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ARCHIVES AND READERS: PRESERVATION AND CIRCULATION OF DOCUMENTS IN BYZANTINE MONASTIC ARCHIVES

Abstract

Present article deals with the problems of Byzantine monastic archives and its readers. Namely, trough regarding methods of keeping, storing techniques, ways of copying and persons responsible for the archives, I find out the possible readers inside of monasteries, and examine their attitude toward the content of the records. While through analyzing the situations when the monastic documents were used outside of the foundations (during tribunals, border-delineations etc.), I discover which laic authorities and individuals had access to records, and what was their ways of reading these texts.

Keywords: Byzantine, archive, monastery, diplomatics, chrysobull, charter, prostagma, cartulary, inventory, typikon, chartophylax, skeuophylax, Athos, Vazelon, Menoikeion.

As any other documents, charters in Byzantium had different stages of existence: they were issued, offered, kept, and exhibited, and, finally, could be destroyed or stored in archives. Some of these stages are well examined, while others still demand a more detailed research. The origins of a charter,¹ its composition, and the instances of approval² are sufficiently studied, especially, in the case of imperial charters; however, just a few works focus on Byzantine archives and the documents' circulation.³ However, the examination of other aspects in a charter's life, such as keeping, copying, and exhibiting, can help one understand Byzantine monks' legal and practical literacy and the role of monasteries in the preservation of records.

Subsequently, the present article will address a series of problems connected with the keeping and archiving of documents, their copying, usage, and those situations when records were exhibited and read. By dealing with these problems, I am going to find out who were people participating in the stages of the charters' material lives, and, consequently, who had access to their content, and was interested in it. The reasons for posing such questions are the following: whereas the ideological content of charters (especially of their *prooimia*)⁴ and their use as means of imperial propaganda seems to be self-understood now,⁵ the addressees of such texts and their social status are understudied.⁶ Moreover, this research can contribute to our understanding of reasons behind numerous donations given to monasteries of. I argue here that well organized archives and monks' care brought to monasteries the fame of good administrators, and guardians of records, which explains in turn why people, wishing to be posthumously remembered, preferred to be commemorated by members of these memory-keeping communities.

Monasteries as Archive-keepers

The problem of Byzantine-archives making was generally addressed on the materials of St. Sophia patriarchal archives;⁷ however, the documents belonging to Byzantine monasteries can provide for very detailed accounts on this matter. Monasteries and town metropoleis were perceived as safe places and they had a developed archival system determining private persons to leave there their documents for storage.

The *proedros* Nicephoros Bourtzes passed to the Monastery of Docheiariou only the copies of his documents concerning his property in Rouseou (gift-granting deed of a *kaisar* "and the *chrysobull* accompanied by it"), "because the originals were left for safekeeping in the holy *skeuophylakion* of Hagia Sophia under the receipt of the most blessed Metropolitan of Thessaloniki, *kyr* Theodoulos". He also passed "for greater safety" to Docheiariou the receipt of records left in the metropolis.⁸ Similarly, when Michael VII granted an estate to Andronikos Doukas, the original *periorismos* of the possessions was left in the Metropolis of Miletus, while the owner received only the copy.⁹

As these examples show, ecclesiastic institutions had their own archives which could be used by private persons belonging to the jurisdiction of that ecclesiastic institution. Probably, the use of church archives was a

direct consequence of the fact that ecclesiastic authorities held the offices of judges¹⁰ and notaries¹¹ leaving in the storages of their *metropolia* the copies of deeds they took part in.

In some cases, an ecclesiastic organization could use the archive of another one for storing their records, this guaranteeing a greater safety and the monks' inability to change the content of their founders' constitution or to produce forgeries of imperial acts. Athanasios Philanthropenos, author of St. Mamas Typikon (1158), left "for security" the originals of the main statutory documents (*typikon*, patriarchal *lysis*, and imperial charters) in the *skeuophylakion* of Christ Philanthropos Monastery. The Philanthropos Monastery gave to the monks of St. Mamas the receipt (*semeioma*) confirming the receiving of documents and explaining the ways of keeping, exhibiting and returning them.¹²

Sometimes, documents belonging to a single monastery were divided into groups and kept in different places. In his *Petritzonitissa Typikon* (1083), Gregory Pakourianos ordered that 22 *chrysobulls* concerning family properties in the Eastern provinces were to be kept in Hagia Sophia in Constantinople, while 19 *chrysobulls* concerning monastery's possessions and the founder's personal affairs were kept in the *Petritzonitissa* Monastery. In addition, the *Petritzonitissa* preserved several taxation *pittakia*, copies of cadastres, two *praktika*, and border *periorismoi*.¹³

One can assume that the practice of acts' safe-keeping in external institutions has changed after the 11th-12th century, an indirect evidence of this being the Athonite court act of 1317.¹⁴ The judge (Athonite *protos* Isaak) expresses his deep suspicion toward the provenance of a document, which according to words of the suitors (monks of Xenophon), was kept in the external institution:

When we wanted to know about the place where it (the act) was hidden for so long... there was great discordance in their words. One told that it was found in the venerable monastery of Thessaloniki, called Basilikon, in the *skeuophylakion*; another one, that it was in the cell of one of its nuns, who was a sister of Pherentinos who, being the *hegoumenos* of the venerable imperial Monastery of Chortiaton, was once a superior of the Monastery of Xenophon and had a good knowledge of its affairs. And that, after his death, he assigned (it) to the one who lived with him (his sister). And now, when she was making arrangements concerning the documents, she found out that it is ours and gave it to us. Another one told also that it was found by someone from Bardarion. And being annoyed by such discordance and impropriety of words, we sent them out...

This passage, if one disregards the hostile tone, represents a quite consistent story about the origin of the act in question. Since Phereintinos was once a *hegoumenos* of Xenophon,¹⁵ he could place some documents in the *skeuophylakion* of Basilikon and appoint his sister to take care of papers after this death, while “someone from Bardarion” could be merely a person who physically brought the records to Xenophon. However, the judge’s suspicion and such cases’ consequent rarity can explain somehow the rise of forgery production in the 13th-14th centuries.¹⁶ Whereas before monks didn’t have permanent access to documents, these being placed in external institutions, in Palaiologan time, when this practice was partially abandoned, the owners of archives could produce forgeries or alter the acts’ content.

Some trace of document-keeping in external institutions can be still found in the 14th century on Mount Athos. The Monastery of Kastamonitou kept copies of dispute decisions between the Kutlumus and Docheiariou (1310), Kutlumus and Xenophon (1317), and a dossier of controversy between Neakitou and Zographou (1333-62),¹⁷ while one of the copies of *protos* Daniel’s decision concerning the dispute between Kutlumus and Rossikon (1430) was passed for safeguarding to Xeropotamou.¹⁸ Simultaneously, noblemen and even rulers of late-Byzantine epoch deposited their valuable possessions to monasteries,¹⁹ this practice implying that monasteries, especially the Athonite ones, were still considered safe places and could hold some external deposits. So, one can conclude that monasteries, which competed or quarreled with one another, entrusted rarely their documents to external institutions, but simultaneously they were ready to accept documents for safe-keeping from private individuals, whenever these were in relations of patronage with a monastery.

Spaces for Keeping Documents

Byzantine monastic archives were often joined to libraries, as it can be observed from practices of Mt. Athos and Patmos,²⁰ where archives and books were stored together.²¹ Such libraries existed usually either on the upper floors of narthexes or in annexes and towers. In St. John Prodromos Monastery in Serres, the library was situated in the two-storey narthex in the western part of the *katholikon*, next to the chapel of St. Nicholas, a fact which is confirmed by a pilgrim description and an inscription written on

the external wall of the church.²² On the other hand, the founder suggests existence of a special room for archives (*chartophylakion*) and lays the responsibility for archive on the *skeuophyalx*.²³ It is quite possible that both the library and archive were located close to each other in the same upper-floor space.

