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ABBOT BALSAMON'S BOOK: THE ORIGINS OF ADMINISTRATIVE REGISTERS AT
CAVA DEI TIRRENI

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Through an examination of the contents, context, and material characteristics of the first administrative register surviving at the abbey of Cava dei Tirreni, this essay argues that the "documentary revolution" in thirteenth-century Italy was not only the accomplishment of the communal governments of the north. Political instability throughout the peninsula in the late twelfth century fostered enduring changes in documentary practices in both monastic and diocesan institutions. The first Cava register, drawn up under Abbot Balsamon (r. 1208-1232)—possibly responding to the legislation of his sovereign, Emperor Frederick II—reveals that he and his brothers innovated to protect the property underpinning their religious life. The artifacts of their innovation, moreover, underscore the primary influence of temporal rulers, rather than the papacy, on ecclesiastical administrative practices.

Keywords: registers, administration, monasticism, Italy

Nestled into the Lattari mountains just north of Salerno, the archive of the abbey of the Most Holy Trinity at Cava dei Tirreni is one of the richest to survive in southern Italy and is most known to researchers for its more than 15,000 single-sheet parchment documents or charters.¹ Like most medieval Italian ecclesiastical institutions, Cava appears to have relied solely on these documents to manage and defend its immense patrimony until the early thirteenth century when it began to keep registers. The earliest was compiled under Abbot Balsamon (r. 1208-1232).²

In creating his register, however, Abbot Balsamon, was not alone among ecclesiastical leaders in early thirteenth-century Italy. When Robert Brentano wrote his classic comparative history, *Two Churches: England and Italy in the Thirteenth Century*—first published, a half century ago now, in 1968—he found only one set of episcopal registers in Italy, those of Città di Castello.³ He likely emphasized the uniqueness of this small Umbrian city's episcopal registers to ensure that Italian scholars from other cities would scour their archives and prove him wrong—which, of course, they did.⁴ Thirteenth- and fourteenth-century registers survive for more than a dozen other dioceses. These survivals, however, are less impressive when one considers that there were roughly 250 dioceses in the peninsula. From this perspective, Brentano's larger point still stands: Italy seems to have produced very little evidence of the kind of ecclesiastical record keeping that became normative in thirteenth-century England. Whether this is actually the case is presently the subject of my research, but a more focused subsidiary question will be my topic here: if ecclesiastical institutions had been successfully managing their patrimonies for centuries preserving only single-sheet parchment documents, why suddenly change in the early thirteenth century? What circumstances produced Abbot Balsamon's book and ensured its conservation?

Changes in documentary forms and practices have long interested medievalists, of course, but over the last decades they have garnered a notable increase in historical attention. Works illuminating the broad social and cultural impacts of the written word, such as Michael Clanchy's *From memory to written record* and Brian Stock's *The implications of literacy*, inspired a range of new studies exploring the production, uses, and influence of texts.⁵ Italian research on these issues, however, has a distinctive focus and origins. Partly this is due to a strong heritage of Roman traditions, but other factors are the privileged place of the history of the northern city-states in the narration of Italy's medieval centuries and insufficient

contextualization of lay political changes within the broader, largely ecclesiastical, documentary landscape.

Italy's Roman heritage was formative. Although the widespread everyday use of written documents that characterized the ancient Roman empire did not survive it even in its birthplace, the post-classical lull in documentary production was relatively brief, lasting only from the fifth through seventh centuries. More importantly, enough of the forms and practices of Roman notaries (*tabelliones*) endured that redaction of instruments recording property transactions rebounded in Italy's many urban centers. Significant changes had occurred in the transition from antiquity to the early Middle Ages. Parchment, rather than papyrus, dominated as the support medium for the written word; documentary Latin was a degraded version of the classical language; and the Christian church provided more of the personnel and training of notaries. The availability of notaries to record transactions, however, strongly shaped the written record in Italy. They produced prodigious numbers of single-sheet parchment documents from the eighth century on, and the interest of ecclesiastical institutions in preserving them contributed to their survival into the modern era.⁶ This relatively widespread diffusion of the creation and use of written documents in Italy from the early Middle Ages has tended to make literacy less of a focus in Italian studies than in northern European scholarship.⁷

Instead, historians of medieval Italy have attended more to innovations in forms and systems of record keeping than to impacts of the broad use of written instruments.⁸ Here is where the primacy of the northern city-states, or communes, in Italian research on the Middle Ages has been particularly influential. The earliest surviving records of these urban governments from the eleventh and twelfth centuries are notarial charters, followed usually in the thirteenth century by codices (*libri iurium*) documenting the commune's claimed rights, properties, and privileges.

From the mid-thirteenth century on, what is most striking in communal archives is a prodigious multiplication of different types of registers and record systems. Thus, for Italian historians, the crucial development requiring elucidation is what appears to be a relatively sudden leap from administrative reliance upon single-sheet parchments to the creation of various types of registers (administrative records surviving as codices) in the thirteenth century. The leading scholars who identified this as a topic meriting attention were all working intensively on communal politics and culture: Giovanni Tabacco was writing his famous synthesis on political change, Attilio Bartoli Langeli was preparing his edition of the *Codice diplomatico del Comune di Perugia*, Paolo Cammarosano was researching Tuscan communal fiscal systems, and Jean-Claude Maire Vigueur was launching his massive study of the *podestà*.⁹ It was Maire Vigueur who dubbed the commune's invention of new forms and systems of record keeping as the "documentary revolution."¹⁰ Although Maire Vigueur argued that the real revolution was the work of the popular commune in the second half of the thirteenth century, Italian scholars over the past two decades, while retaining a focus on the northern communes, have vindicated Cammarosano's identification of the transition from charters to registers in the late twelfth century and opening decades of the thirteenth century as the significant watershed.¹¹

The transition from reliance upon single-sheet parchments to the creation of administrative codices is only perceived as a revolutionary rupture in Italy, however, because of relative inattention to ecclesiastical precedents. This is an obvious definitional defect both in Maire Vigueur's declaration of the "documentary revolution" and in continuing Italian scholarship elucidating the documentation of the northern communes.¹² Early medieval cartularies—that is, codices into which an institution's charters, grants of privileges, and title deeds were copied—are not as numerous in Italy as in northern Europe, but both monasteries

and dioceses produced them. Thirty-six papyrus folios survive of the *Breviarium ecclesiae Ravennatis*, compiled in 960-983, and the work was clearly more extensive. Organized topographically it is comprised of registrations of charters relating to the see's properties and rights: it is a *liber iurium* produced over two centuries before a commune compiled one. Moreover, the survival within the archiepiscopal archive of two other eleventh-century parchment fragments, each labeled a *breviarium* and containing registrations in the same format as the tenth-century papyrus *breviarium*, suggest that such registers were being at least sporadically produced.¹³ The eleventh-century *regestum* of the monastery of Santa Scholastica at Subiaco has a similar character.¹⁴ Such collections of copies or summaries of charters were also the bases of the "cartulary chronicles" produced by Italian monasteries from the eleventh century: at the abbey of Farfa, for example, Gregory of Catino first compiled the community's charters in the *Regestum farfense*, then put together a collection of leases and other property transactions (the *Liber largitoribus*), and between 1107 and 1119 composed the better known *Chronicon farfense*, a narrative that incorporates documents.¹⁵ Not only were some monasteries creating cartulary-histories, but at the end of the twelfth century the bishop of Salerno had a register compiled of all the see's properties.¹⁶ The papacy, moreover, had been keeping registers of its correspondence from at least the fourth century. Although very few papal registers survive before the thirteenth century, those survivals suggest an established practice. The original register of Gregory the Great (590-604), for example, consisted in fourteen papyrus rolls, one for each indiction of his pontificate; it was preserved until the 880s when it was copied onto parchment. We also have the register of Gregory VII (1073-1085) as well as portions of the registers of Honorius I (625-638) and John VIII (872-882).¹⁷ So, some ecclesiastical institutions in Italy were producing registers well before the advent of the northern communes.

What is different in the thirteenth century is that more ecclesiastical institutions not only produced administrative codices, but they also preserved them and initiated new, more enduring, systems of registers. Balsamon's book, considered in the context of Cava's other thirteenth-century registers, documents and illustrates both changes. It was consulted and conserved. Its state of conservation discloses an emerging system of record keeping in notebooks (*quaterniones*) bound together as codices. It also reveals the limits of papal influence in a period usually heralded as the apex of papal power in the Middle Ages.

After briefly introducing the abbey of Cava and its origins, I will sketch the political and patrimonial crisis that is the essential background to Balsamon's abbacy before turning to the abbot's election and first acts in office. Then our focus will move to his register: what was it, when was it redacted, and what kind of change did it represent? I will argue that Balsamon's book was not an essential tool to solve the problems he and his brethren confronted when he took office. Rather, it post-dates the reclamation of the abbey's patrimony and may have been influenced by the legislation and chancery of the abbot's sovereign, Emperor Frederick II. Fragments of two other registers bound into Balsamon's book, moreover, reveal that the abbey was keeping other registers too. And this does suggest that the anarchy in the *regno* that followed the death of King William II in 1189 led to enduring changes in this important southern Italian monastery. Cava initiated new administrative practices and documentary forms that performed conformity with royal legislation and reveal suggestive traces of how much was not preserved for posterity as well as glimpses of forces promoting conservation.

The Abbey of Cava

A monastic community had formed at Cava by 1025 around Alferio (d. 1050), a native of Salerno from an elite family. As a youth he had entered the service of Salerno's princes and been sent on an embassy to Francia.¹⁸ He became ill on the journey, and during a period of recuperation at the Benedictine abbey of San Michele della Chiusa he took a vow to enter monastic life. At San Michele, Alferio had encountered the great abbot of Cluny, Odilo, and subsequently traveled to Cluny where he lived as a member of that reforming monastic community for roughly a decade. Circa 1010, however, Alferio was recalled to his homeland by its prince, Guaimar III of Salerno, and charged with the task of reorganizing the city's many Benedictine foundations. He proved, however, not up to that challenge and within a year retired to the mountains northwest of the city that were already the refuge of other hermits. Alferio attracted disciples, an eremitic community formed and set to work building the original church that was carved into the rock-face at the site of today's late eighteenth-century basilica of the Most Holy Trinity. In Alferio's lifetime, the community remained one of hermits living in cells around the church. Only in the second half of the eleventh century did it adopt the regular life of a Benedictine monastery and attract the support of the papacy. Its connections with Cluny moved Urban II (1088-1099) to grant privileges to Cava.¹⁹ The later Lombard rulers of Salerno, as well as the Norman princes who replaced them, made multiple donations of lands and rights to the abbey and other lay patrons soon began donating churches and monasteries. Within a century of the founder's death, Cava had over a hundred dependent abbeys, and its monastic network throughout southern Italy, like that of Cluny, became a powerful force for reform. Like Cluny as well, Cava was greatly enriched by numerous donations; its abbots became powerful lords overseeing an immense patrimony.²⁰

The limits of Cava's expansion seem to have been reached in the early thirteenth century and historians generally see an inexorable decline, both spiritual and temporal, from the middle of the thirteenth century until a series of developments in the sixteenth and seventeenth centuries initiated a new flourishing of monastic life at the Most Holy Trinity.²¹ So Abbot Balsamon (r. 1208-1232), who had the first surviving register of the abbey created, seems to stand at a crucial tipping point in the community's fortunes. In March 1208 Abbot Peter II, three days before he died, designated Balsamon his successor and the community elected Balsamon the tenth abbot of Cava. The only thing we know about him before he acceded to the position was that he had been prior, since at least 1200, of one of Cava's dependencies, San Nicola.²²

Balsamon proved to be the able and astute leader the community needed in perilous and uncertain times. The medieval Kingdom of Sicily, which included southern Italy, had been in crisis since 1189. That year saw the death without heirs of King William II (called William 'the Good,' grandson of the great founding monarch of the Norman kingdom of Sicily, Roger II). On William's demise, the rules for succession in the kingdom were not clear. The closest possible heir was William's aunt, Constance, born in 1154 and married in 1186 to the Hohenstaufen prince, Henry VI of Germany, son of Emperor Frederick Barbarossa. Many southern Italians feared German rule, however, and so when Tancred of Lecce (an illegitimate son of Roger III) seized power, leading aristocrats and clerics acquiesced and crowned him king in 1190. This did not staunch the kingdom's rapid descent into violent factional struggles, warfare, and chaos as King Henry VI made his way south to claim his wife's inheritance. He succeeded in being crowned at Palermo on Christmas day in 1194 and the very next day Constance gave birth at Jesi to a son, the future *stupor mundi*, Frederick II. These auspicious events may have portended well for the stabilization of the realm, but Henry VI's death at Messina in September 1197 prolonged

and intensified the struggle for power within the realm and the general lawlessness among elites that was the major threat to ecclesiastical institutions. The patrimonies of churches and monasteries, including Cava's, were devastated.²³

Balsamon, therefore, faced enormous challenges when he became abbot of Cava in March of 1208. But his earliest actions suggest that his predecessor's faith in him was well placed: he promptly sought the confirmation of his election from Pope Innocent III, who on July 31, 1208 issued a privilege authorizing Balsamon to restore his jurisdiction over any of the abbey's lands that had been seized and denying those illicitly holding Cava's properties any right of appeal.²⁴ The following year, Abbot Balsamon took another more crucial step: he went to Sicily to seek the aid of Frederick II, who had just come of age and embarked on the restoration of the monarchy's authority in the kingdom. The fifteen-year-old king was, himself, in a position not so different from that of the new abbot, for the royal demesne too had suffered from the years of internecine struggles and the self-interested decisions of the kingdom's functionaries during the long regency. When Balsamon came into the king's presence at Messina in September of 1209, Frederick had already been at work for several months reclaiming royal lands in Sicily and had just put down an insurrection of the disgruntled dispossessed in the northeast. Beyond the monarch's understanding of, and perhaps empathy for, the abbot's difficulties, Frederick needed allies and he granted Balsamon the extraordinary privilege of exercising during his lifetime the powers of a royal justiciar over all the men and lands conceded to his monastery.²⁵ The evidence of Balsamon exercising these powers is slight, so the title of royal justiciar may have been largely honorific.²⁶ But the abbot slowly over the next twelve years re-established the abbey's possession of all its lands—particularly the castle of Sant' Adiuatore east of Salerno and the lands and churches that comprised the abbey's territorial lordship in the Cilento.²⁷

