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The „Chancery“ of Otto I Revisited*

by

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1. The Ottonian „chancery“ in modern scholarship

Few subjects are so dear to diplomatists as the „chancery“ (a term now used with caution)[1]. Whether dismissed as an invention of modern

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1) Cf. Peter Csendes et al., Kanzlei, Kanzler, in: Lex.MA 5 (1999) col. 910–929; Olivier Guyotjeannin / Jacques Pycke / Benoît-Michel Tock, Diplomatique médiévale (L'Atelier du Médiéviste 2, ^{3}2006) p. 223–227; Olivier Guyotjeannin, Écrire en chancellerie, in: Auctor et Auctoritas. Invention et conformisme dans l'écriture médiévale, éd. par Michel Zimmermann (Mémoires et documents de l'École des Chartes 59, 2001) p. 17–35; Ellen Widder, Kanzler und Kanzleien im Spätmittelalter. Eine Histoire croisée fürstlicher Administration im Südwesten des Reiches (Veröffentlichungen der Kommission für geschichtliche Landeskunde in Baden-Württemberg, Reihe B: Forschungen 204, 2016); The Roles of Medieval

scholarship or fêted as the most important institution of medieval government, its spectre continues to haunt all work on medieval documentary traditions. And if the chancery in the abstract has been a matter of lively debate, the Ottonian chancery holds a special place in these discussions. It was Theodor Sickel, the founder of modern diplomatic and the editor of the Ottonian diplomas for the newly founded Diplomata-Abteilung of the Monumenta Germaniae Historica, who first identified conformity to chancery norms („Kanzleimäßigkeit") as the best guarantor of authenticity for such documents. And his influence, direct and indirect, can be traced through all subsequent work, be it French, German, English or Italian. Sickel famously deemed *bona fide* members of the royal chancery all notaries who could be shown to have acted on behalf of two or more recipients. And because such figures are not named in the documents they produced, he took to giving them alphabetic designations based on the chancellor under whom they first served (Poppo A, Poppo B etc.). In Sickel's eyes, the chancery was thus a well-oiled machine, charged with the production and authentication of official *acta*; any document produced outside its hallowed (metaphorical) walls was potentially suspect[2].

Sickel's ideas were very much of their time and speak of his own experiences with the budding Prussian and Habsburg bureaucracies of the later nineteenth century. As traditional constitutional history in the vein of Georg Waitz – under whose presidency Sickel's first editions emerged with the Monumenta – started to come under concerted criticism in the first half of the twentieth century, the great Prusso-Austrian diplomatist was therefore not spared. In a justly famous article of 1937, Hans-Walter Klewitz noted that the Latin term *cancellaria* („chancery") is not attested before the later twelfth century. By employing the term and concept before this point, he argued that Sickel and his adherents had been guilty of historical anachronism, of transposing institutional frameworks of the central and later Middle Ages onto the earlier Middle Ages[3]. Klewitz was not alone in his

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Chanceries: Negotiating Rules of Political Communication, ed. by Christian Antenhofer / Mark Mersiowsky (Utrecht Studies in Medieval Literacy 51, 2021).

2) Theodor Sickel, Programm und Instructionen der Diplomata-Abtheilung, in: NA 1 (1876) p. 427–482; idem, Beiträge zur Diplomatik, 8 pts in 1 vol. (1975). Cf. Harry Bresslau, Handbuch der Urkundenlehre für Deutschland und Italien, 2 vols. (^{2}1912–31), 1 (1912) p. 41–55.

3) Hans-Walter Klewitz, Cancellaria. Ein Beitrag zur Geschichte des geistlichen Hofdienstes, in: DA 1 (1937) p. 44–79.

concerns. In a set of pioneering studies of the reign of Henry I, Carl Erdmann likewise urged caution regarding Sickelian teaching on the Ottonian chancery: diploma production under the first Liudolfing ruler was too small-scale and *ad hoc* to presume any sort of institutionalization[4]. The most sustained criticisms, however, were to come from Sickel's own former pupil, Paul Fridolin Kehr. In the course of preparing his editions of the diplomas of the late Carolingian rulers of East Francia, Kehr concluded that the chancery was a far more informal affair than Sickel had imagined, and that many of those figures once deemed „chancery scribes“ were not so much royal functionaries as individuals with periodic links to king and court[5]. Similar conclusions were reached independently by French scholars of these years. In the mid-1940s, Georges Tessier demonstrated that many of the Carolingian diplomas for Saint-Denis were produced by the local monks (rather than royal functionaries), despite bearing all signs of Kanzleimäßigkeit; much the same proved to be true of the charters of Saint-Martin, Tours. From this, it was clear that Sickel had exaggerated the reach of the Carolingian chancery. And Tessier's lead was followed by his fellow chartistes, who came to emphasize ever more strongly the role of the recipient in charter production[6].

For much of the second half of the twentieth century, discussion went quiet on the subject. By and large, the criticisms of Klewitz, Erdmann and Kehr were taken on board, but significant elements of

4) Carl ERDMANN, Der ungesalbte König, in: DA 2 (1938) p. 311–340, at p. 331–333; IDEM, Beiträge zur Geschichte Heinrichs I. (I–III), in: Sachsen und Anhalt 16 (1940) p. 77–106, at p. 98–106.

5) Paul KEHR, Die Kanzlei Ludwigs des Deutschen (1932) p. 3 f., 9 f.; IDEM, Die Kanzleien Karlmanns und Ludwigs des Jüngeren (1933) p. 7–9, 12, 15, 29 f., 36; IDEM, Die Kanzlei Karls III. (1936) p. 5, 9 f., 20, 36 f., 44 f., 48 f.; IDEM, Die Kanzlei Arnolfs (1939) p. 8, 53; IDEM, Die Kanzlei Ludwigs des Kindes (1940) p. 4, 7, 35–38. On Kehr and his (fraught) relationship with Sickel: Michèle SCHUBERT, Meister – Schüler. Theodor von Sickel und Paul Fridolin Kehr (nach ihrem Briefwechsel), in: MIÖG 106 (1998) p. 149–166; Horst FURHMANN, Menschen und Meriten. Eine persönliche Portraitgalerie (2001) p. 174–212; Rudolf SCHIEFFER, Paul Fridolin Kehr, in: Berlinische Lebensbilder 10: Geisteswissenschaftler, hg. von Uwe SCHAPER / Hans-Christof KRAUS, 2 vols. (2012), 1, p. 127–146.

6) Georges TESSIER, Originaux et pseudo-originaux carolingiens du chartrier de Saint-Denis, in: BECh 106 (1945/6) p. 35–69; IDEM, Les diplômes carolingiens du chartrier de St. Martin de Tours, in: Mélanges d'histoire du Moyen Âge dédiés à la mémoire de Louis Halphen (1951) p. 683–691; Robert-Henri BAUTIER, Leçon d'ouverture du cours de diplomatique à l'École des chartes (20 octobre 1961), in: BECh 119 (1961) p. 194–225; GUYOTJEANNIN, Écrire en chancellerie (as n. 1) p. 30 f.

the Sickelian edifice remained in place. Partly, this is a tribute to the subtlety of Sickel's original teachings. Though he may have exaggerated the importance of the chancery, Sickel had always acknowledged the role recipients had to play alongside this; moreover, he was right to note that many diplomas of the tenth century were produced by the same draftsmen and scribes – often figures in some sort of royal service. The main reason Sickel stood unchallenged, however, is that scholarly attention now shifted decisively away from the diplomas of the Ottonians to those of their Salian and (in particular) Staufer successors, which had yet to be edited. Since there could be little doubt that a chancery of sorts existed in these years, there was no need to continue tilting at windmills.

Hints of further revisionism can, nevertheless, be detected in a few works of these years. Pride of place belongs to Heinrich Fichtenau's article of 1964 on the forgeries of Pilgrim of Passau. In this, the great Austrian diplomatist – then head of Sickel's old academic home, the Institut für Österreichische Geschichtsforschung (Institute for Austrian Historical Research) – not only identified Bishop Pilgrim with the draftsman-scribe Willigis C, who had been responsible for a set of famous forgeries in Passau's favour, but also argued that other leading churchmen of the era might lie behind the anonymous „chancery notaries" first identified by Sickel and his team. In particular, Fichtenau suggested that Hildibald B, one of the most active and influential scribes of the 980s, may have been none other than the imperial chancellor Hildibald of Worms, an identification subsequently adopted by Johannes Fried (apparently on Fichtenau's authority)[7]. Along somewhat different lines, in the 1990s Peter Rück and Hagen Keller championed a view of sovereign *acta* as visual and symbolic objects, as essential elements in the projection of royal authority and communication between rulers and their subjects. From this perspective, the chancery was less an institution than a loose set of practices, best judged by its effects upon the recipients and the wider public[8]. By and

7) Heinrich FICHTENAU, Zu den Urkundenfälschungen Pilgrims von Passau, in: Mitteilungen des oberösterreichischen Landesarchivs 8 (1964) p. 81–100; Johannes FRIED, Der Weg in die Geschichte. Die Ursprünge Deutschlands bis 1024 (1994) p. 568, 571. On Fichtenau: Urkunden – Schriften – Lebensordnungen. Neue Beiträge zur Mediävistik, hg. von Andreas SCHWARCZ / Katharina KASKA (2015).

8) Peter RÜCK, Die Urkunde als Kunstwerk, in: Kaiserin Theophanu. Begegnung des Ostens und Westens um die Wende des ersten Jahrtausends, hg. von Anton VON EUW / Peter SCHREINER, 2 vols. (1991), 2, p. 311–334; Hagen KELLER, Zu den Siegeln der Karolinger und der Ottonen. Urkunden als Hoheitszeichen

large, however, the diplomas of the Ottonian rulers suffered a form of benign neglect. The prevailing attitude, as Mark Mersiowsky put it in a similar context, has been one of *carta edita, causa finita*[9].

This all changed in 2003 with the publication of Wolfgang Huschner's imposing Habilitationsschrift: Transalpine Kommunikation im Mittelalter. Despite the general title, this was first and foremost a work of diplomatic, published in the highly-regarded Schriften series of the MGH. As the introduction and early chapters made clear, Huschner's aim was to finish what Kehr and Klewitz had begun. Noting the degree to which diplomatists remained wedded to older models of diploma production, Huschner set about deconstructing the entire concept of an Ottonian chancery. In doing so, he developed points made by Fichtenau, arguing that many (perhaps most) draftsman-scribes of the era were leading members of the ecclesiastical hierarchy (typically bishops). On this reading, there was no such thing as a royal or imperial chancery; rather, prelates lent their services to the ruler in an informal manner, some more often (and more readily) than others. Rather than speaking of „chancery“ and „recipient“ production, Huschner therefore suggests we would do better to think in terms of the following categories: trans-regional/imperial court notaries, active throughout the realm for recipients from many different regions; regional court notaries, active only when the court was within a certain region, but then on behalf of recipients from all parts of the realm; regional recipient notaries, active only for recipients from a certain region, but often operating in many different districts; local recipient notaries, active only on behalf of a specific house (or closely related houses); and occasional notaries, who only produce one or two documents, defying further classification[10].

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in der Kommunikation des Herrschers mit seinen Getreuen, in: FMSt 32 (1998) p. 400–441; IDEM, Otto der Große urkundet im Bodenseegebiet. Inszenierungen der „Gegenwart des Herrschers“ in einer vom König selten besuchten Landschaft, in: Mediaevalia Augiensia. Forschungen zur Geschichte des Mittelalters, hg. von Jürgen PETERSOHN (VuF 54, 2001) p. 205–245; Peter WORM, Ein neues Bild von der Urkunde: Peter Rück und seine Schüler, in: AfD 52 (2006) p. 335–352.

9) Cf. Mark MERSIOWSKY, *Carta edita, causa finita?* Zur Diplomatik Kaiser Arnolfs, in: Kaiser Arnolf. Das ostfränkische Reich am Ende des 9. Jahrhunderts, hg. von Franz FUCHS (2002) p. 271–374.

10) Wolfgang HUSCHNER, Transalpine Kommunikation im Mittelalter. Diplomatische, kulturelle und politische Wechselwirkungen zwischen Italien und dem nordalpinen Reich (9.–11. Jahrhundert), 3 pts (Schriften der MGH 52, 2003). See also IDEM, Die ottonische Kanzlei in neuem Licht, in: AfD 52 (2006) p. 353–370;

Huschner's book represents the most important contribution to Ottonian diplomatic since Sickel. His assault on the chancery sat well with other efforts to cut the Ottonian rulers down to size in the 1990s and early 2000s, be it in the form of Gerd Althoff and Hagen Keller's work on dispute settlement and symbolic communication, or Johannes Fried's writings on literacy, memory and orality[11]. Not surprisingly, therefore, Huschner's conclusions were warmly received in many circles. In his review, Hubertus Seibert praised the volume as a „kaum hoch genug einzuschätzenden Ertrag für die Diplomatik" („a contribution to diplomatic which can scarcely be overestimated"), while Jochen Johrendt similarly noted that this was a publication with which all serious students of the period would need to engage. At the same time, there was some hesitation regarding Huschner's boldest conclusions, and most reviewers emphasized that his identifications of individual draftsman-scribes with bishops and archbishops would need to be tested before they could be adopted more widely[12]. Other readers were more sceptical. In an extended review in the Mitteilungen des Instituts für Österreichische Geschichtsforschung, Brigitte Merta praised Huschner's willingness to challenge received wisdom, but expressed severe reservations about his findings. In particular, she noted that the palaeographical basis for Huschner's identifications of leading

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IDEM, L'idea della 'cancelleria imperiale' nella ricerca diplomatica. Diplomi ottoniani per destinatari in Toscana, in: La Tuscia nell'alto e pieno medioevo: fonti e temi storiografici 'territoriali' e 'generali', a cura di Mario MARROCCHI / Carlo PREZZOLINI (2007) p. 183–198.

11) Gerd ALTHOFF, Spielregeln der Politik im Mittelalter. Kommunikation in Frieden und Fehde (1997); Hagen KELLER, Ottonische Königsherrschaft. Organisation und Legitimation königlicher Macht (2002); Johannes FRIED, Die Königserhebung Heinrichs I. Erinnerung, Mündlichkeit und Traditionsbildung im 10. Jahrhundert, in: Mittelalterforschung nach der Wende 1989, hg. von Michael BORGOLTE (HZ: Beiheft N. F. 20, 1995) p. 267–318. See also FRIED, Weg in die Geschichte (as n. 7), p. 632–736.

12) Hubertus SEIBERT, Rezension von HUSCHNER, Transalpine Kommunikation, in: H-Soz-Kult (25.06.2004) at https://www.hsozkult.de/publicationreview/id/reb-5709 (last viewed 14.2.2021); Jochen JOHRENDT: Rezension von HUSCHNER, Transalpine Kommunikation, in: sehepunkte 4.11 (15.11.2004), at http://www.sehepunkte.de/2004/11/5355.html (last viewed 14.2.2021). See similarly David WARNER, Review of HUSCHNER, Transalpine Kommunikation, in: Speculum 81 (2006) p. 205 f.; Sophie GLANSDORFF, Compte rendue de HUSCHNER, Transalpine Kommunikation, in: Revue belge de Philologie et d'Histoire 85 (2007) p. 915–919; and Albrecht CLASSEN, Review of HUSCHNER, Transalpine Kommunikation, in: The Medieval Review (07.05.2006), at https://scholarworks.iu.edu/journals/index.php/tmr/article/view/15965/22083 (last viewed 9.12.2021).

bishops with imperial notaries was very slim and often questionable. She also drew attention to inconsistencies in Huschner's reasoning: sometimes he presumes that a bishop's pontificate should overlap with the period of activity of the relevant scribe, while at others he employs the reverse logic, concluding that the bishop is likely to have given up notarial service upon his appointment. Given this approach, Huschner's findings are hard to falsify[13].

The longest and most critical response came from Hartmut Hoffmann, who wrote a stinging 46-page article on the „Huschner thesis“ in the present journal. The main basis for Hoffmann's criticism was Huschner's palaeographical identifications: with one exception, Hoffmann deemed these mistaken or unproven. He also expressed grave doubts as to whether bishops were involved in charter production on any scale in the tenth and eleventh centuries, even calling into question Fichtenau's earlier identification of Willigis C with Pilgrim of Passau[14]. Less wide-ranging, but no less noteworthy, were the objections raised by Sébastien Barret in his 2003 study of Cluny's relations with the Ottonians. Here Barret expressed concerns about Huschner's identification of the imperial notary Heribert D with Odilo of Cluny, pointing to important differences between the former's dating conventions and those employed at Cluny. Heribert D may have been an Italian associate of the abbot, but he was probably not Odilo himself[15].

While one might have hoped that such controversy would generate further interest, it seems to have had the reverse effect: scholars have been left scratching their heads, uncertain whether to run with Huschner's exciting new findings or to pass over them in judicious silence. Huschner himself promised to return to Hoffmann's criticisms, but no dedicated response has followed, and the debate has been left in limbo[16]. A common response has been compromise: to cite Huschner's

13) Brigitte MERTA, Rezension von HUSCHNER, Transalpine Kommunikation, in: MIÖG 113 (2005) p. 403–409.

14) Hartmut HOFFMANN, Notare, Kanzler und Bischöfe am ottonischen Hof, in: DA 61 (2005) p. 435–480.

15) Sébastien BARRET, Cluny et les Ottoniens, in: Ottone III e Romualdo di Ravenna: impero, monasteri e santi asceti (2003) p. 179–213, at p. 196–199.

16) HUSCHNER, Ottonische Kanzlei (as n. 10) p. 370 n. 67. See most recently Wolfgang HUSCHNER, Stand und Perspektiven der Historischen Grundwissenschaften. Kaiser- und Königsurkunden, in: AfD 66 (2020) p. 357–388, esp. p. 366–374, standing by his earlier arguments, though acknowledging: „[ü]ber vorgeschlagene Identifizierungen bestimmter Personen mit Diplomschreibern kann man sicher diskutieren“ (p. 373).

arguments while acknowledging Hoffmann's caveats[17]. Some have gone further, accepting Huschner's findings in part or full, occasionally noting and qualifying Hoffmann's objections in the process[18]. A

17) Johannes Fried, Imperium Romanum. Das römische Reich und der mittelalterliche Reichsgedanke, in: Millennium-Jb. 3 (2006) p. 1–42, at p. 18 n. 41; Theo Kölzer, Diplomatik, in: AfD 55 (2009) p. 405–424, at p. 420; Kerstin Schulmeyer-Ahl, Anfang vom Ende der Ottonen. Konstitutionsbedingungen historiographischer Nachrichten in der Chronik Thietmars von Merseburg (Millennium Studien 26, 2009) p. 276 n. 243; Mark Mersiowsky, Urkundenpraxis in den Karolingischen Kanzleien, in: La produzione scritta tecnica e scientifica nel Medioevo: Libro e documento tra scuole e professioni, a cura di Giuseppe De Gregorio / Maria Galante (2012) p. 209–241, at p. 214 f.; Liudprand de Crémone: Œuvres, éd. et trad. par François Bougard (2015) p. 13; Tina Bode, König und Bischof in ottonischer Zeit. Herrschaftspraxis, Handlungsspielräume, Interaktionen (Historische Studien 506, 2015) p. 47–51 (though Bode goes on to accept Huschner's identifications more or less *in toto*); Anastasia Brakhman, Außenseiter und 'Insider': Kommunikation und Historiografie im Umfeld des ottonischen Herrscherhofes (Historische Studien 509, 2016) p. 41; Michael Borgolte, Weltgeschichte als Stiftungsgeschichte. Von 3000 v.u.Z. bis 1500 u.Z. (2017) p. 428 f. (esp. n. 2261, 2263, 2264, 2266); Simon MacLean, Ottonian Queenship (2017) p. 101 n. 29, p. 117 (with n. 107), p. 199 n. 88; Giorgia Vocino, Migrant Masters and their Books: Italian Scholars and Knowledge Transfer in post-Carolingian Europe, in: Using and Not Using the Past after the Carolingian Empire c. 900–c.1050, ed. by Sarah Greer / Alice Hicklin / Stefan Esders (2019) p. 241–261, at p. 258 n. 58, 61; Antoni Grabowski, The Construction of Ottonian Kingship: Narratives and Myth in Tenth-Century Germany (2018) p. 22; Charles West / Giorgia Vocino, 'On the Life and Continence of Judges': The Production and Transmission of Imperial Legislation in Late Ottonian Italy, in: Mélanges de l'École française de Rome – Moyen Âge 131 (2019) p. 87–117, at p. 105 n. 126.

