Diplomatics: The Science of Reading Medieval Documents

A Handbook

Federico Gallo

Milano University Press

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Federico Gallo

DIPLOMATICS: THE SCIENCE OF READING MEDIEVAL DOCUMENTS

A HANDBOOK

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Foreword

Writing a manual, we all know, is no easy task and that fact, which applies to all scientific disciplines, is even truer for Diplomatics, a science whose aim is the critical analysis of medieval documents in order to determine their value, in both the public and the private dimension, as a historical record.

That task is made even more difficult when the decision is taken to use the language of countries that have no tradition in this field of studies, notably English-speaking ones: the useful and up-to-date thematic bibliography at the end of this book reveals that the only manual in English that exists today – *Diplomatics. New Uses for an Old Science* by Lucia Duranti – is actually aimed exclusively at archivists and not at specialists.

Diplomatics, like any field of investigation, has its own very precise technical terminology, a set of words and expressions that are not always immediately and easily translatable, as evidenced by the *Vocabulaire international de la Diplomatique*, edited by Maria Milagros Cárcel Ortí, in which numerous lexemes lack an equivalent in the English language.

The author must therefore be given credit for having brilliantly overcome the numerous obstacles encountered along the way, starting, as he himself states in the Introduction, with the choice of a "Latin handbook, the famous and traditional *Diplomatica Generalis* by Paulius Rabikauskas S.I., because of its clearness and completeness, and because it is written in a 'neutral' language (i.e. not in any particular modern European language)." An approach that at first glance might have seemed risky, but which instead proved to be a highly successful one.

The result is a clear and agile guide that presents "the sequence of the chapters and the arguments in Rabikauskas' handbook." And yet it would be wrong and overly simplistic to consider it a simple, albeit commendable, translation the author's contribution is indeed considerable, updating and enhancing as it does the 13 chapters of which it is comprised, thanks to his experience.

Finally, we cannot fail to mention the elaborate set of excellent photographic reproductions of the documentation kept in the Veneranda Biblioteca Ambrosiana in Milan – a treasure chest of unparalleled gems

– which accompany each topic covered and provide beautiful illustrations of it.

It is, then, a long overdue textbook that fills a significant gap in Diplomatic studies and finally provides the English-speaking public with an opportunity to learn about the fascinating world of medieval documentation.

Marta Calleri

Introduction

This handbook is the result of my classes in Diplomatics, delivered in the 2017 Summer Semester to graduate students at the University of Notre Dame's Medieval Institute. The partnership between the Medieval Institute and the Ambrosiana Library in Milan, where I have been Dottore since 2008 and Director of the Library since 2012, was born in 1960, when the Archbishop of Milan, Giovanni Battista Montini, later Pope Paul VI, and the President of the University of Notre Dame, Rev. Theodor M. Hesburgh C.S.C., conceived the idea to produce microfilms of all of the Ambrosiana's manuscripts in order to allow scholars in North America to consult them at Notre Dame. This collaboration has grown over the years. I was often invited to deliver lectures at the Medieval Institute, and I was surprised to realize that such an important discipline as Diplomatics, born in France in the seventeenth century, had developed in continental Europe, but not in Great Britain, and consequently not in North America either. Thus I wished to teach Diplomatics, in the traditional continental sense, in English, for the first time. As the basic handbook for my students, I chose a Latin handbook, the famous and traditional *Diplomatica Generalis* by Paulius Rabikauskas S.I., because of its clearness and completeness, and because it is written in a "neutral" language (i.e., not in any particular modern European language), even though it is not in English. In my lessons I essentially followed the sequence of the chapters and the arguments in Rabikauskas' handbook, though of course also including a more modern perspective and adding my personal experience and view of the discipline.

I am very grateful to the Director of the Medieval Institute, Prof. Thomas Burman, for his strong support for my idea, for initiating the 2017 Summer Course in Diplomatics; I also thank Dr. David Gura, Curator of Ancient and Medieval Manuscripts for Notre Dame's Rare Books and Special Collections, for inviting me to give a lecture on Diplomatics to his Winter School in Latin Paleography and Codicology's students in 2020 and 2024. I am also thankful to Prof. Hildegund Müller of the University of Notre Dame for her advice and suggestions on the contents of this handbook. I thank my Notre Dame graduate students for their enthusiasm and for their excellent feedback on the course. Among them a special thanks to

Emily Mahan for correcting and editing my first draft. Last but not least, I want to thank all my friends at Notre Dame, who constantly encouraged me, especially Prof. Robert Randolf Coleman.

In Milan I am very grateful to Prof. Marta Calleri of the State University of Milan for supporting the publication of this handbook and introducing it with her competent and appropriate Foreword. I also thank Prof. Chiara Torre, member of the Editorial Board of Milano University Press for her kind reception of my proposal. I am thankful to Prof. Alberto Cadioli, Paolo Cavagna, Trifone Cellamaro, Ugo Mondini, Prof. Amanda Murphy, Fabio Proserpio and Massimo Rodella for helping me in different ways.

Fig. 1 - Milan, Biblioteca Ambrosiana, Perg. 47
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

Chapter I
What is Diplomatics?

Diplomatics is the science of studying documents, especially medieval documents. "Diplomatics" has nothing to do with diplomacy. The word comes from "diploma," meaning a certified, juridical written text; the term *diploma* was used for a particular kind of document in the late Roman empire. The discipline of diplomatics was born in France in the seventeenth century. At that time there were "diplomatic wars" (*bella diplomatica*) over properties testified to by documents (*diplomata*), whose authenticity or lack thereof was verified through paleographical examination. In 1681, Jean Mabillon wrote the first treatise on diplomatics, entitling it "De re diplomatica," and thereby coining the name of the new discipline, which analyzed medieval documents written in Latin. In the following centuries, diplomatics developed in all European continental countries and entered the universities, where a systematic structure was created for the discipline. It became the science of acts, documents, and documentary records. In German its name is *Urkundenlehre*, that is, "science of documents"; in Romance languages the terms are derived from Latin: the French *diplomatique*, Italian *diplomatica*, Spanish *diplomática,* etc. In the past as well as the present, in European universities the objects of study for the discipline have been the same: public and private documents, their external and internal characteristics, chronology, transmission, registration, modern editions, and so on.

What about diplomatics in the English-speaking world? Of course a discipline regarding documents, a "diplomatics," developed there as well, but the structure of the discipline was not a systematic one, about all kinds of documents and their nature. Rather, it had a historical bent and a chronological structure, focusing only on British medieval documents that pertained to Great Britain, medieval British kings, and medieval British chanceries. This is an essential point. While in continental Europe diplomatics is the theoretical general science of the medieval document, in the English-speaking tradition, diplomatics pays much (and valuable) attention to British chanceries, but little or no attention to other countries, and little or no attention to the general characteristics of documents. Diplomatics so interpreted is almost a

branch of medieval British history. Essentially, an English-speaking scholar who dedicates themselves to diplomatics is not far from being a historian focused on British history, while in continental Europe there is a specific type of diplomatics scholar, who is called in Italian a *diplomatista* (diplomatist). As Peter Herde states in the definition of "diplomatics" written for the *New Encyclopaedia Britannica*: "In comparison with the amount of work done in France and Germany, historical scholarship in England long paid relatively little attention to legal, as opposed to literary, records." There is a lack of study of general diplomatics in England, and consequently in the English-speaking world.

Another characteristic of the English tradition is made explicit in this same definition by Herde: "Besides the documents of legal and administrative import with which it is properly concerned, diplomatics also includes the study of other records such as bills, reports, cartularies, registers, and rolls." The English-speaking world, then, pays attention to all documents it is possible to find in an archive. This is an interesting aspect of the English discipline: it is close to being "archivistics." We find a similar analysis in Luciana Duranti's handbook, *Diplomatics*: "In the English speaking world, the literature on diplomatics is exclusively about special diplomatics, that is, on the application of diplomatics to the analysis of particular archival fonds, classes of archival documents in some period, or individual archival documents, often with the aim of historical understanding of them. This book is on the subject of general diplomatics, that is, on the concepts of diplomatic analysis in general terms." It seems that Duranti would like to extend the discipline of English diplomatics to the broader European meaning. Additionally, she attempts to apply diplomatic theory to modern archival documents. The result is that "diplomatics" in her handbook is a theory not of medieval documents, but of documents of all ages, especially modern ones. In her own words, this theory is "for the modern archivist"; it is the "study of archival documents," and the "study of being and becoming of documentation." That means no particular attention to the document itself, but rather to the persons involved, and to the act of creating the document. It is a logical development of the English tradition of diplomatics, and it is something new and quite interesting. But medieval documents have particular characteristics, different from early modern and modern ones. To quote Susan E. Storch, "Modern documents are not

organized in the same way as medieval or early modern documents, and unless they are of an official dispositive nature, they are often designed with no thought to some standard of documentary form." That is why the present handbook will address general diplomatics in the traditional, continental European way, providing a general theory of medieval Western documents.

Even though diplomatics has to do with documents, and consequently with juridical acts, it developed in European continental universities in the departments of Literature and of History, rather than in the departments of Law or History of Law. In Italy, for instance the chair of the discipline is currently called "Paleografia e diplomatica" (paleography and diplomatics); the position belongs to the Faculty of Literature (Facoltà di Lettere), and the discipline is taught by scholars who are experts in Latin paleography. There is nothing wrong with this; diplomatics is important both in terms of paleography and philology, as well as law and history. Diplomatics, then, is a complex discipline: it has to do with law, linguistics, history, anthropology, and of course, because it studies documents, juridical written texts. These ample theoretical boundaries produce different approaches and methods: the European continental one is more literary, the English and North American is more historical. Unfortunately there is not a juridical, legal approach in universities yet.

Another limitation is that in the European continental approach, diplomatics focuses especially on medieval Western documents, i.e., Latin documents. There is comparatively little research today on Byzantine diplomatics, for instance. It would be interesting to extend diplomatics to all ages and languages and cultures, and it would also be interesting to investigate the anthropological characteristics of the documents, meaning their significance as symbols, as signs of will.

Diplomatics concerns written documents, so it is necessary to know Latin and to be capable in Latin paleography. But it is also necessary to identify and understand all the signs one finds on a document. To understand these signs also means to understand how and when the document was conceived of and produced, and therefore to understand the historical context of its creation. The literary point of view is necessary to provide information to historians and other scholars. Documents are rich objects, full of information for the disciplines of history, sociology, law, and philology.

I will now discuss the traditional and still-current features of diplomatics in the European continental universities. First of all, there is a difference

between public and private documents. These have different forms and come from different authors.

Public documents are produced by an authority, for instance a king, a bishop, a pope, or a *commune* (municipality). Therefore, chanceries and their history are important here, and archivistics is also important. A public document has to do with orders, privileges, concessions, prohibitions, penalties and so on.

Private documents need an external authority, usually a notary, who writes the document following particular formats, according to the specific habits and customs of their geographical and political area. Private documents have to do with buying and selling, agreements, wills, and so on.

Documents have both external and internal characteristics. External characteristics are things such as the material (papyrus, parchment, paper), format (rectangular, irregular, vertical, horizontal), type of writing (paleographers distinguish between book scripts and document scripts), special signs, seals (sigillography is an independent discipline), and chancery notes.

Internal characteristics are the language (in this case Latin) and its characteristics and sources (*artes dictaminis*, *artes notariae*, *cursus*, formulas), and the parts and sections of the document: the protocol (including *invocatio*, *intitulatio*, *inscriptio*, and *salutatio*), textus (including arenga, narratio, promulgatio, disposotio, sanctio, and corroboratio), and eschatocol (including subscriptio, recognitio, datatio, and appreciatio).

Another aspect of diplomatics is the transmission of documents. There are originals, copies, and false documents. False documents can be falsified documents or imitated documents (counterfeits), but also documents with errors. There are involuntary medieval errors, intentional medieval counterfeits, modern genuine copies, and modern counterfeits, so that it is often difficult to apply the categories of "authentic" and "inauthentic."

Registers also belong to the discipline of diplomatics; the word comes from "regestum" (i.e., "summary"). Transcribing documents is a part of diplomatics; a "diplomatic" transcription is not the same as a "philological" transcription. A diplomatic transcription must be carefully done, addressing features such as letter forms, punctuation marks, abbreviations, use of capital letters, the position of the sentences and of the signatures, and so on. A student of diplomatics must also be familiar with the essential modern collections of published document transcriptions, such as the famous

series, "Monumenta Germaniae Historica", as well as with key sources of facsimiles.

Another aspect of diplomatics is chronology, that is, the calculation of time and the calendars used in the documents. This is almost an independent discipline.

Maybe a more accurate name for the discipline would be "medieval diplomatics," but this is not yet in current use.

Fig. 2 - Milan, Biblioteca Ambrosiana, Perg. 4166
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Chapter II
History of Diplomatics

To begin a history of diplomatics, I would like to return to the difference between a document and a book. Generally, documents are in archives, whereas books are in libraries. There is a significant difference between archives and libraries. Archives have received documents that are produced as a consequence of the existence of a person or an institution; collections of documents eventually become archives. Because an archive has collected documents related to an individual or an institution, those documents have a connection with each other; it is necessary to maintain these connections, i.e., to keep related documents near one another. An archive cannot predetermine the order of documents; they accrue in a particular order, and are interrelated. Maintaining the order in which documents were produced makes it possible to understand them. Documents must remain with their "siblings" in order to be understood; they come in groups.

A library, by contrast, collects books regardless of their positions relative to one another on the shelves. What is important in a library, if one wants to locate items, is a catalogue to search for books, and shelf marks to find their positions. A library is a collection wherein someone can choose and acquire whatever they want, and order them in any way they please.

That is the reason that the study of documents and archives is separate from the study of books and libraries. Diplomatics is the science of documents, not books. Its goal is to study all documents — not only beautiful parchments, but also registers and drafts and so on.

A critical examination of documents existed not only in our age, but in the middle ages as well; when medieval people used documents, they too took a critical point of view. During the middle ages, contentions, especially in tribunal, about the authenticity of documents prompted deeper investigations. Gregory IX, a medieval pope (1227-41), wrote about the authenticity of documents in the fifth book of his decretum, "Liber Extra," devoting the twentieth chapter to false documents.

Later, the humanists paid deeper attention to old documents, among them Francesco Petrarca and Lorenzo Valla. During the sixteenth century, the Age of Reformation, scholars dedicated themselves to scientific studies,

and in the process furthered ecclesiastical history by investigating older documents.

But the birthplace of diplomatics was Paris. There were two central loci of study: one was at Saint-Germain-des-Prés, with the Maurini fathers (Benedictines), among whom Jean-Luc d'Achery, OSB (1609-1685), was particularly famous; the other was at Antwerp, with the Bollandist fathers (Jesuits), named after P. Jean Bolland, SJ (1596-1665), who edited the "Acta sanctorum." These scholars were able to do work of such quality because of the immense number of documents in Paris, as we will see when we discuss Jean Mabillion.

The seventeenth century was a time of great erudition, and there was much study and editing of sources throughout Europe, for instance, "Italia sacra" (1644-1662) by Ferdinando Ughelli (1595-1670) and "Gallia christiana"(1626) by Claude Robert (1564-1637). In 1648 the Peace of Westphalia determined where Catholics or Protestants, and their territories, would be. This was decided based on the state of affairs 24 years earlier, and so documents were necessary in the deliberations. This was the beginning of the "diplomatic wars." The "Censura diplomatis" (1672), by Hermann Conring (1606-1681), marked the first attempt to establish rules for assessing documents.

Daniel van Papenbroeck (1628-1714) was a Jesuit and Bollandist, who wrote the dissertation "Propylaeum antiquarium circa veri et falsi discrimen in vetustis membranis" in 1675 ("Introduction to genuineness or falsity in ancient documents"). He was skeptical of whether many older documents were genuine, and asserted that many documents of Merovingian kings (and other documents) were in fact not.

Jean Mabillon (1632-1707) was one of the Maurini of Saint-Germain-des Prés. He responded to Papenbroeck by writing "De re diplomatica libri sex" in 1681. He wrote this book not to discredit Papenbroeck; rather, his goal was to create a new discipline with a scientific method. He investigated both internal and external criteria and explained how these characteristics can vary due to the fact that documents are not produced in the same way in all places and times. Mabillon also attempted to write a history of the chanceries. With this treatise he founded a discipline for the scientific study of documents, and also developed certain rules for scientifically determining authenticity. This new science was accepted by many other scholars, such as Scipione Maffei (1675-1755) and Ludovico Antonio Muratori (1672-1750).

Responding to some scholars' criticisms of his first treatise, Mabillon wrote a second book as a supplement to the first, "Librorum de re diplomatica supplementum," in 1704.

To address what was not present in Mabillon's work, a great new undertaking produced another book: "Nouveau Traité de Diplomatique" (1750-1765), written by two Maurini, René Prosper Tassin O.S.B. (1597-1677) and Charles François Toustain O.S.B. (1700-1754). The "Nouveau Traite" is a treasure, because it contains many observations about documents. It uses a scientific method which is still useful today. However, its authors used a taxonomic system, which doesn't work for documents, since documents are produced by humans rather than arising from nature. The influence of the "Nouveau Traité" was significant, and many scholars in continental Europe based their studies on it in the following decades.