Balsamon's Book

If Balsamon's book was created as part of the abbot's campaign to restore Cava's patrimony, it seems a puny material memorial to his efforts. Cava dei Tirreni, Badia della SS. Trinità, Arm. X.1 is a small (218 mm x 159 mm) parchment manuscript of twenty folios dating, according to Giovanni Vitolo on paleographical grounds, to c. 1208-1222. At the time of Vitolo's study and edition in 1974 it consisted in only two gatherings, the second of which included three slightly smaller folios (210 mm x 159 mm) which Vitolo identified as extraneous and originally part of a different register.²⁸ After Vitolo's study, the three extraneous folios (14, 15, and 16) were removed from the second gathering and placed at the end before all folios were rebound to produce the present manuscript.²⁹ Today folios 1-9 form a defective quinternio with a leaf missing between 5v and 6r, followed by a quaternio (folios 10-13, 17-20), and then a defective duernio lacking the final leaf (folios 14-16). Balsamon's book proper is comprised of lists of revenues organized by type of holding and place, each subdivision indicated in rubrics, with space left after each category for further entries to be added. Each entry usually includes a leaseholder's name, the type of property (land, house, garden, arbor, etc.), and the amount owed reckoned in the local *tarenos* of either Salerno or Amalfi.³⁰

It was these lists of sums owed in cash that initially attracted Vitolo's attention. His study of Balsamon's book originated in research on the broader, and highly significant, debate over agricultural levies in southern Italy. Were peasants in the south more burdened with exorbitant rents and lordly exactions than their counterparts in northern Italy? The question bears on the fraught debate over the origins of the south's "backwardness" in the modern era.³¹ The register's lists of sums owed in cash caught Vitolo's attention because most of Cava's leases at the time

stipulated high rents in kind—frequently half of the land's agricultural produce in addition to gifts of food at feast days. So, he systematically searched for the leases of the individuals and lands named as owing sums in Balsamon's register. In the process he discovered that the register listed incomes from only a very few localities among the numerous known patrimonial holdings of the monastery, demonstrating that Balsamon's little book was in no way a register of all Cava's revenues. Vitolo was, moreover, able to identify securely twenty leases for the lands and tenants named in the register.³² Many of these do show that the register sums were only the cash portion of a more complex, multi-component rent. On folio 5v of Balsamon's book, for example, the opening entry lists "Petrus de Bene, for the arbor and chestnut grove which he holds at *Castanetus*, at the Lord's nativity, 1 *tarenus*."³³ Among Cava's parchments one can find Peter de Bene's lease: drawn up in September 1222, it grants him four pieces of land with an arbor, fruit trees, and chestnut grove in *Mitilianus* and in *Castanetus* at the place called "li casali," all of these lands belonging to the monastery. Every year Peter owed to the abbey "half of the wine, chestnuts, fruits, and all produce" and "to the chapel of the lord abbot at the nativity of our aforementioned Lord Jesus Christ one *tarenus* of the present money of the aforementioned city [Salerno] in gold," as well as *saputa* and *terraticus* according to the customs of these places.³⁴ Some of the leases Vitolo linked to Balsamon's book differ slightly from the entries in the register in the amount to be paid in coin,³⁵ and not all specify the *cappella abbatis*, but it is clear that the sums registered were only portions of the rents owed.

Vitolo concluded that Balsamon's register recorded only the revenues designated for the abbot's use: those to be paid "in *cappella domini abbatis*," the abbot's chapel.³⁶ Indeed, the opening rubric on folio 1r announces, "These are the revenues which should be paid in the chapel" (*Isti sunt redditus qui debent persolvi in capella*). This *cappella* was a discrete

architectural space within the monastic complex that existed by the end of the eleventh century: two accounts of Pope Urban II's 1092 consecration of the basilica built during the abbacy of Peter (r. 1079-1122) recount that a *cappella abbatis* was also consecrated during the pope's visit.³⁷ But Vitolo thought that the register itself was evidence that Balsamon had created an abbatial *mensa*, a distinct set of funds reserved to the abbot's use, as part of a broader set of internal reforms of the monastery's administration.³⁸ Balsamon may have taken the key steps toward formalizing a *mensa*, but two years before he became abbot a lease directed that a rent of one Sicilian *tarí* be paid annually "in cappella domini abbatis."³⁹ It would seem, therefore, that revenues reserved to the abbot's use and paid to his chapel existed before Balsamon's abbacy.

It is worth noting at this juncture that what a register was, in form and content, varied a great deal. In earliest ecclesiastical usage, a *regestum* or *registrum* was a collection of letters and memorials: as noted above, the popes kept registers of their letters from the fourth century, the first reference to such a register being from the papacy of Liberius in 355. As codices, administrative registers vary greatly in size: Abbot Balsamon's book at 218 mm x 159 mm is tiny in comparison to the episcopal registers of Città di Castello, relative behemoths at 438 mm x 241 mm.⁴⁰ The earliest gatherings of the latter series, compiled 1207-1208, are a collection of leases as is the earliest register of the cathedral chapter in Città di Castello (dating from 1192).⁴¹ The first register of the see of Mantua, like some early communal registers, is a collection of lists, chiefly lists of lands held by the see in various locales.⁴² And Abbot Balsamon's register too is comprised of lists, in this case lists of revenues: the cash renders from specific lands to be paid to the chapel of the lord abbot. Most of it was compiled at one point in time by one scribe. But this original compiler laid it out with the expectation of additions: on folio 10v, for example, sections were laid out to facilitate additions with spaces left under a series of headings (Figure

1). Two folios at the end of the second gathering were also left blank in the expectation of added sections and at several points, as on folio 8v, there were additions in several different hands (Figure 2). While the content of the register (lists of revenues) might suggest a mere organization of information extracted from the abbey's documentation, the layout of Abbot Balsamon's book and the additions made to it highlight the expectation of continued use and development of its data.⁴³

The Register's Purpose

Having described Balsamon's book, let us consider what it was compiled to accomplish. If Balsamon's book did not initiate the abbatial *mensa*, was it an administrative instrument necessitated by the abbot's struggle to reclaim the community's lands and incomes? Since Giovanni Vitolo dated the register on paleographical grounds to the first part of Balsamon's time as abbot, from 1208 to 1222, it seems reasonable to hypothesize that it was created to aid somehow in reconstituting Cava's patrimony. Vitolo suspected, however, that the register may likely have been created closer to 1222 than to 1208, his suspicions raised by characteristics of the different hands making additions. In fact, it could not have been redacted before the end of 1220. The clearest evidence of this is an entry in the hand of the original compiler on folio 6r listing "revenues from the possessions of the castle of Sant'Adiutore." The monastery was not receiving these revenues until Balsamon re-established its control over the *castrum*, and we actually know rather precisely when that control was re-established: the monastery's annals record under the year 1220, not only Frederick II being crowned emperor in Rome on the feast of Saint Cecilia (November 22) but also in that same year "we recovered the castle of Sant'Adiutore on the vigil of the Lord's birth, through our venerable lord abbot Balsamon's great

labors."⁴⁴ Thus, if the register was not compiled until after the abbot had already been successful in reclaiming the monastery's most important holdings, it appears not to have been an essential tool in the project of patrimonial reclamation.

Vitolo's assertion of a 1222 *terminus ad quem* for the manuscript is based on added entries that attempted to maintain the rounded character of the original script which he says "are certainly from 1222."⁴⁵ It is not clear from the accompanying citation what yields this certainty, although it may be correspondences between names in the additions and leases dated 1222. He may also have been influenced by a February 1221 diploma of Frederick II conferring upon the abbey the right to collect commercial fees at its port of Vietri. This grant seems to be reflected on folios 18r-19r of Balsamon's book which record the various dues ships had to pay in the monastery's ports, including Vietri.⁴⁶ Although the emperor was in Salerno in February of 1221, granting seven other privileges, this document is of "dubious" authenticity because the hand presented as that of *Iacobus de Cathania notarius et fidelis noster* does not match other known examples by this imperial notary. While it is plausible that Abbot Balsamon had attended Frederick in Salerno and sought confirmation of Cava's lands and rights just as had other ecclesiastical leaders in the region—such as the abbots of Casamari and Fossanova, the abbess of San Salvatore del Goletto, and the bishop of Melfi—other evidence indicates this dubious survival was forged later in the century to meet new exigencies under the Angevins.⁴⁷

What is clear, however, is that Balsamon's book was drawn up sometime after December 24, 1220 and thus post-dates the abbot's reclamation of the monastery's key holdings. Of course, we can't rule out the possibility that there may have been earlier drafts, so to speak, of this sort of register that have not survived. Nor can we rule out the possibility that some of the funds ultimately registered in Balsamon's book contributed in some way to the reclamation of the

monastery's patrimony. They may have. But *this* carefully written and organized register preserved in Cava's archive was not essential to the project that dominated Balsamon's early abbacy. The reconquest of the most important elements of the monastery's patrimony, such as the castle of Sant'Adiutore, was accomplished before the primary hand laid out and wrote the initial lists of revenues.

Several material characteristics of Balsamon's book are more important indicators of the purposes for which it was compiled. Its handsome caroline minuscule script with some early gothic features is carefully rendered and laid out on ruled folios. Subheadings are rubricized and the same rich red ink is used in some marginal annotations, initial letters, and line-end embellishments. Although the register is a modest volume, some effort was expended on its appearance. The uniformly careful redaction and rubrication of Balsamon's book suggest that it was intended for the eyes of readers beyond the abbey rather than for internal use alone. Who might these readers have been? The date of its redaction (after 1220) and its caroline script suggest an imperial, or imperially associated, audience. The legislation on documents and documentary validity Frederick II issued in 1221 point to this conclusion when considered in the context of Cava's surviving manuscripts and charters. Contemporary events understood in light of the emperor's legislation also offer a possible explanation for the content and appearance of Balsamon's book.

After Balsamon had first met Frederick II in Messina in September of 1209, the young ruler remained in his southern Italian kingdom for only two and a half years. From 1212 to 1220 he was in the German realm where he ultimately succeeded in claiming the throne: he defeated Otto of Brunswick and was crowned at Aachen on July 23, 1215. Frederick II reentered his southern Italian kingdom after his imperial coronation in Rome on November 22, 1220 and in

late December he held a general assembly at Capua where he issued a series of important laws.⁴⁸ Two of them reveal Frederick's attempts to use control over written instruments to renegotiate relations with, and assert his power over, his southern Italian subjects.⁴⁹

One was the Frederick's decree requiring the validation and renewal of privileges. The premise for this law was that after the demise of both his father, Emperor Henry VI (d. 1191), and mother, Empress Constance (d. 1198), their royal seals had fallen into the hands of officials who had used them to make many concessions damaging to Frederick's rights. Therefore, at Capua the emperor decreed that all privileges issued after the death of King William II in 1189 were abrogated. All those who had previously received privileges under the seal of his father Emperor Henry VI, his mother Empress Constance, or even Frederick himself, must present their documents at his court before Easter.⁵⁰ His subjects hastened to comply. In a diploma drawn up in February of 1221, for example, Frederick underscored and rewarded exemplary compliance with his new legislation.

After having recently held our customary court at Capua where we ordered, among other things established to be observed, that all privileges from the death of the well-remembered King William [III] on be invalidated, Matthew the venerable abbot of the monastery of Santa Sofia in Benevento, coming into our presence, presented for our highness's inspection that privilege which the deceased lord Emperor [Henry VI] and Empress [Constance] of celebrated memory had piously conceded to his deceased predecessor Abbot William⁵¹

Frederick confirmed the monastery's privilege, enumerating all the lands and rights bestowed upon Santa Sofia in a new diploma. This is just one example among many.

Indeed, Cava's dubious diploma, mentioned above as including the rights to collect shipping dues at Vietri that are among the revenues listed in Balsamon's book, is also dated February 1221 when the emperor was in Salerno. It does not include a direct reference to the Capuan legislation, but like the Santa Sofia privilege quoted above it appears to confirm the abbey's holdings. It listed the castles of Cilento and Sant'Adiutore with all their possessions, the lands of Cava and its surroundings, twenty named villages, all the men of San Pietro Columnello and San Nicola a Mercatello, and "and every other gift our royal and princely predecessors gave as well as those gifts and oblations conceded by other faithful Christians." The reference to the Vietri port dues, however, is in an additional grant this diploma represents the emperor as making out of consideration for "the praiseworthy life and conduct" of Cava's monks as well as the "virtuous religious worship flourishing among them for which that monastery has always been distinguished," and a desire that he personally and the souls of his relatives might benefit from the monk's prayers. This additional grant exempted all Cava's goods and men from every corvée or military service which may be levied on demesne or fiefs and exempted them from payment of general subventions (even in places that had customarily paid them). Further, he supposedly conferred upon the monastery the free collection of fees on purchases and sales in their castle of Cilento and in Vietri and in all their ports as well as perpetual immunity throughout the kingdom from payment of a range of royal taxes (among them port duties and mooring fees, pasturage dues, and both market and customs exactions).⁵² Besides the previously mentioned material reason to doubt the legitimacy of this diploma, its failure to invoke compliance with the sovereign's recent Capuan legislation, its effusive praise of the monastery's religious life, and the expansive scope of the rights and immunities supposedly bestowed all suggest it is a forgery.⁵³ The Cava diploma also lacks a formula frequently inserted in the new

documents Frederick and his chancery were providing those who dutifully presented their old privileges in accordance with the Capua legislation. The new diplomas issued to monasteries in this period usually included the formula “salvo mandato et ordinatione nostra,” a clause essentially allowing the monarch subsequently to override his grant without incurring the charge of violating his own concessions. The utility of this right in making sure his subjects did their utmost always to serve their monarch assiduously, lest their privileges be revoked, is obvious.⁵⁴

A second piece of legislation issued at Capua exerted royal control over documentary production by establishing specific criteria for legal validity. This decree does not survive in the chronicler Riccardo of San Germano’s account of the 1220 Capua assembly but it was incorporated into the Constitutions of Melfi, also known as the *Liber Augustalis*, as titulus eighty (LXXX) of Book one, on “How documents should be drawn up” (*De instrumentis conficiendis*). “By this clear constitution,” Frederick decreed, “we invalidate the custom which we have heard is in force in certain parts of our kingdom, and we abolish completely the style of writing which was preserved until the present in the city of Naples, the Duchy of Amalfi, and Sorrento, and the areas belonging to them. Therefore, we decree that public documents and bonds of any kind ought to be written in common and legible letters by the notaries appointed by us.” The decree continued, specifying that public documents should be written on parchment, in order to stand the test of time, and that those written on papyrus or paper would have no legal value as proof in court or outside of court.⁵⁵ We have good evidence that this decree was actually issued at Capua in 1220 because some individuals and institutions began to have their documents redacted anew. In Ravello in 1221, for example, a notary “re-wrote and renewed” (*rescripsi et renovavi*) a charter of 1208 recording a sale, explicitly citing the imperial decree: “Since our lord emperor Frederick has made known his new constitution that abolished the form of writing used up to

now in the city of Naples, the Duchies of Amalfi and Sorrento and their territories, and required that public instruments and any bonds made in such writing a while ago be written in common and legible letters by notaries established by him, . . .”⁵⁶ What the 1220 imperial decree meant by “common and legible letters” were the caroline minuscule based scripts dominant throughout the former Carolingian empire, including northern and central Italy. And, as the legislation acknowledges, such scripts were decidedly not the norm in southern Italy.

