

**Crisis? What Crisis? Political articulation and government  
in the March of Tuscany through *placita* and diplomas  
from Guy of Spoleto to Berengar II**

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**The collapse of the early medieval European  
kingdoms (8<sup>th</sup>-9<sup>th</sup> centuries)**

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## **Crisis? What Crisis? Political articulation and government in the March of Tuscany through *placita* and diplomas from Guy of Spoleto to Berengar II\***

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### 1. *Political “crises”, sources and historiographical narrative*

In November 887, during the Diet of Tribur (near Frankfurt), a *coup de main* by Arnulf of Carinthia caused the deposition of Charles the Fat. Only a couple of months later, on 13 January 888, the already complex political situation worsened, as Charles himself – thus the last carolingian emperor – died without leaving a legitimate heir<sup>1</sup>. To say it with Stuart Airlie, the «nearly men», that is the members of the highest *Reichsaristokratie*, sparked a violent clash, competing for the imperial crown<sup>2</sup>.

Thus, the monopoly on the throne exerted by Charlemagne’s direct descendants came to an end. Such new political and military scenario was acutely perceived, ever since its inception, by contemporary witnesses, such

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The list of abbreviations comes before the Works Cited page.

<sup>1</sup> Charles’ only son, Bernard, was born of a concubine. The emperor tried unsuccessfully several times to make him his heir, MacLean, *Kingship and Politics*, pp. 131 and ff.

<sup>2</sup> Airlie, *The nearly men*, pp. 25-41. The “nearly men” were aristocrats linked to the Carolingian dynasty by wedding ties (such as Boso of Vienne, the first one to challenge Carolingian legitimate power since the 870s); or as illegitimate offspring of Carolingian kings (as in the case of Arnulf of Carinthia); or as sons of Carolingian women, to quote only Berengar of Friuli or Louis III of Provence (Louis II’s grandson, the son of his daughter Ermengard).

as Regino of Prüm<sup>3</sup> and the author of the *continuatio Ratisbonensis* in the Fulda Annals<sup>4</sup>. And even outside the Carolingian world the impact of such breaking news was distinctly felt, as can be observed in the *De Rebus Gestis Ælfredi* written by Asser, a Welsh monk<sup>5</sup>. As evident, chroniclers highlight the absence of a legitimate heir – the «natural lord», as Regino says – but mostly point their finger on division and war, the devastating outcomes of violent aristocratic competition.

Particularly, for the *Regnum Italiae* (and within it, for Tuscany) no contemporary account of the events following Charles the Fat's death has survived. The *Liber Pontificalis* is nothing more than a list of popes relative to the period following John VIII's death (882)<sup>6</sup>. The codex preserving Andreas of Bergamo's *Historia* stops abruptly on the year 877, when Liutprand of Cremona, the most relevant historian of the *Regnum*, was not yet born<sup>7</sup>. Andreas of Bergamo goes as far as to backdate the Italian political turmoil, by overlapping the beginning of “political chaos” in the *Regnum* with the years immediately following Louis II's death in 875<sup>8</sup>. At the same time, the brief anonymous *libellus* entitled *De imperatoria potestate in urbe Roma*, ends on the violence sparked by the power vacuum ensued at the death of Charles III<sup>9</sup>.

Some centuries later this period – stretching from Charles the Fat's deposition and death up to Otto I's rise to power – has been labelled by Italian historiography after the II World War as the time of «re nazionali», or «re italcici»<sup>10</sup>. Such anacronistic definition uses parameters born during *Risorgimen-*

<sup>3</sup> «Post cuius mortem regna, que eius ditioni paruerant, veluti legitimo destituta herede, in partes a sua compage resolvuntur et iam non naturalem dominum prestolantur, sed unumquodque de suis visceribus regem sibi creari disponit. Quae causa magnos bellorum motus excitavit»: Regino of Prüm, *Chronicon* (a. 888), p. 129.

<sup>4</sup> See in particular his reference to the «multi reguli» appeared in Europe after Charles III's death, *Annales Fuldenses* (a. 888), p. 116.

<sup>5</sup> «Quo statim defuncto [Carlo], quinque reges ordinati sunt, et regnum in quinque partibus conscissum est (...) Nec tamen tanta et talia regna inter se pacifice servaverunt. Nam in bis pleno proelio inter se belligeravere, et illa regna persaepe devastaverunt invicem, et unusquisque alterum expulit de regno»: Asser, *De Rebus Gestis Ælfredi*, n. 85, pp. 71-72.

<sup>6</sup> See for instance the few lines devoted to popes from Marinus (882-884) to Agapitus II (946-955), *Le Liber Pontificalis*, pp. 224-245.

<sup>7</sup> Both Liutprand and the *Gesta Berengarii* spend some time discussing – *ex post* – the crumbling of the Empire. The *Gesta* in particular is not, technically-speaking, a historiographical piece of work: nevertheless it provides a clear demonstration of the crucial role played by the legitimate succession to the throne by stressing the risk run by the Empire of disgregation at Charles III's death: *Gesta Berengarii*, lib. I, vv. 43-47.

<sup>8</sup> «Post cuius obitum magna tribulatio in Italia advenit»: Andreae Bergomatis *Historia*, c. 18, p. 229. On this particular period, see the fundamental Delogu, *Vescovi, conti e sovrani*, pp. 3-72. See also the more recent MacLean, “After his death”, pp. 239-260.

<sup>9</sup> «Ab illo autem die honorificas consuetudines regiae dignitatis nemo imperatorum, nemo regum acquisivit; quia aut virtus defuit, aut scientia pro multis regni contentionibus et assiduis divisionibus, unde multa praelia, delationes et rapinae fuerunt in regno». The *libellus* had been published together with Benedict of Soratte's chronicle, which focussed on events in Rome from the first half of the tenth century, *Il Chronicon di Benedetto monaco di S. Andrea del Soratte e il Libellus de imperatoria potestate in urbe Roma*, p. 210.

<sup>10</sup> Fasoli, *I re d'Italia*.

to<sup>11</sup> and fits appropriately a time when several “local” actors managed to wear the Crown<sup>12</sup>. Moreover, as ninth- and tenth-century writers had done, part of twentieth-century Italian scholarship often depicted that time as critical and unstable. A perfect backdrop for the emergence of seigneurial powers rising from the general weakness of rulers, who were often forced to make choices against the interests of public power. All in all, this situation signalled the relentless crumbling of the whole carolingian political system<sup>13</sup>.

Ever since the 1980s studies on the *regnum Italiae* have enjoyed a fresh historiographical wave of interpretations<sup>14</sup>. Particularly, these were aiming at highlighting how familial and political links<sup>15</sup> were often obtained through continuous negotiation. By changing the focus, such readings did indeed foster critical approaches to justice<sup>16</sup>, to narrative sources<sup>17</sup> and public and private charters, especially royal and imperial diplomas on the alienation of rights and public prerogatives, to the advantage of lay vassals, churches and monasteries<sup>18</sup>. New readings which were preceded, it is worth noting, by some pioneering voices, such as Paolo Delogu's or Giovanni Tabacco's, who since the late 60s stressed the need to overcome interpretations merely characterized by institutional crisis hitting the *regnum Italiae*<sup>19</sup>.

Setting off from these thoughts on literature and interpretation, the attention given in this paper to the March of Tuscany is justified by the centrality of this political space as a key for the control of the kingdom of Italy<sup>20</sup>. A proof of this can be found in narrative sources and, particularly, in the great documentary collections of the archives of the main monasteries (i.e. San Sal-

<sup>11</sup> Balestracci, *Medioevo e Risorgimento*.

<sup>12</sup> Luigi Provero has recently focussed on problems of interpretation derived from the inappropriate use of such anachronism, and particularly on the distorted idea of an alleged ‘national cohesion’ around the kings. Such consistency cannot be proved, as these sovereigns were in fact representatives of the top layer of European aristocracy, linked to other families around carolingian Europe. In fact, the alleged “cohesion” has been posited by reading the sources through the lens of a geographic counterposition to the German emperors: Provero, *L'Italia dei poteri locali*, pp. 23-27.

<sup>13</sup> It will be sufficient to quote the studies below, by no means an exhaustive list: Fasoli, *I re d'Italia*; Mor, *Letà feudale*, pp. 6 and ff; Arnaldi, *Berengario I*, pp. 1-26; Fumagalli, *Il Regno italico* (thoughts at p. 273, on the consequences of a «breakdown of Carolingian State»). A more conventional reading of the Tuscan case, which has exerted great influence on the literature about this area is in Schneider, *L'ordinamento pubblico*.

<sup>14</sup> Sergi, *I confini del potere*; Cammarosano, *Nobili e re*. Sergi's book was published in the 90s but included essays published before, during the 80s.

<sup>15</sup> Rosenwein, *The family*, pp. 247-289; Lazzari, *La rappresentazione*, pp. 129-149.

