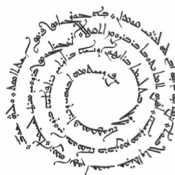


# Multilingual and Multigraphic Documents and Manuscripts of East and West



# **Perspectives on Linguistics and Ancient Languages**

5

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**Multilingual and Multigraphic  
Documents and Manuscripts  
of East and West**

**Edited by**

**Giuseppe Mandalà**

**Inmaculada Pérez Martín**

**With the assistance of Anna Bellettini**

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## LEGAL LANGUAGE AND PRACTICE

### IN TWELFTH- AND THIRTEENTH-CENTURY MESSINA: THE EVIDENCE FROM GREEK PRIVATE DOCUMENTS

CRISTINA ROGNONI

From a historiographical perspective, the multilingualism of Norman and Swabian Sicily is almost axiomatic, a position amply supported by the sources themselves.<sup>1</sup> From this axiom, however, arises a host of questions that are anything but straightforward, and which have long served as fodder for debates among historians and linguists: the articulation of the various languages at their points of contact, for example; or, more fundamental still, ‘which language?’ and ‘for which purpose?’. Limiting myself to the Greek context, it suffices to recall the debates carried out over the course of the twentieth century by such scholars as Gerhard Rohlfs, Oronzo Parlangeli, and Peter Charanis (to name but a few) concerning the origins and development of Greek on the island from the seventh century onward. Whether one chooses to see a lingering substrate of Magna Graecia, or a more recent linguistic colonisation due to migrations, repeopling, and a political and religious Byzantinisation, the adoption of one theory or another also carries with it an inherent attribution of a particular role to the Latin language, be it complementary or competing. The Arab-Muslim conquest in the ninth century and the subsequent Islamisation of the island, currently a lively topic of investigation,<sup>2</sup> further enriches and complicates the situation. Then come the Normans, and the resulting landscape has often been summarised (however reductively) by the suggestive quadrigraphic funerary inscription commissioned by the priest Grisantus in 1149, preserved in Palermo.<sup>3</sup>

A clear indication of the coexistence of at least three of the languages used in the Norman-Swabian Kingdom of Sicily, if on different scales and registers

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I would like to thank Rowan Dorin for translating this article from Italian.

<sup>1</sup> The standard reference for the linguistic history of medieval Sicily remains that of Varvaro, *Lingua e storia in Sicilia* but see also Bresc, ‘La formazione del popolo siciliano’.

<sup>2</sup> See the conference papers gathered in Nef and Ardizzone (eds), *Les dynamiques d’islamisation*.

<sup>3</sup> Edited in Johns, ‘Lapidi sepolcrali’, pp. 520–522; and see the discussion of the inscription in Nef, *Conquérir*, pp. 107–110.

depending on the period and place in question, is offered by the abundant contemporary documentary production, both public and private. In comparison with the preceding eras, namely the Byzantine and the Islamic periods (and even taking into account the vagaries of documentary survival), the scale of such documentation is in itself a characteristic feature of Norman Sicily. Here the documentary practices of earlier administrations, accessories to the exercise of power, were imitated and integrated in order to create the exceptional tool of government that Roger II would bequeath to his successors' chanceries, particularly that of Frederick II.<sup>4</sup> The typology and distribution of the surviving evidence in Greek, Latin, and (to a lesser degree) Arabic thus superimpose a sociolinguistic cartography over the geography of Sicily itself – a mapping that remains a source of new discoveries even today. Moreover, if this documentary achievement represents a shared tendency among the most highly developed administrations during the twelfth century, it took on a particular importance in Sicily as the expression of a policy capable of harmonising its three cultural communities through (rather than in spite of) their linguistic, juridical, and religious heterogeneity.

The focus of the present study is the Greek documentation produced in the territories of eastern Sicily, more precisely the private deeds of the 'Messina collection', now held at the Archivo Ducal de Medinaceli (cited ADM) in Toledo. Here we will try to make the documents 'speak', in order to identify through their utterances the signs of the multilingualism that is the starting point for this paper. The documents in question come from the archive of the archimandrite of San Salvatore – the *basilike mone* founded in Messina by Roger II – which gathered, at various points, documentary material pertaining to its dependencies and from the archive of the Cathedral (a Latin bishopric of Norman foundation). There are also a small number of documents drawn up by and for private individuals, which were ultimately absorbed into the archives of one or the other institution when it acquired the properties associated with these *dikaionmata*.<sup>5</sup>

We are dealing here with documentary material – sale negotiations, donations, exchanges, and testaments – which by their very nature do not easily reveal phenomena of multilingualism *sensu stricto*, at least for the twelfth century. Private documents, as juridical instruments, express themselves above all in language drawn from the realm of law. In the decades following the Norman conquest, a period of transition and legislative silence, if one belonged to a community that considered its private relations (essentially familial and patrimonial law) to be regulated by customary norms derived from Byzantine law, then one wrote in Greek, or had the document written in Greek by a *notarios* or *taboullarios* (lay or

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<sup>4</sup> On this topic, see now Nef, *Conquérir*, especially chapters 1 and 5. For the first half of the thirteenth century, see now Carbonetti Venditelli, 'La scrittura come strumento di governo'.

<sup>5</sup> For an overview of the Greek collection of the ADM, with summaries of the unpublished public acts, see von Falkenhausen, 'I documenti greci', pp. 667–687. For the private documentation, see Rognoni, *Les actes privés grecs*, vol. I, pp. 9–47.



ecclesiastic). On this point, it is worth recalling that as early as 1910, Giovanni Ferrari dalle Spade compared archival documents from the eastern Mediterranean with contemporary evidence from southern Italy and demonstrated their essential uniformity, concluding therefrom that ‘for a certain period, southern Italy – or rather the territories inhabited by the Greeks to whom our documents refer – should be considered as a fragment of the Eastern Empire, with which it shares its legal history’.<sup>6</sup> Equally, according to Muslim custom, one wrote in Arabic when the legal actor was governed by Muslim law.<sup>7</sup> Finally, to judge from the documentation preserved in Sicilian archives, Latin came into use for private acts starting only in the second half of the twelfth century.

As is well known, the legislation of Roger II, maintained by his successors, formally sanctioned this *de facto* situation, allowing his subjects to govern themselves in accordance with the customs and usages prevailing in the various cities and lands of the kingdom. As Mario Caravale once observed, it seems that the king did not perceive a need for shared norms, given the objective lack of relations between the separate communities during the early years of the Norman monarchy.<sup>8</sup> It is not surprising, therefore, that in Messina and the Val Demone, an area densely settled by Greeks (so judged on linguistic grounds, and likewise legal ones), the parties who came together to draw up a written act defining their respective intentions – intentions that carried legal weight and produced real results – did so in the language that reflected their customs.<sup>9</sup>

That said, we must recognise that even in an era in which the principle of the personality of law remained strong (though not predominant), the sphere in which this law was exercised quickly became rather broader than its constituent ethnic components. Furthermore, the voice – or rather, writing – of this document, which simultaneously governs and confirms this law, belongs rather more to its issuing authority than to its subject. Annliese Nef has demonstrated with regard to Norman royal chancery production that the choice of one of the three official languages of the realm or, more telling still, the juxtaposition of two different idioms in the same document, was primarily the result of technical rather than cultural demands. Where private documents are concerned, at least for the twelfth century, these

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<sup>6</sup> Ferrari dalle Spade, *I documenti greci*, p. 15: ‘per una certa epoca l’Italia meridionale – o meglio quel territorio popolato da Greci cui si riferiscono i nostri documenti – deve essere considerata come un frammento dell’impero d’Oriente con il quale condivide la storia giuridica’.