In the Norman and Hohenstaufen eras, as Armando Petrucci pointed out, southern Italy was characterized both by *multigrafismo assoluto*, the use of different systems of writing (Greek, Arabic, Latin), and in Latin texts, by a *multigrafismo relativo*, the contemporaneous use of different scripts.⁵⁷ The latter phenomenon is especially evident in the region around Cava. Frederick II's legislation explicitly referenced and delegitimized the distinctive curial scripts of Naples, Amalfi, and Sorrento. These, according to Jole Mazzoleni, appear in the ninth century and endured into the fourteenth century. Developed from the "new roman cursive" (also known as "cursive minuscule") dominant from late antiquity through the eighth century, these curial scripts were strongly influenced by elements of the beneventan script but also display many local and regional peculiarities. Even paleographers dedicated to their study resort to adjectives like *fantasioso* and *bizzarro* in describing their features.⁵⁸

Beyond these curial scripts of Naples, Amalfi, and Sorrento, however, did the imperial decree delegitimize the much more widespread and dominant beneventan script? E. A. Loew thought that it did, implicitly.⁵⁹ Like the curial scripts, the beneventan evolved out of the cursive minuscule in the eighth century, but it had a much wider diffusion: it was used throughout southern Italy and across the Adriatic in Dalmatia.⁶⁰ It was certainly used at Cava. Although there is little evidence that Cava's scriptorium was a major producer of manuscripts, its library

holds some of the earliest and latest codices produced in beneventan. Cava codex 2, for example, is a copy in the beneventan script of Isidore of Seville's *Etymologiarum libri XX*, written at Montecassino between 779 and 797, and codex 24, written at Cava in 1295 in the same script, contains the *Vitae Patrum Cavensium*, a hagiographical compendium on the abbey's first four abbots composed c. 1140 by Peter abbot of Venosa. As Loew noted, moreover, there are marginal annotations and subscriptions in beneventan indicating that the script continued to be used at Cava into the second half of the fourteenth century.⁶¹ Cava codex 18, the autograph of Benedict of Bari's *De septem sigillis libri IV*, also provides beautiful evidence of beneventan's use during Balsamon's abbacy. This treatise on the seven seals of the Apocalypse was written by a monk of Cava in a very fine beneventan script and dedicated to his abbot. A dedication image depicts the author presenting it to Abbot Balsamon upon its completion in 1227. The illustrator's double depiction of Benedict indicates how long he had labored on the work: the top image is of the young Benedict who began the work and the bottom image the old man he was when he presented it to Balsamon (Figure 3).⁶²

The beneventan was not, however, just a library or book script. By the tenth century it was used widely in the redaction of documents and in everyday spontaneous writing, such as subscriptions, annotations, marginalia. Maria Galante's systematic study of Cava charters in the Lombard era demonstrated the dominance of the *beneventana documentaria* in Salerno and its territory, and this dominance continued through the mid-thirteenth century. But there definitely was use of caroline scripts in this region as Norman and papal influence grew across the twelfth century and, more importantly, notaries here began incorporating elements of the caroline to produce a much more legible version of the beneventan. Francesco Magistrale's study of Cava charters from the 1140s through the second half of the thirteenth century documents this process

at the monastery. The *beneventana documentaria* remained in use but with significant caroline influences: notaries and judges adopted more chancerial flourishes (a slight inclination to the right, slender ascenders, more use of capital letters) and began to use some individual caroline letter forms (*c* loses its crest, *e* usually low, bottom of *g* open).⁶³ This process of evolution in the beneventan resulted in a sort of "*koiné grafica*."⁶⁴ While not explicitly engaging Loew's remark about Frederick II's legislation, paleographers have implicitly distinguished the beneventan from the curial scripts of Naples, Amalfi, and Sorrento. Whereas the curial scripts had remained impervious to northern influences, the beneventan evolved caroline forms and features well before Frederick's decree and institutions, like Cava, in the beneventan zone around Salerno, were not hostile to use of the caroline.⁶⁵

The beneventan script's greater legibility through its integration of caroline elements may well have meant that it met the requirement of the "common and legible letters" demanded by Frederick II's decree *De instrumentis conficiendis*. The use of a caroline script in Balsamon's book rather than the evolved documentary beneventan, however, does indicate a conscious choice suggesting an imperial audience. Even as paleographers have documented increasing use of the caroline in southern Italy related to the Norman conquest and explored caroline's influence on the beneventan script, they have also shown through patterns of use how both beneventan and caroline were utilized as markers of identity (*scritture identitarie*). Caterina Tristano's magisterial 2018 *lezione* at the Spoleto conference demonstrated that the paleographical pattern of change from the eleventh to the thirteenth century was not a simple, gradual replacement of beneventan with caroline, but rather the development of a profusion of variants (or hybrids) of both and a culturally aware deployment of different scripts in varying contexts. Most pronounced was the use of caroline or caroline-influenced beneventan in administrative and technical (e.g.

medical, grammar) texts and the royal chancery's use of a caroline cultivating franco-norman forms (and later the gothic). The crowning example of caroline as a "scrittura di Stato" is the development under King Roger II (r. 1130-1154) of a caroline incorporating roman elements associated with the papal chancery that was used in a series of royal liturgical books.⁶⁶ The choice of script for Balsamo's book, not just caroline but a caroline already evincing gothic elements, signaled affinity with Frederick II's imperial rule and likely the expectation a court affiliated readership. Not all ecclesiastical institutions in the south made this choice in their administrative registers.⁶⁷

This context of the dominance of the use of beneventan scripts at Cava in manuscripts and charters into the mid-thirteenth century, as well as the evolution of a caroline influenced *beneventana documentaria*, make the script of Balsamon's book stand out. Although not a public document or bond, the register's extremely "common and legible letters" signal alignment with the imperial court and appear to perform voluntary compliance with Frederick II's legislation. Even if Abbot Balsamon only rarely exercised the powers of a royal justiciar granted him in 1209, as the leader of a wealthy and powerful monastic congregation that had received royal patronage, he and his abbey's administrators would have been generally familiar with the practices of royal governance and record-keeping.⁶⁸ Moreover, the obligation of a monastery under the monarch's protection to provide him and his court hospitality, may be a reason for Abbot Balsamon to have had a register of the cash at his disposal from the *mensa* drawn up in a script comfortably legible to imperial functionaries.

An incident in 1220, surely known to Balsamon, suggests this possible purpose for the register. The chronicler Riccardo of San Germano recounted how Frederick II, newly crowned emperor, left Rome late in 1220 with his consort and many knights. The court went first to San

Germano and then, the following day went up to Cassino. Montecassino's abbot, the chronicler reported, had made magnificent and sumptuous expenditures for the imperial reception, but apparently despite his strenuous efforts he had not procured sufficiently for the multitude of people and horses in tow. So, the court did not stay at the abbey. The imperial party split up with the empress and her entourage going to the closer Sessa Arunca and the emperor, his servants, and leading vassals to Capua. The chronicler notes laconically that Frederick revoked a series of privileges that Montecassino had enjoyed on all its lands through a concession made by the emperor's father, Henry VI, returning them to the royal demesne.⁶⁹ That this could happen to an abbey as venerable as Montecassino was surely not lost on the monks of Cava and the moral to this story would likely have been that a monastery such as their own, which had received imperial munificence, should always be prepared to meet their sovereign's needs. Abbot Balsamon may have gleaned from these recent events that he and his community should demonstrate their preparedness to provide optimal service to their monarch, lest he reconsider or revoke their privileges. "The Lord giveth," after all, "and the Lord taketh away" (Job I:21).

Whether or not this was the intended purpose of Balsamon's book, the abbot's interactions or expectation of interactions with the royal bureaucracy seem to have influenced Cava's record-keeping practices beyond the creation of this register of abbatial revenues. The three folios bound into Balsamon's book and identified by Giovanni Vitolo as extraneous and part of a different register actually indicate the existence of at least two other kinds of registers at Cava in the 1220s. Viewed in the broader context of the other Cava registers surviving for the thirteenth century, these fragments indicate the development of a new system of administrative record keeping at the monastery. And this new system evinces hints suggestive of royal influence.

The first of the three extraneous folios (fol. 14, in Vitolo's edition re-numbered 19) looks very similar to those of Balsamon's book proper. The script and rubrication are the same and the dark brown ink similar. As the folio is slightly smaller than those in the register of abbatial income, there are fewer lines per page but the line-end ornaments are the same. While Balsamon's book was a list of abbatial revenues, this folio is a list of revenues reserved for the abbey's office of treasurer. The verso concludes with a notation relating that "the lord abbot established in chapter, at the intercession of the holy community, that all the aforesaid revenues ought to be paid to and assigned to the lord treasurer especially for the great ritual of the washing of the feet (*magno mandato*) that we celebrate on the day of Holy Thursday."⁷⁰ The other folios in the register to which this properly belonged may have accorded particular revenue streams for other specific areas of expenditure that were the responsibility of this monastic office, or the rest of that register may have designated revenues to the *vestararius* generally and this folio (and perhaps others?) recorded additional "special purpose" endowments.

The two other extraneous folios differ both in appearance and content from those of Balsamon's register of abbatial revenues and from the folio discussed above listing the treasurer's revenues. Folios 15 and 16 (in Vitolo's edition 18 and 20) comprise a bifolio with 15v entirely blank. Multiple hands and inks are evident, but all entries are in the same caroline script with gothic elements (Figure 4). There is no attempt, however, at maintaining a uniform or harmonious appearance to the page. Script size varies. Different entries have different spacing and indentations. Multiple entries continue into the margin all the way to the edge of the parchment. An entry on folio 16r recording two loans is messily crossed out and the ink in portions of it scraped off. The contents of these folios are miscellaneous, but most entries note sums received and sums paid out (a very rudimentary accounting record, a precursor to "entrate e

uscite" books). Fifteen recto opens recording a payment made in November 1225 of half an ounce of gold for skins (*pellitiis*). This is followed by a notation (in a different hand and ink) of receipt of four *tarí* from Nicala Cicalesí and his brother John. Below these entries, in yet another hand and ink, is a list of lands belonging to three churches—San Pantaleone and Santa Barbara (both in Mitiliano) and San Leo de Molina—and what cash payments the churches should receive annually from a series of named tenants. Sixteen recto lists a series of sums, all in cash, received across 1222-1223 and then closes with the two crossed out entries. The first records a loan by the monastery of 18 ounces of gold less 8 gold *tarí* to a certain Arimandus. The money was received in March and was to be repaid by the next feast of Saint Martin. The second simply states that Guilelmus de Capicatio ought to pay four ounces of gold minus a quarter. Sixteen verso, dated 1222, lists the money received from *incartaturis*—conveyances of properties via written deed—made by the *vicedominus* Iaconus Thomas to seventeen different named individuals.⁷¹

To what type of register do the folios 15 and 16 belong? The same type as Cava dei Tirreni, Badia della SS. Trinità, Arm. X.3, *Regestrum abbatis Thomae (1255-64)*, the monastery's earliest surviving paper register.⁷² Although the support material of its thirty folios—Amalfitan "carta bambagina," according to Pietro Ebner's study and edition—differs from the parchment of the folios in Balsamon's book, its dimensions, 227 mm x 157 mm, are quite similar (218 mm x 159 mm, extraneous folios 210 mm x 159 mm). Like Balsamon's book, Abbot Thomas's registers use the script of royal administration, now the gothic minuscule that was supplanting the caroline in the second half of the thirteenth century as the "common and legible letters" of the late Hohenstaufen and then Angevin regimes in the *regno*.⁷³ Like MS 1's extraneous folios 15-16, MS 3 is the work of different hands using different inks with varying

formats among entries (Figure 5). The lack of coherent chronological order is also a shared feature. Just as the single bifolio 15-16 contains entries from both 1225 (15r) and 1222 (16r-v), the 30 folios of MS 3 nearly randomly intermingle dated items from the period 1256 to 1264. Ebner, remarking on this "difetta di disposizione cronologica del suo contenuto," concluded that the folios were loose until at some later time they were gathered together and bound—circumstances that also account for the chronological disorder of the episcopal registers of Città di Castello.⁷⁴ The types of entries and notations in MS 3 are also varied and they include all the types found in MS 1 folios 15-16 (payments made, sums received, amounts owed).⁷⁵

The greater number of folios surviving in MS 3 do make its purpose easily discernible: it contains the acts of the abbot and his officials as they moved among Cava's dependent churches and monasteries as well as its landholdings in the region around the abbey and the city of Salerno. In 1261 their accompanying notary relates that he is writing "on this trip, in Mercatello . . . leaving Santa Barbara by ship." Numerous acts are noted further south "at our castle of Cilento" and on a June day Abbot Thomas prefaced an entry noting receipt of 18 *tari* by explaining that lord Nicolas Papasurga approached him, "when I was at Naples, when we were going to the baths."⁷⁶ MS 3 is monastic lordship in action. The abbot dictates letters appointing priests to churches and procurators for legal cases; he renews leases and accepts donations; he receives payments owed and pays sums out, some "pro caritate," others reimbursing agents for expenses, still others to the sailors manning his ships and to a master builder for adding four rooms *ubi dicitur hospitale*.⁷⁷ The modest dimensions of Cava's thirteenth-century registers, and the likelihood even that only individual sheets were traveling with the abbot, accord with the textual allusions to lordship on the move.