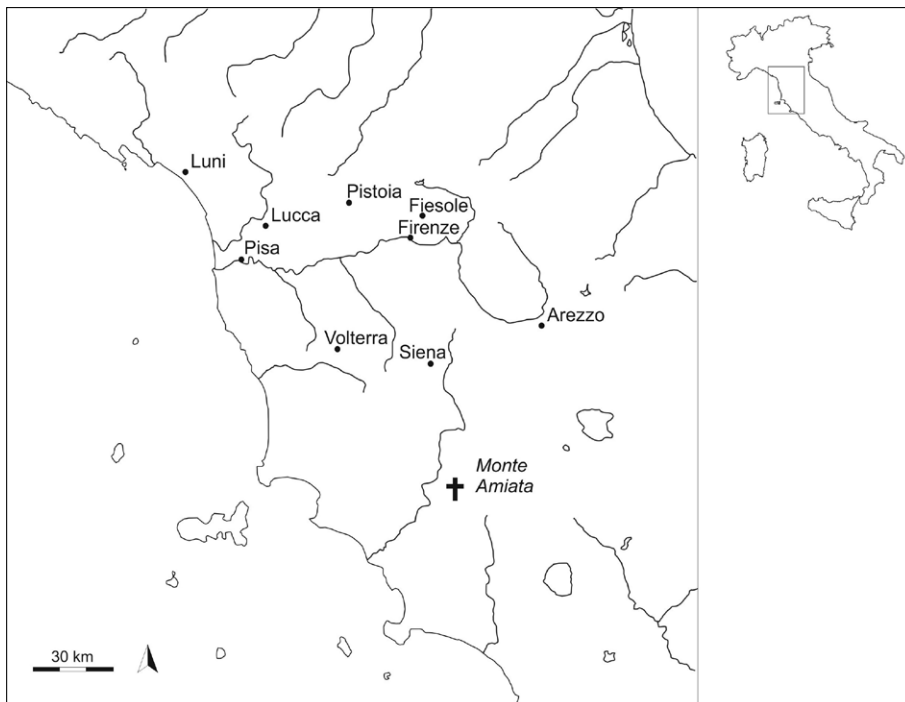
<sup>16</sup> Wickham, *Land disputes*, pp. 229-256; Bougard, *La justice dans le royaume*.

<sup>17</sup> Gandino, *Il vocabolario*; La Rocca, *Liutprando da Cremona*, pp. 291-307, and Vignodelli, *Il filo a piombo*.

<sup>18</sup> Bougard, *Charles le Chauve, Bérenger*, and Bougard, *Du centre à la périphérie*, pp. 57-83.

<sup>19</sup> In 1969 Paolo Delogu has warned about the risks of interpreting traditionally this period as “anarchical”, in *Vescovi, conti, passim*. See also Tabacco, *Regno, impero*, pp. 95-138.

<sup>20</sup> Recent monographs on Tuscany in the Early Middle Ages: Wickham, *The mountains and the city*; Delumeau, *Arezzo, espace et sociétés*; Collavini, «Honorabilis domus et spetiosissimus comitatus»; Cortese, *Signori, castelli, città*. See also Stoffella, *Fuori e dentro le città*.



Main places quoted in the text.

vatore al monte Amiata<sup>21</sup>) and bishoprics of the region. Amongst them those of Arezzo<sup>22</sup> and mostly Lucca stand out<sup>23</sup> (see map). All of these ecclesiastical institutions have preserved original documents, making up the great majority of the accounts about *placita* (Lucca) and *diplomas* (Arezzo) we are referring to in this study.

And yet, this will not be a study of justice: my interest will not lie in the judicial implications of conflict, those accessible through the study of proce-

<sup>21</sup> As we shall see, the central role of the monastery of monte Amiata within regional politics was undisputable, despite the monastery itself being placed outside the feeble boundaries of the March. See now Marrochi, *Monaci scrittori*, pp. 119-124 on diplomas including references to the *ad regendum* transfer of the monastery to the marquess, beginning with a forgery by Louis II (DD L II, n. 11, p. 86), and continuing with Arnulf's and Berengar's diplomas, which follow on from that forgery.

<sup>22</sup> Both Arezzo and Siena were placed outside the marquess' effective sphere of influence, up to the midst of the tenth century. See Keller, *La marca*, p. 135 and Tabacco, *Arezzo, Siena*, pp. 163-189. Original parchments from Arezzo have been recently published in *ChLA*<sup>2</sup>, XC and CA.

<sup>23</sup> More than 700 single-sheet parchments dating back to this brief period are preserved in Lucca. They have been published in the nineteenth century in MDL IV,2; MDL V/2; MDL V/3. The edition of charters from the very last years of the ninth century is forthcoming in the Second Series of the *ChLA*.

dural mechanisms of public trials<sup>24</sup>. I shall rather concentrate on the way in which those litigations can shed light upon the systems of governance in Tuscany between the end of the ninth- and the first half of the tenth-centuries. In other words, the administration of justice will provide the weft on which I shall try to detect, both with the study of *diplomas*, a warp made out of political and social dynamics. *Placita* (accounts of judicial proceedings held by state officials) and imperial and royal diplomas show evidence of a constant tension and continuous search for *balance* between different political forces. In fact, the study of royal and imperial diplomas will provide another angle from which to examine the governance of the territory, mapping the ability to create (or to prevent) patronage networks between kings, bishops, canons, counts and local elites, whose alliance was essential, as justice was, to the effectiveness of governance.

## 2. *The March in a time of civil wars*

The March of Tuscany, possibly the most coherent of the Carolingian districts in Italy, experienced in the ninth century a rapid development of its political dimensions, exemplified by the power of its marquesses, especially during the last years of the Carolingian government<sup>25</sup>. During that time the relevance of Adalbert (d. 884) and his son Adalbert II (d. 915)<sup>26</sup>, both well-established in Lucca, emerged more clearly due to his cleverly ambiguous behaviour during the disputes for the crown between several claimants, the marquesses of Spoleto Guy and Lambert, Berengar of Friuli (on several occasions), Arnolf of Carinthia or Louis of Provence<sup>27</sup>. The marquess gained control during the second half of the ninth century over the districts of Pisa, Pistoia and Florence. Only the southern part of modern Tuscany, including Arezzo and Chiusi, remained outside the direct control of the marquess until the first half of the tenth century<sup>28</sup>.

Marquesses in Tuscany had built up their political relevance through control over land and military clients: this pattern became even more established after the coronation as king of Italy of Hugh of Provence (926<sup>29</sup>) who, in 931, made his brother Boso<sup>30</sup> leader of the March. Such move ended the hegemony of the masculine line of the *Adalbertingi*: the marquess Lambert, the king's

<sup>24</sup> See Bougard, *La justice*, pp. 307-328, Nicolaj, *Formulari e nuovo formalismo*, pp. 347-379 and Vallerani, *Scritture e schemi rituali*, pp. 97-149.

<sup>25</sup> Keller, *La marca di Tuscia*, pp. 117-136.

<sup>26</sup> Fasoli, *Adalberto*, pp. 219-221.

<sup>27</sup> Cammarosano, *Nobili e re*, pp. 218-233.

<sup>28</sup> See note 22.

<sup>29</sup> Thanks to the backing of Guy, then marquess of Tuscany and Hugh's half-brother, the future king arrived in Pisa (May or June 926) and was crowned in Rome at the beginning of July; *Antopodosis*, lib. III, XVI-XVII.

<sup>30</sup> Keller, *Bosone*, pp. 277-279.

half-brother and potentially claimant of rights over the throne, was captured and blinded<sup>31</sup>. But political changes propelled by Hugh in Tuscany did not end there. Boson was replaced<sup>32</sup> as head of the March after only six years by a natural son of Hugh, Hubert<sup>33</sup>, who would stand as a marquis even after the death of his father<sup>34</sup>. Let's see those political changes in detail.

### 2.1. *Justice as governance in Tuscany*

The rich documentary resources of Tuscany allow us to study a considerable number of judicial proceedings preserved in their original parchments. In fact, nine *placita* dating from 892 to 915 have been preserved, most of them in Lucca<sup>35</sup>. This judicial machinery worked with some regularity, despite the instability created by wars fought between four pretenders to the crown, supported at various times by the marquis Adalbert II, in an atmosphere of continuous betrayals. To these references a few clues about court cases derived from documents which have been lost (*deperdita*) can be added<sup>36</sup>.

The protagonism of Adalbert II throughout the entire period after the death of the last Carolingian sovereign remains beyond doubt. Although he was linked by family ties to the kings of the Spoleto household (Guy was his maternal uncle and Lambert his cousin), he was not always loyal to them. Adalbert was a supporter of Arnolf of Carinthia<sup>37</sup>, his former enemy. Then, in August of 898 he openly rebelled against king Lambert, his former ally<sup>38</sup>. After the death of the king, the marquis emerged as the most important arbitrator in the quest for the Italian crown. Nevertheless he never attempted to seize it for himself<sup>39</sup>, while instead backing a strategy of political ambiguity

<sup>31</sup> Lambert was the brother of Guy, the former marquis. The father of both, Adalbert II, was the second husband of Berta, mother of Hugh and Boson: *Antapodosis*, lib. II, LVI. After his capture, Lambert was blinded: «Hoc igitur capto, Bosoni fratri suo Tusciae marcam contradidit et non multo post Lambertum lumine priuauit», *Antapodosis*, lib. III, XLVII.

<sup>32</sup> *Antapodosis*, lib. IV, XI.

<sup>33</sup> «Tusciae prouintiae princeps» as described by Liutprand of Cremona, *Antapodosis*, lib. III, XX.

<sup>34</sup> Nobili, *Le famiglie marchionali*, pp. 134-138.

<sup>35</sup> MDL V/2, n. 983 (october 892); Manaresi, n. 102 (4 March 897); Tomei, *Chiese* (6 June 900); Manaresi, n. 111 (Feb 901); MDL IV/2, n. LIII, pp. 70-71 (23 April 901) in Bertini *sub a.* 902; V/3 n. 1058, (19 May 902); CDA, n. 180 (21 October 903); Manaresi, n. 116, (25 December 904); Manaresi, n. 127 (10 November 915). The Tuscan *placita* are published online in < <http://saame.it/fonti/> > [10 April 2016].

<sup>36</sup> A trial held under the government of Guy (891-894) is mentioned in Manaresi, n. 102 (4 March 897); another held in Pisa between 909 and 911 is mentioned in Falaschi, *Carte*, n. 4. On the importance of studying *deperdita*, see Inasley, *Looking for charters*, pp. 171-186.

<sup>37</sup> *Annales Fuldenses*, a. 894, p. 124.

<sup>38</sup> Only Lambert's sudden death, shortly afterwards, allowed Adalbert's political "adventure" to continue, Carpegna Falconieri, *Lamberto*, p. 210.

