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THE SOCIAL CONTEXT OF THE CHARTER: TIMES AND PLACES OF DOCUMENTATION IN EARLY MEDIEVAL IBERIA (711-1031)

El contexto social del documento: tiempos y lugares de documentación en la Península Ibérica altomedieval (711-1031)

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ABSTRACT: When and where was a charter written? Whether the scribe prepared it before, during, or after a transaction, on the spot or elsewhere, conditions its standing as historical evidence. They are basic questions for understanding how the written record relates to the communities whose actions it reveals. This article seeks answers in the corpus from the kingdoms of Asturias-León and Navarra down to 1031. Attention to the writing and content of the documents points to a variety of scenarios, the most common being: for the scribe to attend the transaction with a prepared template to be integrated into the execution of the transaction, or for the scribe to take notes at the transaction on the essential details to form the basis for later drafting its record. Both scenarios presume the real presence of the scribe as well as the reading aloud of the final text to participants, which together functioned as controls on the written word to ensure its integration into society.

Keywords: charters; scribes; witnesses; writing; reading; literacy.

RESUMEN: ¿Cuándo y dónde se redactó un documento? Si el escriba la preparó antes, durante o después de una transacción, *in situ* o en otro lugar, condiciona su valor como prueba histórica. Son preguntas básicas para entender cómo se relaciona el registro escrito con las comunidades cuyas acciones revela. Este artículo busca respuestas en el corpus de los reinos de Asturias-León y Navarra hasta 1031. La atención a la redacción y al contenido de los documentos apunta a diversos escenarios, siendo los más comunes: que el escribano asistiera a la transacción con una plantilla preparada para integrarse en la ejecución de la misma, o que tomara notas en la transacción sobre los detalles esenciales para constituir la base de la redacción posterior de su registro. Ambas hipótesis presuponen la presencia

real del escriba, así como la lectura en voz alta del texto final a los participantes, que en conjunto funcionaban como controles de la palabra escrita para garantizar su integración en la sociedad.

Palabras clave: documentos; escribas; testigos; escritura; lectura; alfabetización.

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0 INTRODUCTION: SPACES OF WRITING¹

The charter may be a product of the society and culture which we use it to describe, but there is no guarantee that it is representative. What if the written record amounts to mere notes in the margins of a world which worked otherwise, an artificial clerical gloss on a real world of speech?² Before a charter, or anything in writing, can serve as

¹ Abbreviations: *Albelda* = Ubieta Arteta, *Cartulario de Albelda*; *Arlanza* = Serrano, *Cartulario de San Pedro de Arlanza*; *Astorga* = Cavero Domínguez and Martín López, *Colección documental de la catedral de Astorga*, I; *Braga* = Costa, *Liber Fidei Sanctae Bracarensis Ecclesiae*; *Cardeña* = Fernández Flórez and Serna Serna, *El Becerro Gótico de Cardeña*; *ChLA 114* = Calleja-Puerta et al., *Chartae Latinae Antiquiores*, Part CXIV. *Spain III. Portugal*; *Celanova* = Sáez and Sáez, *Colección diplomática del monasterio de Celanova* (nos 1-301), Andrade Cernadas, *O Tombo de Celanova* (nos 302-83; see Barrett, *Text*, 387-9); *Coimbra* = Rodrigues and Costa, *Livro Preto*; *Coruña* = Sáez and Val González de la Peña, *La Coruña. Fondo antiguo; DEO* = Lawson, *Sancti Isidori episcopi Hispalensis de ecclesiasticis officiis*; *Eslonza* = Ruiz Asencio and Ruiz Albi, *Colección documental del monasterio de San Pedro de Eslonza*, I; *Floriano* = Floriano, *Diplomática española del período astur*; *Guimarães* = Amaral et al., *Livro de Mumadona*; *Huesca* = Durán Gudiol, *Colección diplomática de la catedral de Huesca*; *Ibeas* = Martínez Díez, «Diplomatario de San Cristóbal de Ibeas»; *Junqueira* = Lira, *O mosteiro de S. Simão da Junqueira*; *León* = Sáez, *Colección documental del Archivo de la Catedral de León*, I (nos 1-258), Sáez and Sáez, *Colección documental del Archivo de la Catedral de León*, II (nos 259-511), Ruiz Asencio, *Colección documental del Archivo de la Catedral de León*, III (nos 512-895); *Liébana* = Sánchez Belda, *Cartulario de Santo Toribio de Liébana*; *Lorvão* = Fernández Catón et al., «Transcripción del texto del *Liber Testamentorum*»; *Montes* = Quintana Prieto, *Tumbo Viejo de San Pedro de Montes*; *Otero* = Fernández Flórez and Herrero de la Fuente, *Colección documental del monasterio de Santa María de Otero de las Dueñas*, I; *Oviedo* = García Larragueta, *Colección de documentos de la catedral de Oviedo*; *PMH* = Herculano, *Portugaliae Monumenta Historica. Diplomata et Chartae*; *Rocas* = Duro Peña, *El monasterio de San Pedro de Rocas*; *Sahagún* = Mínguez Fernández, *Colección diplomática del monasterio de Sahagún (siglos IX-X)* (nos 1-360), Herrero de la Fuente, *Colección diplomática del monasterio de Sahagún (857-1230)*, II (nos 361-429), Fernández Flórez, *Colección diplomática del monasterio de Sahagún (857-1300)*, IV (nos 1170-2); *Samos* = Lucas Álvarez, *El Tumbo de San Julián de Samos*; *San Isidro* = Reglero de la Fuente, *El monasterio de San Isidro de Dueñas*; *San Juan* = Ubieta Arteta, *Cartulario de San Juan de la Peña*; *San Millán* = Edición electrónica del *Becerro Galicano de San Millán de la Cogolla*; *San Vicente* = Floriano Llorente, *Colección diplomática del monasterio de San Vicente de Oviedo*; *Santiago* = Lucas Álvarez, *La documentación del Tumbo A*; *Santillana* = López Ormazábal, Díez Herrera and Pérez Bustamante, *Abadía de Santillana del Mar*; *Sobrado* = Loscertales de García de Valdeavellano, *Tumbos del monasterio de Sobrado de los Monjes*; *Valpuesta* = Ruiz Asencio, Ruiz Albi and Herrero Jiménez, *Los Becerros Gótico y Galicano de Valpuesta*.

² Richter, «Written Word».

evidence for what lies outside its text, we need to ask the basic reporter's questions of it. What it records and why are fundamental, but only a start: who wrote our charters, by what means, in what context, and how were they made known more generally—or were they? This article focusses on the when and where of the charter in early medieval Iberia, limited to the kingdoms of Asturias-León and Navarra between 711 and 1031. It is based on a survey of all published charters; a fair number from Galicia, Portugal, and Castilla await publication, but what we have in print is at least 95% of what survives, barring unexpected finds³. When we probe this corpus for the agents of text, we find that primary literacy, first-hand writing and reading, is nearly invisible amongst both the parties and witnesses to transaction, and thus in this society of secondary or second-hand literacy, where making use of the written word by proxy was the norm, scribes are a necessary quarry⁴. They were partners in a dynamic relationship with parties and witnesses which unfolds over the preparation and placement of the charter on parchment, its relationship in time to the transaction which it documents, and the location and audience of confirmation. Charters emerge as far from simple records of transaction: they are convergences of people and place, context and content, reaching beyond text to speech. By seeking a home for the charter, we find a society organised around writing at one remove, expecting and arranging to use it by gathering, watching, and listening.