Abbots of Cava may have been making such rounds for decades and earlier annotations of their actions may simply not have survived. But it seems reasonable to suggest that Abbot Balsamon's awareness of royal administrative practices may have influenced the monastery's own record-keeping. Even for Balsamon to exercise the powers of justiciar on rare occasions, he would presumably have followed royal custom, which required a justiciar to be assisted by a judge and a notary, who recorded and conserved record of their actions.⁷⁸ And these records were evidently used: in 1239 Frederick II ordered the notary keeping the registers of the late justiciar for the Abruzzo to copy the gatherings containing judicial acts and consign the copy to the new justiciar.⁷⁹ That the monarch demanded the copying only of the *quaterniones . . . in quibus videlicet continentur acta iudiciorum* indicates that the previous justiciar's records were more miscellaneous—like Abbot Thomas's—and indeed this is consonant with the array of other chores Frederick's registers reveal him assigning to these officials. There are, moreover, some broad similarities between Frederick II's own registers and Cava MS 3. The royal registers, like papal registers, recorded correspondence: Frederick's are a running list of mandates sent with his orders, queries, and decisions, mainly to his officials throughout the realm. Abbot Thomas's register also contains copies of quite a few letters he dictated to those at a distance but having a smaller remit than the great emperor he conducted far more of his business directly and in person. Both lords filled church vacancies, saw to the provisioning of their castles, dealt with their finances, and made decisions about matters we might think beneath them. Abbot Thomas provided for his mules to be shod while Frederick sent multiple missives on using poison to suppress the wolves and foxes damaging his hunting grounds.⁸⁰

One reason more of Abbot Thomas's miscellaneous register of his acts survived than did the one bifolio from Balsamon's equivalent may be that it contained two copies of a royal letter

from King Manfred (r. 1258-1266), the last Hohenstaufen claimant to rule the *regno*. In this letter the monarch granted the abbot's request that his monastery be allowed to transport a thousand bushels (*modia*) of provisions for the monks' own use and consumption from their holdings south of Salerno via small ships directly to the abbey without stopping at the royal port in Salerno (to pay royal fees and taxes on them). Manfred also notified his port masters and tax collectors at Salerno of this exemption and ordered them to observe it up to the stated amount.⁸¹ Note that this letter shows that the monastery definitely was not exempt from these tolls as the February 1221 forged diploma (discussed above) claimed. Manfred's letter, although it concerns large scale transactions, does shed light on the royal systems of commercial taxation possibly influencing another surviving register of Abbot Thomas.

Cava dei Tirreni, Badia della SS. Trinità, Arm. X.2, *Liber Reddituum Terrarum et Ecclesiarum Cavensis domini Thomae abbatis (1255-64)*, is similar in size and appearance to Balsamon's book (Figure 6).⁸² The folios of Abbot Thomas's *Liber* measure 206 mm x 159 mm, while those of Balsamon's book proper measure 218 mm x 159 mm and its extraneous folios 210 mm x 159 mm. Like Balsamon's book too, Abbot Thomas's *Liber* consists of lists of incomes organized by locales indicated by rubricated subheadings. They are in the same caroline script with some gothic features used in Balsamon's book, rather than the more current gothic minuscule used in Abbot Thomas's miscellaneous paper register, MS 3. The thirty-one folios of Abbot Thomas's *Liber* are organized into four quires: a ternio (fols. 1-6), a quaternio (fols. 7-14), a quinternio missing its third and fourth leaves (fols. 15-22), and another defective quinternio missing its fifth leaf (fols. 23-31).⁸³

The four quires of the manuscript actually comprise two distinct notebooks that list two different types of revenue. Each notebook has two quires and opens with a dated preface. The first (fols. 1-14) is dated 1261.⁸⁴ Brother Goffridus, the monastery's *vestararius*, announces on the opening folio that he made "hoc extalium de nucellis," or tally of [rents rendered in] hazelnuts from the month of September.⁸⁵ The entries normally indicate a lease-holder's name, then "from the nut grove" (*de nucelleto*), the location of the grove, and finally the number of *tumuli* owed.⁸⁶ Nine subsequent divisions of the list set out with rubrics indicate that the rents in hazelnuts from Santa Lucia and Prati were also collected in September and that those in chestnuts from Dragonea, Porta Gignoli, Capilla, Vallone di Cerro, Bannara, and Caprili were due in October. The identifiable place names are clustered around the monastery in Cava. The second notebook (fols. 15-31) is dated 1262 and it comprises a sort of appendix or updating to Balsamon's book: it lists additional rents from communities around the monastery owed to the *capella do(mi)ni abb(at)is*.⁸⁷ It is the first notebook in Cava MS 2, however, that may relate to royal administration.

Its contents list rents owed in *tumuli* of hazelnuts and chestnuts. This indicates that Goffridus's notebook was possibly drawn up in relation to the requirements of royal economic monopolies established in the 1230s and continued by Frederick's heirs and their Angevin successors.⁸⁸ The crown reserved to itself the right to sell certain products: among them salt, iron, raw silk, butchered animals, tuna, chestnuts and hazelnuts. State warehouses (*fundici*) were established in ports, and those trading in these goods were required to deposit their wares in them where royal officials, of course, imposed taxes on the products themselves and fees for their storage in the warehouse before sale.⁸⁹ The letter of King Manfred in MS 3 demonstrates that Cava had no exemption from these royal requirements: Abbot Thomas had to petition the crown

for permission to ship a limited amount of provisions to feed his community directly from the abbey's holdings south of Salerno to Cava without stopping in the royal port facilities. But, the lists opening MS 2 suggest that the monastery's income in commercially lucrative chestnuts and hazelnuts may have had to be consigned to the king's officials in Salerno for taxation and sale.⁹⁰ Other royal legislation also directly addressed the products so carefully tallied in MS 2's first notebook. A statute of August 12, 1231 on the customs tariffs to be collected at the ports of Siponto and Naples specifies that upon exiting the port both Christian and Muslim merchants "pay for every *salma* of chestnuts, nuts and hazelnuts, almonds and other produce, one *tarenus* to the court."⁹¹ While we do not know precisely how a list of its revenues in chestnuts and hazelnuts was used in vending its annual collection, it seems reasonable to hypothesize that monastic officials had to document totals of what they expected to receive annually and explain any shortfalls to the royal officials charged with ensuring the king received his due.

Conclusion

Taken together, Cava's surviving thirteenth-century administrative registers indicate the emergence no later than 1222 of a system of two types of registers: running records of miscellaneous abbatial and other official actions (MS 1, folios 15-16 and MS 3) and then what we might call special purpose notebooks: lists of incomes to the abbatial *mensa* (Balsamon's book proper and MS 2, fols. 15-31), lists of incomes for the monastery's *vestararius* (MS 1, fol. 14), and lists of incomes in royally controlled products such as nuts (MS 2, fols. 1-14).⁹² All of these registers were written in the "clear and legible letters" used in royal administration and emphasized in Frederick II's 1221 decree *De instrumentis conficiendis*. Cava's administrative registers, therefore, appear to align with royal norms and perform voluntary compliance with

imperial legislation. It is possible that they were designed to interface with royal administration. While these empirical findings are limited, their significance is more expansive.

First, Balsamon's book is evidence of a thirteenth-century "documentary revolution" in southern Italy—and Cava was not the only southern ecclesiastical institution to produce registers.⁹³ In many ways, Cava's documentary revolution is similar to the one historians have declared in communal Italy. As occurred up north, traditional single sheet parchments continue to be drawn up and conserved but in the early thirteenth century the management of incomes and economic rights begin to be recorded in notebooks ultimately bound as codices. This similar chronology underscores the importance of peninsula-wide conditions of political uncertainty and conflict. In the north, the years following the imperial defeat at Legnano (1176) and negotiations leading to the Peace of Constance (1183) were ones of great political uncertainty. And while the 1183 treaty clarified some power relations it also initiated new violent strife as cities made war on their neighbors to increase their control of resources in the surrounding countryside and resistance within cities to elite dominance of the commune sparked violence. In the south, the Norman dynastic crisis of 1189 narrated above, the Hohenstaufen seizure of power, and then the long and contested regency of the boy-king Frederick II also yielded decades of political uncertainty and violence. When Frederick granted Abbot Balsamon the powers of a royal justiciar in February of 1209 he referenced the woes this turbulence had on the monastery citing the imposition of irksome dues and the fact that "justice had been violated in many matters."⁹⁴ Significantly, Balsamon's book demonstrates the necessity of overcoming the long-established tradition of treating the histories of northern and southern Italy separately and unequally.⁹⁵ While there were many differences between these two parts of the peninsula, the origins of administrative registers at Cava dei Tirreni reveal important common developments.

The content of Cava's registers is also more broadly significant. Like Balsamon's book, the earliest registers north and south recorded economic assets: lands, incomes derived from them, the status and duties of the people who made them productive, and rights to revenues generated by commerce. These assets had been threatened, seized, or damaged in the peninsula-wide decades of instability, and these new registers both memorialized their reclamation and documented the claims of lordship exercised by both ecclesiastical and secular institutions. I underscore this point because ecclesiastical historians tend to link the emergence of episcopal registers to papal efforts to promote reform, particularly to Innocent III's Fourth Lateran Council, and thus these new forms of documentation are heralded as positive advances in pastoral care.⁹⁶ No canon of the council, however, required bishops or other ecclesiastical leaders to keep registers, although several canons assumed or instructed that specific things should be written (articles of inquiry against a prelate, Canon 8; the results of an election by scrutiny, Canon 24; and, most broadly in Canon 38, "judicial acts").⁹⁷ And, in fact, like this first abbatial register at Cava, the earliest episcopal registers in northern Italy (at Orvieto, Mantua, and Città di Castello) exclusively document lands, rights, and incomes.⁹⁸ The origins of new documentary forms and administrative systems were primarily in protecting property, and not in the direct provision of care of souls. That property, of course, was essential to sustaining religious life and pastoral care. Medieval prelates recognized this and so too should ecclesiastical historians.

Balsamon's book, significantly, also reveals the limits of papal influence in a period usually heralded as the apex of papal power in the Middle Ages. As powerful as the papacy and its judicial system were in the thirteenth century, for Abbot Balsamon and for prelates elsewhere in the peninsula, secular lords and their courts were the powers that counted in retaining and protecting the economic assets which made their spiritual missions possible. In the opening

decades of the thirteenth century, prelates in both northern and southern Italy sought papal support—as Balsamon did as soon as he was elected abbot of Cava in 1208—and popes did what they could. But even in the age of Innocent III, local ecclesiastical leaders depended upon their relations with those who really ruled their worlds, communal leaders and kings, in order to sustain the institutions believed central to saving souls. Secular practices more powerfully shaped local ecclesiastical documentary and administrative practices than did the papal bureaucracy. Thus, the origins of ecclesiastical contributions to a "documentary revolution" must be sought in the broad context of all powers at play in the peninsula, secular as well as ecclesiastical.

Finally, the three extraneous folios bound into Balsamon's book today are precious clues to the existence of other forms of documentation but they are also insistent reminders of how incomplete surviving sources are as a basis for reconstructing the past and how precarious preservation is. We will never know how or why those three folios came to be intermingled with those of Balsamon's lists of revenues and bound into the little codex carefully conserved today at Cava. But they point to an uncomfortable fact that we historians do not like to contemplate frequently: people throw things away or recycle them all the time. Institutions, like faculty offices, can only store so much. This truth is compounded, particularly in southern Italy, by losses to natural disasters and those wrought by human beings. You cannot research any issue in the history of the medieval *regno* without lamenting the intentional, retaliatory destruction of one of the most important royal archives created in Europe by retreating Axis forces outside of Naples in September 1943. The fact that only fragments survive of the archives of the medieval Kingdom of the Two Sicilies and partial reconstructions of the 378 chancery registers of the Angevin dynasty poses immense challenges in writing the history of medieval southern Italy.⁹⁹

But even incomplete and possible reconstructions, like the one offered here, can contribute to understanding the shared histories of north and south in the Italian peninsula.***

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¹ The best recent introduction to the archive and its parchments is Giovanni Vitolo, "L'archivio della badia della Ss. Trinitá di Cava dei Tirreni," in *La memoria silenziosa. Formazione, tutela e status giuridico degli archivi monastici nei monumenti nazionali*, Atti del convegno, Veroli, Abbazia di Casamari 6-9 novembre 1998 – Ferentino, Palazzo comunale 8 novembre 1998, Pubblicazioni degli Archivi di Stato, Saggi 62 (Rome, 2000), pp. 133-42; but see also Imma Ascione, "L'Archivo" in *La Badia di Cava*, ed. Giuseppe Fiengo, Franco Strazzulo, 2 vols. ([Sorrento], 1985-1990), 2: 185-222; and *Guida storica e bibliografica degli archivi e delle biblioteche d'Italia: Volume IV Badia della Ss. Trinitá di Cave*, ed. Leone Mattei Cerasoli (Rome, 1937), pp. 3-24.

² Biblioteca Statale del Monumento Nazionale Badia di Cava, Archivio Cavensis [hereafter, AC], Armarium X, Ms. 1 [hereafter cited as AC Arm. X.1]; Giovanni Vitolo, "Il registro di Balsamo, decimo abate di Cava (1208-1232)," *Benedictina* 21 (1974), 79-129.

³ Robert Brentano, *Two Churches: England and Italy in the Thirteenth Century* (Princeton, 1968; 2nd edition, Berkeley and Los Angeles, 1988), pp. 291-4, most emphatically on p. 293: "The only

diocese . . . from which something close to papal or English episcopal registers is known to survive is Città di Castello." I will be citing the 1988 edition here. See also his "The Bishops' Books of Città di Castello," *Traditio* 16 (1960), 241-54.

⁴ *I registri vescovili dell'Italia settentrionale (secoli XII-XV). Atti del Convegno di Studi (Monselice, 24-25 novembre 2000)*, ed. Attilio Bartoli Langelli, Antonio Rigon (Rome, 2003).

⁵ M. T. Clanchy, *From memory to written record in England, 1066-1307* (London, 1979), reissued with additions and revisions (Oxford, 1993); Brian Stock, *The implications of literacy: written language and models of interpretation in the eleventh and twelfth centuries* (Princeton, 1983). The Brepols series *Utrecht Studies in Medieval Literacy*, which developed out of Marco Mostert's research group and published its first book in 1999, has now reached fifty volumes.

⁶ Paolo Cammarosano, *Italia medievale. Struttura e geografia delle fonti scritte* (Rome, 1991), pp. 39-74; Peter Classen, "Fortleben und Wandel spätrömischen Urkundenwesens im Frühmittelalter," in the same author's *Recht und Schrift im Mittelalter* (Sigmaringen, 1977), pp. 13-54; Antonella Ghignoli, "Istituzioni ecclesiastiche e documentazione nei secoli VIII-XI. Appunti per una prospettiva," *Archivio storico italiano* 162 n. 602 (2004), 619-65; Antonella Ghignoli and François Bougard, "Elementi romani nei documenti longobardi?" in *L'héritage byzantin en Italie (VIIIe-XII siècle)*, Vol. 1: *La fabrique documentaire*, ed. Jean-Marie Martin, Annick Peters-Custot, Vivien Prigent (Rome, 2011), pp. 241-301.