<sup>39</sup> This despite king Louis of Provence's alleged statement about the marquis, as reported by Liutprand of Cremona: «Hic rex potius quam marchio poterat appellari; nullo quippe mihi inferior, nisi nomine solummodo est», *Antapodosis*, lib. II, XXXIX.

with regards to his relationships with the claimants: at times supporting Berengar<sup>40</sup>, in other occasions supporting Louis III. In doing so, during the first years of the tenth century Adalbert became a real kingmaker in a very dangerous game of thrones. His political ambiguity can also be detected in the diploma given to Tuscan recipients by Louis III<sup>41</sup> and, also, in the *datatio* of the Tuscan documents from 905 (defeat of Louis III) to 912, where Berengar is not acknowledged as king within the March<sup>42</sup>.

And yet, with some exceptions which I shall explain further below, Tuscan *placita* from the years 892 to 906 do not show such a complex political life<sup>43</sup>. The nine trials preserved revolve around courts assembled for the purpose of solving almost exclusively disputes on Church's land. Particularly land claimed for themselves by prelates from Lucca who, on numerous occasions, went to the courts to have their estates (occupied by laymen) legally recognised. The very nature of contemporary Tuscan documentation explains the constant presence of bishops from Lucca in the *placita*: they were preserved in the capital of the March and mainly by the bishopric<sup>44</sup>.

Outside Lucca, the court case held in the bishopric of Florence on 4 March 897 is particularly interesting<sup>45</sup>. The court was presided over by the count of the *palazzo*, Amadeus, «domni Lamberti piissimi imperatoris missus directus... in finibus Tuscie»<sup>46</sup> and by the marquess Adalbert II. Elbunc, bishop of Parma<sup>47</sup>, the bishops of the Tuscan seats of Luni, Siena and Florence, three *iudices domni imperatoris*, seven laymen «and reliqui multis» sat there as assistants. The court granted to Peter II (896-932), bishop of Lucca<sup>48</sup>, *salva querimonia*, the bishopric estates which, until that date, had been in the hands of several families. These families had on many occasions been summoned to court to justify «pro qua causa» they held «ipsas res», but they had never responded to the court's pleas, and never appeared in tribunal.

This court case, aside from showing the extension of the patrimony held by the bishopric of Lucca, demonstrates another crucial point. Whenever

<sup>40</sup> The *placitum* from Lucca of 6 June 900 mentions a *diploma* by Berengar benefitting the local Church. The document has been recently discovered and published by Tomei, *Chiese*, pp. 30 ff.

<sup>41</sup> DD L III, nn. 2, 7, 8 and 12. See also 3.1. and 3.2.

<sup>42</sup> This aspect posits that Tuscan notaries shared «une discipline collective et la conscience d'appartenir à une même zone de production documentaire», Bougard, *Le royaume d'Italie*, p. 499. See the difference with documents of the mount Amiata monastery. Here the dates are indicated – even after 905 – according to Berengar's kingdom CDA, nn. 183-188 (17 March 907 - 19 July 913).

<sup>43</sup> As Giovanni Tabacco acutely noticed, «le contese per la corona regia e gli eventi bellici non interruppero dunque l'attività del palazzo, dove i giudici ebbero alto prestigio e anche influenza politica»; Tabacco, *Regno, impero*, p. 247.

<sup>44</sup> On the structure of early medieval archives in Italy see Cammarosano, *Italia medievale*, pp. 25 ff.

<sup>45</sup> Manaresi, n. 102.

<sup>46</sup> This echoes the title boasted by Iohannes, bishop of Arezzo, as he presided a *placitum* in Lucca on behalf of Louis II, in 865, Manaresi, n. 70 (April 865).

<sup>47</sup> Elbunc becomes archchancellor of king Guy in February 891, DD G L, p. VIII.

<sup>48</sup> Ranallo, *The Bishops*, pp. 723-726.



problems arose, the marquess would appear as an arbitrator, sided and supported by a representative of the emperor. In terms of rituals, it seems that symbolic patterns typical of Carolingian courts had been in fact preserved, despite the difficulties encountered by the holders of public power to summon people to court<sup>49</sup>.

This *placitum* also provides clear information on economic and social relationships between both bishops and social elites of their dioceses. These local elites<sup>50</sup> would increase their power through temporary transfers – of the usufruct of land, private churches and *plebes* owned by the bishopric – mainly via contracts called *libelli*<sup>51</sup>. By implementing this practice prelates created a web of relationships active in different spheres. But not only. Four further actors appear in the sources as present in the florentine court: the *placitum* calls them «vassalli Adelberti». Their presence demonstrates the existence of military relationships around the figure of the marquess, a factor we must not see as contrary to, or at odds with the bishopric's clients. Usually, in fact, military relationships and bishopric's clientele overlapped<sup>52</sup>, although it is very difficult to pitch correctly their balance, for lay connections do not appear frequently in the documents, given the ecclesiastical origin of the sources. Other vassals of the marquess appear in a dispute taking place in the territory of Parma in 906<sup>53</sup>. In it, Adalbert II and his wife Berta committed themselves to the promise of not interfering with the Church of Parma, especially in regards to the ownership of estates relinquished to the bishop of that city, at the time of Charles the Fat. The documents shed light on some tension between Adalbert II and king Berengar. The resolution of such tension can be read as political: in Tuscany in fact the rule of king Berengar was not recognised, as we have pointed out before.

This tense political situation appears even more sharply in 915<sup>54</sup>, through a court which took place in Lucca. The assembly was presided over by Beren-

<sup>49</sup> In fact, several cases show defendants accused of contempt of court, see 2.2.

<sup>50</sup> For a recent contribution to the definition of Early Medieval tuscan elites, see Collavini, *Spazi politici e irraggiamento sociale*, pp. 319-340.

<sup>51</sup> As can be seen in the inventories of goods belonging to the Church of Lucca: see for instance Tomei, *Un nuovo 'politico'*, pp. 589-602. Not only members of the diocesan elites became *libellarii* of the bishop before the end of the ninth century. In some mountain areas of the diocese of Lucca, as in Garfagnana, nearly the totality of medium- to smallholders (each according to a different scale) ended up accessing the clientele network, see Wickham, *The mountains and the city*, pp. 61 e ff. Equally, elite members in areas between Siena, Florence and Pistoia also received possessions from the bishopric of Lucca, located in various *comitati*, see Stoffella, *Élites locali*, pp. 59 e 62.

<sup>52</sup> A *diploma* by Louis III shows that vassals often had, in turn, other vassals. In this document the emperor granted possessions placed in the Chiusi *comitatus* to Adalric, «vasso Attonis», who was loyal to marquess Adalbert II, DD L III, n. 12, p. 37. As early as the midst of the tenth century, further examples can be traced among the descendants of Conrad Cunitio's brothers, all of them members of the bishop's clientele, and well-established in Porcari after the purchase of land belonged to the marquess (952), see Wickham, *The mountains and the city*, p. 127.

<sup>53</sup> Manaresi, n. 118: «Otberto, Sigefredo, Arimundo, Liutaldo vasis domni marchioni» are mentioned. Sigefrid, perhaps the founder of the Canossa-family, is also mentioned in DD L III, n. 2.

<sup>54</sup> Manaresi, n. 127.

gar himself. The time, a few weeks after the death of the marquess, and while his son Guy and his widow Berta were held hostage of the king in Mantua<sup>55</sup>. The court resolved the case to the benefit of the church of Lodi against the bishop of Lucca. The bishop was obliged to return to Savignone (an abbey in the diocese of Tortona, but under the protection of Lodi) a small church that had been given *salva querela* to the Tuscan seat at the time of emperor Guy. As pointed out by Paolo Tomei, this was a proper royal *vendetta* against Peter II, bishop of Lucca. The payoff for his support to the marquess against the interests of Berengar, during the reign of Louis III<sup>56</sup>. It does not seem by chance that Berengar managed to wear the imperial crown only shortly after, in December. Adalbert's death had opened the road to Rome for the old king<sup>57</sup>.

The use of the court system, its manipulation according to political goals, was perfected by Berengar himself through the replacement of the *scabini* with *iudices domni regis*. This can be seen in the same *placitum* of 915, and becomes even clearer if we make a comparison with the *scabini* documented in previous court cases. The aim of this change was «souligner l'immédiateté du lien entre les juges et le pouvoir central»<sup>58</sup>.

Such strategy was taken even further by Hugh of Provence. In 941, in courts held at Pisa and Lucca, both Hugh and his son Lothar presided the tribunal with Hugh's another son, Hubert, «illuster marchio (of Tuscany) et comes palacii»; two tuscan bishops (from Luni and Volterra) and various «iudices domnorum regum», most of them representatives of lucchese families with ties within the episcopal and marchional clientage. In Pisa, the judges invested Conrad, bishop of Lucca, with the goods of an episcopal *curtis* and the lands of three baptismal churches among other properties of the bishopric, which were – according to the court – wrongly claimed by Imilga and his son Roffredo, both absent from the trial<sup>59</sup>. Eleven days after, in Lucca the tribunal invested *salva querela* the bishop Conrad (again), with goods located in Pisa against the interests of John son of Rosselmo, member of one of the most prominent families of the city, himself guilty of default in the trial<sup>60</sup>.

Pisa and Lucca: kings' justice had eventually reached the heart of the March. Courts were presided by marquess Hubert, Hugh's son, who displayed both the *auctoritas* given by the crown (intervening directly in disputes, at the heyday of kings' power), and the practical difficulties of summoning local lay elites to the court.

<sup>55</sup> *Antapodosis*, lib. II, LV. For the central political role of Berta in the *regnum*, see Gandino, *Aspirare al regno*, pp. 249-268.

<sup>56</sup> Tomei, *Chiese*, p. 30.

