



N. 18 (Autumn 2021), 192-202 | ISSN 2014-7023

Reviews

doi: 10.1344/Svmma2021.18.16

BAIGES I JARDÍ, Ignasi Joaquim, 2021

Manual de Siurana (1229-1239)

Barcelona: Fundació Noguera.

Review by JORDI SAURA NADAL. IRCVM-UNIVERSITAT DE BARCELONA

Within the important tradition of the study of the notary public in Catalonia, the publication of notarial sources has a long history, which has traditionally been highly influenced by the outstanding publications of these volumes in Italy until today (MANGINI, Marta Luigina, 2021. *Mafeo de Mercato di Meda (Milano-Meda, 1290-1294)*, Genova: Società Ligure di Storia Patria). In Catalonia itself, one of the most specific and most important collections of the well-known Noguera Foundation - a leading institution for the promotion of this type of studies in the country - is the so-called *Acta Notariorum Cataloniae*, which, precisely aims to make these essential sources for historical knowledge available to researchers.

With the volume that we are reviewing here, the *Acta* reaches its 29th publication. A long trajectory which began in 1991 with the publication of a protocol (1351) by the Barcelona notary Bonanat Rimentol, under the supervision of the indispensable Laureà Pagarolas, and which has not ceased to bring new developments, publishing medieval, modern and contemporary notarial manuals and books.

Special mention, without doubt, must be made of the Foundation's willingness to study and publish the oldest notarial volumes produced in our country, which are exceptional sources, not only for their unique antiquity in the Iberian Peninsula, but also for the interest that their contents awaken in different fields of historical research.

In fact, with the publication of *Manual of Siurana* by Ignasi Baiges (with the participation of Jaume Marcé and Elena Cantarell), the Foundation continues the publication - though not always - of the "saga" of the oldest manuals preserved in Catalonia, led, at the moment by a fragment found in Vic, dated 1221, and of which the Siurana manual is the fifth. This 'podium' of Catalan documents consists of the

Manuals of Manresa (1222-1223; 1224-1225), Alcover (1228-1229), **Siurana (1229-1239)**, Vic (1230-1233), Terrassa (1237-1242) and Santa Coloma de Queralt (1240-1262), of which Rafael Ginebra has performed a comparative analysis (GINEBRA I MOLINS, Rafel, 1998. *Llibres notariais del segle XIII a Catalunya. Un estudi comparatiu*, Treball del Màster d'Arxivística (UAB-AAC). Barcelona: unpublished).

As Baiges rightly points out in this study, these manuals are the fruit of a new era, of a new practice that began to become established in Catalonia between the end of the 12th and the beginning of the 13th centuries. We are referring to the arrival of new ideas, of a renewed Common Law, coming from the northern part of what is now Italy, which would play a fundamental role in the development of the country. One of the most significant changes in the application of these new concepts is precisely the appearance of the first notarial manuals, of which the Siurana manual is an exceptional example, and which seems to have occurred very early, according to the preserved volumes.

However, Ignasi Baiges does not limit himself to editing a very complex and complicated source (among other reasons, due to the state of preservation of some of its parts), but rather offers a magnificent introductory study that will have to be taken into account in publications of notary books in the future. Baiges analyses both the external characteristics of the manual (the condition, manufacture and structure of the books, and the materials used) and their internal characteristics (such as the types of writing, chronology, notarial diplomatic signs and annotations). In this sense, one of the most interesting sections for palaeographers will doubtlessly be the lines dedicated to the analysis of the handwriting - a Catalan preface of a notular type, very similar to that of other contemporary manuals - which allows Baiges to distinguish between the individuals who participated in the writing of the manual, although he is unable to name them.

Finally, perhaps the most important aspect of this study is its analysis of the different types of documents contained in the volume, which allows us to examine various elements of notarial activity, including the clientele. As the author correctly states, it would not, in fact, be bizarre to think that this first notary was patronised mostly by local residents. These clients would go to the notary to settle all kinds of contractual issues, most of which arose from basic but very important issues for a rural society, such as land sales, marriage agreements, wills, debts and their payment.

The study of all these typologies, whether general or specific, can certainly provide a great deal of data for a wide range of work. The examination of wills, for example, provides very interesting information, not only regarding contemporary mentalities, but also for the knowledge they provide regarding the local toponymy and even the existence of an apparently well-established network of hospitals.

