l'opinion commune. (205)

To prove that all our judgements are grounded in opinion rather than in truth, Camus first casts doubt over the validity of our senses and of our understanding, making use of well-tested sceptical arguments, some of which are inspired by Montaigne's *Apologie*. This leads to a general condemnation of all arts and sciences, in the spirit of Agrippa von Nettesheim's *De incertitudine et vanitate scientiarum atque artium declamatio* (1526), beginning with the three higher faculties of theology, law and medicine, and moving on to the various branches of philosophy and the liberal arts. The proof of the initial paradoxical statement lends itself to an exposition of sceptical philosophy and its different schools, paving the way for the affirmation of sceptical indifference in the final part of the *Essay*.[68] A parallel is drawn at various points between paradox with its inherent notion of contrariness and Academic scepticism which makes it a point to 'contredire à tout, et de renverser la raison et les sens par contraires raisons plausibles et apparentes' (235-6). In the final paragraph of his work, Camus explicitly assimilates the three parts of his essay (the paradoxical thesis, its refutation, and the affirmation of sceptical indifference) with what he considers to be the three main philosophical schools (the Academic, the dogmatic and the Pyrrhonian).

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[68] Camus 1620: 235-6, 354 and 392.

Sceptical thought, specifically aimed at dogmatic Aristotelianism, is likewise the inspiration behind Pierre Gassendi's *Exercitationes paradoxicae adversus Aristoteleos, in quibus praecipua totius peripateticae doctrinae atque dialecticae fundamenta excutiuntur, opiniones vero aut novae, aut ex veteribus obsoletae, stabiliuntur*, first published in 1624. Only the first two books were ever published, the second one in the enlarged edition of 1649, but the summary of the projected work indicates that natural philosophy was to have a prominent place in it, since three of the seven sections initially planned were to deal with different parts of physics. In book four, for instance, Gassendi intended to demonstrate that the sun and the stars are stationary, while the earth moves like the rest of the planets. In book five, he proposed to restore reason to animals and abolish the distinction between understanding and imagination.[69] One in a long line of anti-Aristotelian polemical writings, Gassendi's work grew out of a series of lectures on Aristotelian philosophy delivered in his youth at the academy of Aix. In the preface to the *Exercitationes*, Gassendi explains that his disillusionment with the universally-acclaimed peripatetic philosophy goes back to his formative years. The reading of Vives, Charron, Ramus and Gianfrancesco Pico della Mirandola fortified him in his rebellion against Aristotelianism and made him seek the opinions of other philosophical sects.[70] He was especially fond of the 'suspension of judgement' advocated by the Academics and Pyrrhonians (Gassendi appears to equate the two), whose philosophy confounds

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[69] See Gassendi 1959: 13-5. Gassendi briefly explains in the concluding words of his treatise that his discovery of a work by Patrizi, dealing with almost the same subject, led him not to complete his initial project (519). The work in question is entitled *Discussionum peripateticorum tomi IV, quibus Aristotelicae philosophiae universa historia atque dogmata cum veterum placitis collata eleganter et erudite declarantur* (1581).

[70] For the respective influence of Vives, Charron, Ramus and [Gianfrancesco] Pico della Mirandola on Gassendi's sceptical anti-Aristotelianism, see Brundell 1987: 15-29 and Pintard 1983: 477-84.

dogmatism and demonstrates the 'vanity and uncertainty of all human science' by attacking and then in turn defending all notions.[71] Gassendi presents his paradoxes as one side of an *in utramque partem* debate regarding the validity of Aristotle's doctrines. To fend off possible accusations of dogmatism, he justifies his decision not to publish the arguments in favour of Aristotle by the fact that they are all too familiar as it is. These formed, however, an integral part of his lectures, in which he made sure that his listeners were adequately equipped to defend Aristotle's theses before presenting to them principles by which these theses were utterly destroyed (7-9). In proceeding in this manner, he believes to be closer in spirit to Aristotle's philosophy than some of his most zealous supporters, since, as Cicero testifies in *De oratore* (XIV, 46), 'Aristoteles adolescentes in thesi, non ad hunc morem philosophorum tenuiter disserendi: sed ad copiam rhetorum in utramque partem, ut ornatius et uberius dici posset, exercuit' (9).

The word *exercitatio* in the title aptly reflects, to Gassendi's mind, the scholarly and rhetorical nature of the exercise as well as the effort required, on the one hand, to free oneself of deep-seated habits and prejudices, and, on the other, to reconcile authority with new opinions or ancient ones that have been hitherto neglected. Gassendi's understanding of paradox, which he proceeds to explain, is not in itself unusual. He decided to entitle his *Exercitationes* 'paradoxicas, quod paradoxa contineant, seu opiniones praeter vulgi captum' (11). However, he assigns a specific meaning to the word *vulgus*:

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[71] This expression is an echo of the title of Agrippa's *De incertitudine et vanitate scientiarum declamatio invectiva* (1526). Agrippa himself drew on Gianfrancesco Pico's *Examen vanitatis doctrinae gentium, et veritatis christianae disciplinae* of 1520, targeting Aristotelian philosophy in particular. On this subject, see Schmitt 1967.

Quanquam vulgus hic intelligo non plebeiorum hominum (quid enim Asino cum lyra?) sed Philosophorum communium, quibus ingenium est ita vulgare, ut vulgi instar Barbariem inclament quicquid praeconceptis semel opinionibus adversatur. (13)

Gassendi makes clear that the common opinion that he opposes is not that of the vulgar or unlearned man – and he uses a colourful image to show that this would be absurd – but of the common run of philosophers unwilling even to consider anything foreign to their own way of thinking. He has in mind the Peripatetic school, which of all philosophical sects is the most dogmatic and attached to its preconceived notions. Hence his decision to entitle his work 'adversus Aristoteleos': it is not so much Aristotle as the Aristotelians who are the object of his criticism. Gassendi claims to have always held Aristotle in high esteem. What he objects to are ideas which Aristotelians try to pass off as those of their master, clearly opposed to his doctrines and too trivial to be worthy of him (13). And yet, despite the satirical nature of the work, Gassendi does not attack anyone in particular within the peripatetic school. The link that he makes between the genre of paradox and satire is in itself striking: 'Quod stylus porro videri possit interdum paulo mordacior: materies sane id exigit. Hac enim praecipue in parte difficile est satyram non scribere' (17). What Gassendi appears to be suggesting here is that the subject-matter of a paradox calls for a caustic manner of expression. As is the case with many paradoxes, the *Exercitationes paradoxicae* is a work of youth, and this may partly account for its iconoclastic nature and its particular attraction for sceptical doctrines. Pyrrhonian and Academic scepticism in their mitigated form here become a means for undermining dogmatic Aristotelianism

and vindicating the 'freedom to philosophise', a theme to which much of the first book of the *Exercitationes* is devoted.[72]

The Latin phrase *libertas philosophandi*, associated with Descartes and present in the subtitle of Spinoza's *Tractatus theologico-politicus* (1670), becomes part of common usage around the middle of the seventeenth century. Whereas this phrase later comes to embody philosophical freedom at large, and in particular in metaphysical and speculative matters, its earliest uses at the end of the sixteenth and in the early decades of the seventeenth century occur in the context of natural philosophy. The tentative formulation of this concept is linked in the writings of Bruno, Galileo and Campanella (whose *Apologia pro Galileo* of 1622 is among the first works to feature the actual expression *libertas philosophandi*) to an anti-authoritarian stance and a rejection of Aristotelian natural philosophy.[73] This attitude informs the *Philosophia libera duplici exercitationum decade proposita: in qua paradoxa quaedam ad exercenda iuvenum ingenia adversus vulgares huius temporis philosophos suscipiuntur, validisque rationibus confirmantur*, first published in Frankfurt in 1621 and then in Oxford in 1622, under the name 'N. C. Cosmopolitanus'. This little-known work by the English Calvinist divine Nathanael Carpenter, whom Marin Mersenne criticizes in *La Verité des sciences* (1625) for being among the rash *novatores* of the age, may have influenced Gassendi's *Exercitationes paradoxicae* at least as regards its presentation.[74] In addition to their appeal to philosophical freedom and certain thematic similarities, both works are divided into

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[72] Book II, *exercitatio* 6 ('Quod nulla sit scientia, et maxime Aristotelea') contains an exposition of sceptical thought. *Exercitatio* 2 of book I argues that Aristotelians have relinquished the right freely to philosophise ('Quod immerito Aristotelei libertatem sibi philosophandi ademerint').