The Maurini were working at a time when rationalism was ubiquitous; this method of scholarship was common in the eighteenth century. The primary goal of diplomatics was utilitarian. Although they exaggerated in making rules and divisions, they nevertheless founded a real science, a real discipline, and they had the aim of making accurate examinations of the internal and external characteristics of documents. To come up with rules, they would choose documents that were known to be genuine, and decide that what was found in that document was a general rule. Though their notions of internal and external characteristics were derived from real documents, they nonetheless erred greatly in that they created a discipline based on their preconceived ideas; that is a vicious cycle.

The revolutions in France and other countries at the end of the eighteenth century made significant changes in European history. Membership in monasteries and cloisters became less important, because most of these were confiscated. Consequently, there was a decreased desire for the kind of research conducted earlier, and documents were no longer used in tribunals. At the same time, however, there was widespread enthusiasm for historical studies, especially in Germany. After the revolutions, documents and private archives became part of public archives, and it remains that way today. A few religious institutions still have their own documents; state documents, however, remain in state archives. States supported new institutions for the study of documents.

The interrelationship between documents in an archive is clear for us today, but it wasn't so clear in the nineteenth century, when beautiful parchment

documents were separated from other documents in the archives. This was a great mistake, and it is necessary for modern researchers to know about it. In the nineteenth century the mentality was different from today. Scholars thought that originals, as well as particularly beautiful or ancient parchments, had to be put in special collections, rather than to be stored with related documents. The result is that now some of these parchment documents are "orphans"; we cannot determine where they came from.

Germany, particularly, developed studies of documents in nineteenth century. The "Monumenta Germaniae Historica" (MGH) is a well-known series consisting of compilations of many sources on the history of Germany, in a critical edition format. The MGH was started in 1819; one famous director was Georg Heinrich Pertz (1795-1876). Another scholar, Johann Friedrich Böhmer (1795-1863), wanted to create a chronological list of all documents of emperors and kings of Germany, so his first work was a register of chronologically arranged abstracts of documents of kings and emperors from Konrad I to Henry VII, for the series "Regesta Imperii" (completed 1831). Registers of popes and abstracts of papal documents can be found in the "Regesta pontificum Romanorum" (started in 1851), edited chiefly by Philipp Jaffé (1819-1870), August Potthast (1824-1898), and Paul Fridolin Kehr (1860-1944).

Because of unresolved difficulties in Böhmer's works, Julius Ficker (1826-1902) developed a "genetic" method for diplomatics. He aimed to study not only a document in isolation, but also the genesis of that document, from the mind of the author to the object itself. He drew a distinction between "actio iuridica," that is, "juridical action," and "confectio," that is, writing.

Theodor von Sickel (1826-1908) is considered the father of modern diplomatics. He compared scripts and styles in documents of the same chancery and distinguished between the scribe and the dictator, also clarifying that the difference between scribe and authority is important.

Many German scholars excelled in diplomatics, possessing method and focus and working hard. Among them, Harry Bresslau (1848-1926) is important, having edited the best handbook to this day, the "Handbuch der Urkundenlehre für Deutschland und Italien," published in 1889 and continually republished since.

As for diplomatics in other countries in the nineteenth century, in France a practical approach, and an especial focus on French documents,

predominated over theoretical approaches. In 1821 the "Ècole nationale des chartes" was founded in Paris.

In Italy, the major locus for the discipline of diplomatics was Florence, where in 1856 a center was established for the study of paleography and diplomatics at the public archive there. In Italy during that same period there were fifteen public archives offering Masters degrees in paleography and diplomatics. In 1881 the Vatican Archives were opened by Leo XIII (Pope 1878-1903), a very important opportunity for scholars across the world. Leo XIII also founded, in 1884, a Vatican School of Palaeography for students. Pius XI (Pope 1922-1939) was Dottore and Prefect of the Ambrosiana Library in Milan, and later Prefect of the Vatican Library, and, as Pope, promoted the Vatican Archives as particularly important.

In Spain and Portugal, matters concerning diplomatics had been discussed since the eighteenth century, especially in Madrid, where the "Real Academia Española de la História" was founded in 1738.

In Great Britain, the attention to diplomatics was essentially just in connection with editions of documents belonging to public archives. There was no overarching theory of the whole discipline, and although there were articles on specific issues, there were no general handbooks produced.

Nowadays the science of diplomatics is taught as an auxiliary to history in many universities, and today it is a must for historians who want to work with primary sources. The methods of von Sickel are accepted everywhere today. Other methods are also being developed, and many steps have been made by scholars; now we also take into consideration law, economy, and the nature of the administration in the times and places where documents were produced in order to better understand them. Similarly, cultural context and sociology is examined. Studying the process of documentation allows the discipline of diplomatics to be enlarged. The study of the process of working in a chancery or an archive is technically more to do with archivistics and archive history, but it is also important for diplomatics, because it informs one's understanding of how a document was produced. Other areas of study include the relationship between memory and juridical fact, how such facts are memorialized by documentation, and which additional gestures are used, such as a handshake. Scholars can try to decodify and analyze all signs on documents.

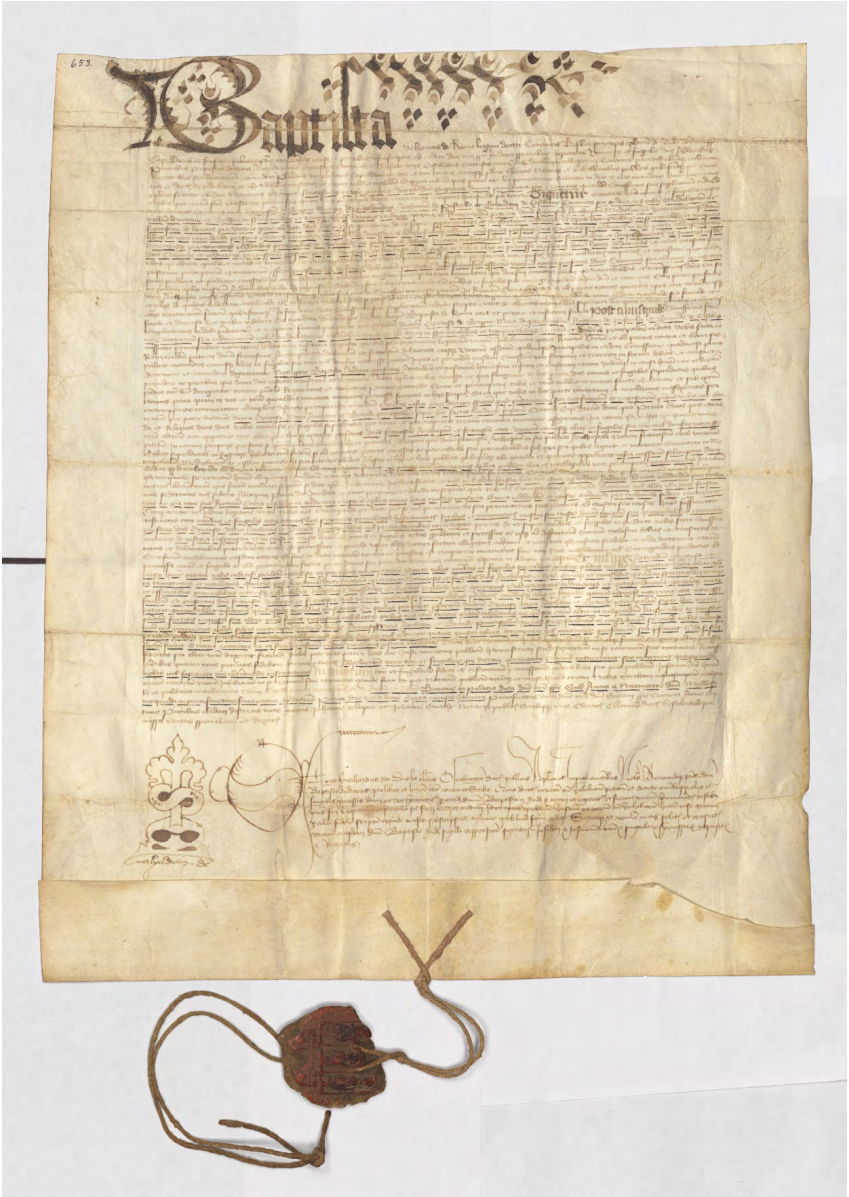

Fig. 3 - Milan, Biblioteca Ambrosiana, Perg. 653
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Chapter III
Definitions

Let us define diplomatics and documents.

The term "diplomatics" derives from the Greek word "diploma," meaning "duplicate." Initially, this meant any document, which would have been written on two small wooden boards joined together. Early on, in the Roman period, this kind of document was produced by the emperor or the senate, that is, a "libellum commendatitium," which would give someone the right to a public career, or permission to travel, or the right to send letters. This was in the form of a diptych, and was a written decree given to soldiers who had ended their terms of service honorably; they were given, amongst other things, the right to citizenship and right to marriage. In the medieval period, the word "diploma" was not really used; this and other words were rediscovered or reused by humanists, and thus they come into modern languages.

In the middle ages, Latin was indeed a living language for studying, communicating, science, etc., and therefore medieval Latin has its own vocabulary. In the medieval period people may have used other, non-classical words for documents. Humanists wanted to use the more accurate ancient terms, derived from classical authors. So "diploma" was considered preferable to, for instance, the medieval term "actum." Another example of the history of terminology: in the middle ages they might have spoken of "educatio" (education), whereas "paedagogia" is a Latin word (from Greek) which came back into use through humanism. Humanists used "diploma" for solemn (i.e., especially important or official) documents, and this meaning is still used in diplomatics today. Because diplomatics also takes into consideration written documents that are not solemn, the written acts about which diplomatics speaks are called "documenta" (documents), and diplomatics itself can be defined as "the science of documents."

The technical meaning of "document," as Rabikauskas explains, is: a written testimony in a proper form about a legal action or a legal fact. The document, then, has three key characteristics: 1) it is written; 2) it is in a particular/fixed form; and 3) it has to do with law/juridical matters.

In Rabikauskas' classic handbook there are various other specific terms: documentum, mandatum, epistula, actum. It may not be easy to distinguish among them, and the distinctions may not be cogent, especially for modern documents. How well does this taxonomy really clarify things? For instance, take a modern receipt: it has some of the same characteristics of a medieval document, but it would not make sense to classify it according to terms as found in Rabikauskas for medieval documents. Or, to give another example, what about acts that are not strictly documents, but that have to do with them? For instance, drafts (minutae), or petitions; is a petition where only the "fiat" is written by the Pope an "act" that becomes a "document," because the Pope wrote on it? The boundaries between "document" and "act" may be uncertain, but diplomatics has to do with all of it.

One can find many definitions expressing more or less the same thing; a different term doesn't necessarily indicate a different type of document. If we were focusing just on a chancery, for example, it might make sense to make fine distinctions of terminology that were specific to that institution or region. Keep in mind that there were also vernacular languages in use during this period, and there is the possibility that various terms developed under the influence of particular languages or dialects.

I find Cesare Paoli's definition (1895), translated by Luciana Duranti, very clear: "A document is the written evidence of a fact having a juridical nature, compiled in compliance with determined forms, which are meant to provide it with full faith and credit." This is the standard definition that is commonly used. Comparing this to Rabikauskas's definition, we find all of the same elements: a document is written, it has a particular form, and it is juridical. Paoli uses the word "fact," whereas Rabikauskas uses the word "action." There is a difference: a fact is something that happens, whereas an act is something that someone decides to do. Paoli was writing before Rabikauskas. For Paoli, it is important that the "determined forms" lend credence to the document; certain forms are typical of certain kinds of documents.

Another definition, more of an addition to Paoli, comes from Alessandro Pratesi. He agrees with Paoli's definition but he adds: "[W]e have to distinguish 'Urkunden' [documents] and 'Akten' [other things related to documents but not documents in a strict sense]." This definition is simpler: there

are documents, and there are acts which are not documents but which relate to and inform documents.

Another definition is by Giovanna Nicolaj, who, although a paleographer with a literary background, aimed to expand the field of diplomatics to juridical studies, which was quite clever. She writes, "What is a document? It is any written document of a juridical nature that is created for juridical functions and goals, written in formats which are appropriate for fulfilling the expected functions." This, too, echoes Paoli and Rabikauskas: a document is written, it is juridical, it has particular formats. Nicolaj continues: "It can be written in any kind of medium [support] (stone, wood, papyrus, parchment, paper, electronic, magnetic), and it will be possible to situate it in one of the historical systems of documentation." This definition attempts to enlarge the field of diplomatics beyond the realm of the middle ages by including electronics, stone, etc.). The definition also attempts to contextualize a document within a system.

Paoli's definition is a little narrow; Nicolaj was writing 100 years later, and she tries to be more nuanced. According to Paoli, forms are meant to have certain functions. Nicolaj, on the other hand, was working with both modern and ancient documents, and thought that forms were not always so straightforward. For instance, take a document from the Roman empire, in which a soldier buys a boy as a slave. There are, in the document, certain forms, giving a sense of it being an official document, but those forms are very different than what one would find in a medieval or modern document. For Nicolaj, a "historical system of documentation" has to do with anthropology. We use something to express, "This is official!" For example, the rites that people use for marriage are different in each culture and country. But within a system of "documentation," to use, e.g., a ring, is to use a sign. Nicolaj employs a more general definition of "document," whereas Paoli is thinking of medieval documents in particular. Other scholars have subsequently tried to enlarge the discipline further, saying that the document is a semiotic act, an ideological fact, that the scholar must interpret.

Yes, both documents (Urkunden) and archival acts (Akten) exist; we can follow a very particular system of classification, as did Rabikauskas. But keep in mind Paoli's basic definition: the document is a primary historical source; there are acts which are not documents but which assist in documentation. For example, a "regestum" is an abstract, in a way, of a

document. A regestum is very useful for historians, but it is not the actual documents in question. Is a regestum an act? A document? Why is it not a document, if it is official, and it has a particular format? Technically, though, it is considered an act.

Another observation: we can consider, as an example, a document which is an inventory that lists the books belonging to a medieval library. This inventory is not a "document" in the sense of being a declaration of will, but it is a document nevertheless, because it testifies to a juridical act: someone wanted to make an inventory of the library, so that they could declare, "These are our books." This inventory is not the same as, e.g., a document from a pope or bishop granting a field to a church, but it is something like a manifestation of will: "We want to remember what our books are, so here is the list." It is not for outsiders, it is for internal use. It has characteristics of a document; there is a date, a place, etc. Even if that kind of document is not typically studied in general diplomatics, it is important to think in terms of diplomatics in order to more fully understand such evidence.

About how documents are studied in the field of diplomatics: a document is studied not for its language, not for history, not for law, but because it is a testimony of a juridical action. Consequently, it can be examined for its external and internal forms. And so there is, related to diplomatics, research into the following: authenticity, provenance, originality or dependence, and integrity. Moreover, interpretation of the act or the fact that is indicated in the document is aided by using diplomatic methods. Diplomatics is sometimes thought of as an auxiliary discipline to history, which investigates documents and acts, in order to interpret authenticity, provenance, text, and usages of chanceries and of institutions.

So that is the traditional definition of diplomatics. What does Luciana Duranti mean by saying, "The object of diplomatics is not any written document it studies, but only the archival document, that is, a document created or received by a physical or juridical person, in the course of a practical activity"? This is mostly true, but it does not take into account some private documents, e.g., private wills. Thus, narrow definitions can be dangerous. "The study of the content of the document is extraneous to diplomatics, because it is the authenticity, validity, authority, and full meaning of the content that diplomatics strives to ascertain by looking at various elements of the document." This is also true, but perhaps overstated. Historical reality

has to do with authenticity. What happens if you find a clear factual discrepancy in the content of a document? For example, a king's name with an impossible date. You cannot say, "That is just a job for historians," and ignore it. Diplomatists are not historians, but that doesn't mean one simply accepts documents with absurd content.

Duranti also employs another definition, by Giorgio Cencetti, a great paleographer. Her translation of Cencetti's definition is as follows: "Diplomatics is the discipline which studies the genesis, forms, and transmission of archival documents, and their relationship with the facts represented in them, and with their creator, in order to identify, evaluate, and communicate their true nature." Except for the word "archival," this is very similar to Paoli's definition, though there is no mention of the written nature of documents. We have to remember, however, that Cencetti has chanceries in mind, and probably also private documents.

Traditionally, our approach examines medieval, Latin, Western documents; the traditional definitions are perfect for these. Other definitions are very good, but the field is still open, and we don't have a long history of diplomatics as a discipline that involves documents of all cultures and ages. The older definitions are interesting, because scholars were trying to stake out new territory for a new discipline, but they are limited to medieval, Latin, Western documents. Greek paleography is also in its infancy.

We also have to consider other terminology. First of all, the makers of documents. In each document, because it is the testimony of a juridical action, we can distinguish: 1) an expression of will, which is juridical action (*Handlung*) and 2) the process of creating the document, i.e. the documentation (*Beurkundung*). One is the fact — for instance, the creation of a new duke — and the other is the documentation of that fact.

Other distinctions are important as well.