So defined, however, we should be biased in favour of literacy in the early Middle Ages, rather than against it. The old «Dark Ages» model of prevailing illiteracy assumed that the educated Latin of charters was incomprehensible to the uneducated masses speaking lay vernaculars. But this has been undermined above all by the work of Roger Wright, who has argued for a continuum of broad variation amongst evolving spoken early Romance dialects allied to a single conservative written late Latin standard. Texts were therefore intelligible when read aloud: writing and speaking only began to diverge with the archaising reforms to orthography and pronunciation by the Carolingians, and in the regions under their influence⁵. This was a gradual process; as Rosamond McKitterick has shown, the written word was not the preserve of an ecclesiastical élite, but remained part of everyday life for the laity, while charters from Sankt Gallen reveal the monastery providing scribes to document transactions in its environs, and how lay men and women who were not themselves literate made complex arrangements to engage in literate modes of business⁶. The history of literacy is not one of consequences: like any technology, it offers constraints and opportunities, but how they are dealt with is the product of human actions, social and cultural processes shaping its forms and functions. In this study of literacy in early medieval Iberia, we aim to understand why literacy mattered, the role of the written word in the workings of society, what was done with it and by whom, how attitudes were formed and actions framed by it. We must see how

³ Carvajal Castro *et al.*, «Trans-Regional Approach», 3-7; Barrett, *Text*, 20-46.

⁴ Barrett, *Text*, 79-107.

⁵ Wright, *Late Latin*; Böhmer, «Early Vernacular Literacy»; Banniard, *Viva voce*, 305-68.

⁶ McKitterick, *Carolingians*, 77-134.

documents lived in their environs, how they shaped and were shaped by them: this interface, the social context of the charter, is a portal into what lies behind and beyond the text⁷.

1 WHEN: THE SCRIBE AND THE TRANSACTION

1.1 *Composing the Text*

In a world of limited personal literacy, scribes were the primary agents of text, but what did its production entail? The use of existing charters as exemplars for drawing up new ones may explain why the process of writing itself has left so little physical trace⁸. While the questions of when and how scribes produced documents may seem obvious, answers are far from certain—but we can reconstruct the basic stages⁹. According to a note at the conclusion of the testament of Bishop Diego of Oviedo from 967, it was written *in die prevegilio* and confirmed *in die Pasca Domini*, which points towards a multi-phase process of composition involving preparation and finalisation¹⁰. Insight into the first stage comes from the reverse of another testament to San Pedro de Eslonza in 954, a rare set of notes by its scribe recording the names of the granter and eight witnesses¹¹. One can imagine jotting down key details of a transaction —parties, properties, prices (where applicable), witnesses— before slotting these into a charter based on an earlier template, then registering the witnesses who remained for its confirmation, but can we prove it? In the archive of Sahagún are four documents, three to the monastery and one to Iscam and his wife Filauria, which contain a series of bare minutes, of granter, recipient, property, price, date, and little more, in place of single transactions set out with the usual clauses and formulae¹². The span of time covered by the transactions in each document ranges over anywhere from one year to nine, and for the lay couple there is even a collective confirmation, putatively signed by all granters and witnesses as usual. Conceivably the documents began life as notes taken for individual transactions, which were never written up as proper charters, but later transcribed into series.

In this light, more minutes may survive than at first seems to be the case, suggesting that writing up was optional, a decision made in most but far from all situations. An unusual text from Sahagún offers an unformatted description of a body of water, a channel, and a hill or mountain all belonging to the monastery: it could be some sort of inventory, but a diploma of Ordoño III from 951 donates the same properties, suggesting that it could instead be a set of notes for use in drafting the boundary clause of the formal charter¹³. Similarly, one has to wonder whether some of the many transactions recorded in

⁷ Barrett, *Text*, 1-15.

⁸ Barrett, *Text*, 107-15.

⁹ Ruiz Asencio, «Notas», 94-100; Kosto, «*Sicut mos*», 279-80; Zimmermann, *Écrire*, 1, 113-35.

¹⁰ *Oviedo* 27.

¹¹ *Eslonza* 26.

¹² *Sahagún* 94, 34, 36, 297.

¹³ *Sahagún* 1170, 132.

summary form for San Millán de la Cogolla could be further such minutes, rather than inventories compiled during the creation of its cartulary¹⁴. Typically the entries consist of granter, recipient, property, price, and date, though not always even so much, but some do contain elements of charters, a confirmation here or sanction clause there, bringing them closer to extracts from documents¹⁵. In this they parallel inventories from Celanova and Lervão where a few of the charters extracted or cited survive, or the entries label themselves charters¹⁶. Aggregated proto-charters can equally be found scattered across archives as diverse as A Coruña and Valpuesta, along with irregularly drafted texts unsuited to diplomatic classification bearing titles such as *noticia* or *notum*¹⁷. These include skeletal transactions and circumstantial narratives which could likewise be working notes made by scribes for use in preparing records.

Once minutes had been taken, the next step was to draft a charter. The mechanics of writing are one question: the model text must at times have been rendered from memory, to judge from imperfect versions of standard clauses and phrases which nonetheless retain some of their constituent elements, but at other times copied directly from an exemplar, resulting in errors typical of transcription such as duplicating or skipping lines of text¹⁸. Where then did our minutes fit into this writing process? One option is that the scribe inserted the details into a template prepared in advance by either method, which finds some support. Amongst the 84 early medieval documents from Sahagún surviving in the original form in which they were written (as opposed to via later copies), there are three fairly clear cases: where the granter was written in, the price was inserted, or a witness was added on after the balance of the text had been drafted¹⁹. In a lay charter of sale from Portugal in 995 the scribe even left a sizeable blank space to fill in the price, but never did so²⁰. Yet the overall impression is otherwise of charters written from start to finish integrally. Occasionally a detail belies this. In two cases from 986 and 987, the same scribe left a space for the king in the dating clause: the first still has its blank, while in the second another scribe later wrote in Vermudo II²¹. There are cases from León and Otero de las Dueñas in which the subscriptions of granters, witnesses, even scribes are in a perceptibly different tint of ink or hand from the charter itself; in one the date too is distinct from the main body, suggesting another variation of preparing the text at least partly in advance²². Creating a charter could be divorced from its contents, but the regularity of continuous writing warns that this was the exception.

While a charter may have been written before or after the transaction which it records, the addition of supplements to the text suggests that the transaction was often

¹⁴ *San Millán* 523, 371, 382, 544, 384; Escalona Monge, «Cartularios», 141-9; Davies and Peterson, «Management», 49-53.

¹⁵ *San Millán* 421, 627.

¹⁶ *Celanova* 285, 309, 315, 328, 338; *Lervão* 32.

¹⁷ *Coruña* 55; *Valpuesta* 47; *Huesca* 4, 8.

¹⁸ Ruiz Asencio, «Notas», 90-100.

¹⁹ *Sahagún* 241, 135, 134.

²⁰ *PMH* 175.

²¹ *Sahagún* 334-5.

²² *León* 107, 10, 25, 35, 65, 73, 416; *Otero* 118.

ongoing when its charter was being written. In 874, the scribe of a donation by Bishop Fronimio to the see of León added ten cows to the gift, only apart from the rest of the property, after the sanction and date; in a Leonese charter of 942, the scribe Freda inserted the price received by the last of the four vendors on the bottom left of the parchment, after he had written his own name²³. Such supplements to property or price, even the introduction of a countergift, out of proper place are common. Other recurrent additions include limiting conditions, as in the proviso to a donation of 983 that the wife of the donor should have two months after his death to hand over the property, and further specifications, as in spelling out the time-shares in a mill sold in 970 per party down to the hour²⁴. Both additions appear amidst the subscriptions, and one can imagine negotiations continuing as the scribes were hard at work writing. Indeed, when the royal notary (and later chronicler) Sampiro wrote a sale for himself in 1013, he added five solidi to the price after the sanction, date, and confirmation, presumably once the terms had been settled²⁵. Far from mutual ignorance or irrelevance, transaction and documentation had an organic and recursive relationship, proceeding in tandem and in feedback.