⁷ Armando Petrucci and Attilio Bartoli Langeli published a number of works from the late 1970s into the 1980s, but on the issue of literacy per se their work produced more of a response from early modernists than from medievalists. More generative has been Petrucci's emphasis on writing; the journal he founded, *Scrittura e Civiltà*, in 1977 still thrives today publishing outstanding work at the intersection of paleography and culture. Armando Petrucci, "Per la storia dell'alfabetismo: metodi - materiali - quesiti," *Quaderni storici* No. 38, 13.2 (1978), 451-66; idem., "Scrittura e alfabetismo nella Salerno del IX secolo," *Scrittura e Civiltà* 7 (1983), 51-112; Attilio Bartoli Langeli, *Storia*

dell'alfabetismo come storia degli scriventi: gli usi della scrittura in Italia tra medioevo ed età moderna (Florence, 1989).

⁸ It is worth noting that this impetus from politics and the history of rulership is a highly traditional focus in diplomatics. The field of diplomatics itself emerged around the study of royal and imperial documents and several of the great editing projects that created fundamental published series of primary sources (e.g. *Monumenta Germaniae historica*, *Recueil des historiens des Gaules et de la France*) were nationally focused and funded. Jean Mabillon, *De re diplomatica libri VI* (Paris, 1707); David Knowles, *Great historical enterprises* (London, 1964). Michael Clanchy's *From memory to written record* emerged out of his work on important editions of thirteenth-century records of royal judicial administration: *Civil pleas of the Wiltshire Eyre, 1249*, ed. M. T. Clanchy, Wiltshire Record Society 26 (Devizes, 1971); *The roll and writ file of the Berkshire Eyre of 1248*, ed. M. T. Clanchy, Selden Society Publications 90 (London, 1973), this later based on his 1966 doctoral thesis (Reading University).

⁹ Giovanni Tabacco, *Egemonie sociali e strutture del potere nel medioevo italiano* (Torino, 1979), published in English as *The struggle for power in medieval Italy: Structures of political rule*, trans. Rosalind Brown Jensen (Cambridge, 1989); Attilio Bartoli Langeli, *Codice diplomatico del comune di Perugia: periodo consolare e podestarile (1139-1254)*, 3 vols., *Fonti per la storia dell'Umbria* n. 15, 17, 19 (Perugia, 1983-1991); Paolo Cammarosano, "Il sistema fiscale delle città toscane," in *La Toscana nel secolo XIV: caratteri di una civiltà regionale* (Pisa, 1988), pp. 201-13; idem, *Tradizione documentaria e storia cittadina. Introduzione al «Caleffo Vecchio» del Comune di Siena* (Siena, 1984); *Culture et idéologie dans la genèse de l'État moderne. Actes de la table ronde de Rome (15-17 octobre 1984)*, Collection de l'École française de Rome 82 (Rome, 1985). This last volume featured an introduction and essay by Jean-Claude Maire Vigueur, but also included contributions by Michael Clancy, Attilio Bartoli Langeli, and Armando Petrucci. Maire Vigueur's fifteen-year project on the podestà began the next year and published its results in *I podestà*

dell'Italia comunale. Parte I - Reclutamento e circolazione degli ufficiali forestieri (fine XII sec. - metà XIV sec.), 2 vols., ed. Jean-Claude Maire Vigueur, Collection de l'École française de Rome 268 (Rome, 2000-).

¹⁰ Jean-Claude Maire Vigueur, "Révolution documentaire et révolution scripturaire: le cas de l'Italie médiévale," *Bibliothèque de l'école de chartes* 153/1 (1995), 177-85; Giampaolo Francesconi, "Potere della scrittura e scritture del potere: Vent'anni dopo la *Révolution documentaire* di J.-C. Maire Vigueur" in *I comune di Jean-Claude Maire Vigueur: Percorsi storiografici*, ed. Maria Teresa Caciorgna, Sandro Carocci, Andrea Zorzi (Rome, 2014), pp. 135-55.

¹¹ Maire Vigueur, "Révolution documentaire," p. 184; Cammarosano, *Italia medievale* (see above n. 6), p. 205. More recent work, all still focused on the documentation of the communes, has undermined Maire Vigueur's sharp distinction between early thirteenth-century registers, like the *libri iurium*, copying or safe-guarding documents and later thirteenth-century registers (those documenting the deliberations of councils, ongoing records of judicial and fiscal administration) enacting governance. Profoundly influenced by Hagen Keller's project on "Pragmatische Schriftlichkeit," especially the findings of his volume on the redacting of communal statutes from the late twelfth and early thirteenth centuries, the innovative character and governing force of pre-Popolo registers has been broadly recognized: *Statutencodices des 13. Jahrhunderts als Zeugen pragmatischer Schriftlichkeit. Die Handschriften von Como, Lodi, Novara, Pavia und Voghera*, ed. Hagen Keller, Jörg W. Busch (Munich, 1991); Cristina Carbonetti Vendittelli, *Documenti su libro: L'Attività documentaria del Comune di Vicerbo nel Duecento* (Rome, 1996), especially on p. 183; Laura Baietto, "Elaborazione di sistemi documentari e trasformazioni politiche nei comuni piemontesi (sec. XIII): una relazione di circolarità," *Società e storia* 98 (2002), 645-79; Giampaolo Francesconi and Francesco Salvestrini, "La scrittura del confine nell'Italia comunale: modelli e funzioni," in *Frontiers in the Middle Ages. Proceedings of the third European congress of Medieval studies. (Jyväskylä, 10-14 June 2003)* (Turnhout, 2006), pp. 197-221; Gian Maria Varanini, "Public

written records," in *The Italian Renaissance State*, ed. Andrea Gamberini, Isabella Lazzarini (Cambridge, 2012), pp. 385-405, especially 387-88 where he describes "fiscal and judicial sources, *libri iurium* and statutes" as all part of the "documentary revolution"; Antonella Ghignoli, "Il codice e i testi. Per una fenomenologia del codice statutario a Pisa fra XIII e XIV secolo," in *Mélanges de l'École française de Rome - Moyen Âge* 126.2 (2014), published online 27 April 2014 and consulted 26 September 2021 DOI:<https://doi.org/10.4000/mefrm.2095>.

¹² Cammarosano himself acknowledged and discussed at length the continuing role of ecclesiastical institutions in documentary production and innovation, underscoring that "the change of the twelfth to fifteenth centuries was general, affecting the forms of private texts and of public documents, those of historical narrative and the same traditional forms of ecclesiastical institutions" (*Italia medievale*, p. 205), but scholarly focus, following Maire Vigueur has remained on the communes until very recently (see below n. 15).

¹³ *Breviarium ecclesiae Ravennatis (codice bavaro), secoli VII-X*, ed. Giuseppe Rabotti (Rome, 1985), xxxi-lxv, especially xlvi (lx for it as a *liber iurium*) and pp. 230-36 (App. III, nos. 20-21). I thank Veronica West-Harling for calling my attention to this important source.

¹⁴ *Il regesto sublacense dell'undicesimo secolo*, eds. Leone Allodi, Guido Levi (Rome, 1885), v-xi.

¹⁵ Similar codices were compiled at the monasteries of Casauria, Santa Sophia in Benevento, Montecassino, Volturno, and San Bartolomeo di Carpineto—on Montecassino and Volturno, see G. A. Loud, *Church and society in the Norman principality of Capua, 1058-1197* (Oxford, 1985), pp. 172-76, 181-82, 183 n. 62. On Italian cartularies generally see Cammarosano, *Italia medievale*, pp. 91-2; Graeme Dunphy, "Cartulary chronicles and legal texts," in *Encyclopedia of the Medieval Chronicle*, ed. Graeme Dunphy, Cristian Bratu, consulted online 10 September 2020 <http://ds.coi.org.libproxy.berkeley.edu/10.1163/2213-2139_emc_SIM_01668> [Brill, 2016];

Cristina Carbonetti and Jean-Marie Martin, "Les cartulaires ecclésiastiques de l'Italie médiévale" in *Mélanges de l'École française de Rome - Moyen Âge* 127-2 (2015), 2-11. Carbonetti now leads an

equipe working to produce of repertory of Italian ecclesiastical cartularies compiled or copied before 1500 and this project is part of a larger, European-wide undertaking, *MECA - Medieval European Cartularies*, coordinated by Paul Bertrand, François Bougard, and Jean-Marie Martin: <https://www.efrome.it/la-recherche/programmes/programmes-scientifiques-2017-2021/meca.html>

¹⁶ Alessandro Di Muro, *Signori e contadini nel Mezzogiorno normanno: Il Codice Solothurn (fine sec. XII)* (Bari, 2013), pp. 7-16 describing the five *quaterniones* surviving of the more than ten that comprised this codex. The script used is beneventan.

¹⁷ Thomas Frenz, *Papsturkunden des Mittelalters und der Neuzeit* (Stuttgart, 2000), pp. 46-47.

¹⁸ “Alferio,” *Dizionario Biografico degli Italiani*, ed. Alberto M. Ghisalberti (Rome, 1960-) [hereafter DBI], 2:262-63 gives the traditional founding date of c. 1020, but a 1025 diploma of Guaimario III and Guaimario IV to Alferio provides a more reliable one: Vito Loré, *Monasteri, principi, aristocrazie: La Trinità di Cava nei secoli XI e XII* (Spoleto, 2008), pp. 13-20, and Graham A. Loud, *The Social World of the Abbey of Cava, c. 1020-1300* (Woodbridge, Suffolk, UK, 2021).

¹⁹ Giovanni Vitolo, “Cava e Cluny” in *L'Italia nel quadro dell'espansione europea del monachesimo cluniacense*, Atti del Convegno internazionale di storia medievale (Pescia, 27-28 novembre 1981), ed. Cinzio Violante, Amleto Spicciani, Giovanni Spinelli (Cesena, 1985), pp. 199-220. Two eleventh-century papal bulls are published in *Codex diplomaticus Cavensis*, ed. Carmine Carlone, Leone Morinelli, Giovanni Vitolo (Battipaglia [Salerno], 1984-), 10:76-8 (no. 22) and 12:296-302 (no. 111), but the 1073 one, purportedly from Gregory VII, is considered a forgery. I thank Graham Loud for calling this to my attention. The two are also published in Paul Guillaume, *Essai historique sur l'abbaye de Cava d'après des documents inédits* (Cava dei Tirreni, 1877), [Appendice] pp. VI-VII, XX-XXII. The 1073 document survives only in an authenticated copy (AC Arm. Mag. B.8); Urban II's original, dated 21 September 1089, survives: AC Arm. Mag. C.32. The latter placed the monastery under apostolic protection, confirmed and listed its property and rights

(including the community's free election of its abbot and his consecration by the pope), and accorded limited, specified rights (over consecrating altars, ordaining monks) to the archbishop of Amalfi and bishop of Pesto.

²⁰ For this early period, see Loré, *Monasteri, principi, aristocrazie*, pp. 20-61; for the Lombard principality of Salerno, Huguetta Taviani-Carozzi, *La principauté lombarde de Salerne IXe-XIe siècle*, 2 vols., Collection de l'École française de Rome 152 (Rome, 1991). The most detailed history of the abbey is still Paul Guillaume, *Essai historique sur l'abbaye de Cava d'après des documents inédits* (Cava dei Tirreni, 1877), but for a concise introduction to its medieval history see Simeone Leone, "Dalla fondazione del cenobio al secolo XIV," in *La Badia di Cava* (see above n. 1) 1:1-45; in English, Valerie Ramseyer, *The Transformation of a Religious Landscape: Medieval Southern Italy, 850-1150* (Ithaca, 2006), pp. 159-92 and G. A. Loud, "The Abbey of Cava, its properties and benefactors in the Norman era," *Anglo-Norman Studies: Proceedings of the Battle Conference* 9 (1986), 143-77; on Cava's dependencies: Barbara Visentin, *Percorsi monastici nel Mezzogiorno medievale: la Congregazione di Cava*, 2 vols., Studi e ricerche sul Mezzogiorno medievale, nuova serie 1-2 (Battipaglia, 2015), 1:xxxii-xlvi and tavole 3-6.

²¹ Visentin, *Percorsi* 1:xlvi-xlvii; Leone, "Dalla fondazione," pp. 15-23; Domenico Ambrasi, "Le vicende dell'età moderna," in *La Badia di Cava* (see above n. 1) 1:47-118, for the "rinascita" specifically, 1:56-67.

²² AC Arc. XLIV.103, a tiny charter redacted in January of 1200, is subscribed "+ Ego fr(ater) Balsam(us) p(r)ior s(an)c(t)i Nycolai testis." This is probably San Nicola de Palma in Salerno, a church founded by Abbot Leo and the gastald Vivo in the 1060s; soon after Leo was described as abbot of both Cava and the monastery of San Nicola. Visentin, *Percorsi* 1:98-109, here pp. 99 and 101. Alessandro Pratesi's entry on Balsamo in DBI 5:607-8 is the best short synopsis of his life; more hagiographical in tone is Leone Mattei-Cerasoli, "Il decimo Abbate di Cava: Balsamo (1208-1232)," *Rassegna storica salernitana* 5 (1944), 109-44; see also Guillaume, *Essai historique*, pp.

143-51.

²³ Wolfgang Stürner, *Friedrich II, Teil 1: Die Königsherrschaft in Sizilien und Deutschland 1194-1220* (Darmstadt, 1992), pp. 34-66 [Italian translation: *Federico II e l'apogeo dell'impero*, trans. Andrea Antonio Verardi (Rome, 2009), pp. 95-133]; Norbert Kamp, "Federico II di Svevia, imperatore, re di Sicilia e di Gerusalemme, re dei Romani," *DBI* 45:743-58, here pp. 743-44; a good, brief English account of the crisis in the realm is Tommaso Astarita, *Between Salt Water and Holy Water: A History of Southern Italy* (New York, 2005), pp. 39-41. Some other southern monasteries, such as Montecassino, endured crises earlier in the twelfth century as Roger II established his dominion on the mainland, but their losses worsened after 1189: Loud, *Church and society*, pp. 200-203 (see above n. 15).

²⁴ AC Arm. Mag. M.6, transcribed in Guillaume, *Essai historique*, p. XLII, wrongly dated 30 July 1210. This privilege is neither in Innocent's register nor in August Potthast, *Regesta pontificum romanorum inde ab a. post Christum natum MCXCVIII ad a. MCCCIV* (Berlin, 1874-75).

²⁵ Guillaume, *Essai historique*, pp. XLI-XLII; *Monumenta Germaniae historica, Diplomatum regum et imperatorum Germaniae* (Berlin, 1879-) [hereafter, MGH, DD] 14.1: 202-3 (no. 105); Stürner, *Friedrich II, Teil 1*, pp. 114-20 [*Federico II*, pp. 189-96]; Loré, *Monasteri, principi, aristocrazie*, pp. 159-200.