In terms of the notarial institution proper, the analysis of 25 identified establishments, and especially of their clauses, is, perhaps, of the greatest interest. Indeed, the

absence in these documents of the term “*enfiteusi*” and the combination of old and new legal clauses (such as a renunciation of rights) allows Baiges to hypothesize that we are still in an early phase of the spread of Common Law in this area. All in all, it provides a further signpost towards both the past and of the future in a period of transition that was part of a process of incorporating ideas that would be instrumental in the establishment and subsequent development of the Catalan notarial institution.

CHALMETA, Pedro, 2021

Historia socioeconómica de Alandalús (desde la conquista hasta el final del califato) con la colaboración en el estudio numismático de Tawfiq IBRAHIM

Almería: Fundación Ibn Tufayl de Estudios Árabes.

Review by DOLORS BRAMON. IRCVM-UNIVERSITAT DE BARCELONA

This extensive work consists of three long chapters, preceded by a Preface (pp. 9-10), and an Introduction (pp. 11-12), with a Glossary (pp. 589-591), an Appendix on the inscriptions of coins and their evolution (pp. 523-624), a Bibliography (pp. 625-681), a list of the Acronyms used (pp. 779-781), ending with an Index of illustrations (photographs of coins, graphs and maps) (pp. 782-783).

In the first chapter (pp. 13-60), Chalmeta, an excellent connoisseur of historical sources, describes and analyses them, subdividing them into the following sections: I.1, Geographers, I.2, Chronicles, I.3, Archaeology, I.4, Legal works, I.5, Biographical dictionaries and I.6, the available manuals of the *ḥisbat al-sūq* or the Andalusian market police, which are those of Ibn al-Cabd al-Ra'ūf, Ibn cAbdūn and al-Saqatī, written in the 10th, 12th and 13th centuries, respectively. All three have been conveniently reviewed in this publication. The exhaustiveness of the range of historical works studied is noteworthy, ranging from the earliest Arab chronicles to the very latest ones, such as those of al-Maqqarī (d. 1631) or the account of a visit to the Peninsula (1691) by al-Ġassānī, the ambassador of the Maghrebi sovereign Muley Ismail, to Charles II. It also includes and bases its research on Latin sources, from the *Chronicles* of 741 and 754, the *Albendense* and that of *Alfonso III* (written between the beginning and end of the 9th century), *De rebus Hispaniae* and *Historia Arabum* by Rodrigo Ximénez de Rada (d. 1274), as well as on a range of Castilian sources such as the *Crónica de San Juan de la Peña*, from the 14th century, though it also draws on earlier annals; one titled *Guerra de Granada* by Diego Hurtado de Mendoza (d. 1575), as well as *Historia de la rebelión y castigo de los moriscos del Reino de Granada* and *La descripción general de África, sus guerras y vicisitudes, desde la fundación del mahometismo hasta el año 1571* by Luis Mármol Carvajal (d. c. 1600). Chalmeta's use of these resources produces excellent results.

Chapter II (pp. 61-236), entitled "*Historia socioeconómica de Alandalús*" ("Socio-economic History of *Alandalús*"), begins with an explanation of the name by which the Arab authors designated all the areas they occupied, regardless of whether they are now part of Spain, Portugal or France, and establishes from the outset the term the author adopts throughout the work to refer to the territory under investigation. In other words, Chalmeta, in line with modern experts, always writes "*Alandalús*", that is to say, as an oxytone without a hyphen separating it from the article, while respecting the proper pronunciation of the Andalusian dialect given to it by its inhabitants, thereby deviating from the classical form traditionally used

by historiographers. He goes on to analyse the population groups that were to integrate the territory, namely Arabs, Berbers and natives, and highlights the prophet of Islam's success in overcoming the tribal and classical ties of the Semitic world, by creating the *umma* or community of believers in order to encompass all the individuals who wished to form part of the new political entity which, in Spain, began in 711.