The writing process could also be drawn out. In three cases from Otero, further hands intervened subsequent to the writing of the main text: to add more property, to specify it with greater detail, and to substitute the price paid for what the scribe had anticipated²⁶. Similarly, in 961, compensation for defaulting on a judicial fine was tacked on underneath the *cartam que sursum resonat de donacione*, serving as a reminder that transaction could play out over days, while the writing up kept pace alongside it²⁷. Equally it could run over into subsequent undertakings: when the family of San Rosendo divided their patrimony in 934, they agreed, after the confirmation and date, to a secondary exchange between Adosinda and Ermesinda, before subscribing the charter²⁸. One combination sale and donation to Viliulfu and his wife Ezilu in 968 seems to have been transformed over the very course of its transcription: after the subscriptions, a new scribe began a formula for price, unmentioned until this point, but left it blank and recorded instead a series of additions to the donation *per ista karta*, finally re-dating it and listing more witnesses²⁹. An evolving relationship between document and transaction is underlined by countergift in confirmation of the charter itself, rather than the deal which it records. The two oxen worth 30 silver solidi and the cloth of 50 cubits which Pelayo Vermúdez received from his wife Godina *ad confirmanda cartula* in 1011, like the vineyard and goods which Xemena received from Beira presbiter in 1005 *ad investimentum carta*, tie text and transaction tightly together³⁰. These documentary countergifts tell us that transaction confirmed charter just as charter confirmed transaction.

²³ León 6, 158.

²⁴ Guimarães 68, A6; Ibeas 1.

²⁵ León 717.

²⁶ Otero 162, 152, 137.

²⁷ Sobrado 1.46, 1.45.

²⁸ Celanova 40.

²⁹ PMH 98.

³⁰ Sabagún 397; León 654.

1.2 *Choosing the Parchment*

We can better understand the relationship between parties and scribes by looking at how the writer of a charter selected and made use of parchment. In 979, when Revel paid a judicial debt by selling a vineyard to the bishop of León, the scribe Gamar *presbiter* used the reverse of the parchment for the *placitum firmitatis* made on that same day to guarantee the sale³¹. And when Vermudo III rewarded Munio for his service in 1030, the scribe Fulgentius took advantage of the back to write the charter by which Munio then re-gifted that property onto his wife and children³². There is a clear effort here, involving prior coordination, to keep related but distinct documents in one place for ease of reference, whether by using the lower quadrants or the reverse side of the parchment³³. Behind such organisation lies cooperation between granter and writer, as well as between recipient and writer. In one case, the local scribe Durabilis *presbiter*, seemingly in collaboration with a colleague, documented two sales of land in Villobera to the monastery of Abellar three months apart in 939 using the front of a parchment, just as Vistremiro, party to a charter of exchange in 909, had a sale in which he was purchaser recorded on its reverse four years later³⁴. Two sales to Leda are on the same side of one parchment but in opposing directions; dated a year and a half apart and in distinct tints of ink, they are by the same hand, returning to write again³⁵.

This practice is one facet of the formation of archives, and in some cases we even see a parchment becoming an archive in miniature. Over a week in 943, the scribe Fredenandus wrote three sales to Vincimalo *presbiter* on the reverse of a parchment, while Vivi *presbiter* did likewise on behalf of Cidi Domínguez and his wife Oria for five transactions over two weeks from 24 April to 8 May 1030³⁶. In contrast, over a year, from 978 to 979, seven sales to Munnio *presbiter* of property around Villa de Montane were recorded on one parchment by contemporary hands: here either recipient or scribe could have selected the medium³⁷. In all these cases, we have instant archives: multiple transactions sharing the same recipient set down in one place, transactions not only on the same day but also distanced in time. Whether the charters are all «originals» in the more limited sense of being created at the moment of the transactions misses the point³⁸. Four charters of sale to Sahagún from 965 written on one parchment are manifestly the work of the same moment despite spanning half a month in real time, and out of order chronologically read from top to bottom, but all of them concern land in Valdefresno³⁹. As transaction followed on transaction, the advantage of assembling them will have become steadily plainer. There has been debate over the originality of a parchment from

³¹ *León* 463-4.

³² *León* 871.

³³ Ruiz Asencio, «Notas», 105-10.

³⁴ *León* 132, 135, 23, 31; Davies, «Local Priests and the Writing of Charters», 35-41.

³⁵ *León* 519, 523.

³⁶ *León* 172-4, 864, 866-8, 870.

³⁷ *León* 457-9, 465, 467, 471-2; Ruiz Asencio, «Notas», 102-4, 110-15.

³⁸ Escalona Monge, «Cartularios», 135-41.

³⁹ *Sahagún* 233-6.

Lugo containing two *placita* to Bishop Gladila and a confession to his benefit, spanning 15 May to 5 June 861 and fruit of a judicial process; the latter may have been written first, the former two then added in the space left blank underneath, but at a few strokes they became an archive in miniature presenting a full accounting of the case⁴⁰.

Who took the lead in parchment choice? As the Munnio *presbiter* sales highlight, we cannot assume that it was the scribe, acting as local archivist, and the reuse of parchment for related but temporally more disparate charters is further grounds for caution. Take the case of Seovanus *presbiter*, who gave property to the church of San Martín de Noanca in 895: on the lower left front side running onto the reverse is a *placitum* from 960 guaranteeing transfer of San Martín to a monastery of Santa María⁴¹. When it came time to write the latter, the church must have rummaged in its archive for the original parchment of 65 years before, handing it to the scribe for the new transaction. Parties and scribes often decided in advance the most appropriate site for a text: when the recipient is a Church institution, the archival connection is usually obvious, but with the laity it can be hard to determine. One parchment from Otero bears a dispute of 946 in benefit of Flacino and a sale made in 1022 to Count Pedro Flaínez; these could be linked via family archives if they are related as their names suggest⁴². Does some unstated relationship bind a sale of 883 to Kartemiro with two more to Fruela and his wife Eleuva in 933 and 952, all on the same parchment, by different scribes, or is this a later copy?⁴³ In some instances continuity must lie in persons, in others in the property changing hands with its title deeds, in still others with both factors; what it reveals is awareness of and concern for the written history of land and its owners. At the Asturian monastery of Gordón, we even find Florentina returning to the parchment of a dispute settled in 953 to confirm it on behalf of Cogina, party to the original text, in 981⁴⁴.

Revisiting a document presented a further opportunity to revise its text, in a sign that the writing process could be ongoing and flexible as much as discrete and fixed. In 990, when the sisters of San Lorenzo jointly donated half of what they held in Alija de la Ribera to San Salvador de Matallana, they changed their minds that same day to make another donation, of all their property; though the first charter was later overwritten, it survives along with the new version⁴⁵. At greater remove, the bishop of Astorga returned in 1021 to elaborate on his gift to the monastery of San Dictino from the year before⁴⁶. Such cases where the second charter offers a larger gift, describes it in greater detail, or defines parties more precisely indicate that return to the charter was regular, reconsideration of its formulations recurrent. When we are at the mercy of cartularies or later copies, however, it is difficult to know how much to read into multiple versions with apparently trivial discrepancies. Sales to Iuzef and his wife Iusta in 1021 and 1026 are each preserved in a pair of copies: in the second of both charters, Iuzef is labelled *ebreo*,

⁴⁰ ChLA 114, 22A-C; Davies, *Windows*, 126-32.