<sup>57</sup> Bougard, *Le couronnement impérial*, pp. 329-343.

<sup>58</sup> Bougard, *La justice*, p. 154.

<sup>59</sup> Manaresi, n. 140.

<sup>60</sup> Manaresi, n. 141. On these two *placita*, see also Puglia, *L'amministrazione*, pp. 677 and ff. On John son of Rosselmo see Rossetti, *Società e istituzioni*, p. 232.

## 2.2. *Contumacies*

Justice was ultimately one of the most spectacular institutional mechanisms modelling Early medieval societies – let us think, for example, about its ritual, almost liturgical. Moreover, justice was always «une vitrine du pouvoir»<sup>61</sup>, as shown by the *placitum* celebrated in Lucca by Berengar or the trials held by Hugh and Lothar. However, only two *notitiae iudicati* have been preserved for the period 915-967, both dated 941. Such a gap in Tuscan judicial records begins immediately after the death of Adalbert II (915), and differs from the rest of the kingdom of Italy, where *placita* stop being drawn from 945 to 962. Traditionally this discrepancy has been interpreted in a “nostalgic” way: the proof of the public court system crisis, and of the increasing privatization of the government, as a result of political instability in a time of civil wars. Thus, a period of “carolingian inertia”, identified with the reigns of Guy and Lambert, when imperial legislative capacity and authority carried on in accordance with Carolingian principles, would have favoured progressive anarchy provoked by the rapid turn-over of ruling figures and the continuous revolts of aristocratic factions in support of one candidate or another<sup>62</sup>.

Despite the changes, Tuscan courts kept in place many of the existing procedures for the resolution of disputes, procedures which were recorded ever since the Carolingian times. And yet, this should not be mistaken as unchanged continuity, for – in Tuscany as well as in the Kingdom altogether – some degree of change was beginning to appear already around 880. On the one side there are the new *formulae*, recorded in *placita*<sup>63</sup>, on the other documents – still within the threshold of the ninth century – increasingly mention people sentenced by default in public courts. The latter deserves some consideration.

Contumacy is documented in Carolingian times too, but only through a bunch of cases. Nearly always it is possible to follow up the trial’s further developments and find that people previously absent did eventually appear in front of the judges<sup>64</sup>. Particularly, in Tuscany from the end of the ninth century documents increasingly talk about contumacious individuals. Five out of nine *placita* written between 896 and 941 in the *regnum Italiae* and mentioning absentees in court, refer specifically to our region<sup>65</sup>. Perhaps absences in court significantly hindered smooth functioning of the proceedings? It does not seem so: they did not succeed in delaying *sine die* the procedures, thanks to a new formula called *investitura salva querela*<sup>66</sup>. Ac-

<sup>61</sup> Bougard, *La justice*, pp. 170 and 175.

<sup>62</sup> A significant challenge to these positions is in Reuter, *Introduction*, p. 9.

<sup>63</sup> *Ostensio cartae, finis intentionis terrae* and *investitura salva querela*, see note 24.

<sup>64</sup> Manaresi, nn. 1, 27, 48 e 77. For a brief comment on such examples, see Campitelli, *Contumacia civile*, pp. 28-42.

<sup>65</sup> Manaresi, nn. 102, 111, 127, 140 and 141.

<sup>66</sup> Snippets like «per tres vices nostri presencia adessent clamavimus», Manaresi, n. 102 (4 March 897) or «iam multis vicibus nostris presenciis semper te reclamare audivicimus», Manaresi, n. 123 (September 911), posit a degree of delay in processing cases which – otherwise – could be difficult to judge.

ording to this, courts ought to assign contended goods to the party present at the trial.

As for the *reasons* for these absences, interpreting data proves more complex. Only a few details in the text suggest that there might have been political aims behind them. For instance, the *placitum* of 915 presided by Berengar refers to a court case called by Guy between 891-894 (date unspecified): here the bishop of Lodi was not present<sup>67</sup>. Although the reason for this absence is unclear, the double *investiturae* (by Guy in favour of Lucca; by Berengar, more than twenty years later, in favour of Luni) is telling: it reveals tensions derived from opposite allegiances to the kings of Italy by the bishops.

In other cases, absence in front of the judges was not explicable by high political issues. Rather, numerous tensions developed within clienteles of bishops and marquesses. One example can be seen in the ongoing requests for justice by Peter II, bishop of Lucca, to the emperors Lambert and Louis III. These always involve laypeople, members of the elites of the diocese of Lucca. In particular, and rather significantly, Lambert son of Rodeland<sup>68</sup>, among the main *libellarii* of the bishop, who – with many others – is recorded as contumacious in March 897<sup>69</sup>; and is again absent (without companions, this time) in February 901<sup>70</sup>, exactly when he seems to have lost the favour of marquis Adalbert<sup>71</sup>.

How to explain the already noted temporary gap in court activities? More than a general, systemic “crisis” in government structures of the March or *Regnum*, it can be seen as a consequence of resistance, by lay and ecclesiastical elites, to accept the arbitration of public courts. If this were the case, it would explain the sudden rise in references to cases sentenced by default: local aristocracies had gained new awareness, and were thus driven to a higher degree of political autonomy.

With these thoughts in mind, it would be hard to interpret the lack of legal records in Tuscany as inefficiency of public justice prior to the Ottonian dynasty<sup>72</sup>. In fact, it seems that the problem is not as real as it looks: for the whole tenth century the *Regnum* was led by principles not exclusively limited to tribunal activities – and this in Italy, where the role of public justice and the daily practice of summons have always been seen as quintessential proof of a “correct” functioning of the reign’s political structures.

To understand better the effective degree of strength of this system, historians should widen their research to include imperial and royal diplomas. These documents can in fact highlight how effective public powers were in establishing a dialogue with political actors in Pisa, Arezzo and Siena.

<sup>67</sup> «Per plures placitas ipse Garardus episcopus Laudensis diletavit iusticiam faciendum; tunc ipse domnus Vuido imperator pars huius episcopio Lucensis de ipsa ecclesia sancti Handrei cum omnibus rebus ad se pertinentibus salva querela investivit», Manaresi, n. 127.

<sup>68</sup> On this member of the da Palaia family, see Pescagliani Monti, *La famiglia*, pp. 107-150, e Tomei, *Un nuovo*, p. 575.

<sup>69</sup> Manaresi, n. 102.

<sup>70</sup> Manaresi, n. 111.

<sup>71</sup> Tomei, *Chiese*, p. 29.

<sup>72</sup> On justice in the first years of Otto’s reign see Sutherland, *Aspects of continuity*, pp. 89-118.

### 3. *Platforms of power: the political use of diplomas*

Opposite to the *placita* situation, the rate at which diplomas addressed to Tuscan recipients are issued is consistent – between three and six diplomas are preserved for each decade. Only when the relationship between Adalbert II and Berengar was at its worst, was the trend disrupted: there is no trace of diplomas for the period stretching between the first comeback of Louis III in Italy and Adalbert's death (901-915). In spite of this break, their number, if compared with *placita*, is striking: from 889 to 961 twenty-nine<sup>73</sup> diplomas survive; and we know of the existence of another six as *deperditum*<sup>74</sup> (Fig. 1).

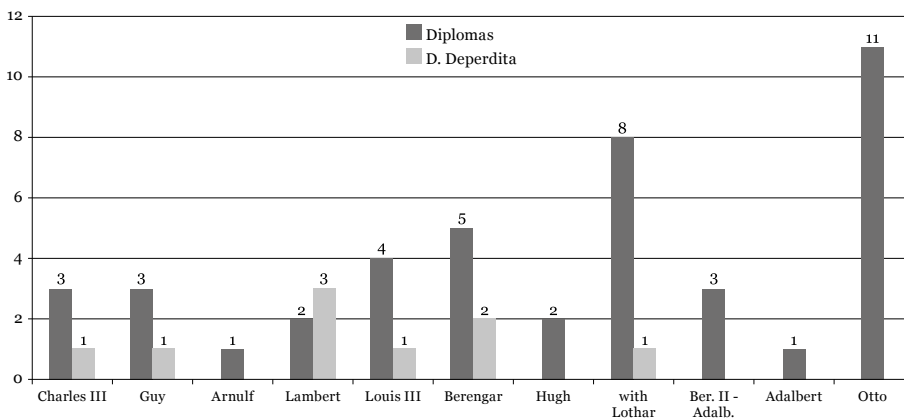


Fig. 1. Diplomas for Tuscan recipients (881-970)<sup>75</sup>

<sup>73</sup> DD G L: Guido n. 1 (27 March 889), n. 12 (24 November 891) and n.18 (14 September 892); Lamberto n. 8 (898 may 21) and n. 10 (2 September 898 = CA, n. 31); DD Arn, n. 140 (27 February 896); DD B I, n. 28 (25 April 899), n. 31 (24 May 900), n. 108 (8 December 915), n. 109 (2 January 916 = CA, n. 35), and n. 111 (22 June 916 = CA, n. 36); DD L III, n. 2 (12 October 900), n. 7 (2 March 901 = CA, n. 33), n. 8 (March 901 = CA, n. 34), and n. 12 (1 June 901); DD U L, n. 9 (22 July 927), n. 23 (30 August 929), n. 31 (1 July 932), n. 32 (16 January 933), n. 33 (17 January 933 = CA, n. 38), n. 45 (5 October 937), n. 48 (18 March 938-9 = CA n. 39), n. 49 (31 May 938), n. 56 (26 March 941), and n. 71 (21 October 943 = CA, n. 41); DD B II, n. 5 (12 March 952), n. 7 (23 June 953), n. 13 (24 April 960), Adalbert, n. 2 (28 February 961 = CA, n. 43).