The "auctor actionis" (author of the action) is the initial person, the originator, the one making the juridical act, e.g., the one willing, selling, giving, etc. The "auctor documenti" (author of the document) is the person who decides to produce a document, the one who decides to create the document, or the one who gives the order for the document to be made (sometimes this is the same person as the *auctor actionis*). To give an example, a judge is the "auctor documenti," while the disputants are the "auctores actionis."

The "destinatarius" is the addressee, the person to whom the document is sent, who receives and keeps it. This is always a different person from the *auctor actionis*, but can sometimes be the same person as the *auctor documenti*. A "rogatarius" is the person requested to write the document, usually a notary. The "dictator" is the person who speaks aloud the text of the document, the one who dictates (or writes a draft). The "scriptor" (writer) is the person who writes the document; they are sometimes also called the "ingrossator" (enlarger), because official documents are rewritten larger (or clearer) than the draft. In notary documents, the dictator and writer are the same, whereas in a large chancery, there are many people with different tasks.

As mentioned, there are public and private documents. We can make a distinction between, say, the documents of a king, by a royal chancery, and private documents by ordinary people. Though it is commonly asserted that there is a distinction, what the difference is is disputed. It is not correct for diplomatics to distinguish public from private law, as jurists do, because diplomatics is meant to examine the forms of the document. It is also not correct to distinguish documents with public validity and without public validity, e.g., a state law vs. private contract; after all, notary documents have public validity. Nor is it correct to simply say that public documents are from a public authority and private documents are from those without public authority; that is not clear either. What about an abbot, for example? He has authority, of course, but what if he is writing to those who work on his fields, rather than his monks? What constitutes public and private law also changes over the centuries. One must look at the form of the document.

Following Rabikauskas' definition, public documents are documents from the chancery of a pope, emperor, king, or other leader, while private documents are not from a chancery, but rather from notaries.

We said that in the genesis of a document there are two things: the juridical act and the documentation of that act. There can be two different relationships between these things: 1) juridical action and documentation are separate, and the document is a testification of the act, i.e., the document comes after the act, as for instance with a marriage ceremony vs. the signing of the marriage certificate; 2) the two things coincide; with the document comes an action, and therefore the document is an order, a "dispositivum," as when, for example, the head of an order decides to create another person

as a knight of his order. He writes a document, and through this, the other person becomes a knight. Or, as another example: someone buys a house from someone else; it is by writing the contract that the ownership changes hands. Generally, public documents are "dispositiva."

Fig. 4 - Milan, Biblioteca Ambrosiana, Perg. 416
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Chapter IV
Internal Characteristics

Public documents and private documents have internal and external characteristics. The internal characteristics of a document are forms — not always the same — which are followed in writing and producing a document. Internal characteristics are text and words, which it is possible to reproduce precisely with a transcription. These have to do with the message of the document. External characteristics refer to the paper/parchment itself: they cannot be present in an edition or in a reproduction, either. We will address them in a specific chapter.

That a document has internal characteristics means that it is composed of several parts or elements. It is important to remember that not all of these parts will necessarily be in each document. There are many variations among different types of documents and among different ages and geographical areas. Documents may or may not have all of the characteristics or features mentioned. Moreover, the features don't always appear in the same order. For instance, many documents, especially if they are not solemn, do not have an "arenga"; this is also the case with the "promulgatio." The "narratio" and the "dispositio" can be the very same sentence. "Clausulae" are rare, and the "corroboratio" is not generally present in papal documents, and so on. But let us look at the characteristics in order.

Generally, each document has three parts:

1. protocol
2. contextus
3. eschatocol

That is:

1. Beginning of the document
2. Main part
3. Ending of the document

This means that each document is in two or three clearly delineated parts. One, placed in the middle, concerns the juridical action which is testified to by the document. This is the "contextus." The other two parts occur before and after the contextus. These confer something like "legal validity"

(perfectio legalis); they are called, respectively, the "protocol" and "eschatocol." The terms derive from Latin translations of Greek words: a "collum" is the leaf of papyrus in a scroll, so the "protocollum" is the first leaf and "eschatocollum" is the last leaf. Note that emails or text messages on a phone are still in scrolls — they are virtual scrolls! The Roman Age and Middle Ages are not so far from us.

Usually in diplomatics we talk about each part of the document using Latin. So we won't translate these terms or example passages, except for the purpose of understanding them and their meaning.

Protocollum, or protocol text

"Invocatio": invocation, a pious formula

This is the invocation of the divine name at the beginning of the document. For instance: "In the name of the Trinity..." The origin of the invocatio has to do with religion, naturally. This convention began in the sixth century in Christian settings, e.g. in a king's or bishop's chancery. It can be a symbolic invocation, with, for example, a cross or a chrismon, or a verbal invocation, which is in words. The "invocatio verbalis" (verbal invocation) changes according to place and time. Usually in papal documents there is no invocatio.

"Intitulatio": the name of the author of the document (that is, the auctor documenti, who is not the auctor actionis; the auctor actionis is more like the petitioner).

From Charlemagne onwards, the "nomen auctoris" (name of the author) often has a devotional formula, or a formula of humility, e.g., "si quid est".

"Inscriptio": address. This is the name and title of the addressee, e.g., "To you, most excellent son Charles, king of the French..." This can also be a general inscriptio: "To everyone who will read this present letter…"

"Salutatio," greeting.

This comes from "salutem dicere," that is, to greet, in Latin. So, the salutatio is the greeting — for example, "salutem in Domino," "I greet you in the Lord." Other formulas can be added to this, e.g., "I greet you and bless you..." Also, some solemn documents of the pope are considered to have validity forever; these have a formula of perpetuity (formula perpetuitatis): for example, the phrase "in perpetuum," appears.

The abovementioned parts of the protocol do not necessarily follow this order every time. A general rule: the more important person is written first. If I, the speaker, am more important than you, the addressee, the formula is *ille illi*, "I write to you." For example: "Innocentius papa dilecto filio Antonio," a pope writing to an abbot. But if the less important person is writing to the more important person, it would go, *illi ille*, as in, "Innocentio papae Antonius abbas." In this way, the more important person's name usually goes first, and of course the grammatical case will change according to the direction of the letter. In pontifical documents, the name of the Pope obviously goes first.

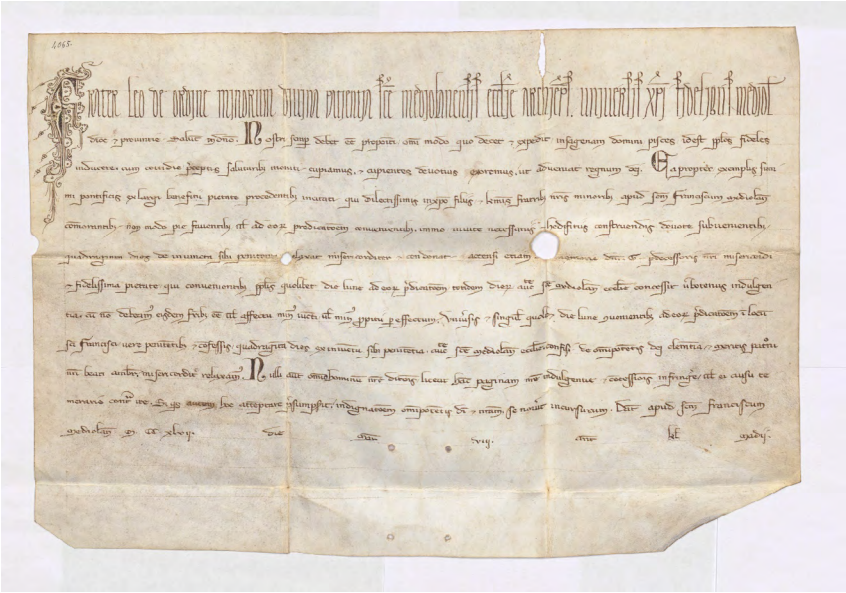

Fig. 5 - Milan, Biblioteca Ambrosiana, Perg. 4065
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Contextus

"Arenga": preamble, proem

Other names for this part: exordium, proemium, prologus, praeambolum. It consists of one or more sentences which, in pious words, express the moral advantage or rationale for granting what is put forth in the document. For instance, if someone is granting permission for the construction

of a new church in the parish's territory, the arenga might be to the effect of, "I think it is important that Christians pray, and I am so happy to see that Catholic life is growing in your parish, and I think it is important that people find a church not too far from their own houses," etc. The arenga is an explanation of why the thing being granted is being granted. Each chancery has its own typical formulae, and these typical formulae of arengae were used for similar documents. On the historical, ideological, and political import of arengae, see the famous study by H. Fichtenau: *Arenga* (Wien, 1957). Note that the arenga is not necessary as far as law or contracts are concerned; there is no arenga in such documents because there is no ideological motivation to explain the juridical action. Arengae are important indications of solemnity in the document.

"Promulgatio": notification

This is a short formula that introduces the matter of the document. It is a declaration, such as, "Notum sit…" that is, "It is proclaimed that…" The promulgatio often begins often with a causal adverb.

"Narratio":

This is an exposition of the circumstances on account of which the juridical action and the documentation are being done. Following the above example of a request to build a new church, the narratio might be to the effect of, "You wrote me because you wanted to build a new church in your parish… You had troubles because of the small size of your church… Your parish has indeed grown and many new Christians now belong to it and live far from the old, small parish church…" Often, significant moments in history are included in the narratio because they are part of the context of the document, for instance, "Because you won the battle, I decree…" In the narratio, it is not rare for there to be mention of the petition on account of which the document was made, because of course this is a part of the context as well.

"Dispositio", dispositive clause

This is an essential part of the document, in which the will of the author of the juridical action is expressed. It is the nucleus of the document. It may be set off by "concedimus," "iubemus," "statuimus," etc.: all kinds of words having to do with ordering and deciding. If they are speaking about

"bona fundiaria," the goods are listed. There are formulaic lists, such as, "I give you this room for rent, with a bed, a desk, a chair, a table, a carpet, a headboard..." Sometimes these long lists of goods are part of a formula. In such formulae the list of things is regularized, and so it does not necessarily correspond to the goods that were actually there.

"Clausulae," clauses

There are many kinds of these. Rabikauskas' handbook offers a list, though as usual it is theoretical; in fact, he could have classified it differently. The clausulae are formulae through which the validity and consequences of the juridical action are determined, defined, and completed. They are at the end of the contextus.

- A "clausula praeceptiva" is a prescriptive clause, as in, "I order that this statute be served."
- A "clausula prohibitiva" is a prohibition, as in, "I prohibit that this be infringed upon."
- A "clausula derogativa" is an exception, as in, "notwithstanding…"
- A "clausula reservativa" reserves one's right to something.
- A "clausula obligativa" has to do with an oath.
- A "clausula renuntiativa" is where someone gives up (renounces) something.

"Sanctio," penal clause

This is a formula that says something regarding infringement upon the order, as in, "I promise punishment for whomever breaks this order." But the sanctio can also be a reward for whomever observes and respects the order set down in the dispositio. The negative sanctio is the "comminatio poenae", and the positive sanctio is the "benedictio," a blessing. The penalty can be spiritual (eternal damnation) or practical/mundane (a financial penalty, for example). And of course, notaries and kings cannot bless anyone; only popes, bishops, etc. can use benedictiones.

"Corroboratio"

This is a formula by which an author declares the manner of the document's convalidation, or confers validity, or gives testimony. It is a corroboration.

Eschatocol

"Subscriptio," ratification

This is the signature, and can be by the document's author, by witnesses and people present, or by the notary/chancery officials. Subscriptions can be autograph (done by the person themselves) or not autograph. The pope, for example, probably did not sign all of his own documents himself. Maybe he added just a little tick, or a scribe did it for him. The way of writing the subscriptio varied greatly according to the time and place. Often subscriptions include various other signs, such as seals, which are actually considered external, rather than internal, characteristics.

"Datatio": date and place

This is the indication of the place and time: the when and where. It often begins with "datum," "data," "actum," "factum," or "scriptum," as in: "written the third day of the month of January, in the year 1234," or something to that effect. In Roman times, they distinguished between the time of the action (actum) and the production of the document (datum). In the middle ages, however, they did not distinguish between the actum and datum in this way, so sometimes there can be ambiguity.

"Apprecatio"

This is something similar to the corroboratio, that is, a kind of confirmation, done once more, and is often religious in character, as in, "Feliciter. Amen".

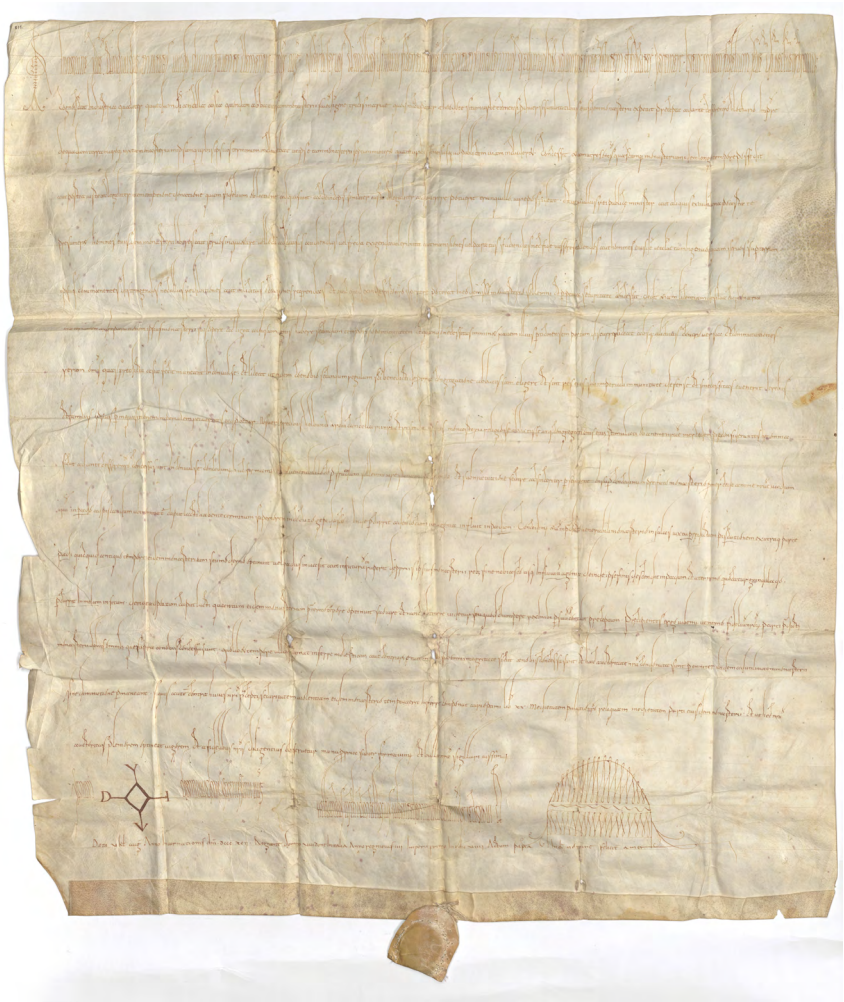

Fig. 6 - Milan, Biblioteca Ambrosiana, Perg. 811
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Private documents

There are a number of differences between private and public documents. The arenga is very rare in private documents, and there is no promulgatio in them; there is no need for it, because in private documents the context is generally known. The same is the case with the narratio. Clausulae occur in private documents often, however. For the rogatio, in private documents this is the place where the notary's voice comes in: "I, the notary, writing the document…" This is important because the notary gives the document validity. For this reason the notary usually drafts a personal identifying sign, called the "signum tabellionis", that is, the sign of the notary or notarial sign. The subscriptio may be autographs or just a cross, or even just a line, or it may be a simple "manumissio", that is, there is no mark: the notary simply writes that they were present and that they touched the document. The formula by which the notary gives their subscriptio is called the "completio".