18) Antonella Ghignoli, Istituzioni ecclesiastiche e documentazione nei secoli VIII–XI. Appunti per una prospettiva, in: Archivio Storico Italiano 162 (2004) p. 619–665, at p. 640–648; Giulia Barone, Cultura laica e cultura ecclesiastica, in: Percorsi recenti degli studi medievali: contributi per una riflessione, a cura di Andrea Zorzi (2008) p. 55–68, at p. 56 f.; Krista Codea, Intervenienten und Petenten vornehmlich für lothringische Empfänger in den Diplomen der liudolfingischen Herrscher (919–1024): eine prosopographische Darstellung (Diss. Bonn 2008) p. 164 n. 1109, p. 236; Michele Ansani, *Caritatis negocia* e fabbriche di falsi. Strategie, imposture, dispute documentarie a Pavia fra XI e XII secolo (Istituto storico italiano per il medio evo: Nuovi studi storici 90, 2011) p. 228, p. 234 n. 269; Mario Marrocchi, Monaci scrittori. San Salvatore al monte Amiata tra Impero e Papato (secoli VIII–XIII) (2014) p. 172; Gianmarco De Angelis, Un diploma imperiale e tre carte vescovili. Le origini e i primi sviluppi dei possedimenti della cattedrale bobbiese: Una rilettura, in: La diocesi di Bobbio. Formazione e sviluppi di un'istituzione millenaria, a cura di Eleonora Destefanis / Paola Guglielmotti (2015) p. 149–173, at p. 163; Walter Landi, Otto Rubeus fundator. Eine historisch-diplomatische Untersuchung zu den karolingischen und ottonischen Privilegien für das Kloster Innichen (769–992) (Veröffentlichungen des Südtiroler Landesar-

smaller number have expressed significant reservations, typically citing Merta and/or Hoffmann[19]. Most recently, Robert Schnase has erected an entirely new edifice of scribal identifications, partly on the basis of Huschner's findings[20].

A reconsideration of the subject is thus long overdue. In what follows, I hope to eschew polemic, acknowledging Huschner's contribution to the field without ignoring the problems – both methodological and source critical – his work presents. As will become clear, I disagree with his argument that many or most leading draftsmen-scribes of the era were bishops in post or prospect – „amtierende und künftige Bi-

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chivs 39, 2016) p. 51 n. 143; Andreas KLIMM, Ottonische Diplome im Bestand des Landesarchivs Sachsen-Anhalt. Originale, Falsifikate und kopiale Überlieferungen, in: Originale – Fälschungen – Kopien. Kaiser- und Königsurkunden für Empfänger in „Deutschland“ und „Italien“ (9.–11. Jahrhundert) und ihre Nachwirkungen im Hoch- und Spätmittelalter (bis ca. 1500), hg. von Nicolangelo D'ACUNTO / Wolfgang HUSCHNER / Sebastian ROEBERT (Italia Regia 3, 2017) p. 243–262, at p. 247–252; Stefano MANGANARO, Stabilitas regni. Percezione del tempo e durata dell'azione politica nell'età degli Ottoni (936–1024) (2018) p. XXXIf., p. 206, p. 209 n. 45, p. 306 n. 254 (though note the greater uncertainty expressed at p. 303 n. 149 regarding BA: „forse de identificare con il cancelliere Bruno“); Eveline LECLERCQ, L'élaboration des chartes médiévales: L'exemple des évêchés d'Arras, Cambrai et Liège (XI^{e}–XII^{e} siècles), 2 vols. (Diss. Strasbourg 2019), 1, p. 29; Thomas VOGTHERR, Die Diplome des 9.–12. Jahrhunderts für die bischöfliche Kirche von Halberstadt, in: Herrscherurkunden für Empfänger in Lotharingien, Oberitalien und Sachsen (9.–12. Jahrhundert), hg. von Wolfgang HUSCHNER / Theo KÖLZER/ Marie Ulrike JAROS (Italia Regia 2, 2020) p. 301–316, at p. 306 n. 41; Michele BAITIERI, Legal Culture across the Alps during the Post-Carolingian Period, in: Un ponte tra il Mediterraneo e il Nord Europa: la Lombardia nel primo millennio, a cura di Giuliana ALBINI / Laura MECELLA (Quaderni degli Studi di Storia Medioevale e di Diplomatica 4, 2021) p. 251–269, at p. 253–256.

19) Herwig WOLFRAM, Diplomatik, Politik, Staatssprache, in: AfD 52 (2006) p. 249–270, at p. 252–254; Wolfgang GIESE, Heinrich I. Begründer der ottonischen Herrschaft (2008) p. 193 n. 40, 56; Anton SCHARER, Herrscherurkunden als Selbstzeugnisse?, in: MIÖG 119 (2011) p. 1–12, at p. 2 n. 2; Bernd SCHÜTTE, Mittelalterliche Königshöfe und Pfalzen im heutigen Niedersachsen. Pöhlde als herrscherlicher Aufenthaltsort (2015) p. 8 n. 17; Levi ROACH, Forgery and Memory at the End of the First Millennium (2021) p. 53.

20) Robert SCHNASE, *Scriba anonymus scripsit et subscripsit*. Kontinuität oder Neuordnung in der Beurkundung? Die Schreiberprofile unter Arnolf von Kärnten (887–899) und Otto I. (936–973) im Vergleich (DWV-Schriften zur Erforschung des Mittelalters 2, 2019). Schnase's work is, however, so deeply (and clearly) flawed that it will be left to one side in the following. To take but one illustrative example, he ascribes DD O I 168, 169, 178 (alongside a number of other diplomas) to the hand he calls S O I 11; yet they are entirely different scribal performances, in one case stemming from a later St Maximin forger (see below n. 92).

schöfe", as he puts it. Nevertheless, I find his model of charter production a significant improvement on previous ones. In terms of contents, I first consider Huschner's approach and methodology (Section 2), after which I offer an extended examination of how his model of charter production – including the resulting identifications of bishops with draftsman-scribes – works for the reign of Otto I (Section 3). Finally, I seek to draw wider conclusions on this basis (Section 4).

Until the Ottonian diplomas have been systematically re-edited – a task now long overdue[21] – any such survey must be considered preliminary. To keep the material manageable, I have not sought to test the identifications of draftsman („Verfasser") and scribe („Schreiber" or „Mundator") offered by Sickel and his team systematically, though even cursory examination has led to some important corrections and adjustments. As is well known, Sickel and his associates worked primarily from hand drawn facsimiles and tracings, rather than single sheets and photos, so further amendments are to be anticipated[22]. Any attempt to start reassigning scribal identities without undertaking an autopsy of the full corpus would, however, be premature. In any case, Huschner himself works largely from the Sickelian identifications, so it is on their basis that his arguments must initially stand and fall.

2. Methodological considerations on the „Huschner thesis"

There can be little doubt that Huschner's model of charter production is a marked improvement on previous ones. He is right to note that Sickel assumed too much centralization and institutionalization; and he is equally right to observe that large elements of Sickel's teachings survived their initial deconstruction at Kehr's and Klewitz' hands unscathed. Huschner's greatest achievement, however, is not simply to question old assumptions. His model of different types of notary, with varying degrees of association with the court, allows us finally to break free of the old chancery-recipient binary. In doing so, he develops – consciously or not – a point made by Jaap Kruisheer in the

21) Cf. Carlrichard BRÜHL, Derzeitige Lage und künftige Aufgaben der Diplomatik, in: Landesherrliche Kanzleien im Spätmittelalter (Münchener Beiträge zur Mediävistik und Renaissance-Forschung 35, 1984) p. 37–47, at p. 40.

22) On the *modus operandi* of Sickel and his team (and its limitations): SICKEL, Programm (as n. 2) p. 473–477; KEHR, Kanzlei Ludwigs des Kindes (as n. 5) p. 39–40. See also KEHR, Kanzlei Ludwigs des Deutschen (as n. 5) p. 4.

late 1970s. As Kruisheer noted (with an eye to the thirteenth-century documents he had been studying), diplomas were not only produced by the issuer and recipient, but also by other parties. What Huschner adds to this picture of „production by third parties“ is a finer awareness of the forms this might take: sometimes we are dealing with regional court scribes, only active when the ruler is within a certain district but then working on behalf of recipients across the realm; at others, we are observing something more like expanded recipient production, with notaries active primarily for recipients from within a specific region[23].

Similarly welcome is Huschner's challenge to traditional teaching on the standing of such figures[24]. Notaries were long considered to be low-level functionaries, yet there is no particular reason to believe this was so. That scribal work was not always (or necessarily) menial is shown by the case of Thietmar of Merseburg, who annotated the earliest surviving copy of his own *Chronicon* (which was unfortunately damaged following the Allied bombing of Dresden in 1945) and contributed a memorial entry to the Merseburg Sacramentary[25]. Further evidence for the scribal capabilities of prelates comes from Italian judicial notices and private charters of the period, which reveal that many bishops and abbots south of the Alps had mastered the complex diplomatic minuscule demanded by diplomas[26]. This was evidently not a world in which the ability to draw up a charter was frowned upon. Indeed, even before Huschner set to work, at least seven bishops of

23) Jaap G. KRUISHEER, Kanzleianfertigung, Empfängeranfertigung und Anfertigung durch Dritte. Methodologische Anmerkungen anläßlich einiger neuerer Untersuchungen, in: AfD 25 (1979) p. 256–300. See also GUYOTJEANNIN, Écrire en chancellerie (as n. 1) p. 31; GHIGNOLI, Istituzioni ecclesiastiche (as n. 18) p. 644 f.

24) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 63–94.

25) Martina GIESE, Thietmars Chronik: Vorlagen, handschriftliche Überlieferung und mittelalterliche Rezeption, in: Thietmars Welt. Ein Merseburger Bischof schreibt Geschichte, hg. von Markus COTTIN / Lisa MERKEL (2018) p. 72–99; Hans Jakob SCHUFFELS / Christian SCHUFFELS, Thietmars Autograph. Zur Eigenhändigkeit des Eintrags im Sakramentar der Merseburger Domkirche, in: ibid. p. 100–113. According to Hansjörg WELLMER, Persönliches Memento im deutschen Mittelalter (Monographien zur Geschichte des Mittelalters 5, 1973) p. 45–61, Archbishop Tagino was similarly responsible for many of the entries in the Magdeburg necrology. For doubts, however: Die Totenbücher von Merseburg, Magdeburg und Lüneburg, hg. von Gerd ALTHOFF / Joachim WOLLASCH (MGH Libri mem. N.S. 2, 1983) pp. XXXIf.; Hartmut HOFFMANN, Rezension von WELLMER, Persönliches Memento, in: Rheinische Vierteljahrsblätter 38 (1974) p. 485–488.

26) Armando PETRUCCI / Carlo ROMEO, 'Scriptores in urbibus'. Alfabetismo e cultura scritta nell'Italia altomedievale (1992) p. 195–236.

the Ottonian period had been identified with known notaries (with varying degrees of confidence): Adalbert of St Maximin/Magdeburg with Liudolf A; Eric of Havelberg with a scribe of Henry II's reign; Heribert of Cologne with Hildibald K; Adalbero of Utrecht with the Bruno A of Henry II's reign (rather than the earlier one of the 950s); Adaldag of Hamburg with Simon E; Pilgrim of Passau with Willigis C; and Bernward of Hildesheim with Hildibald A[27]. We also have good reason to believe that Leo of Vercelli drafted (and probably also copied) the diplomas in favour of his own bishopric and its associates[28]. To these Huschner adds a host of new identifications (of which, more anon). Their importance goes beyond our knowledge of the notaries in question. By demonstrating that charter scribes were not simply (or at least not always) lowly servants, Huschner has restored a degree of agency to them. As he emphasizes, we should not imagine these figures slavishly following orders, but rather actively contributing to the public face of royal and imperial authority. Diplomas were not direct and unalloyed expressions of the royal will, but virtuoso performances by leading churchmen.

Yet if Huschner is right that prelates could operate as charter scribes, this does not mean that most court notaries were bishops (be it in post or prospect), as he goes on to imply. Sickel's insistence that scribes were low-level functionaries may have been something of a *petitio principii*, but Huschner risks repeating the error in reverse. Central to his argument is the observation that literacy was limited in the tenth and eleventh centuries, particularly north of the Alps; and that any skilled charter scribe was necessarily of elite standing. This is certainly true,

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27) Theodor SICKEL, Excurse zu Ottonischen Diplomen VI, in: MIÖG Erg. Bd. 1 (1885) p. 361 f.; Harry BRESSLAU, Zum Continuator Reginonis, in: NA 25 (1900) p. 664–671; BRESSLAU, Handbuch (as n. 2) 1, p. 471 (with n. 1); Wilhelm ERBEN, Excurse zu den Diplomen Otto III., in: MIÖG 13 (1892) p. 537–586 at p. 577–579; Hermann BLOCH, Das Diplom Otto's III. für das Johanneskloster bei Lüttich (DO. III. 240) und die Gründung des Adalbertstifts zu Aachen, in: NA 23 (1898) p. 145–158, at p. 158; Edmund E. STENGEL, Die Immunität in Deutschland bis zum Ende des 11. Jahrhunderts. Forschungen zur Diplomatik und Verfassungsgeschichte 1: Diplomatik der deutschen Immunitäts-Privilegien vom 9. bis zum Ende des 11. Jahrhunderts (1910, ND 1964) p. 139–142; FICHTENAU, Urkundenfälschungen (as n. 7); Hans Jakob SCHUFFELS, „Aulicus scriba doctus" – Bernward in der Königskanzlei, in: Bernward von Hildesheim und das Zeitalter der Ottonen 2: Katalog, hg. von Michael BRANDT / Arne EGGEBRECHT (1993) p. 247–250.

28) Hermann BLOCH, Beiträge zur Geschichte des Bischofs Leo von Vercelli und seiner Zeit, in: NA 22 (1897) p. 11–136. For more recent disucssion: ROACH, Forgery and Memory (as n. 19) p. 193–255.

so far as it goes. But it does not follow that most of these figures were of episcopal standing – the very highest status within the ecclesiastical hierarchy. As studies of manuscript production by Hartmut Hoffmann and others amply demonstrate, religious houses of the period were well-stocked with trained scribes. Be it at Abraham's Freising, Egbert's Trier or Witgowo's Reichenau, men and women capable of high-quality scribal work were in no shortage; and it is inconceivable that most of them rose to abbatial or episcopal rank[29]. Could such men and women not have been Huschner's regional court notaries and regional recipient notaries? Certainly it would be rash to presume that episcopal and abbatial amanuenses were an anachronism (as Huschner does), and that any hand associated with a given abbot or bishop must be that of the prelate himself[30]. We know that some bishops were comfortable with quill in hand (one thinks once more of Thietmar), but others were much less so. Comparison with the richer archival records of Italy is once more instructive. While many (perhaps most) cisalpine bishops were skilled calligraphers, as Armando Petrucci and Carlo Romeo have shown, not all were. We can see this at Vercelli. Here the courtier bishop Leo (999–1026) was a very capable scribe, whose annotations have been identified in many manuscripts of the cathedral library. Partly on this basis, Leo has been assigned responsibility for an impressive series of diplomas in favour of Vercelli and its associates. And though the relevant single sheets do not survive, the presumption is that Leo also copied these, a presumption strengthened by the elegant diplomatic minuscule in which he subscribes a Ravennese judicial notice of early

29) Hartmut HOFFMANN, Buchkunst und Königtum im ottonischen und frühsalischen Reich, 2 vols. (Schriften der MGH 30, 1986); IDEM, Bamberger Handschriften des 10. und des 11. Jahrhunderts (Schriften der MGH 39, 1995); IDEM, Schreibschulen des 10. und des 11. Jahrhunderts im Südwesten des Deutschen Reichs, 2 vols. (Schriften der MGH 53, 2004); IDEM, Schreibschulen und Buchmalerei. Handschriften und Texte des 9.–11. Jahrhunderts (Schriften der MGH 65, 2012). See also Natalia DANIEL, Handschriften des zehnten Jahrhunderts aus der Freisinger Dombibliothek. Studien über Schriftcharakter und Herkunft der nachkarolingischen und ottonischen Handschriften einer bayerischen Bibliothek (Münchener Beiträge zur Mediävistik und Renaissance-Forschung 11, 1973); Jean SCHROEDER, Bibliothek und Schule der Abtei Echternach um die Jahrtausendwende (1977); Katrinette BODARWÉ, Sanctimoniales litteratae. Schriftlichkeit und Bildung in den ottonischen Frauenkommunitäten Gandersheim, Essen und Quedlinburg (2004); Walter BERSCHIN, Eremus und Insula. St. Gallen und die Reichenau im Mittelalter – Modell einer lateinischen Literaturlandschaft (²2005) esp. p. 19–25.

30) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 149 f., 172. Note the objections of HOFFMANN, Notare (as n. 14) p. 438 f.

1001[31]. Yet earlier in the century, the equally learned Atto (924–957/8) was far less scribally active. Thanks to the presence of his distinctive monogram in many manuscripts, we know that Atto was just as interested in the episcopal library; nevertheless, his own autograph has yet to be identified with any confidence, barring one possible monogram[32]. And though Atto's subscription to a private charter of 945 reveals that he was a competent enough scribe when the need arose, it is far from certain that he had fully mastered diplomatic minuscule (the subscription is in what might best be called an adjusted Caroline hand)[33]. It is, therefore, unclear whether Atto would have been able to produce a lengthy charter; and it is probably no coincidence that he is not the scribe of the diploma of 945 in favour of the cathedral chapter, which he had in all likelihood drafted[34]. Even more striking is the later case of Bishop William of Pavia (c. 1066–1102). William hailed from a powerful local family and owed his promotion to these connections. Yet his hand shows few signs of formal training and is symptomatic of what has been dubbed a kind of „functional semi-literacy". There can be no doubt that diploma production was beyond his ken[35]. We must, therefore, allow for the possibility that bishops were notaries; to make this a rule of thumb would be to fall into Sickelian dogmatism.

In this respect, it is significant that those notaries who were identified with bishops before Huschner are either responsible for relatively small numbers of documents or ceased operating once they had

31) Ravenna, Archivio Archivescovile, S. Andrea no. 11371. The document is edited in Raffaelo VOLPINI, Placiti del Regnum Italiae (sec. IX–XI). Primi contributi per un nuovo censimento, in: Contributi dell'Istituto di storia medioevale 3 (1975) p. 245–520, at p. 352–356 (no. 17). On Leo's subscription: PETRUCCI / ROMEO, 'Scriptores in urbibus' (as n. 26) p. 218 f.

