

Documentary Culture and the Laity in the Early Middle Ages



Edited by

Warren C. Brown, Marios Costambeys,
Matthew Innes and Adam J. Kosto

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Documentary Culture and the Laity in the Early Middle Ages

Many more documents survive from the early Middle Ages than from the Roman Empire. Although ecclesiastical archives may account for the dramatic increase in the number of surviving documents, this new investigation reveals the scale and spread of documentary culture beyond the Church. The contributors explore the nature of the surviving documentation without preconceptions to show that we cannot infer changing documentary practices from patterns of survival. Throughout Late Antiquity and the early Middle Ages – from North Africa, Egypt, Italy, Francia and Spain to Anglo-Saxon England – people at all social levels, whether laity or clergy, landowners or tenants, farmers or royal functionaries, needed, used and kept documents. The story of documentary culture in the early medieval world emerges not as one of its capture by the Church, but rather of a response adopted by those who needed documents, as they reacted to a changing legal, social and institutional landscape.

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Acknowledgements

This book is less a traditional edited volume than one result of a highly fruitful process of collaborative research. What began as a discussion over a pint in Princeton in November 2000 grew into an ever-widening e-mail exchange spanning eight time zones, and then a panel at Leeds (2002); formal workshops in London (2003), Pasadena (2004), Vienna (2005), Canterbury (2006) and Cambridge (2007); a panel at the Medieval Academy in Vancouver (2008); and finally – for the four editors – a remarkable series of group writing sessions, from which the introduction and conclusion emerged and the various parts were woven into a whole. From the beginning, the ten members of the Lay Archives Working Group, as we came to be called, were all frustrated by the increasingly outcomes-driven framework of much research in the humanities. We therefore banned all discussion of a collective publication until several years into the undertaking; our goals were, rather, undirected exploration of our common theme and intellectual exchange among a transatlantic network of younger scholars, most of whom did not know each other well or at all when we began. Various members did publish work separately as we progressed, but only when it became clear that we as a group had something potentially important to say did we turn to work on the present volume. This long process (punctuated by the arrival of eight children!) lies behind what we hope will be seen as a very well-integrated publication – not a set of papers, but a book with a collective voice and a common argument.

So as not to succumb to groupthink, from early on we invited other scholars to sit in on our workshops, and it is their probing questions, collegial suggestions and encouragement of our collective approach that we have the pleasure to acknowledge first: Rosamond McKitterick and Christina Pössel at London; Patrick Geary, Jason Glenn and Claudia Rapp in Pasadena; Walter Pohl, Peter Erhart and Bernhard Zeller in Vienna; and Geoff Koziol and Barbara Rosenwein, who served as commentators on the Vancouver panel. Koziol went on to serve as an extraordinarily incisive reader of our manuscript for Cambridge University

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We dedicate this book to our mentors, formal and informal, who taught us to value collaboration over competition.

Abbreviations

Series

CSEL	Corpus scriptorum ecclesiasticorum Latinorum (Vienna, 1866–)
CCSL / G	Corpus Christianorum series Latina (Turnhout, 1953–); series Graeca (Turnhout, 1977–)
MGH	Monumenta Germaniae historica
AA	Auctores antiquissimi
Capit.	Capitularia
Const.	Constitutiones et acta publica imperatorum et regum
DD	Diplomata
Epist.	Epistolae
Libri mem. n.s.	Libri memoriales et necrologia, nova series
LL	Leges (in folio)
LL nat. Germ.	Leges nationum Germanicarum
SrG [n.s.]	Scriptores rerum Germanicarum [nova series]
SRL	Scriptores rerum Langobardicarum et Italicarum
SRM	Scriptores rerum Merovingicarum
MGH Formulae	<i>Formulae Merovingici et Karolini aevi</i> , ed. K. Zeumer, MGH Legum sectio V (Hannover, 1886)
<i>Form. Andec.</i>	<i>Formulae Andecavenses</i>
<i>Form. Arvern.</i>	<i>Formulae Arvernenses</i>
Marculf	<i>Formulae Marculfi</i>
Marculf [Supp.]	<i>Marculfi formulae [Supplementum]</i>
<i>Form. Marc. Kar.</i>	<i>Formulae Marculfi aevi Karolini</i>
<i>Form. Tur.</i>	<i>Formulae Tironenses vulgo Sirmondicae dictae</i>
<i>Form. Tur. Add.</i>	<i>Additamenta e codicibus formularum Tironensium</i>