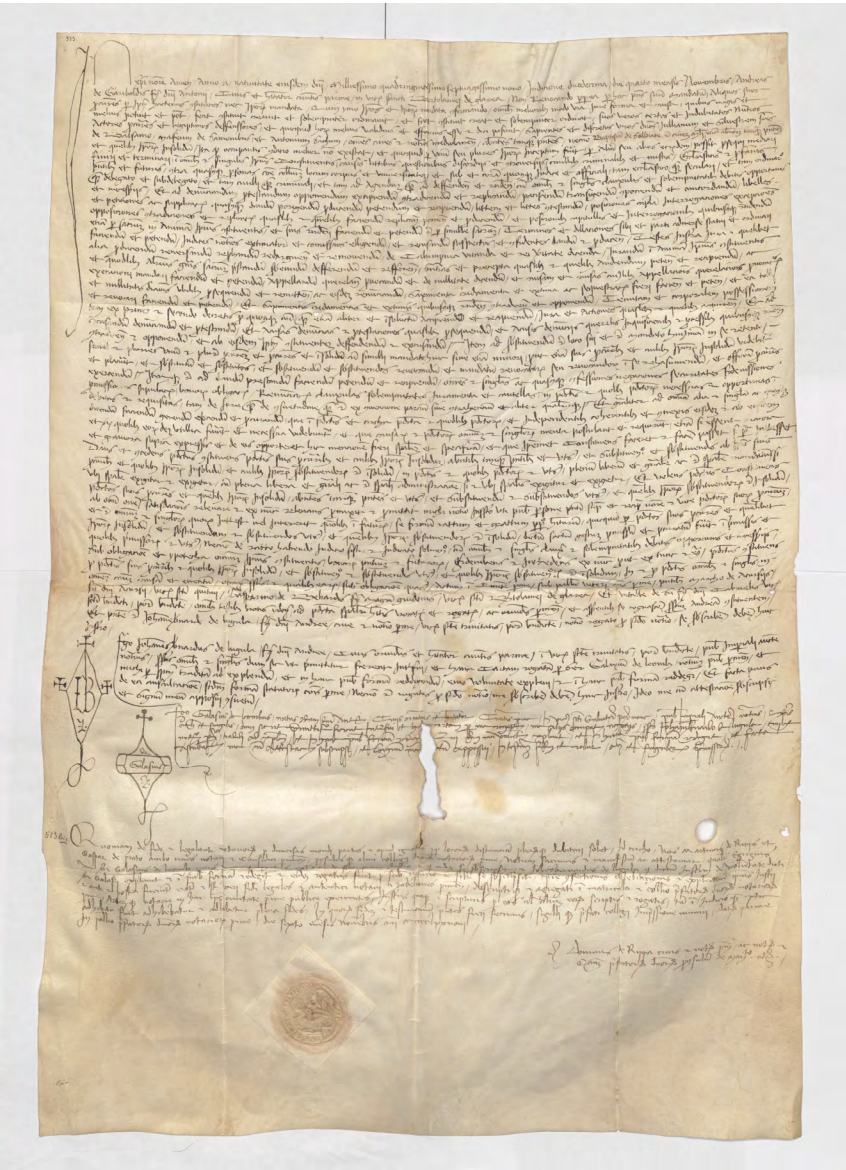

Fig. 7 - Milan, Biblioteca Ambrosiana, Perg. 513
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Chapter V
Language and *Stilus*

What sort of Latin do we find in medieval documents?

In ancient times, in the Western Roman Empire, Latin was spoken, though in many peripheral regions they also spoke other languages, such as Greek, for example. The language of documents, especially of private documents, was never the language of literary classical Latin. With the end of the Empire, central administration ended, which allowed regional dialects and languages to influence written Latin.

In Italy, changes accelerated in the seventh century following the Lombard invasion. Such changes occurred earlier in France, with the invasion of the Franks, and in Spain, with the invasion of the Visigoths. This process continued until the 11th century, even in the Papal chanceries. In Ireland, Britain, and Germany, where Latin had never been widely used as a spoken language, the changes were not so marked. However, in these regions it was easier to introduce loan-words, e.g. feudum, bannum, vadium, etc., especially when no word in Latin existed for the thing or the concept.

In addition to the introduction of new words, changes in Vulgar Latin included more simplified declension and conjugation, as well as other small differences from Classical Latin. Certain formal expressions and judicial formulas were preserved intact, though their significance was not necessarily fully understood by the people who used them. Even if someone had wanted to restore a "standard" Latin orthography, they would have had, unfortunately, access to few or no ancient texts to use as templates.

We can consider some examples of recurring changes. The dipthongs "ae," and "oe" reduced to "e," and the opposite happened as well. There was substitution of "b" for "v", "i" for "e", "o" for "u", and "c" for "qu", and vice versa. Double consonants became single consonants, and vice versa. There was an arbitrary use of "h" as well as its arbitrary omission. In Italy, the last consonant of a declension or conjugation was sometimes dropped. Many of these changes had to do with regional accents and pronunciations. Written Latin in Romance-language-speaking countries provides evidence for the way each country (Portugal, Spain, France, Italy, Romania) was developing its own national language.

In the age of Charlemagne a more standardized (written) Latin was revived, as part of the so-called Carolingian Renaissance, but this also resulted in a complete separation between the vernacular languages and Latin, where such a separation had not existed before or was less pronounced. The influence of this revival was greater in France, while in Italy and Spain it was less obvious. After the fall of the Carolingian dynasty, written Latin once again became less standardized.

There was a second revival of standardized Latin beginning in the eleventh century. This revival was spread by the production of handbooks for chanceries and notaries, such as the "Ars notandi" and "Ars dictandi". These appeared in Italy towards the end of the eleventh century, and provided a system of grammar and rhetoric, and also templates for writing letters and documents. The rise of universities in the twelfth and thirteenth centuries in various countries also helped to spread standardized Latin, and after the end of the twelfth century, "barbarisms" could be said to have definitively disappeared from documents.

Local, vernacular languages were also used for documents; since the ninth century, Old English was used in England. In southern France they used Provençal, Langue d'oc (from the tenth century), while in northern France they used Old French, Langue d'oïl (from the thirteenth century). In Italy, some examples of regional Italian can be found in the tenth and eleventh centuries, becoming more common from the twelfth century onwards. The situation was similar in Spain, though the vernacular become more frequent there in the thirteenth century. Though in the thirteenth and following centuries the vernacular was more widely used than before, Latin was still used in the majority of chanceries and prevailed up to the sixteenth century, and in Hungary right up to the nineteenth century. Latin continued to be in use for solemn documents.

What is "stilus," i.e., style?

Style is the appropriate form of expression in speaking and writing. Many handbooks had rules for style. Theoretically there were three kinds of style: humble, middle, and great. Practically, just two styles were understood: the simple style and the solemn style; it is hard to define what the "middle" style was. There is much information on style, but for the study of diplomatics we will look at two things, versification and cursus.

Versification occurs in prose when the final syllables of words have the same sound, e.g. "Romanae legis ego Wido tabellio regis hoc instrumentum scripsi ceu cetera centum". The result is something between prose and poetry. This is also called "stilus Isidorianus" because it is common in the works of Isidore of Seville. To obtain this effect the typical order of the words was often changed, e.g. "Testis robustus iudex hic est Tresagustus." Versification is used especially often in the arengae.

Cursus is the use of particular written cadences, especially at the end of the sentences; it is a feature of oratory. The presence of cursus in a document indicates that it was produced by a chancery with official training. In the fourth and fifth centuries, learned people used the cursus in public speeches and also in private letters. They paid much attention to the ends of sentences, using specific patterns of long and short vowels. Cicero and his contemporaries paid attention to the quantity or weight of syllables, but by the middle ages, meter was exclusively based on syllable stress.

The cursus used by ancient Christian writers was called the "leonine cursus" in the medieval period, because Leo the Great used it frequently. The pontifical chancery used the cursus from the fourth century right up to Gregory I (6th/7th c.). Afterwards it fell into disuse. In the eleventh century the papal chancery tried to revive an elegant cursus. Johannes Gaetanus, the chancellor of Urban II, began to bring the cursus back to pontifical documents. The rules for the cursus were later written in a handbook by Albertus de Morra, "Forma dictandi." Morra later became Pope Gregory VIII. When the "Gregorian style" is discussed, this is the Gregory that is meant.

Examples of the Medieval Cursus

Cursus Planus: three syllables in last place, with an accent on the penultimate, a spondee preceding:

"Gratiam tuam quaesumus, Domine, mentibus nòstris | infùnde"

Cursus Tardus: four syllables in last place, with an accent on the antepenultimate, a spondee preceding:

"ut qui, angelo nuntiante, Christi Filii tui Incarnatiònem | cognòvimus"

Cursus Velox: four syllables in last place, with an accent on the penultimate, a dactyl preceding:

"per Passionem eius et Crucem ad Resurrectionis glòriam | perducàmur"

Cursus Trispondaicus: four syllables in last place, with an accent on the penultimate, a spondee preceding:

esse | videatur

The cursus velox is most frequently at the end of the sentence. The cursus planus is permitted there as well, while the cursus tardus is found most often in the middle of the sentence.

In pontifical documents, the cursus occurs from the end of the eleventh century to the fifteenth century. Towards the end of the twelfth century and in the thirteenth century, the cursus is used so regularly that its absence in a pontifical document of this period calls the genuineness of that document into question. Out of the papal chancery the cursus expanded through Italy, France, Germany, England, and Spain, not only in chancery documents, but into literary works and personal letters. From the thirteenth century onward the cursus was less diligently applied, and after the fifteenth century it is never seen, because of the influence of the humanists and the revival of classical Latin.

To work in a chancery or as a notary it was necessary to have formularies. These contained frequent, habitual, recurring formulas and examples to aid in the composition of documents. In historical research on diplomatics, it is very interesting and illuminating to compare original documents with their models. It is also possible to observe changes in attitude or mentality by this comparison.

Artes dictandi were used in chanceries for public documents; these used not only theoretical examples but copies of authentic documents as models. Documents that usually allowed some concessions by the same or another author would often be renewed for the addressee or his heirs, or there might be a small change to the concession, so a new document would then be created, relying greatly on an antecedent document or documents. Artes notariae were for notaries, and provided models that notaries could compose from directly.

It may be useful to mention some collections of formulas and of texts that were used by chanceries and notaries. Cassiodorus in the sixth century composed the "Variae," containing Gothic royal documents and letters. In France in the seventh century, private documents were collected in the "Formulae Andagavenses," and both public and private documents were collected in the "Formulae Marculfi." Many other documents were gathered in local collections in the eighth and ninth century; the "Formulae imperiales e curia Ludovici Pii" were used by emperors and kings until the end of the ninth century.

The "Liber diurnus Romanorum Pontificum" is particularly important, a special case study due to its antiquity and vast number of documents. This contains many pontifical and church documents, probably composed in Nonantola (northern Italy).

In Italy in the eleventh century the "artes dictandi" developed. These were not simple collections of documents and examples, but real treatises, including material on grammar, style, and law. Alberico da Montecassino composed the "Breviarium de dictamine" and the "Flores rhetorici," in the eleventh century, and in the twelfth century Alberto Samaritano composed the "Praecepta dictaminis," Enrico Francigena the "Aurea gemma" and an anonymous author the "Rationes dictandi."

Bologna was an important city in the middle ages because of its university. There, in the twelfth century, Ugo da Bologna wrote the "Rationes dictandi prosaice," while in the following century Boncompagno da Signa wrote the "Rhetorica antiqua," the "Rhetorica nova," the "Oliva" on notaries and the "Cedrus" on communal chanceries. In the same century, Bene da Firenze composed the "Candelabrum" and the famous Guido Faba wrote the "Dictamina rhetorica," the "Summa dictaminis" and the "Doctrina ad inveniendas, incipiendas et formandas materias", while Lorenzo da Cividale wrote the "Summa cancellariae".

In France in the twelfth century various artes dictandi were composed by Bernard Silvestre, Raoul of Tours, Jean de Limoges and Pierre de Bois. In Germany, Ulrich of Bamberg wrote a "Codex epistolaris"; in the thirteenth century an anonymous author composed the "Summa prosarum dictaminis" and Konrad of Mure composed the "Summa de arte prosandi".

The papal chancery was a fertile field for artes dictaminis. In the twelfth century Alberto da Morra, later pope Gregory VIII, wrote the "Forma

dictandi," Trasmondo wrote the "Summa dictaminis," and Tommaso da Capua wrote another work also entitled "Summa dictaminis." Various similar works were composed in the thirteenth century by Marino da Eboli, Riccardo da Pofi and Berardo da Napoli.

For private documents written by notaries, "artes notariae" were composed in Italy, especially in Bologna. The "Liber formularius" by Ranieri da Perugia deserves mention, and several "Ars notariae" by the same Ranieri da Perugia, as well as by Bencivenne and Salatiele. The latter was also author of the "Summula de libellis," while the famous Rolandino Passeggeri composed the "Collectio contractuum," the "Summa totius artis notariae," and the "Aurora."

Fig. 8 - Milan, Biblioteca Ambrosiana, Perg. 1221
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

Chapter VI
External Characteristics

Internal characteristics, as we said in the previous chapter, have to do with the content of the document. It is possible to transcribe and edit this content and transmit it, in writing or orally. External characteristics, however, have to do with the original document, with the material itself, and with particular signs that can be only partially reproduced in an edition. These particular signs were produced to validate the document, e.g. the signatures. External characteristics refer to the paper/parchment itself: they cannot be present in an edition, and not in a reproduction, either. Reproductions can give us an *idea* of the external characteristics, but the original is fundamental. The reproductions can be full color and high quality, but really, sometimes you need to touch and see the actual thing in order to see and study the external characteristics. Today, microfilm is usually poor quality, and while digitizations are better, the original is still needed for a diplomatic examination. Many signs, seals, etc., can be detected only by direct examination. Luciana Duranti calls these characteristics "extrinsic elements of documentary form": they can be examined without actually reading the document's content, and they are only present in the original.

The writing materials of documents have to do with another subject: codicology. Codicology is the science of the materials used, e.g., ink and writing substrate, but it also has to do with the construction of quires, binding, illumination, etc. A good scholar in diplomatics must also know codicology well.

Another important distinction should be made between diplomatics, codicology, and paleography. The last is the science of old scripts, which it is necessary to learn in order to read documents. No one can study diplomatics without knowing Latin paleography, and that is the reason why these two sciences are usually taught together by the same professor in universities.

There is also the field of epigraphy, which has to do with epigraphs and inscriptions, particularly in the ancient world. Although there are academic chairs for Greek and Latin epigraphy wherein just epigraphs of the ancient world are studied, there are also medieval epigraphs. In every church and

palace in every town in Europe, one can find these until the nineteenth century — they are often on tombs — but today scholars take little interest in it. These documents on stone can be considered to be related to diplomatics because of their contents (for instance, laws or orders contained in epigraphs), but epigraphy is a separate science, solely dedicated to writing on stone. It is possible for legal texts to be in an epigraph. For example, perhaps an emperor arrives in a town and decides to grant a privilege; he gives a parchment document with a seal to the mayor, but he also decides to engrave the text in the wall of the church or a prominent building in town. This is like a document; I consider it to be a document, but it is not really the object of diplomatics. It could be — it should be, in fact — because we must ask a diplomatist to transmit the information contained in what is written, not an epigraphist.

Papyrology is also related to documents, as well as to paleography, codicology, and literary studies, but it too is a separate science. There are many documents written on ancient papyri; nevertheless, these are studied in the field of papyrology and not of diplomatics. Paleography, epigraphy and papyrology are so closely related, at least in the case of Latin; they all have to do with Latin texts, so why are the disciplines so divided? How different is a Latin text on papyrus from one on parchment or stone? Yet a scholar studying, for example, the text of Virgil in the fourth or fifth century on papyrus and parchment doesn't talk to a scholar studying Latin epigraphs of the same period.

These separations among such closely related disciplines have to do not with theory, but with the history of their development, which was separate. It is useful to understand the development of various sciences, even if you don't agree with the theoretical underpinnings.

But let us return to the writing materials of documents. In antiquity, documents were on hard material (stone, metal, wood, etc.) as well as soft. In the middle ages, this is perhaps rarer. We do not pay much attention now to the small wooden wax tablets which were often used for notes, both in antiquity and in the middle ages. The three possible materials used for medieval documents are papyrus, parchment, and paper.

Papyrus was used in the Roman Empire until the seventh century AD. After that, the use of papyrus stopped north of the Alps. It lasted longer in Italy — until the tenth century — but in the papal chancery it lasted until the eleventh century.

Parchment predominated from the eighth to the fourteenth century. In the fifteenth century parchment was still used for documents, and it was used even later than that for important documents (bulls, decrees, etc.). Parchment is still used — or imitated — even today. It is easy to distinguish northern from southern parchment. Northern parchment is, especially in Germany and France, very flexible, and evenly decorated. Southern parchment, especially in Italy, southern France, and Spain, is usually hard, and the hair side is much darker than the flesh side. Different techniques were used to produce the parchment in accordance with different traditions.

In Spain and Sicily they began to use paper relatively early, but this was initially very rare in other countries. In the thirteenth and fourteenth century paper was mostly used for registers, private letters, etc., and only towards the end of this period was it used for documents, which were mostly still on parchment. If documents are on paper, the water mark is important, because it is possible to identify the period and the region in that way.

As far as external form is concerned, the usual shape of a document is rectangular, more or less oblong; sometimes certain types of private documents are trapezoidal (for example, many private documents in Italy in the tenth through twelfth century). In antiquity and in the middle ages, documents were often in the form of scrolls. If there are scrolls in an archive, they are usually unrolled or placed (rolled up) in a box. When possible, archivists make shelves and store these documents flat; sometimes they were even ironed. Documents were folded as well. Today these too are preserved flat, but one can see which parts were on the outside because they are dirty, worn, etc.

The size of documents varies greatly. There is no particular rule to this; documents must be manageable, and therefore big enough to read but small enough to hold or carry. A papyrus is a scroll, usually, so it can be very long. The dimensions of the document are related to the length of the text, of course. If a document is very solemn, it is typically larger, because it will be displayed and it must be written clearly, whereas for a private document, this is less the case. Private documents are usually more modest and simple, compared to solemn documents. The writing can be across the long side, or the short side. Usually just one side of the document is written on. However, the other side may still have important information, such as archivist notes, who sent the document, etc. If the text was longer

than planned for, they did not add it on the back of the document; they would append another leaf instead. When they wanted to have smaller-size documents, they would use quires (this, however, is later — fourteenth and fifteenth century), since this is easier to manage.

