



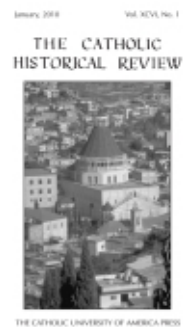
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*Diplomatik, Kanonistik, Paläographie. Studien zu den
historischen Grundwissenschaften (review)*

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siastical hierarchy in the region, subject to the pope. Similarly, the Norman rulers of the twelfth century tolerated Muslim and Jewish populations, who were important components of both the government and the economy up through the end of the twelfth century. According to Loud, the Norman rulers took a pragmatic approach to the diversity of religions in their kingdom, allowing the practice of other religions to guarantee the continued prosperity of their kingdom.

Loud has written a well-researched and highly detailed study of the transformations brought to the southern Italian Church after the Norman conquest. It contains a wealth of information on the people and institutions that made up the Norman Church, reflecting Loud's intimate knowledge of the archives and sources. It also provides useful points of comparison between the Church in Norman Italy and other parts of Latin Christendom. It is a book that will be useful for scholars of Norman Italy as well as anyone interested in the history of the Church in the Middle Ages.

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VALERIE RAMSEYER

Diplomatik, Kanonistik, Paläographie. Studien zu den historischen Grundwissenschaften. By Peter Herde. [Gesammelte Abhandlungen und Aufsätze, Vol. 3]. (Stuttgart: Anton Hiersemann. 2008. Pp. ix, 629. €89,00. ISBN 978-3-777-20810-7.)

Volume 3 of Peter Herde's Collected Studies reflects his research in the historical auxiliary sciences over a forty-five-year period from 1961 to 2007. The fifteen articles are photo-mechanically reproduced. Therefore, a section is added with the original place and date of publication, updated information, and corrections (pp. 621–29). Besides the thirteen articles in German, one in Italian and two in English are provided. This volume is essentially a review of Herde's first decade of research interspersed with later reflections on similar themes as well as extended comments on canon law and diplomatics. The author stands in the long tradition of the Munich school of medieval Latin paleography made famous by Ludwig Traube. He utilizes the insights of B. L. Ullman, Traube's last pupil. Bernhard Bischoff was Herde's instructor in this discipline, which became an integral part of his work in terms of editing Latin texts of the high Middle Ages and for his comments on the nature and development of writing during the early Italian Renaissance.

His early work involves the empire and the papacy—namely documents, petitions, or letters from the emperor, the archbishop of Mainz, King Rudolf of Habsburg, and the Augustinian canons at Ranshofen, Upper Austria. The next complex involves papal administration, which reflects his dissertation published in 1961 on the papal chancery and diplomatics and his habilitation of 1965, both with Peter Acht as adviser. The third area considered by the author is the administrative culture of early Renaissance Florence, while in

volume 1 of his Collected Studies his focus is its political culture. The one difficulty an uninitiated reader might have is readily finding the source for manuscripts photographed. This observation only applies to CP, which Herde properly identifies as *Consulte e Pratiche*. However, he only cites literature (D. Marzi [1910]), but not the archival source (Florence, Archivio di Stato, *Consulte e Pratiche*).

The critically edited material from medieval manuscripts is quite substantial, often accompanied by clear and readable photographs. Among these texts are two items relating to papal document studies by Marinus of Eboli, vice-chancellor under Pope Innocent IV from 1244 to 1252. These texts are accompanied by an index of Latin words. Another text is a formula book of sixty-one pieces that served as a model for documents, written by Gerard of Parma, *auditor litterarum contradictarum*, in 1277, to which Herde adds an index of names and Latin words. Other texts are a petition sent to Pope Clement IV by the Augustinian canons of Ranshofen (September 8, 1267), along with two forged documents of Emperor Henry III (January 1040, Regensburg); and two transcriptions—a letter of justice of Pope John XXI concerning ecclesiastical penalties against the bishop of Worcester and the prior of Provence of the Hospitallers (September 30, 1276, Viterbo), and a letter in which King Rudolf of Habsburg urges the archbishop of Mainz to receive the deacon of St. Omer, sent by Pope Nicholas III (March 22, 1279, Vienna). Further critically edited material concerns a letter by Archbishop Christian of Mainz, imperial legate for Italy, who urges Viterbo not to rebuild Ferento (February 13, 1174, Foligno).