⁴¹ León 10, 330.

⁴² Otero 4, 155.

⁴³ PMH 10, 38, 64.

⁴⁴ Oviedo 26; Collins, «*Sicut lex*», 500-1; Davies, *Windows*, 1-5, 146-9.

⁴⁵ León 534-5, 575.

⁴⁶ Astorga 230.

the property located with greater resolution, and the price lowered by half a *solidus*⁴⁷. But do these changes result from the vagaries of transcription or illuminate a plastic transactional and documentary process, recurring on itself in light of negotiation, in search of specificity, in the interest of finer phraseology, in need of more impressive witnesses, or for some other elusive motivation? As the scribe pivoted between his model and the moment, he fitted it to the priorities of the parties, and this process behind the writing of each charter was as flexible and variable as the unfolding of the transaction itself.

1.3 *Coordinating the Process*

Taken together, documentation and transaction were a complex and recursive process, but should they be taken together? In theory, that they were integral scarcely needs proving: clauses such as *ordinamus vobis eam possidere per hanc cartulam testationis nostre* or *quod supra scriptum est sic vobis ad integro firmamus possidere perpetualiter* identify the charter with the transfer of property⁴⁸. This rhetoric need not be reality, but it is borne out in charters which document incomplete transactions, framing and thereby helping to conclude them. The sale made by Godiosa and her son Seniore to Goinu around 960-973 is one of many where the statement of price is limited to a noncommittal *accepi de precio que michi bene conplacuit*⁴⁹. The charter is otherwise final—confirmed, witnessed, even signed by the scribe—and as such it defines the scope of or sets the parameters for the final negotiations outstanding. Far from retrospections on business conducted orally, if anything these texts anticipated and set it in motion. We find signs of incompleteness in both originals and cartulary copies, so that faults of transcription cannot explain it away. Recall the sale which Sampiro composed for himself in 1013: he stated the currency of the price as *solidos*, but left a blank space for the amount⁵⁰. The text was an organic part of this transaction, where all that remained to agree was price; the scope or parameter which it set was the unit of price for the property under sale, framing the settlement of the transaction within those terms.

Comparable cases include a sale in 936 for a *vacca colore ruvea et alio pretio que michi bene conplacuit*, partly determined, partly undetermined; a sale in 1009 for *alia terra quantum a nobis bene conplacuit*, defining the category of the price but not its amount; and a third sale in 929 for a tunic and *alio pretio sub uno modios VII quod sus pretius dedit*, stating the amount without determining its elements⁵¹. Even when the price was realised in the text, however, this was not necessarily an end to it. In another sale made by Agildo and Gualamiru to Cresconius in 1007, the two vendors have subscribed it, but Agildo, who is to supposed to receive four *modios* in price, adds a plaintive note, *abeo heu adhuc proinde ipsam kartam ad roborare*, suggesting that payment of the price remained up in

⁴⁷ León 774, 828.

⁴⁸ León 548, 619.

⁴⁹ León 421.

⁵⁰ León 715.

⁵¹ León 111, 684; *San Vicente* 6.

the air, and that a document could apply pressure to complete a transaction⁵². How long this intermediate stage might last is underlined by an exchange or sale between Count Pedro Flaínez and Fruela Sendínez from 15 February 1029. On the same parchment is a *placitum* of 8 December in which guarantors for the count undertake to hand over his land if he should default, while in a second written on another parchment guarantors for Fruela Sendínez and his family vow to deliver their land to the count on his return to Valdoré⁵³. Ten months after a charter set this transaction in motion, it was still being worked out via further documents.

The writing of a charter was thus a moment, or series of moments, in the course of a transaction. It might fall anywhere from start to finish or beyond, but when we consider it in the context of witnessing, contemporaneity of content and composition comes to the fore as the norm. Confirmation involved not only granters and at times recipients, but also witnesses, and an expectation of their presence is embedded in the formulation of the text, to the extent that some such as the famous Citi and Velliti are formulaic or «generic» rather than real, akin to the «many others» commonly conjured to pad out witness lists⁵⁴. The point is that charters presumed a social context for their confirmation, and evolved standardised language, subject to customisation, to encompass the act: whether amongst «those who were present» in 926 or the witnesses who were present *ibidem* and confirmed in 945, those who were present here in 997 or there in 1020⁵⁵. Formulaic language can accompany names in witness subscriptions too, such as *ubi preses fuit* in 951 or *ic preses fui* in 957, or Arias Muniz, who was present, saw, and confirmed in 988⁵⁶. But why were they present? Longer formulae make this more explicit, whether in *istam rovorationis cartam* in 984, or *testibus qui ibidem presens fuerunt tradimus ad rovorandum* in 899, or simply the *testibus a me rogatis* in 942⁵⁷. And what did they do? They watched: as the witnesses *quos viderunt* in 961, or who were present and saw in 1016, or who were present and *ista kartula roborare viderunt* in 1010⁵⁸. They listened — *et audierunt et viderunt* — like those on hand in 1025⁵⁹.

While witnesses are most associated with final confirmation of the charter, they may have been present from its inception in an expression of intent. In 937 the last will of Mater was set down in writing and executed, but she had declared it from her deathbed some time before, in the presence of seven people named in the testament⁶⁰. At a more middling stage, ten witnesses met at a church of San Lorenzo *ad terra consinanda et terminos postos* for a sale in 930, and this formula is a common feature of boundary clauses; in 952, the process involved putting up *karacteres fitos*, and Quinderedus *presbiter* linked

⁵² *Celanova* 306.

⁵³ *Otero* 188-90.

⁵⁴ Muñoz y Rivero, «Citi, Velliti»; Martínez Sopena, «Antroponimia», 156; Peterson, «Sobre el nombre», 122, 127-9, 132, 135; Barrett, *Text*, 162.

⁵⁵ *León* 71; *Cardena* 23; *Otero* 43, 129.

⁵⁶ *León* 240; *Eslonza* 27; *Coruña* 102.

⁵⁷ *Sobrado* 1.64; *Cardena* 102, 19.

⁵⁸ *Celanova* 144; *Sobrado* 1.9; *Otero* 83.

⁵⁹ *Coimbra* 203.

⁶⁰ *León* 118.

his subscription on a testament of 816 to the establishment of limits for the property⁶¹. Boundaries could be flash points, and multiple disputes feature the dispatch of *previsores* (inspectors) to *previderent* them: they subscribe the records of such acts *quod previdi*⁶². But the language can also be unclear. The 20 witnesses present when four losing parties in a dispute *adsignarunt* common land in 946 may have observed the same process of perambulation, as *adsignabimus* appears in a boundary clause of 1024, or they may have watched a formal transfer of ownership, to judge by *signavimus* in a confirmation clause from 944; indeed, one witness to an exchange in 948 confirmed *pro quod dare vidi villam*⁶³. Witnesses could be present to certify or set the price: five silver solidi were *in pondere pesatos coram multitudine* in 1010, while 14 people *ipsa villa apreciauerunt* in 999⁶⁴. And there was no use for a private oath, hence *iuravimus coram testibus* in 954, nor to undergoing the ordeal of hot water without an audience, hence the listing of those present *ad iuramentum* and in attendance *quando innocens ingressus est ad pena kaldaria* in a dispute settled in 953⁶⁵.