<sup>74</sup> DD G L (“Diplomi perduti”), Guido perduto, n. 6 (891-894); Tomei, *Chiese*, p. 11 (a. 899?) and DD L III, perduto n. 5 (901 february-march), DD B I, perduto n. 31 (888-915) and perduto n. 41 (916-924); DD U L, perduto n. 27 (931-947).

<sup>75</sup> Although the number of diplomas issued during each king's reign depended on their duration, this graph shows significantly enough how active kings were throughout a period of nearly ninety years. The time-span is sufficient to support the historical interpretation carried out in this study. In fact, the graph shows the chronological development of diplomas for Tuscan recipients from Charles III's reign to the first years of Otto's one. It provides a picture – as accurate as possible – of kings' activities, between the last of the Carolingians to the ‘restorer’ of imperial authority, putting aside all political crises.

Within this period, Arezzo preserves the highest number of diplomas: five addressed to bishops, and three more to canons<sup>76</sup>. Such number is even more striking if compared to what is available for Lucca – the capital of the March – where only two diplomas are addressed to the canon church<sup>77</sup> and none to its bishop. There is no diploma for the episcopal church of Pisa, despite the wealth of its archive, especially the archiepiscopal collection<sup>78</sup>. Recently scholars of the like of François Bougard have claimed that differences of this kind do not have necessarily to be «a reflection of the circumstances under which documents were transmitted»<sup>79</sup>. Instead, they might mirror differences in political relevance, or the awareness each Church had of their role within the *Regnum*<sup>80</sup>. But in some cases, as for example Volterra, where only one diploma has survived but two more are known via indirect reference (*deperdita*)<sup>81</sup>, archival transmission has a relevance unknown elsewhere.

The great Tuscan monasteries are a completely different matter. San Salvatore al monte Amiata or Sant'Antimo, even a more recent foundation like the Abbey of Sante Flora and Lucilla (Arezzo) show differences in document numbers, if compared to each other<sup>82</sup>. Discrepances here could be down to the monasteries' specific histories, their political weight within their respective dioceses – in the March and in the *Regnum* –, more than to archival transmission of their documents. However, this is not the appropriate place to discuss these in detail.

The Tuscan diplomas series begins relatively early after the death of Charles III<sup>83</sup>. A study of these documents following a chronological sequence, focusing on the name and role of their recipients<sup>84</sup> and, last, on the addressees, allows a better understanding of some important issues, particularly given the changeable political patterns which were developing in the March. Among them, the construction of alliances – not always short-term ones – and the prerogatives (land, goods, public rights) assigned to the beneficia-

<sup>76</sup> Bishops: DD G L, Lambert n. 10 = CA, n. 31; DD L III, n. 2 and n. 7 = CA, nn. 32 and 33; DD B I n. 109 and n. 111 = CA, nn. 35 and 36. Canons: DD U L, n. 33 and n. 48 = CA, nn. 38 and 39; DD B II, Adalbert n. 2 = CA, n. 43.

<sup>77</sup> DD U L, nn. 31 and 56.

<sup>78</sup> Absence of diplomas issued by kings or emperors has been defined by Antonella Ghignoli as a «caratteristica rilevante» within the *Fondo diplomatico* of the Pisan Archivio Arcivescovile, see *Carte*, p. XIV.

<sup>79</sup> Bougard, *I vescovi*, p. 63. Similar considerations are made in Wickham, *The mountains and the city*, p. 125.

<sup>80</sup> Bougard, *Du centre*, p. 29.

<sup>81</sup> DD U L, n. 23. The *deperdita* in Berengario perduto n. 41 (916-924) and DD U L, perduto n. 27 (931-947).

<sup>82</sup> Sante Flora e Lucilla: DD U L, nn. 32 and 49; Sant'Antimo, DD B II, n. 5; San Salvatore al monte Amiata, DD G L, Guido n. 18, DD Arn, n. 140; DD B I n. 108 and DD U L, n. 45. In counting diplomas benefitting San Salvatore al monte Amiata we have not taken into consideration forgeries, which were edited later on. On these, see Marrocchi, *Monaci scrittori*, pp. 119-125.

<sup>83</sup> In May 889 king Guy, with the intercession of Adalbert II, donated courts and woods to the bishop of Fiesole, DD G L, n. 1.

<sup>84</sup> On this issue, see the pioneering study by Keller, *Zur Struktur*, pp. 123-223.

ries by diplomas. And, in turn, by knowing more about these aspects more can be achieved in the understanding of the ways in which these goods and these rights were managed. As a consequence, scholars can interpret bishops', abbots' and laypeople's political choices. All in all, such knowledge helps in analysing the ways in which the Kingdom (and the March within it) was politically framed. As Geoffrey Koziol recently remarked, diplomas were performative, and they were used to establish new political relationships<sup>85</sup>.

### 3.1. *Comparing Arezzo and Lucca*

A new enquiry on the political meaning of diplomas and on their significance as “flywheels” for the government of the Kingdom since the earliest conflicts for the crown, can profitably start from a repertoire of diplomas addressed to people and institutions in Arezzo – the bishop, the canons, the Abbey of saints Flora and Lucilla.

Between September 898 to March 901 the bishops of Arezzo received three diplomas: these show that significant changes in the March's political patterns have happened. The first was granted by Lambert following the intercession of his own mother, empress Ageltrud, and of bishop Amolus<sup>86</sup>. It confirmed the allocation of the court of Cacciano to the bishop, who acted on behalf of the Church of Arezzo. A clause states «ut nullus dux, comes, gastaldius aut quislibet publicus exactor» has the right to intervene on matters concerning the properties under scrutiny – thus suggesting a situation of high tension between the emperor and the marquess of Tuscany. Shortly earlier, in fact, Lambert had captured in Borgo San Donnino [modern Fidenza] the rebellious Adalbert. It is easy to see that the explicit reference to a *dux* in that clause (the first in diplomas from Arezzo<sup>87</sup>) hints at the recent defeat suffered by Adalbert in late summer 898. But Lambert died only six weeks after the diploma was compiled, thus opening once again the path to the Kingdom to the marquess. In fact, in October 900 Adalbert was interceding in front of the new king Louis III – being the marquess one of his main supporters – in another diploma. In this, all previous donations by the emperor and the pontiff to the church of Arezzo were confirmed. Significantly, no mention of a *dux* is made here, alongside the clauses stating that public authorities should not intervene<sup>88</sup>. Instead, Adalbert was acting in the diploma as the main interces-

<sup>85</sup> Koziol, *The politics*, p. 41 and *passim*. German scholarship have also concentrated in diplomas to study the symbolic meaning of political communication, and of their performative value, Keller, *Zur Struktur*. See also the collected essays in Althoff, *Inszenierte Herrschaft*.

<sup>86</sup> DD G L, Lambert n. 10 = CA, n. 31.

<sup>87</sup> See for instance Charles III's diplomas, with no reference to the *dux* in *ChLA*<sup>2</sup>, XC, n. 16 = CA, n. 28 and *ChLA*<sup>2</sup>, XC 18 = CA, n. 30.

<sup>88</sup> DD L III, n. 2 = *ChLA*<sup>2</sup>, XC, n. 21 = CA, n. 32, from which: «ut in sancta Aritina ecclesia nullus comes nullusque iudex vel quaelibet iudiciaria potestas magne parvaeque personae quamlibet invasionem vel superstitionem tam in rebus, familiis, plebibus, monasteriis, colonis, liberis,



sor, and was doing so on behalf of the diocese of Arezzo which – significantly – since then had retained a very clear autonomy towards the Tuscan marquesses, thanks to the strength of its bishops – particularly bishop John (d. 900) –, who acted, during the second half of the ninth century, at the highest levels of political diplomacy in the Empire<sup>89</sup>.

This diploma is therefore witness of a sensational political overturn – it could be seen as a manifesto, stating who was the real driver in Tuscan affairs. Since then, about fifteen years did pass before another imperial intervention in Arezzo. After the death of Adalbert in 915 political patterns had changed. Emperor Berengar donated to Peter III, bishop of Arezzo, the church of San Martin and assets in Pionta and Graticciata, with all their fixtures<sup>90</sup>. Only six months later, in June 916<sup>91</sup>, Berengar confirmed to the church of Arezzo all possessions placed between Arezzo itself, Città di Castello, Chiusi and Florence. Significantly, Adalbert's son Guy does not appear as an intercessor for the emperor. Instead, the clause on the impossibility of intervention by the *dux* does. Berengar was attempting to safeguard the possessions held by the Church of Arezzo, keeping in mind how, during the struggles over the crown of Italy (see 2.1), Tuscany (and the *Adalbertingi* family) did not support his rule.

The Church of Arezzo in fact acted as the main power-focus in that area, despite some documentary evidence showing that – at least at the beginning – there was no clear opposition to the marquess<sup>92</sup>, to whom Berengar entrusted *ad regendum* the Monte Amiata monastery<sup>93</sup>. It seems that behind what the diploma confirms – a change of strategy by Berengar – was Guy's mother Berta of Tuscany, Berengar's strong and tenacious opponent<sup>94</sup>.

As a case-study Arezzo is particularly relevant. From this observation point it seems that, aside from the mechanistic purpose – that is, to ratify new military balances within an ever-changing scenario of alliances – diplomas aimed at establishing connections, a sort of “political discussion” with the past. This is evident especially during the periods of harshest and most unpredictable struggles for the Crown, when many diplomas explicitly recall older ones, written by the Carolingians<sup>95</sup>. Such ideal continuity has both a symbolic meaning and a programmatic purpose. However, continuity from a

aldionibus vel servis, vasallis etiam omnibusque hominibus utriusque sexus residentibus supra res praefatae ecclesiae», CA, p. 102.

<sup>89</sup> On bishop John of Arezzo see Licciardello, *Agiografia*, pp. 148-155 and Heil, *Clerics*, pp. 216 and ff. I am grateful to the Author for letting me work on his unpublished studies.