<sup>7</sup> Bresc and Nef, ‘Les actes en arabe’, pp. 73–87.

<sup>8</sup> Caravale, ‘La legislazione del Regno di Sicilia’, pp. 97–176; Id., ‘Notaio e documento notarile’. See also von Falkenhausen and Amelotti (ed.), ‘Notariato e documento’.

<sup>9</sup> The studies of Vera von Falkenhausen are indispensable. Aside from the article cited above (n. 5), see ‘La presenza dei Greci’, which offers an overview of the Greek public and private documentation up to the thirteenth century, with additional comments on Latin and Arabic documents. For contemporary Latin documentary production, see Moscone’s contribution to Mandalà and Moscone, ‘Tra latini, greci e “arabici”’, pp. 143–173. A survey of the Arabic documentation may be found in Johns, *Arabic Administration*, pp. 315–325; and see also Bresc and Nef ‘Les actes en arabe’.

technical demands seem to express themselves in terms of necessity, a forced choice dictated by the shortcomings of a bureaucratic apparatus that remained to be firmly established and that consequently resorted to the practices and knowledge of preceding administrations. Notarial practice in eastern Sicily therefore remained in Greek hands throughout the twelfth century, even once its supervision – assigned to the *strategos* of Messina and his court – was in Latin hands. The same is true for Palermo, where the existence of a Latin *taboularius* is attested only from the end of the twelfth century.<sup>10</sup>

With these premises duly set forth, let us turn to the available sources, which are themselves the product of a particular set of intentions that led first to their drafting and later to their conservation. Given that they demonstrate a general uniformity of language in its written expression, in what way and to what degree do they offer a basis for discussing multilingualism?

The written document, an expression of the intentions of the parties, affirms the existence of a particular right and indeed is one of the proofs thereof, serving as a guarantee that can be recognised by a third party. The act must be able to be read and understood correctly; and if one makes resort to it, one thereby initiates a form of publicity that implicates not only the principal actors themselves, but a large supporting cast, above all the witnesses. The subscriptions of the witnesses who sign in Latin or Arabic at the bottom of a private act drawn up in Greek, are decidedly not sufficient to qualify this document as bilingual. That said, it is undeniable that the transition from a legal action to the writing thereof symbolises and reproduces, on the sheet of parchment – or rather, on the material and visual plane of the text's *mise en page* – an entire network of relations that can be traced back to a landscape of multilingualism within the society.

Let us dwell first on this issue, focusing on the documents predating the Constitutions of Melfi of 1231, whose norms concerning the notariate (which was placed under imperial control and closed to clerics) and the requirements for the validity of the *instrumentum publicum* would lead to increasing uniformity in the redaction of documents, signalling the decline of Byzantine practice over the long term.<sup>11</sup> The discussion will then shift from the sphere of private documents to that of administrative documents in order to examine a bilingual Greek-Latin act, the only one (to my knowledge) conserved in the 'Messina collection'. The next section will deal broadly with a complex and extremely interesting theme, at least for hellenists, that is, the language of the documents, which is sufficiently particular that it has on occasion been called 'Sicilian Greek'.<sup>12</sup> A fourth point is noted here, as compensation for its absence below. These acts often contain Greek and Latin notes on the reverse, sometimes contemporary with the redaction of the act itself,

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<sup>10</sup> Von Falkenhausen, 'I notai siciliani', p. 63; and Mandalà and Moscone, 'Tra latini, greci e "arabici"', p. 144, n. 6.

<sup>11</sup> Stürner, *Die Konstitutionen*, 51, 79, 82; von Falkenhausen, 'L'atto notarile greco', pp. 259–270.

<sup>12</sup> Metcalfe, *Muslim and Christians*, p. 67. Metcalfe's study is an essential contribution to the topic at hand.

but more often with the Latin postdating the redaction by several decades or even a few centuries (mainly the fifteenth century). These are mostly summaries, some relatively lengthy, which in the Latin cases are not always direct translations of the preceding Greek; sometimes one also finds very brief and meaningful annotations, such as *inutile*. The study of this material is currently underway as far as the ADM documentation is concerned, but it is a complex undertaking made all the more challenging by the difficulty of dating the scripts precisely. Such obstacles notwithstanding, it is an endeavour that merits an extended discussion.

### ACTORS AND BENEFICIARIES

In the overwhelming majority of cases, the twelfth-century Greek private acts from the area of Messina<sup>13</sup> were drawn up for and by private Greek-speaking parties.<sup>14</sup> Starting from the 1160s, however, we begin to find parties whose names reveal – or allow us to suppose – a different background. That a non-Greek-speaker should turn to a Greek *taboularios*, beyond the circumstances of necessity described earlier, is already proof of multilingualism. The Norman lords who asked a priest or a *notarios* in their service to draw up a *sigillion* in Greek were themselves Latin-speakers.<sup>15</sup> Likewise Latin-speaking was the archbishop of Messina, to whom a number of small-scale Greek landholders, over the course of roughly half a century, gradually sold their properties in the Larderìa, an area in which the Cathedral had extensive landed interests.

Onomastic methods are assuredly to be used with caution, but some cases are clear-cut. In 1169, for example, the priest Nicolaos Mansos, later protopope of Messina, sold a house in the city to a certain Pountzos *maistor ton Alballisteron*. The beneficiary was certainly a Latin-speaker, since two years later he appears as a signatory in a sale contract between a Greek-speaker and Archbishop Nicolaos, where he gives his name as *Pontios domini regis magister albalisterius*.<sup>16</sup> In the case of the 1169 document, it was drawn up in Greek by the *notarios* Bartholomeos, by

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<sup>13</sup> For Sicily, the earliest private document in Greek conserved at the ADM dates to 1119, and was drawn up in Messina for the monastery of San Salvatore di Bordonaro: ADM 1267, unpublished, with summary in Rognoni, 'Le fonds d'archives', p. 506, no. 18.

<sup>14</sup> Such identifications are based on the assumption that anthroponyms can serve as a valid criteria for presuming a linguistic 'identity'. The obvious limitations of such an assumption need not be rehearsed here.

<sup>15</sup> Here the *sigillion* conserves the name of the analogous public document of the Norman chancery, which itself was adopted from earlier Byzantine practice. Its form, however, had gradually lost the characteristics of a 'semi-public' document, so much so that it could no longer be distinguished from the notarial *engraphon*. See Breccia, 'Il *sigillion* nella prima età normanna', and Id., 'Il *sigillion* italogreco'.