[73] For a history of the expression 'libertas philosophandi' and its antecedents, see Stewart 1994: 34-8 and Sutton 1953.

[74] Blair 1997: 90 and Stewart 1994: 36.

paradoxical *exercitationes* designed to train young people to counter the arguments of *vulgares philosophos*. Carpenter's two books of *exercitationes* deal with a variety of philosophical topics, most of which are explicitly aimed at Aristotelian views recognised as being the common opinion of philosophers.[75] Alsted, in his division of paradoxes into 'simplicia' and 'mixta', sees in Carpenter's *Philosophia libera* an instance of an interdisciplinary collection of paradoxes. He lists the titles of all twenty paradoxical *exercitationes* in one of the sections of his 'Paradoxologia', under the heading 'Paradoxa dantur in omni disciplinarum genere'.[76]

While Carpenter's eclectic collection contains some paradoxes dealing with the arts subjects, such as 'Logica pugno, rhetorica palmae, non recte a Zenone comparatur' (I, 9), and a theological paradox maintaining that 'Transsubstantiatio est impossibilis' (II, 2), most of them are devoted to philosophical questions. Natural philosophy is well represented, with assertions such as 'Cometa non est meteorum ignitum' (I, 7) and 'Variatio pixidis nauticae oritur tantum ex magnetica telluris natura' (II, 9) testifying to the author's interest in intellectual debates current at the beginning of the seventeenth century. While Carpenter does not explicitly refer to any sceptical ideas, his work is preceded by way of an introduction with a 'Paradoxon, ignorantem docto praeferendum esse', purporting to demonstrate the vanity of all human science and that it is better to know nothing, in imitation of Agrippa's *De incertitudine et vanitate*. Echoes of Agrippa's work are found in the sceptical prefaces of Estienne, Camus and Gassendi. That it is

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[75] M. A. Stewart describes the *Philosophia libera* as 'a work of anti-Aristotelian cosmology' (Stewart 1994: 36).

[76] Alsted divides paradoxes into 'simplicia', ones devoted to a specific discipline, such as medicine, law or theology, and 'mixta', which combine all sorts of disciplines. See section 1.1.

preferable to be foolish rather than wise is also a stock theme of mock encomia. Agrippa's *declamatio*, a genre by definition both serious and playful, appears in French translations with the title *Paradoxe sur l'incertitude, vanité et abus des sciences* from 1603 onwards. Through the influence of the vernacular, the distinction between paradox and the mock encomium is gradually eroded in the course of the sixteenth century. Carpenter's *Philosophia libera*, where the two genres appear side by side, reflects this evolution. By the time Alsted's 'Paradoxologia' was published, in 1630, paradox has come to be assimilated not only to mock encomia, but also to arguments *pro* and *contra*, declamations, scholarly exercises and sceptical reasoning. The term, extended beyond its original bounds, has all but lost its specificity.

A paradox is by definition a view which in some way contradicts common or received opinion. In philosophy, the *doxa* has decidedly negative connotations, reaching back to Plato, who opposes it to scientific knowledge and to truth. More often than not, it is referred to as the 'vulgar' rather than the 'common' opinion. The fact that it is not merely the opinion of vulgar men but that of vulgar thinkers or philosophers which is called into question reflects the specialized nature of philosophical discourse. At the same time, it is a discourse which is at once familiar and relevant to other professions and disciplines. The structure of university curricula ensured that the training for the higher faculties of theology, medicine and law began with the arts course of which philosophy formed an integral part. Specific areas of philosophy had a stronger affiliation with some disciplines than with others. Natural philosophy, as we have seen, was closely linked to the study of medicine, but many of its concerns were also within the province of theology. It is

therefore hardly surprising that so many of the philosophical paradoxes considered in this chapter were either written by or for members of other professions. In what sense, then, do paradoxes in natural philosophy differ from those in the other disciplines? What, if anything, is particular about them?

To answer this question, we must turn to the relative weight accorded to authority, reason and experience in natural philosophical paradoxes. By contrast with traditional or dogmatic philosophy, characterized by its excessive reliance on arguments from authority, paradoxes in natural philosophy are increasingly grounded in reason and 'experience', a notion which encompasses anything from common knowledge to direct observation. And yet authority is not simply discarded by authors of natural philosophical paradoxes. To challenge the dogmas of the Aristotelians, the dominant school of natural philosophy, writers of paradoxes often have recourse to Plato, the Pythagoreans and pre-Socratic thinkers whose doctrines lend support to their own views. Neither is the relationship of paradox with reason and experience altogether straightforward. A paradoxical claim in natural philosophy is initially bound to appear both absurd and counter-intuitive, that is to say out of harmony with reason and experience. The task of the writer of paradoxes is precisely to demonstrate that his theory is consonant with reason whereas that of his opponents is absurd, and that experience proves our ordinary perceptions to be false. Their apparent absurdity and their tendency towards counter-intuitive claims are some of the distinguishing features of paradoxes in the sphere of natural philosophy.

CONCLUSION

'Qu'est-ce le paradoxe?' reads a chapter-heading of Frédéric Loliée's *Le Paradoxe: essai sur les excentricités de l'esprit humain dans tous les siècles*, a short work which appeared in Paris in 1888. Loliée's reply to this question begins with a remark on the discrepancy between the seemingly straightforward meaning of the word 'paradox' and the complex and elusive nature of what it stands for:

> Ouvrez une encyclopédie, un traité de philosophie, un dictionnaire raisonné, moral ou didactique, partout vous recueillerez la même et unique réponse: c'est une proposition contraire à l'opinion commune, qu'elle soit ou ne soit pas vraie. En apparence rien de plus simple; au fond rien de plus complexe et de plus indéfini. Un seul mot pour exprimer à la fois les grandes audaces de l'esprit divinateur, les découvertes avancées, les vues prime-sautières, ou les idées phénomènes, les folles exagérations, les maximes insoutenables, les assertions fantastiques et l'éternel sophisme, l'universelle erreur! Ce mot-là c'est un monde.[1]

By the time he comes to write the *Essai*, the etymology alone no longer provides an adequate answer to the question 'Qu'est-ce que le paradoxe?', and Loliée struggles to see how the simple definition of the word can possibly account for the manifold expressions of the paradoxical spirit. Written at the end of the nineteenth century, the *Essai* is poised at a moment in time when the word still retained some of its Renaissance associations, whilst gesturing towards its modern-day meaning. Loliée thus distinguishes between paradoxes that are merely new ways of expressing something already established, in keeping with Pierre de Saint-Julien's definition of paradox of 1588 as 'des propositions vraies et qui neantmoins causent esbahissement',[2] and paradoxes that strive to demonstrate a sound principle by means of apparently contradictory or irreconcilable

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[1] Loliée 1888: 14-5.