²⁶ G. A. Loud, "Frederick II and the Criminal Jurisdiction of the Abbot of Cava," in *Da Aquisgrana ad Acri. Scavalcare i confini nel Medioevo / From Aachen to Acre. Crossing Medieval Borders*, ed. Kristjan Toomespoeg, Kordula Wolf, Georg Vogeler and Francesco Panarelli (forthcoming); Loud, *The Social World of the Abbey of Cava*, pp. #-# (chapter 9). The original of this diploma does not survive. The 1216 copy, AC Arca Magna M 8, was authenticated by five Salernitan judges and deemed trustworthy by the MGH editors, but the only evidence to date of Balsamus exercising the powers granted is a reference in the eighteenth-century collection of excerpts compiled by the archivist of Cava Salvatore Maria Di Blasi, *Chronicon ex tabulario SS.mae Trinitatis Cavae*

excerptum under 1216: "Hoc anno Stratigotus Salerni, qui hominem, Vassallum dicti Monaterij (Cavensis), de homicidio inquisitum in vinculis detinebat, ad Abbatem Balsamum judicandum in omnibus hominum, et bonorum suorum causis electum, quocumque alio Justitiario escluso."

Guillaume, *Essai historique*, p. 144.

²⁷ Pratesi, "Balsamo," DBI 5:607; Mattei-Cerasoli, "Il decimo Abbate," pp. 124-27; Visentin, *Percorsi* 1:147-52 [Sant'Adiutore]; *Annales Cavenses*, ed. Fulvio Delle Donne, *Analecta Cavensia* 5, *Rerum Italicarum Scriptores*, ser. 3, 9 (Rome, 2011), p. 56: "Eodem etiam anno [1220] recuperavimus castrum Sancti Adiutoris, in vigilia scilicet Natalis Domini, domno Balsamo venerabili abate multum proinde laborante"; Vito Loré, "Poteri locali e congregazioni monastici. Cava e Montecassino a confronto," in *Riforma della Chiesa, esperienze monastiche e poteri locali. La Badia di Cava nei secoli XI-XII*, ed. Maria Galante, Giovanni Vitolo, Giuseppa Z. Zanichelli (Florence, 2014), pp. 119-34, especially pp. 119-25 and Loré, *Monasteri, principi, aristocrazie*, pp. 178-200, which affirms the territoriality of Cava's lordship at Cilento while noting its late development and incompleteness in comparison to other monastic lordships like Montecassino's.

²⁸ Vitolo, "Il Registro di Balsamo," p. 96 describes the manuscript as "formato di due quinterni di dieci carte ciascuno, in totale venti carte." He gave the archive shelfmark as Arca CXX, n. 1 whereas presently it bears the designation "Armarium X, n. 1." This and other administrative registers are denominated the *manuscripti* / *manoscritti* and are part of the archive, whereas the more famous *codices* / *codici* are part of the library: Leo Mattei-Cerasoli, *Codices Cavenses, Pars I: Codices membranacei* (Cava, 1935).

²⁹ Vitolo's numbering of the folios in his edition accords with the present manuscript from folios 1-13, but then differs. Folios 17-20 in the present manuscript are number 14-17 in his edition. He also re-ordered the three extraneous folios, originally folios 14-16, as edition folios 18-20 but placing them in chronological order (edition folio 18 is 16 in the earlier numeration, dated 1222; edition folio 19 is the earlier-numbered 14, dated 1222-1223; and edition folio 20 is the earlier-numbered

15, dated 1225). See Vitolo, "Il Registro di Balsamo," p. 96. In citing Balsamo's book I will give both the original folio numbers first and then the corresponding folio number in Vitolo's edition.

³⁰ These gold coins derived from the Arab *dinar* (4.25g, a little lighter than a *solidus*). The *tarí* used in southern Italy from the early tenth century were a quarter-dinar, 1.05g, and those during the early part of Frederick II's reign, 1197-1220, featured a cross on one side, usually an eagle or star on the other, and Frederick's name and title in Arabic or Latin. Philip Grierson, Lucia Travaini, *Medieval European Coinage, vol 14: Italy (III) (South Italy, Sicily, Sardinia)* (Cambridge, 1998), pp. 3, 160, 164-74.

³¹ On this debate now see Sandro Carocci, *Signorie di Mezzogiorno: Società rurali, poteri aristocratici e monarchia (XII-XIII secolo)* (Rome, 2014), especially 17-43 [now also available in English as *Lordships of Southern Italy: Rural Societies, Aristocratic Powers and Monarchy in the 12th and 13th Centuries*, trans. Lucinda Byatt (Rome, 2018), pp. 26-54] and G. A. Loud's rejoinder, "Labour Services and Peasant Obligations in Twelfth- and Thirteenth-Century Southern Italy," in *Italy and Early Medieval Europe: Papers for Chris Wickham*, ed. Ross Balzaretti, Julia Barrow, Patricia Skinner (Oxford, 2018), pp. 182-97.

³² Vitolo, "Il Registro di Balsamo," pp. 79-80.

³³ AC Arm. X.1 fol. 5v: "Petrus de Bene de arbusto et castaneto quod tenet ad Castanetum in nativitate Domini tarenum I"; Vitolo, "Il Registro di Balsamo," p. 106.

³⁴ AC Arca XLVII.86: "det omni anno parte ipsius monasteri integram medietatem de vino et castaneis et pomis et omnibus fructibus . . . et cappelli domini abbatis in nativitate suprascripti domini iesu christi unum tarenum presentis monetis suprascripti civitatis in auro." The other leases that match precisely are AC Arc. XXXVIII.102 (AC Arm. X.1 fol. 2v); XXXVIII.107 (fol. 7r); XXXIX.70 (fol. 6v); XXXIX.94 (fol. 6r); XXXIX.101 (fol. 11v); XL.64 (fol. 6v); XL.89 (fol. 7r); XL.106 (fol. 3r); XLI.43 (fol. 3v); XLV.71 (fol. 4v); XLVII.86 (fol. 5v); XLVII.97 (fol. 5v); XLVIII.30 (fol. 6r). *Saputa* and *terraticum* (*terrarium*) were payments acknowledging the abbey's

ownership of, and lordship over, the lands held; *terraticum* is related to sown land and usually reckoned as a tenth part of the land's produce. See Maria Castellano, *Per la storia dell'organizzazione amministrativa della Badia della SS. Trinità di Cava dei Tirreni: gli inventari dei secoli XIII-XV* (Naples, 1994), p. 102 on *saputa* and Carocci, *Signorie di Mezzogiorno* (see above n. 31), pp. 421-22 [*Lordships of Southern Italy*, pp. 440-442] on *terraticum*.

³⁵ AC Arca XLII.90 (February 1191), for example, directs Alfanus, called Gallardus, to provide guard service with his own arms at the castle of S. Adiutoris in addition to paying four *tareni* whereas AC Arm. X.1 fol. 7v lists him as owing six *tareni* annually. Other examples like this are XXXIX.22 (fol. 3v); XLI.29 (fol. 6v); XLII.90 (fol. 7r); XLIII.100 (fol. 6v); XLV.97 (fol. 4v); XLVII.96 (fol. 5v).

³⁶ Vitolo, "Il Registro di Balsamo," pp. 79-85; Vitolo noted that this terminology continued into the fourteenth century when, under Abbot Mainerio (1341-1366), it shifted to *camera domini abbatis*. The term *mensa* came into use in the period when the abbots were also bishops (1394-1431) and when each member of the community was assigned a portion of the monastery's revenues.

³⁷ *Vitae quatuor priorum abbatum cavensium Alferii, Leonis, Petri et Constabilis*, ed. Leone Mattei Cerasoli, in *Rerum italicarum scriptores*, ed. L. A. Muratori, nuova ed. tomo VI, parte V (Bologna, 1941), pp. 47, 48. The accounts differ as to whether the pope had bishop Bruno of Segni or Oddo cardinal bishop of Albano perform the consecration, but both affirm the existence of the chapel. Vitolo thought that the earliest documentary reference to the chapel was in 1190, but Graham Loud has pointed out a reference in 1135. Vitolo, "Il Registro di Balsamo," pp. 82-84, citing AC Arca XLII.83; G. A. Loud, "The Monastic Economy in the Principality of Salerno during the Eleventh and Twelfth Centuries," *Papers of the British School at Rome* 71 (2003), 141-79, here 169, n. 131 citing AC Arc. XXXIII.37. On the *Vitae quatuor* generally, see G. A. Loud, "The Posthumous Reputation of Abbot Peter of Cava," in *Medioevo e Mediterraneo: Incontri, scambi e confronti - Studi per Salvatore Fodale*, ed. Patrizia Sardina, Daniela Santoro, Maria Antonietta Russo,

Marcello Pacifico (Palermo, 2020), pp. 389-403.

³⁸ Vitolo, "Il Registro di Balsamo," pp. 81-84.

³⁹ AC Arc. XLV.81 dated June 1206.

⁴⁰ This figure is based on my measurements of Città di Castello, Archivio Storico Diocesano, Archivio Vescovile Cancelleria, Reg. 1. The individual volumes of this series do vary slightly in size, but they are all very large in comparison to Balsamo's register.

⁴¹ Maureen C. Miller, "The Bishops' Books of Città di Castello in Context," *Traditio* 76 (2021), 1-31.

⁴² Mantua, Archivio Storico Diocesano, Mensa Vescovile, ser. Registri, I, which is comprised mainly of lists of the see's landholdings in different parts of the diocese and along with the names of those who held/worked them. On communal registers generally see Antonella Rovere, "I "*libri iurium*" dell'Italia comunale," in *Civiltà comunale: libro, scrittura, documento*, Atti del Convegno, Genova 1988, *Atti della Società Ligure di Storia Patria*, ns 29/2 (1989), 157-199; and on "governing by lists" see Giuliano Milani, "Il governo delle liste nel comune di Bologna. Premesse e genesi di un libro di proscrizione duecentesco," *Rivista storica italiana* 108 (1996), 149-229; Massimo Vallerani, "Logica della documentazione e logica dell'istituzione. Per una rilettura dei documenti in forma di lista nei comuni italiani della prima metà del XIII secolo," in *Notariato e medievistica. Per i cento anni di Studi e ricerche di diplomatica comunale di Pietro Torelli*, Atti delle giornate di studi (Mantova, Accademia Nazionale Virgiliana, 2-3 dicembre 2011), Istituto storico italiano per il medio evo, *Nuovi studi storici* 93 (Rome, 2015), pp. 109-145.

⁴³ Although Cammarosano deployed a general distinction between administrative registers, which he characterized as "open," "ongoing" records of administration in comparison to "closed" collections of documents like most of the *libri iurium* (*Italia medievale*, p. 160), he also acknowledged that registers could have characteristics of both and he pointed precisely to the type of register listing "i censi teoricamente dovuti alla Chiesa e fondati su certi possessi o certi villaggi,

lascando uno spazio bianco destinato all'annotazione corrente dei versamenti effettivamente eseguiti." This type represented "una sorta di area di confine fra il tipo della registrazione 'chiusa' e quella 'corrente'" (*Italia medievale*, p. 231). Moreover, recent scholarship has further eroded the distinction between "closed" and "open" registers by demonstrating that even the *Libri iurium* were not stable (documents were added, quires reorganized and reordered for political purposes) and that early thirteenth-century registers such as the *Libri finium* (surveys of the commune's territory) enabled the kind of governing actions recorded in "open" registers. See Vendittelli, *Documenti su libro* (see above n. 11), most succinctly on pp. 179-84; *Libro Nero I (Liber Instrumentorum) 1179-1350, Regesti*, ed. L. Arcaleni (Città di Castello, 2005), pp. ii-iii and Miller, "The Bishops' Books" (see above n. 41), pp. 6-19; Francesconi and Salvestrini, "La scrittura del confine" (see above n. 11).

⁴⁴ *Annales Cavenses* (see above n. 27) p. 56: "A.D. 1220 - Indict. VIII. In hoc anno coronatus est domnus Fredericus imperator, et domna Constantia uxor eius imperatrix a domno Honorio papa III in urbe Roma, in festo videlicet sanctae Caeciliae. Eodem anno recuperavimus castrum Sancti Adiutoris, in vigilia scilicet Natalis Domini, domno Balsamo venerabili abbate multum proinde laborante."

⁴⁵ Vitolo, "Il Registro di Balsamo," p. 97: "Tra una località e l'altra fu lasciato lo spazio per delle aggiunte che furono fatte da diverse mani, almento fino al 1234, in un carattere in genere più minuto, con un tratteggio quasi frettoloso: solo nelle aggiunte contenute nelle prime carte si cerca di mantenere il carattere rotondo della scrittura originaria." The 1234 date is definitely from AC XLIX.108, a lease dated 7 July 1234 to Peter *qui dicitur Scalzu* and corresponds to the last added entry on 8v of the register.

⁴⁶ Vitolo, "Il Registro di Balsamo," pp. 90-92, 114-15 (fol. re-numbered 15A-16A: see above n. 29 on folio numbering).

⁴⁷ *MGH, Diplomata* 14.4.1:335-38. The "original" is Arm. Mag. M.16; see Carmine Carlone, *Falsificazioni e falsari cavensi e verginiani del secolo XIII* (Altavilla Silentina, 1984), p. 38 n. 133

echoing the judgement of Simeone Leone "La genesi e lo sviluppo del «signum» dei notai salernitani dal 799 al 1231," in Simeone Leone and Giovanni Vitolo, *Minima Cavensia. Studi in margine al IX volume del Codex Diplomaticus Cavensis* (Salerno, 1983), pp. 95-128. Note that both Carlone's study and the MGH edition of this diploma (published in 2014) came out after Vitolo published his study and edition of Cava MS 1. On the problem of forgeries at Cava and other southern monasteries see G. A. Loud, "The Chancery and Charters of the Kings of Sicily (1130-1212)," *English Historical Review* 124/509 (2009), 779-810, here pp. 805-6. Frederick II in 1239 included the port of Vietri among those he regulated directly: *Il Registro della Cancelleria di Federico II del 1239-1240*, ed. Cristina Carbonetti Vendittelli, 2 vols., *Fonti per la Storia dell'Italia medievale 19*-19*** (Rome, 2002), pp. 27-31 (no. 30). The interpolation regarding control of ports in this 1221 diploma was probably an attempt to convince the Angevin administration that rights once enjoyed by Cava that had been returned to the royal demesne upon Frederick's return to the *regno* had instead been granted to the monastery in perpetuity.