The various Andalusian social groups are studied and classified according to whether they were Arabs, the number of whom in the 8th century would be just over 50,000, Berbers, who were also newcomers and much more difficult to count at the time of the invasion, but who would have constituted a continuous flow, given the proximity of their lands to the peninsular territory; and the autochthonous population, which was estimated at that time at between two and two and a half million. All of these groups, over time, came to constitute the new Andalusian society, which did not look to the late Roman or Visigothic past of the Peninsula, but to the Arab political model of the East and which was governed according to Islam and the law of the Maliki school.

With regard to the indigenous population, Chalmeta distinguishes between pagans, so-called associationists and polytheists (*mušrik*), Christians (*naṣrāni* or *rūmi*) and Jews (*yahūdi*), also very difficult to quantify. As is well known, members of all of the above groups were all able to decide whether or not to adopt the creed of the invading group by converting to Islam. They and their descendants, known as *muladis* (*muwal-ladūn*), eventually broke away from the dominant population through their gradual integration and Arabisation. Those who decided to remain faithful to their original creed were known as *mustacarab*, meaning *arabianised*, a term exclusive to the Iberian Peninsula that would become the currently used Mozarabs. At this point it is worth pointing out the author's convenient demystification of the idea of an early and total Christianisation of Spain, adding with reference to the figure of Saint Isidore that, as the saying goes, one swallow does not a summer make. That said, it is very difficult to calculate the actual Christian population of the time, and, in that regard, one must be wary of being overinfluenced by the martyrology, which was especially popular among the urban and affluent, which hit its peak between 850 and 860, and which was exalted by certain writers promoting National Catholicism, such as Simonet. These views must be contrasted with the consideration that the Andalusian leaders had of these martyrs, who basically saw them as provocateurs who aimed to subvert the established social order.

Moreover, there were slaves, in the hands of both the natives and the newcomers, who were known by various names, such as *ʿabd*, *raqīq*, *mamlūk*, *fatā*, *ḡulām*, *waṣīf*, *ṣiqḡabī* or *ḡaṣī*, if the slave was a eunuch; women were called *ḡāriya*, *ama* or *ḡādīm*. Their emancipation (*ʿitq*, *ʿatq* or *ʿatāq*) constituted a highly meritorious act in the eyes of Islam, as mentioned in the Quran (2: 172 and 90: 13). Although the slaves had few rights and many obligations, they were considered persons and their master's power was legally limited. In general, they were treated better than

slaves under Christianity, while their origin was highly varied from the Visigoths onwards, with the number and places of origin increasing in the Andalusian period by means of raids that led to the capture of enemies. It is recorded in Arab chronicles that the magnitude of victories was not measured in terms of money but in the number of captives, who were assigned to agricultural work, to the military and to personal guardianship, while the women were assigned to service in the court or domestic duties.

Chalmeta then goes on to clarify the differences between the *mawlâ/mawâli*, a name that expresses a contractual ‘clientele’ type relationship and which was given to both the freer and the freedman; the *ṣanīʿa*, or ‘beneficiaries’ over whom the patron had no economic rights, but did have military authority and who were mostly Berbers and received retribution, and the *muwal-ladūn* or *muladīs*, or converts to Islam. It is a very timely and well-documented rebuttal of the misinterpretations that have been made.

Another group to be highlighted is that of the great families (*ḥāṣṣa*) or aristocracy which, from the 9th century onwards, adopted the oriental customs (in terms of clothing, gastronomy, music and urban planning, among others) which had been introduced in the Cordovan capital by Ziryâb of Baghdad (789-857). This group must be distinguished from the plebs (*ʿamma*), a group which was made up of workers of all kinds of a low economic level and which also included an even lower category consisting of malefactors, prostitutes and former prisoners, among myriad others. Knowledgeable of the people, Chalmeta analyses in detail the diet of the different groups that made up Andalusian society, their private life and their different cultural levels. More specifically, regarding the economy, he covers agricultural production, irrigation systems, the distribution of the products obtained, currencies and prices and measurements, whether of weight, volume or length, giving the relevant equivalences.

The study of the tax system, which represented a break with the Visigothic system, and of general Islamic taxation is particularly interesting. It begins with taxation as practised at the time of the Prophet, based on the creed of each taxpayer, and contemplates the fact that the Hispanic territory was incorporated after the systemisation carried out by the Caliph ʿUmar (636-637). Muslims only had to pay the taxes set by the Quran (*ṣadaqat amwâli-him*) and the tithe (*ʿuṣr*), while those who were not Muslims paid taxes in order to obtain a protected status (*dimma*) that allowed them to conserve their monotheistic beliefs, along with their own language, jurisprudence and religion. In exchange for this protection, they paid a personal tax (*ḡizya*) and a territorial tax (*ḥarâġ*). It should be added, as the author concludes, that it was not always possible to follow Quranic rules, even in the early Arab period.