<sup>16</sup> The first is ADM 1284, unpublished, with a summary in Rognoni, 'Le fonds d'archives', pp. 517–518, no. 70. The second is ADM 1307, unpublished, with summary in Rognoni, 'Le fonds d'archives', pp. 519–529, no. 78.

order of the *strategos* Andreas *de Limoges*, himself French in origin.<sup>17</sup> Of the six witnesses who were present, only two were Greek: Theoprespes, protopope of Messina; and the *krites* Leo Chelones. The others were all Latins. Moreover, it is worth noting that when the same Andreas *de Limoges* in turn sold a house to Robertos *tes Mountanias* in 1170, he did so applying his *signon* λατινικῶς σὺν τοῦ ὀνόματος καὶ τῆς ἐπωνυμίας (sic) to a document drawn up in Greek by the *notarios* Petros, by order of the *kyr* Stephanos, *strategos* of the city.<sup>18</sup> The recipient, who also appears in a document of 1158, again in relation to the sale of a property in the *exo kastro* of Messina, belonged to the *de Montanea*, a well-known family that produced a *strategos*, Philippus, in 1212, and which, like the *Limovici*, is attested in the city through to the fifteenth century.<sup>19</sup>

In 1209, a physician, Johannes Anglicus (or *Engliskon*, according to the Greek transcription of his name),<sup>20</sup> acquired some properties in the neighbourhood of Camaro from two families with decidedly Greek anthroponyms: *Peleches* and *Ypoteretes*. The region was of considerable economic importance, since until the sixteenth century, the Camaro River furnished the bulk of Messina's water supply. Throughout the entire thirteenth century and afterwards, property transactions reveal an entrenched Greek-speaking presence along with the steady erosion of their landholdings, which invariably passed into Latin hands.<sup>21</sup> The two sale contracts, whose signatories all wrote in Latin, were redacted in Greek by the *regikos notarios* of the praetor, Theodoros *tou Philosophou*, in an elegant hand that Paola Degni has likened to the 'scrittura di erudito'.<sup>22</sup> To be sure, the notary Theodoros is not to be reckoned in the same class as his Antiochene namesake, the court astrologer to Frederick II as well as the translator of the king's Arabic correspondence.<sup>23</sup> All the same, he was a member of a professional Greek-speaking elite that had enjoyed unchallenged dominance in its sphere for a century – a sphere that only now, at the start of the thirteenth century, was beginning to transform itself in light of the gradual diffusion of Latin practice even within eastern Sicily. It is therefore interesting to note that at the foot of one of the two documents (ADM 1262) appears a sort of summary in Latin, written in five lines in

<sup>17</sup> See Ménager, *Les actes latins*, p. 41; Guillou, *Les actes grecs*, pp. 108–112. The list of *strategoï* of Messina established by Ménager remains to be updated based on the new evidence from the Messina collection in the ADM.

<sup>18</sup> ADM 1357, unpublished, with a summary in Rognoni, 'Le fonds d'archives', p. 519, no. 76.

<sup>19</sup> Ménager, *Les actes latins*, p. 41; Ciccarelli, *Il tabulario*, pp. 177, 221, 225; Penet, *Le Chartrier*, pp. 213–222; Stracuzzi, *Il tabulario*, pp. 117, 233. This family is probably to be connected with the church of S. Nicola de Montana in Messina, first attested in the fourteenth century.

<sup>20</sup> See also two Latin acts in Starrabba, *I diplomi*, p. 57, no. XLIV and p. 78, no. LVIII, in which Johannes Anglicus appears in relation to a vineyard at Camaro acquired from a family of Grecophone origins in 1212, which is donated by his widow Sophia to Berardus, Archbishop of Messina, in 1225.

<sup>21</sup> ADM 1262 (Pl. 1) and 1314, unpublished, with summaries in Rognoni, 'Le fonds d'archives', pp. 534–535, no. 141, 142.

<sup>22</sup> Degni, 'Le scritture dei notai', p. 301.

<sup>23</sup> Burnett, 'Master Theodor'.

a contemporary hand that closely resembles that of the *strategos* of the city, Bartholomeus de Aveto, who certified the document with his own subscription. This unusual practice suggests that the new owners of the property, who were taking the place of Greek-speakers, felt the need to secure from the outset an attestation that would be recognised in the future by those who did not understand Greek, including the functionaries of the court of the *strategos*.

## WITNESSES

In a multiethnic environment such as the city of Messina under Norman and Swabian rule, it is not surprising that a single private document redacted in Greek should bear subscriptions in Greek, in Latin, and (much more rarely) in Arabic. I am not referring here only to the *completio* of the *strategos* of the city, who was of Latin rather than Greek origin from the mid-twelfth century onward,<sup>24</sup> a time when the document was still being drawn up by a *notarios* or *taboularios* in the service of the court of the *strategos*. Nor am I thinking of the subscriptions of the Latin judge(s) who, together with his/their Greek colleague(s), would attend the redaction of the document, exercising a voluntary jurisdiction that prefigured that which would later be formalised by the Constitutions of 1231.<sup>25</sup> I am thinking rather of the various witnesses who appeared in a private capacity. Here we are not so much interested in their actual presence – however useful a statistical breakdown of their backgrounds might be for the purposes of historical demography – as in the degree to which their presence was the sign of a genuine permeability among the different linguistic communities. In this respect, the starting point remains Paola Degni's study of testamentary subscriptions in Greek and Latin, which is filled with information on the literacy levels and social status of the witnesses.<sup>26</sup> Rather than repeat her findings, I will simply note that in the documentary trove preserved in the ADM, the earliest Latin subscriptions appear only in 1138–1139, with a decided uptake starting in the second half of the century, in the acts drawn up by Greek *notarii* in the service of the court of the *strategos*. This uptake is particularly noticeable in documents issued in favour of the bishop of Messina. In the aforementioned sale contract involving Bishop Nicolaos (ADM 1307; dated 1171), for example, all ten of the subscriptions are in Latin – notably those of the *iudex-medicus* – to which the *completio* of the *strategos* was then added.

In general, the witnesses' participation in the redaction of a document does not seem to have borne any relation to its contents: although the acquiring party frequently possessed neighbouring properties or buildings (such that the right of *protimesis* appears to have played a major role in the operation of the transactions),

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<sup>24</sup> The first Latin *strategos* attested at Messina is Riccardus de Aversa, in 1155; see ADM 1321, in Rognoni, 'Le fonds d'archives', p. 512, no. 47, and Ménager, *Les actes Latins*, pp. 27–42.

<sup>25</sup> Amelotti, 'Il giudice ai contratti'.

<sup>26</sup> Degni, 'Le sottoscrizioni'.

it does not seem that the same can be said of the witnesses, Latin or Greek.<sup>27</sup> *Medicus* or *iatros*, *mercator* or *pragmateus*, *magister* or *maistor* – these were all *boni homines* called upon to play a part in the legal transaction, alongside *kritai* and *iudices* and the Greek and Latin notaries of the court. These appear side by side with one another, just as they did within the broader Messinese society, which saw a significant influx of families and communities from the mainland, particularly northern Italy and France, during the latter part of the twelfth century.<sup>28</sup> It is not at all clear whether the witnesses were capable of writing in both Greek and Latin scripts, although we can probably dismiss the hypothesis that a witness of Latin origin who left his subscription to be rendered by the Greek *notarios* in Greek was necessarily illiterate.

I have found only two documents containing Arabic script.<sup>29</sup> In the first case, which concerns Messina, it appears in a superscript note; in the second, regarding Taormina, it appears in the subscript. Aside from being further examples of the presence of social actors whom we must assume to have been at least bilingual, both cases are of interest especially on account of the relative scarcity of Arabic in the Messina documentation, the result of a particular social composition with a much lower percentage of Arabic-speakers than in the western parts of the island. They are likewise interesting on account of the linguistic transpositions and reworkings that appear in the form of loanwords, even in the Greek lexicon of the documents.