Proskynetarion of John Komnenos (17th century) offers some relevant information on the Athonite archives: in Vatopedi some books were housed in a special room above the narthex, while others, together with treasures and records, were placed in a *skeuophylakion*.²⁴ In the Great Lavra, according to G. Millet, the library also was placed on the floor above the narthex.²⁵

Sometimes archives and treasuries could be stored together: in his *Typikon*, Neophytos the Recluse mentions “the narthex and its upper storey, [which is] the sacristy”,²⁶ which was meant for storing “holy vessels and books”. In the case of Nea Monastery in Thessaloniki, the documents were placed together with the treasuries, since *kaisar* Alexios Angelos, passing his donation act to the monastery (1389), notices that the record will be stored “in the *skeuophylakeion* of the venerable imperial and patriarchal Monastery Nea for security”.²⁷

Such spaces were usually placed in side-annexes, like in Chora Monastery, where the *skeuophylakion* was situated in the upper storey of the northern annex.²⁸ They were difficultly-accessible and occupied rooms in the upper parts of buildings, as it was in the Monastery of Theotokos Evergetis, its *Sinaxarion* mentioning the priest, ecclesiarch, and deacon “descending” from the sacristy.²⁹

Later, some monasteries acquired special buildings for accommodating their books and acts, as it was the case of Hilandar, where the library (burnt down in 1722) was situated to the east of the *katholikon*, between the tower of St. Sava and belfry.³⁰ Additionally, some towers (*pyrgoi*) could contain document storages, though this was in great extent a later practice.³¹

One might assume that the most precious documents were separated from the bulk for greater safety. In his account on travelling to Trebizond, Jakob Philipp Fallmerayer described the only preserved *chrysobull* of Alexios III Grand-Komnenos to Sumela Monastery:

Of many *chrysobulls* belonging to different princes of the Grand Komnenoi Imperial House, which were kept in the archive of the Holy Mount’s Monastery 70 years ago, only this one was preserved, as the monks say.

In order to save it..., it was enclosed in a metallic capsule together with other jewelries, was kept and safeguarded in a chapel inside a grotto, cut out in lime-rock, in a chamber inaccessible to fire.³²

He also suggests that the monks had document's copy signed by "the four patriarchs of the East", which they used for juridical purposes.

Whether archives were kept together with libraries or in the same place with the treasury, the access to them was extremely limited. Their location was unnoticeable for visitors and restricted for monastic inhabitants. Such rooms could contain only very few persons, which means that the circle of acts' readers was limited to those who had access to such spaces, namely, to several monastic office-holders.

Persons Responsible

On the basis of data provided by *typika*, one can assume that, in Byzantine monasteries, such offices as *oikonomos* (steward) or *skeuophylax* (sacristian) were responsible for archives' supervision and arrangement. Usually, foundation documents do not stress the matter of archive-keeping, but rather the number of books,³³ or the problems of taxes and accounting. Subsequently, one might only guess that archival activities were included in the list of responsibilities of one or another office.

It is worth noticing that a group of three *Typika* (Theotokos Kecharitomene, 1110-16; St. Mamas, 1158; and Heliou Bomon, 1161-2), deriving from a lost *Typikon* of Christ Philanthropos,³⁴ present some information about the holding of the two offices, *skeuophylax* (sacristian³⁵ and *chartophylax* (archivist), by the same person. Empress Irene Doukaina Komnene ordered for the Kecharitomene nunnery that *skeuophylakissa* should "guard the sacred vessels and liturgical cloth", "record in detail the expenditures", help the nuns to produce candles, and assist to *ecclesiarchisse*. The same person should hold the position of *chartophylakissa* (archivist), keeping registers and "papers containing the rights of ownership of the convent", guarding and preserving them from moth.³⁶ In St. Mamas³⁷ and Heliou Bomon³⁸ foundations, the sacristian office is combined with the one of the archivist, but in the difference with Kecharitomene, the archivist had a greater importance, since the significant documents were kept in a cabinet "closed and sealed by both the superior and the sacristan", so that one "can't open the records without the other".³⁹

In the Monastery of Bebaia Elpis, among the nuns was chosen the *exarchousa* being “already elderly...with respect to her wisdom and character”, and experienced “in practical affairs”. She was responsible for appointing administrators to the external estates, keeping accounts and records, depositing the revenues, storing precious objects, and reporting to the superior.⁴⁰

The Rule of St. Christodoulos for Patmos monastery suggested that the *hegoumenos* appoints an ecclesiarch, “a man distinguished for his piety”, knowledgeable in discipline and order. This one “takes charge of the books and, in particular, the title-deeds of the monastery, and anything else belonging to the church”.⁴¹

In the *Typikon* of Lips Monastery (1294–1301) the archive-keeping was assigned to the *skeuophylakissa*, who was responsible for taking care of “the sacred vessels and liturgical cloths”. Among her duties was also to observe that “the paper documents of the convent are securely stored in boxes” being closed and sealed. The access to these documents was thus limited, and if somebody requested them, the *Typikon* establishes the following procedure: “With the permission of the *hegoumene* and in the presence of the preeminent nuns, she should produce the necessary [document], and then ask for it back and, after receiving it in the presence of the same nuns, she should shut it up in a basket and affix a seal”.⁴²

Another strong proof of archive-keeping as belonging to the duties of *skeuophylax* is the participation of such persons as witnesses in legal transactions, or the combining of the offices of sacristian and notary (*taboullarios*). One of the best examples is Demetrios Diabasemeres⁴³ who, being a sacristian in the Monastery of Acheiropoietos in Thessaloniki (1328-48) simultaneously composed the acts for Iviron, Xenophon, Vatopedi, Esphigmenou, and Hilandar.

This way, only several monks/nuns holding the offices of *skeuophylax*, *exarch*, *oikonomos*, or *chartophylax*, had control over archives. They were appointed by the *hegoumenos* from the experienced members of brotherhood and were obliged to report on their activities. In many cases, archiving was one of their numerous administrative duties, which together kept them quite busy, so one might suggest the presence of an assistant or disciple, even though no source directly offers this information. Moreover, even though they were stored and controlled, documents could be requested on certain ground by the brotherhood’s members, naturally for a short time and against a receipt.

Storing Techniques

Byzantine charters and *typika* give scattered and incomplete information on documents' physical keeping. However, storing techniques were an essential tool for preservation, and respectively for further use of acts, whether in court or for delimitation procedures. It is possible to reconstruct several methods of storing: boxes, caskets, sacks, piles, and files; the chosen technique depended on the document's importance as well as on the means monasteries had at disposal.⁴⁴

A popular and relatively safe way of keeping was caskets or boxes. According to Anthony Cutler, many middle-Byzantine ivory caskets represented, in fact, a mass product⁴⁵ and were often used for keeping money, as in Heliou Bomon⁴⁶ and Kecharitomene⁴⁷ monasteries. However, the boxes contained also parts of monastic archives, such as *chrysobulls* and *horismoï*; and the way of storing them similarly with money suggests the importance given to such documents.

Boxes were quite a convenient technique for storing, limiting the access to the documents' content. The abbot of St. Mamas monastery passed for safekeeping to the Monastery of Christ Philanthropos "a sealed box containing a *chrysobull* of our God-protected, most-powerful and holy emperor, confirming the independence of the same monastery; a patriarchal *lysis*, pertaining to the independence ... a patriarchal memorandum in favor of this independence; the inventory of the monastery and the *typikon* (both in book form), as well as a *semeioma* issued for this *typikon*".⁴⁸

Boxes had also the advantage of being large enough as to contain more than one document. According to a 14th-century marginal note on so-called "Inventory" of Hilandar archive (no. 102), 66 acts of emperors were stored in a metal (tin) or cast caskets, while a simple wooden box contained 13 other documents.⁴⁹

Taking into consideration an average size of Byzantine caskets,⁵⁰ either about 11 x 35/40 x 15/20 cm or 15/20 x 30 x 20 cm,⁵¹ and the approximate size of Byzantine legal acts (between 30 and 50 cm),⁵² one can assume that acts should have been folded at least twice. Some of the surviving documents indeed show traces of double or triple horizontal folding,⁵³ but they are not the most common cases.