Subscription was simply the final stage of the transaction which witnesses attended. When Iulianus *presbiter* made his testament to Santos Justo y Pastor in 954, he confirmed it at home *in conspectu de* a series of relations and non-relations *qui veniebant me visitandum*, while Garvissus, in the course of a dispute in 958, came to Sahagún with *frater* Vistremiro and *in presentia* of the abbot and *praepositus* confirmed *placita* to appear before the bishop in León⁶⁶. Across the corpus such attendance and involvement of witnesses is axiomatic: a charter *tradita et roborata* before them in 979, those who were present *quando ipsa cartula roboravit isti sunt* in 943⁶⁷. When granters *manus proprie sygnum impressimus*, typically it is *coram testes ad roborandum*, as in 947, *coram multitudine*, as in 984, or *cunctis videntibus*, as in 993⁶⁸. Ordinarily it meant watching scribes affix signs on their behalf, and perhaps for that reason scribes at Otero favoured a formula without agency: *qui preses fuererunt et ista karta roborare viderunt*⁶⁹. In other cases the emphasis is more general, witnessing the writing of the charter as a whole: *facta hac scriptura a nobis et roborata simul cum testibus* in 922, or before prince, bishops, and orthodox men in 902, or —*ut tunc mos erat* around 1018— *coram idoneis testibus Smaelitis*⁷⁰. With unusual precision, Ambrosio *presbiter et notarius* drafted a diploma *in casa dominica in Lionia* (in the lord's house in Lionia) *ante nostro domno simul cum illo comite* in 956⁷¹. Both the witnesses present when *isto mercato* was done in 1005 and the granter who declared

⁶¹ León 88; *Celanova* 96; *Florianio* 25; Martínez Sopena, «Palabras»; Pérez Rodríguez, «Descripción».

⁶² *Coruña* 65, 107; *Celanova* 86; *Sobrado* 1.122; *Lorvão* 30; *Braga* 19.

⁶³ León 191, 810, 188; *Celanova* 83.

⁶⁴ León 688; *Celanova* 238; Davies, «Sale», 165-70.

⁶⁵ *San Isidro* 10; *Oviedo* 26.

⁶⁶ León 278; *Sahagún* 159.

⁶⁷ León 470; *Sobrado* 1.10.

⁶⁸ *Cardeña* 347; León 498; *Santiago* 57.

⁶⁹ *Otero* 24, 27, 42, 48-9, 51, 53-6, 58, 66-71, 73.

⁷⁰ *Sahagún* 29; *Samos* 33; *Lorvão* 15.

⁷¹ León 295.

comparavi illum montem coram testibus in 971 well understood that a transaction was a collective and participatory context⁷². Not every witness was present for every stage of it, but every stage was witnessed.

2 WHERE: THE SCRIBE AND THE COMMUNITY

2.1 *Sites for Text*

The image of a charter being witnessed publicly by dignitaries yet written privately at home reminds us of the twofold setting of text: the communal situation and physical location of writing. Where did transaction and documentation take place? The answer is varied, and points us towards a twofold conclusion, that the act of writing could be done anywhere, but the whereabouts of writing did not matter in itself. Across the corpus, capital cities (Oviedo, León) and towns generally play a minor role as centres of documentation; there is little sign that the Christian kingdoms and counties of early medieval Iberia were or aimed to be highly centralised polities, much less bureaucratic states. Yet this also reflects the itinerant nature of contemporary kingship. In 952, the parties to a court case signed a *placitum* in the presence of Ordoño III at Simancas, undertaking to appear before him on his return to León, or if he were running late to present themselves to the bishop instead. In the event he did prove tardy, and the disputants had to track down the bishop at San Feliz de Torío, to the north of León, where he was visiting with his clergy and heard the case⁷³. The charters are just forthcoming enough about where they were written up to reconstruct a partial outline of the movements of these itinerant kings⁷⁴. The documentation becomes denser as the tenth century progresses, and the recorded locations become more obscurely rural: we can follow Vermudo II and Alfonso V presiding over judicial assemblies at remote, even unknown villages and hamlets in Galicia especially, such as Larín and the «spa towns» of Laias and Molgas⁷⁵. And while the kings of Navarra and counts of Castilla are more rarely tracked, a noted charter whereby the monks of Monte Laturce submitted to dependence on the monastery of Albelda in 950 was confirmed during a ceremony for Sancho Garcés I at Resa on the Ebro River, site of a tower and where he seems to have been buried on his death in 925⁷⁶. Decentralisation of writing was the norm, and a capital city was only one source amongst many for diplomas.

The picture for private charters is even more disparate. Bald indicators of location have a random character: a lay sale of an unidentified Leonese field in 967 was recorded *in illa scola* (apparently in Oviedo) by Migahel *presbiter*, perhaps an urban priest, while two tenth-century donations to Sahagún were written up at *locum de Sancti Iacobi*

⁷² León 649; Sahagún 264.

⁷³ León 256.

⁷⁴ Barrett, *Text*, 144-9.

⁷⁵ Andrade Cernadas, «Villas regias» and «Baños».

⁷⁶ Albelda 19; Ubieto Arteta, «¿Dónde estuvo?».

(presumably either Santiago de León or Santiago de Compostela) and «Castro de Nuño», places with no stated relationship to the properties involved⁷⁷. In Portugal, one sale from 994 was set down, quite charmingly, in the orchard under the walnut tree, others in *villa Abozamates* or in *villa Ferrarios*, both local contexts⁷⁸. Disputes were held at similarly diverse sites: Count García Gómez and Zahbascorta ven Abolhauz sat in judgement at Villalpando in 998 to hear a case involving Sahagún, some 70 kilometres away, and parties out west appeared before lay and ecclesiastical judges at Pezobre and Gondomar, both barely villages⁷⁹. But most locations for written transaction fall into one of four categories: at a church, at the property involved, or with either the grantor or recipient. In 930, the witnesses of a sale to Felis *presbiter* and his family met *ante* a church of San Lorenzo to mark out the property⁸⁰. Sales in 940 to Mavia Indura *presbiter* and in 943 to Flazino and his wife Eogenia took place before witnesses *in conventum ecclesie* of Santa Cecilia and at San Martín, just as Alfonso V re-established San Esteban de Ribas de Sil at the monastery of Celanova in 1007⁸¹. Scribes were ecclesiastics, mainly, and writing a charter commonly meant gathering at a church. At times this was the local church specifically, as when Leocadia gave land in Marialba to Abellar in 951 and the village scribe Stephanus *presbiter* wrote it up *in conventu* of Santa María⁸².

Churches recur as venues for disputes, and with their connection to divine power lent a supernatural element to settlements. Many stops on the royal itinerary were churches: after Vermudo II returned to León from Galicia, where he had taken refuge during a noble revolt, he heard a case *in covento eglesie* of San Salvador in 993⁸³. There were hearings *in aula* at San Martín de Villacid in 1013 and at San Martín de Turieno in 962, while to the west parties met judges at San Cristóbal *ad Malage* in 987, and in another case first at Guillhabreu, site of the property at issue, then Santa María *de Villa Mediana* in 1011⁸⁴. In these obscure churches we must be glimpsing sites of local authority, but the choice was also functional: the written terms of an oath (*condiciones sacramentorum*) were held and sworn to over the Gospels and relics of the saints at the altar⁸⁵. At Burgos in 972, before Count García Fernández, the parties took an oath *in vanitate* (they failed the test) in a church of Santa Lucía, while a case between the bishoprics of Lugo and Iria Flavia (Santiago de Compostela) in the late tenth century was ended by *conditiones* sworn on the *sacrosanto altario* of San Julián⁸⁶. The intimidation factor was telling: in the face-off between San Rosendo and Bishop Sisnando in 961, the disputants agreed to an oath at the tomb of Santiago himself, but the partisans of Rosendo withdrew

⁷⁷ León 404; Sahagún 132, 279; González González, «Cultura escrita», 221.