In 1165, Nicolaos Neophotistes,<sup>30</sup> a recent convert and *maistor* of the Arsenal, sold an *oikotopon* to Onofrius, archimandrite of San Salvatore. The act was drawn up in Messina by the notarios Nicolaos, by order of the strategos Riccardus, in the presence of three judges: Leo, *krites* of the Greeks; Nicolaos, *grammatikos* and *krites* of the Messinians; and Rogerios *iudex*. In the top right we find five lines of Arabic, heavily faded in parts and written in a rather mediocre hand, which appear to postdate the redaction of the act. It is extremely difficult to decipher the text on the basis of the photographic reproduction, but it seems to consist of the names of the seller and the other parties, together with the date and a reference to the property. The annotations merit further study, but in the meantime it is worth drawing attention to the fact of a Christian Arab in the office of *magister* of the naval yards of Messina. The surname is not infrequent, and it is also noteworthy that all of those called Neophotistes were given the names of Ioannes or Nicolaos. In 1170, again at Messina, a certain Ioannes Neophotistes appears as a subscriber to the testament of Makre, a rich widow who took the veil upon the death of her

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<sup>27</sup> A study of the property transactions within the city of Messina, based on the Greek and Latin documentation of the Norman and Swabian periods, is currently underway; it has already revealed interesting patterns concerning the distribution of the communities within the urban landscape.

<sup>28</sup> Pispisa, 'Messina e Catania', pp. 326–341.

<sup>29</sup> Annliese Nef and I are currently editing these documents for publication. I should like to thank Adalgisa De Simone for her valuable suggestions.

<sup>30</sup> ADM 1287, unpublished; see Rognoni, 'Le fonds d'archives', p. 516, no. 65.



husband; in 1196, this time at Palermo, another Nicolaos Neophotistes was the joint owner (with *kait* Solomon) of a warehouse that was sold to Ioannes of Melfi; and a Nicotera in 1198 we find another Ioannes Neophotistes among the witnesses for a sale contract.<sup>31</sup>

The text of the document displays several interesting albeit common Arabicisms, especially the designation of the locality through a tautological composite, akin to Linguaglossa, Mongibello, Punta Raisi: the property in question, for example, is situated *eis ton akron* ('on the tip') *tou Rasou* (a Hellenisation, in the genitive, of the Arabic *ra's*), commonly called *praxou*, perhaps from *plax* ('flat rock') (?). This is likely Capo Raso Colmo, situated between Rometta and Milazzo. Next, the *oikotopon*, a property with a building (or on which a building could be erected), is marked out *meta ton tabeion* (that is, by clay walls), a term derived from the Arabic *tābiya*, referring to a mixture of mortar and stones used for dividing walls. This word entered into Sicilian as *tabbia* whence, in this instance, it was transliterated into Greek and then declined.<sup>32</sup>

The second document concerns Taormina, seat of the fiercest resistance first to the Arab-Muslim invaders, from 902 to 965 (after which the city was destroyed and the region repopulated with settlers from Agrigento), and then to the Normans, in 1078–1179.<sup>33</sup> In 1181–1182, the *maistor* Ioannes Reginos, with his wife Tarra, daughter of Leo Kalabros, sold to the *kyr* Solemen (Sulaymān) a vineyard located on the Taormina plain, near that of the *kait* (*qā'id*) Chalil which had been acquired from the *mu'addib* ('teacher' or 'tutor'; *mouddippon* in Greek).<sup>34</sup> The description of the property boundaries indicates that Sulaymān was a neighbour, and so too the sons of the *kait* Tsemeri, a Greek transliteration of the Arabic *Jābir*. These are the names written in a single hand at the bottom right of the document, in addition to the subscriptions (not all of them autograph), all of which are in Greek except for 'Iacobus'. The act was drawn up in the presence of the *strategos* of Taormina by Moles (from Mawlā, a relatively common name in Arabic-speaking Christian environments), son of Nicolaos *tou Armenou*. One wonders whether it was Moles, a bilingual notary capable of writing elegantly in both scripts, who added the two signatures of the Arabic-speaking witnesses (the minimum required in Islamic notarial practice), mentioning furthermore the presence of the *kyr* Solemen. The document is noteworthy, for although it was common under Islamic law for witnesses not to sign in their own hand, it was much less so for them to be implicated in the transaction, as they are here, in their capacity as *sunoritai*. In this regard, it is worth emphasising the presence of a mixed population (the sons of *Jābir*, living alongside the Kalabros and the Makrobasilou) at this relatively late period and in a rural environment, as well as the existence of property holdings in

<sup>31</sup> Cusa, *I diplomati*, p. 87, no. XIII; Trinchera, *Syllabus*, p. 330, no. 244.

<sup>32</sup> Caracausi, *Arabismi medievali*, p. 357; Pezzini, 'Alcuni dati'.

<sup>33</sup> Nef, *Conquérir*, pp. 520–521.

<sup>34</sup> ADM 1089, unpublished; see Rognoni, 'Le fonds d'archives', p. 527, no. 109.

the hands of individuals who, distinguished socially by their titles (*maīstor*, *qā'id*), also maintained their rights over the land.

Returning to the question of Greek subscriptions in witness lists, I would like to highlight the example of a Latin document currently being edited for publication by Giovan Giuseppe Mellusi,<sup>35</sup> the Greek portions of which I was able to read and transcribe on the basis of photographic reproductions. Dated December 1281, the document is a certification of the election of the new protopope of Messina, following the death of the priest Pellegrinus. Drawn up by the public notary Gregorius de Garofalo, it recounts the procedures for the open ballot for which thirty representatives of the city's Greek clergy were convened, following a solemn Mass at the mother church of S. Maria del Grafeo, known as 'La Cattolica', the seat of the protopope. Under the guidance of three priests *fide digni*, twenty-six declared themselves in favour of the eventual winner, Theodoros, titular of the church of San Giovanni di Larderia, while four opted for a different candidate. At the bottom of the document, which once held the seal (now lost) of the Greek clergy of the city, we duly find the subscriptions of the voters, accompanied by the confirmation formula. Not all of them are autograph; indeed, the majority seem to be written in a single hand. If the titulars of the many Greek churches of Messina in the second half of the thirteenth century do not seem to have enjoyed a high level of literacy, the same cannot be said of the notary. Gregorius de Garofalo was evidently bilingual, certifying in 1265 a translation from the Greek *de verbo ad verbum in litteraturam latinam et in publicam formam*, carried out *per fidum interprete* (the name is not given), of a document from forty years earlier that was presented to him by Anastasia, abbess of the monastery of San Giovanni Battista in Messina.<sup>36</sup> Gregorius, *qui novi litteram graecam et latinam*, as we read in the 1265 document (containing the certified copy of the earlier text), belonged to a family of Greek origin: in 1201 and then again in 1202, a certain Ioannes *tou Karouphillou*, *regikos notarios*, drew up a sale contract for Greek-speaking parties in Messina, in the presence of the Latin *strategoī* Bonvassallus Bourellos and Renaldo Katina, respectively.<sup>37</sup> This was certainly not an isolated case, and families of Byzantine origin often passed the profession almost dynastically from father to son. In editing the Calabrese documents from Valle Tuccio, for example, I was able to follow the career of the *notarios* Constantinos Goudroppos, active in the *chora* of Tuccio in the second half of the twelfth century; a century later, in the same place, we find a *poublikos notarios* bearing the same name, drawing up and subscribing a *poublikon*

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<sup>35</sup> ADM 1070, now edited in Mellusi, 'La Chiesa greca', pp.183–248.