Chapter III provides a chronological analysis of the history of Andalusia, paying attention to each of its fourteen governors. During the rule of al-Hurr (716-719), in the territory now occupied by Catalans, fiscal reorganisation began, after a register

had been drawn up, and bilingual dinars were issued (in Arabic and Latin) with a higher value than the previous coins. In fact, the analysis of monetary production is fundamental throughout the work we are analysing here. It should be noted that, although the bulk of state resources went to non-Muslims during the entire period of the governors, the administration was obliged to attempt to recover its share of income from the conquered lands, regardless of whether they had been obtained by force of arms or through diplomacy. Finally, the author claims that the source of almost all the economic data analysed in this period is the invaluable *Chronicle of 754* and that, from then on, there is no longer a reliable Christian source that would allow one to contrast the opinion of the subjugated population with the information provided by the dominant authorities.

The exhaustive use of numerous Arabic sources illustrates very well the economic situation of the Andalusian state and provides information on the origin and the amounts collected, the booty obtained (often exaggerated by the chroniclers), production, especially agricultural production, the good years and the periods of hardship and climatic catastrophes.

Chalmeta concludes that the minting of silver dirhams began in 721, along with a consequent decrease in the use of gold dinars, whereby *Alandalus* moved towards a silver-based monetary system, although it continued to use “theoretical gold” for accountancy purposes. With regard to the minting of silver dirhams, which was synchronous with the decrease in gold dinars, Chalmeta rightly states that, although we do not have any coins dated between the years 743/745 and 747/751, the singular quality of the coins of the Umayyad governors, especially from 716 onwards, is exceptional and has never been surpassed. This is true in terms of their aesthetics, the purity of the metal, their precise weight, clear epigraphy and their simple ideological message. Finally, it should be noted that this excellent quality meant that many of these dirhams were forged in order to serve as the basis for future emiral monetary issuances. Regarding this point, the excellent collaboration of Tawfiq Ibrahim is to be commended.

The third part of this chapter, which begins with the arrival of ‘Abd al-Raḥmān al-Dāḥil (756-788), who would become the first emir of Córdoba, documents the arrival of the Berbers, who came with the aim of obtaining an immediate booty and of looting Hispanic assets, apparently without expectations regarding the establishment of a lasting settlement. Since this is an economic history of *Alandalus*, the author analyses the rulings of Mūsa, who had already established a stable system of conquest with a view to the future and with the intention of exploiting it for tax purposes. The chapter continues with a description of expenses (civil, military and military administration) and incomes, the bulk of which, as mentioned, was paid by non-Muslims, although it was estimated globally according to an undetermined number of heads of families.

During the rule of the seven Cordovan emirs, the data corresponding to each period are grouped into the following sections: taxation, miscellaneous income,

civil administration expenditure, contributions, military administration, summary expenditure and production. It is pointed out that, in general, historiography has treated *Alandalus* as a whole, without taking into account the existence of rebel zones, the appearance of autonomous entities of various durations and the fact that the supposed theoretical internal cohesion is highly debatable, especially with the arrival of contingents from the east.

There follows a detailed study of the Umayyad caliphs and the rule of the great Almanzor (977-1002), regarding whom the author regrets that historiography has been more concerned with his glorious military career than with the economic consequences of his administration. Despite the enormous increase in the number of captives and in material booty, the military expenditure incurred to assure the success of his campaigns, described by the analyst Abū Bakr al-Ṭurṭūšī (1059-1127) as ‘bread for today and hunger for tomorrow’, was the prelude to a decline of Andalusian power. His successors were faced with the impoverishment of the population due to the increases in taxation, the internal dissensions caused by the Berbers and the intervention of Christian governments until the moment of disintegration of the Andalusian state, which Chalmeta describes as a dismemberment.