Many documents were kept in fabric sacks, this being a more simple and cheap way of storing. In the beginning of the 19th century, after his visits to the monasteries of Orthodox East, P. Uspensky noted "scrolls

with ... portraits of emperors and empresses, despots and *despoinai* and their children, with their autograph signatures, drawn flowers and seals... are kept in *sakkoulai* or, as we say, in bags".⁵⁴ Rolling of acts and their placing in bags was probably the most common technique. In the end of the 12th century, in the Monastery of St. John on Patmos, a register of old documents concerning monastery possessions was compiled (none of them are preserved). It included *chrysobulls*, *praktika*, notes, and orders issued by different lay and church authorities; in the end of the archivist's list consisting of more than 200 items one can find the following words: "And all these were stored in sacks (*sakoullia*) as useless."⁵⁵ Similarly, as the note on Hilandar's inventory witnesses, some of the documents still in use were kept "in linen sacks" (*ou plat'nēnē sakouli*).⁵⁶

The simplicity and low price of sacks allowed using of this method even with small financial means. In 1442, Daniel, the *hegoumenos* of small St. Nicholas Monastery in Berat, gave because "of fear of Turks" the property of his monastery to a local ruler (Theodore Mouzaki) and listed these possessions on a manuscript cover. Among several precious liturgical objects and books one can find "*chrysobulls* on the borders of Pentearchontea and of Breasteanis in two sacks".⁵⁷

Arrangement into files helped to find quickly the necessary records concerning the same domain. The inventory of St. John Monastery in Patmos suggests that documents were divided into the property cases and joint into files (*apodesmoi*, *desmoi*), such as "another file having five papers about Latros, a business note, and a tax note (*lysis*) about the *metochion*..."⁵⁸ Some cases were packed into smaller sacks before storing (a small bag having eight parchment pages about Kos and Strobilos),⁵⁹ while others were kept as separate pages (*chartia*, *pittakia*).

Many byzantine acts preserve *verso*-notes referring to the property and privileges in question and the issuing institution.⁶⁰ In Slavic monasteries (Hilandar, Panteleimon),⁶¹ these *verso*-notes are made in Slavic or a combination of Greek and Slavic. The notes' content suggests that they were written by archivists in order to arrange and find quickly the required acts.

The sacks or caskets were placed in some furniture items, Michael Attaliates insists in his *Diataxis*: "The title deeds for the immovable property attached to my monastery and poorhouse, as well as the original *chrysobull*, should be deposited in chests placed either in the sacristy of the monastery, or in another safe location. Each chest should have two keys, and my heir should keep one of them, and the steward the other."

However, for preservation purposes “the documents should be unrolled and shaken out three times a year, and then returned again to the same secure place”.⁶²

This way, the storing techniques, namely, boxes, sacks and folders, had two purposes: to preserve the documents and to arrange them. Moreover, the ways of arrangement showed the hierarchy of records according to their importance (*chrysobulls* were kept more carefully) and marks acts as dedicated to a certain propriety.

Making Copies

One of the most important pre-conditions of preservation, as well as circulation of documents was their replication. Existence of copies increased the chances for acts’ surviving. Moreover, the copies could be easily read by non-archivists, since their value was lower than that of the original. This way, they facilitated the circulation of information (texts of acts), but limited the circulation of objects (charters themselves). Copies were classified by Franz Dölger as: made by imperial secretaries, made by the recipients, copies with interpolations, and imitations.⁶³ I would like to broaden this classification on the basis of the charters preserved in monastic archives, which show different ways of producing copies: multiple originals (issued by the lay or ecclesiastic authorities), copies of documents collected into cartularies, and abbreviated copies of several acts put together in form of *brebia*.

One might encounter the existence of several, absolutely identical copies of the same document, namely multiple originals. The most illustrative example is the so-called Tsar Dušan’s General *chrysobull*⁶⁴ (1345), a kind of agreement made between the Athonite monasteries and Serbian ruler. The document was addressed to all monasteries of Mt. Athos and stated Dušan’s general policy: he confirmed all the possessions and privileges and prohibited to compile cadastres on these territories. In return, the monasteries recognized his authority and agreed to commemorate him. Thus, the charter was an important legal document for every monastery and, possibly, every Athonite monastery received a copy of it. Up to nowadays two copies survived (in Vatopedi and Lavra),⁶⁵ and a reference to the existence of such a charter in Iviron can be found in one of Dušan’s later charters.⁶⁶ Unfortunately, it’s impossible to decide

whether these copies were produced for every monastery from a single original (kept in Protaton?),⁶⁷ or they were made inside the monasteries.

If two parties were involved into disputes, they received two equivalent copies of juridical decision. In the quarrel between Iviron and Vatopedi over the borders of Semelthos and Radolibos, the patriarchal judge Babylas, the Metropolitan of Ancyra, made the disputants to draw up an agreement act, which was issued in two copies for both parties, and referred in the protocol in plural as “agreement acts” (*ta dialytaia grammata*).⁶⁸ In the dispute between Vatopedi and Esphigmenou over *monydrion* Banitza (1316), the act was composed in three copies, two of which survived (one in Vatopedi and one transferred from Esphigmenou to Zographou).⁶⁹ However, the original of the *protos'* decision was to “be stored in the highest *diakonia* of Holy Mese (Protaton), being above all the assaults”.⁷⁰ Initially, Byzantine law recognized only the acts' originals, however starting with the 12th-century novella of Alexios Komnenos (1081-18), court could consider as proof two identical copies if the original was lost.⁷¹ In this situation, many monasteries produced themselves copies intended for a better preservation of documents' content. The examination of some monastic charters shows that often such contemporary copies were made in different materials, namely, a parchment act was duplicated into a paper exemplar certified simultaneously or soon after the original. Such practice can be encountered especially in the 14th century.⁷² Thanks to the producing a paper copy, Dionysion was able to preserve a solemn and illuminated chrysobull of Alexios III Great Komnenos (1374).⁷³ Physical evidence suggests that even inventories were produced in original and copy, so the Monastery of Vatopedi possessed one original and three copies of Chalkidiki Praktikon of Constantine Makrenos (1138),⁷⁴ one of which was certified. Similarly, in Iviron, the Radolibos Praktikon of John Vatatzes (1341) was kept in original and in certified, contemporary copy.⁷⁵

The number of copied documents increased drastically in the end of the 13th century as consequence of changes in legal procedure, as well of numerous turmoils throughout that century.⁷⁶ For example, the monastery of Xenophon “for many years appeared to be captured by Italian pirates... and suffered the loss of long-ago issued documents about its property”,⁷⁷ while Pantokrator Monastery witnessed the loss of records in fire (before 1394).⁷⁸

Production of copies was essential for the surviving of documents guaranteeing the monastery's possessions, especially in time of often cataclysms, wars and fires; consequently, copies were made for better

preservation by the almost simultaneously with the originals (i.e. inside the monasteries) and validated as such by local officials (bishops, judges, notaries).

One of the ways of copy-making was the synchronous production of original and duplicate: for example, both, the original and copy, of the charter Panteleimon no. 14 (1366)⁷⁹ were made by the same scribe and validated by *protos* Dorotheos. Or in the case of charter given to Docheiariou by Philotheos Kokkinos (1375), where the scribe's note underlined that the copy was left to be signed by the patriarch.⁸⁰

Another function of copy-making was to provide for the circulation of documents. As suggested by B. Caseau, the presence of three copies of Alexios Komnenos (1102) *chrysobull*⁸¹ in Lavra's archive can be explained by the act's content and use: since it confirmed the monastery's right to obtain a ship of 6000 *modioi*, monks were obliged to show this document in different ports, producing thus multiple copies.⁸² Moreover, copies could also circulate among persons not belonging to the community: for grounding his own argument, John Rabdokanakes demanded from Lembiotissa Monastery (1236) to show him "either copy or original".⁸³ Two contemporary copies of *periorismos* made by Nicholas Promountenos for Rossikon (1271?) could be used similarly, one in the monastery and another one on site.⁸⁴

One can notice that the great number of copies produced in Athonite monasteries served two purposes, to increase the chances of the act's surviving, and to facilitate better circulation of its content. The second reason is especially important here, because it shows that the access to documents was not limited to a narrow circle of high monastic offices, but could be given to the parties interested in disputes, officials of different types (*apographeis*, notaries, *praktores*, *strategoï*, and judges), and even to private persons concluding deals of property transfer.

Cataloguing

For reasons of proving the legality of property-transferring, monasteries kept copies of documents concerning earlier ownership over acquired possessions. Such documents were either collected in form of dossiers and piled together with the purchase act (this could be the case of those *apodesmoi* or files described above), or copied in a codex form.