<sup>36</sup> Ciccarelli, *Il tabulario*, no. 75, pp. 150–151.

<sup>37</sup> Guillou, *Les actes grecs*, no. 19, pp. 147–152; ADM 1258, unpublished, with summary in Rognoni, 'Le fonds d'archives', no. 138, p. 533; Ioannes also appears as a witness in an act of 1193 drawn up in Valle Tuccio (Calabria), in favour of the archimandrite: ADM 1306, edited in Rognoni, *Les actes privés grecs*, vol. II, pp. 207–211, no. 43.



*engraphon* in Greek in 1287, and adding furthermore the Latin formula *scripsi et subscripsi*.<sup>38</sup>

Summaries of the Latin documents preserved in the ADM in Toledo, which represent the overwhelming majority of the collection (1202 acts), have not yet been published. It is logical to assume, however, that some of the private documents in Latin bear witness subscriptions in Greek. Once the collection is finally known in its entirety, it will still be necessary to establish the number of such cases for the twelfth and thirteenth centuries, determine family and social relationships, and frame comparisons. It will likewise be necessary to verify the likely presence of documents drawn up in favour of the archimandrite, redacted in Latin in Messina or its surrounding area, involving actors who can clearly be traced to a Greek-speaking environment through anthroponymy or clear toponomastic evidence.<sup>39</sup> Furthermore, it will be necessary to study all of those certified copies produced in the wake of the Constitutions of Melfi at the request of the archimandrite or by abbots of dependent monasteries, and which sought to confirm and update royal privileges and concessions, with all of the risks of errors and manipulations inherent therein.

#### A GRECO-LATIN PARCHMENT

The Medinaceli dossier preserves only a single parchment containing a bilingual Greek and Latin text. It is an administrative act issued at Messina in 1229 by the *epi tou sekretou* Matheus *tes Romanias*, at the request of Macarius, Archimandrite of San Salvatore, confirming the monastery's rights over some Calabrian properties in the Valle Tuccio that had been usurped *tyrannice et contra iusticiam* by the *baiulo* of Sant'Agata.<sup>40</sup> To that end, the archimandrite presented two earlier documents: a *sigillion* of Roger II and a judgement (*krisimon*, rendered as *crysmu* in Latin) rendered by the *exousiastai* (*baiuli* in Latin), and supported by the *omotai* (*iurati*) and the *gerontes* of the two *chorai*, which had previously re-established the *diachorismos* of the contested property. These documents were read out by the notary of the *sekretou* before the official, who first verified their exactitude and congruity and then proceeded to confirm the prerogatives of the archimandrite's monastery, ordering the act to be drawn up *πρὸς περισσότεραν πίστιν καὶ ἀσφάλειαν*.

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<sup>38</sup> ADM 1380 (Pl. 2), edited in Rognoni, *Les actes privés grecs*, vol. II, pp. 247–251, no. 51. For a comparison, see for instance the document drawn up for Febronia, Abbess of San Giovanni Prodroino in Messina, by Nicholas Gaymarus, *imperialis publicus notarius* of Messina, who concludes his subscription with *ἔγραψα καὶ ὑπέγραψα*: Ciccarelli, *Il tabulario*, pp. 29–30, no. 13.

<sup>39</sup> To date, only one such case is known, a sale carried out in 1202 by Irina and Leo *Colochifsi*. The name *Kolokauthes* is attested in the same region in a Greek document from the previous century.

<sup>40</sup> ADM 1385, unpublished; the summary given in Rognoni, 'Le fonds d'archives', p. 536, no. 149, has to be revised based on this corrected reading. I would like to thank Rina Stracuzzi for her assistance in the reading of the Latin text and for her many useful comments on an earlier draft of this article.

In the document, the Greek redaction precedes the Latin, which is neither a verbatim translation nor a *transumptum* of the former, but rather an analogous version, distinct from the Greek but with perfectly comparable content. The official of the *sekreton* was a Latin, *de Romano*, whose office and functions were those of the *imperialis doane de secretis et questorum magister*.<sup>41</sup> But the anonymous notary (probably the same who had read out the documents exhibited by the archimandrite) who drew up the text in good chancery cursive and Hellenised the title of the office and of its function as *μαίστωρ τῶν ἐξουσίων καὶ κοιαστόρων*, in fact verbalised a series of operations that had been carried out orally. In support of these operations, as was customary, he had then turned to the earlier documents, which themselves had to be read and understood, evaluated and confirmed. If this confirmation was granted in both languages on the same parchment, is it so that the beneficiary – namely the Greek archimandrite – could brandish the document as proof (alongside the *krisimon* and *sigillion*) before a third party who would naturally understand one (or both) of the languages, but who would even more clearly be struck, quite visually, by the authoritativeness of the text. This was made immediately clear by the Greek superscript giving the title of the official responsible for the confirmation, together with his autograph subscription at the bottom of the document.

With the passage of time, however, actual translations became increasingly necessary, the result of the steady encroachment of Latin and the aforementioned constitution of Frederick II, which together relegated Greek to a marginal role in legal practice. Needless to say, if notarial scripts were already rather unstable criteria for drawing ethnic distinctions where twelfth century evidence was concerned, these developments unsettle such assumptions even further. Let us take as an example the case studied by Marcello Moscone in this same volume, which appears on several occasions among the witnesses and translators he discusses: the *notarius* with a knowledge of Greek, having read what is written (*ἀνέγνωκα*) becomes an *ἐρμηνεύς*, namely an oral interpreter of the act's contents, and therefore translates it (*μετατέθηκα*).<sup>42</sup> The use of this verb is suggestive: it denotes transporting more than translating, as if one must actively take cognisance of the thing, rather than merely reading it, in order to interpret it. Figures such as Ioannes de Naso and the *taboularius* Benedictus, active between 1259 and 1291, reveal (as Mario Re showed long ago) the persistence in late thirteenth-century Palermo of bi- or trilingual individuals who embody the persistence as well as the endpoint of a tradition dating back to the Norman period, when the city was hailed as *urbs felix, populo dotata trilingui*.<sup>43</sup> I would say, moreover, that in a less multilingual society it is all the easier to detect traces of multilingualism and to recognise individuals who are able to pass more or less easily from one written language to another, with

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<sup>41</sup> The same official also appears in the year 1222: Höflinger and Spiegel, 'Ungedruckte Stauferurkunden', pp. 95–98, no. IX. I would like to thank Vera von Falkenhausen for the reference.

<sup>42</sup> See in this volume Moscone, 'Translators of Arabic'.

<sup>43</sup> Re, 'La sottoscrizione', pp. 192–201.

such knowledge often driven by professional needs. The translations seem to attest to a firm command of both languages, and yet sometimes betray a good measure of approximation (or perhaps simple carelessness?) in the rendering of Greek; here it suffices to recall, in one of the subscriptions of the bilingual Ioannes de Naso, the use of *μία ἀπό* for *σύν*, a clear transposition of the *una cum* penned by the Latin notary that preceded him.