<sup>90</sup> DD B I n. 109, pp. 279-281 = CA, n. 35. See also Delumeau, *Arezzo*, I, p. 232-233.

<sup>91</sup> DD B I n. 111, pp. 283-285 = CA, n. 36.

<sup>92</sup> «Hoc tempore Adelbertus, Tuscorum potens marchio, moritur, filiusque eius Wido a Berengario rege marchio patris loco constituitur», *Antopodosis*, lib. II, LV.

<sup>93</sup> Reference included in a diploma confirming assets and rights of Monte Amiata, DD B I, n. 108, p. 277.

<sup>94</sup> The diploma quoted in the previous footnote highlights Guy's lack of care – as well as his predecessors' – towards monastic assets. See also Marrocchi, *Monaci scrittori*, p. 94 for this snippet.

<sup>95</sup> DD L III, nn. 2 e 7 e DD U L, n. 33.



symbolic point of view must not be seen in a vacuum. It has to be read alongside signs and examples of novelty and detachment from a past like the Carolingian times. At least from Berengar's killing (924), in fact, the protagonists of the struggle over Italian territories embodied political values which were increasingly different from the Carolingian ones.

In this sense historians should also read the choice of the canons receiving new diplomas, from the time of king Hugh. After a series of privileges granted by emperors and kings to bishops of Arezzo – from the beginning of the ninth century up to the reign of Berengar –, the policy of Hugh and his son Lothar II (king with his father) changed. The sovereigns addressed two diplomas to the *canonica* and at the same time excluded the bishop from any kind of saying on properties granted to canons.

The first among this series of diplomas addressed to canons was issued in Arezzo in January 933<sup>96</sup>. Through a highly rhetorical choice of vocabulary, this document confirmed donations made to the local *canonica* by bishop Peter and emperor Lothar I, during the first half of the ninth century<sup>97</sup>. Hugh and Lothar also included different assets: goods originating from the royal fisc, «de iure insuper regni nostri»; lands inherited by Berta, Hugh's mother; lastly, the income due to the *canonica* of San Donato. Only five years later, in March 938, the kings went back to benefitting the *canonica* of Arezzo, donating the «silva Arbororo». Let us concentrate on some of the clauses of this last diploma, for they are deserving of some attention. In 933 both bishop and the *canonici* were explicitly forbidden from passing on to laypeople through *libelli* assets donated to themselves. Such prohibition originated from the fact that laypeople, in contravention to the law, were used by Tuscan habit («Tuscis consuetudo») to avoid corresponding the required *census*. Instead, the diploma of 938 restricted the prohibition to the Arezzo bishop only, who was not allowed to take the *silva* from the canons «aut per libellum sive per beneficium vel quolibet modo». The bishop of Arezzo detained the *real* power on a local scale. By forbidding the alienation of land to the bishops, the kings tried to reduce the scope of the prelate's actions, as they effectively limited his power to build up allegiances and clientele through land. On this mechanisms we have already insisted when analysing the Lucchese *placita* held at the time of Adalbert II.

This case was not isolated, and choices like the ones carried out by the kings in Arezzo can be seen also in other cases at the heart of the March, in Lucca, in the only two diplomas addressed to the local Church. Here too Hugh did not benefit the bishop. Instead, in 932 he granted to priests, deacons and subdeacons of the cathedral of San Martino of Lucca «pro remedio animarum

<sup>96</sup> DD U L, n. 33, pp. 101-105.

<sup>97</sup> Scholars still argue over the true nature of early Carolingian endowments to the *canonica*. See opposite interpretations by Calleri, *Latto di fondazione*, pp. 89-101 and Nicolaj, who sees the foundation charter for the Arezzo *canonica* as authentic in Nicolaj e Feo, *Ancora in tema di falso*, pp. 203-230.

Adelberti marchionis et Bertae serenissimae comitissae karissimeque matris nostrae» the court called *Massa Grausi*, in the *comitatus* of Lucca, previously owned by Berta<sup>98</sup>. And again, here too clauses are added in order to protect the assets from the bishop's interference. In 941 the will to benefit *canonici* becomes clearer<sup>99</sup>. The document added the court of Santa Petronilla and other goods which Hugh had inherited from his mother Berta. As in the 932 diploma, here too a clause was inserted: these estates should return to the king's personal property in case the bishop of Lucca withdrew from the *canonici* their usufruct.

A comparison between the examples from Lucca and the ones from Arezzo can reveal interesting features. Firstly, both diplomas are manifestos of the role Lucca and the Tuscan March played in Hugh's Italian politics. Both documents remember Adalbert II and Berta (thrice in the 942 diploma, almost obsessively). By doing so, the king wanted to stress political continuity in Tuscany which he himself guaranteed by being connected to Berta, his mother and Adalbert II's wife. Nevertheless, he sidetracked attention from the blinding of his stepbrother Lambert, the legitimate marquess – a fact only just happened, a few months before the concession of the first diploma. In this last document the new *marchio* of Tuscany, Boso, is mentioned as intercessor: Boso had been imposed by the king, and – as the king – he was one of Berta's sons.

There is more: if read in parallel with other documents, these diplomas show how important it is to overcome reductive interpretations, for instance those connecting diplomas in favour of *canonicae* with anti-episcopal strategies – in Lucca, Arezzo and other Tuscan seats<sup>100</sup>. Let us see why. The generous donation to the *canonici* of Lucca was made only a day after the *placitum* (see 2.2), celebrated in Lucca on 25 March 941<sup>101</sup>. In that occasion a tribunal presided by marquess Hubert granted through *investitura salva querela* some properties located in Pisa to Conrad, bishop of Lucca. These possessions had been taken over by a member of the local social elite. The same *placitum* was celebrated only twelve days after another sentence, held in Pisa at the presence of Hugh and Lothar, presided by marquess Hubert and which ended up benefitting bishop Conrad, through the *investitura salva querela* of possessions held «malo ordine et contra lege»<sup>102</sup> by relatives of the same bishop<sup>103</sup>.

Let us now move to Arezzo. Here the Abbey of Sante Flora and Lucilla, founded by bishops of Arezzo, was the beneficiary of some diplomas<sup>104</sup>. While

<sup>98</sup> DD UL, n. 31.

<sup>99</sup> DD U L, n. 56, pp. 166-169, «in usum et sumptum canonicorum». This was then confirmed by king Adalbert, DD BII, n. 2 and by Otto, DD O, n. 253.

<sup>100</sup> With the exception of the Church of Florence, as claimed by Ronzani, *Vescovi*, pp. 7-12.

<sup>101</sup> Manaresi, n. 141.

<sup>102</sup> Manaresi, n. 140.

<sup>103</sup> Schwarzmaier, *Lucca und das Reich*, pp. 100-105.

<sup>104</sup> Tabacco, *Espansione monastica*, pp. 57-87.

bishops of Arezzo did not receive any diploma during the reign of Hugh<sup>105</sup>, a closer reading tells us that both the kind of donation and the assets involved are coherent with the guidelines followed by other endowments benefitting the Arezzo *canonica*. Specifically, the possessions involved came from the royal fisc and from Hugh's bequests from his mother's side<sup>106</sup>. They revolve around assets located in a wide area – ranging from Garfagnana to Camerino<sup>107</sup>, in the March of Spoleto.

From what has been seen so far, in such diplomas there is no trace of policies tending to marginalise or damage specific individuals. Rather, it seems that the intention was to balance possessions through a careful redistribution of fiscal land and of goods coming from the king's personal properties. Balancing these would have meant evening out the grounds on which loyalties – through military clientele –, local and superlocal patterns of power were built. For instance, if on the one hand the bishop of Lucca was forbidden from resorting to canons' possessions, on the other hand, he was recognized in the possession of bishopric assets, taken over by the diocese's aristocracies. As complex as it looks, this game reveals Hugh's political agenda in the *regnum Italiae*, and specifically in the Tuscan March, first granted to his brother Boso, then to his son Hubert. Clear evidence of this game of redistribution can be seen also among the lay protagonists of these acts, where the endowment of fiscal goods becomes crucial for reading mechanisms for the control of the territory.

### 3.2. *The role of lay elites*

Almost a quarter of the total number of diplomas<sup>108</sup> were also delivered to lay people, both members of local elites and aristocracies. The presence of laypeople appears rather significant inasmuch it emerges from documents almost totally dominated by the presence of ecclesiastical institutions – cathedral churches and monasteries<sup>109</sup>. Although numerically inferior, this evidence is equally significant of the degree of political skills displayed in the relationship between kings and other actors, active at a diocese level<sup>110</sup>. The

<sup>105</sup> «Venerabilem episcopum dilectumque fidelem nostrum»: DD U L, n. 32, p. 99; Bougard, *Vescovi*, p. 67.

<sup>106</sup> On fiscal assets given by king Hugh see now Vignodelli, *Berta e Adelaide*, pp. 1-46.

<sup>107</sup> DD U L, nn. 32 e 49.

<sup>108</sup> DD G L, n. 12 (24 November 891); DD L III, n. 8 (March 901) and n. 12 (1 June 901); DD U L, n. 9 (22 July 927) and n. 71 (21 October 943); DD B II, n. 7 (23 June 953) and n. 13 (24 April 960). Another two references to *deperdita* have been preserved: DD G L, Guido perduto, n. 6 (891-894) and DD B I, perduto n. 31 (888-915).

<sup>109</sup> Only ecclesiastical archives preserve early medieval documents: this shows how difficult it has been to retain and transmit documents related to laypeople which – for various motives – did not manage to create links with ecclesiastical institutions. On such methodological problems see Cammarosano, *Italia medievale*, pp. 23-41 and Costambeys, *The laity*, pp. 231-257.