⁷⁸ PMH 172; Loruão 33; PMH 175.

⁷⁹ Sahagún 356; Sobrado 1.132; Coimbra 203.

⁸⁰ León 88.

⁸¹ León 137, 162; Rocas 1.

⁸² León 236.

⁸³ León 559.

⁸⁴ Sahagún 400; Liébana 66; Celanova 200; PMH 216.

⁸⁵ Valpuesta 10-11.

⁸⁶ Cardaña 98; Sobrado 1.109.

lest they lie and left those of Sisnando to do so instead⁸⁷. Many a dispute ends at just this stage, a sure sign of the workings of God's authority in His churches.

The other venues for written transaction are altogether more pragmatic, and witness how intimately writing was embedded in the community of its users. The scribe recorded the donation on site at the property concerned when Ordoño III made a gift of the *villa* of Lionia to San Martín de Fonte de Febro in 956, just as Alfonso IV was at Villafria in person when he confirmed it to San Pedro de Cardena in 931⁸⁸. The same happens in private charters: Iuliano and Ilduara left land in Melgar to Sahagún in 978 by a testament drafted *hic in Melgare*, just south of the monastery⁸⁹. Similarly, a pact by the sisters of Villagonzalo Pedernales was cast in writing at the eponymous *villa vocitata de Gundissalbo Telliz* in 947, and Blasco Garciez sold his house in Salinas to Albelda with *tota villa testificante* in 947⁹⁰. Some disputes were settled on site, as between Munio Gutiérrez and Christoforus *presbiter* in 992, where parties and judges *coniuncti sunt in ipsa casa*, a contested church of Santa María in the territory of Présaras⁹¹. But it was in boundary disputes that records were most often made locally. The *previsores* set out, like the *homines bonos qui solent antiquitum conprobare* from Dume in 911, travelled *ad locum*, met at the *arcas* or boundary markers, as at Alcainça and Vila Cova in 936, and followed their course on horse or foot⁹². Texts of perambulations typically feature an intrusive shift from third- to first-person narration, for as one scribe said in 950, *scribere studuimus* those boundaries *in ipso loco*, an instant passage from memory to written record⁹³. Just as boundary clauses listed and delimited the appurtenances of each plot of land in order to hammer home the rights being transferred, by taking the text to the land and perambulating it parties made certain where ownership began and ended⁹⁴.

The writing process seldom took place at the location of the granter, and only in the case of clergy. Totadomna and Auria of San Miguel Arcángel de León in 1006 made *apices testamenti* to Abellar which Gómez *presbiter* wrote *subtus* their church, while three members of a monastery of San Vicente in Besoxo, its congregation confirming, exchanged land with Sobrado dos Monxes in 964⁹⁵. The charter was far more commonly written at the site of its recipient: though it was in his own house that Iulianus *presbiter* sent for witnesses to his last wishes in 954, he had first been to two monasteries in his quest for a legatee⁹⁶. Intriguingly, when Severus and his wife Recesinda granted their *scriptura profiliationis ac donationis* to Gundefredo in 905, one witness signed *dum essere pausati in domo istius Gundefredi*, as a visitor called on to confirm, while Sampiro records in 1018 putting his donation to Santiago de León onto its *sancrosancto altario* after con-

⁸⁷ *Santiago* 42.

⁸⁸ *León* 295; *Cardena* 197.

⁸⁹ *Sahagún* 294.

⁹⁰ *Cardena* 115; *Albelda* 14.

⁹¹ *Sobrado* 1.130; Bermúdez Beloso, «*Presares*», 98, 103.

⁹² *Braga* 19; *Lorvão* 36.

⁹³ *Celanova* 86; Collins, «Visigothic Law», 101-3; Davies, *Acts*, 200-1.

⁹⁴ Miceli, «*Formulismo*», 39-42; Zimmermann, *Écrire*, 1, 208-17.

⁹⁵ *León* 660; *Sobrado* 1.121.

⁹⁶ *León* 278.

firmation *coram multitudine fideli ecclesiae*⁹⁷. Since the charter typically stayed together with the land, changing hands from old recipient to new, conducting transaction at the destination of both text and property was logical, and we find documents destined for all the great Leonese monasteries drawn up at them: before San Salvador at Matallana, or inside San Cipriano at Valdesaz, or Alfonso V ordering a testament for San Vicente de León to be prepared in house⁹⁸.

Where we know the location of a transaction, the site of the beneficiary is by far the most common, nicely expressed in a sale by Argerigo and Adosinda to Evenando *presbiter* written with *nos totos tres in tua casa*⁹⁹. Numerous charters addressed to Sahagún as well as to certain subsidiary houses were composed there in the *aula* of Santos Facundo y Primitivo, featuring a visit by Alfonso V with Sampiro in tow in 1018¹⁰⁰. One exception to the singular direction of travel to the Church is the visit paid by the brothers of Eslonza to Oveccus ibem Telliz in 988, seeking funds for rebuilding after «Saracens» had razed it, but extraordinary times called for like measures¹⁰¹. Writing before the recipient is particularly well attested in Galicia: of course, Compostela was a regular stop for kings and their agents, and hosted both a council presided over by the future Alfonso III in 862 and an inquest held in the presence of Alfonso V in 1019 (its authenticity has been queried)¹⁰². Charters to Samos were often made in its *congregatio*, and Sobrado welcomed Alfonso V on 18 April 1017 to re-confirm two of its charters, just as its patrons Hermegildo and Paterna triumphed in court cases heard there in 951 and 952¹⁰³. Many a text was likewise written up on the very *pallam altaris* of Celanova, notably the testament of San Rosendo in 977, while the monastery hosted two other houses for a charter signing in 993¹⁰⁴. Similarly to Sobrado, a series of judicial proceedings turning out in its favour were conducted at Celanova between 1007 and 1012; churches were centres of writing, and used this to advance their own interests¹⁰⁵.

2.2 Gatherings for Text

When the varied locations for transaction and documentation are taken together, they conjure an image of parties, participants, witnesses, and scribes ever on the move, recording their business in writing, everywhere and anywhere. Yet this variety suggests that location as such was not the primary consideration, and the charter insists more on the collective context, wherever it may have been, for the transaction being documented¹⁰⁶. Assembly for a written transaction happened sufficiently often that it was

⁹⁷ *San Vicente* 3; *León* 756.

⁹⁸ *León* 529, 761, 822.

⁹⁹ *Eslonza* 1-2, 9; *Coimbra* 155.

¹⁰⁰ *Sahagún* 164, 404, 301.

¹⁰¹ *Sahagún* 340; *Isla Frez*, «Warfare», 241.

¹⁰² *Santiago* 3, 61.

¹⁰³ *Samos* 175, 44, 239, 178, 151, 157, 64, 82, 76, 19, 69; *Sobrado* 1.6, 1.107, 1.31, 1.103.

¹⁰⁴ *Celanova* 242, 185, 219; Díaz y Díaz, «Testamento», 52-8.

¹⁰⁵ *Celanova* 308, 312, 315, 331.