For the study of monetary issuances and their role in the Andalusian economy the author counted on, as stated and, indeed, announced in the title, the valuable collaboration of Tawfiq Ibrahim, the creator of the prestigious Tonegawa Andalusian numismatics collection, as well as an expert in the lead seals that bear witness to the veracity of the Umayyad conquests, despite the erroneous negationist theories that have appeared recently.

As a conclusion to our valuation of this great work, we endorse the claim, written on the title page, stating that it is an attempt to document, from the inside, what *Alandalus* was like. This involves studying and understanding how it evolved, what its natural resources were, what structures began to govern it, what models it was intended to follow and what goal it sought to achieve. All of these aspirations are aimed at providing materials for the elaboration of this total history to which we all aspire. The work attempts to achieve a better understanding of the inner workings of *Alandalus* as a whole, including its structures, processes and institutions, in order to achieve a global picture of the socio-economic facet of the territory during the Umayyad period. It must be concluded that Chalmeta has succeeded in doing just that, and that this work will be indispensable for any future study.

VIGIL MONTES, Néstor, 2020

La mordenización de la escribanía capitular ovetense (1436-1460)

Oviedo, Real Instituto de Estudios Asturianos (Fuentes y Estudios de Historia de Asturias 60).

Review by DANIEL PIÑOL-ALABART. IRCVM-UNIVERSITAT DE BARCELONA

The 1960s saw a notable change in diplomatic studies, heralding a long process of renewal in the field. Within this context, Fichtenau (FICHTENAU, H., 1961. “La situation actuelle des études de Diplomatie en Autriche”, *Bibliothèque de l'École des Chartes*, 119: 5-20), after diagnosing an exhaustion of the discipline, set about delving deeper into the traditional subjects of diplomatics, taking into account all of the aspects of a document. Along the same lines, Bautier (BAUTIER, R. H., 1961. “Leçon d'ouverture du cours de diplomatiques à l'École des chartes (20 October 1961)”, *Bibliothèque de l'École des Chartes*, 119: 194-225) came up with a novel proposal and suggested prolonging the objectives of diplomatics to the totality of the written documentation produced in any period. This represented a break from the tendency to focus the analysis of diplomatics exclusively on certain documents from the Middle Ages.

Other academics who joined this push to renovate the field of diplomatics included Armando Petrucci (PETRUCCI, Armando, 1963. “Diplomatica vecchia e nuova”, *Studi Medievali*, IV/2: 785-798), who added the importance of the analysis of the historical context of the documents, and Alessandro Pratesi (PRATESI, Alessandro, 1973. “Diplomatica in crisi?”, *Miscellanea in memoria di Giorgio Cencetti*, Torino, Bottega d'Erasmus: 443-455), who considered widening the scope of legal studies of documentation, extending it to modern documents. Finally, Luciana Duranti (DURANTI, Luciana, 1998. *Diplomatics: New Uses for an Old Science*, Lanham, Scarecrow Press) opened up contemporary documentation to the study of diplomatics. This brief summary, which has no pretensions of exhaustivity, serves to place the work we are reviewing within the historiographical context of diplomatics.

The author of the book has focused his academic career on the Oviedo Cathedral and its relationship with writing. This is the subject of his doctoral thesis, which has now been made public in the form of this book. It is clear that we are dealing here with an experienced researcher. His research has also yielded results in the field of the history of notaries and notarial documentation (VIGIL MONTES, Néstor, 2011. *La villa de Avilés en 1602. Estudio del protocolo notarial de Julián Valdés León*, Oviedo, Instituto de Estudios asturianos), as well as in the field of medieval diplomatics (VIGIL MONTES, Néstor (coord.), 2019. *Comunicación política y diplomacia en la Baja Edad Media*, Évora, Universidad de Évora/CIDEHUS).