## THE LANGUAGE OF THE ITALO-GREEK NOTARIAL ACTS: EVIDENCE OF A PLURALISTIC CULTURE

The lexicon and formulas of documents translate into words practices and institutions, and likewise *realia*, that reflect the linguistic complexities of the society that such documents produce and serve. The language of a private document is, for the historian, a privileged locus for observing changes as they occur. The transcription of all of the Greek private documents of the ‘Messina collection’ (roughly 190) has clearly revealed the degree to which the language of the document and its written (that is, graphical) expression are sources in and of themselves, independent of the content that it expresses. The source’s richness stems from its polysemic nature: with the writing itself motivated by practical demands, the document uses words (and even the order in which they are set down) to harness different factors and dimensions of social life which are themselves expressions of those demands. Intervening where needed to formalise an aspect of lived experience, its language must respect technical norms while simultaneously confronting previously unarticulated configurations that are driven by the social context in which and for which it is produced.

From a linguistic perspective, the Greek documents of southern Italy testify, in multiple respects, to a pluralistic culture. Dated on chronological grounds and localised topographically, these original acts serve as valuable tools for studying the Greek language, spanning as they do a key period for the development of the vernacular, and for which firsthand evidence is otherwise scarce. Their value in this regard was highlighted at the end of the nineteenth century in the pioneering study of Spiridon Zambelios.<sup>44</sup> The composite elements of a language are fully apparent in these documents, with archaising tendencies on the one hand, and an anticipation of the shifts that would lead to neo-Greek on the other. They therefore constitute the ideal terrain for claiming both a diglossia between the spoken and learned language in the early Middle Ages, and a structural polymorphism toward a vernacular that was already in the early phases of its development. The debate was carried on at length and led to remarkable insights concerning the Greek language of southern Italy.<sup>45</sup> For the West, the relationship between Latin and the vernacular(s), as expressed in notarial practice, was interpreted in light of the history of the Romance languages, such that the emergence of the vernacular has

<sup>44</sup> Lavagnini, ‘Spiridon Zambelios’.

<sup>45</sup> Tsopanakis, ‘Elementi grammaticali’; Caracausi, *Lessico greco*; Minas, ‘Η γλῶσσα.

often been used (sometimes implicitly) as a yardstick for evaluating both learned Latin and its successes during the Humanist era.<sup>46</sup> Similarly, Italo-Greek as expressed in practice has been ‘used’ both in the debates over the origins of the Greek attested in the medieval Mezzogiorno, and in relation to the development and survival of the neo-Greek dialects in southern Calabria and the Salento peninsula.

The Greek attested in documents from southern Italy is not an example of a ‘spoken’ language. Rather, is the language of local notarial use, closely connected to a majority Greek-speaking population, exposed to influences and loanwords from other languages, and enriched with learned and antiquated terms that serve as evidence for the use of lexicons and also, perhaps, for the self-perception of the *notarios* as a outstanding social figure capable of writing in a language still suffused with prestige. It is no coincidence, after all, that the acts that display the most correct formulas, grammar, and syntax are also those written in highly refined scripts. The latter also serve as a reminder that those who harboured hopes of becoming a *taboularios* had to acquire not only a rudimentary legal training, but also a familiarity with the necessary formulas and proper training in penmanship.

Where possible, the comparison of the Italo-Greek acts from the twelfth century with their Byzantine contemporaries shows adherence to the Byzantine model. The language of these Italo-Greek acts is drawn from the Greek of juridical practice (which in turn was heavily indebted to ecclesiastical Greek), albeit with countless derogations. It is difficult to summarise these here, in part because they were shaped by the training of whoever was drawing up the act, who might be an expert *notarios* or an educated protopope, but equally a freelance scribe, often belonging to the secular clergy. At any rate, they cannot all be chalked up simply to ‘error’. These might be explained as intrusions of local speech, especially for the oldest documents, for which the model (such as that issued by the praetor in Messina) might not have been at all standardised. They might also be explained as an effort to articulate new concepts, sometimes drawing on prior legal forms but more often turning to non-legal sources. Being acts that regulate relations among private actors, generally in regards to property transactions, the *clausula*, the enacting verbs, and the technical vocabulary are usually of less interest to historians than the handful of lines in which the scribe seeks to capture the concrete realities of which the act is itself the manifestation and the result, within the framework that guarantees the legal validity of the document. Here I am alluding to the transition formulas between the constitutive sections of the text, and above all, to the specific description of the property in question, the *periorismos*. Here we find recourses to terms bearing complex derivations, to technical phrases being charged with new meanings, to the interpolation of a descriptive phraseology – all of which attest as much to the force of Byzantine legal, fiscal, and administrative traditions, as to contact with corresponding Latin practice. Here, too, the infiltrations of the spoken language often display

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<sup>46</sup> Nicolaj, ‘Il volgare’; in the same on-line edition, see also Richard, ‘Le plurilinguisme’.

themselves most clearly. The evidence is located primarily at the phonetic level, but it is interesting to note how, aside from the extremely common vowel alternations, some phenomena can be traced to local variations, whether at a morphological or syntactic level.<sup>47</sup>

Syntactic correctness, beyond the simple orthographical ‘mistakes’ due to phonetic changes, depends in the last resort on the scribe’s level of legal training and penmanship. In this respect, the Greek documents drawn up by ‘professional’ *notarioi* bear witness to a good command of the Greek language, not only when it came to repeating (with a certain stylistic *variatio*) semantic units that were part of any scribe’s everyday toolkit, but also when it was necessary to adapt Latin locutions to Greek syntax. One cannot always say the same for ‘occasional’ scribes, especially clerics operating within a monastery. Far from the rigours of the *curia*, these latter scribes were frequently called upon to draw up donations *pro anima*, for example, the preambles of which contained a mixture of decidedly ecclesiastical phraseology, adages, popular proverbs, and sometimes personal insertions. In my opinion, however, the scribes’ responses in the face of such textual instability attest to the vitality of a language that some linguistic historians have pointed to as an early example of the vernacular in non-literary texts.

Especially vivid and interesting in this regard is a document that a certain Barbaro Tropeanos drew up in his own hand in 1202, at San Leontio in the vicinity of Messina. The document, an *asphalistikon engraphon*, certifies an agreement sealed by Barbaros together with the archimandrite, regarding an annual payment required from Barbaros in return for some lands for which he was responsible.<sup>48</sup> Previously neither Barbaros nor his relatives had respected the bonds incumbent upon them as *oikeioi anthropoi* of the monastery, even going so far as to illegally sell the lands. Using deliberately periphrastic and repetitious language peppered with obscure and recondite words, a clear indication (along with the confident penmanship) of Barbaros’s high level of literacy, the author sought to craft a polished legal discourse. The text is nevertheless filled with signs of the ‘translation’ from the spoken language (we are dealing here with a record of previous deeds and misdeeds, after all): the register is colloquial and the syntax is frequently stunted. This said, Barbaros’s *engraphon* is not terribly barbaric (even to a modern Hellenist), and we can recognise therein the skills of an acrobat, to use Benoît Grévin’s apt phrase.<sup>49</sup>

Lexicon, as one would expect, offers the surest indicator of the linguistic environment in which such documents were generated and for which they were created. Studies of calques and loanwords from Latin into Greek and viceversa are hardly lacking, so I will not seek here to add to the lists of such words. I will settle rather for citing a single case that seems to me evidence for linguistic contact, if not necessarily bilingualism. This is the word *aporion*, which is unattested in

<sup>47</sup> See now Korhonen, ‘Contatti linguistici’, with bibliography.

<sup>48</sup> ADM 1304, see Rognoni, ‘Le fonds d’archives’, p. 533, no. 137.

<sup>49</sup> Grévin, *Le parchemin des cieux*, p. 78.