⁴⁸ Stürner, *Friedrich II, Teil 1*, pp. 114-21, 141-44, 246-50 [*Federico II*, pp. 189-98, 220-223, 344-352]; Wolfgang Stürner, *Friedrich II, Teil 2: Der Kaiser 1220-1250* (Darmstadt, 2000), pp. 9-16 [*Federico II*, pp. 364-72].

⁴⁹ Stürner, *Friedrich II, Teil 2* pp. 17-26 [*Federico II*, pp. 355-447]. This legislation is widely acknowledged as an essential element in the monarch's attempt to reform the administration and economy of the *regno*. On the wider array of Frederick's legislation on notaries and the documents they produced see Mario Caravale, "La legislazione del Regno di Sicilia sul notariato durante il medioevo" in *Per una storia del notariato meridionale*, ed. Mario Amelotti (Rome, 1982), pp. 95-176.

⁵⁰ [Ryccardi de Sancti Germani Notarii chronica], ed. C. A. Garufi in *Rerum italicarum scriptores*, VII/2 (Bologna, 1936-1938) [hereafter Ryccardi chronica in *RIS* VII/2], 91: "Uolumus et districte iubemus, ut quia post obitum domini imperatoris Henrici sigillum nostrum deuenit ad manus

Macualdi, qui de ipso sigillo plura confecisse dicitur que sunt in preiudicium nostrum, et simile factum putatur de sigillo imperatricis matris nostre post obitum eius, universa privilegia, que facta sunt et concessa ab eisdem imperatore et imperatrice ab hiis qui sunt citra Farum usque ad Pascha resurrectionis Domini presententur: et ab illiis de Sicilia usque at Pentecostem. Omnia etiam privilegia et concessionum scripta a nobis cuilibet hactenus facta in eisdem terminis precipimus presentari. Quod si non presentaverint, [in] ipsis privilegiis non impune utantur; sed irritatis penitus qui ea conculcauerint, indignationem imperialem incurrant.” Frederick offered a similar rationale for the decree in a 3 March 1221 letter to Pope Honorius III, but added that in the period after his mother's demise "privilegia multa falsa inventa sunt, quibus maior parts nostri demanii fuerat occupata." MGH, DD 14.4:362-63 (no. 801). The law *De privilegiis ante curiam Capuanam* later incorporated into the Liber Augustalis (II 29) further attests to the Capuan decree as it declares all privileges not presented and reissued in accord with it revoked. See the critical edition of Frederick II's legislation, *Monumenta Germaniae historica, Constitutiones et acta publica imperatorum et regum, Tomus II Supplementum - Die Konstitutionen Friedrichs II. für das Königreich Sizilien*, ed. Wolfgang Stürner (Hannover, 1996) [hereafter, MGH Const. 2 Supp.], 333-34. King Roger II issued a similar decree (*De resignandis privilegiis*) in autumn of 1144, supposedly aimed at protecting the rights of the churches of the kingdom: see Jeremy Johns (whom I thank for calling this to my attention), *Arabic Administration in Norman Sicily: The Royal Dīwān* (Cambridge, 2002), pp. 115-43. Like his royal predecessor's decree, Frederick's was likely as much motivated by the fees that could be collected for renewal as the restoration of his rights.

⁵¹ MGH, DD 14.4:320-26 (no. 786), this passage at p. 322. Other post-Capua diplomas that reference conformity with "De revocatione privilegiorum": MGH, DD 14.4:326-30 (no. 787), 330-32 (788), 332-34 (no. 789), 338-41 (no. 791), 379-82 (no. 810), 386-89 (no. 812), 390-93 (no. 814), 430-32 (no. 829). Not all ecclesiastical institutions fared well in this process: H. J. Pybus, "Frederick II and the Sicilian Church," *Cambridge Historical Journal* 3 (1929-30), 134-63, here at

pp. 138-41.

⁵² Guillaume, *Essai historique*, pp. XLIII-XLV; MGH, DD 14.4:335-38 (no. 790).

⁵³ As suggested earlier, this Cava forgery was most likely created in the late thirteenth century when the *regno's* new Angevin rulers arrived, but Graham Loud's research has uncovered other monastic forgeries of earlier Norman privileges confected in response to this royal decree: Loud, "Chancery and Charters" (see above n. 47), pp. 804-8.

⁵⁴ James M. Powell, "Frederick II and the Church in the Kingdom of Sicily 1220-1224," *Church History* 30/1 (Mar., 1961), 28-34.

⁵⁵ MGH Const. 2 Supp., pp. 253-54 (I 80), the quoted portion in this edition, "Consuetudinem, quam olim in aliquibus regni nostri partibus audivimus obtinere, dilucida constitutione cassantes decernimus instrumenta publica et quaslibet cautiones per litteram communem et legibilem per statutos a nobis notarios scribi debere, scribendi modo, qui in civitate Neapolis, ducatu Amalfie et Surrenti ac per eorum pertinentias hactenus servabatur, omnino sublato." The English translation given here is from *The Liber Augustalis or Constitutions of Melfi Promulgated by the Emperor Frederick II for the Kingdom of Sicily in 1231*, trans. James M. Power (Syracuse, N.Y., 1971), 50. See also Caravale's discussion, "La legislazione del Regno" (above n. 49), pp. 111-12.

⁵⁶ Jean Louis Alphonse Huillard-Bréholles, *Historia diplomatica Friderici Secundi*, 7 vols., ed. Honoré d'Albert duc de Luynes (Paris, 1852-61) 2:91-92 note 1 no. 5. These scripts remained in common use, however, through the fourteenth century. Apparently, most individuals only bothered to have a document "renewed" in legible script if it became necessary for a judicial proceeding. See Giovanni Cassandro, "I curiali napoletani," in *Per una storia del notariato meridionale*, ed. Mario Amelotti (Rome, 1982), pp. 299-374, here p. 361 and following.

⁵⁷ Armando Petrucci, *Breve storia della scrittura latina* (Rome, 1989), pp. 147-48. The best recent overview of this phenomenon in southern Italy is Francesco Magistrale, "Fasi e alternanze grafiche nella scrittura documentaria: i casi di Salerno, Troia e Bari," in *Civiltà del Mezzogiorno d'Italia*.

Libro scrittura documento in età normanno-sveva, Atti del convegno dell'Associazione Italiana dei Paleografi e Diplomatisti (Napoli - Badia di Cava dei Tirreni, 14-18 ottobre 1991), (Salerno, 1994), pp. 169-96.

⁵⁸ Jole Mazzoleni, *Lezioni di paleografia et diplomatica*, 2 vols. (Naples, 1960), 1:77-82 (on the new Roman cursive) and 2:49-58 (on the Neapolitan and Amalfitan curial scripts); *Esempi di scritture cancelleresche, curiali e minuscole*, ed. Jole Mazzoleni (Naples, [1957?]), plates IV-VI. On the "cursive minuscule, see also Giulio Battelli, *Lezioni di paleografia* (Vatican City, 2002), pp. 90-96. By abolishing these curial scripts the emperor was also undermining the notarial corporations (*curiae*) in these cities: see Caravale, "La legislazione del Regno" (see above n. 49), pp. 111-13.

⁵⁹ E. A. Loew, *The Beneventan Script: A History of the South Italian Minuscule*, 2nd edition prepared and enlarged by Virginia Brown, 2 vols. (Rome, 1980), 1:44-45. On the origins and development of this important southern script, see now Giovanni Vitolo's important article "Gli studi di Paleografia e Diplomatica nel contesto della storiografia sul Mezzogiorno longobardo" in *Scrittura e produzione documentaria nel mezzogiorno longobardo*, Atti del Convegno internazionale di studio (Badia di Cava, 3-5 Ottobre 1990), ed. Giovanni Vitolo, Francesco Mottola (Badia di Cava, 1991), pp. 9-27 as well as Giuglielmo Cavallo's "Struttura e articolazione della minuscola beneventana libraria tra i secoli X-XII" in *Studi medievali*, ser. 3 v. 11 part 1 (1970), 343-68.

⁶⁰ Loew, *The Beneventan Script*, 1:45-65, 95; Battelli, *Lezioni*, pp. 119-123.

⁶¹ Loew, *The Beneventan Script*, 1:44, 51-52; Mattei-Cerasoli, *Codices Cavenses, Pars I*, pp. 12, 49; Battelli, *Lezioni*, p. 121. On the author of the *Vitae quatuor*, see Hubert Houben, "L'autore delle *Vitae quatuor priorum abbatum Cavensium*," *Studi Medievali* 26.2 (1985), 871-79. I thank one of the anonymous referees for making me aware of this article.

⁶² Benedetto da Bari, *I Sette Sigilli*, ed. Giuseppe Micunco, Per la Storia della Chiesa di Bari-Bitonto / Studi e materiali nuova serie 32, (Bari-S. Spirito, 2018), pp. 13-17; Leo Mattei-Cerasoli, *Codices Cavenses, Pars I*, pp. 41-42.

⁶³ Magistrale, "Fasi e alternanze grafiche," pp. 171-75; Giovanni Vitolo, "L'Archivio della Badia della SS. Trinità di Cava" in *Minima Cavensia*, pp. 191-200 and his contribution to *Codex diplomaticus Cavensis IX (1065-1072)*, ed. Simeone Leone, Giovanni Vitolo (Badia di Cava, 1984), XXXIX-XLIII; Maria Galante, "Un necrologio e le sue scritture: Salerno, sec. XI-XVI," *Scrittura e civiltà* 13 (1989), 49-99.

⁶⁴ Caterina Tristano, "Fenomenologia grafica di un dialogo culturale: I Normani in Italia meridionale," in *Le migrazioni nell'Alto Medioevo. Atti della LXVI Settimana di studi (Spoleto, 5-11 aprile 2018)*, 2 vols. (Spoleto, 2019), 2, pp. 899-967, here at 929.

⁶⁵ Giovanni Vitolo, "Tra Cava e Salerno: cultura e scrittura in età normanno-sveva," *Rassegna storica Salernitana* n.s. 9.2 (1992), 7-24, especially 16-19, drawing heavily on the work of Caterina Tristano, "Scrittura beneventana e scrittura carolina in manoscritti dell'Italia Meridionale," *Scrittura e Civiltà* 3 (1979), 89-150.

⁶⁶ Tristano, "Fenomenologia grafica," (see above n. 64), 937, 953-966; Francis Newton, "One Scriptorium, Two Scripts: Beneventan, Caroline, and the Problem of Marston MS 112," *The Yale University Library Gazette* 66 (1991), 118-33; Theo Kölzer, "Kanzlei und Kultur im Königreich Sizilien 1130-1198," *Quellen und Forschungen aus Italienischen Archiven und Bibliotheken* 66 (1986), 20-39.

⁶⁷ Alessandro Pratesi, "Considerazioni paleografiche (e non) sul regesto di Sant'Angelo in Formis," *Segno e testo* 7 (2009), 91-141 (a cartulary written mainly in the second half of the twelfth-century in beneventan with later additions, some caroline); Virginia Brown and Francesco Mottola, "Per la storia della chiesa medievale di Salerno: Una nuova fonte in scrittura beneventana (sec. XII/XIII)," *Quellen und Forschungen aus italienischen Bibliotheken und Archiven* 73 (1993), 658-63 (a list of

taxes or dues owed by individuals on the fiefs of the diocese of Salerno).

⁶⁸ The abbot of Cava was listed in 1239, for example, among the royal functionaries and elites (which included justiciars, castellans, *barones*) assigned Lombard prisoners to hold as hostages; the abbot was to hold *monachum de Laudo, qui fuit prepositus Omnium Sanctorum* - Ibid., *Il Registro della Cancelleria di Federico II*, p. 338 (no. 335.184).

⁶⁹ Ryccardi chronica in *RIS VII/2*, pp. 87-88: "Dictus imperator Romanos fines deserens, per Campaniam comitatus multo milite magnifice Regnum ingrediens, preeunte eum imperatrice, mense Decembris in festo beate Lucie virginis applicuit ad Sanctum Germanum, et sequenti die conscendit Casinum. Set quam magnificas et sumptuosas tunc dictus abbas Stephanus expensas fecerit in eorum receptione, utpote qui gentium multitudinem et equorum in singulis quibusque necessariis manu munificatus est procurare, omnis qui sanum sapit hoc advertere plene potest; ideo necesse non fuit talibus immorari. Tunc apud Sanctum Germanum Landulfus de Aquino filius domini Aymonis per imperatorem iustitiarius factus est Terre Laboris. Mensam camporum et ius sanguinis, quod usque tunc habuit Casinensis ecclesia de tota terra sua ex concessione Henrici patris sui, revocat imperator in demanium suum; similiter Suessam, Teanum et roccam Draconis recipit a comite Rogerio de Aquila. Imperatrix simul vadit Suessam, imperator Capuam; ubi habita curia generali pro facto regni, subscriptas edidit sanctiones, et exinde Neapolim audit, et reuerso iterum Capuam, Suessam uenit." Note 2 in this edition illuminates the privileges revoked: "Enrico VI concedette "mensa camporum et ius sanguinis"; *mensa camporum* is the right to exchange money while *ius sanguinis* was the right of "high justice" exercised by royal justiciars.

⁷⁰ "De om(n)ib(us) aut(em) istis redditibus predictis . int(er)uentu s(an)c(t)i conuent(us) . statuit d(omi)n(us) abbas in capitulo . ut domno vestarario debeant p(er)solui et assignari . spetialit(er) p(ro) magno m(an)dato q(uo)d facimus in die s(an)c(t)o iouis . . ." AC Arm. X.1 14v; Vitolo, "Il Registro di Balsamo," p. 117 (19B). The assignation of specific revenues to officials within the monastery occurred much earlier in the principality of Capua: Loud, *Church and Society*, pp. 124,

215-16.

⁷¹ AC Arm. X.1 15r, 16r-v; Vitolo, "Il Registro di Balsamo," pp. 117-18 (20A), 115-16 (18A-B).

⁷² AC Arm. X.3; Pietro Ebner, "I rapporti economico-sociali della Badia di Cava nel XIII secolo attraverso il suo più antico codice cartaceo," *Ricerche di storia sociale e religiosa*, 1 (1972), 31-85.

⁷³ Ebner, "I rapporti," p. 10.

⁷⁴ Ebner, "I rapporti," pp. 12-13; Brentano, "The Bishops' Books of Città di Castello" (see above n. 3), pp. 244-46. The earliest *quaterni* are bound into volume 2, folios 82-136, right after a group of fifteenth-century gatherings: Miller, "The Bishops' Books" (see above n. 41).

⁷⁵ To give just a few examples, AC Arm. X.3, 1r (sums received), 2v (payments), 7r, 12v, 23v (loans); Ebner, "I rapporti," 31-33, 42, 49, 72.