[2] See the end of section 1.4.

arguments, a meaning only beginning to emerge in the late Renaissance. Cesare Beccaria's controversial and counter-intuitive claim that in order to diminish the number of crimes one has to make punishments less severe serves as illustration of this last category (15). Similarly, in his characterization of paradox, the author makes use of terms and concepts which were not yet available in the Renaissance. Paradox is associated throughout Loliée's study with concepts such as 'originality', 'eccentricity', 'genius', and attention is often drawn to its 'baroque' or 'fantastic' features. For someone coming to paradox from the Renaissance, this has a somewhat estranging effect.

Immediately striking is the scope of Loliée's undertaking. The sub-title itself, 'Essai sur les excentricités de l'esprit humain *dans tous les siècles*', reveals the ambitions of the study. By way of an introduction, Loliée further evokes 'les terrains vagues d'un pays sans limites, le plus curieux du monde à parcourir, qui se nomme PARADOXE' (3). He insists throughout the essay on the variety of manifestations and the universal nature of the paradoxical spirit, of which there are instances in ancient and modern times alike and among all nations and civilisations.[3] Despite the interest of some of his remarks, Loliée's conception of paradox is so all-encompassing as to lose all meaning. The author moves swiftly from a consideration of defences of the indefensible in the classical tradition of epideictic oratory, to that of groundbreaking discoveries and of idiosyncratic philosophical systems from across the ages. If figures such as Montaigne, Machiavelli, Copernicus, Lando, and other less well-known sixteenth-century authors are invoked by

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[3] 'Dans les temps anciens comme dans les temps modernes, sans distinctions de peuple, de littérature, de civilisation, et par l'effet de causes très différentes: abus de logique, passion excessive de la singularité, dérèglement d'esprit, bassesse de caractère, on a vu les doctrines et les actes les plus contraires non seulement à la raison commune, mais encore aux lois fondamentales de la justice et de l'humanité, rencontrer d'habiles défenseurs et de complaisants théoriciens' (5-6).

Loliée in the course of his essay, the Renaissance as such, characterised by the author as a 'période originale et confuse' (96), occupies merely two pages in the *tableau* of human eccentricity that makes up the final sections of the study. It is a fleeting moment in the history of paradox, one sufficiently removed from the author's own vantage point not to deserve any special mention.

An eclectic attitude to paradox, one which fuses a variety of types and meanings of paradox from different periods, has also characterised studies of Renaissance paradox since Loliée, particularly in the wake of Rosalie Colie's influential work on the subject. To confine paradoxes to any specific sense is seen as tantamount to ignoring the richness and variety of meanings available to Renaissance writers and readers of paradoxes. Yet such a broad-ranging and unrestricted approach to paradox runs the risk of concentrating excessively on what this term has come to evoke, instead of trying to understand what paradoxes were to Renaissance thinkers. Renaissance paradoxes are to my mind complex enough to disentangle, even without the interference of layers of meaning added in later ages. My own more restricted understanding of paradox in the period is based almost entirely on definitions present in titles and prefaces of Renaissance works described as paradoxes, and in various contemporary dictionaries analysed in the first chapter of this thesis. These definitions invariably draw on the etymology of the word on the one hand, and point to its association with wonder on the other hand, exemplified by Cicero's description of paradoxes as 'admirabilia contraque opinionem omnium' in the *Paradoxa Stoicorum*. While 'admirabilia' in Cicero's formulation represents the surprising content of paradoxes, the words 'contraque opinionem omnium' suggest that they are a form of argument. Such an understanding of paradox has generated a rather different set of

concerns and problems from those usually addressed in studies devoted to the subject, where paradox is typically paired up with ambiguity, contradiction, irony, falsehood, logical inconsistencies and playfulness.

In contrast, my own study of Renaissance paradox has concerned itself first of all with the *doxa*, usually rendered as the common or received opinion, and the relationship that paradox entertains with it. Etymologically, paradox stands in opposition to or differs from the *doxa*, the endoxical opinion, and it is thus partly defined and conditioned by it. Whereas most paradoxes give a brief summary of the opinion they choose to correct or undermine, others assume a familiarity with the received views concerning a given matter on the part of their targeted audience. It is therefore important to have some knowledge of the intellectual background of each topic subjected to a paradoxical treatment, so as to understand where the paradox lies in statements which may not strike the modern reader as paradoxical at all, such as Fuchs's contention that aloe mixed with honey purges not less but rather more, despite the fact that Avicenna and Mesue claim the contrary.[4] I have paid attention to the nature of the common opinion under attack, and whether the term designates the opinion of all men or that of the *periti*, the experts in a specific field or sphere of knowledge. Many authors of learned paradoxes specify that they do not write with the common run of men in mind (as is implied by Cicero's *opinio omnium*), but that they target specifically the *opinio communis doctorum*. These opinions, though perceived to be inferior to certain and demonstrable knowledge, were regarded as probable because they were widely accepted by the highest of authorities.[5] If common opinion taken in this

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[4] 'Aloen melli commixtam non minus, imo plus purgare, contra Avicennae et Mesues erroneam sententiam' (Fuchs 1546: 6v-8).

[5] On this subject, see Byrne 1968: 98-106.

sense commands respect, the term can also be derogatory, especially when equated with the opinion of the vulgar and contrasted with hidden truths available to few.

What is taken to be a paradox and what a common opinion is far from clear in the period chosen for this study. The two may be considered in constant dialogue with one another, paradox correcting and even substituting itself for the *doxa*, and sometimes in turn becoming a received opinion subject to further criticism. Fuchs's adamant rejection of Arabic medicine in the *Paradoxorum libri tres*, in keeping with the advanced medical opinion of his day, and his corresponding valorisation of Galen and Hippocrates, was to become the common opinion to be rejected by writers of paradoxes in a later age. Thus, to counter the opinions of men like Fuchs, Girolamo Cardano criticized Galen in *De subtilitate* and set about restoring Avicenna's reputation in his commentary on the *Canon*.[6] This serves to illustrate the shifting nature of *doxa* and paradox. All paradoxes were not, however, directed against the *doxa*, whether it be ancient, medieval or neoteric. Some put forward novel and hitherto unheard of views which did not challenge any preconceived notions. This was especially true of those developing areas of investigation, mainly in natural history and philosophy, where there was as yet no established body of opinion to contradict. Paradoxes in this sense are closer to *admirabilia*, wonders or surprising facts, in Cicero's characterization of paradox. The association between paradox and wonder, in essence a positive notion which can acquire pejorative connotations and veer towards strangeness or monstrosity, resurfaces at various points in this study. Wonder, the initial reaction that paradoxes elicit from their audiences, is a

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[6] Siraisi 1999: 359.

function of the novelty and unsettling nature of the paradoxical statement, which may but need not be the result of contradicting the *doxa*.

Beneath the great variety of its forms and themes, a paradox is commonly made up of a surprising statement which runs counter to common opinion (the title of the paradox) and of an argument in support of the initial statement designed to make it acceptable (the body of the paradox). This pattern is discernible both in works dealing with a single subject-matter and in collections of usually brief paradoxes, divided into books, decades or *giornate*.[7] The body of the paradox itself consists in an elaborate argument supported at times by *exempla* illustrating the different points in the proof. The range of arguments deployed against the *doxa* are invariably based on either authority (different from the commonly accepted one), reason or 'experience'. The latter was broadly construed in the period to mean anything from direct observation, ordinary experience to hearsay or what a certain author has to say on a given subject. The decision to draw on one or a combination of these types of argument largely depends on the discipline to which a paradoxical work belongs. In theology, the authoritative views of the pontificate and of the Church Councils, ultimately based on revelation, are seen as sufficient proofs by some, while others ground their paradoxical claims in the authority of the Scriptures. While in law the opinions of ancient jurists continue to form the basis of legal science in the period, in medicine and in natural philosophy arguments based on authority alone are gradually discarded in favour of those grounded in reason and experience.