Byzantine lexicons and rarely found in Sicily (and here only in its Latin ‘form’, *aporium*), but is common enough in Calabria. Attested starting around the 1160s, it indicates a plot of land granted by the landowner to a farmer, who is not necessarily a dependant of the former. Such plots were catalogued in a particular *plateia*, and the landowner might have officials in his service, the *aporiarioi*, who were expressly charged with the management of such properties. But the legal and fiscal nature of the plot, which determined the relation of the landowner to the beneficiary of the *aporion*, is not always clear: in some cases we are dealing with a usufruct, in others an emphyteusis, and in others a fixed-term lease subject to an annual payment. On the *verso* of a Greek document that deals with plots *oikeia kai aporia* that were surveyed together on behalf of the archimandrite, the Greek rubricator translated the second term with *xena*, that is, foreigners or outsiders. In his *Lessico*, Girolamo Caracausi suggested a derivation from *apo oros* and translated the term not altogether convincingly as ‘fuori dal confine del feudo (?)’.

How then to explain the *aporion*? Are we dealing here with a neologism from the Norman era, namely a term that is thus spoken and written ἐν τῇ κοινῇ διαλέκτῳ, to use an expression found in an 1144 Greek diploma of Roger II?<sup>50</sup> And/or is it the result of a double movement, namely from Greek to Latin and then back to Greek (ἀπορεύω-*aporum*-ἀπόριον), with semantic shifts and orthographic normalisation, as a comparison with a Latin charter of Roger I (probably a translation and alteration of a Greek original in favour of Bruno of Cologne)<sup>51</sup> might suggest? I will not dwell further on this complicated and still inconclusive question,<sup>52</sup> but rather emphasise once again the repeated occurrence of a term that appears nowhere in Byzantine legal practice, suggesting that it concerns institutions that were either unknown there or that were understood differently. In light of this fact, it is worth reflecting on not only the normative Byzantine texts that were adapted for use in southern Italy (such as the juridical *excerpta*, lexicons, and formularies to which the manuscript tradition attests),<sup>53</sup> but also the creativity of a language that remained functional for a long period of time, even when it was no longer in spoken use. The related question of where and how this language was taught remains largely an open one.

If the ‘caste’ of Greek-speaking *notarioi* helped maintain a particular set of linguistic practices by handing down their craft from generation to generation, the Greek Church, custodian of an authoritative wisdom that bound together Christians of the Greek rite (whether Greek-speaking or not) through the words of the liturgy, certainly played a fundamental role by serving both as a breeding ground for the many scribes who provided their services for churches and monasteries (Greek and Latin alike), and as a linguistic ‘mediator’. Take, for example, the apposite but not unique case of the testament of Scholarios *tou Palatiou*, a Calabrian monk and

<sup>50</sup> ADM 1360, unpublished; see Caspar, *Roger II*, p. 558, no. 182.

<sup>51</sup> Becker, *Documenti*, p. 271, no. 72; p. 279, no. 75.

<sup>52</sup> For a preliminary discussion of the topic, see Rognoni, *Les actes privés grecs*, vol. II, pp. 36–40.

<sup>53</sup> Cavallo, ‘La circolazione’; Rodriquez, ‘Riflessione sui palinsesti’.



founder of the monastery of San Salvatore di Bordonaro. The testament, dated 1114, is now lost, but the existence of a copy in 1177 is attested by another document now in the Archivo in Toledo. At that later date, the protopope of Messina read and translated it for Archbishop Nicholas, who confirmed the founder's dispositions at the behest of the *hegoumenos* Saba, and ordered an act to be drawn up by the priest Constantinos, a Greek notary in the service of the bishopric.<sup>54</sup> Three centuries later, the abbot of the monastery, Onofrio Cirino (1463–1478) was unable to read (and therefore make use of) this document, and therefore asked for a certified copy in Latin, entrusting the translation to Constantinos Laskaris. The text contains a series of anomalies in its form (in the *datatio*, for instance) and content (in the scale of the landholdings and liturgical objects being donated), which, in the opinion of Vera von Falkenhausen, suggests some tampering in the original Greek document, to which further inflated claims were later added.<sup>55</sup>

It is difficult to believe that Laskaris could have introduced serious errors in translating from his 'own' language into Latin. After all, it was at the request of Bessarion, at the time the commendatory archimandrite of San Salvatore, that Laskaris undertook to revive the teaching of Greek in a city in which the Church and Byzantine monasticism had ceased to fulfill this function. Of Eastern origin, like Bessarion, Laskaris represents the apex of a long tradition that from the seventh century onward had been interpreted and channelled through the liturgical language. Now, however, even at Messina, formerly the bastion of this tradition, the clergy had supposedly become ignorant of spirituality and language alike through their foolishness and 'per la ignorantia della lingua greca per ciò che sono latini et quasi tucti figliuoli di latini'. It therefore fell to Bessarion to commission a compendium of the *Asketikon* of Basil the Great in three languages, Greek, Latin, and Italian, which survive in Messina, Biblioteca Regionale Universitaria, gr. 113.<sup>56</sup>

## CONCLUSIONS

A notarial act translates operations of legal practice into a particular language, starting from an expression of intent and having as its goal the demonstration and proof of a right. Laws, formulas, and clauses all combine to guarantee the validity of the action itself and of the *engraphon* that this action produces and guarantees. We have explored here the private acts drawn up in the twelfth and thirteenth centuries in Messina and in the Val Demone, a region in which the Greek-speaking presence was most firmly rooted; in which the influence of the Greek Church and Greek monasticism was widespread, at least in the countryside; and in which persisted the Byzantine cultural tradition, of which notarial writing was a small but

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<sup>54</sup> ADM 1261, unpublished; see von Falkenhausen, 'La presenza dei Greci', p. 51.

<sup>55</sup> von Falkenhausen, 'I documenti greci', pp. 683–685.

<sup>56</sup> On this topic, see now the extended discussion by Rodriquez, 'Cultura greca', p. 249, from which I have drawn the quotation.

not marginal component. We have found therein some scraps of evidence through which we have been able to detect traces of multilingualism that would otherwise lie hidden beneath the uniformity of language and the script in which the language is rendered.

Given that the parties enjoyed the right to embrace the legal tradition of their choice (and with that, a set of associated notarial practices), this tradition generally prevailed over the parties' linguistic identities until the first half of the twelfth century, at least in Messina and its area. Accordingly, the language of the document (*dikaïoma* in Greek) may not be the language of either party. This almost gives the impression that the property in question, whose history is made up of successive *diakaïomata* (that is, *iura* along with written documents) in fact suggests its own language. When this history is no longer immediately legible, one must turn to an interpreter; when it can no longer be understood, a translator is needed. But as one reads in a Calabrian document of 1140–41,<sup>57</sup> according to a well-known *topos*, 'men, fearing the passage of time and oblivion as the most terrible cause of misfortune, have the custom of witnessing through writing all that is conveyed from one person to another'. And fortunately, many of these documents were duly preserved and passed on, even once they had become *inutili* and could be read only by a few, for the simple fact that they were *engrapha*.