Having received from Xenophon the lands on Lemnos, the Monastery of St. Paul gained together with them a dossier of earlier documents, which confirmed the rights over the properties of the previous owner (Xenophon).⁸⁵ After donation of 1400 *modioi* of land near Serres by Theodora Kantakouzene (1338), the Monastery of Vatopedi transferred to its archives a dossier of 110 private purchase deeds confirming the validity of deals made by the patroness.⁸⁶ Alexis Amnon giving to Esphigmenou a field in Herissos (1301) also attached a previous deed of sale,⁸⁷ while Theodore Tetragonites giving to Ivion the fields near Strumica (1286) added three acts of purchase from the local peasants.⁸⁸ Subsequently, the use of such dossiers could be diverse, but their main purpose was to prove the legality of ownership and to show the stages of domain's acquisition.

A good example of such placement is the dossier-cartulary of the Macedonian Eleousa Monastery, which itself was a *metochion* of Ivirion and, therefore, the Athonite foundation kept and copied those acts concerning its dependency.⁸⁹ This cartulary is divided into 4 parts: the first consists of 7 imperial charters placed in chronological order, they are followed by the *praktikon* of Michael Tzagritzakes (1152) including the complete text of imperial *chrysobull* of 1152 and the description of lands and peasants, while the other two last parts are the monastery's *typikon* composed by the founder, Bishop of Stroumitza Manuel, and the inventory (*apographe*) of the precious objects belonging to the Eleousa foundation.

One of the purposes of these dossiers was to record the existence of destroyed documents which were known to the compiler. Thus, the author of Eleousa monastery's cartulary make a note instead of placing a proper document entry: "*prostagma* of glorious emperor *kyr* John Mavroioannos was destroyed by the Latins".⁹⁰ Such record didn't have legal validity, but it supplied the lack of information caused by a document's destruction. In other words, the dossiers and their copies allowed one to follow the logic of domain clustering and were mainly oriented on readers interested either in the history or legality of property acquisition.

Cartularies

One of the main preservation strategies was the composition of cartularies,⁹¹ codices consisting of the documents' texts. There are several manuscripts of this type originating in the Byzantine monasteries of Nea Moni on Chios (11th-14th centuries),⁹² Eleousa near Stroumitza

(12th century),⁹³ Lembiotissa near Smyrna (13th century),⁹⁴ Latros and Xerochoraphion near Millet (10th-13th centuries),⁹⁵ Makrynitissa near Volos (13th-14th centuries),⁹⁶ John Prodromos near Serres (13th-14th centuries),⁹⁷ and Vazelon near Trebizond.⁹⁸ Contrarily to what was stated by A.V. Men'shikov,⁹⁹ these manuscripts are not organized chronologically, but rather in a mix of territorial and chronological principles allowing the reader to follow the fate of every estate, its construction as entity, and legality in ownership transfer. In a way, these books composed of different dossiers merged into one volume and supplied with general foundation documents, such as *typikon* and imperial *chrysobulls*. Such codices reveal the hierarchy of acts, by placing them in order of importance.

The cartulary of Lembiotissa includes documents “organized in a loose geographical order, based on the monastery’s main estates in the region of Smyrna”.¹⁰⁰ The cartulary made distinction between imperial *chrysobulls* and the rest of documents; the first part of the manuscript consists of 6 imperial charters placed in chronological order,¹⁰¹ while the rest is shaped in a combination of territorial, typological, and chronological criteria. The manuscript is generally divided into two big groups of deeds, one concerning the olive estates and another one dedicated to fields;¹⁰² however, within these big entities, one can distinguish certain smaller dossiers, such as the estate “tōn Sphournōn”, *metochion* of St. George Exokastriton, *metochion* “tōn Palatinōn”, and others.¹⁰³

A similar situation occurred in the case of Vazelon cartulary. In editors’ opinion,¹⁰⁴ the imperial *chrysobull* and accompanying properties’ list, which nowadays occupy the middle of the codex (ff. 58v -70v), were initially situated in the very beginning. They were followed by *praktika* with *periorismo*,¹⁰⁵ and only afterwards the scribes copied private deeds.

The structure of the cartulary of Makrynitissa and Nea Petra of 1280s¹⁰⁶ is slightly different, since it included, except for the documents themselves, poetic commentaries, miniatures, golden captions, and the autograph signatures of Patriarch John and Emperor Andronikos II.¹⁰⁷ Except for the monasteries noted in the title, it also concerned the properties of Latomos foundation (Thessaloniki),¹⁰⁸ all being possessions of the Maliasenos family.¹⁰⁹ The sequence of documents is arranged according to the hierarchy of the issuing institutions and the documents’ status: it includes 3 *chrysobulls* of Michael VIII Palaiologos, 2 of his *prostigmata* and 3 documents of Epirote *despotes*, 9 patriarchal acts (*ypomnemata*, *sigillia*, the *praxis* of Synod, and a letter of a bishop of Demetriades to the patriarch), letters of *sebastokrator* (later *despotes*) John Palaiologos¹¹⁰ and

kaisar Alexis Komnenos Strategopoulous,¹¹¹ and, finally, a group of private acts “according to the order”.¹¹² The codex is supplied with the author’s remarks, which appear in form of two forewords¹¹³ placed in-between the parts showing a conscious planning and arrangement of the manuscript. Thus, the author, being aware of this unusual composition, supplied his text with “a foreword (*protheōria*) concerning why the documents of one monastery are not grouped in one part and of another in another one, but are scattered here and there”, which was intended to emphasize the individual structure as a consequence of the patron’s special demand. His second introduction, *prooimion*, “says about the goals set by the founders for this book in order to provide benefit and development for the monasteries to improve them” and includes a short praise to the founders”.

Before copying the private deeds, the author noticed that there is no need to include in the text all the signatures of the parts and witnesses since they exist on the originals of the acts, while the present copy certified the private deeds as a whole (which can refer to the signatures of the emperor and the patriarch).¹¹⁴ Similarly, in the collection’s very end, he uses the epilogue in order to praise Michael VIII, the founders, and monks working on the foundation’s improvement.¹¹⁵ The dodecasyllabic iambic commentaries situated between the parts of the cartulary served “to establish a connection and to determine a contextual link between individual documentary texts” and, simultaneously, functioned as a mnemonic device for readers.¹¹⁶ Besides, the appearance of the book was so unusual, that all scholars dealing with the codex noted its luxury character,¹¹⁷ typical for “highly official copy executed perhaps by the imperial chancery”.¹¹⁸ The last supposition was confirmed also by the poem-authentication¹¹⁹ composed on behalf of or by the *logothetes ton agelon*¹²⁰ and directly stating that it was made “according to the clear order of the three-time ruler Michael named as Angel Palaiologos” by the founder “gathering properly all the *chrysobulls*, *horismoi*, and patriarchal *ypomnemata* in one place”. This way, all these specific features suggest that the manuscript was not made for the monasteries’ needs, but rather for use by the monasteries’ founder Nicholas Joseph Meliasenos.¹²¹ However, because the founder took the monastic vows in his foundation,¹²² the codex, probably, was kept in the chief monastery of Makrinitissa.

The cartularies of St John Prodromos Monastery in Serres distinguish as well between private and imperial documents; however, the imperial charters and foundation documents were placed in another codex (so-called cartulary A), slightly different in its content. The two cartularies

of the monastery were made one after another within a short interval, cartulary A being usually dated to 1345-52¹²³ (though some authors proposed other dates),¹²⁴ and cartulary B being composed soon after 1356.¹²⁵ These manuscripts have a number of overlapping imperial *chrysobulls*,¹²⁶ but the rest of their contents differ. The first collection (A), once called the “Founder’s codex”,¹²⁷ can be understood as a corpus of statutory acts expressing the essence of the monastic institution’s governance, administration, and regulations. It includes the founders’ *Typikon* (1324), 11 *chrysobulls* (1309-45), two imperial *prostagmata* (1325, 1324), and one patriarchal *sigillion* (1324).¹²⁸ Whereas the *typikon* shows in detail the distinctive features in the foundation’s life and management (independence from local bishop, patriarchal monastery status, and the superior’s self-determined election),¹²⁹ the imperial acts are placed here in support to this conception. Thus, the *sigillion* of Patriarch Isaia (1324) enforces the principles of the founder’s statute,¹³⁰ the *prostagma* of Andronikos II (1325)¹³¹ ratifies the patriarchal document and, finally, the *prostagma* of Andronikos III confirms the freedom of the monks in their choice of *hegoumenos*.¹³² Finally, the 11 imperial *chrysobulls* are included as guarantors of state protection over the monastery’s properties, privileges, tax-exemptions, and independence.