The discussion of the “guldene Freiheit” of Würzburg includes photographs of nine manuscripts from 1135 to 1170, along with a gold bull, attached to the second copy of the famous document issued by Emperor Frederick I for Würzburg on July 10, 1168. Eleven photographs dating from 1409 to 1453 from the Florentine chancery are very instructive in depicting the transition from the Gothic to the humanistic script. An article on public notaries at the curia informs us about the nature of papal administration at various levels. The author discusses two highly placed public notaries: Richard of Pofi, active in the 1260s, and Bonaiuto of Casentino (d. 1312). Three articles reflect his habilitation: one about the later registers of the *Contradictarium* in the Vatican Archive *anno* 1575 to 1799; another about papal formularies for letters of justice and their significance for medieval canon law; and the third about the *iurisdictio delegata*, which from about 1200 arose beside normal papal jurisdiction and persisted until its disappearance under Pope Pius X in 1908. The broad topic of forgeries is seen from the perspective of Roman law and canon law in the Middle Ages, a phenomenon that the author views as a triumph of the human mind over local views of law. The law of Sulla (the *Lex Cornelia de falsis*) and the modified views of Fritz Kern (1884–1950) lie at the core of this discussion.

The author's initial article of this volume sets the tone in terms of perspective and title. Written in 2006, Herde considers the relationship between

the more practical, newer field of diplomatics and the more abstract, traditional discipline of canon law in the twentieth century. In 1922 Hans Hirsch pointed out the need of a synthesis. Historians were becoming aware that diplomatics was a better reflection of historical reality than collections of canon law. However, canon law continued to maintain its dominance well past mid-century, but in the 1940s scholars like Rudolf von Heckel and Walther Holtzmann saw the need to combine them. By the mid-1950s and early 1960s studies in canon law began to flourish in England and North America. In England Walter Ullmann sought a connection between political philosophy and canon law. His pupils Christopher Cheney and then Jane Sayers in the 1980s took the lead in diplomatics, while Othmar Hageneder assumed a similar role in German-speaking countries. In the United States, Stephan Kuttner established the study of classical canon law with a greater focus on the Church and general history, not diplomatics. Nonetheless, a group of younger scholars has given studies in canon law a firm footing here. The author strikes a note of pessimism about the current state of the European university, especially in Germany, in terms of the loss of research institutes, university chairs, and libraries in these and related disciplines. In any event, by 2004, general medievalists in diplomatics had reversed the earlier position in favor of canon law and its juristic and theological adherents.

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Byzantines and Crusaders in Non-Greek Sources, 1025-1204. Edited by Mary Whitby. [Proceedings of the British Academy, Vol. 132.] (New York: Oxford University Press. 2007. Pp. xxvii, 428. \$125.00. ISBN 978-0-197-26378-5.)

What are the geographical and cultural boundaries of the Byzantine world? This seemingly simple question gave birth to this volume. While it never completely answers that question, the volume is extremely useful nonetheless. The British Academy project, "Prosopography of the Byzantine World" (PBW), has for many years combed through Greek sources to identify and store in a database information on thousands of individual Byzantines. At its inception the PBW defined its geographical scope, logically enough, as the empire at the death of Emperor Basil II in 1025. Of course, the years after 1025 saw a dramatic contraction of Byzantine borders, leaving many of its citizens in foreign lands. Furthermore, the movement of Muslim powers and the onset of the crusades meant that the line between the Byzantine and the non-Byzantine became muddled. In response, the PBW expanded its definition of the Byzantine world, extending it not only to western crusaders who crossed, conquered, or settled in it but also to the crusader states, including Jerusalem itself. Travelers, visitors, merchants, mercenaries—all of these could be seen as part of Byzantium. By this definition, members of the Byzantine world were no longer just Greeks but also Normans, Turks, Armenians, or even Scandinavians.