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[7] Alciato's *Paradoxorum libri vi* is divided into books, Joubert's *Paradoxorum decas prima atque altera* was originally meant to comprise ten books of ten paradoxes each, and Silvestro Facio's *Paradossi della pestilenza* is a dialogue which spans a period of seven days or *giornate*.

Paradoxes, as they are envisaged in this thesis, are above all a form of writing and of argument, distinct from the paradoxical or mock encomium to which it is frequently assimilated by critics. That these two genres were seen as separate in the Renaissance is evidenced by at least two contemporary accounts. Both Pierre Tolet, in his *Paradoxe de la faculté du vinaigre* (1549), and Pierre de Saint-Julien, in the preface to the *Meslanges historiques et recueils de diverses matieres pour la plupart Paradoxalles, et neantmoins vrayes* (1588), carefully distinguish between Lando's paradoxical output, where ingenious arguments are deployed to defend views that are manifestly false, and learned paradoxes whose chief aim it is to get at the truth.[8] The fact that both these works are in the vernacular is in itself striking. Whereas authors of Latin paradoxes need not have feared lest their paradoxes be confused with rhetorical displays akin to Lando's *Paradossi*, and therefore not be taken seriously, learned vernacular works were not immune from such a threat. This is because from the middle of the sixteenth century onwards, partly as a result of the popularity and great diffusion of Lando's collection, paradoxes in the vernacular progressively came to be assimilated with mock encomia of the Lucianic type. As early as 1545, two years after the publication in Lyon of Lando's *Paradossi*, the third of which argues that 'Meglio è d'esser ignorante che dotto', there appears in an edition by Jean de Tournes a *Paradoxe contre les lettres* by someone writing under the pseudonym of Opsimathes.[9] Other paradoxical eulogies, of madness, knowledge, war, love, women, and baldness, which appear in its wake, are also called or

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[8] For a discussion of this, see sections 1.4 and 4.4.

[9] In a suggestive article on the subject, which includes an edition of this short work, Michèle Clément draws a parallel between the anonymous author of the *Paradoxe contre les lettres* and Maurice Scève. See Clément 2003: 97-124.

translated as 'paradoxes'.[10] The blurring of generic boundaries is complete by the mid-seventeenth century, as reflected by titles such as *Paradoxes or Encomions in the Praise of Being Lowsey, Treachery, Nothing, Beggery, the French Pox, Blindnesse, the Emperor Nero, Madness*, a collection of mock encomia which appears under the initials 'S. S.' in London in 1653.

What does the word *paradox* stand for in the title of a Renaissance work? It refers to one of several types of writing or oral practice. Paradoxes can be academic treatises destined for an audience of specialists, school exercises or statements to be expounded by students in a university examination, courtly entertainments designed for the educated lay public, or mock encomia which, though erudite, deal with topics of wider appeal and are written with a more popular audience in mind. While most works studied in this thesis belong to the first category, I have attempted to contrast scholarly writings, which lend themselves easily to a division according to discipline, with the other kinds of paradox. The milieu within which paradoxes were produced and the audiences for which they were destined determined the choice of form and of language. Those paradoxes which appear within academic circles tend to be treatises, a form which allows for clarity of exposition, written for the most part in Latin. Some are epistles addressed to either colleagues or students, whilst others can take the form of a *quaestio*, traditionally used in academic debates.[11] Paradoxes used as set questions in university examinations present themselves as mere statements which would have been borne out by arguments in the course of a

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[10] See, for instance, James Sandford's translation from the French of *The Mirror of Madnes. Or a Paradox Maintayning Madnes to Be Most Excellent* (1576); Abraham Fleming's translation of Synesius's famous eulogy of baldness, entitled *A Paradoxe, Proving by Reason and Example, that Baldnesse Is Much Better than Bushie Haire* (1579); and John Donne's *Problems and Paradoxes* (1633).

[11] Laurent Joubert's *Paradoxorum decas prima atque altera* (1566) and Felix Platter's *Quaestiones medicae paradoxae et endoxae* (1625) are respectively in the form of an epistle and of a *quaestio*.

public debate conducted usually in Latin.[12] Less dogmatic than a treatise, the dialogue and the oration would have appealed to humanist audiences, equally at ease in Latin and in the vernacular. Lastly, paradoxical encomia dealing with a learned topic espouse the conventions of epideictic oratory and tend to be composed in the vernacular.[13]

Most learned paradoxes were written in Latin, either in its scholastic or humanist inflections, at a time when Latin still retained its ascendancy in university and academic circles. Yet there are interesting exceptions to this in medicine and theology, some of which I have considered in this thesis, as well as in the practical disciplines, ethics and economics in particular.[14] In the sphere of medicine, paradoxes aimed at an audience of surgeons or apothecaries, and especially those dealing with practical medicine, the cure of diseases, pharmaceutical remedies, and anatomy, were generally written in the vernacular. French and Italian examples of such paradoxes are particularly numerous. There are also many instances of theological paradoxes in the vernacular, more often than not in German and Spanish. The use of German in theological paradoxes can sometimes be the result of a doctrinal stance in the polemic against the Roman Catholic church.[15] The vernacular is far more frequent, however, in the sub-genre of Christian paradox, grounded in the Scriptures and aimed at a popular lay public whose knowledge of Latin

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[12] For examples of these, see Riverius 1611, Pelissarius 1607, and Glorieri 1565.

[13] These final categories are illustrated by Silvestro Facio's *Paradossi della pestilenza*, which appeared in Genoa in 1584, and by Francesco Santagata's *Paradosso ... nel quale si prova che la Corina è vento salutifero e vitale; e la Borea nociva e mortale*, published in Urbino around 1600. Both these works reflect the preoccupations of the courtly milieu out of which they arose.

[14] For a study of *Les Paradoxes du Seigneur de Malestroit ... sur le faict des monnoyes* (1566) and of Bodin's influential reply to them, see Cave 2001:114-24 and Servet 1994. On Jean Bodin's ethical *Paradoxon* of 1596, translated into French by the author as *Paradoxe... qu'il n'y a pas une seule vertu en médiocrité, ny au milieu de deux vices* (1598), see Rose 1980.

[15] This is the case with François Lambert's paradoxical theses, debated both in German and in Latin. See section 2.1 above.

was limited. Christian paradoxes are in fact much closer in spirit to the mock encomium, characterised by its sets of binary opposites being praised or blamed, than the Latin doctrinal debates destined for an international audience of theologians. This lends further support to my contention that there is a divide in the period between the vernacular paradoxes aimed at the wider public whose understanding of paradox is likely to have been derived from Lando's collection, and the Latin paradoxes written for a learned audience who would have looked to Cicero rather than to Lando for a model of paradox.

My decision to focus in the first instance on learned paradoxes of the latter kind has led me to privilege in this study two comparatively neglected yet, to my mind, crucial functions of paradox, namely its didactic and polemical aims. A significant proportion of paradoxes considered in this thesis, irrespective of the discipline, have emerged from an academic milieu. Rhetorical paradoxes, as we have seen, were part of legal training at the Inns of Court in London.[16] To come up with suitable arguments to defend an apparently unjustifiable cause was considered as optimal preparation for litigation in the courtroom. In medicine, there are several extant collections of paradoxical statements that a medical student would have to argue for or against to obtain a degree. Printed at the student's expense, they constitute a written trace of what was doubtless a widespread oral practice. These paradoxes are not always serious, and they appear to be designed to test a student's knowledge and ability to argue rather than actually to challenge common opinion. There is some evidence that paradoxes were popular with students and members of the faculty alike. Andrea Alciato mentions in one of his works that law students at Bourges were drawn to his lectures by the subversive style and subject-matter of his *Paradoxorum ad*

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[16] On this subject, see section 3.4.