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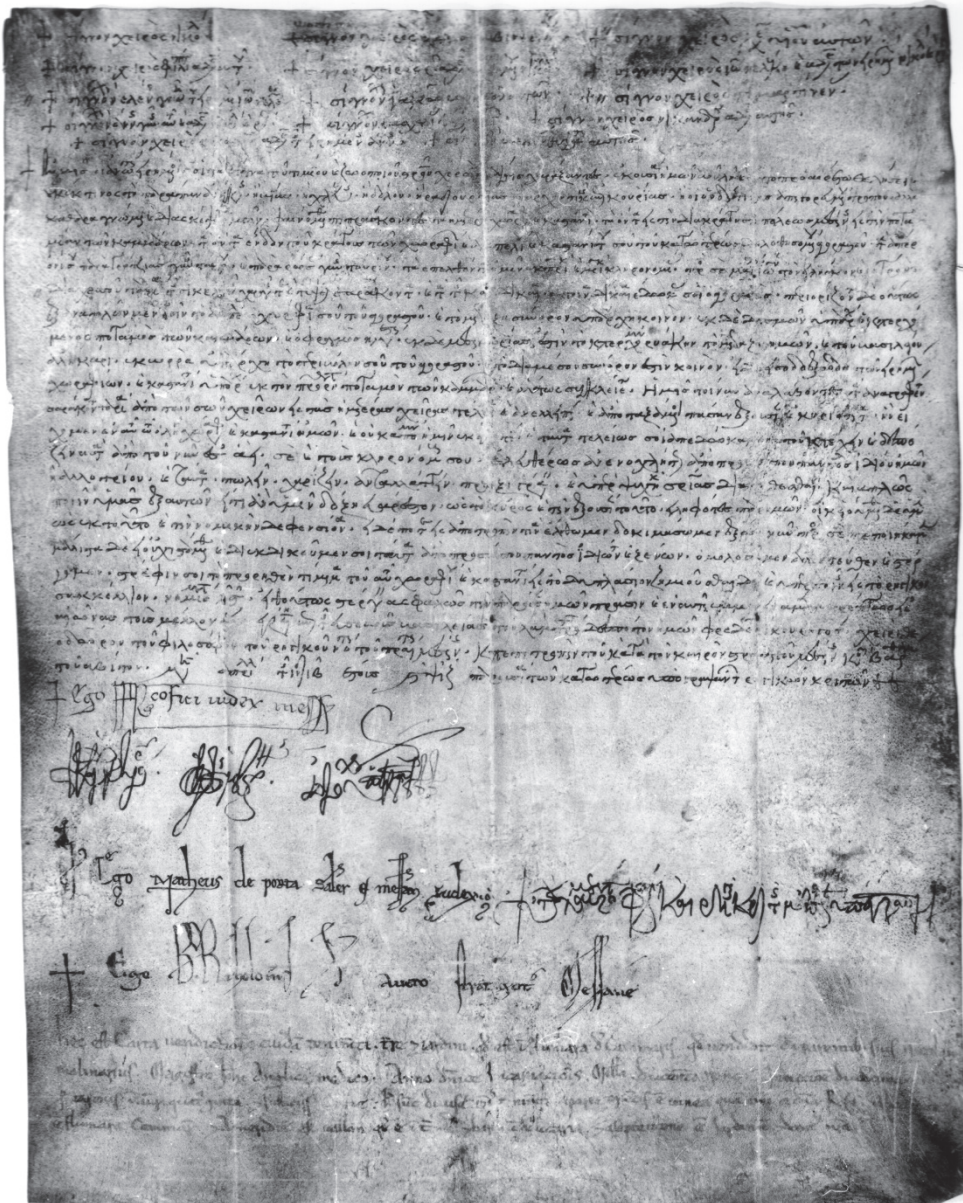
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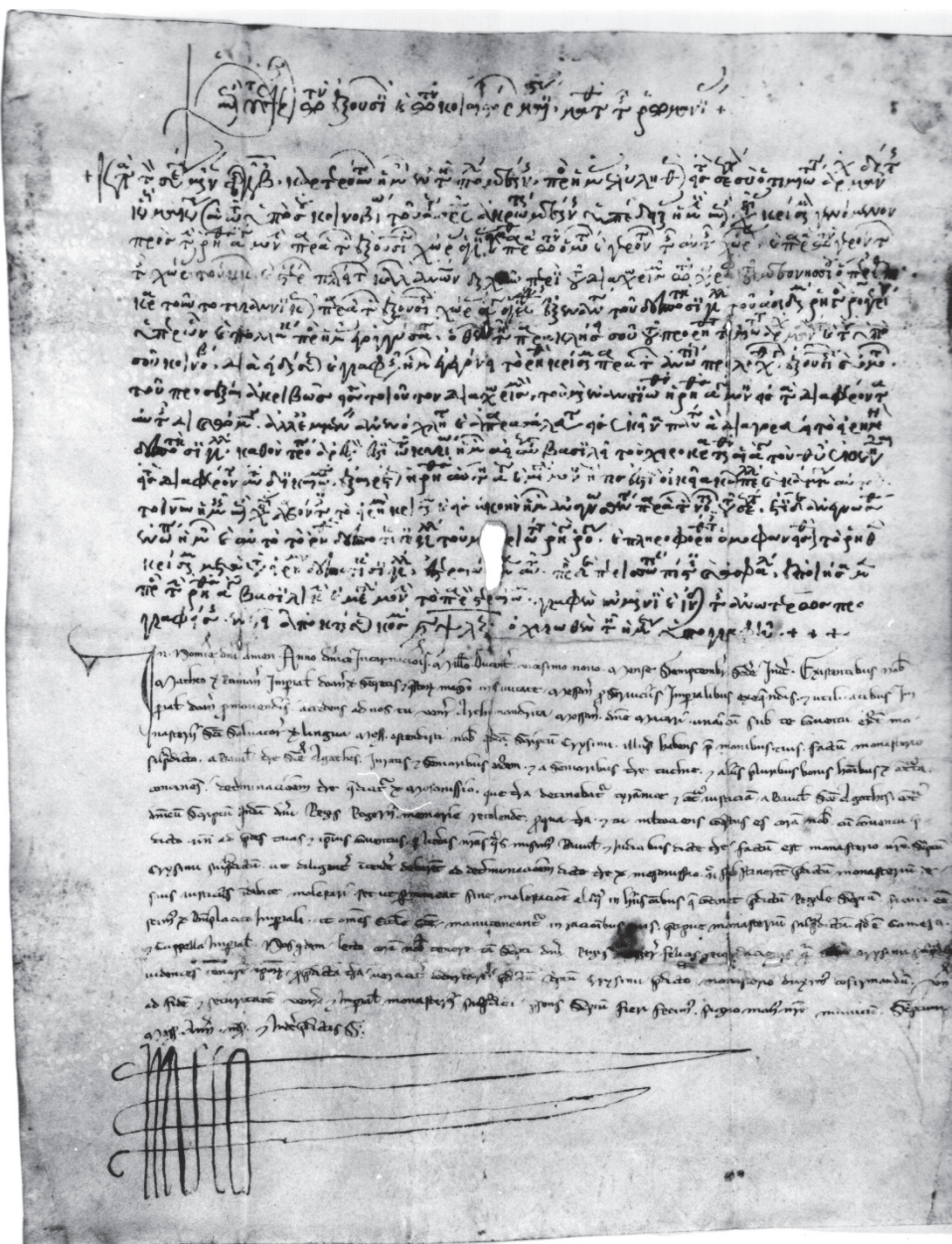
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Pl. 2: Toledo, Archivo Ducal de Medinaceli, Fondo Mesina, no. 1385.