<i>Form. Bitur.</i>	<i>Formulae Bituricenses</i>
<i>Form. Sen.</i>	<i>Formulae Senonenses</i>
<i>Cart. Sen. [App.]</i>	<i>Cartae Senonicae [Appendix]</i>
<i>Form. Sen. Rec.</i>	<i>Formulae Senonenses recentiores</i>
<i>Form. Sal. Big.</i>	<i>Formulae Salicae Bignonianae</i>
<i>Form. Sal. Merk.</i>	<i>Formulae Salicae Merkelianae</i>
<i>Form. Sal. Lind.</i>	<i>Formulae Salicae Lindenbrogianae</i>
<i>Form. Sang. Misc.</i>	<i>Formulae Sangallenses miscellaneae</i>
<i>Coll. Sang.</i>	<i>Collectio Sangallensis Salomonis III. tempore conscripta</i>
<i>Form. Salz.</i>	<i>Formulae Salzburgenses</i>
<i>Coll. Flav.</i>	<i>Collectio Flaviniacensis</i>
<i>Coll. Flav. Add.</i>	<i>Collectio Flaviniacensis [Additamenta]</i>
<i>Form. Vis.</i>	<i>Formulae Visigothicae</i>
PL	Patrologiae cursus completus, series Latina, ed. J.-P. Migne, 221 vols. (Paris, 1845–6)
PG	Patrologiae cursus completus, series Graeca, ed. J.-P. Migne, 161 vols. in 166 (Paris, 1857–66)

Charters

<i>ChLA</i>	<i>Chartae latinae antiquiores</i> , ed. A. Bruckner <i>et al.</i> (Olten, 1954–)
<i>CDL</i>	<i>Codice diplomatico longobardo</i> , ed. L. Schiaparelli <i>et al.</i> , 5 vols. in 7 (Rome, 1929–2003)
<i>Cluny</i>	<i>Recueil des chartes de l'abbaye de Cluny</i> , ed. A. Bernard and A. Bruel, 6 vols. (Paris, 1876–1903)
<i>RF</i>	Gregory of Catino, <i>Regestum Farfense</i> , ed. I. Giorgi and U. Balzani, <i>Il Regesto di Farfa</i> , 5 vols. (Rome, 1879–1914)
Rio, <i>Formularies</i>	A. Rio, trans., <i>The Formularies of Angers and Marculf: Two Merovingian Legal Handbooks</i> (Liverpool, 2008)
<i>TF</i>	<i>Die Traditionen des Hochstifts Freising</i> , ed. T. Bitterauf, 2 vols. (Munich, 1905–8)
Tjäder	J.-O. Tjäder, <i>Die nichtliterarischen lateinischen Papyri Italiens aus der Zeit 445–700</i> , 3 vols. (Lund, 1954–82) (documents cited volume in Roman, number in Arabic [I:3]; commentary cited volume in Arabic: page in Arabic [I:3])

TP	<i>Die Traditionen des Hochstifts Passau</i> , ed. M. Heuwieser (Munich, 1930)
TW	<i>Traditiones Wizenburgenses: Die Urkunden des Klosters Weissenburg: 661–864</i> , ed. K. Glöckner and A. Doll (Darmstadt, 1979)
Wartmann	<i>Urkundenbuch der Abtei Sanct Gallen</i> , ed. H. Wartmann, 6 vols. in 7 (Zürich, 1863–1931)

Law

CE	<i>Codex Euricianus</i> , ed. A. d'Ors (Rome, 1960); <i>Liber iudiciorum sive Lex Visigothorum</i> , ed. K. Zeumer, MGH LL nat. Germ. 1:3–32
CIC	<i>Corpus iuris civilis</i> , 16th/11th/6th edn, ed. P. Krüger <i>et al.</i> , 3 vols. (Berlin, 1954)
Cj	<i>Codex Iustinianus</i> , ed. P. Krüger, <i>CIC</i> 2
CTh.	<i>Codex Theodosianus</i> , ed. P. Krüger, T. Mommsen and P. M. Meyer, 2 vols. (Berlin, 1905)
Dig.	<i>Iustiniani Digesta</i> , ed. T. Mommsen and P. Krüger, <i>CIC</i> 1
Epit. Aegid.	<i>Epitome Aegidii</i> , ed. G. Haenel, in <i>LRV</i>
ER	<i>Edictus Rothari</i> , ed. G. H. Pertz, MGH LL 4:3–90
ETh.	<i>Edictum Theodorici regis Italiae</i> , ed. F. Bluhme, MGH LL 5:145–68
Gaius, <i>Inst.</i>	Gaius, <i>Institutiones</i> , ed. F. de Zulueta, 2 vols. (Oxford, 1946–53)
<i>Inst.</i>	<i>Iustiniani Institutiones</i> , ed. P. Krüger, <i>CIC</i> 1
ƒ. <i>Edict</i>	<i>Iustiniani XIII Edicta quae vocantur</i> , ed. R. Schöll and W. Kroll, <i>CIC</i> 3
ƒ. <i>Nov.</i>	<i>Iustiniani Novellae</i> , ed. R. Schöll and W. Kroll, <i>CIC</i> 3
LV	<i>Liber iudiciorum sive Lex Visigothorum</i> , ed. K. Zeumer, MGH LL nat. Germ. 1:33–456
LRV	<i>Lex Romana Visigothorum</i> , ed. G. Haenel (Leipzig, 1847)
Nov.	Valentinian III, Marcian, Maorian: <i>Novellae</i> , ed. T. Mommsen and P. M. Meyer, in <i>CTh.</i> 2.
Leo III:	Leo III: <i>Novellae</i> , ed. C. E. Zachariae a Lingenthal (Leipzig, 1857)
Peira	Eustathios Romaïos, <i>Peira</i> , ed. C. E. Zachariae a Lingenthal (Leipzig, 1857)
PSent.	<i>Pauli sententiae</i> , ed. M. Bianchi Fossati Vanzetti (Milan, 1995)