Pratum libri vi. Pierre Gassendi's *Exercitationes paradoxicae adversus Aristoteleos* were based on a series of lectures delivered at the university of Aix. Laurent Joubert was responsible for popularising the genre of paradox at the university of Montpellier. Many of the medical epistles in his *Paradoxorum decas prima atque altera* are addressed to former students and allude to discussions which took place in lecture rooms. How can we account for the immense popularity of the form within the academic circles?

The appeal of the form to students and forward-looking members of the learned community doubtless lay in its novelty and promise of controversy. Rediscovered in the humanist period, paradoxes were welcomed by those seeking a change from worn-out forms of argument inherited from scholasticism. The very decision to entitle a work *paradox* was bound to appear provocative, given the meaning of the word current at the time. Many writers of paradoxes begin by justifying themselves for choosing such a title and by warding off accusations of excessive pride. While some see their love of truth as a sufficient reason for debunking authoritative views, others claim that in making their paradoxes public they yielded to pressure from friends, students and colleagues. What is striking is the fact that many of the paradoxes examined in this thesis are works of youth. Men like Andrea Alciato, Leonhart Fuchs, and Pierre Gassendi begin their careers by writing paradoxes and, later in life, produce more measured and less openly defiant works. The success of paradoxes as a form is amply testified by the number of critical responses and counter-attacks that they elicited. The two anti-paradoxes written in response to Cicero's *Paradoxa Stoicorum* by Veit Amerbach and Marcantonio Maioragio set the tone for other critics of paradoxical works. Unlike Cicero, many of the authors of paradoxical works were still around to defend their stance in writing. This often resulted

in a spiral of exchanges between two or more correspondents arguing on each side of a given question.[17] Depending on the side one stood on, paradox could either take on a positive value, as an innovative opinion far removed from vulgar ways of thinking, or be used in a derogatory way and equated with error or heresy.

Paradoxes in the Renaissance were polemical tools used for expressing dissident thought in a number of sensitive areas, from theology to natural philosophy and politics, all subject to considerable scrutiny on the part of ecclesiastical authorities. Until the early decades of the seventeenth century, when the adjective 'heterodox' progressively comes to replace it in this function, the word 'paradox' stood in direct opposition to the notion of orthodoxy. It is tempting, therefore, to try to establish a connection between paradox and religious heterodoxy in the period. While works of a paradoxical stamp were printed in all sorts of places, depending on the nationality of the author, on the discipline to which his work belongs, and on the links between specific universities and printing centres, a significant number of paradoxes appeared in Lyon, Basle, Geneva and other centres of the Reformation.[18] Many authors of paradoxical works, not just those with a direct bearing on theological disputations, either held heterodox views or taught at newly established Reformed academies and other universities with known sympathies for the Reformation.[19] Yet paradoxes were written by Protestants and Catholics alike, and there is no evidence that the genre as such was targeted by censorship, in contrast to – for

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[17] For examples of this, see sections 2.2, 3.1 and 4.3.

[18] See Appendix.

[19] This is the case with Fuchs, who taught at the academy of Tübingen and whose opponents considered his paradoxes to be at once theologically and medically suspect; with Alciato, who, at the time when his *Paradoxorum ad Pratum libri vi* were written, came very close to espousing reformed views; and with Bodin, author of the *Paradoxon quod nec virtus ulla in mediocritate*, a work voicing unorthodox religious views under the pretext of criticising Aristotle's ethics.

instance – the *pasquillus* which openly derides ecclesiastical authorities. Paradoxes did not feature on indexes of prohibited books *qua* paradoxes; they only appeared there if their authors were deemed to hold heretical views.

Yet another temptation we must guard ourselves against is to see in paradoxes a manifestation of scepticism. Paradoxes reflect a general attitude of criticism vis à vis authority, whether it be religious, political or philosophical, and they certainly contribute to undermining and casting doubt on received views and accepted ways of thinking. The genre of paradox is sometimes – especially towards the end of the period – used for putting forward sceptical ideas. Most learned paradoxes, however, are dogmatic in their assertions and situate themselves firmly on one side of a question. Whereas Lando writes a fictional retraction that he appends to his collection of *Paradossi*, it is never the case that a paradoxical work in one of the higher disciplines is followed by a refutation written by the author himself. The emphasis on truth in their titles and prefatory remarks is one of the features which distinguishes learned paradoxes from mock or paradoxical encomia. If some authors present their arguments as merely possible alternatives to the prevailing view, the majority are convinced of the truth of their paradoxes, and they see themselves duty-bound to rid their field of erroneous beliefs hampering the progress of science. The virtues of innovation, the advancement of learning, and the notion of surpassing the ancients are stock themes in prefaces to paradoxical works. This by no means entails that all authors of paradoxes were original and forward-looking. Many paradoxes present as 'innovative' ideas current in their day or plagiarised from the works of others. The fact that the form was also used to put forward conservative and even reactionary ideas is

more striking still.[20] Paradoxes have a tendency to cross and recross borders between the orthodox and the heterodox.

Does paradox as a word and a mode of argument change in the century or so beginning around 1520 and ending with the publication of Alsted's 'Paradoxologia' in his *Encyclopaedia* of 1630, or does it remain static? If an evolution can be discerned in this period, it is that of a progressive emancipation from ancient models, of an extension into an ever-growing number of disciplines and subjects, and of a gradual contamination with neighbouring modes and genres. The early, humanist, paradoxes tend to be exegetical in essence. They draw largely on philological and historical methods to disqualify certain authorities and replace them with different ones. Medieval thinkers and their interpretations of ancient authorities are thus discarded and declared erroneous by physicians and jurists, such as Fuchs and (with some qualification) Alciato. This trend gives way, in the second half of the sixteenth century, to a more generalised and far-reaching criticism of all authorities, whether 'neoteric', ancient or medieval, with at times a rehabilitation of those thinkers who bore the brunt of humanist attacks. Whereas the aim of writing humanist paradoxes was mainly that of correcting errors and restoring ancient truths, paradoxes in a later period purport to establish new ones, thus reflecting the growing confidence of the age in its own achievements. Prevalent, to begin with, in the higher disciplines of theology, law, medicine, and in philosophy, they appear in an ever-increasing number of disciplines, from economics in the Bodin-Malestroit debate, history in Pierre de Saint-Julien's paradoxical treatise, to liberal arts in Mario Bettini's

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[20] Facio's *Paradossi della pestilenza* of 1584, for example, reacts against Fracastoro's innovative theory of contagion. On this subject, see section 4.2.

Apiarium of 1642, and chemistry in Boyle's *Skeptical Chymist or Chymico-Physical Doubts and Paradoxes* of 1661.

Despite the specific semantic and generic associations that paradox acquires in each of these spheres of intellectual activity, throughout the period the word retains its core-meaning of 'admirabilia contraque opinionem omnium', in Cicero's definition. From the mid-sixteenth century onwards, however, when Lando's *Paradossi* are made widely available through translation to a vernacular readership, the linguistic register of the word gradually undergoes a 'lowering'. The Ciceronian model of paradox, which appealed to academics in search of a polemical mode of writing, gives way in the vernacular to a Lucianic mixture of learned comedy and playful criticism, more likely to entertain a lay audience. Whereas from around 1520 to 1550 vernacular paradoxes were very rare, the final decades of the sixteenth century see a proliferation of works described as paradoxes in French, Italian, and English. The blurring of generic distinctions between paradox and the mock encomium that ensues has already been discussed. From the beginning of the seventeenth century and until the end of the period here considered, paradoxes are increasingly associated with other modes of thought, such as *in utramque partem* debates and sceptical reasoning, and they feature in collections side by side with *dubia*, *contradicentia*, and *problemata*, from which they are seldom distinguished by name.[21] The term by then frequently appears in conjunction with its antonyms or neighbours in expressions like 'orthodox paradoxes' or 'endoxical paradoxes', an attempt to revitalize a word which has grown perhaps too familiar and lost some of the semantic force it had when it was first introduced. At the end of this period, we witness the first