32) Giacomo VIGNODELLI, Il filo a piombo. Il *Perpendiculum* di Attone die Vercelli e la storia politica del regno italico (2011) p. 3–12.

33) Vercelli, Archivio Capitolare, Diplomi, I Cartella, 9.

34) I diplomi di Ugo e di Lotario, di Berengario II e di Adalberto, a cura di Luigi SCHIAPARELLI (Fonti 38, 1924) (henceforth: D(D) HuLo), n. 81, Vercelli, Archivio Capitolare, Diplomi, I Cartella, 8. On the hand: SCHIAPARELLI, I diplomi dei re d'Italia. Ricerche storico-diplomatiche V: I diplomi di Ugo e di Lotario, in: Bullettino dell'Istituto storico italiano 34 (1914) p. 7–255, at p. 72; and on Atto's probable draftsmanship: Giacomo VIGNODELLI, Prima di Leone. Originali e copie di diplomi regi e imperiali nell'Archivio Capitolare di Vercelli, in: Originale – Fälschungen – Kopien (as n. 18) p. 53–81, at p. 64 f.

35) ANSANI, *Caritatis negocia* e fabbriche di falsi (as n. 18) p. 55–100 (with the remarks on literacy at p. 82). For a reproduction of William's subscription: ibid. fig. 1 (p. 345); and on „semialfabeti funzionali": Armando PETRUCCI, Prima lezione di paleografia (2002) p. 20 f.

been promoted (sometimes both). The only exception is Fichtenau's suitably tentative suggestion that Hildibald of Worms may have been Hildibald B, the leading notary during Hildibald's time as chancellor (977–998). Fichtenau's reasoning was that the careers of scribe and chancellor overlapped, while Hildibald B, in addition to many authentic records, was responsible for an impressive set of forgeries in favour of Hildibald's bishopric of Worms. Yet as we shall see, further study of the Worms forgeries has revealed these to belong to the episcopate of Hildibald's predecessor Anno (950–978), when Hildibald B was already active as a recipient scribe. This makes it most unlikely that notary and bishop were one and the same. Rather, Hildibald B was a local draftsman-scribe gazetted into imperial service in the late 970s, when the new chancellor was appointed to his see[36].

The more serious objection to Huschner's identifications, however, is that they presume a form of sustained court service which is hard to reconcile with high ecclesiastical office. This is a point implicitly acknowledged by Huschner, who in two cases (Willigis of Mainz and Willigis B, and Poppo of Würzburg and Poppo A) sees the fact that the notary in question ceased operating upon the bishop's appointment as evidence in favour of the identification. And in at least one other case, that of Liudprand of Cremona and Liudolf F, Huschner associates a sharp decline in notarial activity with episcopal promotion. At least here, episcopal office would seem to have been incompatible with routine scribal service at court. Yet elsewhere, Huschner employs the reverse logic, identifying bishops with leading notaries precisely on the grounds that the bishop's episcopate coincides with the notary's period of activity at court. If Willigis was unable to combine archiepiscopal office with scribal work, this apparently posed few problems for his contemporary Heribert of Cologne. In all this, there is little explanation of how these bishops are meant to have fulfilled their pastoral duties. Similarly unclear are the benefits they hoped to accrue from such sustained scribal service. It is easy to see why a prelate might wish to produce diplomas in favour of his own see or its close associates; what was to be gained from the kind of extended service envisaged by Huschner, however, is far from clear. Perhaps visible Königsnähe was reward enough; but it remains hard to see why someone like Hildibald would have wanted to produce diplomas for so many recipients with whom he had little other connection. It is even harder to see why someone like

36) Roach, Forgery and Memory (as n. 19) p. 21–60.

Odilo of Cluny, whom Huschner identifies with Heribert D, would spend years away from his own monastery – in an entirely different kingdom! – simply to draft and copy diplomas in Otto III's name. The clutch of charters Heribert D produced for Cluniac houses in northern Italy would have been poor payment indeed for such efforts.

So while Huschner's model helpfully restores agency to draftsman-scribes, it risks underestimating the significant pastoral and administrative duties of episcopal and abbatial office. Timothy Reuter once argued that even those bishops who were most active in imperial service are unlikely to have spent more than five percent of their time at court; and for many others, it would have been much less[37]. This was perhaps an overstatement, but the point remains that the primary responsibility (and loyalty) of a bishop was to his see – a fact which the Ottonian rulers frequently learnt to their chagrin[38]. How such local duties are to be balanced with the extended absences postulated by Huschner – absences which would be longer still, were more diplomas of the era to survive – is a question he never fully addresses. In this respect, there is a whiff of the old „Ottonian-Salian imperial church system" to such arguments; the unspoken presumption is that bishops would happily prioritize imperial service over local commitments[39].

37) Timothy REUTER, Ein Europa der Bischöfe. Das Zeitalter Burchards von Worms, in: Bischof Burchard von Worms 1000–1025, hg. von Wilfried HARTMANN (Quellen und Abhandlungen zur mittelrheinischen Kirchengeschichte 100, 2000) p. 1–28, at 24 f.

38) Cf. Ernst-Dieter HEHL, Der widerspenstige Bischof. Bischöfliche Zustimmung und bischöflicher Protest in der ottonischen Reichskirche, in: Herrschaftsrepräsentation im ottonischen Sachsen, hg. von Gerd ALTHOFF / Ernst SCHUBERT (VuF 46, 1998) p. 295–344.

39) The classic deconstruction is now Timothy REUTER, The 'Imperial Church System' of the Ottonian and Salian Rulers. A Reconsideration, in: Journal of Ecclesiastical History 33 (1982) p. 347–374. For subsequent discussion: Rudolf SCHIEFFER, Der geschichtliche Ort der ottonisch-salischen Reichskirchenpolitik (Nordrhein-Westfälische Akademie der Wissenschaften Düsseldorf. Vorträge Geisteswissenschaften 352, 1998); Hartmut HOFFMANN, Der König und seine Bischöfe in Frankreich und im Deutschen Reich 936–1060, in: Bischof Burchard von Worms (as n. 37) p. 79–127; Wolfgang HUSCHNER, Die ottonisch-salische Reichskirche, in: Heiliges Römisches Reich deutscher Nation. 962 bis 1806. Von Otto dem Großen bis zum Ausgang des Mittelalters, 2 vols., hg. von Matthias PUHLE / Claus-Peter HASSE (2006), 2, p. 98–109; Steffen PATZOLD, Episcopus. Wissen über Bischöfe im Frankenreich des späten 8. bis frühen 10. Jahrhunderts (Mittelalter-Forschungen 25, 2008) p. 521–626; BODE, König und Bischof (as n. 17); Jenseits des Königshofs. Bischöfe und ihre Diözesen im nachkarolingischen ostfränkisch-

That royal service could prove controversial is revealed by Ruotger's *Vita* of Bruno of Cologne. Bruno was both archbishop of Cologne and duke of Lotharingia in the 950s and early 960s, a combination of secular and ecclesiastical office which did not meet with universal approval. At many points in his account, Ruotger alludes to Bruno's critics; and the main purpose of the *Vita* is to defend the archbishop's unique combination of *regnum* and *sacerdotium* (*regale sacerdotium*, as Ruotger puts it). Yet while imperial service is invoked here and in the *Vitae* and *Gesta* of many other bishops of the era, in tones alternatively proud and apologetic, this is almost never described as extending to diploma production[40]. It is difficult to reconcile this with Huschner's central thesis. If the production of royal charters was an elite task routinely (and happily) undertaken by leading churchmen, we should expect at least some of their biographers to take note of this. If it was worth Bruno's time and effort to produce over thirty diplomas for Otto I in the guise of Bruno A, why should Ruotger pass over this in such studied silence? It cannot simply be that our authors are self-censoring, since many (including Ruotger) mention military service, a subject far more delicate from a canonical standpoint[41]. Nor is it that they do not mention the issuing of diplomas, for in many cases they do. Rather, it is that when bishops and abbots are mentioned in such contexts, it is as petitioners and/or recipients of grants, not as their authors or scribes[42].

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deutschen Reich (850–1100), hg. von Andreas Bihrer / Stephan Bruhn (Studien zur Germania Sacra N. F. 10, 2019).

40) On Bruno and Ruotger's *Vita*: Henry Mayr-Harting, Church and Cosmos in Early Ottonian Germany: The View from Cologne (2007) p. 10–22; Britta Hermans, „Sanctum eum adprime virum esse“. Die Vita Brunonis des Ruotger als Bischofsvita, in: Geschichte in Köln 63 (2016) p. 7–32; and on royal service in episcopal *Vitae*: Stephanie Haarländer, Vitae episcoporum: eine Quellengattung zwischen Hagiographie und Historiographie, untersucht an Lebensbeschreibungen von Bischöfen des Regnum Teutonicum im Zeitalter der Ottonen und Salier (Monographien zur Geschichte des Mittelalters 47, 2000) p. 348–376. For Bruno's *regale sacerdotium*: Ruotger, Vita Brunonis archiepiscopi Coloniensis c. 20, ed. by Irene Ott (MGH SS rer. Germ. N.S. 10, 1951) p. 19.

41) Cf. Jeffrey Robert Webb, Representations of the Warrior-Bishop in Eleventh-Century Lotharingia, in: Early Medieval Europe 24 (2016) p. 103–130.

42) e.g. Ruotger, Vita Brunonis c. 10 (as n. 40) p. 10; Ekkehard IV, Casus S. Galli c. 6, 16, 25, ed. by Hans F. Haefele / Ernst Tremp with Franziska Schnoor (MGH SS rer. Germ. 82, 2020) p. 132–134, 164, 198–200; Gesta episcoporum Cameracensium I, 108, 112, ed. by Ludwig Konrad Bethmann (MGH SS 7, 1846) p. 447 f., 450; Widric, Vita s. Gerhardi episcopi c. 21, ed. by Georg Waitz (MGH SS 4, 1841) p. 502 f.; Vita Meinwerci episcopi Patherbrunensis c. 179, ed. by Guido M. Berndt (MittelalterStudien 21, 2009) p. 210–212; Lantbert, Vita sancti Heriber-

The only (partial) exception is Bernward of Hildesheim, whose biographer Thangmar does indeed describe him as „trained as a court scribe" (*aulicus scriba doctus*). Yet Thangmar is copying a private charter here – one which survived in single-sheet form into the nineteenth century – so the wording is not his. Furthermore, Thangmar does not depict Bernward copying or composing diplomas as bishop; rather, this is a task in which he had previously been trained. This is probably no coincidence. For the scribe who has been identified as Bernward's notarial alias, Hildibald A, ceases to operate upon his promotion[43]. And one of the most distinctive features of Hildibald A's hand is that he never fully mastered the diplomatic minuscule demanded by such documents. Bernward's case thus proves that leading churchmen could indeed be charter scribes, but provides little evidence that they routinely were. If anything, it may suggest the reverse: that most bishops – and even leading chaplains – were unaccustomed to such work.

Our most detailed contemporary description of diploma production, furnished by Thietmar of Merseburg, is of particular interest in this regard. At the start of Book 3, Thietmar discusses the pious donations of Otto II, including those to his own see of Merseburg. Thietmar's primary motive is to strengthen his own hand in ongoing efforts to restore Merseburg's patrimony, following the dissolution of the see in 981 and its restoration in 1004. And the main privilege mentioned in favour of the bishopric, a grant of forest rights between the Saale and Mulde, is one Thietmar himself had forged on the basis

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ti lectio 7, ed. by Bernhard VOGEL (MGH SS rer. Germ. 73, 2001) p. 160 f. Note, however, the implication that Wolfgang of Regensburg may have been involved in charter drafting in Otloh's later *Vita*: Vita s. Wolfkangi c. 29, ed. by Georg WAITZ (MGH SS 4, 1841) p. 538 l. 30–33, 40 f.: *Sed quoniam Poemia provincia sub Ratisponensis ecclesiae parrochia extitit, peragi non potuit, nisi ipsius antistitis praesidio. Unde rex, legatione missa ad episcopum, petiit, ut acceptis pro parrochia praediis, in Poemia sibi liceret episcopatum efficere ... Cumque tempus peragendi concambii venisset, tanta favit alacritate, ut ipse privilegium componeret.*

43) Thangmar, Vita Bernwardi episcopi Hildesheimensis c. 51, ed. by Georg Heinrich PERTZ (MGH SS 4, 1841) p. 779f.; Urkundenbuch des Hochstifts Hildesheim und seiner Bischöfe 1: Bis 1221, hg. von Karl JANICKE (1896) no. 62. For Bernward's identification with Hildibald A: SCHUFFELS, Bernward in der Königskanzlei (as n. 27). Closer examination of Bernward's suspected autograph with the last attested diploma of HA confirms the possibility (and perhaps even likelihood) of hand identity; given the large span of time and differences in script, however, absolute certainty is impossible: Hildesheim, Dom- und Diözesanmuseum, Inv. DS 18, fol. 231v; Düsseldorf, Landesarchiv Nordrhein-Westfalen, Stift Vilich, Urk. 2a (= D O III 32).

of an authentic privilege. We must, therefore, treat his remarks with due caution. Nevertheless, there is no reason to doubt that Thietmar accurately reflects contemporary norms of diploma production, since his artifice depends on verisimilitude. More to the point, his most detailed description is of the emperor's confirmation of Magdeburg's right of free episcopal election. This relates to an authentic diploma, which survives to this day in its original format, and Thietmar writes as a sometime Magdeburg student. In this connection, he recalls how „by imperial decree, and in the presence of Archbishop Adalbert [of Magdeburg]“ the emperor had issued the privilege, which was also confirmed by the gift of a de luxe book bearing a gold portrait of Otto II and his wife Theophanu. The donation was then celebrated by a Mass led by Adalbert and attended by the emperor, in which the archbishop read aloud and displayed the new diploma, right after the Gospel readings and the sermon. At this point, Adalbert threatened any who might infringe its terms with excommunication, after which all present enthusiastically shouted *Amen*, *fiat*, *fiat*! This is all most impressive. But what is notably absent is any mention of the scribe, who according to Huschner was none other than the imperial chancellor, Hildibald of Worms (i.e. Hildibald B). Hildibald's absence is all the more notable when we consider that all of the other players mentioned here – the emperor, empress and archbishop – are mentioned in the resulting diploma[44].

All of these objections might be overlooked, were there unambiguous palaeographical evidence in favour of Huschner's identifications. Yet it is precisely here that his arguments face their greatest obstacles. Only a relatively small number of his identifications rest on palaeographical evidence, and many of these prove problematic on closer inspection (as we shall see). The more general problem is that our corpus of established episcopal autographs is itself remarkably small.

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44) Thietmar of Merseburg, Chronicon III 1, ed. by Robert HOLTZMANN (MGH SS rer. Germ. N.S. 9, 1935) p. 96–99, with KELLER, Ottonische Königsherrschaft (as n. 11) p. 157 f. Thietmar's forgery is D O II 90, Merseburg, Domstiftsarchiv, Urk. 1, on which: Helmut LIPPELT, Thietmar von Merseburg. Reichsbischof und Chronist (1973) p. 89–115; Wolfgang HUSCHNER, Echt, gefälscht oder verloren? Die Verzeichnung von Urkunden in Thietmars Chronik, in: Thietmars Welt (as n. 25) p. 130–147. The (authentic) Magdeburg diploma is D O II 207, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 47. Cf. Dietrich CLAUDE, Geschichte des Erzbistums Magdeburg bis in das 12. Jahrhundert, 2 vols. (Mitteldeutsche Forschungen 67, 1972–1975), 1 (1972) p. 131 f.; SCHULMEYER-AHL, Anfang vom Ende (as n. 17) p. 276 f.

For the vast majority of bishops north of the Alps (and many in Italy, too) we do not possess any securely identified autographs; and even for those we do, they typically take the form of one or two subscriptions to private charters, judicial notices or synodal *acta*. On the basis of just a handful of words, written in haste in limited space, it is extremely hard to establish scribal identity with any certainty. To make matters worse, we are sometimes dealing with different scripts: subscriptions to private charters north of the Alps are rarely autograph and episcopal hands, where identified, are typically Caroline. Even in Italy, where autograph subscriptions by bishops are quite common and generally undertaken in charter script (either diplomatic minuscule or elongated letters), these might still sometimes take Caroline forms. The best we can hope for under these circumstances is to establish scribal identity with a degree of plausibility[45].

There are, therefore, grounds for considerable caution regarding the Huschner thesis. Though Huschner's model of diploma production is a notable improvement on previous ones, the bolder conclusions he draws on this basis are not always supported by the wider evidence for charter production and episcopal office. The only way to go beyond such general caveats, however, is to return *ad fontes*. For it is in the diplomas themselves that we can see most clearly the strengths and weaknesses of the *nova doctrina Huschneri*.

3. The draftsmen-scribes of Otto I revisited

Having established the value and potential pitfalls of Huschner's approach, it is high time to test it. In order to facilitate this, I have revisited all the diplomas of Otto I, to see how well Huschner's division of scribes into trans-regional/imperial, regional, local, recipient and occasional – and the attendant identifications of such figures – works in practice. The aim has been to leave old assumptions about the „chancery" to one side, and to let the evidence speak for itself, so far as possible. I start with those hands which display a marked regional focus, for which Huschner's model is especially effective. Pride of place here belongs to a set of Swabian hands, which Huschner identifies partly on the basis of Sickel's earlier editorial work. Thereafter,

45) Cf. Peter A. Stokes, Scribal Attribution across Multiple Scripts: A Digitally Aided Approach, in: Speculum 92, Number S1 (2017) p. S65–S85.

I proceed through the similar set of scribes associated with Otto I's prize foundation at Magdeburg, before turning to other regional and occasional hands of the era (many of these associated with the Liudolfing heartlands of East Saxony). In all of these cases, Huschner's model works well, even if his scribal identifications can rarely be sustained. Greater problems arise, however, when we then turn to those scribes of a more court or „chancery“ nature – those dubbed „trans-regional“ or „imperial court notaries“ by Huschner. Here his identifications rarely convince and risk skewing our picture more seriously. Throughout the survey, the aim is to be systematic but not exhaustive. Most of Otto I's draftsman-scribes are touched on in passing, but greater space is given to those cases which are particularly informative – those which either support or challenge Huschner's central thesis.