Codex B, contrarily, deals with matters of economy and landed properties, consisting mainly of private acts, land descriptions, and imperial documents, whose role is to confirm the legality of property’s acquisition. The private donation and purchase charters are arranged in several combined principles (territorial units, donors’ names, and *metochia*) which, nevertheless, create small groups of dossiers.

This way, such codices played a crucial role in the organization and administration of a monastery, representing a pack of documents proving the legality of its establishment, underling its constitutional principles, demonstrating the legitimate acquisition of its property, and giving a history of its private affiliations. As it seems to me, diplomatic compendia like this can be compared with folders of essential documents of modern companies. Thus, *typika*, the founder’s last will, and imperial *chrysobulls* played the role of constitutional charters, namely, of Memorandum and Articles of Association and State Certification and Registration Diplomas; *praktika* and *periorismoi* were a kind of Appraisal Reports and Authorized Capital Records, while private deeds of donation or purchase still exist now under the same terms. However, whenever a company was sued, the trial’s records must be included into such package, and so did the Byzantines.

In some situations, these cartularies, being approved either by supreme local or central authorities, could play the role of originals becoming a sufficient proof of legality of ownership. *Orphanotorophos* Sebastos Pelinas,¹³³ “judge of all Matzuka”, in order to solve a dispute between the citizens of the village Hortokopes¹³⁴ and Vazelon Monastery over¹³⁵ “stripes of land”, came on place, inspected the territory, listened the parties, examined “the documents and the codex (cartulary) of the monastery”, and assigned the debated lands to Vazelon.

The main purpose of cartularies was to provide a reader with the legal image of an institution, to present its history, properties, patrons and founders, its management tools, and acquired privileges. Undoubtedly, it could have some practical reasons to exist, such as simplification of document-search and archiving strategies, but as genre, such books were aimed on two main audiences, primarily, the monastery’s brotherhood and only secondarily court officials. Being physically massive and expensive, they rarely left archive rooms, yet simultaneously, numerous marginal marks and incriptions suggest that they were often read and used, so one can assume logically that these readers were the local monks.

Abbreviated Documents

For practical purposes of taxation and arrangement, the abbreviated forms of copies were much better. For everyday use, monasteries had inventories mentioning only the character of possessions (village, field, houses, etc.), their location, and sometimes the names of donors. These inventories were called variously: *brebion* or *brevno* (Slav.) (Hilandar no. 95),¹³⁶ *apographe* (Panteleimon no.7, line 4),¹³⁷ *katastichon* (Lavra no.146, line 42),¹³⁸ and they could include also the lists of valuable monastic goods (icons, books, vessels, etc.).

In their statutory documents, founders often included lists of precious objects and possessions to be stored in the monastery.¹³⁹ Later generations of monks continued themselves to compose such registers, as it happens in the Monastery of John Theologos on Patmos in 1200, where quite extensive inventories were compiled; some of them described archival documents (none of them are preserved), while others enumerated books, vessels, icons, textiles, and embroideries.¹⁴⁰

Praktika, an abbreviated document listing land possessions according to their territorial placement, taxes and exemptions, peasants and their

households, were usually regionally focused and could be accompanied by *periorismoi* (delineation of borders). Their authors and readers were in majority tax-collectors (for example, the 6 *praktika* of Iviron monasteries),¹⁴¹ therefore it was a genre of specialized, professional texts based on excretions from much more solemn imperial acts and private donations.

The utility of such abbreviated and shortened descriptions can be exemplified by a Slavic inventory of Greek charters found in Hilandar.¹⁴² As the brotherhood consisted mainly of Slavic speakers,¹⁴³ the presence of such a register with short information about the acts' content was necessary. Moreover, its marginal note (Hilandar archive no. 102) shows how the inventory was applied, namely, it refers to the placement of documents in containers, a matter which was discussed above.¹⁴⁴ Subsequently, the inventory helped the Slavic speakers to understand the essence of Greek texts, marked the containers holding a document and, finally, listed depository items. On the other hand, one act of a border dispute can shed some light on the way of using *periorismoi* (description of borders), free of rhetorical passages and pious messages. When in 1107, John, *protos* of the Holy Mount, settled the debates between the monasteries of St. Demetrios Kynopodos and Phalakrou, he went on site with the contestants and read the *periorismos* following the described borders in the landscape. As result, only the treatment of the text proposed by the Kynopodoi was logical, since otherwise not only the debated vineyards, "but also the monastery of St. Demetrios would be placed outside of its *periorismos*."¹⁴⁵ This way, the judges looked indeed only for practical information, since they needed to compare it with physical evidence.

As one can see, the inventories were destined for domestic use and, moreover, their audience was a narrow circle of archivists and property keepers, while the *periorismoi* had the borders' committees as readers (groups of cleric or state officials); however, both of these abbreviated forms were destined for practical purposes and included only necessary information.

Imperial Documents

As one can notice from mentioned above description of Sumela by Jakob Fallmerayer, imperial *chrysobulls* were kept with special care, stored separately and called "divine" (*theios*)¹⁴⁶ and "venerable" (*septos*).

For example, the monks of Hilandar referred this way to the *chrysobull* of Byzantine Emperor Andronikos II,¹⁴⁷ while in 1421 Dionysion was granted “the holy and venerable *chrysobulls* of the blessed and venerable emperor and ruler *kyr* John Palaiologos”.¹⁴⁸ Such special treatment of imperial acts was performed not only by monastic communities, but also by officials, like in the case of George Zagarommantes¹⁴⁹, *protovestiarites* and *apographeus* of Patmos, who compiled in 1251 his tax-registers on the basis of “the holy and venerable *chrysobull*, holy and venerable *horismoï*”.¹⁵⁰ Especially, the difference in attitude toward imperial and non-imperial documents can be seen from the ways their authors call various types of records in the same texts. An *apographeus* of *thema* Boleron, Edessenos,¹⁵¹ states that Iviron Monastery holds its properties “on the basis of **holy** and **venerable** *chrysobulls*, **holy venerable** *prostagmata*, registers and different *sigillia* of restitution, and other old documents”. The epithets “holy” and “venerable” are applied only to imperial acts.¹⁵² Even the simple-form imperial orders, *prostagmata*,¹⁵³ enjoyed a special attitude, being called “holy and venerable” together with *chrysobulls*.¹⁵⁴ As it was noted above, the cartularies’ authors made as well selections of imperial acts and placed them in the very beginning of the codices, pointing thus out on the greater importance and unusually high status of such acts.

This attitude toward imperial charters was caused by the importance of their content as well as by their symbolic value. As orders given by sacred, supreme power and touched by the hand of “holy and sacred”¹⁵⁵ authority, these documents were invested with supernatural power. This extraordinary veneration of imperial documents can be exemplified by the ceremony of border delineation between the monasteries of Hilandar and St. Archangels in Serbia (1454), when the two *hegoumenoi* “kissed the *chrysobull*”¹⁵⁶ before starting the actual border-making. Simultaneously, imperial documents were important as objects and were depicted as such in late-Byzantine art. Namely, in the Theotokos Pribleptos Monastery in Constantinople, the Hodegetria Church of Brontocheion Monastery in Mystras, and some Serbian foundations (Studnica, Gračanica, and Žiča monasteries), the texts of royal donation were depicted in form of painted scrolls with seals and signatures, sometimes even put in perspective with folding and touched by shadows.¹⁵⁷ One might assume that, being treated as divine and actual law, these deeds of benevolence had simultaneously legal and spiritual power, and their readers should have been warned and forced to show some respect toward this authority. As result of more

careful treatment, about 40% of the surviving documents in Byzantine monastic archives¹⁵⁸ are imperial or rulers' charters.

Readers

Finally, I would like to examine in more details the problem of the acts' readers. For this purpose, I should also answer the following questions: what were the circumstances when documents were used and read, and how were they read?

The instances when documents were exhibited were quite various, but in the majority of cases, they were demanded to prove the right of a property's ownership. This need was encountered in the following situations: border or property disputes, confirmation of previous possessions by new emperors, and composition of tax and land registers.