Papyrus documents don't have ruling (the process would damage it too much). Earlier parchment documents are ruled only rarely; the oldest example, in France, is ninth century, while in the papal chancery the oldest is from the eleventh century. It is possible to find ruling earlier for books; it was first done using a sharp pointed instrument, which produced "dry-point": no colored mark, but rather an impression. Later they began to use lead or ink for ruling as well.

Ink on documents is usually black, of various darknesses (even in the same document, since there is more ink on the pen after one dips it and this gradually thins out). Purple ink was used by Byzantine emperors for their signatures, and Western monarchs who wished to imitate them did the same, e.g., Charles the Bald, French kings, and monarchs of southern Italy. In the Byzantine Empire, rulers considered themselves the Roman Emperor as well, so they would also use gold ink. These colors (purple and gold) were the first colors used by popes. This then changed to just purple, and then later changed to gold and silver (representing the keys of St. Peter). Hence you will find, on seals, red and yellow thread (representing purple and gold). In the Western world they usually didn't use purple or gold ink on documents, but rather black or brown; when they did use gold, it was in books (manuscript illuminations, etc).

The script of documents is usually the writing of that region and of that period, even if there are some differences between writing in books and writing of documents. The former is usually easier to read, as a book is meant to be read. Document writing might be less easily legible, because a document is just to testify to something; no one is necessarily going to read it. In the middle ages books were extremely expensive, so they were made to last and to be used for centuries. A document, on the other hand, is just to ensure that something takes effect. It can otherwise just sit in an archive, and only be used rarely, in tribunal processes.

Writing conventions are a bit different for chanceries, which wanted to be particularly official; these often had particular customs, which they attempted to maintain. This is especially true for the papal chancery. Such documents must show the typical traits of the institution in order for it

to look like a genuine document and not a forgery. People should see the document and think, "This is authentic, no one could have written this but a papal secretary."

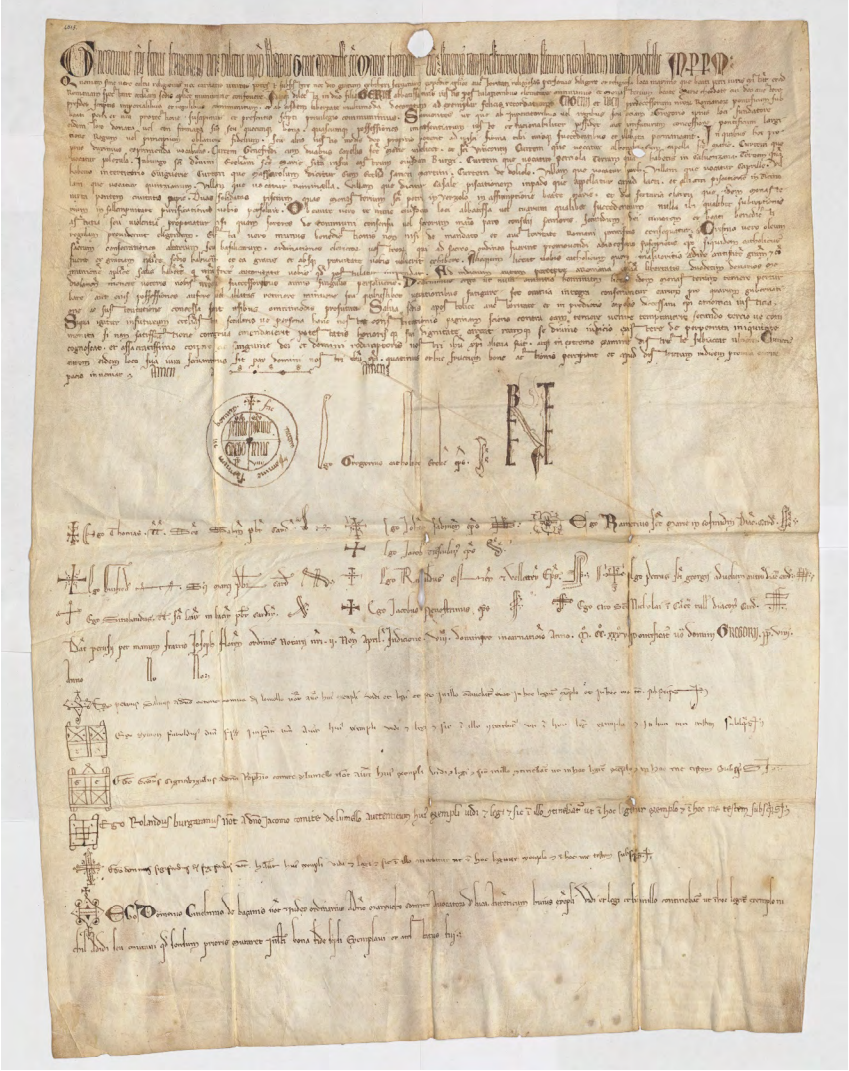

Fig. 9 - Milan, Biblioteca Ambrosiana, Perg. 4015
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

The first letters of a document are usually larger/taller and more conspicuous, more adorned. There might also be unusual spacing and other peculiarities to give solemnity.

Fig. 10 - Milan, Biblioteca Ambrosiana, Perg. 4015, detail
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

"Tachygraphia," short-hand, is also used in documents. This has to do with the ancient tradition of Tironian notes. Notaries would often use short-hand for their own notes, for syllables, that wouldn't end up in a final document. The best known and most useful handbook for abbreviations was written by Adriano Cappelli in 1899, and this is still constantly reprinted.

Annotations are also important for the study of a document. Often these are on the back of the document, the so-called "back notes." Annotations are usually written on a document after its compilation, as part of administrative procedure, or added to the document by later archivists. This is true for medieval documents, but even more true for modern ones.

Certain graphic signs are also important as external characteristics. These may be symbolic invocations, for instance, a cross, or a chi-rho. These can be found both in public and in private documents. In public documents we often find monograms of kings and emperors. In papal documents there is the "bene valete," a sort of benediction. The papal chancery, and some kings in imitation of this, used the "rota," containing the name of the pope and a Biblical motto.

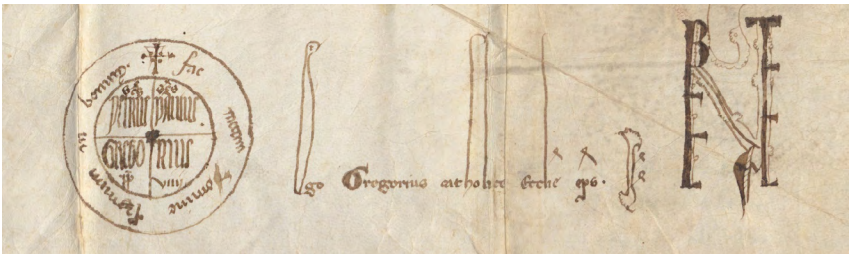

Fig. 11 - Milan, Biblioteca Ambrosiana, Perg. 4015, detail
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

The "signum recognitionis" is also found very often; it symbolizes that the document has undergone a final check. It began as the word "subscripsi", which then became "SS", which then became just a symbol. Above the signature we often find a sign, usually a cross. Today, only bishops use this sign; the custom comes from the middle ages.

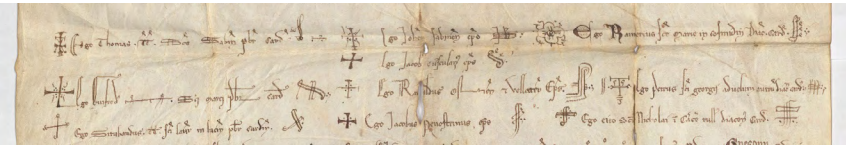

Fig. 12 - Milan, Biblioteca Ambrosiana, Perg. 4015, detail
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

At the beginning of the document, or at the beginning of the subscriptio, one usually finds a particular sign made by a notary, the "signum tabellionis." Often this is a simple cross, particularly in earlier documents, but it becomes more elaborate over time, and specifically tailored to individual notaries. In the sixteenth century these developed into pre-made stamps, and this continued in the following centuries.

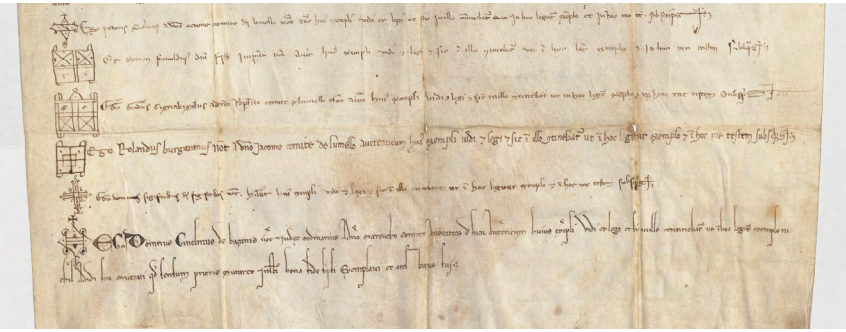

Fig. 13 - Milan, Biblioteca Ambrosiana, Perg. 4015, detail
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

A special external sign is the seal, to which a special chapter, as well as its own discipline, is dedicated.

Chapter VII
Sigillography

"Sigillography" or "sphragistics" is the science of seals. This is also a part of diplomatics.

At the start, seals were made of naturally colored wax. Over time color was added to the wax, starting with white. Eventually wax seals were produced in red, green, brown, and black hues. Natural wax comes from bees and has a yellow-brown color. This cheaper natural wax continued to appear on letters, private documents, and simple documents, while the more expensive colored seals were used mostly on solemn documents. To create the image of a seal, someone would press a stamp or matrix into softened wax. The stamp ranged from a standalone object to an engraved ring. The creator of the seal would warm or melt the sealing wax and then press the stamp into the wax to leave an image.

Metal seals were traditionally used in the Byzantine Empire. Slowly the papal chancery came to adopt the use of metal seals as well, in imitation of Byzantine custom. Emperors, kings, and others wishing to add solemnity to their documents soon followed the papal custom of metal seals. Lead was the metal of choice. It became so ubiquitous that a man named Sebastiano del Piombo earned his name from working with lead (*piombo*, in Italian) in the papal chancery. Gold and precious metals also appeared on some seals. These were often limited to emperors or popes and were rarely solid gold; when gold was used, it was frequently gold leaf affixed to a nonprecious metal core.

Almost all metal seals were round. Wax seals could vary in shape, however:

- forma rotunda: the oldest form and most common; it resembles a simple circle
- forma rotunda oblonga (or ovalis): an oval or oblong shape with rounded ends
- forma oblonga acuta (or gothica): this shape appeared in the twelfth century, especially in ecclesiastic documents; it looked like a vertically oriented oval with tapered points at each end, somewhat resembling a vertical eye.
- forma clipealis: a form resembling a vertical rectangle with rounded corners

Forms such as the triangle, the trapezoid, and other variants also occurred and are named accordingly.

Fig. 14 - Milan, Biblioteca Ambrosiana, Perg. 4183
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

Modern seals are quite small. Majestic seals from the middle ages, on the other hand, could be quite large. Kings, popes, lords, etc., often had two types of seals. The official seal was large and reserved for solemn documents. The large stamp would frequently remain with a chancery. A smaller seal — the "signetum" or "sigillum secretum" — would travel with a lord and could be used for simpler documents or time-sensitive documents, as we will see in more detail below. The smaller stamp could fit on a ring or other small object.

There are names for various types of seals based on the images and symbols represented on them:

- typus maiestatis: someone depicted in majesty; this usually meant an emperor or pope sitting on a throne and holding symbols of authority, such as an orb or staff
- typus equitis: someone on a horse, a knight or warrior for example

- typus peditis: someone standing; this often reflected a status below that of a knight
- typus heraldicus: a coat of arms
- typus hagiographicus: a depiction of saints, used for churches and priests, but also for cities and universities
- typus monumentalis (topographicus): a depiction of monuments of varying kinds
- typus solius scripturae: only words

An important element of the seal is the "legenda" or legend, the words to be read. Often in the legend of a seal we can read the names and titles of the seal's owner or a pious invocation. Frequently this appears around the border of the seal, but it can also be in simple horizontal lines. In the twelfth century, vernacular languages started to appear on seals. Latin, however, continued to be the dominant written language on seals throughout the middle ages. The legend is mostly in capital letters; lower-case letters only appeared in later seals. Often the form of the seals' letters matched or mimicked the script used in same region in that time period.

Fig. 15 - Milan, Biblioteca Ambrosiana, Perg. 412
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

It is interesting to note that much of the style and design of seals is similar to what appears on coins. The discipline of numismatics, however, developed separately from paleography and diplomatics, so it is rare to see a comparison of coins and seals. Numismatics claims medals and coins as its purview. Scholars have continued to study these objects separately from seals, since they have different social functions. Medals, for example, were often used as portraits. Familiarity with numismatics, however, can be helpful when examining seals.

Metal seals were always affixed using thread through both the document and the seal. There are several different techniques for the wax seals. A common technique is for the maker of the seal to cut a hole or slit in the parchment and then pour the wax over the slit. Wax could then pool on both sides of the parchment. The functionary would then press the image into the wax and the seal would sandwich the parchment. A simpler technique is for the creator to pour wax onto one side of the parchment and then press the image into the pool of wax. The seal would thus sit on the top of the parchment. A pendant seal, or hanging seal, is also very common. This was made with the same technique that was used with metal seals: they would run string through the end of the documents and craft the seal around the string, embedding it in the wax or metal. Older documents all had seals on the parchment itself; only later did pendant seals develop. It was common to use a wood or metal box to form the pendant seal. The box protected the seal and allowed for more pressure to be exerted when impressing the seal. Papered seals embossed the image into a sheet of paper. The creator would lay a thin sheet of paper over a layer of wax on the document and then press the image of the seal into the paper. The wax and paper would both conform to the image of the seal.

Some seals only had images on one side. Others, especially pendant seals, could have images on both sides, and therefore required two seals to make; the back side would use a smaller secondary seal. This secondary seal was called the counter-seal, "contrasigillum", and was often labeled as such. The practice of counter-seals was particularly common in France.

Fig. 16 - Milan, Biblioteca Ambrosiana, Perg. 1239
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

The "sigillum secretum" is a small seal used by secretaries rather than chancellors. It was more portable and could be used when there was immediate need for a document, as well as when traveling or otherwise separated from the chancery. Many people in universities and other institutions used sigilla secreta that were originally from kings and bishops. "Secretum," from Latin "secerno" (perf. "secretus"), means a "separate" seal, not a "secret" seal. The same is true for the phrase "archivum secretum," which means a separate archive, a private archive, not a secret archive. From the word "secretus" the word "secretarius," secretary, is derived.

The "signetum" is not an official seal, but often a ring with a simple image. Frequently the ring was made with images carved in precious stones from the Roman period. These seals were used for private documents and especially for letters. Sometimes they can appear on official documents in addition to the larger official seals. After the sixteenth century these simple seals adopted heraldic imagery.

The usual occurrence was to have one seal per document. It was, however, possible to add more. In some cases seals acted like signatures, and each party to a solemn document could affix their seal to the record. This was especially the case with collective acts or bipartisan deals; some would affix their seal after a document was crafted to indicate that they had read and consented to the document.

In ancient times the juridical validity of a document came from autograph writing and the autograph signatures of witnesses. Slowly autograph signatures gave way to seals as attestations of validity (notary documents lack seals but have other forms of validation). The early Middle Ages had a large number of illiterate kings, which fueled the rise of seals. Merovingians used signatures and written signs, whereas the Carolingians and later rulers adopted seals as their main form of authenticating public and private documents.

The great power of seals lead many to try to create counterfeit versions. The simplest attempts would involve trying to remove a seal from an authentic document and affixing it to a forgery. Others tried to create entirely new matrices/stamps and press their own seals, much in the way one would counterfeit a coin. The power of convincing imitation seals led many rulers to create severe punishments for crafting false documents. For the diplomatist or historian, the practice of forgery complicates the task of authenticating documents. One must be aware of script, content, style, and other distinguishing characteristics of a document; it is not enough to rely on the presence of a seal to determine the juridical validity of a document.