As noted, it is with regional and occasional hands that the validity of Huschner's findings is often clearest. A helpful starting point is offered by a group of south-western scribes he identifies. The first of these is the figure dubbed Liudolf B (LB) by Sickel, who was active in the 950s and early 960s. Of the four diplomas ascribed primarily to LB, two are for the southern Swabian bishopric of Chur, one is for the nearby monastery of Einsiedeln, and one is for the Eastphalian convent of Fischbeck[46]. This distribution reveals a strong Swabian focus, and Huschner is quite right to doubt that we are dealing with a „chancery scribe“ in the traditional sense of the term. A similar focus can be observed in the activities of Liudolf C (LC), a closely related hand of these years. Of the six diplomas for which Sickel and his team held this figure primarily responsible, four are for Swabian recipients, including two for the bishopric of Chur, one for Hartbert of Chur (the local bishop) and another for Einsiedeln. Of the remaining two, one is for the abbey of Schwarzach in neighbouring Alsace, confirming an exchange with Bishop Hartbert (which had been the subject of LC's diploma in his favour)[47]. LC was also responsible for the first line and eschatocol (or at least elements thereof) of two further diplomas for Swabia, in favour of Einsiedeln and Chur[48]. Finally, a third scribe, Liudolf E (LE), cuts a similar profile. The two diplomas for which he can certainly be held responsible are in favour of Chur and Einsiedeln[49]; he may also have supplied the first line of *elongatae* and subscriptions for

46) DD O I 174, 175, 182, 218.
47) DD O I 180, 209, 224, 225, 275, 326.
48) DD O I 189, 191.
49) DD O I 163, 189.

another diploma in favour of Chur[50]. Sickel believed he could detect LE's formulation („Diktat") behind another seven diplomas of these years (many of them copied by LB or LC), of which three are for Chur, one for Hartbert himself (the LC privilege already mentioned), one for Schwarzach (another LC diploma) and one for Pfäfers[51]. That these are all southern Swabian notaries should be abundantly clear. The situation is, however, complicated by the fact that Sickel's original hand identifications are not entirely reliable here: the single sheets ascribed to LB reveal significant variation, suggesting that at least two (and probably three) hands lie behind this designation[52]; one of the Chur diplomas attributed to LC probably also belongs to another notary[53]; and two diplomas originally attributed to LE have (rightly) been assigned by Hoffmann to different hands[54]. But regardless of how we wish to assign responsibility for these acts, the hands form a clear group, often operating together, typically for southern Swabian recipients.

50) D O I 182. Sickel also identified LE as draftsman („Verfasser") of this diploma.

51) DD O I 148, 175, 188, 191, 224, 225, 326. Note that D O I 188 is one of the infamous forgeries of Karl Widmer.

52) DD O I 174, 175 are clearly in the same hand, but questions arise over the other two. In D O I 182, Chur, Bischöfliches Archiv, 011.0016, the scribe uses a different abbreviation sign from that otherwise employed by LC; his **x** also lacks a descender on the second stroke, while the left diagonal stroke on **v** stays within the script line. In D O I 218, Einsiedeln, Klosterarchiv, A.BI.2, by contrast, the *elongatae* do indeed look to be LB's, but the scribe of the main text forms his abbreviation sign differently, while his **g** often has two loops (rather than one) at the end of the bowl; there are also often descenders on **d**, where previously there had been none. Whether these differences can be explained by natural evolution of the hand or imitation of earlier models seems questionable, not least since the **g** in D O I 94 (his immediate model here) is formed more like those in LB's first two performances: Einsiedeln, Klosterarchiv, A.BI.1. Sickel was well aware of these differences, and by his own admission was only able to consult the the former two documents side-by-side; nevertheless, he was convinced that they were all the work of a single notary: Beiträge VI (as n. 2) p. 362 f., 372–376. Note that D O I 188 is one of the infamous forgeries of Karl Widmer.

53) D O I 209, Chur, Bischöfliches Archiv, 011.0018. The key differences are the form of the flourishes on the ascender of **f** (LC's most distinctive feature) and the formation of the ampersand. Sickel himself spoke of a „Nachzeichnung".

54) DD O I 217, 279, with Hoffmann, Notare (as n. 14) p. 441–443. On the former, the original of which is now in public hands: Theo Kölzer, Ein wiedergefundenes Original Barbarossas, in: AfD 29 (2003) p. 81–90, at 81 f.; and on the latter, see below n. 65.

The common denominator here, as Huschner notes, is Bishop Hartbert of Chur (951–971/2)[55]. Hartbert had been a chaplain of Duke Herman I of Swabia (926–949) and was responsible for overseeing the translation of the relics of Sts Felix and Regula from Zurich to the newly founded monastery of Einsiedeln. This explains the high density of documents in favour of the bishopric and abbey, which were the main bastions of royal influence in the region. Chur also enjoyed close ties to the monastery of Pfäfers, for which LE may have been active. Hartbert's predecessor Waldo had been abbot of Pfäfers prior to becoming bishop and thereafter held the posts in plurality. Waldo's death had opened questions about the abbey's status, however, as nearby St Gall (where Waldo's uncle Salomon had been abbot) was keen to reclaim its control of the centre. Hartbert clearly had a vested interest here, and one suspects that he was leading a rear-guard action against St Gall (the charter in question is a confirmation of Pfäfers' immunity)[56]. That these figures were anything but traditional „chancery“ scribes is, in any case, clear; and even Sickel acknowledged that LE had been a Chur recipient notary before entering royal service[57]. There are reasons to suspect that LB may have hailed from Lotharingia[58]; but regardless of his origin, like LC and LE, he operated in a Swabian orbit, with a clear focus on Hartbert and his associates. At the same time, none of these figures is a recipient scribe in the strict sense. When present at court, they were happy enough to produce diplomas for recipients from other parts of the realm; and even in Swabia, their activity was not limited to Chur. Huschner is therefore right to dub them „regional recipient notaries“. LB, LC and LE are also important from a different angle. They demonstrate that even at a relatively poor and peripheral see such

55) Huschner, Transalpine Kommunikation (as n. 10) p. 55–57. On Hartbert: Vinzenz Muraro, Bischof Hartbert von Chur (951–971/2) und die Einbindung Churrätiens in die ottonische Reichspolitik (Quellen und Forschungen zur Bündner Geschichte 21, 2009); Bode, König und Bischof (as n. 17) p. 103–113.

56) The best discussion of Pfäfers' position in these years is offered by Sebastian Grüninger, Das bewegte Schicksal des Klosters Pfäfers im 10. Jahrhundert. Zum Quellenwert von Schilderungen Ekkeharts IV. von St. Gallen, in: Schriften des Vereins für Geschichte des Bodensees und seiner Umgebung 127 (2009) p. 25–46. See also Muraro, Bischof Hartbert (as n. 55) p. 136–140, who sees the diploma as evidence of Hartbert's failure to maintain control of the abbey.

57) Thus the commentary on D O I 163: „verfasst und geschrieben von dem erst etwas später als Mitglied der Kanzlei erscheinenden Liutolf E“ („drafted and copied by Liudolf E, who only somewhat later appears as member of the chancery“).

58) Sickel, Beiträge VI (as n. 2) p. 366f., endorsed by Stengel, Immunität (as n. 27) p. 166.

as Chur, there was no shortage of trained scribal specialists. Hartbert had at least three (and probably more) men in his entourage who were able to produce diplomas of a decent quality – and this despite being capable of such work himself. For as Hagen Keller notes, we can almost certainly identify Hartbert's own hand in two other diplomas of these years: a first in favour of Hartbert himself, during his time as a ducal chaplain; and a second of 958, in favour of Chur[59].

If Huschner's framing of the activities of LB, LC and LE is a significant improvement on Sickel's work, his attempt to identify LE with Abraham of Freising poses greater challenges[60]. Huschner's grounds are that Sickel had identified LE as the scribe of D O I 279, in favour of one of Abraham's vassals; and that Emil von Ottenthal had subsequently identified the hand of this diploma with that of an earlier privilege in favour of Osnabrück (D O I 150), in which a notary named Abraham (apparently the later bishop) appears as recognitioner[61]. This does indeed make a strong case for treating Abraham as the scribe of the latter two charters; it does not, however, follow that he was LE. For a start, it is unclear why a bishop of Freising in central Bavaria should draft diplomas primarily for recipients in southern Swabia. Huschner suggests that Abraham may have been trained at Chur and retained a connection to the see thereafter, but since we know nothing certain about the bishop's background, this is no more than speculation[62]. Even so, it would be most odd for Abraham to be more active in favour of his former rather than his present see. It is equally unclear why Abraham should cease producing diplomas halfway through his own episcopate, leaving an otherwise unknown (presumably recipient) scribe to produce a privilege of late 973 in favour of Freising[63].

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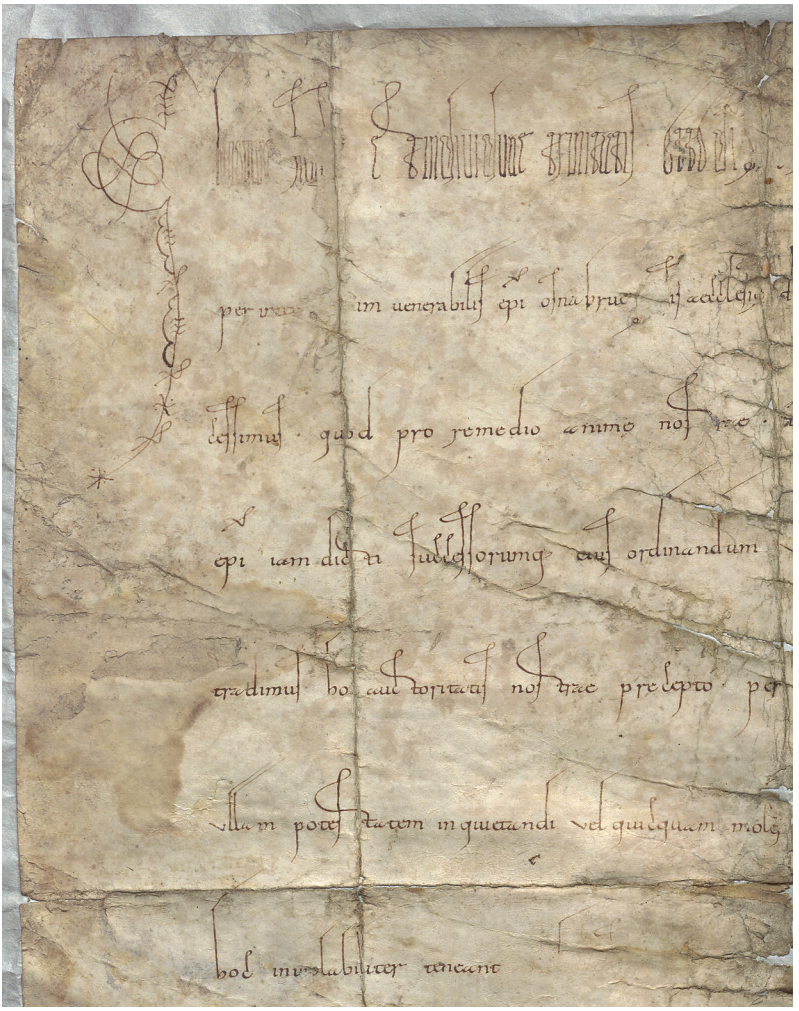
59) D O I 8, Chur, Bischöfliches Archiv 011.0011; D O I 191, Chur, Bischöfliches Archiv, 011.0017, with KELLER, Otto der Große (as n. 8) p. 241 f. Hand identity here is beyond doubt.

60) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 600–609.

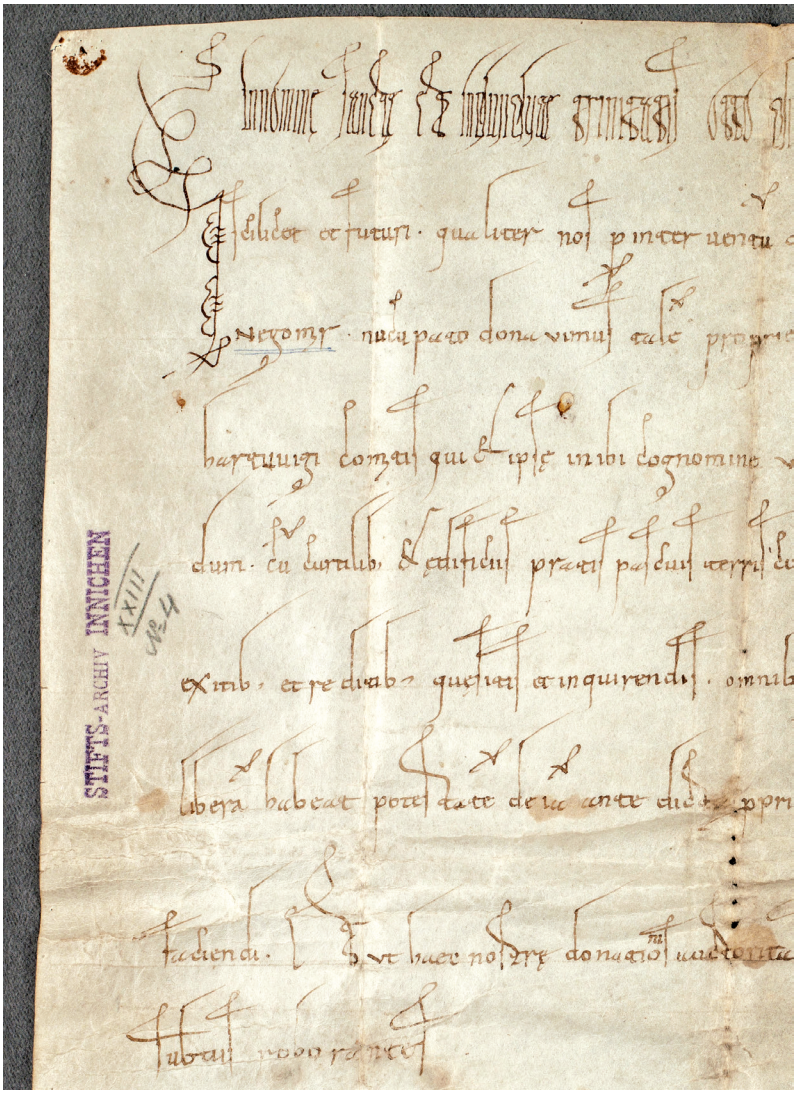
61) Emil VON OTTENTHAL, Bemerkungen zu den Urkunden der sächsischen Kaiser für Osnabrück, in: MIÖG Erg.Bd. 6 (1901) p. 25–40, at p. 28 f. The single sheet of D O I 279 has been subject to a small amount of erasure, but there is no doubt that the original document is a product of the early 950s (and the tampering itself falls short of forgery): Christian HOFFMANN, Markt, Münze und Zoll zu Wiedenbrück: Die Urkunde König Ottos I. für den Osnabrücker Bischof Drogo vom 7. Juni 952, in: Osnabrücker Mitteilungen 108 (2003) p. 11–31.

62) On Abraham, see DANIEL, Handschriften (as n. 29) p. 82 f., favouring a Bavarian origin.

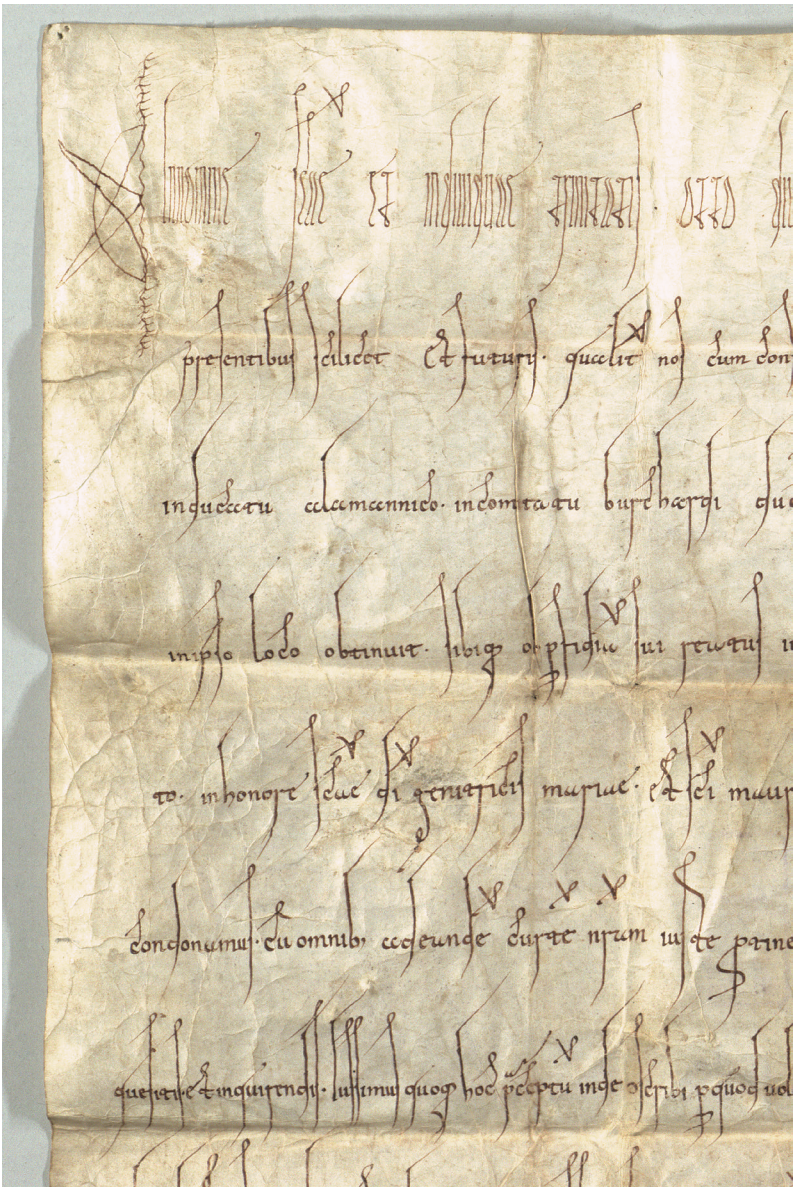
63) D O II 66. Note that DD O II 47, 80, both also in favour of Freising and surviving in later copies, were apparently not produced by LE either. Sickel assigned