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[21] See Appendix.

instances of self-contained paradoxical statements, announcing the modern-day meaning of paradox with its underlying notion of internal inconsistency and self-contradiction.[22]

When and how does the word drift away from its etymological meaning and come to acquire the more diffuse sense that it has today? My study can give only a provisional answer to this question. To have answered it more fully I would have had to look well beyond the chronological limits set for this study, and to examine both the pre-history of paradox, those moments anticipating its advent in the early decades of the sixteenth century, and its afterlife. Paradoxes do not simply vanish, having performed their function in a century of spiritual and political unrest and outlived their purpose. They continue to infiltrate new fields and disciplines until about the end of the seventeenth century. As late as the eighteenth century, when there is a renewal of interest for the genre of paradox in some spheres, legal issues were still being debated using this form. Written sometime before 1769 but published only in 1830, Diderot's *Paradoxe sur le comédien* argues that, contrary to what is generally assumed, the greatest actors are those who are the least sensitive, those who are cold and lucid spectators of their own acting, calculating the effect of every tear and gesture on their audiences. In an age where 'sensibility' reigned supreme, such a thesis was bound to astonish and shock its readers. Diderot thus uses the word in its Renaissance meaning of a striking assertion that runs counter to common opinion. His work, moreover, may be said to belong to the genre of paradox, a form which by then had virtually ceased to be used in the vernacular.

This thesis has looked at paradox during the period of particular creativity that the form enjoyed from the 1520s onwards. A century and a half later, it has lost much of its

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[22] For examples of these, see 'The Masque of Mountebanks' performed at Gray's Inn in the 1618-19 revels and Ralph Venning's *Orthodox Paradoxes* of 1647, briefly discussed in sections 3.4 and 2.2 of the thesis.

vitality and ceased to pose a threat. Why do paradoxes rise to prominence when they do? Can the late Renaissance be considered, whatever Loliée may think, an age of paradox? Renaissance enthusiasm for classical literary forms fails to account for the immense popularity of this kind of writing, since not all classical genres were taken up with as much eagerness. Paradoxes provided a space for thinking differently, that is, outside the bounds of convention and authoritative opinion, at a time when these were increasingly being challenged and attacked. The sheer number of works featuring the word 'paradox' in their title is testimony to the increasing need for such a space in the period. It may even be argued that the genre of paradox, rather than being rediscovered, was a Renaissance creation. If Cicero's *Paradoxa Stoicorum* proved an influential model, it was a work unique in its kind in antiquity, and one firmly rooted in Stoic ethics. Renaissance thinkers adapted the form to their own purposes and used it in ways in which it had never been used before, or indeed since. The bewildering variety of problems and ideas debated in the form of paradox – some of crucial importance, others seemingly trivial and yet passionately defended – makes for the interest of studying this long-neglected mode of writing. My work brings together what I believe to be a representative sample of the different issues dealt with in the paradoxical writings of the period. But it has only begun exploring the *sylva paradoxorum* of which Alsted speaks at the end of 'Paradoxologia', where he invites his readers to collect paradoxes and order them up according to the divisions of an encyclopaedia.

APPENDIX

This table lists in chronological order all the paradoxes and responses to them alluded to above. All dates refer to the earliest edition that I have seen mentioned. Where a different but contemporary edition has been used, I have indicated its date in brackets after the title of the work.

1508 Tostado de Madrigal, *Aenigmatum sacrorum pentas, Alphonsi Tostati abulensis episcopi paradoxa: de Christi, matrisque eius misteriis, animarum receptaculis posthumis, iucundissimae diputationes*, Venice (1521).

1516 Champier, *Paradoxa ... in artem parvam Galeni*, Lyon.

1518 Alciato, *Paradoxorum ad Pratum, libri vi*, Milan (1543).

1521 Academia Vitembergensis, *Christianissimi Wittenbergensis Gymnasii, multarum disputationu[m] paradoxa et plane enigmata in Papistica illa mendaciis confusissima Ecclesia: vulgaria vero verae Christi Ecclesiae pronunciata* [Wittenberg].

Oecolampadius, *Quod non sit onerosa Christianis confessio, paradoxon*, Basle.

1524 Bucer, *Ein Kurtzer warhafftiger bericht, von Disputationem, und gantze handel, so zwischen Cünrat Treger Provincial der Augustiner, und den predigern des Evangelii zü Strassburg sich begeben hat* [...]. *Und hundert Paradoxa oder Wunderreden vom gewalt der Schrifft, Kirchen, uund Concilien verteütscht. Schrifftlich verantwortung und widerlegung der selbigen*, Strasbourg.

1526 Herborn, *Assertiones trecentae ac viginti sex fratris Nicolai Herborni, Guardiani Marpurgensis, verae orthodoxae, adversus Francisci Lamberti exiticii monachi paradoxa impia ac erroris plena, in Hombergiana Hessorum congregatione proposita, ac plusquam haereticissime deducta, et exposita*, Cologne.

1527 Lambert, *Paradoxa*, Erfurt.

1529 Salomonio degli Alberteschi, *In l. Gallus et in. §. responsa prudentum paradoxa*, Lyon.

1530 Koellin. *Adversus caninas Martini Lutheri nuptias adversusque alia eiusdem vel gentilibus abhominabilia paradoxa opus novum*, Tübingen.

1531 Brandolini (Lippi), *Christiana paradoxa*, Rome.

1534 Franck, *Paradoxa ducenta octoginta, das ist CCLXXX Wunderreden und gleichsam Räterschafft, auss der H. Schrifft, so vor allem flaisch unglaublich und unwar sind, doch wider der gantzen welt wahn und achtung gewiss und war*, Ulm.

Herborn, *Paradoxa seu theologicae assertiones: divinis eloquiis adversus neotericos, haereticos doctissime simul et elegantissime roboratae*, Paris [Salamanca].

1535 Fuchs, *Paradoxorum medicinae libri tres*, Basle (1546).

Guernerus, *D. Guerneri Carthusiani ... de venerabili sacramento missaeumque valore paradoxa undecim*, Cologne.

Von Wesel, *Paradoxa D. Johannis de Wesalia, sacrarum literarum doctoris, ac concionatoris Wormaciensis, quae feruntur a quibusdam Thomistis ex illius concionantis ore fuisse excepta, mox damnata per magistros nostros, haereticae pravitatis Inquisitores ... anno 1479, Moguntiae*, in *Fasciculus rerum expetendarum ac fugiendarum*, [Cologne].

1536 Erasmus, *M. T. Ciceronis libri tres De officiis, item, De amicitia: De senectute: Paradoxa: et, De somnio Scipionis: cum D. Erasmi, Philippi Mel. ac Bartolemaei Latomi annotationibus*, Lyon.

Servet [Villanovanus], *In Leonardum Fuchsium apologia autore Michaele Villanovano*, [Lyon].

1537 Montuus, *Dialexeon medicinalium libri duo*, Lyon.

1538 Fuchs, *Apologiae tres, cum aliquot paradoxorum explicationibus, quarum titulos proxima in pagella reperies, Leonardo Fuchsio, scholae medicorum Tubingensis professore publico, autore*, Basle.

1541 Amerbach, *Antiparadoxa cum duabus orationibus, altera de laudibus patriae, altera de ratione studiorum*, Strasbourg.

Ex Cavigiolis, *De morbis novis interpola, cum aliquot paradoxis*, Poitiers.

1542 Drivere, *Paradoxa ... de vento, aere, aqua et igni*, Antwerp.

1543 Lando, *Paradossi cioè, sententie fuora del comun parere novellamente venute in luce, opra non men dotta, che piacevole, et in due parti separata*, Lyon.