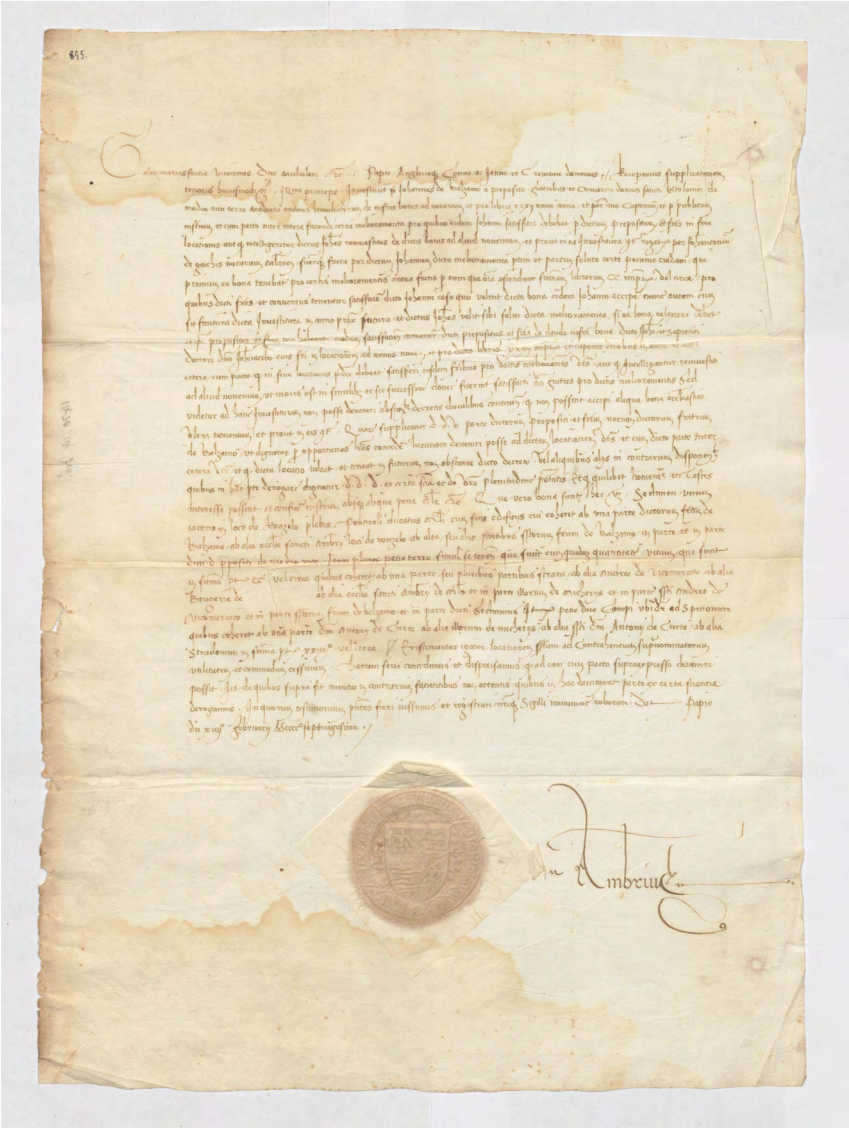

Fig. 17 - Milan, Biblioteca Ambrosiana, Perg. 895
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

Chapter VIII
Production

We can try to provide a general understanding the production of documents, a theory of their formation. But in practice, the production of documents has to do with habits, routines, and procedures, each of which are specific to particular places and times. So, as always, we must remember that this theory is a general description of practices, which in reality vary according to chancery, notary, pope, time, place, etc. Because producing a document is a common human experience, it is possible to make a general theory of it. And each chancery, notary, etc. relied on the traditions that came before them; these people didn't start from a tabula rasa (blank slate). We must be careful of occupying either extreme, theory or practice. Diplomatics is not an exact science, but it is a science. We cannot take one document and conclude that it represents all documents, or even all documents in that historical milieu.

As far as production is concerned, the main difference is between public documents and private documents. For producing the latter, notaries were particularly prevalent during the Middle Ages.

Following Rabikauskas' handbook, we will show eight possible steps in the formation or genesis of a document. Some parts, the first three steps, have to do with juridical action. The other five steps have to do with the writing of the document. For example: first people get married (the juridical action), and then they sign a document. Not every document had all eight steps, nor were they necessarily in the order below.

1. Preceding matters

Often, there are preparatory affairs prior to the creation of a document, such as verbal or written requests. The juridical action can come directly from the author, or be requested by someone else. These are the preceding matters in the genesis of the document.

A petition (request) could be made verbally or in writing. There were formularies in the eighth century, which developed further in the twelfth, for such requests. (If we go to an office today, they still have formularies; they are just called "forms," from the word "formula," and we only have to

fill in the blanks.) For medieval documents, if there had been a request, it is possible at times to find a verbal trace of that request in the document's text (for instance, "Cuius dignis petitionibus assensum prebentes"), that is, an acknowledgement of the request.

Sometimes, rather than a verbal or written request, there was the presentation of another document to be validated, or the testimony of witnesses to confirm a document. In other cases, people close to the auctor documenti wished to help and intercede on behalf of someone else. Verbs like: "suggerere," "rogare," "postulare," "petere," etc. indicates that the authority received a request for something, or that someone put in a good word on someone else's behalf.

Sometimes the preceding matter is the approval of people who were present at the juridical action or people whom the auctor actionis had to ask for counsel. For example, "de consensu" or "consilio" both imply that the author of the act consulted other people.

2. Juridical action

A declaration of will by one or more than one person produces juridical effects. "I give all my goods to my wife," for example, or "I give my property to the church," "I choose this person to be made bishop," and so on. That is a juridical action. It is "unilateral" if the juridical effect depends on only one party, as in a mandate. It is "bilateral" if it depends on the will of two parties, as in contracts, agreements, peace treaties, etc. Both parties in a bilateral document must agree. Especially in German-speaking lands, a declaration of will also occurs alongside or by way of symbolic actions, and we often associate these acts with the middle ages (for example, using a sword and scepter on someone's shoulders during an investiture ceremony). We might also think of weddings, where people exchange rings, or graduation ceremonies, when graduating students put the tassel on the other side of their caps and receive their diplomas. The liturgy also has comparable symbols.

3. Order/mandate of the document

After the preceding matters and the declaration of will, there is the order to write up the document. The order may be made either by an authority or their subordinates.

After the juridical action has been done, the auctor actionis decides to produce the document. It is possible for there to be no explicit declaration of will in the document. Sometimes whoever relegated the order is indicated in the document, e.g., "I am Notary A, and I wrote this document at the decision of the king, and the dictation was by Notary B." There is a hierarchy: the king decides, A dictates, and B writes. This order or request (depending on the hierarchy) sometimes comes at the end of the document, in the subscription.

Sometimes the king, pope, bishop etc. doesn't know of the production of particular documents, as might be the case for simple matters or ordinary affairs. In these cases the leader of the chancery has the power to produce documents and to give orders to other employees, even though the king is unaware of it. This was ordinary, normal administration; it was a common process. It slowly became more and more common, especially from the Carolingian period onwards.

4. Composition of the text

How was a document made, practically speaking?

The draft. When the document was ordered, it could have been written up in one go, but usually there was a draft first. We have much more information about this practice in the papal chancery than in other contexts.

We should distinguish between "minutae breves" and "minutae completae," i.e., a short draft or a complete draft. A minuta brevis wasn't the entire document, just a few notes, often with abbreviations. It is just a memory aid, regarding the circumstances, the juridical action, etc. These notes help the notary or scribe or whomever to write up the document. The minutae breves were sometimes written in the margins or on the back of the parchment. Perhaps a scribe would receive the parchment, and it would have little notes on it written by someone else, so that they would know what to do. After the document was written, these little notes were usually erased, but not always, which is a great advantage for historians and diplomatists in reconstructing the process of document production. The "broliarium" ('brouillard') or "vade mecum" was a notebook for the register, containing abstracts or notes for the documents produced. A minuta completa is a complete draft of the document, with the entire text. It may be written on more than one separate

page. In the pontifical chancery in the thirteenth century they used to call these "notae," and in the middle of the fourteenth century, "minutae."

We should also distinguish between "minutae simplices," "minutae publicae," and "minutae originales." Minutae simplices were only used to prepare the document, and weren't useful afterwards; they had no juridical validity. Minutae publicae are a different matter. These notes are in an official register of the notary, and they do have validity. They are called "imbreviatura" in the register of the notary. The term for this register is the "protocollum" (be sure not to confuse this with the protocol as an internal characteristic of the document). The protocollum is necessary for each institution, and contains incoming and outgoing letters. The notary's book belonged to the notary's family. Such books are a source for authenticating documents, a way to double-check their validity. The document is valid if it is identical to the imbreviatura in the protocollum. By contrast, documents from a king are valid on their own, without such a register. Minutae originales are another case: although the draft wasn't given to the addressee, the minutiae originales were preserved in the archive, as drafts. In case the addressee wanted that document, it was possible for those working in the archive to transcribe part of the draft. In this way, it was possible for a lower-level employee to testify to a document's validity. This new type of minuta appeared in the second part of the sixteenth century in France.

Lastly, it is not enough to write up the draft; it has to be edited. The public notary must read the draft. If it is approved, he is ordered to write the official document. The "mandatum documentum ingrossandi" is the result: "ingrossare" is to enlarge the document, that is, to write it up fully. This was not always done for private documents; sometimes the imbreviatura was enough to give validity. Many private documents were never truly made documents; they remained as only drafts in the register.

5. Final draft

The final draft is the document itself, written up from the minutae. In many cases the same person writes both the draft and the document, but in a big chancery, those two tasks might be done by two different people: abbreviatores prepared the draft and scriptores prepared the document.

6. Checking and validation of the document

First there must be a check of whether the document has been correctly produced and has been produced according to the intention of the author. If it is a public document, were the laws observed in its production? In chanceries, the sign or signature of the prefect of the chancellery or his deputy is applied to the documents if they are deemed correct. In the papal chancellery, the prefect or deputy's signature in the dating formula indicates that a document is correct.

The validation could be made by the document's author, by subscription of witnesses, by subscription of chancellery officials or notaries, by application of a seal, or by application of a chirograph (see below).

At the beginning of the middle ages it was feasible for the author to sign all documents, but as the centuries moved on there were often too many documents for there to be personal signatures by the author. The author provides a sentence of validation in the document: "I am the author and this document is valid." Signature by the hand of the author was used as validation. The subscription of the author could be as simple as a single word or sentence, such as "Legimus," ("We have read it"); or the application of a symbol like a cross, etc., or the author's initial, name, or full name and title, written in another's hand. Private documents needed the same marks of validation, but of both the author and the witnesses.

In the ancient period, witnesses were rarely used. In documents of kings and emperors, however, they were in use since the time of Emperor Henry IV. In the early medieval period (before the eleventh century), witnesses didn't sign, but rather were enumerated. In papal documents, because of the pope's absolute authority, witnesses were considered unnecessary. In a synodal document or that of a congress, however, witnesses are necessary, so the names of the attendees are used. At the end of the eleventh century the signatures of cardinals were attached to consistorial documents to give them solemnity. For private documents, the number and social standing of the witnesses affected the validity of the document; the greater the number and the more prestigious the names, the stronger the validation. If the document was about the alienation of goods, it needed the subscription and agreement of all parties involved.

In public documents we rarely find the name of the writer of the document. Generally the name of the chancellery prefect or his deputy is applied to

the document as the person who validates it. In pontifical documents from the end of the eighth century, the name of the writer was placed in a specific place. In private documents, the notary usually signed, but this had to be explicit for it to be a convalidatio: they would write something like, "datavi," "roboravi," "firmavi," "complevi," or "absolvi." By the twelfth century notaries had a special sign for the convalidatio: the "signum tabellionis" mentioned above.

Seals were not important to Romans or Merovingians, but at the time of the Carolingians, when illiteracy was more common, the use of the seal became more prevalent. In the twelfth and thirteenth centuries, in certain places where notaries were not the practice, the seal was considered necessary. In that period, the whole credibility of the document depended on an authentic seal, well-known and recognized. The application of the seal in and of itself became an act of validation, and was often witnessed by the subscribers. From the fifteenth century on, autograph subscriptions gave greater validity to a document, and the importance of the seal was diminished.

A chirograph (Greek for "written by hand") is the practice of cutting the document in a particular fashion into two or three parts, as a method of validation. Usually something was written close to the cut line as a sign of validation. This was a simple and effective means of validating a document, so it was often used in private documents. This mode of validation began to wane in the thirteenth century, with the increased use and importance of seals and notaries.

7. Taxation and registration

A sovereign could apply taxes to a document. The chancery denoted how much a document's tax amounted to. The papal chancery had not one, but four or five taxes, so that a humorous motto was composed in Leonine verses (verses with internal rhyme): "Curia Romana | non petit ovem sine lana; || dantes exaudit | non dantibus ostia claudit," i.e., "The papal curia doesn't want sheep without wool (i.e., people without money); she grants to those who give, she closes its door to those who don't give."

The text is copied into the register after the document is sent, by using the minutae, the draft notes. The name of this book is the "regesta" (summaries) or "registrum." The pontifical chancery had registers from antiquity onward, while imperial or royal chanceries had registers from the end of the twelfth century onward. It must be noted that not all documents were copied into registers.

8. Delivery

The document is handed over to the addressee of the juridical action. The receipt of a document sometimes had the effect of a final validation of the document, and could be witnessed. Sometimes the addressee, instead of the author, wrote the document, as was the case with petitions which were handed off to a chancery, which would then validate the document. Sometimes ambassadors were given blank documents, "cedulae albae," with the seal and/or signature of the author (king, emperor, pope), and they could determine the action and text of the document.

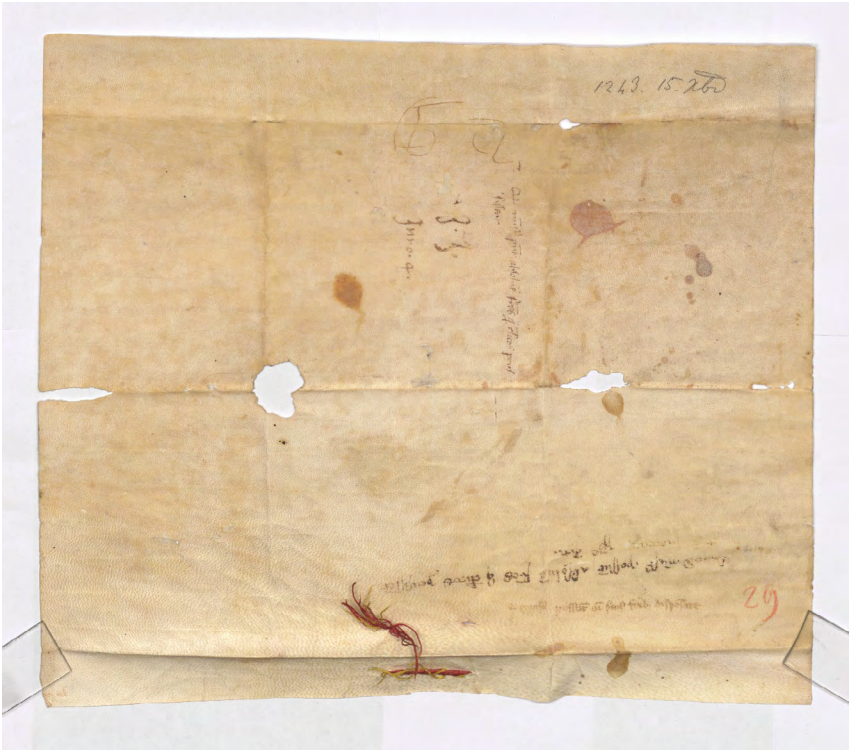

Fig. 18 - Milan, Biblioteca Ambrosiana, Perg. 4029 *verso*
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Chapter IX
Transmission

The transmission of documents to posterity is a concern in the present. What happens to the original and to the copies? What is the present and future of documents? Where are they, how can we find and read them, etc.?

Transmission has to do with archivistics. It is important to know the history of an archive and its collections, to know where and how the documents are conserved, to know where the documents were addressed and where they are now kept. This is key for historical research. As an example, we might consider a document from the State Archive of Turin, which was written by an Augustinian convent in Milan for its internal use. Why is this document in Turin and not in Milan? And why in a state archive and not in an Augustinian, or at least in a church archive? Because of confiscations, i.e., suppressions of religious orders at the end of the eighteenth century by Napoleon and his army. Thus, an old document from the fifteenth century might be in a state archive rather than a religious one, and in another city, for political reasons. Archives have many kinds of documents. It is necessary to carefully look at reference guides to the collections of an archive, and try to see beforehand where things can be found. When you have an idea of the history of an archive/collection, of where the documents might be preserved and registered, then you can ask the archivists about them. We might imagine, through the description of documents, what they are, but it is ultimately necessary to ask those familiar with them.

Documents that come down to us do so as either originals or as copies. An original is a document created and produced with the authentic material, form, etc., in a perfect juridical way; it is the document itself, the one producing the juridical effect.

How many originals are there of a document? Usually there is just one. However, there are cases in which multiple originals exist, e.g., as with a contract: there is one document for each party. Or, if someone gives a particular privilege to three cities, there may be three instances of the same document. Or, there might be multiples produced for the sake of convenience or security. The original documents might be for the most part identical, but there might be something different in the

convalidation, e.g., in the number of subscriptions. There can also be different grades of original document, e.g., the decretum about the union of the Greek and Latin church in 1439, the "Laetentur coeli": it was necessary to communicate this decision to many dioceses, but one or two were considered more special, with large gold seals, etc., and were preserved in Rome and Constantinople, while other copies are the same documents with the same text but less precious materials. Yet the purposes of the documents in these cases are in some sense different: to be preserved in Rome, to be sent to a bishop, etc.

It often happens that a document is lost, through theft, fire, negligence, etc. If a document is copied into a register, it is possible to reconstruct the text of the document from the register and to produce a new copy. Renewal is also possible. For example, take the case of a document that contains a quotation from another document: "My predecessor said X, we are confirming it." The person who can confirm the document is a successor or superior. A new act/new document is produced. Sometimes this is changed with respect to the earlier document; the words may be very similar, but with slight differences. It is also possible that the entirety of the text of an older document is not inserted into the new document, just a part of it. Starting in the thirteenth century, however, it was usual to insert the whole text of the old document into the new one.