Pl. 1: D O I 150, Osnabrück, Bistumsarchiv, Jostes 10

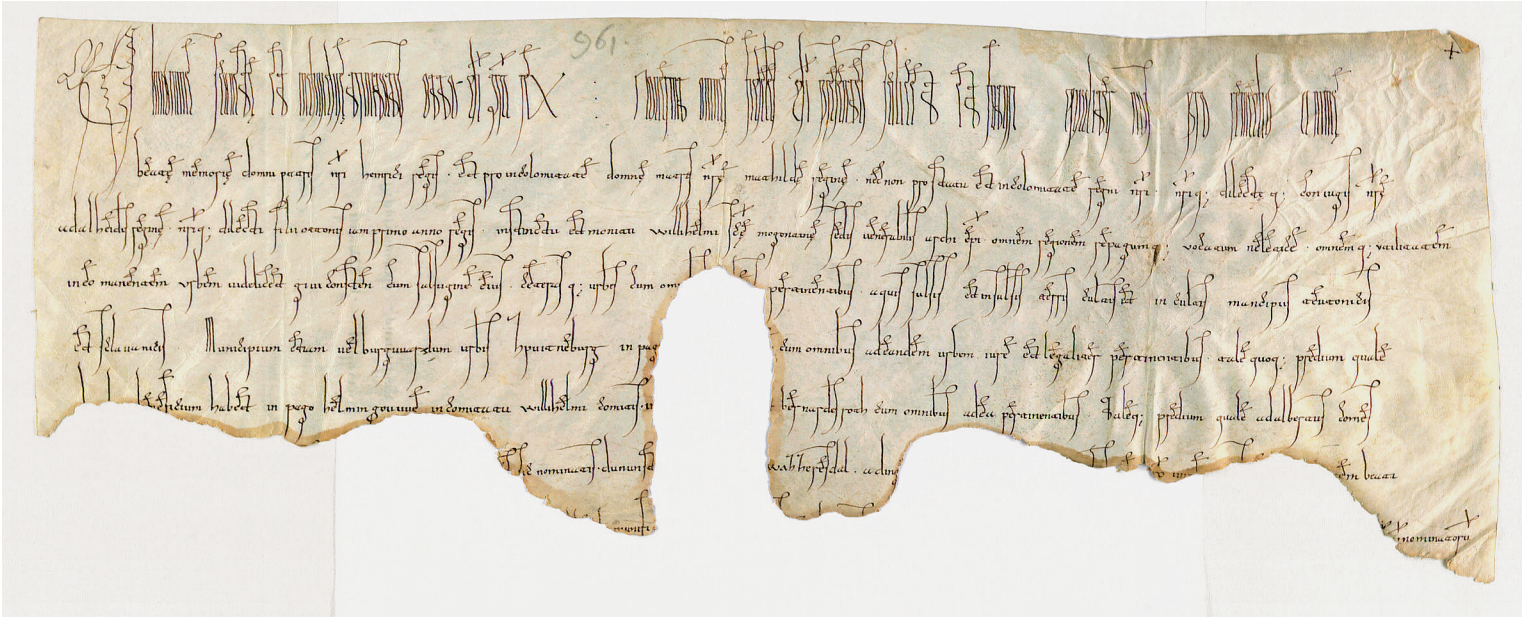


Pl. 2: D O I 279, Innichen, Museum Kollegiatstift-Mensalfonds, Urk. XXIII/4

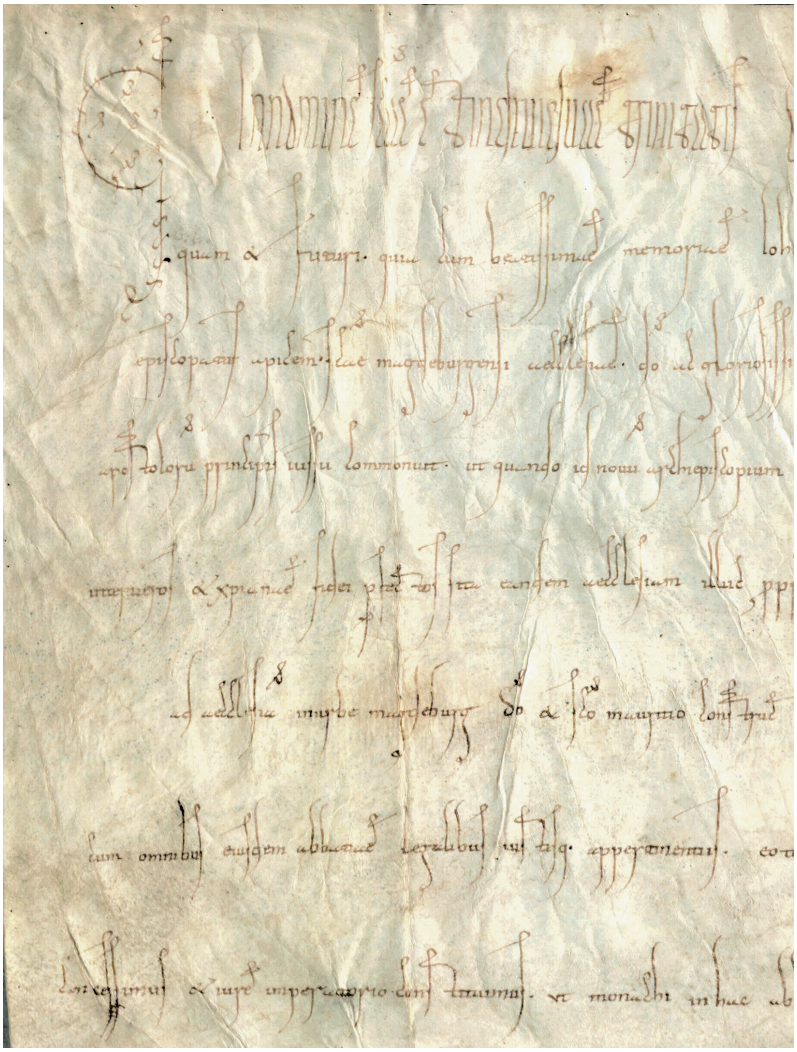


Pl. 3: D O I 189, Einsiedeln, Klosterarchiv, A.AI.4

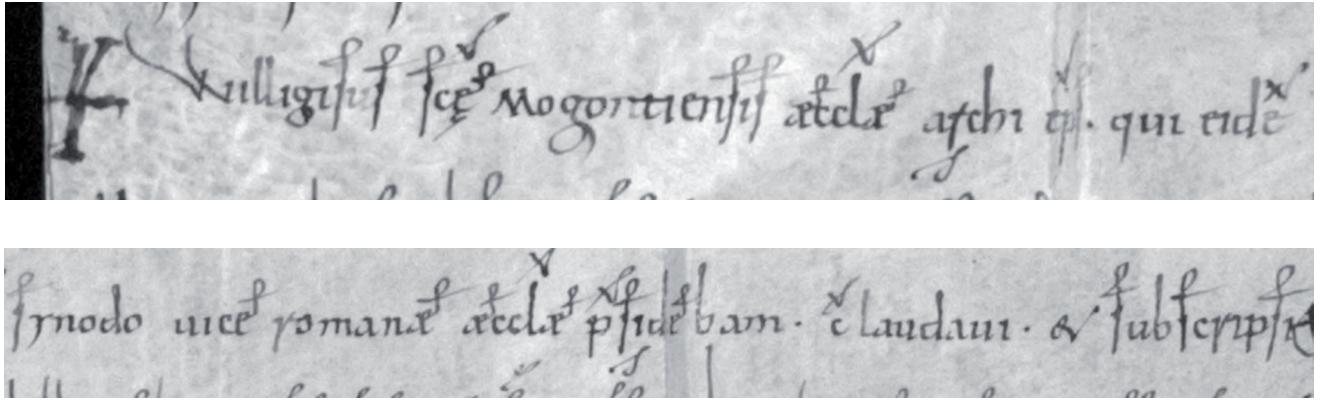
Pl. 4: Heidelberg, Universitätsbibliothek, Heidelberger Urkunden 323



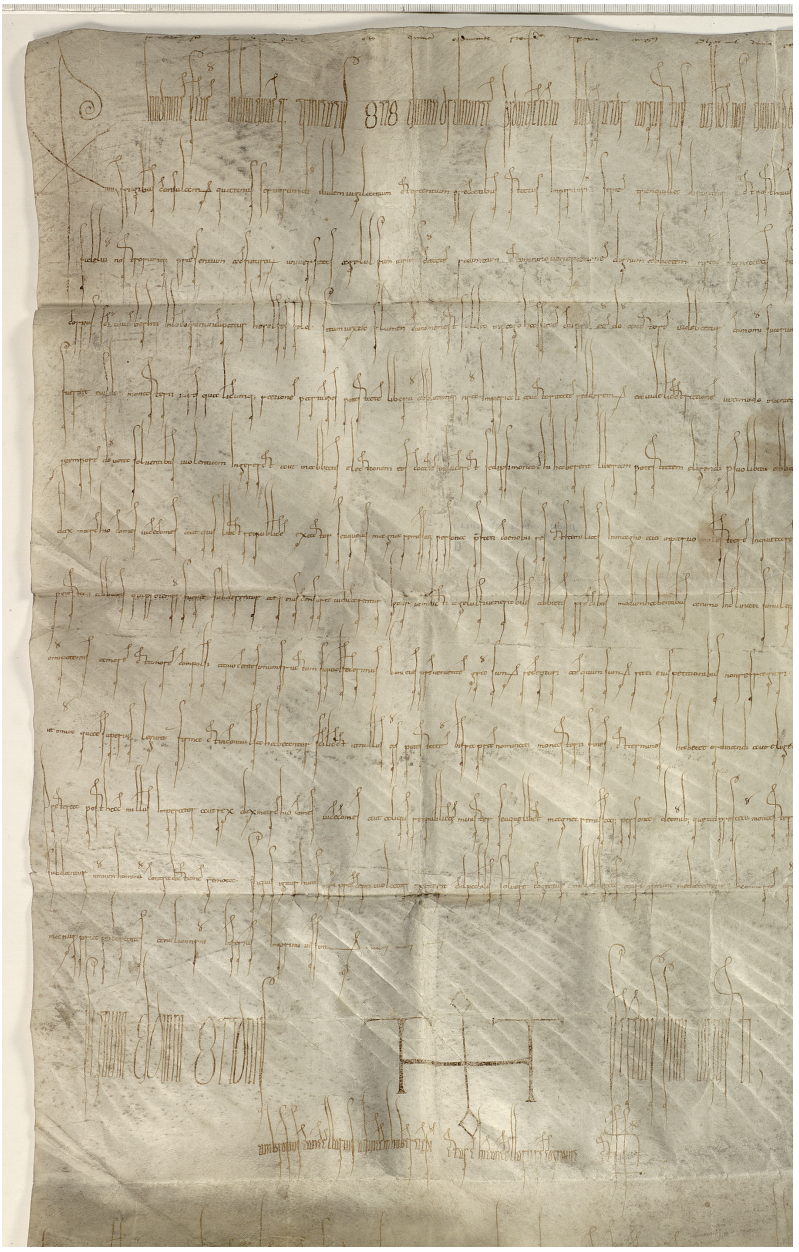
Pl. 5: D O I 232a, Magdeburg, Landesarchiv Sachsen-Anhalt, U1, I 15a



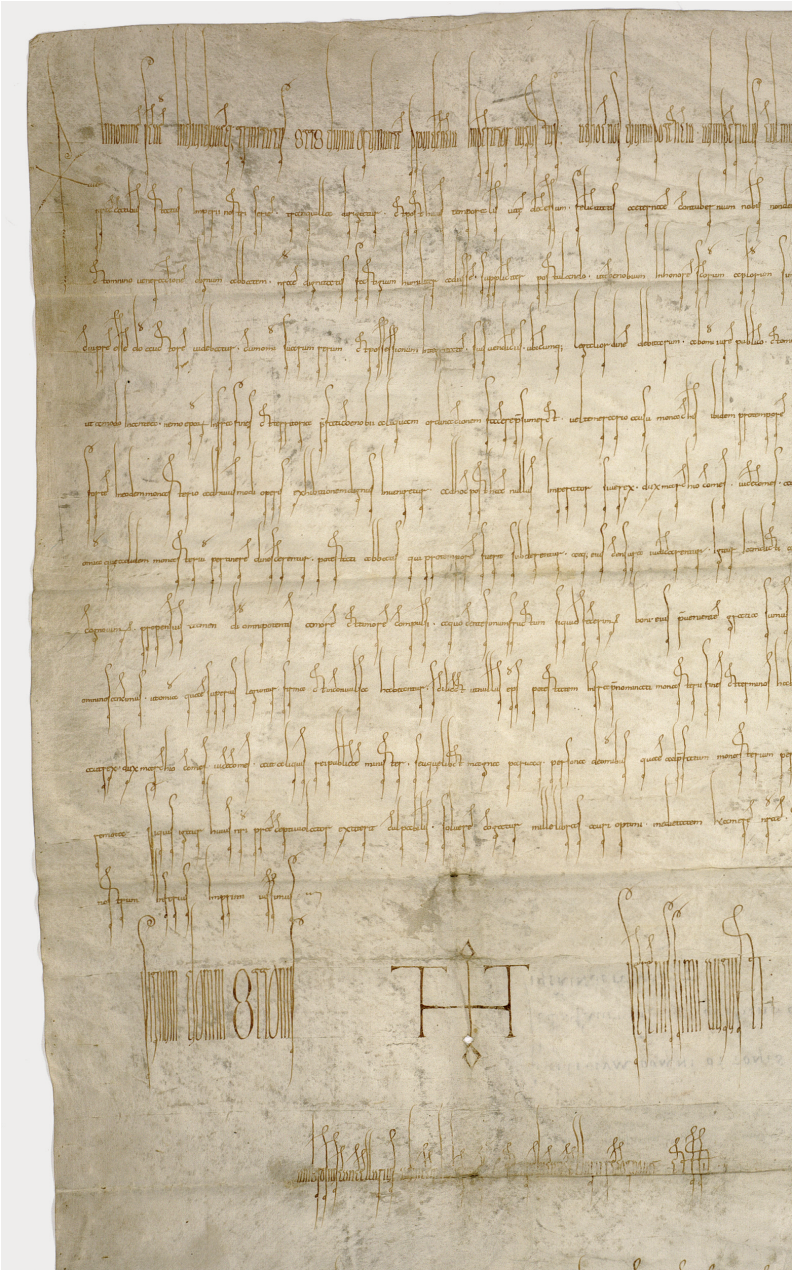
Pl. 6: D O I 365, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 30



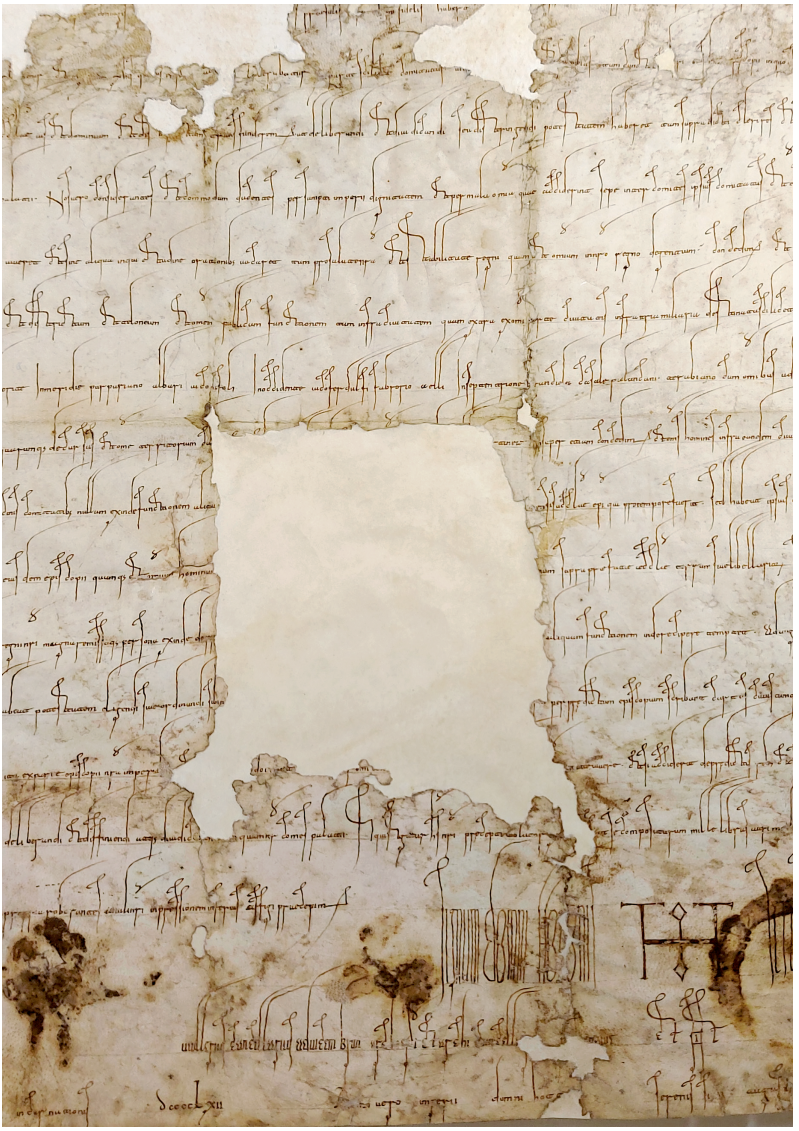
Pl. 7: D H II 243, Bamberg, Staatsarchiv, Bamberger Urkunden 21



Pl. 8: D O I 356, Marburg, Hessisches Staatsarchiv, Urk. 56, 2284



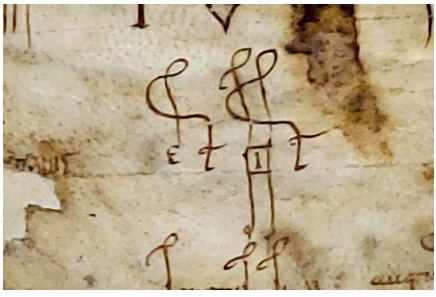
Pl. 9: D O II 17, Marburg, Hessisches Staatsarchiv, Urk. 56, 2285



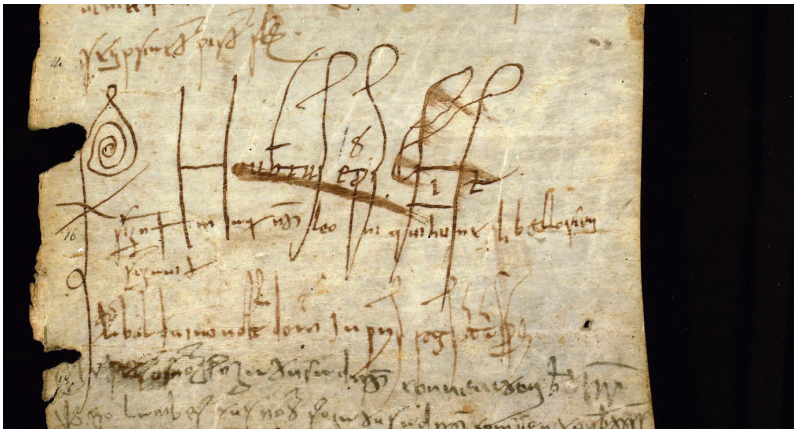
Pl. 10: D O I 239, Parma, Archivio Vescovile, sec. X, 4

Pl. 11: D O I 356, Marburg, Hessisches Staatsarchiv,
Urk. 56, 2284 (subscription sign)

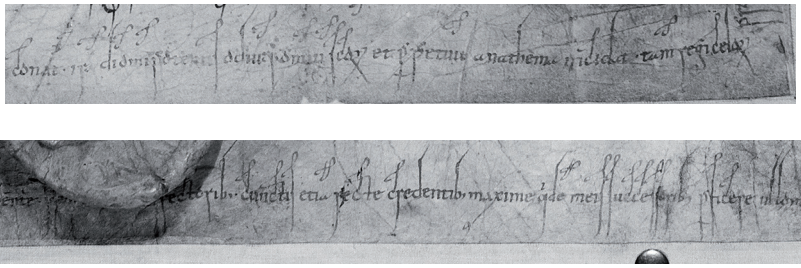
Pl. 12: D O II 17, Marburg, Hessisches Staatsarchiv,
Urk. 56, 2285 (subscription sign)