1544 Curione, *Paradoxa Christiana duo*, in *Araneus, seu de providentia Dei ... cum aliis nonullis eiusdem opusculis*, Basle.

1545 Lando, *Confutatione del libro de' Paradossi nuovamente composta, et in tre orationi distinta*, Venice.

Latomus, *Bartolemei Latomi in Paradoxa Ciceronis annotationes*, Venice.

Sylvius, *Francisci Sylvii in M. Tullii Ciceronis Paradoxa commentarii*, Venice.

1546 Maioragio, *Antiparadoxon libri sex. In quibus M. Tullii Ciceronis omnia paradoxa refelluntur*, Lyon.

1547 Gessi, *Antiparadoxon libellus unus. In quo fere omnia improbantur, quae Alciatus in primo Paradoxorum suorum libro adversus comunes sententias proposuit*, Ferrara.

1549 Mazin, *De rerum naturalium generatione paradoxa*, Paris.

Mazin, *De elementorum natura et eorum situ paradoxa*, Paris.

Tolet, *Paradoxe de la faculté du vinaigre, contre les escrits des modernes, ou plusieurs choses sont demonstrees non eslongnees de la verité*, Lyon.

[Aneau], *Pasquil antiparadoxe. Dialogue contre le Paradoxe de la faculté du vinaigre*, Lyon.

1550 Betuleius, *Xysti Betuleii Augustani in M. T. Ciceronis Paradoxa commentarii, nunc primum in lucem editi*, Basle.

1551 Talon, *M. Tullii Ciceronis Paradoxa, ad Marcum Brutum, Audomari Talaei commentationibus explicata*, Paris.

1552 Curione, *Quatro lettere christiane, con uno paradosso, sopra quel detto: beati quegli che piangono: e un sermone, o ver discorso del'orazione, e uno de la giustificatione*, Bologna.

1553 Estienne, *Paradoxes, ce sont propos contre la commune opinion: debatus, en forme de declamations forenses: pour exerciter les jeunes advocats, en causes difficiles*, Paris.

1554 Pereira, *Antoniana Margarita, opus nempe physicis, medicis, ac theologis non minus utile, quam necessarium*, Medina del Campo.

1555 A Palacios, *Obiectiones licentiati Michaelis a Palacios ... adversus nonnulla ex multiplicibus paradoxis Antonianae Margaritae, et apologia eorundem*, Medina del Campo.

1559 Mocenigo, *De eo quod est paradoxa, theorema quae, ex Aristotelis philosophia deprompta*, Venice.

1560 Tabouet, *Paradoxa regum et summi magistratus privilegia, dignitates et axiomata, civilis et urbanae militiae professoribus, forensis jurisprudentiae tyrocinium facturis adprime necessaria*, Lyon.

1563 A Sancto Ioanne, *Antiparadoxorum iuris civilis, adversus aevi nostri colophonem D. Alciatum monomachia, paradoxis expedita*, Antwerp.

1565 Glorieri, *Paradoxa, theoremata, positiones iuris civilis, ex lectionibus Boni Bonii iuris consulti clarissimi, in tractatu bonorum possessionum, et acquirendae possessionis deprompta*, Rome.

1566 Cointha Des Boulez, *Paradoxo, eu sentença philosophica contra opinião do vulgo: que la natureza não faz o home senãs a industria*, Lisbon.

Joubert, *Paradoxorum decas prima atque altera*, Lyon (1582).

De Malestroit, *Les Paradoxes du Seigneur de Malestroict, Conseiller du Roy, et Maistre ordinaire de ses comptes, sur le faict des monnoyes*, Paris.

Rorarius, *Contradictiones, dubia et paradoxa, in libros Hippocratis, Celsi, Galeni, Aetii, Aeginetae, Avicennae. Cum eorundem conciliationibus*, Venice (1573).

1568 Bodin, *La Response de Maistre Jean Bodin advocat en la Cour au paradoxe de monsieur de Malestroit, touchant l'encherissement de toutes choses, et le moyen d'y remedier*, Paris.

Fabri, *Paradoxes de la cure de peste, par une méthode succincte, contre l'opinion de ceux qui ont escrit et pratiqué au passé*, Paris.

Langius, *M. Tullii Ciceronis De officiis lib. III. Cato Maior, sive de senect. ad T. Pomp. Attic. Laelius, vel de amicitia, ad eundum Atticum: Paradoxa Stoicorum sex ad M. Brutum. Somnium Scipionis, ex libro VI. de Repub. Caroli Langii ... in hosce Ciceronis libros annotationes*, Antwerp.

1572 Maffa, *Commentaria ... una cum paradoxis et argumentis, doctissimi viri D. Thomae Simeonti. In l. Si is, qui pro emptore, de usucapionibus*, Venice.

1575 Basius, *Paradoxorum disputationum iuris civilis, libri IIII. In quibus dubiae et ambiguae iurisconsultorum traditiones, responsaque inter se repugnantia, in iudicium et examen revocantur, aequaque lance ponderantur, atque reconciliantur*, Basle.

1576 Mizauld, *Paradoxa rerum caeli*, Paris.

1576 Sandford, *The Mirrour of Madness, or A Paradoxe Maintayning Madness to Be Most Excellent*, London.

1579 Fleming, *A Paradoxe, Proving by Reason and Example, that Baldnesse Is Much Better than Bushie Haire*, London.

Lorich, *De traditionibus ecclesiasticis et voluntario Dei cultu, in genere, adversus duo paradoxa haereticorum nostri temporis, scilicet: nihil esse et credendum, et observandum, quod non sit in Scripturis Sanctis expresse, cum praescriptum, tum praeceptum*, Ingolstadt.

1581 Grangianus, *Paradoxa iuris civilis*, Lyon.

Vigelius, *Dialectices iuris civilis libri III. iurisprudentiam omnibus rebuspublicis accommodatam continens. Accessit De litis contestatione: item Paradoxorum libellus eiusdem authoris*, Basle.

1582 Manutius, *In M. Tullii Ciceronis de Officiis libros tres Aldi Manucii, Paulli F. Aldi N. commentarius. Item in dialogos De senectute, De amicitia, Paradoxa, Somnium Scipionis*, Lyon.

Valleriola, *Animadversiones sive annotata in Laur. Jouberti paradoxa*, in Laurent Joubert's *Opera latina*, Lyon.

1583 De Vito Gozze, *Paradoxa in peripateticam physiologiam proposita*, Padua.

1584 Facio, *Paradossi della pestilenza*, Genoa.

Husmanus, *Paradoxa ad legem Falcidiam*, Paris.

Santagata, *Paradosso dell'eccelente Sig. Francesco Santagata fisico &c. Nel quale si prova che la Corina è vento salutifero e vitale; e la Borea nociva e mortale*, Pesaro.

1585 Vaz de Motta, *Oratio habita a Joanne Vaz Motta Lusitano V. I. D. in Gymnasio Romano pridie nonas Novembris 1585. Quum inciperet explicare lib. Paradoxorum Marci Tullii*, Rome.

1588 De Saint-Julien, *Meslanges historiques et recueils de diverses matieres pour la pluspart paradoxalles, et neanmoins vrayes*, Lyon.

Warszewicki, *Paradoxa, quibus de origine generis et nominis Poloni adjunctus est dialogus*, Prague.

1589 Scherbius, *Endoxa paradoxa, de differentiis analytices et dialectices*, Altdorf.

1592 De Horozco y Covarrubias, *Paradoxas christianas contra las falsas opiniones des mundo*, Segovia.

1593 Munday, *The Defence of Contraries. Paradoxes against Common Opinion, Debated in Forme of Declamation in Place of Publike Censure: Only to Exercise Young Wittes in Difficult Matters*, London.