A "copia," in classical Latin, means "abundance," not "copy." It developed the modern sense of a copy in the medieval period. A copia is a reproduction of the text of a document, either by hand, by a photograph, by a printing press, etc. Of course, older copies were hand-written, and it is only with the mid-nineteenth century that photographic reproductions begin.

"Copie singulae" are separate leaves, as opposed to copies that are in bound books. These can be subdivided into "copiae simplices" and "copiae authenticae," according to their juridical validity: a simple copy is just a copy, whereas an authentic copy is a copy with juridical validity.

Copiae simplices are copies of the text, but without signs of convalidation. So all the internal characteristics are in the copy. (There might also be a copy of a signature, but not the actual signature.) Historical and literary analysis must assess this type of copy, to determine whether it is correct, why it was produced, etc. Diplomatics, of course, can analyze the composition of the text, its transmission, external characteristics, etc.

There are also "copiae imitatae," imitations of real documents, which might reproduce the old script, include particular signs, etc. In the late middle ages, there were many imitations of older documents, as well as much later in the age of Mabillon, not with the goal of creating a forgery, but to give an air of antiquity. Such copies are the same as simple copies, as far as juridical validity goes. But they are interesting, because one can not only learn about the older document, but also learn something about the production period's techniques for imitating documents, etc.

Copiae authenticae have a definite probative valildity; they function as the original documents. Such copies may be done if, for example, a document has to be shown in different places at the same time. This is different than there being many originals; this is a case of one original and many copies. If people were afraid of deterioration of the original, or if there was a danger of losing the document, such as over a long voyage, an authentic copy may have been made. Or, if the original writing was not very legible, the script may have been updated so that contemporaries can read it. Indeed, the "littera sancti Petri" used in the papal chancery was found illegible by later readers, so together with the original there was not an authentic copy, but rather a transcription into a more legible script. That would have been just a transcription, without juridical validity.

If a document was transcribed and given a seal, it is a "vidimus" ("we saw it"). It is an authentication of the simple copy; the simple copy thus becomes an authentic/authenticated copy, through that phrase and the seal.

A "transsumptum notarile" is a copy by a notary and it is similar to the vidimus, which is an authentication in a chancery. This is the same thing, a form of validation, but by two authorities with different juridical powers. Scholars must be beware of forgeries, and also the possibility that a notary could not understand or read an older document well, or that the document itself was corrupt.

Copies can be written and collected in a book.

A "registrum" is a book in which documents are transcribed. Usually transcription is at the same time as — or a bit later than — the production of the document. As a result, transcriptions in a register are typically very useful and very faithful. If the register is in the chancery, it is valid like an original or an authenticated copy. It is possible to find mistakes, however, e.g., the wrong date. We must keep in mind that the documents' producers

were dating using the years of a king's reign or pontificate, etc., and different calendars. Additionally, if someone is, for instance, in Rome, and a petitio comes from Scotland or Hungary, they might write the proper names differently, because they are unused to its pronunciation or spelling.

Register copies can be equated to originals in terms of validity. In Roman times, registers were called by various terms (commentaria, gesta, regesta). The Goths, and popes, continued to have registers. In other chanceries, this tradition was interrupted, but it was readopted later by other countries. Not just kings and popes, but other noble leaders of various regions, might have registers.

The purpose of the register, for the sovereign and the chancery, is to assist in the administration of the state. But it also serves a purpose for the subjects, preventing the negative repercussions of the loss of documents, and providing the possibility of renewing a lost document, to verify the truth in disputes, etc.

There are registers in chanceries, but there are also "cartularia." We earlier discussed imbreviaturae, which are not copies of documents, but a registration of the juridical act by the notary. They are only notes, and not the same thing as a copy; sometimes no document exists, but just the imbreviatura of the document. Cartularia are similar, but with the full text of a document. In a cartularium, a monastery, a university, or a family copies all documents received. It is a collection of all documents, not originals but transcribed copies. Historians must often work with this sort of copy and write history based on it. But how can we be sure that they copied things accurately in the cartularium? Did they twist things or invent things for their own benefit? Falsification would have been easy. It was also common, when a new rulership took over, for all documentation to be destroyed. Cartularia are private copies for the addressees; they have no juridical validity, but sometimes there is authentification by a notary.

It is important to remark that a register of *provenance* is very different from a register of *destination*. Registers in the chancery or by a notary are registers at the document's source. Registers by the addressee are of a different nature. A source register preserves the validity of the document, whereas a destination register is a personal record. Of course, notarial authentication is intended to preserve the text of a document and testify to its validity, but for different reasons: it is for the subject more than for the

sovereign. There is a bilateral point of view. For instance, in the case of receipts nowadays, the store giving a receipt has different reasons to keep a receipt copy than an individual receiving the receipt has.

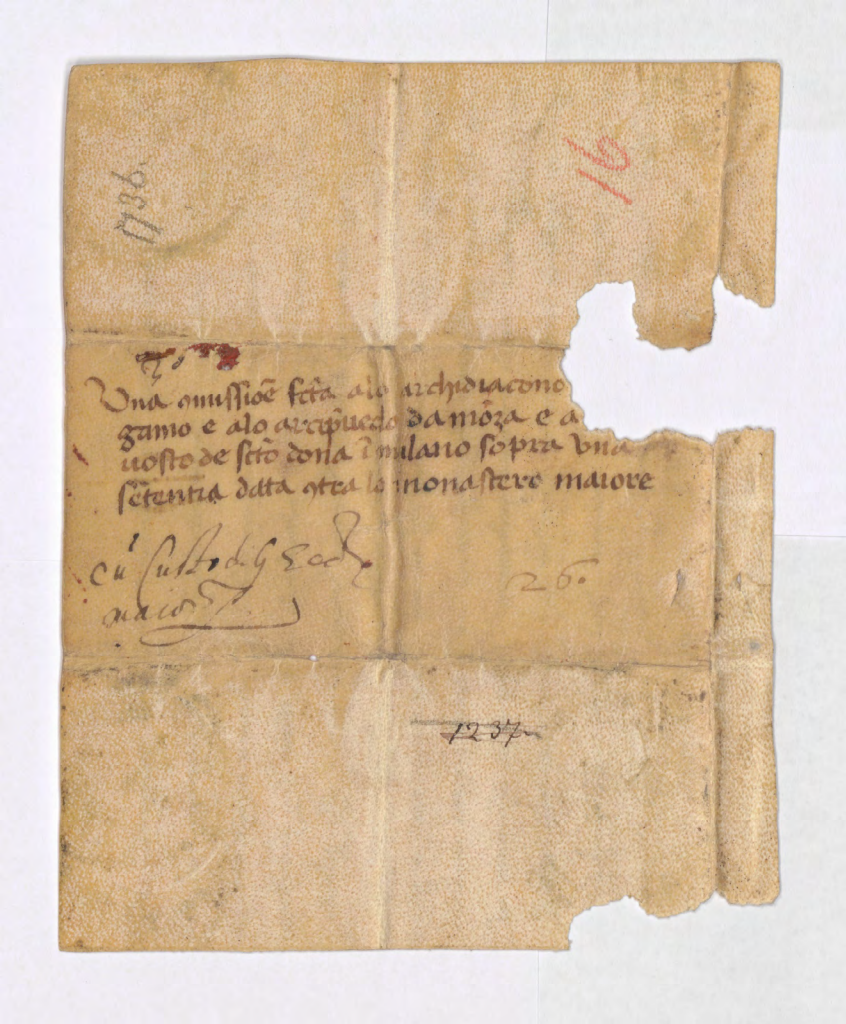

Fig. 19 - Milan, Biblioteca Ambrosiana, Perg. 4016 *verso*
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Chapter X
False Documents

"False documents" can refer to a very complicated range of things: false or falsified documents, forged or counterfeit documents, imitations, etc. A false document is one created to present itself as something it is not. Rabikauskas describes false documents by identifying aspects of the documents that are incongruous with other documents and the surrounding circumstances; he provides an important foundation on which we can build.

There are different types of false documents.

For example, we may find an adapted or modified true original document. Such a document was once genuine, but then lost its validity through alterations, mutations, additions, or other changes.

It is also possible that a document which presents itself as original and authentic is actually completely fabricated. Often the false nature of the document can be identified by the subscriptions or seal.

A false document can also be created in a chancery, by a dishonest or compromised functionary. The creator, in this case, has access to all the systems of authentication used by the chancellery, but the document goes against the will of the author.

Rabikauskas notes that if a true document is stolen it does not become a false document. Perhaps he was thinking of licenses or permits which are used by someone other than their intended owner. Such an act would be a false use of a genuine document.

There may be copies of a false document. Usually we can discover the document's falsity through an analysis of the text. It is possible, however, that the copy is diplomatically true (i.e., an accurate transcription), but historically false.

We may find counterfeit copies doctored at the point of copying or after the fact. This can apply to cartularies and registers. For example, an original document is genuine, the copy is genuine, and then later a clause is inserted which changes the nature of the document.

In other cases the document claims to be a copy, but there is not and never was an original. This is common in modern forgeries; in the middle ages people attempted to imitate an original or alter a document, rather than claiming something to be a copy.

A mistake is simply that; it does not necessarily have to do with fraud, which requires an intent by the creator to deceive. Errors may create historical falsehoods but not a false document, e.g. dates are easy to misreport, as are names of people and places. Belief and collective memory may also cause historical falsehoods to be recorded in authentic documents. So it is important to add a distinction, in our list of false documents, between those that are *historically* false and those that are *diplomatically* false; this has to do with factual reality and with validity of documentation, respectively.

About the historic value of false documents: we must consider that it is rare to find a document where everything is false. Forgers want to present their work as genuine. They therefore try to imitate genuine documents, quote from authentic documents, mimic their style, etc. The changes are often small. It is not enough, therefore, to assert that a document as a whole is "true" or "false." One must distinguish between true and false sentences. If possible, it is useful to try and identify the source of the genuine portions of the document. There is also historical significance to the act of falsification. The very fact that someone created a false document should lead you to ask why they needed one.

Knowing the reason for a forgery can aid in the analysis of false documents. Reasons for making false documents include trickery, defense of true claims, and vainglory.

In all periods of history there have been people who have sought to craft false documents. It is often not possible to know exactly why documents were forged. The large number of false documents can often mislead researchers. The reasons for forgeries are specific to the circumstances of the age in which they were created.

In the early Middle Ages, law in practice (habitual law) could differ from the law as enshrined in legal codes, and the former was of more consequence. The common law system of England created a different attitude towards documents. It is possible that this legal system also helps explain the distinct development of diplomatics in England. Since the law persisted regardless of attestation, it was not considered bad or dishonest to recreate documents to reflect a previous legal act or lost document. Individuals and institutions would produce new documents to protect their goods and liberties. Older institutions, particularly, had to obtain false documents to

record donations they received before the advent of a culture of more prolific documentation. Tensions between secular and ecclesiastic powers often threatened unprotected holdings. In the twelfth and thirteenth centuries the concept of law grew increasingly important, especially in Bologna. The law became more rigid, which caused an increase in written testimonies, confirmations, and authentications. Everyone wanting to protect their property, titles, and liberties thus sought confirmation through documents. If the original document was lost, what recourse remained but to forge a document?

Vainglory is especially prevalent in modern times. People seeking false noble titles or false claims to elite positions such as that of a doctor or lawyer may attempt to create documents to support their claims.

Chapter XI
Practice of Editing Documents

An edition of a document has two goals: first, to render or express the original text accurately so that scholars can find information; second, the edition has to be clear for the users. Types of editions include:

Educational edition: a simple rendering of the document for educational purposes. This therefore cannot use editorial signs or diplomatic symbols which might confuse students. The editor often will adjust uncommon spellings in the original document to make it more accessible.

Photographic edition: a picture. All our reproductions, plates, and digital images fall into this category. Photos usually appeal to scholars, students of paleography and diplomatics, and other experts.

Diplomatic edition: an edition which tries to reflect all the characteristics of the document. The editor transfers all the aspects of the original document possible into modern type. This type of edition has become rare in modern times because of the increase in photographic reproductions.

Interpretative edition: one which tries to transmit the text accurately but in an easy to read manner. In the diplomatic style, one has to describe one's editorial process. The interpretative style rarely includes such editorial explanations. The editor often will put modern punctuation, capitalization, and spellings into the text of the document. Editors of the MGH were the first to elaborate rules for the editing of documents. There is no universal set of rules in England for editing documents.

Philological edition: While diplomatic editions aim to be true to the text of the document, and therefore include the "errors" of the document (e.g., variant spellings, punctuation, confused sentence structure), philological editions try to provide a "correct" edition of the text. Philological editions are more often used for literary works than for documents. For example, it would be strange to have an edition of Virgil in medieval Latin. Philological editing focuses on the linguistic nature of the text. This is of little interest to a diplomatist.

Rabikauskas suggests a few practices for producing editions of documents. First, check your transcriptions multiple times against the original. Publish the documents in journals rather than books, because journals have wider

circulation and are more easily reviewed. Put the document in an appendix and not in the footnotes of your work. Always include an index so that scholars can easily search your work. Finally, identify your editorial system.

It is possible to suggest some clear, simple, basic rules for a diplomatic edition.

- Editing the capitalization of a document can help make it more legible, e.g., "Ecclesia," the Christian population, vs. "ecclesia," a particular building.
- How to express majuscule ("uppercase") letters or litterae elongatae (letters written very high and thin, especially in the first line of the document)? Use small capitals, or bracket the passage with the symbol of three vertically-stacked asterisks.
- Parenthesis can be used to expand abbreviations while still indicating what is in the original document, e.g., "eps" can be transcribed "ep(iscopu)s"
- Gaps or lost letters are represented with brackets and periods. [.] = one missing letter, […] = a gap of unspecified length or a gap equal to three missing letters, […..] = five missing letters, etc.
- It is best to be accurate to the text of the original document. That is, do not correct the orthographic changes in the medieval Latin (u/v, i/j, ae/e/ę, c/ch/k, ç/z, ci/ti). It is acceptable to change a difference in letter form, but changing more of the text than that is more appropriate for philological editions.
- Editors should insert quotation marks to indication borrowed passages, e.g., "example" or <<example>>.
- Common abbreviations to indicate symbols in the document are:
- (B) – Bulla; (B.dep.) – Bulla deperdita; (BV) – Bene Valete; (C) – Chrismon; (M) – Monogramma; (R) – Rota; (S) – Signum; (SP) – Sigillum pendens; (SR) – Signum Recognitionis; + = Signum Crucis
- For critical editions you need philological symbols.
- Document editions use two different sets of footnotes. Letters indicate annotations on the text, e.g. Henicus[a]; a. [error for] Henricus. Numbers indicate an insertion of commentary by the editor, e.g. Henricus[1]; 1. Rex Angliae.

As for errors, the editor must remember that the text of a document should only be changed in exceptional cases. It is always better to reproduce the text as it actually is, and to present the "correct" word in a footnote.

Jacques Le Goff said, "The document is a monument. It is the image that past societies wanted to give to the future." (Enciclopedia Einaudi, Torino 1978, vol. 5, pages 38-43). What exists in a document, therefore, should not be taken as entirely the truth or entirely lies. It is a conscious crafting of self-image. It is an opportunity for its authors to present things in a controlled way of their own invention. The monument of the document, however, is not constructed just for posterity. Documents talk to an audience of their own time, and reflect how the creator wanted their contemporary audience to view things. The arenga is usually a clear example of the self-representation of power. False documents raise the question of why there was a need for a false document. Armando Petrucci adds to this consideration the notions of oblivion vs. memory and publicity vs. truth. These are presented here as an invitation to further investigation.

Studying diplomatics also means reading documents, to understand them and analyze them. Usually students don't start by reading actual documents conserved in archives, but by reading photographic reproductions of documents, published in specific collections. There are many of these, but reproductions of documents tend to be mixed together with reproductions of manuscripts (i.e., books, codices). It is rare for a series to be entirely dedicated to the reproduction of documents, because the more visually stimulating manuscripts attract more funding. A photographic collection generally should be useful both for students of Latin paleography and for students of diplomatics. Consequently, someone trying to study just diplomatics often has to look in multiple works to find resources. Diplomatics inquiries can also be complicated by the diffuse nature of document reproduction, which tends to occur in pockets. There is no global system controlling the reproduction of documents or single institution attempting a transregional publication. Resources are, therefore, often limited to material that has drawn the attention of select regional groups. For initial, general investigations, it is useful to consult the following library categories: charters and other documents; diplomatics, archives and document editions; heraldry; and paleography. To find documents it is best to familiarize yourself with available publications. Diplomatics handbooks often provide bibliographies to start your searches, as this handbook does.

Chapter XII
Chronology

A document has a "datatio topica" and a "datatio chronica," that is, the place where and the date when the document was written.

The datatio topica, the "where" of the document, is usually in the locative (which used to be a kind of genitive) of a city or of a village, or something like "apud Sanctam Mariam" (i.e., near the Basilica of Santa Maria Maggiore in Rome), some particular church or palace, perhaps by a market or a square.