Papyri

<i>CPR</i>	<i>Corpus papyrorum Raineri</i> (Vienna, 1895–)
<i>PBad</i>	<i>Veröffentlichungen aus den badischen Papyrus-Sammlungen</i> , 6 vols. (Heidelberg, 1923–38)
<i>PItal.</i>	= Tjäder
<i>PMarini</i>	<i>I papiri diplomatici</i> , ed. G. Marini (Rome, 1805)
<i>POxy</i>	<i>The Oxyrynchus Papyri</i> (London, 1898–)
<i>PSI</i>	<i>Papiri greci e latini</i> (Florence, 1912–)

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Wickham, <i>Framing</i>	C. Wickham, <i>Framing the Early Middle Ages: Europe and the Mediterranean, 400–800</i> (Oxford, 2005)

Journals

EME	<i>Early Medieval Europe</i> (Harlow, 1992–)
TRHS	<i>Transactions of the Royal Historical Society</i> (London, 1872–)

Varia

Amm. Marc.	Ammianus Marcellinus, <i>Rerum gestarum libri</i> , ed. W. Seyfarth, 2 vols. (Leipzig, 1978)
BnF	Paris, Bibliothèque nationale de France
CIL	<i>Corpus inscriptionum Latinarum</i> , 18 vols. (Berlin, 1862–1989)

- CLA* *Codices Latini antiquiores*, ed. E. A. Lowe, 11 vols. (Oxford, 1934–71)
- Niermeyer, *Lexicon* J. F. Niermeyer, *Mediae Latinitatis lexicon minus* (Leiden, 1976)
- Settimane Settimane di studio del Centro italiano di studi sull'alto medioevo (Spoleto, 1953–)

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1 Introduction

In 1928, archaeologists working along the Tunisian-Algerian border uncovered an earthenware jar containing forty-five wooden panels. When deciphered, the scraps were found to contain the texts of thirty-four Latin documents from the last decade of the fifth century: tables of calculations, a record of a dowry and several documents of sale. Most of the latter concern small plots of olive, fig and nut trees; one deals with a slave. The properties and individuals involved appear to have been associated with a single rural estate, the *Fundus Tuletianos*.¹

The episcopal archive in Pisa preserves a simple list of eighty-eight documents given by Teuspert to Ghittia and her daughters. No reason can be given for its composition, but it can be dated to between 768 and 774. It inventories different kinds of documents, many of them rare among the large numbers of complete documents that survive in Italian ecclesiastical archives, but here catalogued and classified with care. In over half of the various charters (*cartae*), notes (*breves*), judgements (*iudicati*), letters (*epistolae*) and precepts (*praecepta*), neither party to the transaction was expressly associated with the Church. Ghittia herself was a nun, but her collection includes documents from a wide variety of her kin and contacts in which she is not implicated; forty-four of the documents in her list, for example, concern the layman Alahis.²

A formula collection from Gaul compiled towards the end of the seventh century contains a model letter from a king to an unfortunate who has had his house destroyed by fire. Among the things he lost were all of his documents, particularly those that recorded his title to property. According to the text, the man provides written testimony to the king verifying his property claims; the king then issues this letter confirming his property rights. Late in the ninth century – two centuries

¹ *Tablettes Albertini: Actes privés de l'époque vandale (fin du V^e siècle)*, ed. C. Courtois et al., 2 vols. (Paris, 1952); see below, 40.

² *ChLA* XXVI 808; *CDL* II 295; see below, 239.