1594 De Pontameri, *Paradoxe apologique, où il est fidellement démontré que la femme est beaucoup plus parfaite que l'homme en toute action de vertu*, Paris.

1596 Bodin, *Paradoxon quod nec vitus ulla in mediocritate, nec summum hominis bonum in virtutis actione consistere possit*, Paris.

Hasler, *Paradoxus annorum mundi a creatione usque ad Jesum Christum... e solis literis sacris deprompta computatio accurata, cum aurei numeri terminique paschalis integritati suae restitutione certissima*, Vilnius.

1597 Harvet, *Discours par lequel est monstré contre le second paradoxe de la premiere decade de M. Laur[ent]. Joubert, qu'il n'y a aucune raison que, quelques uns puissent vivre sans manger, durant plusieurs jours et années*, Niort.

Hotman, *Opuscules françoises contenant plusieurs traictez ... Paradoxe de l'amitié et de l'avarice*, Paris.

1598 Bodin, *Le Paradoxe de Jean Bodin Angevin, qu'il n'y a pas une seule vertu en mediocrité, ny au milieu de deux vices. Traduit de latin en françois, et augmenté en plusieurs lieux*, Paris.

1599 Silver, *Paradoxes of Defence, Wherein Is Proved the True Grounds of Fight to Be in the Short Ancient Weapons*, London.

1600 Bonaventura, *De natura partus octomestris adversus vulgatam opinionem libri decem. Opus philosophis, medicis, ac iurisperitis aeque necessarium*, Urbino.

1603 Duval, *Les Declamations paradoxes, où sont contenuës plusiers questions, debattuës contre l'opinion du vulgaire*, Paris.

Rivet, *Eschantillon des principaux paradoxes de la papauté*, La Rochelle.

1605 Morton, *Apologia catholica ex meris Iesuitarum contradictionibus conflata, in qua paradoxa, haereses, blasphemiae, scelera, quae a Pontificiis obiici Protestantibus solent, ex ipsorum Pontificiorum testimoniis diluuntur omnia*, London.

Paracelsus, *Operum medico-chimicorum sive paradoxorum*, Frankfurt.

1605 Reuden, *Dissertatio theologica de persona Jesu Christi, Servatoris nostri: adversus Roberti Bellarmini, haeretici et Cardinalis Romanensis Libros quinque controversiae generalis secunda de Christo, capite totius Ecclesiae: qua omnia sophismata kai paradoxa Bellarminiana breviter, perspicue, ac solide examinantur, confutantur*, Iena.

1606 Grawerus, *Antilubinus, hoc est, elenchus paradoxorum et emblematum Calvinisticorum Doctoris Eilhardi Lubini in Phosphoro de prima causa et natura mali. Item solida responsio ad eiusdem Eilhardi Lubini elumbem apologeticum*, Magdeburg.

De Marque, *Paradoxe que la moelle n'est pas la nourriture des os*, Paris.

1607 Lanay, *Responce au paradoxe de Maistre J. de Marque où il dit, que la moüelle n'est pas la nourriture des os*, Paris.

Pelissarius, *Pro suprema Apollinari Laurea cardinalitiae quaestiones ad triduanam disputationem.* [...] *Accessere varia endoxa, problemata, paradoxa, ex omnibus medicinae partibus desumpta, quae singula disputabuntur, ... omnibus oppugnantibus*, Montpellier.

1608 Delorme, *Pteleinodafneiai, hoc est Caroli Delorm Laurea Apollinaria a prima ad supremam. Sive varia endoxa, amphidoxa, paradoxa*, Paris.

Manso, *I paradossi, overo dell'amore, dialogi*, Milan.

Pelargus, *Novus Jesuitismus hoc est paradoxa sive absurdissima Jesuitarum dogmata in singulis Christianae fidei articulis propriis ipsorum verbis cum notatione autorum, librorum, paginarum ad scripturae coelestis veritatem antiquitatis orthodoxae puritatem examinata*, Frankfurt.

1609 Lanay, *Le Triomphe de la moelle, pour duplique au Traité medullaire, ou replique de M. J. de Marque*, Paris.

1610 Habicot, *Paradoxe myologiste, par lequel est demonstré que le diaphragme n'est un seul muscle*, Paris.

1611 Duval, *Méthode nouvelle de guarir les catarrhes et toutes maladies qui en despendent, voyre mesme celles qui cy devant ont esté reputez incurables. En la deduction de laquelle se trouvent 71 paradoxes qui tous sont monstrez estre ortodoxes, sans l'intelligence desquels la guarison desdites maladies ne peut methodiquement proceder*, Rouen.

Fontaine, *Deux paradoxes appartenant à la chirurgie : le premier contient la façon de tirer les enfans du ventre de leur mère par la violence extraordinaire ... l'autre est de l'usage des ventricules du cerveau, contre l'opinion la plus commune*, Paris.

Riverius, *Pro suprema laurea Apollinari quaestiones medicae cardinales quatuor, quibus accesserunt assertiones et paradoxa 500 ex singulis medicinae partibus et Hermetica philosophia*, Montpellier.

1619 Puteanus, *De cometa anni 1618. Novo Mundi Spectaculo, libri duo. Paradoxologia*, Cologne.

1621 Carpenter [Cosmopolitanus]. *Philosophia libera duplici exercitationum decade proposita: in qua paradoxa quaedam ad exercenda juvenum ingenia adversus vulgares huius temporis philosophos suscipiuntur, validisque rationibus confirmantur.* [...]. *Cui praeit Paradoxon, ignorantem docto praeferendum esse*, Frankfurt (1622).

1624 Gassendi, *Exercitationes paradoxicae adversus Aristoteleos, in quibus praecipua totius peripateticae doctrinae atque dialecticae fundamenta excutiuntur, opiniones vero aut novae, aut ex veteribus obsoletae, stabiliuntur*, Paris.

1625 Platter, *Quaestiones medicae paradoxae et endoxae*, Basle.

1627 Bayer, *Paradoxorum Jacobi Cujacii Jcti celeberrimi, non paradoxorum decades tres*, Tübingen.

1630 Alsted. 'Paradoxologia', in *Encyclopaedia septem tomis distincta*, Herborn.

1633 Donne, John. *Juvenilia or Certaine Paradoxes and Problems*, London.

1635 Ardinghellus, *Paradoxa Jesuitica, hoc est impiae, nefariae, scandalosae et pestiferae Jesuitarum Germanicorum sententiae adversus omnes religiosos ordines. Quarum omnium necessaria, solida et modesta refutatio continetur in congeminata voce turturis Dominici Gravinae Theologi Dominicani*, Geneva.

1636 Cottière, Matthieu. *Paradoxe, que l'Eglise romaine, en ce qu'elle a de différent des Eglises dites réformées, n'est ancienne que de quatre cents ans environ: et qu'en plusieurs chefs elle est beaucoup plus récente*, Geneva.

1638 Pellegrinus, *Sanctum Iesu Christi Evangelium secundum Matthaeum paradoxis et monitis moralibus illustratum ab Alexandro Pellegrino Societatis Iesu*, Rome.

1640 Du Rozier, *La Consolation des honnestes gens: ou paradoxe chrestien, en faveur de l'amour des ennemis, et du pardon des injures, qui preuve que personne n'est offensé que par soy-mesmes*, Lyon.

1644 Hoornbeeck, *De paradoxis, et heterodoxis Weigelianis commentarius, ubi de Swencfeldo, aliisque similis indolis*, Utrecht.

1647 Venning, *Orthodox Paradoxes, Theoretical or Experimental, or, a Believer Clearing Truth by Seeming Contradictions*, London.

1653 S. S., *Paradoxes or Encomions in the Praise of Being Lowsey, Treachery, Nothing, Beggery, the French Pox, Blindnesse, the Emperor Nero, Madnesse*, London.

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