First of all, documents were extensively used during land or border arguments, and the procedure of settling disputes and the role of written evidence in such cases can be reconstructed from the preserved court decisions. Usually, the suitor started by addressing a complaint to the emperor or high spiritual authority (for example, the *protos* of the Holy Mount) and waited for receiving the order to debate the case. Afterwards, both sides brought all their files concerning the debated property to the tribunal; these files were read aloud in the presence of judges, representatives of both parties, and, sometimes, witnesses. Judges evaluated the authenticity of documents, questioned the parties and their witnesses, determined the case and issued their own document consisting of a brief description of the case, the court protocol, and final decision.

In 1338, the monks of Hilandar addressed the grand *domestikos* John Kantakouzenos to settle their argument over borders between them and the peasants of the village of Ploumiska. John Kantakouzenos sent Demetrios Diabasmeres, *taboularios* of Thessaloniki, together with notaries Theodore Deblitzenos and Demetrios Pharmakes,¹⁵⁹ to settle the case on place. Having arrived on site, the officials read the description of the possessions¹⁶⁰ before the locals and representatives of Hilandar. On the basis of this description and the newly done measurements, the new border was established.

Similarly, during the argument between Iviron Monastery and the Bishop of Ezoba over the *metochion* of St. Anna, the latter party appeared

in front of the patriarchal tribunal “holding in hands their documents and asking to conduct the befitting investigation”.¹⁶¹

In the argument between the monasteries of Zographou and Neakitou over the church of Holy Apostles in Mese, the “long ago-appeared documents” were “read aloud” in front of the council of Athonite elders headed by the *protos* Isaak.¹⁶²

In the fight of Zographou and Lavra (1267) over the villages of Hierissos,¹⁶³ the monks of Zographou turned to the emperor, who sent an order (*horismos*) to the *kephale* of Thessaloniki, *sebastokrator* Constantine Tornikios, to settle the case; this one forwarded the order to the members of the local administration, *sakelliou* of the metropolis of Thessaloniki, Nicephoros Malleas,¹⁶⁴ and Basil Eparchon.¹⁶⁵ After having investigated the documents they came on site and interrogated the witnesses, “the best citizens of Hierissos”, listed by names. Subsequently, documents were read by the emperor, the *sebastokrator*, and provincial notaries.

As these cases reveal, the investigators and, consequently, occasional readers of monastic archives, were those people belonging to ecclesiastical and civil administration (elders, *hegoumenoi*, *kephale*), notaries, and members of provincial nobility (*sebastokrator*). Simultaneously, the text of recited acts could be also partially understood by local citizens, such as in the above case, which mentions “the best citizens of Hierissos”.

In those situations when both debating sides had the documents at hand, special officials were sent by the state to examine the papers more carefully. One case study of dispute over the village of St. Nicholas (1327-34),¹⁶⁶ between Esphigmenou Monastery and the inhabitants of Rentina, will help one to understand how the procedure functioned, which documents were examined, and who where the persons involved into their examination and, consequently, the charters’ careful reading.

In 1258-9, Esphigmenou got the village of St. Nicholas on the basis of an imperial chrysobull of Michael VIII, and in 1318 and 1321, two *Praktika* written by local *apographeis* described it as belonging to the monastery. However, as result of the civil wars of 1321-8, Esphigmenou abandoned the property, and in 1327-8, the inhabitants of Rentina asked Andronikos III to give them the village as “free” receiving the imperial *horismos* as confirmation. On the basis of this order, *mezas papias* Alexios TzAMPLAKON¹⁶⁷ delineated the new borders and Andronikos III issued the confirmation *chrysobull*. In September 1328, the monks of Esphigmenou turned to the capital requesting the lands as hereditary and got the restitution *prostagma* of Andronikos III. This way, both sides appeared to

have the highest imperial documents confirming their rights and, therefore, in September 1330, Andronikos III confirming ordered to the *kephale* of the West Syrgiannes Palaiologos¹⁶⁸ “to go through (examine) the *chrysobulls* and other documents” of the suitor. In this order, the emperor stated that the monks “showed to my majesty the *chrysobulls* and other documents concerning this land and its borders”. Moreover, the investigator was asked to study also the monastic “*periorismos*” (border delineation) and to see whether or not the village was “inscribed into it”. However, even after the investigation and the issuing of the new delineation (1333) by *domestikos* of the *themata*, Costantine Makrenos, the villagers continued to use the property, which made the monks to address the general judges in Thessaloniki and to present them with “the documents they have about this land, namely, old *chrysobulls*, a *praktikon* of late Pharisaios making tax registers in this place, and also a holy *prostagma* given by our mighty and holy emperor, and also the renovation report of Makrenos, ... *domestikos* of the *themata*”. By means of the judges’ decision, Esphigmenou finally won the case.

As seen from this example, the main purpose of keeping numerous documents was the possibility to use them in court for defending the rights of ownership. In situations of complex juridical cases, an investigator, usually a high official, undertook the task of comparing the data presented by the acts, which allowed to find whose rights were older and more grounded. For this purposes, the monastic archival technique of dossiers on certain domains were irreplaceable. They could show the logic and succession of a domain’s transfer and, in this way, prove the rights of the monastery.

I would also like to turn the attention to the order of documents’ examination, namely, to the fact that *chrysobulls* as the strongest proofs of ownership were used in disputes together with border delineations having more concrete and detailed character, the two types of documents being, subsequently, more carefully preserved. Paradoxically, the delineations themselves were grounded not only on written sources, but also on oral testimonies, compared with the written data by the present officials. The institution of witnesses in Byzantine legal practice assumed that making a contract should be testified by 5 to 7 individuals, not involved into the transaction, but understanding its meaning and signing the act.¹⁶⁹

The *apographeis* Stephanos Doukas Radenos,¹⁷⁰ Constantine Palaiologos Oinaiotes,¹⁷¹ and John Radenos¹⁷² were ordered to compose a *periorismos* and *praktikon* for the village of Plomiska (1420) belonging to

Lavra. They visited the place together with the bishop of Lite and Rentina and, at the threat of church excommunication, collected the testimonies of locals concerning the borders of the village. Those testimonies, being found non-contradictory to other documents, helped to compose a new *praktikon*.¹⁷³

The witnesses could belong to different social groups and strata. The donation transfer to the Monastery of Lembiotissa (1291) was witnessed by several "local" archonts,¹⁷⁴ while the Plomiska case refers to the village's "inhabitants". The deeds composed in monasteries were always witnessed by the community's members, and their signatures' order showed the hierarchy in honor and importance in the religious foundations.¹⁷⁵

Old documents played a crucial role in confirming monastic possessions in situations of political changes. Thus, in the *interventia*¹⁷⁶ of Greek or Serbian rulers' charters, one can often encounter the following situation: monks approached a ruler asking him to confirm their possessions on the basis of an old document. In several *chrysobulls* of Stefan Dušan addressed to Athonite monasteries, the same phrase with slight variations appears:¹⁷⁷ "the monks practicing *askesis* from the venerable monastery... placed on the Holy Mount Athos... turned to my Majesty, that this sacred monastery, on the basis of old [chrysobulls] and *prostagmata* and inventory lists and other orders, holds [different] properties and *metochia*".¹⁷⁸ Responding to the pleads, the Serbian ruler of the recently-conquered Greek lands showed his "care" and issued confirmation of properties and rights given by previous authorities, sometimes adding new donations.¹⁷⁹

Similarly, Michel VIII Palaiologos, after his coming to power in 1359, confirmed all possessions of Athonite Lavra and added the village of Toxompos. He based his decision on "the power of all old documents of the monastery", which allowed to Lavra to acquire "the dominion and right of ownership over all the possessions they received, and to make (them) greater during their holding".¹⁸⁰ However, in the difference with the Serbian ruler, Michael VIII neglected the legal force of the documents issued concerning the same territories by other rulers, if they were unfavorable for the monastery: "if any (possession) from this document... had been taken away by somebody or appeared in the private possession of somebody, through *horismos* or *chrysobull*, or through *praktikon*, duke's decision, juridical document, or gift-giving certificate, it passes now into the possession of the monastery".¹⁸¹

The demonstration of relevant documents or their copies was especially important for proving the right of ownership. As the following case

shows, the Byzantine bureaucratic system preferred written documents over oral statements. When after 1371 Emperor John V returned some of the territories previously-occupied by the Serbs, he ordered that “who had possessions and they were taken from this one, let this one having documents govern his possessions”. However, if, like in case of Alexios Palaiologos,¹⁸² a person couldn’t assure his rights with documents, he lost chances to return the estates.