<sup>110</sup> As has been pointed out by Cammarosano in *Nobili e re, passim*.

relationship itself is an indicator of the distribution and extent of the king's action in various Tuscan areas. In fact, diplomas can be summarized by the devolution of fiscal lands and by royal protection to lay families up and coming in the territory east of Lucca, in the dioceses of Pistoia, Fiesole, Siena and, above all in Arezzo, where both the political agency and patrimonial basis of kings and the marquesses of Tuscany were weaker than in the heart of the March.

Ever since Guy's reign, documents show continuous attempts at defining new ways to connect the kings with individual members of the elites active within the various *comitati* of the March. In November 891 Guy granted to Thietelm properties from the royal fisc, located in four rural districts (*pagi*) on the other side of the Appennines, in Emilia, a transit area between Tuscany and the Po valley. Thietelm had been defined as «*fideli nostro*» by the emperor. Perhaps he was linked to Adalbert II as the latter appears in the document as intercessor<sup>111</sup>. The same diploma also reaffirms Thietelm's possessions of assets in the florentine *comitatus*, which had been granted to his father by Charles III.

Documents show also a strengthening of Charles III's policies towards Tuscan elites in Guy's time. Proof of this can be found in the donation of a court in Cacciano, passed by Guy to «*Vuinibertus Tuscie habitator in comitatu Aretino*». Unfortunately this diploma has not been preserved, and we know of it through a concise reference made elsewhere – in the *narratio* of another diploma in which the same court was passed by Lambert to the Church of Arezzo<sup>112</sup>.

This system, aiming at redistributing the land in order to establish new clientele, managed to permeate local society. Perhaps one of the most relevant proofs of such penetration can be found in a diploma by Louis III, written in June 901. The emperor granted a little court in the *comitatus* of Chiusi to Adalric, Atto's *vassus*. Not much of him is known, apart from the fact that – the document says – he was faithful to Adalbert II who, in fact, was acting as intermediary<sup>113</sup>.

All of these examples referring to laypeople give strength to the idea that, during this period, the strategy of alienating public assets to members of the local elites was becoming more and more successful. In doing so sovereigns built gradually a network of social interactions based on loyalty. For example, emperor Lambert took the court of Cacciano from «*Vuinibertus*» to assign it to the Church of Arezzo – traditionally not too politically close to Adalbert II – during a time of crisis, in the late summer of 898. Such strategy stresses how scholars should interpret changes in land distribution as indicators to understand the governance of this territory.

<sup>111</sup> DD G L, n. 12, pp. 32-34, see also Santos Salazar, *Una terra contesa*, pp. 120-121.

<sup>112</sup> CA, n. 31.

<sup>113</sup> DD L III, n. 12, pp. 36-38.

King Hugh perfected it further. He imposed a *coup d'état* in the March, where he established loyal men, coming from his own *familia*, and succeeded in wiping out a dangerous claimant to the throne<sup>114</sup>. By putting hand to his personal and fiscal assets in the March he managed to balance local dynamics and rearrange the existing local political ranks, exactly as it happened in the case of *canonicae* and bishops (§ 3.1). Surviving evidence also allows a deeper inquiry into the role of laypeople, ranging from intermediate elites up to the highest aristocratic echelons.

Among the most striking pieces of evidence attesting to fiscal land controlled by the crown are the dowries of Berta and Adelaide (wives respectively of Hugh and Lothar), recently studied by Giacomo Vignodelli<sup>115</sup>. They demonstrate the enormous fiscal wealth of the Kingdom throughout the Po valley and, significantly for the March of Tuscany, around Luni, Lucca and southern Tuscany<sup>116</sup>, where they came to include the whole patrimony of the abbeys of San Salvatore al monte Amiata and Sant'Antimo. These examples can shed light on the redistribution of land, on a much wider scale than what we have seen up to now. In fact, to control the sheer size of the abbeys' possessions meant to be able to create a wide power basis. In order to allow access to Adelaide's dowry, San Salvatore al monte Amiata was withdrawn from the traditional allegiance to the Tuscan marquesses, while Sant'Antimo was taken off the patrimony of the Church of Arezzo, to which Charles the Bald had granted it<sup>117</sup>. This brought under the Kingdom's control wide productive areas, which were located on the boundaries between the area of influence of the marquesses and that of the Aldobrandeschi – the most powerful lords in the southern part of modern Tuscany<sup>118</sup>.

It is more difficult to know the origin of the assets used by Hugh to build his strategy for redistribution and government. Some assets from the royal fisc, some from the *Adalbertingi* marquesses and properties from his mother's inheritance were "fiscalised"<sup>119</sup> with the aim of strengthening royal power in Tuscany. Here, since then, the marquess became totally dependent to the king's political will.

Everything leads us to acknowledge how royal strategies were aimed at the construction of power platforms based on the control of fiscal and private land, and the creation of a huge network of loyalties involving canons, bishops, royal *consortes* and lay elites loyal to the king. A diploma has been preserved, granting the monastery of San Salvatore in Agna to one of these men, called «Tegrimus» (significantly defined by king Hugh as «dilecto compatri et fideli nostro»). A monastery which had been previously donated to the bish-

<sup>114</sup> The most recent contribution on Hugh's policy towards Italian aristocracy is in Vignodelli, *Il filo a piombo*, pp. 203-230. On king Hugh see also Balzaretto, *Narratives of success*, pp. 185-208.

<sup>115</sup> Vignodelli, *Berta e Adelaide*, pp. 1-46.

<sup>116</sup> See the maps published by Vignodelli, *Berta*, pp. 27, 34 and 37.

<sup>117</sup> As recently noticed by Bougard, *Vescovi*, p. 68.

<sup>118</sup> Collavini, «Honorabilis domus et spetiosissimus comitatus», p. 73.

<sup>119</sup> Nobili, *Le signorie*, p. 299.

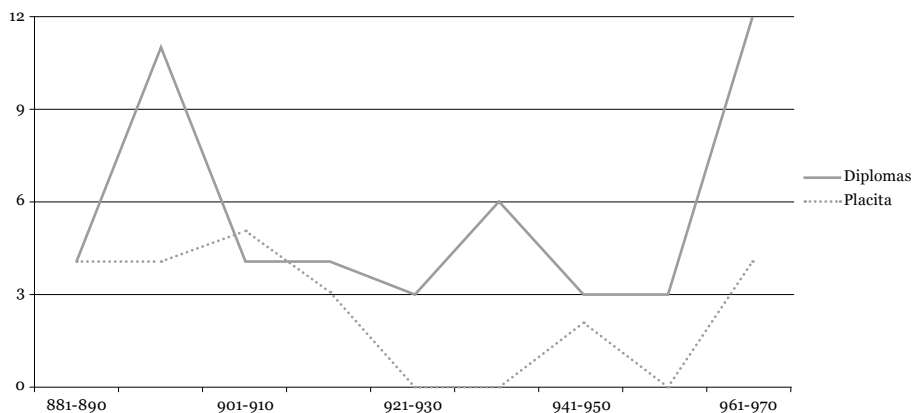


Fig. 2. Tuscan *placita* and diplomas, including references to *deperdita* (881-970)

op of Fiesole by emperor Louis III<sup>120</sup>. Traditionally scholars have interpreted this attitude towards eminent laypeople in parallel with the increase in the number of men with comital titles in private documents<sup>121</sup>, as an indicator of king Hugh's will to reduce the marquess' power<sup>122</sup>. Such reading would make sense if we were to consider an *Adalbertingo* Tuscan marquess. But the last *marchio* of the family, Lambert, was in fact politically wiped out. However, once the March was under Hugh's control through his brother, and even more through his son, the king tried for more than a decade to rebalance the existing powers by using the tools he possessed: redistribution of privileges and land through the issue of diplomas and sentences in courts; not so much damaging the marquesses' or the bishops' interests, but rather wanting to stress his own political superiority, often via routes already used by his predecessors, as demonstrated in this study, other times moving more aggressively the pawns on the chessboard – as demonstrated by the Tuscan “coup”.

A comparison between these political strategies and what happened in post-Hugh's reign can prove rather useful. Both Berenger II and Otto confirmed diplomas issued by the Provençal king in favour of the *canonicae*. The fundamental importance of the policy outlined so far continued both with Berengar II<sup>123</sup> and with Otto, when diplomas to Tuscan beneficiaries reach their highest number significantly within 964<sup>124</sup>.

<sup>120</sup> DD U L, n. 9, pp. 29-32.

<sup>121</sup> For a quick repertoire of comital families including an earlier bibliography, see Puglia, *L'amministrazione*, pp. 690-698.

<sup>122</sup> Keller, *La Marca*, p. 134; Rossetti, *Società*, p. 232; Nobili, *Le famiglie*, p. 130. On the same topic, see the recent Vignodelli, *Berta*, pp. 30 ff.

<sup>123</sup> The confirmation by Berengar II of privileges to Sant'Antimo – one of the abbeys included by Hugh into Adelaide's dowry – is very significant. See DD B II, n. 5.

<sup>124</sup> Transfers of fiscal goods and reiteration of previous privileges during the first years of Otto's

Through a parallel analysis of *placita* and diplomas therefore scholars can achieve a more appropriate understanding of kings' and emperors' political skills. A graph (Fig. 2) showing chronological developments of both types of documents is important. It allows to trace along several decades consistency and continuity in the political agency displayed by central authorities. This is a crucial factor at a time when loyalties within the March and the *Regnum* were unstable. The graph clearly shows how political agency of the Crown never ceased, despite a nearly complete lack of court judgements between 915 and 967 – with two sole exceptions in 941 –. If it is true that, until Otto's reign, *placita* almost disappear, the pattern of diplomas instead seems – at least in Tuscany – nearly uninterrupted. Only few peaks are evident, and these are matching with the governments of Louis III and Otto, although to a different scale, and with periods characterized by particular military and political tension. The latter are evident just after Adalbert II's death, up until the *coup d'état* of king Hugh in Tuscany.