⁷⁶ AC Arm. X.3, 5r-v; 1r, 6r, 13v (Cilento); 25v (Naples); Ebner, "I rapporti," 38-39; 31, 39, 54; 76.

⁷⁷ AC Arm. X.3, 4r, 15r, 21v, 26r (letters); 11r-v, 12v-13r, 13v, 16v-17r, 19v, 20v (leases); 15v, 24v (donations); 6r-9v (payments); 2v, 9r, 9v, 10v ("pro caritate"); 9v-10v (to the *vestararius*, to sailors), 15v-16r (to *magister Iohanne Scalzo*); Ebner, "I rapporti," 35-36, 56-57, 68-69, 77-78; 50-51, 52-53, 54, 59-60, 64-65, 66-67; 57-58, 74; 39-48; 33, 46, 47, 48; 58-59.

⁷⁸ Frederick II's Assizes of Capua (1220) reserve to the emperor the nomination of these important judicial officers: Ryccardi chronica in *RIS* VII/2, 88-93, 94-97; Stürner, *Friedrich II, Teil 2*, 9-16 [*Federico II*, 364-72]. The office's remit is more extensively described in the Assizes of Melfi: MGH Const. 2 Supp., pp. 210-22. See also Antonino Marrone, "Circoscrizioni amministrative, compiti, e reclutamento dei giustizieri siciliani dal 1282 al 1377," *Mediterranea – Ricerche storiche* 8 (April 2011): 17-50, here at 24-25.

⁷⁹ *Il Registro della Cancelleria di Federico II*, 133-3 (nos. 147-148). Not only are the registers of royal justiciars referenced—Ibid., 256 (no. 257), 446 (no. 463)—but also registers of accounts—261 (no. 259), 581 (no. 615), 665 (no. 745)—of fiefs—274 (no. 265), 446 (no. 463)—and of customs receipts—285 (no. 270), 288-89 (no. 272), 290 (no. 275)—in addition to inventories

castellans were required to draw up: 565 (no. 598), 727 (no. 813), 737 (no. 820), 753-4 (no.842).

⁸⁰ AC Arm. X.3, 10v; Ebner, "I rapporti," 49; *Il Registro della Cancelleria di Federico II*, 1: 86-87, 119-121. Frederick also gave directions on the care of his leopards and camels (201-2) and on training five of his *sclavis nigris* between the ages of 16 and 20 to play trumpets (219-20).

⁸¹ AC Arm. X.3 3v and again at 29r; Ebner, "I rapporti," 34-35, 67-68.

⁸² Biblioteca Statale del Monumento Nazionale Badia di Cava, Archivio Cavensis, Armarium X, Ms. 2.

⁸³ That is, collocation: 1 6, 2 8, 3 10 wants 2 after f.16, 4 10 wants 1 after f.26.

⁸⁴ There is confusion over the indiction here and later in the notebook. 1261 is the 4th indiction, and it looks like *quarta* was originally written on line 1 and then corrected to *quinta*, probably when Goffridus (or a scribe he had writing for him) reached the mention of September in the next line. The region followed the convention of the Greek, or Constantinopolitan indiction which begins in September. A rubric on folio 4v gives a date of 1261 October 6th indiction, this also in error.

⁸⁵ In this region, a *nucella* or "little nut" is most likely a hazelnut. The fact that later subdivisions of this tally on 4v, 7r, 8v, 11r, 12r, and 13v use the phrase *estalium castanearum*, or "tally of chestnuts," increases the likelihood of Goffrido's *extalium de nucellis* being a "tally of hazelnuts." These rents in kind were ubiquitous in leases "a staglio" ("un estaglio" meaning half of the yield; in other words, a *mezzadria* or share-cropping tenancy). See Ebner, "I rapporti economico-sociali," 19.

⁸⁶ The *tumulus*, or more properly in the terminology of Frederick II's September 1231 *littera generalis* (clarifying and expanding upon his new laws on weights and measures in the Liber Augustalis) *thuminus* from the Arabic word *thumn*, is a surface measure corresponding to a measure of dry products. Its value varies regionally and even within regions. In the region around Salerno, the *tumulus* had a value of 0.553 hectoliter, which equals metric 10 dekaliters, 22 UK imperial gallons, or US 26.4172 gallons. See R. E. Zupko, *Italian Weights and Measures from the Middle Ages to the Nineteenth Century*, Memoirs of the American Philosophical Society Philadelphia, Pa.

145 (Philadelphia, 1981), pp. xxvi, 291 and Mario Rosario Zecchino, "Weights and measures in the Norman-Swabian kingdom of Sicily," *People, Texts and Artefacts: Cultural Transmission in the Medieval Norman Worlds*, ed. David Bates, Edoardo d'Angelo, Elisabeth van Houts (London, 2018), 255-58, 263.

⁸⁷ The indiction here, the fifth, is correct.

⁸⁸ Stürner, *Friedrich II, Teil 2*, 212 [*Federico II*, 591]. The *Excerpta Massiliensia*, an Angevin administrative compendium of c. 1300, attests to the enduring influence of Frederick II's economic statutes: *Acta imperii inedita seculi XIII. Urkunden und Briefe zur Geschichte des Kaiserreichs und des Königreichs sicilien in den Jahren 1198 bis 1273*, ed. Eduard Winkelmann, 2 vol. (Innsbruck, 1880), 1:599-720, for these statutes on imposts, crown warehouses and monopolies, 616-17 (n. 790), 619-20 (n. 792-3, 795).

⁸⁹ Stürner, *Friedrich II, Teil 2*, 292-93 [*Federico II*, 591-92]. The imposts on some products, including chestnuts and hazelnuts, were lower than on others to encourage their export.

⁹⁰ AC Cava Ms. 3, 3v and 21r; Ebner. "I rapporti economico-sociali," pp. 34-35, 67-68.

⁹¹ *Acta imperii inedita seculi XIII*, 1:616-17 (n. 790): "pro qualibet salma castanearum, nucum et avellanarum, amigdolarum ac aliorum fructuum solvetur curie tar. i." The *salma* is a multiple of the *tumulus*. Although Zecchino declines to fix a value, Zupko gives 16 *tumuli*: Zecchino, "Weights and measures," 263; Zupko, *Italian Weights and Measures*, 241.

⁹² The continued use of parchment for the special purpose notebooks suggest an expected longer-enduring need for these records than for the running records of miscellaneous official actions which by 1256 were consigned to paper.

⁹³ *Il regesto sublacense del secolo XI* (above, n. 14); Brown and Mottola, "Per la storia della chiesa medievale di Salerno" (above n. 67); di Muro, *Il Codice Solothurn* (above n. 16); Pratesi, "Regesto di Sant'Angelo in Formis" (above n. 67); Benevento, Archivio storico provinciale, S. Sofia, 58 - *Platea antiqua usque ad annum 1382* described in Paola Massa, "L'archivio dell'abbazia di Santa

Sofia di Benevento," *Archiv für Diplomatik, Schriftgeschichte, Siegel- und Wappenkunde* 62.1 (2016), 433-66, here at 437; *Registrum Petri Diaconi (Montecassino, Archivio dell'abbazia, reg. 3)*, ed. Jean-Marie Martin, 4 vols. (Rome, 2015); Tersilio Leggio, "'Cum eodem Frederico sublato de medio'. I registri di chiese della diocesi abruzzesi ai confini del Regno nella seconda metà del Duecento e nel primo Trecento," *Bullettino della Deputazione abruzzese di storia patria* 102 (2011), 5-33; Jean-Marie Martin, "Étude sur le Registro d'istrumenti di S. Maria del Galdo suivie d'un catalogue des actes," *Mélanges de l'École française de Rome. Moyen-Age, Temps modernes* 92.2 (1980), 441-510; Paolo Collura, *Le più antiche carte dell'Archivio capitolare di Agrigento (1092-1282)* (Palermo, 1961) [describing the thirteenth-century "Libellus de successione pontificum Agrigenti"]; *Regesto di Tommaso decano; o, Cartolario del convento cassinese (1178-1280)* (Montecassino, 1915); *Regesto dell'antica Badia di S. Matteo de Casetello o servorum Dei pubblicato a cura de' Monaci di Montecassino* (Montecassino, 1914); *Regesti Bernardi I Abbatis Casinensis fragmenta ex archivio casinensi sanctissimi domini nostri Leonis XIII Pontificis Maximi munificentia nunc primum edita*, ed. Anselmus Mariae Caplet (Rome, 1890).

⁹⁴ MGH, DD 14.1: 202-3 (no. 105): ". . . ut quia propter diversos justitiaros qui per contratam constituuntur, homines Cavensis monasterii indebitis sepe fatigantur molestiis et eorum iusticia leditur in plerisque"

⁹⁵The history of medieval Italy is usually narrated as the history of the northern city states: their story of independence, commercial innovation, and republican political institutions has been, and continues to be, the history that Italians privilege. While recent scholarship—particularly by non-Italian historians—has brought new historical attention to the study of medieval southern Italy, the histories of north and south remain largely separate and unequal fields. Even *The New Cambridge Medieval History* treats Italy in chapters devoted to north and south by different authors: see *Volume IV c. 1024-c.1198, Part II*, ed. David Luscombe, Jonathan Riley-Smith (Cambridge, 2004), 72-119. In *Volume V c. 1198-c. 1300* (Cambridge, 1999), northern Italy merits four contributions

totaling 85 pages (419-96) while southern Italy is covered in 24 pages (497-521). Giovanni Tabacco's *Egemonie sociali e strutture del potere nel medioevo Italiano* (see above n. 9) gives at least limited attention to the south while David Abulafia's *The two Italies: economic relations between the Norman kingdom of Sicily and the northern communes* (Cambridge, 1977) focuses on relations between the two, but these are exceptional within the broader historiography.

⁹⁶ See for example Attilio Bartoli Langeli, "Un vescovo innocenziano: Giovanni di Città di Castello (1206-1226)," in idem, *Studi sull'Umbria medievale* (Spoleto, 2015), 397-98, first published as a review of Federica Barni's *Giovanni Il «Restauratore del vescovato di Città di Castello»* in *Bollettino della Deputazione di storia patria per l'Umbria* 89 (1992), 100-104; Sonia Merli, "«Qui seminat spiritualia debet recipere temporalia». L'episcopato di Città di Castello nella prima metà del Duecento," *Mélanges de l'École française de Rome. Moyen Age*, 109/2 (1997): 269-301, here at, 282, 287; Giuseppe Gardoni, "I registri della chiesa vescovile di Mantova," in *I registri vescovili dell'Italia settentrionale* (see above. n. 4), 180.

⁹⁷ Canon 8, "On inquests" (*De Inquisitionibus*), enjoins that a prelate accused of wrong-doing "be shown the articles of inquiry" (*et exponenda sunt ei illa capitula*), presumably written, and Canon 24, "On making an election by ballot or by agreement" (*De electione facienda per scrutinium vel compromissum*), instructs the trustworthy persons entrusted with an election "to find out, in confidence and individually, the opinions of everybody," and then, "after they have committed the result to writing, they shall together quickly announce it." The broadest injunction is Canon 38, "On writing acts so that they can be proven" (*De scribendis actis, ut probari possint*): "We therefore decree, lest falsehood prejudice truth or wickedness prevail over justice, that in both ordinary and extraordinary trials, the judge shall always employ either a public official, if he can find one, or two suitable men, to write down faithfully all the judicial acts—that is to say the citations, adjournments, objections and exceptions, petitions and replies, interrogations, confessions, depositions of witnesses, productions of documents, interlocutions, appeals, renunciations, final

decision and the other things that ought to be written down in the correct order—stating the places, times and persons. Everything thus written down shall be given to the parties in question, but the originals shall remain with the scribes, so that if a dispute arises over how the judge conducted the case, the truth can be established from the originals." *Decrees of the Ecumenical Councils, Volume One: Nicaea I to Lateran V*, ed. Norman P. Tanner (London and Washington, DC, 1990), 238-9, 246-7, 252-3.

⁹⁸ Lucio Ricetti, "La cronaca di Ranerio vescovo di Orvieto (1228-1248). Una prima ricognizione," in *Rivista di storia della chiesa in Italia* 43/2 (1989), 480-509, esp. 485-89; Archivio Storico Docesano di Mantova, Archivio della Mensa Vescovile, Sezione Secunda, Registro n. 1, 165 folios 355 mm x 440 mm, mainly a collection of lists of lands held by the see in different parts of the diocese with dates ranging from 1214 to 1270; Miller, "The Bishops' Books" (see above n. 41). The earliest gatherings in the great nine-volume collection of episcopal acts are in volume 2, folios 82-136, primarily copies of donations and leases made by the notary Martinus. All these early episcopal registers originated before the Fourth Lateran Council: Orvieto's in 1211-12, Mantua's in 1214; and Città di Castello's in 1207).

⁹⁹ Riccardo Filangieri, "Relazione sulla distruzione del deposito di documenti di maggior pregio storico dell'Archivio di Stato di Napoli operata dai Tedeschi il 30 settembre 1943," in Hilary Jenkinson and H. E. Bell, *Italian Archives during the War and at Its Close* (London, 1947), pp. 44-46; an English translation is "Report on the Destruction by the Germans, September 30, 1943, of the Depository of Priceless Historical Records of the Naples State Archives," *The American Archivist* 7/4 (1944), 252-55.

**** CAPTIONS

Figure 1: Cava dei Tirreni, Badia della SS. Trinità, Arm. X.1, fol. 10v. Photo: author; reproduced by permission of the Biblioteca Statale del Monumento Nazionale Badia di Cava.

Figure 2: Cava dei Tirreni, Badia della SS. Trinità, Arm. X.1, fol. 8v. Photo: author; reproduced by permission of the Biblioteca Statale del Monumento Nazionale Badia di Cava.

Figure 3: Cava dei Tirreni, Badia della SS. Trinità, Cod. 18, fol. 301v. Photo and permission to reproduced courtesy of the Biblioteca Statale del Monumento Nazionale Badia di Cava.

Figure 4: Cava dei Tirreni, Badia della SS. Trinità, Arm. X.1, fol. 15r. Photo: author; reproduced by permission of the Biblioteca Statale del Monumento Nazionale Badia di Cava.

Figure 5: Cava dei Tirreni, Badia della SS. Trinità, Arm. X.3, fol. 10r. Photo: author; reproduced by permission of the Biblioteca Statale del Monumento Nazionale Badia di Cava.

Figure 6: Cava dei Tirreni, Badia della SS. Trinità, Arm. X.2, fols. 3v-4r. Photo: author; reproduced by permission of the Biblioteca Statale del Monumento Nazionale Badia di Cava.