Finally, old documents were actively read by provincial administration while establishing the borders and amount of taxes. In 1341, *protokynergos* John Vatatzes compiled for Ivron Monastery several *praktika* (for their possessions in Thessaloniki, Serres, and Radolibos) of “the *metochia* and other landed properties on the basis of divine and holy *chrysobulls*, venerated *prostigmata*, notarial certificates and other different, long-ago appeared documents”.¹⁸³

Taking into consideration the above-described examples, one can deduce several occasions when previously-issued documents were exhibited and read: trials over lands and borders, confirmation of ownership by a new ruler, proving of ownership, and compiling of cadastres by members of the local administration. In these situations, the following categories of people had access to documents: members of local administration, who examined the records during trials and compiled cadastres; monastery managers (*hegoumenos*, *skeuophylax*, the so-called “elders”); provincial church hierarchs (*hegoumenoi* of other monasteries, bishops), who also participated in trials as parties or judges; provincial noblemen, who consulted the records in case of controversies; and the emperors and their chancellery. Thus, these categories of people were the target-groups of the documents’ content, having the required skills to understand and the means to access the records. Simultaneously, the archival system of the monasteries suggested that the carefully-kept documents had as their final purpose the examination and reading by a certain group of people. Those people, even though they had occasional access to the records, were meant to be the documents’ main audience, being compelled by circumstances to be attentive readers. Consequently, one can state that this diverse public was actually addressed in those ideology-shaping and propaganda-bearing texts of *prooimia* and forewords. It comprised the highest elite of Byzantine society (emperor, patriarch and synod, grand *domestikos*, *sebastokrator*), high provincial nobility (*kephale*, *megas papias*, *domestikos* of *thema*),¹⁸⁴ provincial minor officials (*taboullarios*, *apographeus*, notary),¹⁸⁵ members of ecclesiastic courts (high

and low church officials),¹⁸⁶ the administration of Byzantine monasteries (*hegoumenos*, *skeuophylax*, *chartophylax*, *oikonomos*, elders), minor local nobility (local *archontes* and towns' "best citizens") and, finally, by means of reading aloud the texts, these were communicated to the villagers (peasants) and inhabitants of towns, or at least their elders,¹⁸⁷ who assisted border delineations and tribunals.

Conclusion

As this research shows, the ecclesiastic institutions possessed their own archives consisting of documents concerning their properties. These archives could be used by individuals and other monastic institutions as well, for passing their documents for safe-keeping. However, with time passing, this practice became rarer, since the monasteries wanted to protect their independence and often quarreled with each other on matters of property. In these situations, the preservation of notes outside monasteries could be an obstacle in testifying the validity of records in court.

The acts' originals were kept in archives, library-archives, or treasuries, which were situated in hardly-accessible spaces inside the *katholika* or in towers. Their location was unnoticeable for visitors, and restricted even for monastic inhabitants. Among their readers were definitely the *hegoumenoi* and other administrators (*skeuophylax*, *exarch*, *ecclesiarch*, *oikonomos*, and *chartophylax*), whose occupation required to use the texts practically (for paying taxes, dealing with management, etc.). However, since these monastic managers were quite busy with other tasks, I suggest that they might have had assistants among the brotherhood.

Some acts, mainly imperial documents, were stored in more safe locations (treasuries, chapels) or even copied in mural-painting, a fact which guaranteed better preservation and underlined their spiritual power, since these acts were issued by God-established rulers. Other documents enjoyed more simple preservation-methods, such as boxes, sacks, piles, and files, being arranged according to the property's domain and issuing authority. Simplifying search and access their verso-side bears notes concerning the location of possessions and institution issuing the charter. For proving the legality of ownership monasteries kept documents concerning earlier owners of donated or purchased lands; these older records were attached to property case-files or copied into cartularies.

Even though the access to documents was greatly restricted inside of monasteries, copies of acts contributed to their circulation among persons involved in the management and taxation of monastic estates. However for taxation and border-making purposes the already-abbreviated documents, such as inventories and *praktika*, were more practical, since they consisted of excerpts concerning the location, size, and tax rate of a certain domain.

For internal use, acts were usually copied into cartularies, organized according to a hierarchical principle; they showed the authorities' approval of the monastery's rules, the process of administrative decision-making over privileges, and the stages of acquiring a certain domain. Being used mainly by the brotherhood and rarely by external officials, these codices responded to the demands of their readers: for an aristocratic founder, they provided miniatures and poetry, while for an ordinary monk or official they preserved the main content of charters. These books rarely left the archives, but were extensively used, judging on their numerous marginalia.

The problem of archiving and accessing the documents lead to a broader topic, that of literacy and documents' audience. Literacy among the Athonite monks was once addressed on the basis of signatures and copyist mistakes;¹⁸⁸ while the question of political literacy among the state officials was posed by Cathrine Holmes,¹⁸⁹ and Judith Waring studied a similar problem using the 12th century monastic inventories.¹⁹⁰ All authors came to conclusions that the provincial aristocracy and monks were sufficiently educated to understand rhetorically-complex writing, but insufficiently to produce them. At the same time, general level of literacy among Byzantine urban population was relatively high.¹⁹¹

The present study shows that a relatively wide group of population had skills of pragmatic and legal literacy; moreover, legal literacy not always coincided with writing skills, since the texts of charters were read aloud for the gathered audience. Participation in such processes demanded some basic knowledge of Byzantine law and procedures, which participants of tribunals, even from law social strata (gentries, village elders), must have possessed. The attendees and judges belonging to ecclesiastical and civil administration, notaries and members of provincial nobility, and even village elders, needed to understand the logic of the records, to be able to read them, or at least to listen and comprehend them and to compare the information with physical evidence. This way, the read-aloud acts could be understood even by villagers and town communities' members.

On the other hand, the monastic archive keepers were more concerned about physical state of acts and their arrangement according to practical,

non-rhetorical content (judging on archivists' verso-notes), while the officials or, possibly, historians would be more interested in the authorities and spiritual leaders participating into the establishment and development of a foundation. For these ones, it was precisely the cartularies which provided a hierarchical structure with supremacy of imperial acts.

In complicated tribunal cases, when both debating sides had documents proving their rights, the high-rank officials (*kephale* of the West and *sebastes*) who were sent to examine the records must have possessed great experience and skills in dealing with documentation, a fact attested by their careful reading of acts and attentive comparison of their content.

As it seems, different parts of charters were intended for different audiences: the rhetorically-complex *prooimia* were destined to the next generations of rulers and courtiers, the content (*dispositio*) was aimed on the members of local lay and ecclesiastic administration, while the signatures and dating for monastic archivists.

NOTES

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- ²⁹ *The Synaxarion of the Monastery of the Theotokos Evergetis*, Vol. I: September-February, ed. Robert H. Jordan, Belfast Byzantine Enterprises, the Institute of Byzantine Studies, Belfast, 2000, 52 (September 14), MARINIS, V.