The period between 915 and 930 was a time of political experiments, where the new relevance of *fidelitas* in the relationship between lay and ecclesiastical aristocracies, and between these and the March, emerges with great clarity. As shown by *placiti* and diplomas these relationships were the space within which legitimacy and political success were achieved. This would explain the ever-changing loyalties of elite members during the wars opposing the various claimants to the Crown.

#### 4. Discussion

It is now time to draw our discussion to a conclusion by asking a few questions, which stem out of the will to understand how effectively scholars can gauge ideas like “crisis” and “collapse”, thus helping a widespread discussion – the same that inspired the Salamanca conference. Is it appropriate to describe a complex political system with words like «anarchy», «disgregation» or «disorder»? Is it fair, from a methodological point of view, to analyse political patterns as the ones outlined for Tuscany – say – between 890 and 962 by comparing them to previous or following political patterns?

As we have shown at the beginning of this study, the true novelty which can be seen since the end of the ninth century was the disappearance of a monopoly claimed on the imperial throne by male (legitimate) descendants of Charlemagne. This sparked and made possible a rather strong competition between aristocrats operating at a very similar military and economic scale, both in Italy and in the rest of the Carolingian realms<sup>125</sup>. The innovation thus

rule had a central role in his “Tuscan policy”. On this aspect, see DD O I, nn. 237, 238, 249, 253, 254, 266, 267, 270, 334 e 335.

<sup>125</sup> On competition in the Early Medieval world see R. Le Jan's introduction to the volume *Rivaliser, coopérer: vivre en compétition dans les sociétés du haut Moyen Âge*, forthcoming. I am



is the gap with the competition ensued from it, and not lack of political skills by the new kings or their inability to rule «more carolingio», as many of the *placiti* and diplomas discussed here have shown.

However, as recently pointed out by Charles West, that time generated new political hierarchies when their charisma suffered a symbolic weakening<sup>126</sup>. The greatest majority of pessimistic thoughts expressed by historians of the ninth and tenth century – Regino of Prüm, Liutprand of Cremona, Atto of Vercelli – was rooted in that weakened prestige. It is true however that war and instability were also a feature when Charlemagne's heirs contended to the throne<sup>127</sup>; for example, the hard clashes which ended with the peace of Verdun (843). As shown by Simon MacLean, violence and political tension were «a perennial by-product of Frankish dynastic politics, not a symptom of Carolingian power entering a terminal tailspin after 875»<sup>128</sup>.

Narrative sources respond to very subjective and strongly ideological purposes, aiming at a comparing between the “sad” present with a gold-plated Carolingian time. The latter never existed, simply because that image too was the by-product of other ideological narratives. Moral evaluation of governments between 890 and 962 do not match, therefore, the effective way of ruling. This however can be reconstructed in some small percentage through the study of archival documents, particularly through the work on *placita* and diplomas<sup>129</sup>. Judgements like the Lucca ones of 897 or 915 are totally in line with the ones of the time of Louis II from a symbolic point of view. Talking about “crisis” does not help understanding and studying what happened in Carolingian Europe following Charles the Fat's death. Rather, it seems appropriate to talk about individual periods of extreme violence and great instability like, for instance, the tension between Adalbert II and Berengar, or the coup of Hugh in the Tuscan March as have been observe in this article.

Discussion on “crisis” is not even useful to assess the clear changes in the way authority was exerted on a local scale. For instance, let us think about the growing number of contumacious in courts. This phenomenon witnessed, from the late ninth to the mid tenth centuries, to a process of social hierarchization, with trials dominated by aristocratic interests when lay and ecclesiastical aristocracies worked mostly within the boundaries of one or two neighbouring dioceses, and followed independent paths of social and economical self-assertion<sup>130</sup>. Such developments would have not ripen completely till the beginning of the eleventh century, and yet at a very slow pace. Only then can one observe the authority of the marquess exerted almost exclusively limited

most grateful to prof. Le Jan for allowing me to read her manuscript.

<sup>126</sup> West, *Reframing*, pp. 167-170.

<sup>127</sup> Airlie, *Semper fideles?*, pp. 129-143.

<sup>128</sup> MacLean, “After his death”, p. 251.

<sup>129</sup> Bougard, *Diplômes et notices de plaid*, forthcoming. I am most grateful to the Author for kindly allowing me to read the manuscript before publication.

<sup>130</sup> As can be seen, also, in Modenese territory, Santos Salazar, *Ufficiali*, forthcoming.



to coordinate – from the top – seigneurial powers. These, in turn, became increasingly independent when striking roots through land tenure. An example is the political rise and fall of the Aldobrandeschi, or the vicissitudes of several Tuscan families of the like of the Cadolingi, Guidi, Alberti or Berardenghi, as witnessed by a high number of documents from the eleventh century onwards.

If compared to other seigneurial developments documented in the North of Italy, and particularly of the like of *incastellamento*<sup>131</sup> Tuscan political processes seem to have been more “timid” and delayed. One explanation could be the strength of *publicum* in the March of Tuscany, which could slow down seigneurial “experiments” like the ones happening nearby, on the other side of the Appennines, from the first half of the tenth century<sup>132</sup>.

Proof of this strength can be seen in a judgement presided by Otto in Lucca in 964: here, in a time when no marquis was ruling the area, the *pars marchie* was identified with the *pars publica*<sup>133</sup>. The March of Tuscany, thus, should be read as a political arena where research of social and political balances was pursued, by using strong public procedures, well into the eleventh century.

<sup>131</sup> Cortese, *Signori, castelli e città*, pp. 205-237.

<sup>132</sup> Wickham, *La signoria*, pp. 343-409. Maria Elena Cortese also posited a role as “inhibitor” played by the March on lordships, *Signori, castelli, città*, p. 206. Against this interpretation see Cammarosano, *Cronologia della signoria*, pp. 11-18. Cammarosano instead claims that the impression exclusively derives from the structure of available written sources – that is private charters preserved until today in ecclesiastical archives. This would explain the structure of our sources «di carattere cronologicamente discontinuo» and «largamente casuale», a pattern which can prove inappropriate to read well how rights and seigneurial prerogatives had developed. However, *inconsistency* and *randomness* are common features to *both* the Tuscan and the northern Italian written sources, hence we support the hypothesis of a “inhibiting” role of the March on lordships, posited by Wickham and Cortese.

<sup>133</sup> Manaresi, n. 152. The *placitum* has been studied by Keller and Ast, *Ostensio cartae*, pp. 99-121.

## Abbreviations

- Antapodosis* = Liudprandi Cremonensis *Antapodosis*, in Liudprandi Cremonensis *Opera omnia*, ed. P. Chiesa, Turnhout 1998 (Corpus Christianorum, Continuatio Mediaevalis).
- CA = *Codice Diplomatico Aretino*, I, *Le carte della Canonica di Arezzo (649-998)*, ed. M. Calleri and F. Mambrini, Spoleto 2014.
- CDA = Codex diplomaticus Amiatinus. *Urkundenbuch der Abtei S. Salvatore am Montamiata: Von den Anfängen bis zum Ende der Nationalkönigsherrschaft, 736-951*, ed. W. Kurze, Tübingen 1974.
- ChLA<sup>2</sup>, LXIII = *Chartae Latinae Antiquiores*. Facsimile-edition of the Latin Charters 2<sup>nd</sup> series, Ninth Century, ed. G. Cavallo and G. Nicolaj, Part LXIII, Italy XXXV, *Siena III*, published by A. Mastruzzo, Dietikon-Zurich 2004.
- ChLA<sup>2</sup>, XC = *Chartae Latinae Antiquiores*. Facsimile-edition of the Latin Charters 2<sup>nd</sup> series, Ninth Century, ed. G. Cavallo and G. Nicolaj, Part XC, Italy LXII, *Arezzo*, published by G. Feo, G. Nicolaj, M. Calleri, C. Tristano, Dietikon-Zurich 2011.
- DD Arn = *Arnolfi diplomata*, ed. P.F. Kehr, Berolini 1940 (MGH, *Diplomata regum Germaniae ex stirpe Karolinorum*, 3).
- DD B I = *I diplomi di Berengario I*, ed. L. Schiaparelli, Roma 1903 (Fonti per la Storia d'Italia, 35).
- DD G L = *I diplomi di Guido e Lamberto*, ed. L. Schiaparelli, Roma 1906 (Fonti per la Storia d'Italia, 36).
- DD K III = *Karoli III Diplomata*, ed. P.F. Kehr, Berolini 1937 (MGH, *Diplomata regum Germaniae ex stirpe Karolinorum*, 2).
- DD L II = *Ludovici II Diplomata*, ed. K. Wanner, München 1994 (MGH, *Diplomata Karolinorum*, 4).
- DD L III, DD R II = *I diplomi italiani di Ludovico III e di Rodolfo II*, ed. L. Schiaparelli, Roma 1910 (Fonti per la Storia d'Italia, 37).
- DD O I = *Die Urkunden Konrad I. Heinrich I. und Otto I.*, ed. T. Sickel, Hannoverae 1879-1884 (MGH, *Diplomata regum et imperatorum Germaniae*, 1).
- DD U L, DD B II = *I Diplomi di Ugo e Lotario, di Berengario II e di Adalberto*, ed. L. Schiaparelli, Roma 1924 (Fonti per la Storia d'Italia, 38).
- Manaresi = C. Manaresi, *I placiti del Regnum Italiae*, Roma 1955 (Fonti per la Storia d'Italia, 92).
- MDL IV/2 = F. Bertini, *Memorie e documenti per servire all'istoria di Lucca*, IV, 2, Lucca 1836.
- MDL V/2 = D. Barsocchini, *Memorie e documenti per servire all'istoria del Ducato di Lucca*, V, 2, Lucca 1837.
- MDL V/3 = D. Barsocchini, *Memorie e documenti per servire all'istoria del Ducato di Lucca*, V, 3, Lucca 1841.

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