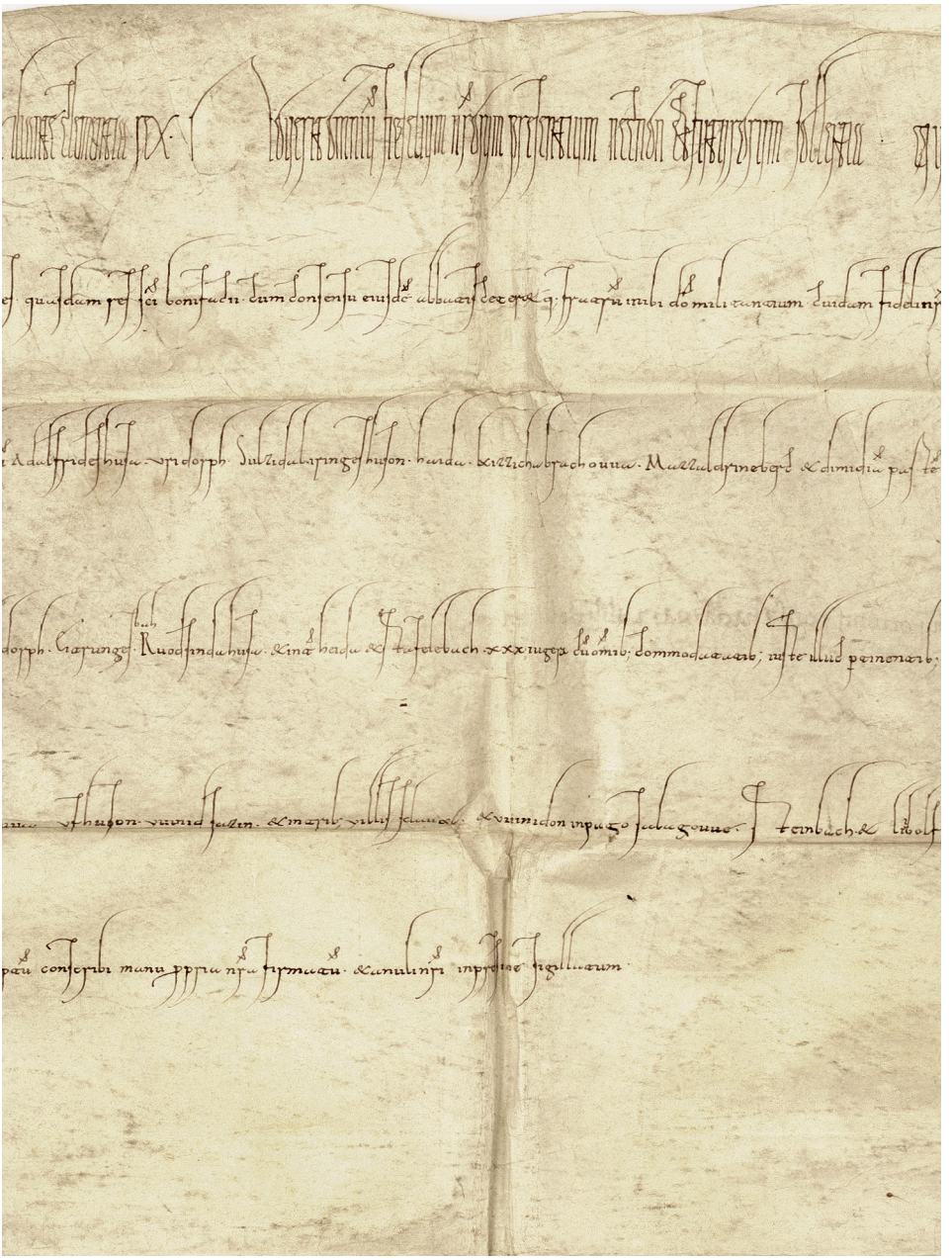
Pl. 13: D O I 239, Parma, Archivio Vescovile,
sec. X, 4 (subscription sign)



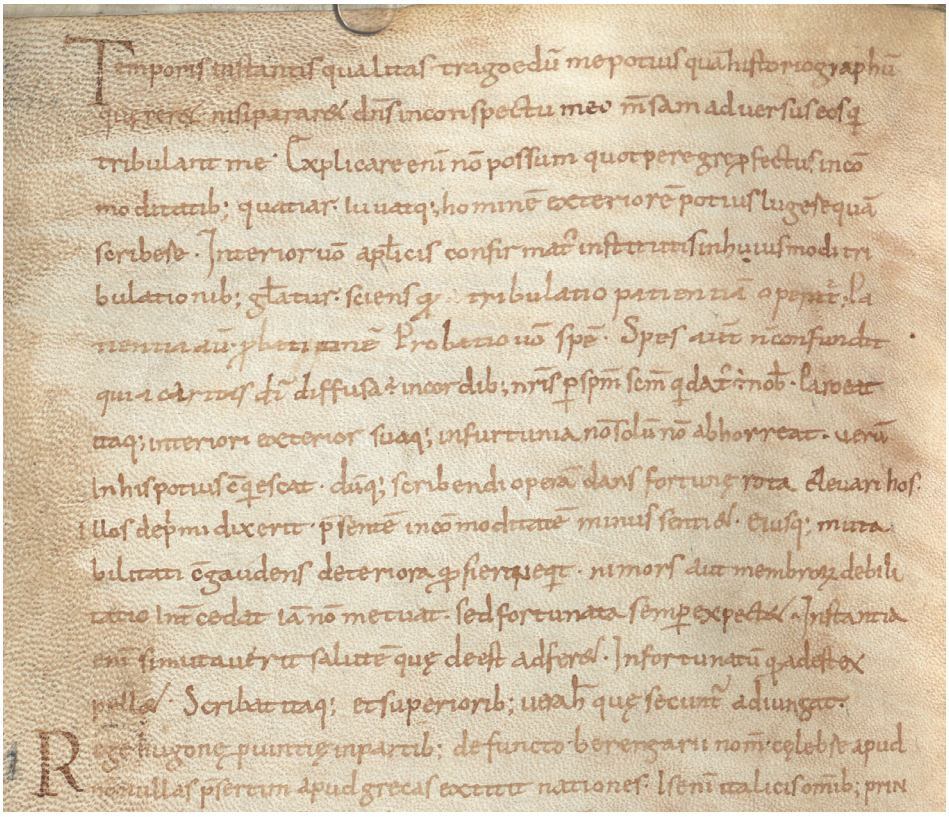
Pl. 14: Florence, Archivio di Stato, Diplomatico, Pistoia, S. Bartolomeo apostolo detto Badiadei Rocchettini, 937 (Hubert's subscription)



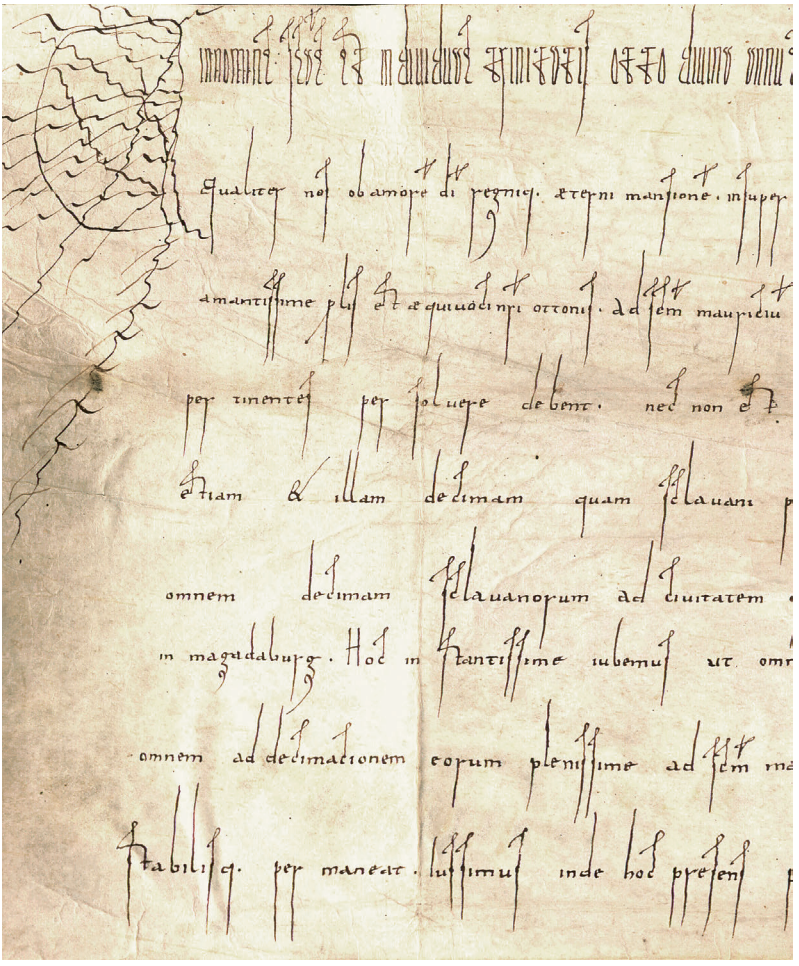
Pl. 15: RUB 250, Cologne, Historisches Archiv der Stadt, HUA, K/3A (photo: © Rheinisches Bildarchiv Köln, RBA 052821)



Pl. 16: D O I 160, Marburg, Hessisches Staatsarchiv, Urk. 75, 72



Pl. 17: Munich, Bayerische Staatsbibliothek, Clm 6388, fol. 83v



Pl. 18: D O I 222a, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 14

More significant objections emerge from an examination of the relevant documents themselves[64]. For while the hands of D O I 150 and D O I 279 are indeed sufficiently similar to warrant identification, they are quite distinct from that of LE: their chrismons are formed differently, their **d** often lacks descenders (and certainly never has the longer descenders so distinctive of LE), their descenders on **r** are much shorter, and so on (Plates 1–3)[65]. They also differ notably from the hand Natalia Daniel identified as that of Bishop Abraham (**t** is formed differently, **mi** are rarely ligatured); but since Daniel's identification is itself highly speculative, their evidence should take precedence[66]. If so, then Abraham was indeed an occasional draftsman-scribe, but his activity conforms to the profile of the bishop-notaries identified in earlier scholarship: he is only periodically active, largely on behalf of his own see and its associates[67]. As for LE, he can safely be left as a Swabian regional recipient scribe, closely associated with Bishop Hartbert.

Somewhat similar to LC, LB and LE are the many Magdeburg draftsman-scribes of the era. As Sickel and his team were well aware, the monks of the new foundation on the Elbe played an active part in the production of diplomas in their favour, a role which continued following the monastery's transformation into an archbishopric in 968. A fairly typical case is offered by Liudolf D (LD), a scribe mostly active in the mid- to later 950s. Of the four single sheets assigned to this figure, three were in favour of Magdeburg and two were produced

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these to WB; however, since WB's formulation lies behind D O II 66, which is clearly not in his hand, it may be that recipient scribes were at work here too. On the latter: LANDI, Otto Rubeus fundator (as n. 18) p. 119–134.

64) See already BRESSLAU, Handbuch (as n. 2) 1, p. 440 n. 1.

65) D O I 150, Osnabrück, Bistumsarchiv, Jostes 10; D O I 279, Innichen, Museum Kollegiatstift-Mensalfonds, Urk. XXIII/4. I have compared these with D O I 163, Chur, Bischöfliches Archiv, 011.0015; and D O I 189, Einsiedeln, Klosterarchiv, A.AI.4. For reproductions of the first two: LANDI, Otto Rubeus fundator (as n. 18) Tafel V; Franz JOSTES, Die Kaiser- und Königs-Urkunden des Osnabrücker-Landes (1899) Abb. X. My conclusions confirm those of HOFFMANN, Notare (as n. 14) p. 441–443, though I am more confident than he that DD O I 150, 279 are indeed products of the same hand. Cf. HOFFMANN, Rezension von WELLMER, Persönliches Memento (as n. 25) p. 486, happily accepting both as *bona fide* autographs of Abraham.

66) DANIEL, Handschriften (as n. 29) p. 91, 106, 130, 146. For doubts about Daniel's identification: HOFFMANN, Notare (as n. 14) p. 443–445. See also Paolo CHIESA, Liutprando di Cremona e il codice di Frisinga Clm 6388 (Autographa medii aevi 1, 1994) p. 22 n. 36, already signalling a degree of uncertainty.

67) Note that D O I 150 was produced before his promotion, so we are left with just one diploma for one of his own vassals during Abraham's episcopate.

there; his formulation has also been detected in another diploma issued at Magdeburg for St Maurice, which only survives in later copies[68]. Closer examination suggests that one of these Magdeburg diplomas is in a different hand[69], but this does little to affect the overall picture: with one exception, LD only produced documents for St Maurice, often at Magdeburg itself. Even Sickel was aware that LD must have been a monk of the foundation, noting that his early work was undertaken in a recipient capacity. But since LD was active for at least one other recipient in later years, Sickel identified him as fully-fledged member of the „chancery" from 956 on.

An analogous case is offered by Liudolf I (LI), whom Sickel also saw as a recipient scribe gazetted into chancery service. Of the four originals of Otto I's reign in which Sickel and his team identified LI's hand, all are in favour of Magdeburg[70]. They also held him responsible for three further charters preserved in later copies. Of these, two are for Magdeburg and one for Corvey; however, the latter has since been identified as an early modern forgery[71]. This makes an important difference. In later years, LI would indeed be active in favour of other East Saxon recipients, but under Otto I, he was a recipient notary pure and simple. This was already suspected by Karl Uhlirz and Paul Fridolin Kehr, two of Sickel's most gifted students, and we would do well to follow them (and Huschner) in emphasizing more strongly these local connections[72]. Yet if Huschner is right, we can go even further. Noting

68) Hand identified: DD O I 74b, 181, 190, 214; formulation: D O I 205. On the Magdeburg draftsmen of the period: Helmut BEUMANN / Walter SCHLESINGER, Urkundenstudien zur deutschen Ostpolitik unter Otto III., in: AfD 1 (1955) p. 132–256, at p. 177–187; CLAUDE, Geschichte (as n. 44) 1, p. 32 f.; Jean SCHROEDER / Michel MARGUE, Aspects du rayonnement intellectuel de Trêves dans la deuxième moitié du X^e siècle, in: Échanges religieux et intellectuels du X^e au XIII^e siècles en Haute et en Basse-Lotharingie (1991) p. 69–132, at p. 82–85.

69) D O I 181, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 12. The differences include the consistent preference for Caroline **a** over c-c **a**; the use of a spindle- rather than ampersand-shaped abbreviation sign; the form of majuscule **V**; the descenders on **g**; the use of minuscule **m** at the start of Magdeburg (rather than LD's distinctive majuscules); and the form of **ę**.

70) DD O I 293, 298, 299, 345.

71) DD O I 292, 304, 305. On the latter: Johannes BACKHAUS, Die Corveyer Geschichtsfälschungen des 17. und 18. Jahrhunderts, in: Abhandlungen über Corveyer Geschichtsschreibung 1 (1906) p. 1–48, at p. 36–39.

72) Karl UHLIRZ, Geschichte des Erzbistums Magdeburg unter den Kaisern aus sächsischem Hause (1887) p. 81 f.; Paul Fridolin KEHR, Die Urkunden Otto III. (1890) p. 44.

that most of LI's activity falls in the reigns of Otto II and Otto III, he suggests that all of LI's earlier documents were forgeries of these later years. The subject requires more detailed consideration than can be offered here, but Huschner certainly makes a compelling case. At best, many of these diplomas were produced later than they claim. And while delayed production is sometimes found in authentic documents, it raises suspicions when practised on such a scale[73]. Still, we must be wary of hypercriticism. Huschner's arguments are inspired in part by Johann Lechner's similar case that Hildibald B's early documents for Worms and its neighbours were forgeries of his later „chancery“ years (i.e. post-978); and much as Fichtenau identified Hildibald B with Hildibald of Worms, so Huschner is inclined to see Archbishop Giselher of Magdeburg in LI. Yet re-examination of the Worms forgeries has shown Lechner's arguments to be severely flawed; and it may be that LI, like Hildibald B, was not (or at least not only) a later forger, but also a genuine recipient notary in his early years[74]. In this respect, Huschner's case is weakest regarding D O I 299, where the only grounds for suspicion are the advanced form of the chrismon and the presence of LI's hand[75]. Given the flexible arrangements for diploma production Huschner himself postulates, it is entirely conceivable that LI was a frontrunner here, whose approach to forming the chrismon first found imitation in the 970s, when he began to produce privileges for other recipients[76]. Certainly these documents have a strong air of in-house production, a conclusion reinforced by the use of Otto I's rare fourth seal on all of them. With the exception of a diploma of 966 in favour of St Maximin in Trier, whence the original monks of St Maurice had been recruited, the emperor's fourth seal is only found in diplomas in

73) Huschner, Transalpine Kommunikation (as n. 10) p. 758–779, now endorsed by Klimm, Ottonische Diplome (as n. 18) p. 247–252. See also Uhlirz, Geschichte des Erzbistums Magdeburg (as n. 72) p. 81 n. 2; Stengel, Immunität (as n. 27) p. 196 n. 5, already noting that many of these diplomas belong later.

74) Roach, Forgery and Memory (as n. 19) p. 21–60. Cf. Johann Lechner, Die älteren Königsurkunden für das Bistum Worms und die Begründung der bischöflichen Fürstenmacht, in: MIÖG 22 (1901) p. 361–419, 529–574.

75) D O I 299, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 20. Cf. Huschner, Transalpine Kommunikation (as n. 10) p. 775 f. n. 731. The presence of Otto I's fourth seal, when D O I 301 (issued on the same day) bears the fifth, may also be a cause for concern: Klimm, Ottonische Diplome (as n. 18) p. 247.

76) A parallel is offered by Hildibald B's use in 973 of a form of royal monogram only later popularized (probably under his influence) in the 980s: Roach, Forgery and Memory (as n. 19) p. 37–40.

favour of Magdeburg, and there is good reason to suspect that it was kept at St Maurice itself[77].

As for the identification of LI with Giselher, this is not supported by any palaeographical evidence, so we can safely leave it to one side. It is no more plausible than Uhlirz's earlier suggestion that LI was Ekkehard the Red, the local Magdeburg schoolmaster[78]; and perhaps less so, if any of LI's earlier diplomas are indeed authentic. Indeed, were LI Giselher, it is strange that he should be active only twice on behalf of Merseburg during the decade Giselher was bishop there – a decade in which Giselher received five other diplomas, while LI himself was active for Magdeburg and one of its provosts[79]. But even if we partially part ways with Huschner, his observations remain fundamentally accurate: LI was a monk or canon of St Maurice – Stengel had already dubbed him a „Parteischreiber" – who retained a close interest in the centre, even in his later years.

A final Magdeburg scribe Sickel saw fit to designate a full member of the chancery was Liudolf H (LH), who was active from the early 960s through to 980. Already in his early years, LH reveals strong connections with the Elbe river foundation. According to Sickel, his first two diplomas (only one of which survives in its original format) were both in favour of the abbey, issued from nearby Thuringia[80]. And of his next six, three are also for the centre[81]. Thereafter, these regional dimensions become more pronounced, with all of his final eight diplomas from Otto I's reign (in two cases, a set of double engrossments) going to the new archbishopric or the neighbouring monastery of St John[82]. If we include three further diplomas which Sickel believed

77) Karl Foltz, Die Siegel der deutschen Könige und Kaiser aus dem sächsischen Hause, in: NA 3 (1878) p. 9–45, at p. 31 f.; Otto Posse, Die Siegel der deutschen Kaiser und Könige von 751 bis 1913, 5 vols. (1909–1913), 5 (1913) p. 12; Huschner, Transalpine Kommunikation (as n. 10) p. 776 n. 732.

78) Uhlirz, Geschichte des Erzbistums Magdeburg (as n. 72) p. 81 f.; Stengel, Immunität (as n. 27) p. 196 f. On Ekkehard: Claude, Geschichte (as n. 44) 1, p. 128.

79) D O II 89 (WB and WE); D O II 116 (FA); D O II 161 (FA); D O II 162 (FA); D O II 186 (LI); D O II 200 (LI); D O II 213 (HA). For LI's activity in favour of Magdeburg in these years: DD O II 82, 193. The former may, however, be a later production: Huschner, Transalpine Kommunikation (as n. 10) p. 770–774.

80) DD O I 230, 232a. See further Beumann / Schlesinger, Urkundenstudien (as n. 68) p. 187.

81) DD O I 286, 287, 300, 312, 319, 331. Of these, only the last is an original.

82) DD O I 377, 382, 383a/b, 386, 387, 388a/b. Of these, all but D O I 382 and D O I 386 are original.