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Lethielleux, Paris, 1988, 122, no. 31; 138, no. 37 and many others.
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- ⁹⁵ MM, IV, 290-329; WILSON, N., DARROUZÈS, J., "Restes du cartulaire de Hiéra-Xérochoraphion", in *REB* 26, 1968, 5-47.
- ⁹⁶ MM, IV, 330-430; PARISINI, J., *Codices manuscripti Bibliothecae Regii Taurinensis Athenaei* (hereafter: PARISINI, J., *Codices*), vol. I, Turin, 1749, 319-362.
- ⁹⁷ Two cartularies of St. John Prodromos were taken in 1914 by the Bulgarian Army (DIEHL, Ch., "Destructions commises par les Bulgares lors de l'évacuation de la Macédoine orientale", in *Comptes-rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 62/6, 1918, 485-486), and so-called codex A later appeared in the University Library in Prague (XXV C 9 (605)), and the codex B in the Dujčev Center in Sofia (Cod. Gr. 80). The first cartulary was published by Andre Guillou (GUILLOU, A., *Les archives*) on the basis of copies, and later, after re-discovery, by Ivan Dujčev (*Cartulary A of the Saint John Prodromos Monastery. Facsimile Edition with an Introduction by Ivan Dujcev*, London: Variorum Reprints 1972). The codex B was published by L. Bénou (BENOUE, L., *Le codex B du monastère Saint-Jean-Prodrome (Serrès). Vol. A* (hereafter: *Codex B*), Association Pierre Belon, Paris, 1998) and P. Odorico (ODORICO, P., *Le Codex B du Monastère Saint-Jean-Prodrome (Serrès), Vol. B*, Association Pierre Belon, Paris, 1998). Containing some inaccuracies, the volume A should be supplemented with KRESTEN, O., SCHALLER, M., "Diplomatische, chronologische und textkritische Beobachtungen zu Urkunden des Chartulars B des Ioannes Prodromos-Klosters bei Serrhai," in *Sylloge Diplomatico-Palaeographica* 1, 2010, 179-232.
- ⁹⁸ The cartulary is kept in the State Public Library of St. Petersburg, no. 743 consisting of 190 charters dated back to 1245-1708, USPENSKY, F.I., BENESHEVICH V.N. *Vazelonskie akty: materialy dlja istorii krest'janskogo I monastyrskogo zemlevladienija v Vizantii VIII-XV vekov* (hereafter: *Actes de Vazelon*), Gosudarstvennaja Publichnaja Biblioteka, Leningrad, 1927. The critical remarks and corrections – DÖLGER F., "Zur den Urkunden des Vazelonsklosters bei Trapezunt", in *Byzantinische Zeitschrift*, 29, 1929-1930, 329-344.
- ⁹⁹ MEN'SHIKOV, A.V., *Arhivy Vizantii X-XV*, 45.
- ¹⁰⁰ BEIHAMMER, A., "Byzantine Documentary Sources of the Nicean Empire The Cartulary of Lembiotissa: prospects and Possibilities of a New Critical

- Edition and Analysis" in *A. G. Leventis Research Projects 2000-2016 Reviews and Contribution* University of Cyprus, Nicosia, 2014, 67.
- 101 Re-foundation chrysobull of John Vatatzes (1228), *perioros* made by his order (1235), *chrysobull* of John Vatatzes confirming all the possessions (1235), confirmation *chrysobull* of Michael Palaiologos (1262), confirmation *chrysobull* of Andronikos Palaiologos (1284) - MM, IV, 1-32.
- 102 *Ibid.*, 56-106, 141.
- 103 *Ibid.*, 32-43; 43-51; 145-150 For the geographical locations, prosopography and dates see: AHRWEILER, H., "L'Histoire et la Géographie de la région de Smyrne entre les deux occupations turques (1081-1317)", in *Travaux et mémoires* 1, 1965, 1-202.
- 104 *Actes de Vazelon*, IX-XI, 60-70.
- 105 *Actes de Vazelon*, 64-81.
- 106 The cartulary was kept in the Biblioteca Nazionale Universitaria di Torino (*Codex Taurinensis graecus* 237), in 1904 it was burnt by fire (BARIŠIĆ, F., "Diplomatar tesalijskih manastira Makrinitisa i Nea Petra" (hereafter: BARIŠIĆ, *Diplomatar*), in *ZRVI*, 16, 1975, 69-70). The composition of the codex can be reconstructed on the basis of two editions made before the fire, namely catalogue description of PARISINI, J., *Codices* and publication with omission in MM, Vol. IV, 330-430.
- 107 BARIŠIĆ, *Diplomatar*, 69-103.
- 108 Thus, three foundations which documents included in the cartulary are: Theotokos Makrinitissa on Mount Drongos (KODER, J., HILD, F., *Tabula Imperii Byzantini 1: Hellas und Thessalia* (hereafter: *Hellas und Thessalia*), Denkschriften der Österreichischen Akademie der Wissenschaften, Vienna, 1976, 210-211), St. John Prodromos of Nea Petra on Mount Dryanoubiana (*Hellas und Thessalia*, 150) and Latomos monastery in Thessaloniki given to the Maliasenoi by Michael VIII (MM, Vol. IV, 336-339; TSIGARIDAS, E., *Latomou Monastery (the Church of Hosios David)*, Institute for Balkan Studies, Thessaloniki, 1988). The monastery of Makrinitissa was founded before 1215 by Constantine Maliasenos and in 1256 passed under the patronage of his son, Nicholas (Ioashaph) Maliasenos (*PLP*, no. 16523) and his wife Anna (Anthousa) Maliasena Palaiologina (*PLP*, no. 21351), niece of Michael VIII (for the brief history of the monastery see *ypomnema* of patriarch Arsenios in MM, Vol. IV 353-357.). The monastery of St. John Prodromos was made as a nunnery in proximity to the first foundation by Nicholas and Anna in 1271-1272, while Latomou monastery was a much earlier foundation renewed by the family (TSIGARIDAS, E., *Latomou Monastery*, 11-12).
- 109 After the death of her husband Anna-Anthousa passed the ktetorial rights to her son John. About the Maliasenoi family see FERJANČIĆ, B., "Porodica Maliasina u Tesaliji", in *Zbornik filozofskog fakulteta. Beogradski Univerzitet* 7/1, 1963, 241-249. Concerning possessions of the foundation – SMYRLIS, K., *La fortune des grands monastères byzantins: fin du Xe-milieu du XIVe siècle*, Centre d'histoire et civilisation de Byzance, Paris, 2006, 65-67.

- 110 *PLP*, no. 21487.
- 111 *PLP*, no. 26894.
- 112 Consequently these groups are: MM, Vol. IV: 330-341, 342-352; 353-383; 384-390; 391-429.
- 113 PARISINI, J., *Codices*, 320.
- 114 MM, Vol. IV, 391.
- 115 PARISINI, J., *Codices*, 322-323.
- 116 DE GREGORIO, G. "Epigrammi e documenti. Poesia come fonte per la storia di chiese e monasteri bizantini" (hereafter: DE GREGORIO, Epigrammi), in *Sylloge Diplomatico-Palaeographica*, 1, 2010, 58-96 (cit. 79).
- 117 BARIŠIĆ, Diplomatar, 71, MAGDALINO, P., "Notes on the Last Years of John Palaiologos, Brother of Michael VIII", in *REB*, 34, 1976, 144-145. DE GREGORIO, Epigrammi, 96.
- 118 MAGDALINO, P., "Notes on the Last Years of John Palaiologos, Brother of Michael VIII", in *REB*, 34, 1976, 145.
- 119 MM, Vol. IV, 359, 429-430; DE GREGORIO, Epigrammi, 85-96.
- 120 *The Oxford Dictionary of Byzantium*, ed. Kazhdan, A. P., Oxford University Press, Chicago, 1991 (hereafter: *ODB*), 1247.
- 121 BARIŠIĆ, Diplomatar, 73.
- 122 The founder is called "the most revered among monks" by Michael Palaiologos in 1274 – MM, Vol. IV, 336-337.
- 123 DUJCEV, I., "Le cartulaire A du monastère de Saint-Jean-Prodrome sur le mont Ménéécée retrouvé", in *REB*, 16, 1958, 172; GUILLOU, A., *Les archives*, 18.
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- 126 Chrysobull of Andronikos II (1309): GUILLOU, A., *Les archives*, 146-155 = *Codex B*, 183-184; 2) Chrysobull of Andronikos II (1317): GUILLOU, A., *Les archives*, 156-160 = *Codex B*, 184-185; 3) Chrysobull of Andronikos II (1321): GUILLOU, A., *Les archives*, 161-172 = *Codex B*, 181-183; 4) Chrysobull of Andronikos III (1321): GUILLOU, A., *Les archives*, 172-184 = *Codex B*, pp. 185-187; 5) Chrysobull of Andronikos III (1329) GUILLOU, A., *Les archives*, 195-207 = *Codex B*, 187-190; Chrysobull of Andronikos III (1332): GUILLOU, A., *Les archives*, 208-224 = *Codex B*, 190-192.
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- 128 DUJCEV, I., "Le cartulaire A du monastère de Saint-Jean-Prodrome sur le mont Ménéécée retrouvé", in *REB*, 16, 1958, 69-170), GUILLOU, A., *Les archives*, 19-20.

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