¹⁰⁶ Zeller, «Writing Charters»; Davies, *Windows*, 204-31.

not always registered, and a singular focus on terminology can distract from this fact. Some parchments are records of «business fairs» more than discrete transactions, like the original from 1005 with three sales by four couples to Maurele Velázquez and his wife Gudina, or the ten self-donations made to Santa María de Piasca on one day in 957¹⁰⁷. Parchments with multiple transactions and the same recipients are more instant archives, one even with a joint dorsal note summarising them: an archival mindset is patent too when Baldemiru and Placidia, selling to Valdevimbre on 29 February 952, made sure to cross-reference their land as neighbouring what the monastery had bought from them already¹⁰⁸. We also catch sight of assembly in multiple parchments with charters of the same date. On 20 February 950, a husband and wife and another woman with her five children made sales to Iulianus *presbiter*, witnessed by two groups of people, whereas on 26 February 1026 two scribes, Ermegildo and Iohannes, wrote up donations to the monastery of Santillana del Mar first by Citi Petríz, then three daughters of Romano and Argylo¹⁰⁹. Sharing witnesses was more common, and on 1 July 930 the scribe Ranulfus *presbiter* stuck around for further business documented by Etylmirus *presbiter* on behalf of San Pedro de Montes¹¹⁰. Scribes could be hired for the day: Iulianus *confessor* recorded two gifts made by Ramiro III to Sahagún on 11 May 971, while Florentius *scriba* illuminated both the restoration of San Andrés de Boada and the confirmation of Santa María de Cárdaba to San Pedro de Arlanza for Count Fernán González on 1 March 937¹¹¹.

With numerous «charter days», when three, four, or more transactions were recorded, all to the same recipients but only some with the same witnesses or written by one scribe, the writing process clearly involved planning, setting days for parties, witnesses, and scribes to gather, and a surplus pool of people per text milling about and waiting their turn. From what little we know about when the act took place, it could be on any day and at any time: a sale to Agube and his wife Auria in 950 was documented on a Sunday at *ora III* (morning), another in 951 on a Saturday at *ora erat quasi vesperum* (late afternoon or early evening), and both were the work of a single local scribe¹¹². Even when transactions took place at the same site, therefore, witnesses are not always identical, as in two testaments from 9 December 1022 to San Salvador de Matallana witnessed by two wholly different groups, though some overlap is normal¹¹³. On 27 April 1030, indeed, Vivi *presbiter* wrote up a sale by Vermudo and his wife Donna Nova to Cidi Domínguez and his wife Oria before six witnesses, then a second by Zidi Pelagiz and his wife Tarsia to the same on that parchment, the only new witness Vermudo himself in a change of roles¹¹⁴. This continual act of bringing people together must underlie the formation of the «councils» and «collations» of the sources: members, once they had met often enough, were no longer being actively assembled, but meeting at established points of

¹⁰⁷ León 652, 657; Sabagún 153.

¹⁰⁸ León 563-4, 246-7.

¹⁰⁹ León 211-12; Santillana 37-8.

¹¹⁰ Montes 11-12.

¹¹¹ Sabagún 261-2; Arlanza 14-15.

¹¹² León 226, 237; Davies, «Local Priests and the Writing of Charters», 36.

¹¹³ León 794-5.

¹¹⁴ León 866-7.

assembly. The writing for which they were meeting was a community affair; that communal quality is the essence of witnessing the charter¹¹⁵.

2.3 *Audiences for Text*

Witnesses and therefore collectivities are ubiquitous in the documentation, and if we categorise them more sensitively than just by status, we quickly form a picture of diverse and often unexpected varieties of social participation in written transaction. Witnesses could be identified by geographical origin, converging from near or far on the location of the charter. In one exchange involving land in Marialba from 965, the witness Corasce is called *de Sancta Maria Alva*, a local, while a sale of property beneath the city wall of León in 974 features a witness from the neighbourhood of Puerta del Obispo adjacent to the cathedral¹¹⁶. They could come from a religious institution party to the transaction, such as a *soror de casa* attending a testament to Santiago de León in 1028, or a *frater de Domnos Sanctos* (Sahagún) at a sale to that monastery in 997, just as San Miguel de Támara took its own *testimonias* to a donation in 968¹¹⁷. But other witnesses originate from places not so directly involved, like the exchange of vineyards on Monte Aurio in 942 with a witness from Cea, or the donation of a vineyard in Marialba attended by one from Monasterio-lo¹¹⁸. They could even come from afar: one from Burgos at a sale to Piasca, some 150 km away, in 959, or two from Pamplona at a donation to Sahagún, remarkably 320 km away, in 962¹¹⁹. The clergy are more obviously mobile, like the priest of Sahagún at a donation to Santos Justo y Pastor (50 km away) in 980, or the abbot of Sahagún at Cea (12 km) in 1026 for the restoration of some property to Santa María de León; the bishop of Ourense attended a testament to Celanova (25 km) in 962, explaining that the monastery was located in his own diocese¹²⁰. We regularly encounter groups of bishops from sees hither and yon at royal undertakings and others of high status.

Yet lay men and women travelled to witness transactions too, and the testament made by Iulianus *presbiter* in 954 was ultimately confirmed in the sight of members of his family attending him at home¹²¹. The most notable charters in this regard are those listing witnesses from multiple locations, such as the exchange of land in Valdemorilla and Matella made in 952 before not only a group from Matella itself, but also a person from Villaseca, or a gift of property in Rioseco to Abellar in 943 witnessed by a party of six coming from Villobera and one each from Covellas and Villacete¹²². Documentation from Sahagún has a notable habit of enumerating witnesses by *villa* of origin, up to seven on two occasions, while a donation to Eslonza in 946 lists witnesses from nine different

¹¹⁵ Barrett, *Text*, 155-62.

¹¹⁶ León 386; Sahagún 278.

¹¹⁷ León 848; Sahagún 354; Cardaña 239.

¹¹⁸ León 153, 264.

¹¹⁹ Liébana 57; Sahagún 196.

¹²⁰ León 479, 829; Celanova 154.

¹²¹ León 278.

¹²² León 244, 175.

sites¹²³. Normally they are local, but there are also instances of lay witnesses from some distance away: the two from Guimarães and León who were at a testament to Celanova in 1000, or the three from León, Simancas, and even Córdoba (this last an abbot on a diplomatic mission) present for a donation to Abellar in the mid-tenth century¹²⁴. In such cases, they were likely in place already, invited to confirm for their standing or the neutrality of their outsider status, but collectively, as with the clergy, travelling witnesses are signs of how every text is a confluence of actors, and each transaction entailed inviting parties, scribes, and witnesses both nearby and remote.

Transaction had ramifications at the higher levels of élites and estates, but it was first an event with implications for the «small worlds» of local communities¹²⁵. We can see this in the presence as witnesses of the neighbours of the property under donation or sale, such as *ipsos vicinos qui sunt presens* at a sale to Buezo de Bureba, a monastery, in 950¹²⁶. Persons and places cited in the boundary clause reappear in witness lists with some regularity. The witnesses Baltario and Ferrocinti were neighbours of the land sold in Valdesogo in 939, as was Vigila *presbiter* of Revendeca in 966, while Arias Dagaredi could correspond to the *villa* of Dagaredi where salt-pans for sale in 929 were to be found; a certain Aiub makes a sudden appearance confirming alongside the granters of a charter in 947, possibly because they were selling property next to a *kastro* bearing his name¹²⁷. More explicitly, amongst the witnesses given provenances in a sale of land at the *villa* of Aspera in 978 is one Valeyrus *qui ibidem abitabit*¹²⁸. In the event of a dispute over the transaction, the recognition of its legitimacy by immediate neighbours mattered as much as that of previous owners, whom we also meet in charters. In 909, a sale of lands formerly belonging to Petro and Arias was witnessed by Petro and Arias themselves, as another of a vineyard *quem nos abemus de patre nostro Baldreo* featured Baldreo as witness in 1024; a sale of property which the mother of the granters had obtained by a charter from Anagildo even took place before Anagildo in 1012¹²⁹. The object was to get all those with a claim on board with it changing hands, thereby producing a written history to be deployed in the event of any contention.