LH had been involved in drafting in these later years, then we are left with two additional grants for Magdeburg and one for Worms, whose bishop (Anno) had previously been abbot of St Maurice[83]. A degree of caution is, however, called for with these figures. All but two of LH's first eight diplomas are attributed on grounds of formulation, and Sickel's judgements are even more open to challenge here than they are with single sheet originals[84]. In any case, the focus on Magdeburg is if anything clearer from LH's originals, all eight of which are for St Maurice or St John.

As in the case of LD and LI, these local interests did not pass unnoticed by the original editors of these documents. Nevertheless, Huschner is right to emphasize them more strongly. Huschner also goes a step further, identifying LH with Adalbert, the first archbishop of Magdeburg (968–981). LH's presence in Italy on at least three occasions in Adalbert's first three years in office need not be a major obstacle here. As Huschner notes, much of the impetus behind Magdeburg's foundation, including many of its earliest privileges, came from the Italian peninsula[85]. More troubling, potentially, is the fact that LH was present when Anno of Worms acquired a blood relic (perhaps from Mantua) for Magdeburg, which he would later translate to the foundation upon his return north of the Alps in 971. As a former abbot of St Maurice, Anno may have had good personal reasons for wanting to be involved here; still, it is hard to see why he should have acquired the relic on Adalbert's behalf, had the latter been present in northern Italy himself. Most significant, however, are the palaeographical objections to the identification. We have at least two examples of what may be Adalbert's handwriting. The first comes from the witness-list of a charter of Archbishop Wichfried of Cologne in favour of the convents of St Ursula and Gerresheim, which states that it was copied by an Adalbert. Like most of the early archiepiscopal charters from Cologne, this document reveals strong affinities (both visual and formulaic) with royal diplomas. And the hand of the witness-list is clearly that of Liudolf A (LA), a notary otherwise active on behalf of Otto I in the

83) DD O I 310, 361, 362. On Anno: ROACH, Forgery and Memory (as n. 19) p. 21–28.

84) Cf. KEHR, Kanzlei Ludwigs des Kindes (as n. 5) p. 38–49.

85) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 624–658. Cf. HOFFMANN, Notare (as n. 14) p. 449. Note that Adalbert's successor, Giselher, spent most of his first year-and-a-half as archbishop in Italy: CLAUDE, Geschichte (as n. 44) 1, p. 211.

950s (i.e. well before Adalbert's promotion to Magdeburg). A deacon named Adalbert also appears in earlier archiepiscopal charters of the 940s; and on this basis, Sickel first suggested that LA and Adalbert were one and the same, an identification subsequently endorsed and elaborated by Harry Bresslau, and still accepted in some circles to this day[86]. The other example is from a precarial contract from St Maximin of 959, which also states that it was written by an Adalbert[87]. We know that the future archbishop had been a monk of St Maximin before his (abortive) mission to the Kievan Rus' in the early 960s, so it is tempting to see this as his true autograph. But the hand is clearly not that of LA, leaving us with a difficult choice as to which of our two Adalberts (if there were indeed two) was the later metropolitan. On account of the archbishop's known connections with St Maximin, Huschner lumps for the latter one; and on this basis, he believes to have found decisive evidence that Adalbert was LH. The situation is complicated, however, by the fact that precarial contracts were often produced in pairs, and the original draftsman-scribe might still be named in a copy made by someone else. (We have at least one possible case of a St Maximin precarial contract of these years which survives in two copies, both naming the same scribe, yet in different hands[88].) On these grounds,

86) Rheinisches Urkundenbuch, Ältere Urkunden bis 1100 (henceforth: RUB), hg. von Erich Wisplinghoff, 2 vols. (1972–1994) no. 327, Cologne, Historisches Archiv der Stadt, HUA, 2/3, with Sickel, Excurse VI (as n. 27); Bresslau, Continuator (as n. 27). For a facsimile: Kaiserurkunden in Abbildungen, hg. von Heinrich von Sybel / Theodor Sickel (1880–91) (henceforth: KUA) VII 30. On Adalbert: Claude, Geschichte (as n. 44) 1, p. 114–135; Theo Kölzer, Adalbert von St. Maximin, Erzbischof von Magdeburg († 981), in: Rheinische Lebensbilder 17 (1997) p. 7–18. Cf. Andrea Stieldorf, Erzbischof Wichfried von Köln (924–953) und die Frauenkonvente St. Ursula und St. Cäcilien. Die Anfänge erzbischöflich-kölnischer Urkunden in der ersten Hälfte des 10. Jahrhunderts, in: Von der Ostsee zum Mittelmeer. Forschungen zur mittelalterlichen Geschichte für Wolfgang Huschner, hg. von Sebastian Roebert / Antonella Ghignoli / Cornelia Neustadt / Sebastian Kolditz (Italia Regia 4, 2019) p. 77–89.

87) Heidelberg, Universitätsbibliothek, Heidelberger Urkunden 323. For an edition: Urkunden- und Quellenbuch zur Geschichte der altluxemburgischen Territorien 1: Bis zum Friedensvertrag von Dinant 1199, hg. von Camille Wampach (1935) no. 166.

88) Koblenz, Landeshauptarchiv, Best. 211, 37, and Heidelberg, Universitätsbibliothek, Heidelberger Urkunden 322. However, the latter may be a later copy: Theo Kölzer, Studien zu den Urkundenfälschungen des Klosters St. Maximin vor Trier (10.–12. Jahrhundert) (VuF Sb 36, 1989) p. 32 f. n. 23. See also Bresslau, Continuator (as n. 27) p. 667 f.; Katharina Ann Gross, Visualisierte Gegenseitigkeit. Prekarien und Teilurkunden in Lotharingien im 10. und 11. Jahrhundert (Trier,

Bresslau argued that the original precarial grant had indeed been produced by LA (i.e. Adalbert), but only the second copy (in a different hand) survived, an argument he sought to buttress with signs of LA's formulation within the document. Bresslau's arguments are far from decisive on the latter point and depend (by his own admission) on quite superficial similarities[89]. In any case, the hand of the St Maximin charter is clearly not that of LH. Despite a few resemblances, there are a number of significant differences: the ascenders and descenders of the St Maximin scribe (?Adalbert) are far straighter than those of LH; he typically forms the descender on **g** with a distinct (often sharp) turn to the right just before the bow, whereas LH does not; he employs & for *et*, whereas LH prefers to ligature **e** and **t** as distinct letters; his top stroke on **t** is flat, whereas LH's curls on the left-hand side; he uses a different (simpler) abbreviation sign; he uses a different form of **ct** ligature; and his **ę** is formed differently (Plates 4–5)[90]. Any one or two of these points might be ignored; cumulatively they weigh most heavily. Whatever his identity, this scribe was not LH. We do, however, find this hand elsewhere within the diplomatic corpus. As Bresslau noted, the same scribe was responsible for a privilege in favour of Quedlinburg in 964, in the name of Otto II[91].

It is in principle possible that either (or neither) of these hands was that of the archbishop. The St Maximin connections of the second may seem to speak in its favour; however, we can see clearer signs of Adalbert's characteristic interests in LA's work. Thus one of LA's earliest diplomas was in favour of the female monastic house of Oeren (in Trier), a centre of considerable interest to the monks of nearby St Maximin[92]. He may also have been responsible for formulating a

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Metz, Toul, Verdun, Lüttich) (Schriften der MGH 69, 2014) p. 162. For an edition: Urkunden- und Quellenbuch, hg. von WAMPACH (as n. 87) no. 152.

89) BRESSLAU, Continuator (as n. 27) p. 666–670.

90) For these purposes, I have compared the Heidelberg charter with three of LH's diplomas: D O I 232a, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 15a; D O I 331, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 23; D O I 377, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 32. Cf. HOFFMANN, Notare (as n. 14) p. 448 f.; MERTA, Rezension von Huschner (as n. 13) p. 408, who come to similar conclusions.

91) D O II 10, Magdeburg, Landesarchiv Sachsen-Anhalt, U 9, A Ia 14, with BRESSLAU, Continuator (as n. 27) p. 668. See also HOFFMANN, Notare (as n. 14) p. 449 (with partial reproduction as Abb. 1).

92) D O I 168. See further Andrea STIELDORF, Urkunden als Waffen. Zur Rechtsstellung des Klosters Oeren in Trier, in: Herrscherurkunden (as n. 18) p. 117–128. Note that DD O I 169, 179 are probably forgeries of the later tenth

diploma for Lorsch in 956, which Adalbert mentions in his continuation of Regino's *Chronicon*, in terms which suggest acquaintance with the text[93]. None of this amounts to certainty. But it suggests that if we must identify Adalbert with a draftsman-scribe – and there is no particular reason why we must – then LA may still be the best bet[94]. There may, in any case, be a connection between these individuals, since Sickel and Bresslau thought they could detect LA's formulation behind the Quedlinburg privilege.

Even if we reject Huschner's identification of LH with Adalbert, there can be no doubt that he is correct to emphasize the local affiliations of this scribe. The same holds true of many other hands, particularly those which make more periodic appearances in the charter record. To stick initially with eastern Saxony, Huschner is right to underline the Eastphalian connections of Bruno C (BC), a draftsman-scribe active largely in the 940s. Of the five authentic diplomas Sickel ascribed to this notary, three emanate from Eastphalia and two from the Rhine-Main region, for recipients from Lotharingia (in two cases), the Rhine-Main district (one case) and Eastphalia (the remaining two)[95]. This already suggests a regional profile, and it is telling that BC's two diplomas from the Rhineland are for Magdeburg itself and Worms, where the local bishop was a former abbot of St Maurice. Huschner is thus fully justified in designating him a „regional court notary". Yet we may hope to go further, for there are a number of signs that BC was in fact a monk of St Maurice. Sickel already detected the influence of Magdeburg formulation in some of his early works, while

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century, which show few of LA's features, either visually or formulaically: Paris, BnF lat. 9265, nos. 2 and 3, with KÖLZER, Studien (as n. 88) p. 44–57, 107–110.

93) D O I 176; Reginonis abbatis Prumiensis Chronicon cum continuatione Treverensi, a. 956, ed. by Friedrich KURZE (MGH SS rer. Germ. 50, 1890) p. 169, with SICKEL, Excurse VI (as n. 27) p. 362 (reading D O I 176 for D O I 168); BRESSLAU, Continuator (as n. 27) p. 670.

94) Cf. GIESE, Heinrich I. (as n. 19) p. 19; Theo KÖLZER, Die Herrscherurkunden für das Kloster St. Maximin (9.–12. Jahrhundert), in: Herrscherurkunden (as n. 18) p. 105–116, at p. 110 f., both retaining the traditional identification.

95) DD O I 50, 115, 129, 159, 178. Of these, the latter (Darmstadt, Hessisches Staatsarchiv, A 2 255/2) stands somewhat apart, with pronounced descenders on **h**, but no descenders on **d**. Given that other elements of the script show strong resemblances with BC's earlier forms, this probably reflects the natural evolution of the hand. Note that D O I 115 was transferred to the Archives générales du Royaume (from the Bibliothèque royale) in Brussels in the 1980s, where it now bears the shelfmark Manuscrits divers 2612. Cf. HUSCHNER, Transalpine Kommunikation (as n. 10) p. 54, 533.

it is significant that BC is only active outside Saxony on behalf of the foundation and its sometime abbot Anno. More to the point, BC was responsible for at least two (and probably three) second engrossments („Zweitausfertigungen“) of Magdeburg diplomas. Such charter pairs are a distinctive feature of Magdeburg diplomatic in these years; and in many cases, we can confidently speak of multiple authentic acts. In BC's case, however, doubts attach to all of his copies. For they are from the years before his other attested notarial activity, and all add a distinctive passage to the original grant or confirmation, conceding the abbot of St Maurice the right to choose the monastery's advocate. Given the problems abbots frequently encountered with their advocates, even in these early years, the suspicion must be these are not harmless additions, as Karl Uhlirz and Edmund Stengel once thought, but rather acts of forgery[96]. If so, the connection between BC and Magdeburg could not have been more intimate.

Bruno G (BG) presents a somewhat similar case. This figure, too, is a regional notary with clear Eastphalian connections, active in the 950s and 960s. Yet as with BC, Huschner struggled to identify any further focus of this activity. Partly, this is because Huschner followed Stengel's lead in identifying BG with the later notary Willigis F. Whatever the strengths of Stengel's case – which seems on balance convincing: the differences in **ę**, descenders on **g** and formation of ascenders can probably be explained by the natural evolution of the hand – focusing on BG's early activity helps shine a clearer light on his (or perhaps rather her) origins. For of the four originals Sickel and his team ascribed to BG, all were produced in East Saxony, for recipients from within the region[97]. One of these was issued at Magdeburg, in favour of St Mau-

96) DD O I 16, 21b, 97b, with Beumann / Schlesinger, Urkundenstudien (as n. 68) p. 183–186. The first of these only survives in later copies, but the presence of the same tell-tale phrase about the selection of the advocate suggests that BC has reworked the text (which Sickel otherwise attributes to Poppo A). Cf. Uhlirz, Geschichte des Erzbistums Magdeburg (as n. 72) p. 128–130; Stengel, Immunität (as n. 27) p. 157 f. n. 2. On relations between abbots and advocates: Jonathan Lyon, Corruption, Protection and Justice in Medieval Europe: A Thousand Year History (forthcoming 2022) ch. 3.

97) DD O I 149, 165, 228, 229. See Huschner, Transalpine Kommunikation (as n. 10) p. 55. If we include DD O I 153, 154, of which the former was already assigned to BG by Sickel (on the advice of Foltz) and the latter added by Stengel on grounds of formulation, then we have diplomas for an Angarian and a Lotharingian, produced at Magdeburg and Quedlinburg. (Both only survive in later copies, though in the former case an early modern facsimile goes some way towards making good this deficit.)

rice; two were drawn up at Quedlinburg, on two separate occasions (in one case, for the convent itself); and the fourth was issued at the closely associated hunting grounds of Siptenfelde to the south, shortly after the court had been present at Quedlinburg. This already suggests an association of sorts with the famed Ottonian Hauskloster in the Harz, an association which becomes if anything stronger when we consider the possibility that the last of these documents, for Gernrode, may be the product of a different hand[98].

Further evidence for a connection comes from the diploma BG produced for Quedlinburg itself. This concerns the donation of the strategic estate of *Quitilinga* with the appurtenant church of St James, which lay in the valley just below the abbey. The estate had hitherto been part of the dower lands of Queen Mathilda, Quedlinburg's co-founder, and was of obvious interest to the local community. Yet it is not simply the donation that is noteworthy. The text contains an unusually specific provision that twelve priests are to be established at the convent alongside the canonesses, so that they may pray for the remedy of the king's soul. Provision for priests was a major concern for female religious houses, since nuns and canonesses could not celebrate the Eucharist on their own; and this donation helps ensure the appropriate liturgical *memoria* for the Liudolfings at the foundation[99].

98) D O I 229, Dessau, Landesarchiv Sachsen-Anhalt, Z 1, 4. Even Sickel was uncertain about the ascription. Particularly significant are the absence of BG's distinctive building-shaped **N** on *noverit* in the opening *elongatae*; the different form of **et** ligature (evoking that typically seen in elongated forms); the absence of a descender on **x**; and the use of an uncial **d** in *data* at the start of the dating clause. On the association between Siptenfelde and Quedlinburg: Hans-Jürgen RIECKENBERG, Königsstraße und Königsgut in liudolfingischer und frühsalischer Zeit, in: AUF 17 (1942) p. 32–154, at p. 50; John W. BERNHARDT, Itinerant Kingship and Royal Monasteries in Early Medieval Germany c. 936–1075 (Cambridge Studies in Medieval Life and Thought 4th Ser. 21, 1993) p. 140 f., 144.

99) D O I 228, Magdeburg, Landesarchiv Sachsen-Anhalt, U 9, A Ia 12. On dower lands of royal consorts, which were often subject to dispute: Gerd ALTHOFF, Probleme um die dos der Königinnen in 10. und 11. Jahrhundert, in: Veuves et veuvage dans le haut Moyen Âge, éd. par Michel PARISSE (1993) p. 123–132; Régine LE JAN, Douaires et pouvoirs des reines en Francie et en Germanie (VI^{e}–X^{e} siècle), in: EADEM, Femmes, pouvoir et société dans le haut Moyen Age (2001) p. 68–88; Giovanni ISABELLA, Matilde, Edgith e Adelaide: scontri generazionali e dotari delle regine in Germania, in: Reti medievali 13,2 (2012) p. 203–245. On the memorial provisions of D O I 228: Wolfgang WAGNER, Das Gebetsgedenken der Liudolfinger im Spiegel der Königs- und Kaiserurkunden von Heinrich I. bis zu Otto III., in: AfD 40 (1994) p. 1–78, at p. 43 f.; and on Quedlinburg as a centre of Liudolfing liturgical *memoria*: Gerd ALTHOFF, Adels- und Königsfamilien im Spiegel ihrer

This was, therefore, a transaction in which the convent had an especially active interest. On these grounds alone there would be a case for identifying our scribe as a member of the community, a conclusion which finds support in his (or rather her?) detailed knowledge of local topography: the diploma accurately describes the convent as *monasterium in monte constructum*, noting how the estate granted lay right below this[100]. Aware of these connections, Stengel suggested that BG was one of the twelve priests mentioned in the charter, going on to identify him as the otherwise obscure „Enno the notary“ (*Enno notarius*) who appears as recognitioner of D O I 154. The latter document only survives in the thirteenth-century Liège cartulary, however, and is ascribed to BG on grounds of formulation, so caution is called for. We may simply be dealing with an occasional or recipient scribe named Enno, who modelled his work on that of BG, as Bresslau already noted[101]. It is, therefore, at least as likely that we are dealing with one of the canonesses, perhaps someone like the later author(s) of the Annals of Quedlinburg[102]. Unfortunately, our knowledge of the Quedlinburg scriptorium is itself extremely fragmentary in these years; but it is here that we should look first in trying to identify the hand further[103]. In any case, BG fully warrants Huschner's designation as a regional court scribe, and his own approach enables us to identify her (or him) as a member or close associate of the community of St Servatius.

Memorialüberlieferung. Studien zum Totengedenken der Billunger und Ottonen (Münstersche Mittelalter-Schriften 47, 1984) p. 133–236 (noting the significance of this diploma at p. 174); Sarah GREER, Commemorating Power in Early Medieval Saxony: Writing and Rewriting the Past at Gandersheim and Quedlinburg (2021) p. 103–173.

100) Cf. Hans K. SCHULZE, Monasterium in monte constructum. Quedlinburger Urkundenstudien, in: Sachsen und Anhalt 22 (1999/2000) p. 57–79, which despite the promising title, does not discuss this document.

101) STENGEL, Immunität (as n. 27) p. 159–163; BRESSLAU, Handbuch (as n. 2) 1, p. 443 n. 2. On the cartulary: Alexis WILKIN, Enquête sur l'impact de l'incendie de 1185 sur les archives de la cathédrale Saint-Lambert de Liège et sur la rédaction d'un premier cartulaire, in: Bulletin de la Commission royale d'histoire. Académie royale de Belgique 176,2 (2010) p. 381–413.

102) Cf. GREER, Commemorating Power (as n. 99) p. 159–171.