Regarding the datatio chronica, that is, the date, today we calculate it forward starting from a particular date (anno Domini, for example), but there are many different starting points, which we can also call eras. Additionally, for months, days, and hours as well, we have to refer to the system used by a chancery or a notary in that period of history.

Year

Ways of dating:

1. Consulate. This is a traditional system of dating that stems from the consulate (period of office) of Roman consuls, the persons in charge. After the fall of Rome, phrases such as "post consulatum" would be used.
2. Humanists preferred to date "ab Urbe condita," in reference to the date of the foundation of Rome, which in the modern way of reckoning was 753 BCE.
3. It was very common in the middle ages for documents to indicate the year of an Empire, Papacy, reign, princedom/principality, etc., for instance, "in the sixth year of Pope John XXII." This was counted starting from the day of coronation, not the day of election. Between election and coronation, the pope could not produce a regular *bulla*, because he was not officially pope yet.
4. In Spain, they counted from 38 BCE. The reason for this is unclear; it may be because this was the beginning of Augustus' power in Spain.

5. In Byzantium, they counted from the "beginning of the world" ("ab origine mundi,"), which they considered to be 5508 BCE.
6. The Christian era places the date of the birth of Jesus Christ at 753 years "ab Urbe condita"; for dates after Christ's birth, "anno domini," "in the year of the Lord," was used. Note that there is no year zero, and that Dionysius Exiguus' calculation of 753 BC is probably not exact: Jesus Christ may have been born some years before.
7. The Passion era is reckoned starting from 33 AD.
8. Other dating systems include Muslim and Jewish ways of dating, the system of the French revolution, and that of the Fascist era in 1920s-1940s Italy.

A characteristic of medieval Latin documents is the mention of an "indiction." This is a period of fifteen years. The origin of this is unclear; it may have begun in ancient Egypt, but it was in common use in the Roman Empire since the fourth century CE, and it has to do with taxes. The beginning of the indiction cycles was considered to be 3 BCE. Therefore, in order to calculate the indiction, one adds 3 to the Common Era date and divides this number by 15. The remainder is the indiction.

The equation is: (year + 3)/15 = x and the remainder, where the remainder = indiction.

As an example, take the year 1265 CE:

(1265 + 3)/15 = 84 with a remainder of 8.

So the year 1265 CE would have been during the 8th indiction, the "indictione octava."

There are five possibilities for the day of the year on which the indiction is considered to start:

1. Greek indiction: 1 September.
2. Imperial indiction, or that of the Venerable Bede: 24 September.
3. Indiction of Genoa: 24 September, but a year *later* than other indictions.
4. Roman/Pontifical indiction: 25 December.
5. Siena indiction: 8 September (the birth of the Virgin).

Days of the month

The Roman calendar had Kalends, Nones and Ides; the Kalends was the 1st of the month, the Nones was the 5th or the 7th of the month, and the Ides was the 13th or 15th of the month (depending on the month). The Romans calculated *backwards* from these days rather than forwards, e.g., two days *before* the Kalendae Maii, and so on. For instance, "VIII Kal. Februarii," (the 8th day before February 1st, counting inclusively) is, for us, January 25th.

According to the "Consuetudo Bononiensis" in the medieval period in parts of Italy and Dalmatia, months were divided into two parts: the first group of 15 days and the second group of 15 days. "Intrante mense" was the first part, and "exeunte mense" the second. So the 16th of the month is the first day "exeunte mense."

Days of the week

Dies Lunae (Monday), dies Martis (Tuesday), dies Mercurii (Wednesday), dies Iovis (Thursday), die Veneris (Friday), dies Saturnii (Saturday) and dies Solis (Sunday) are the classical Latin names for the days of the week, and this week starts from Dies Lunae (Monday).

The ecclesiastical way of reckoning the week begins it on Dies Dominica (Sunday) and continues with feria secunda (Monday), feria tertia (Tuesday) etc., until feria sexta (Friday), which is followed by dies sabbati (Saturday).

It is interesting to see which names for days of the week each of the modern languages inherited, and which system of reckoning. For instance, in English, the first day of the week is Sunday (dies Solis): the classical name, yet the ecclesiastical way of counting the week. By contrast, in Portuguese the first day of the week is segunda-feira (feria secunda, Monday): the ecclesiastical name, but the classical way of counting the week.

Another important system of dating to be found in documents is according to the Christian feasts, as in, "the day of Saint Martin," meaning November 11th, etc. Some of these feasts are "moveable" (Easter, Pentecost etc.), and some are not (Christmas is always on December 25th, the Assumption of Mary is always August 15th, etc.). A day might also be named according to the incipit of the Mass of the feast that falls on that day; for example the Ascension might be referred to in a document as "Viri

Galilaei," because those are the first two words of the mass said on that feast.

A very useful reference work for calculating the date of medieval documents, known by scholars all around the world, is Adriano Cappelli's "Cronologia, Cronografia e Calendario Perpetuo: dal principio dell'era cristiana ai nostri giorni", printed in Milan by U. Hoepli; the first edition was in 1906 and it is still reprinted. It has chronological charts of all the European kings, synoptic plates, all the Easters in the Gregorian and Julian calendar, Islamic dating methods, etc. This work is a great aid in dealing with the various dating systems used in the Middle Ages.

Fig. 20 - Milan, Biblioteca Ambrosiana, Perg. 4087
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Chapter XIII
Papal Diplomatics

General diplomatics focuses on all medieval documents and has relationships to many other subjects: paleography; history (since everyday history is referenced in many documents); chronology (understanding how people marked time); heraldry (interpreting how power and personal prestige is displayed); law, both secular and canon law; sigillography; and textual editing. Special diplomatics focuses on particular regions, times, and research methods, for example, the history of the Bohemian royal chanceries. Among these special diplomatic focuses, papal diplomatics plays an important role. The Papacy merits special study as an important international institution, whose chancery has existed uninterrupted since the fourth century, continuing today.

In the nineteenth century, studies in papal diplomatics expanded considerably. Pope Leo XIII opened the Secret Vatican Archives to scholars in 1880. Studies of papal documents developed thanks to several historical institutes of various nations, located in Rome. Many collections and editions of documents have been published since then, which are now fundamental reference works.

The papacy has its own chancery, its own protocols, and its own relationships across the world. It started in antiquity and continues to this day. It is possible, then, to understand and know its customs and structure. Papal diplomatics is its own discipline today.

Regarding papal documents' content, it is important to study not just what they say, but also the attendant circumstances. Think of music: there is a written score which musicians follow, but they are also interpreting, and they might add or subtract in their performance, even if none of that is written down. Historians have to be aware of the unwritten tenor of the documents. They must also be aware of the actors in the documents and their points of view, and how that affects their version of the truth. Private declarations are not statements of fact.

A document is not necessarily historically accurate in and of itself. One must be careful of errors, especially of dates and names, in papal documents

of the medieval period; the Papacy is and was international, and names from other languages sometimes proved difficult for Roman chancellors and secretaries. People also were not precise about their ages, as there were no identity cards, and registers of baptisms only started in the sixteenth century. Errors could also be introduced from miscopying from a register. A document could be delayed because a pope had died, as well, and it was also possible for someone to put a date on a document before the act had actually been enacted. The penalties invoked in documents were not always carried out in fact. There is also the possibility of multiple documents created to cover any circumstance, e.g., one to address the addressee if they are within the Church, and another if they become excommunicated.

Scholars usually divide papal diplomatics into five periods.

- Period 1: from the beginning of the Papacy to Hadrian I (772)
- Period 2: from Hadrian I to Leo IX (772-1049)
- Period 3: from Leo IX to the ordination of the chancellery under John XXII (1049-1333)
- Period 4: from 1333 to the establishment of sacred congregations (1588)
- Period 5: from 1588 to the present day

Each period has its own types of documents, known by different terms, such as epistulae, responsa, decretales, constitutiones synodales, privilegia, litterae, mandata, litterae gratiosae, litterae solemnes, bullae, litterae consistoriales, brevia, motu proprio, cedulae consistoriales, litterae encyclicae, chirographa, and other specific terminology.

Papal diplomatics studies all types of documents, their internal and external characteristics, their changes over the years; it also studies the structure of the chancery, its officials, and its registers.

Fig. 21 - Milan, Biblioteca Ambrosiana, Perg. 680
(© Veneranda Biblioteca Ambrosiana / Mondadori Portfolio)

Essential Bibliography

This is a very essential bibliography for students who wish to learn diplomatics. Complete and detailed bibliographies are in all the publications below, especially in the handbooks, the more up-to-date of which are those of Guyotjeannin-Pycke-Tock, Nicolaj, and, for papal diplomatics, Frenz.

Encyclopedia entries

Peter Herde, *Diplomatics*, in *The New Encyclopaedia Britannica*, Vol. 20, Macropaedia, 15th edition, Chicago etc. 2005, pp. 591-597

Peter Herde, *Diplomatics*, in *The New Encyclopaedia Britannica*, Vol. 4, Micropaedia, 15th edition, Chicago etc. 2005, pp. 114-115

Handbooks

Harry Bresslau, *Handbuch der Urkundenlehre für Deutschland und Italien*, Leipzig 1960 (1st edition Leipzig 1889); Italian translation: H. Bresslau, *Manuale di diplomatica per la Germania e l'Italia*, traduzione di Anna Maria Voci-Roth, Roma 1998 (Ministero per i Beni culturali e ambientali. Pubblicazioni degli Archivi di Stato. Sussidi, 10).

A classic handbook and the most complete, especially for documents produced in medieval Germany and Italy.

Luciana Duranti, *Diplomatics. New Uses for an Old Science*, Lanham, Maryland - London 1998.

The only handbook in English; it is aimed at archivists.

Olivier Guyotjeannin - Jacques Pycke - Benoît-Michel Tock, *Diplomatique médiévale*, 3rd edition, Brepols 2006 (L'atelier du médiéviste, 2).

The most recent and complete handbook, particularly focused on French diplomatics.

Fernando de Lasala - Paulius Rabikauskas, *Il documento medievale e moderno. Panorama storico della diplomatica generale e pontificia*, Roma 2003.

This handbook is indebted to that of Rabikauskas, with respect to both general and papal diplomatics; no longer printed.

Giovanna Nicolaj, *Lezioni di Diplomatica generale. 1. Istituzioni*, Roma 2007.

A recent, modern handbook, with a special focus on the juridical nature of documents.

Alessandro Pratesi, *Genesi e forme del documento medievale*, Roma 1999.

A classic, short, yet complete handbook, the first edition of which was in 1979.

Paulus Rabikauskas, *Diplomatica generalis*, Romae 1998.

An essential handbook in Latin, no longer printed.

Essays

Pierre Chaplais, *English Medieval Diplomatic Practice*, London 1982; Pierre Chaplais, *English Diplomatic Practice in the Middle Ages*, Hambledon and London - New York 2003.

Focused on English diplomatics.

Claes Gejrot, *Original Value: On Diplomatics and Editorial Work*, in *The Arts of Editing Medieval Greek and Latin. A Casebook*, edited by Elisabet Göransson et alii, pages 122-137.

Article about editing diplomatic sources.

Oliver Guyotjeannin, *The Expansion of Diplomatics as a Discipline*, "The American Archivist", vol. 59, No. 4, pages 414-421.

Overview of diplomatics in the last few decades.

Armando Petrucci, *The Illusion of Authentic History: Documentary Evidence*, in *Writers and readers in Medieval Italy. Studies in the History of Written Culture*, edited by Charles M. Radding, Yale 1995, pages 236-250; Italian edition: Armando Petrucci, *Scrivere e leggere nell'Italia medievale*, a cura di Charles M. Radding, Milano 2007, pages 249-262.

Essay about editing diplomatic sources.

Susan Storch, *Modern Archival Method or Medieval Artifact*, "The American Archivist", Vol. 61, No. 2, pages 365-383.

Article about diplomatics and archivistics in the last few decades.

Reference books

Adriano Cappelli, *Cronologia, cronografia e calendario Perpetuo: dal principio dell'era cristiana ai nostri giorni*, Milano 1998 (7th edition).

The first edition was in 1906, and it is still reprinted in new editions. It has chronological charts of all European kings, synoptic plates, all the Easters in the Gregorian and Julian calendar, Islamic dating methods, all kinds of calendars, etc. A great aid in dealing with the various dating systems used in the middle ages.

Adriano Cappelli, *Dizionario di abbreviature latine ed italiane*, Milano 2011 (7th edition).

Famous, known and used worldwide, as is Cappelli's *Cronologia*. Offers images and transcriptions of thousands of Latin abbreviations.

Circoscrizioni ecclesiastiche. Nomi latini de Curia, Città del Vaticano 1998.

List of all Latin names of Catholic dioceses, used today as well as in medieval documents.

Vocabulaire international de la diplomatique, ed. Maria Milagros Cárcel Ortí, València 1997.

Diplomatics terminology in all European languages.

Abstracts and editions of documents

Each country has its own collections; I mention here just the best known and most easily available.

Monumenta Germaniae Historica

A massive series of edited documents, started in 1883. Nominally this series deals with documents pertaining to the history of the modern state of Germany; the definition of medieval Germany is so broad, however, that this series offers editions of papal resources, literary works, royal documents, etc. This is often a fruitful place to start inquiries. Many libraries also have online access to the *MGH*.

Regesta Imperii

This series includes abstracts of Imperial documents from the eighth through the sixteenth century. There are no transcriptions or reproductions,

but this work can help with initial inquiries or to learn what is known of the background of a document you are working on.

Regesta pontificum Romanorum

A series which provides abstracts of papal documents from the origin of the Papacy to the thirteenth century. It is a useful resource for seeing whether a document is known, for a survey of papal documents, etc. There are summaries of documents from the papal chanceries, but no transcriptions or reproductions.

Sigillography

Sigillografia. Il sigillo nella diplomatica, nella storia, nell'arte.

I. G. C. Bascapè, *Sigillografia generale. I sigilli pubblici e quelli privati*, Milano 1969.

II. G. C. Bascapè, *Sigillografia ecclesiastica*, Milano 1978.

III. W. Mariano, *I sigilli nella storia del diritto medievale italiano*, Milano 1985.

These three handbooks offer a complete overview of sigillography.

Michel Pastoureau, *Les sceaux*, Tornhout 1981 (Typologie des sources du moyen age occidental, 36).

Complete handbook on sigillography.

Conseil international des archives. Comité de Sigillographie, *Vocabulaire international de la sigillographie*, Roma 1990 (Ministero per i Beni culturali e ambientali. Pubblicazioni degli Archivi di Stato. Sussidi, 3).

Terminology for sigillography in all European languages.

Papal Diplomatics

Papal diplomatics is usually covered in all handbooks on general diplomatics (see above), as part of discipline in general. The following handbooks are focused only on papal diplomatics.

Thomas Frenz, *Papsturkunden des Mittelalters und der Neuzeit*, Stuttgart 1986; Italian translation: Thomas Frenz, *I documenti nel Medioevo e nell'Età moderna*, a cura di Sergio Pagano, Città del Vaticano 1998 (Littera Antiqua, 6).

Broader than Rabikauskas' handbook, complete and detailed; it has also a good number of plates.

Leonard E. Boyle, *A Survey of the Vatican Archives and of its Medieval Holdings*, revised edition, Toronto 2001 (Subsidia Mediaevalia, 1)

Overview of all medieval holdings in the Vatican Archives.

Paulus Rabikauskas, *Diplomatica Pontificia*, Romae 1994.

An essential handbook in Latin, no longer printed.

Plates

Collections of plates and transcriptions to practice reading and to study documents are generally arranged by professors of Latin Paleography and Diplomatics in the universities for their students. Each country has many of its own collections; I mention here just the best known and most easily available.

Acta pontificum, edidit I. Battelli, apud Bibliothecam Vaticanam 1965 (Exempla Scripturarum, 3).

Collection of reproductions and transcriptions of papal documents.

Chartae Latinae Antiquiores, Olten-Lousanne, 1954-

This series is still publishing volumes. Each publication includes transcriptions, reproductions, and descriptions of documents. Scholars refer to this series as *ChLA*. There is a partner series, called the *Codices Latini Antiquiores,* which deals with the separate category of codices (bound books).

Diplomatica Pontificia. Tavole. Silloge di scritture dei registri papali da Innocenzo III ad Alessandro VI (1198-1503), a cura di Marco Maiorino da un progetto di Sergio Pagano, Città del Vaticano 2017 (Littera Antiqua, 17)

A very interesting publication of plates from the Vatican registers, accompanied by diplomatic editions of the texts. These are very useful, both for acquainting oneself in how to read and understand abbreviations and for understanding the customs of the papal chancery.

Franz Steffens, *Lateinische Paläographie*, Trier 1909.

Reproductions and transcriptions both of manuscript pages and of documents.

Diplomatics: The Science of Reading Medieval Documents

A Handbook

Federico Gallo

Diplomatics is the science of studying documents, especially medieval documents. "Diplomatics" has nothing to do with diplomacy: the word comes from "diploma", meaning a certified, juridical written text. The objects of study for the discipline are: public and private documents, their external and internal characteristics, language, chronology, production, transmission, registration, modern editions. This handbook fills a significant gap in Diplomatic studies because it finally provides the English-speaking public with an opportunity to learn about the fascinating world of medieval documentation.

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