In this connexion, one final if metaphorical category of local witness is the relative, easy to find and presumably more common than the evidence allows us to state. The great testament of Mumadona from 959 comes to mind, which all six of her children signed off, as much of their property passed to the monastery of Guimarães¹³⁰. In some cases, relationships are declared, such as Mihael *presbiter* and Laurenze, brothers of Fructuoso, who witnessed a sale by the self-same Fructuoso *presbiter* in 1028, or they are implied by a patronymic: the granter Vigila Verobiz and confirmer Sendino Verobiz in 974, the granter Pedro Flaínez and witnesses Munio and Fernando Flaínez in 1002,

¹²³ *Sabagún* 87, 364; *Eslonza* 21; Davies, «Local Priests in Northern Iberia», 128.

¹²⁴ *Celanova* 242; *León* 276; Carriedo Tejedo, «Sol», 41.

¹²⁵ Martín Viso, «Unequal Small Worlds».

¹²⁶ *Valpuesta* 28; Zeller *et al.*, *Neighbours*, 181-221.

¹²⁷ *León* 133; *Valpuesta* 37; *PMH* 35; *León* 197.

¹²⁸ *San Vicente* 19.

¹²⁹ *Cardena* 62; *Otero* 164; *Junqueira* 2.

¹³⁰ *Guimarães* 1A, A3.

Ioacino and Gaudinas iben Ioacino in 998¹³¹. In 976, we have Vela Vermúdez and Vermudo Velaz as granter and recipient together with their respective sons Nuño Velaz and Fernando Vermúdez as confirmer and witness, but this is exceptional; the form and use of such patronymics remained irregular and intermittent into the high Middle Ages¹³². In bringing the family, however, the parties to a transaction were not alone. There are a father and son amongst witnesses in 930, and three married couples, one with a sister as well, in 937, while we have a husband, wife, and their three children in 959, and four individuals surnamed Ruderici in 945¹³³. Granters involved their families to ensure that they accepted the implications of the transaction, and when witnesses brought their relations it extended the memory of the act to subsequent generations. The audience of the charter extended beyond the important and predictable to society at large, as implied by the measure of wine *que veberont ipsas testes* when Albaro frater sold a vineyard to Munnio Asurizi in 966, recorded by the scribe Didaco Munniozi and overlooked by later copyists¹³⁴. It finds an echo in the *raise* (also *albaroc* or *roboratione*) of eleventh-century charters from eastern Castilla, which seems at least in some cases to describe the provision of a communal meal involving—even implicating—locals in the transaction¹³⁵. Compensation for witnesses of shared food and drink is a facet of rallying community around text.

3 CONCLUSION: SPACES OF READING

Each charter was a convergence, where witnesses from a broad range of origins came together at a broad range of sites, watched and listened to the serial stages of transaction, and internalised the salient details in communal memory¹³⁶. But what was the interface between written transaction and attending community? Confirmation relied upon two oral processes: hearing the granters swear oaths was a prelude to listening to the text itself read aloud by the scribe. Donnadeo confirmed his sale in 894 with the words *relegendo audivi*, while Abbot Indulfo said of his testament in 980 that *coran legenter audivi*¹³⁷. Emphasis might rest on listening: as Ilduara phrased it in 925, *presenti adfui et propriis auribus audivi*¹³⁸. Or hearing might be expressed as a quality of the document, as in a *scriptum* of Arvildi and son *a nobis factum et auditum* in 1024¹³⁹. But reading aloud served both parties and witnesses, reaching the community of those who were there: the command of a testament in 1024, *scitote qui hec lecturi estis et audituri*, or the preface to

¹³¹ Otero 186; *Sahagún* 277; Otero 62; *Lorvão* 37.

¹³² *Sahagún* 283; Boullón Agrelo, «Cronología».

¹³³ *León* 85, 118, 313; *Cardeña* 288.

¹³⁴ *Valpuesta* 37, 36.

¹³⁵ Peterson, *Sierra*, 196-201.

¹³⁶ Kosto, «Reasons», 143-6; Moore, «Hand»; Jarrett, «Ceremony».

¹³⁷ *León* 9; *Santillana* 9.

¹³⁸ *Celanova* 23.

¹³⁹ *Sahagún* 412.

the business of another testament of 936, *ut auditus sequitur*¹⁴⁰. The expectation was of dissemination, and so the sanction of a donation in 1005 cautions any who *verba legerit ut legentem audivit* not to trespass, while a confirmation of 948 hopes that *pax sit legentibus bel audientibus*¹⁴¹. In 950, when Egilo and Goto handed their charter of donation over to witnesses, they *legendo audierunt et sic rovoraverunt*, and we should take seriously the ubiquity of such formulae¹⁴².

Early medieval Iberia was a society organised for literacy at one remove: by means of the scribe, who doubled as writer and reader. The language of the text and the relationship of scribe and audience to it comes into focus here, a late, vulgar, or «notarial» Latin inextricable from early Romance. In its countless divergences from high Classical Latin the charter was comprehensible, rather than the product of barbarism or incapacity; adaptation from text to speech was simpler than we might suppose. The scribe reading his writing aloud adjusted it from the conservative written word to an evolving spoken word, handling such challenges as arose not from vocabulary, syntax, or phonetics but some aspects of grammar by doing so in a «comprehensive manner», or «sympathetically»¹⁴³. The minimal or inconsistent spacing of words and syllables on the parchment reflects a living language of the literate, and suggests phonographic more than logographic reading, lending itself to conversion or glossing by the scribe for the illiterate¹⁴⁴. At the same time, it would have called for a degree of *praelectio* or preparatory study to identify passages needing register translation and archaisms or legalese requiring careful pronunciation or explanation, but then Isidore of Seville expected no less of his *lector*¹⁴⁵. When one first heard a charter, much of it must have sounded old-fashioned or stiltedly notarial, but only that first time, as the constant recycling of text back into speech kept written and spoken registers in touch¹⁴⁶. The process of composition, confirmation, and comprehension points to similar integration: in planning ahead, coordinating assembly, and involving a wide range of participants, we meet a society of minority literacy relying no less on writing for transaction, expectant of access to the written word. The home of the charter was amongst the parties, witnesses, and scribes of its text.

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¹⁴⁰ *Albelda* 32; *Celanova* 52.

¹⁴¹ *Astorga* 131; *San Juan* 18.

¹⁴² *Cardena* 49.

¹⁴³ Wright, *Early Ibero-Romance*, 167; Wright, *Sociophilological Study*, 3-17, 211-42; Wright, «La difusión».

¹⁴⁴ Finbow, «Inter- and Intra-Word Spacing Conventions».

¹⁴⁵ *DEO* 2.11; Denecker, «Getting the Accent Right».

¹⁴⁶ Pensado, «Leonese Vulgar Latin», 201; Pérez González, «El latín», 86-98; Barrett, «Conservatism».

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