Therefore, we have before us a book that we can fully place within the field of diplomatics, since it studies the role played by the writings of the Cathedral of Oviedo in the organisation and administration of the chapter of canons of this episcopal see. We would even go so far as to say that it answers the suggestion made by Angel Canellas many years ago, when

he said that it was necessary to study the output of document-producing offices (CANELLAS, Angel, 1975. “La investigación diplomática sobre cancillerías y oficinas diplomáticas: estado actual”, *Actas de las I Jornadas de Metodología Aplicada de las Ciencias Históricas*, 5, Universidad de Santiago de Compostela: 201-222). And the book could be said to be paving the way for a specific diplomatics of cathedral chapters, though Professor Vigil himself, in the introductory chapter of the book, states that we are still far from a consolidated field of chapter diplomatics. In fact, with reference to the state of this matter, the author refers to the current difficulties in placing this brand of diplomatics within the broader discipline, which is currently focused on notarial, municipal and seigneurial topics, among others. Vigil points out that there are also no general references to chapter offices, which were often associated with episcopal chancelleries and closely related to notary offices, depending on the environment of the bishops (VÁZQUEZ BERTOMEU, Mercedes, 2001. *Notarios, notarías y documentos en Santiago y su tierra en el siglo XV*, La Coruña, Edición do Castro). Regarding historiography, it can be claimed that the present book represents an important and decisive commitment to the presence of the chapter offices and their documentation within the field of diplomatics, while presenting it independently from the episcopal chancelleries and the documentation generated by the bishops in the exercise of their pastoral and diocesan government functions.

The book is divided into 10 chapters, plus an introduction and conclusions, together with a bibliography. A documentary appendix in CD format is included, which complements the examples of sources inserted throughout the chapters and which also constitutes a useful tool for scholars of the documentation of the Asturian cathedral. The second of these chapters is dedicated to the historical context of the formation of the cathedral chapter, the incomes that sustain it, and its role within the Church and Asturian politics in the 15th century. This section lacks a clearer explanation of the composition of the chapter of the Asturian cathedral, including details regarding the dignitaries who composed it, its govern, how the positions were chosen and how many canons were part of it, among others. This information would help to clarify the relationship, if any, between these capitular dignities and the economy and incomes and, consequently, their connection with the documentation that each of them generated. Because a reading of this chapter suggests the following question: was the cathedral chapter a uniform body or was it made up of several cells formed by the dignitaries which, at the same time, exercised a certain function within the chapter organization? Indeed, we could also enquire whether the documentation generated by the chapter was uniform or if there were documents and document types specific to each of its dignities and canons. Answers to these questions, which stem from the lack of detail observed, would certainly help to better explain the chapter’s relations with other institutions, and to see whether these relations concerned the entire chapter or, in certain cases, the canons and dignitaries.

The section of the book devoted to the core subject of study, i.e. diplomatics, goes from chapters 4 to 11. In them, the author’s work is presented in detail and with a level of exhaustiveness that can already be observed in the chapter dedicated to writing, an essential section in any study that aims to enter into the analysis of documentation. The methodology

of paleography is thus combined with that of diplomatics, especially in the differences that are detected in the spellings of different groups that work in the chapter 's notary office. This office was at the service of the chapter and the documentation generated there reflects the life of the entity. The author of the book divides the documentation into internal and public, that is to say, that related to the internal affairs of the chapter and that related to the management of its patrimony. People from outside the chapter took part in this type of dealings, and it is here that the notaries who worked in the chapter notary office played a prominent role. However, the author includes a whole series of documents that did not require the intervention of notaries for their issuance. It is in this sense that we talk about completeness, since the book offers a detailed study of different types of documents which will help in the future to establish elements for the classification of these documents within the chapter notary offices. It could also provide a basis for comparative studies of different chapter offices in the same ecclesiastical province, for instance.

Finally, the book analyzes, as the title suggests, the evolution of the chapter office towards its modernization, citing changes that took place in the middle of the 15th century. The chapter notary office adapted to new needs and this adaptation is reflected in the appearance of records that are different from those already existing, already analyzed by Vigil in the central chapters. The system for issuing documents changed and the author emphasizes this by explaining in detail new types of books for the control of patrimony and the management of the liturgical activity of the chapter. This activity was closely related to the incomes through which, for example, the anniversaries of the deceased were supported.

The book paves the way for the consolidation of capitular diplomatics and should be taken as a model, both for its analytical methodology and for its results, for anyone who wishes to delve into the unexplored world of capitular diplomatics. Despite the rich documentary heritage of Hispanic Episcopal churches, there is still much work to be done. Hence the importance of this brave and daring book, which is able to show us how we should do research based on what the author has studied regarding this important cathedral. This is a book that marks a turning point in the studies of what was timidly called Capitular Diplomatics but which clearly demonstrates that the term can now be used with well-founded conviction.