103) BODARWÉ, Sanctimoniales litteratae (as n. 29) p. 165–182, 213–217; HOFFMANN, Schreibschulen und Buchmalerei (as n. 29) p. 86–98, 197 f. Of the Quedlinburg hands of the period, BG's performances come closest to the round, calligraphic forms of the Otto-Adelheid-Gospels. For knowledge of diplomatic minuscule at other female convents: BODARWÉ, Sanctimoniales litteratae (as n. 29) p. 104–107 (with Abb. 4), 117 f., 148 f.

Another regional court notary was Otpert, one of our few named draftsman-scribes of the era. Otpert was active in the late 940s and early 950s and we know his identity because he twice recognizes in his own name, much as Wigfrid does in Italy. Despite signs that Otpert originally hailed from Lotharingia, he was evidently based in eastern Saxony in these years, as five of the six diplomas in which Sickel identified his hand were issued in Eastphalia or neighbouring Thuringia[104]. If we add to this the two diplomas ascribed to Otpert on the basis of formulation, then we have one more produced in Thuringia and another from Ingelheim on the Rhine[105]. This suggests a strong focus on the Liudolfing heartlands in the east. And it is possible, as Stengel speculated, that Otpert first made his way to the region as a monk of St Maurice, for the original community had been recruited from St Maximin[106]. If so, it is striking that he is not very active on behalf of the monastery: only one of his diplomas is for Magdeburg, which was otherwise the main recipient of royal favour in these years[107]. Perhaps Otpert had subsequently joined a different house, or perhaps he had entered some form of regular (but clearly local) royal service. Regardless, he is an occasional scribe, whose securely attested diplomas can be grouped around three distinct stints in autumn 949, autumn 952 and autumn 958.

A similar profile is cut by Poppo A (PA), one of the leading notaries of Otto I's earliest years. PA had begun his career under Henry I in the early 930s, first appearing shortly after Poppo had been appointed chancellor. Thereafter, PA is active almost exclusively within Eastphalia (the only exception being a diploma issued at Kassel in neighbouring Hessen), largely for recipients from within the region[108]. PA's interests

104) DD O I 114, 156, 157, 158, 197, 198. Of these DD O I 156, 158, are recognized in Otpert's own name. See further SICKEL, Beiträge VI (as n. 2) p. 374 f., suggesting an association between Otpert and Echternach; and cf. HUSCHNER, Transalpine Kommunikation (as n. 10) p. 54 f., pointing instead to St Maximin.

105) DD O I 103, 187. On the former, however, see STENGEL, Immunität (as n. 27) p. 154 n. 4.

106) STENGEL, Immunität (as n. 27) p. 158. See also SCHROEDER / MARGUE, Aspects (as n. 68) p. 82–85.

107) D O I 187. Note that this only survives in copial form and is ascribed to Otpert on grounds of formulation. On the donations in favour of Magdeburg in these years: CLAUDE, Geschichte (as n. 44) 1, p. 43–57.

108) DD O I 4, 11, 12, 14, 15, 17, 18, 24, 37, with HUSCHNER, Transalpine Kommunikation (as n. 10) p. 54, 148–150. Sickel also assigned him DD O I 16, 27 on grounds of formulation. A similar distribution can be seen in the diplomas he produced for Henry I: DD H I 29, 36, 41. Whether the first of these (D H I 29,

are clearly East Saxon and his career closely tracks that of Poppo, who after almost a decade as chancellor was appointed to the vacant see of Würzburg in early 941, shortly after Bruno of Cologne had taken over as chancellor. The only time PA's hand appears thereafter is in a diploma of April 941, in which Poppo himself reappears as chancellor. The charter in question was produced in three distinct stages, with the eschatocol clearly added before the main text and the recognition sign then produced some time later. Sickel saw this complex gestation as evidence that the privilege was initially enacted and partially copied under Poppo's chancellorship, then completed under that of Bruno, for which reason the outgoing chancellor's favoured amanuensis oversaw its authentication. While we must be wary of dogmatism here – Sickel was keen to place the diploma earlier, so as to avoid having two „chancellors“ active at the same time – there is much to be said for the proposal[109]. What matters from our perspective, however, is the close connection this reveals between Poppo and Poppo A, which raises the possibility that these figures were one and the same. The fact that Poppo often appears in PA's earliest recognition clauses as „notary“ (*notarius*) rather than „chancellor“ (*cancellarius*) reinforces the case. For though these terms are often synonymous in the later ninth and early tenth centuries, only *notarius* carries unambiguous implications of scribal service[110]. These associations were not lost on Sickel and Kehr; and while they simply saw PA as Poppo's favoured scribe, there is much to be said for following Huschner in identifying him directly with the bishop[111]. If so, PA is a reminder that episcopal office and routine scribal service were often incompatible: PA is only active once after Poppo's promotion to the episcopate, in an act initiated some months earlier. The main potential objection to the identification is that Poppo is thought to hail from Franconia, a region with which

Marburg, Hessisches Staatsarchiv, Urk. 56, 2273) was PA's work is open to question, but this does little to affect the overall distribution.

109) D O I 37, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 4, with Sickel, Beiträge VII (as n. 2) p. 718–720; Huschner, Transalpine Kommunikation (as n. 10) p. 149 f. For a facsimile: KUA I, 29.

110) Bresslau, Handbuch (as n. 2) 1, p. 423; Kehr, Kanzlei Karls III. (as n. 5) p. 9 f.; idem, Kanzlei Arnolfs (as n. 5) p. 8; Wilhelm Erben, Die Kaiser- und Königsurkunden des Mittelalters in Deutschland, Frankreich und Italien, in: Hb. der mittelalterlichen und neueren Geschichte 4: Urkundenlehre 1 (1907) p. 37–369, at p. 67 f.

111) Cf. Sickel, Programm (as n. 2) p. 457–459, who was tempted to identify Poppo C as Poppo.

PA displays few affinities. Here we must bear in mind that Poppo was probably part of the Babenberg clan, which had lost out decisively in its struggles with the Conradines in the early tenth century. The decision to seek patronage at the ducal (later royal) court of the Liudolfings in eastern Saxony – who had been the Babenbergs' main allies in these conflicts – would make perfect sense within this context. Indeed, it was under the patronage of Henry I that the Popponid branch of the family was able to survive and thrive in these years[112].

The affiliations of Poppo B (PB), another draftsman-scribe of Otto I's early years, are less clear. Like PA, he began his career in the early 930s. Unlike his more prominent associate, however, he was never particularly active: according to Sickel, PB was responsible for three diplomas of 932, then another three of 940. The first set was produced in Eastphalia, Thuringia and at the otherwise unidentified *Reot*, for recipients in Westphalia and northern Franconia; the second was issued from Hessen and Eastphalia for recipients from the Middle Rhine and Bavaria[113]. While this might suggest a slight concentration on eastern Saxony and Thuringia, the court was most often present in these regions, so this may simply be a function of the royal itinerary[114].

112) On Poppo and the Babenberger-Popponids: Alfred WENDEHORST, Das Bistum Würzburg 1: Die Bischofsreihe bis 1254 (Germania Sacra N. F. 1, 1962) p. 59–63; Franz-Josef SCHMALE / Wilhelm STÖRMER, Franken vom Zeitalter der Karolinger bis zum Interregnum I.: Die politische Entwicklung, in: Hb. der bayerischen Geschichte 3,1: Geschichte Frankens bis zum Ausgang des 18. Jahrhunderts, hg. von Max SPINDLER, überarb. von Andreas KRAUS (^{3}1997) p. 115–208, at p. 138–140; and on the feud: Matthias BECHER, Rex, Dux und Gens. Untersuchungen zur Entstehung des sächsischen Herzogtums im 9. und 10. Jahrhundert (Historische Studien 444, 1996) p. 173–179; Thilo OFFERGELD, Reges pueri. Das Königtum Minderjähriger im frühen Mittelalter (Schriften der MGH 50, 2001) p. 598–606; Wilhelm STÖRMER: Die konradinisch-babenbergische Fehde um 900. Ursachen, Anlass, Folgen, in: Konrad I. Auf dem Weg zum „Deutschen Reich"?, hg. von Hans-Werner GOETZ (2006) p. 169–183; Jürgen PETERSOHN, Franken im Mittelalter. Identität und Profil im Spiegel von Bewußtsein und Vorstellung (VuF Sb 51, 2008) p. 150–161. Cf. MANGANARO, Stabilitas regni (as n. 18) p. 262 n. 148, endorsing Huschner's identification.

113) DD H I 31, 32, 33; DD O I 23, 30, 33. Note that the original of D H I 32 was still available to Kopp, whose notes suggest that at least the closing eschatocol were PB's work, as was already clear to Sickel: Ulrich Friedrich KOPP, Palaeographia critica, 4 vols. (1817–1829), 1 (1817) p. 415.

114) Cf. Eckhard MÜLLER-MERTENS, Reichsstruktur im Spiegel der Herrschaftspraxis Ottos des Großen. Mit historiographischen Prolegomena zur Frage Feudalstaat auf deutschem Boden, seit wann deutscher Feudalstaat? (Forschungen zur mittelalterlichen Geschichte 25, 1980).

The otherwise unidentified *Adalman notarius* appears as recognitioner in one of PB's later documents; and as with Otpert and Wigfrid, there is a strong case for identifying recognitioner and scribe here. If so, then we can safely exclude the possibility that PB was a leading prelate, since no bishop or abbot of this name is known in these years[115]. In any case, PB fully warrants Huschner's designation as an „occasional notary“: his activity is periodic rather than regular and shows no clear regional dimensions.

Huschner sees similarities between PB and five other occasional hands of the era: Bruno D, Bruno E, Bruno F, Italian E and Italian F[116]. Sickel identified the first of these (BD) as having been responsible for four diplomas, produced in Eastphalia, Westphalia and the Rhine-Main district for recipients from Eastphalia, the Rhine-Main and Angaria. There are, however, reasons to suspect that behind this old chancery designation lie at least two (and probably three) different notaries: one who drew up two diplomas of early 946 in favour of Magdeburg and Quedlinburg; another who produced a privilege for Enger in summer 947; and a third (clearly distinct from the first two) responsible for a diploma for Fulda in spring 951[117]. Bruno E (BE), by contrast, was identified by the editors of Otto I's diplomas as responsible for four privileges of the late 940s and early 950s, and a further one of 963[118]. These were produced in Eastphalia, the Rhine-Main district and Emilia, for recipients in the Rhine-Main, Upper Lotharingia, Swabia, eastern Saxony/Thuringia and among the Elbe Slavs. Yet as with BD, the original Sickelian identifications require revisiting. The three surviving single sheets ascribed to BE clearly belong to two distinct hands. One was responsible for the famous diploma of 948 in favour of Branden-

115) D O I 33. See further Josef FLECKENSTEIN, Die Hofkapelle der deutschen Könige 2: Die Hofkapelle im Rahmen der ottonisch-salischen Reichskirche (Schriften der MGH 16,2, 1966) p. 35 f.

116) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 60–62, 114 f.

117) D O I 74a, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 7a; D O I 75, Magdeburg, Landesarchiv Sachsen-Anhalt, U 9, A Ia 6; D O I 91, Münster, Landesarchiv Nordrhein-Westfalen Abteilung Westfalen, W 701, KU 40; D O I 131, Marburg, Hessisches Staatsarchiv, Urk. 75, 71. What most clearly distinguishes the first two of these from the third is the absence of descenders on the second stroke of **h** and the differently formed **g**. The fourth is in an entirely different performance: different **g**, no flourishes on ascenders, different abbreviation sign, etc. In the latter case, similarities emerge with Fulda script of the period, particularly in the rounded aspect and form of ampersand, raising the possibility of recipient influence: HOFFMANN, Buchkunst (as n. 29) 1, p. 132–180.

118) DD O I 105, 121, 122, 152, 255.

burg, and another for the privileges of 950 in favour of St Maximin and 952 in favour of Otto I's vassal Billing[119]. Sickel assigned two single sheets to Bruno F, from 949 and 950; and he detected his hand in the protocol and eschatocol of diplomas of 951 and 956, in the former case extending to the first line of main text[120]. The first two of these were produced in eastern Saxony and the latter two in Rhine-Main district, for recipients in the Rhine-Main, Eastphalia and (probably) Hessen. Italian E (It E), on the other hand, has been assigned responsibility for a diploma for Mantua of autumn 971 and the recognition and dating clauses of a diploma for the later Venetian doge Vitale Candiano in early 972. Sickel also believed he could detect It E's formulation in a privilege of April 971 for S. Vincenzo al Volturno[121]. Finally, Italian F's hand has been identified in the eschatocol of a diploma of 972 and as the sole hand of a later diploma of 983, while Sickel's team was inclined to assign the eschatocol of two others to him on grounds of formulation.[122] As such bald summaries indicate, Huschner is certainly right to question the association between these scribes and the „chancery". These were not permanent or regular royal notaries, but rather occasional hands, a conclusion reinforced by the signs that many of these figures were less active than either Sickel or Huschner imagined.

Matters are clearer with Italian A (It A), the least active of the Italian „chancery scribes" of Otto I's first extended sojourn south of the Alps (961–965). It A was responsible for three diplomas during this period and furnished the model for a fourth produced at Reichenau in January 965, while the court was *en route* north. Though there is no common denominator in terms of the place of issue, it is striking that the first three (all issued in Italy) are in favour of the see of Reggio[123].

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119) D O I 105, Domstiftsarchiv Brandenburg, Urk. 1; D O I 122, Paris, BnF, lat. 9265 no. 1; D O I 152, Dresden, Sächsisches Hauptstaatsarchiv, 10001 Ältere Urkunden, 00003. On the first of these: Dietrich KURZE, Otto I. und die Gründung des Bistums Brandenburg: 948, 949 oder 965?, in: Jb. für brandenburgische Landesgeschichte 50 (1999) p. 12–30, at p. 28–30; Thomas LUDWIG, Die Gründungsurkunde für das Bistum Brandenburg: zur Methode der Urkundenkritik, in: Jb. für brandenburgische Landesgeschichte 53 (2002) p. 9–28; and on the second: KÖLZER, Studien (as n. 88) p. 40–43.

120) Full diploma: DD O I 113, 130; protocol and/or eschatocol: DD O I 131, 178.

121) Hand: DD O I 403, 407; formulation: D O I 402.

122) Hand: D O I 409, D O II 268; formulation: DD O I 413, 429.

123) DD O I 242, 256, 268, 276. On the latter: KELLER, Otto der Große (as n. 8) p. 223, 234 f.

On this basis, Adolf Fanta already suspected that It A hailed from the city, and Huschner is quite right to see him as a local recipient notary[124]. In this respect, it may be significant that in two of these diplomas a different hand, that of LH, supplied the closing eschatocol. While there is nothing usual or suspicious about such two-stage copying, it is a particularly common feature of recipient production. Either the recipients would supply the protocol and main text, leaving the authenticating eschatocol to be completed at court, or they would be given a blank parchment already bearing the eschatocol (and sometimes also a seal: a „Blankett“), which they would then complete. Whether It A should also be identified with the bishop of Reggio, Ermenald, as Huschner goes on to suggest, is less certain. It A's profile certainly fits that of other bishops who acted as recipient notaries, such as Leo of Vercelli and Pilgrim of Passau. Nevertheless, as the cases of LB, LC and LE demonstrate, not every scribe with a strong local connection need be the bishop himself; and unlike PA and Poppo in April 941, there is no clear evidence for Ermenald's presence at Reichenau in early 965. It A also provides a further reminder of the flexibility of diploma production in these years: he was essentially a recipient scribe, but could still influence charter production for Einsiedeln when the court passed through southern Swabia in January 965.

Similarly flexible arrangements are revealed by the career of Hildibald B (HB), already touched on a number of times in passing. While Huschner was happy to accept scholarly consensus that HB was an imperial notary from 978 to 994, during which time he also forged an impressive set of earlier privileges in Worms' favour (including two in Otto I's name), there are good reasons to doubt that this was so. From at least 970, HB is securely attested as a local draftsman-scribe[125]. In

124) Adolf Fanta, Die Notare der italienischen Kanzlei Ottos II., in: MIÖG 2 (1888) p. 553–567, at p. 554; Huschner, Transalpine Kommunikation (as n. 10) p. 119–121, 618.

125) Roach, Forgery and Memory (as n. 19) p. 21–60. The key document in this respect is D O I 392, Darmstadt, HStA, A2 251/1, which Johann Lechner dismissed as a forgery but is clearly authentic. Cf. Karl Uhlirz, Jahrbücher des Deutschen Reiches unter Otto II. und Otto III. 1: Otto II. 973–83 (1902) p. 217–225, whose rather idiosyncratic (but ultimately correct) defence of these early diplomas had previously won little favour. The arguments of Caroline Göldel, Provenienz und Überlieferungszusammenhang. Die Urkundenformularsammlung des Codex Udalrici als Schlüssel der Fälschungsproblematik, in: Archivalische Zs. 93 (2013) p. 221–239, which would place the Worms and Passau forgeries (and presumably also HB and WC!) in the mid-1120s, are without evidential basis: Klaus Nass,

this guise, he was responsible for a number of authentic diplomas for Worms, confirming earlier forgeries in the name of Merovingian and Carolingian rulers – forgeries which HB had in all probability produced himself. He also drew up at least one diploma for a local layman called Gumbert[126]. We are thus dealing with an established recipient notary, whose activities were by no means restricted to the community of St Peter. And since HB's scribal activity long predates the appointment of the imperial chancellor Hildibald to the see, there is no reason to follow Huschner (and Fried and Fichtenau) in identifying the two. It is, nevertheless, unsurprising that HB should enter more regular imperial service at this point: he was an experienced draftsman-scribe, well-suited to the needs of his new master[127].

More strictly localised are the activities of Willigis C (WC), a notary of the later 960s and 970s. His first diploma is in favour of the archbishopric of Salzburg in March 969. And with one exception, WC is thereafter only active for the neighbouring see of Passau[128]. This reveals a strong Bavarian focus. And as has long been noted, there is a clear connection with the career of Bishop Pilgrim of Passau (971–991), whose uncle Archbishop Frederick was the recipient of WC's first charter and whose appointment to Passau (at Frederick's request!) initiated the series of diplomas for the see. In 1964, Fichtenau famously argued that WC was Pilgrim himself, and the identification continues to command respect, despite Hoffmann's doubts[129]. Much like HB (and, for that matter, BC), Pilgrim was not merely responsible for authentic documents, but also produced a famous set of forgeries for his see, encompassing both royal diplomas and papal bulls. Yet he was no

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Rezension von Göldel, Provenienz und Überlieferungszusammenhang, in: DA 75 (2015) p. 673.

126) DD O I 330, 392, DD O II 46, 143. Note that the status of D O I 84 is unclear.

127) Note that only one diploma of HB's „chancery" years pre-dates Hildibald's appointment to Worms: D O II 180, Magdeburg, Landesarchiv Sachsen-Anhalt, U 9, A Ia 18. See further Theodor Sickel, Erläuterungen zu den Diplomen Ottos II., in: MIÖG: Erg.Bd 2 (1888) p. 77–190, at p. 104; and cf. Huschner, Transalpine Kommunikation (as n. 10) p. 168–174; Fichtenau, Urkundenfälschungen (as n. 7) p. 100; Fried, Weg in die Geschichte (as n. 7) p. 568, 571.

128) DD O I 389, 423, DD O II 27, 44, 59, 111a/b, 135, 136a/b, 137, 138, 167a/b. See further Roach, Forgery and Memory (as n. 19) p. 94–106.

129) Franz-Reiner Erkens, Die Fälschungen Pilgrims von Passau. Historisch-kritische Untersuchungen und Edition nach dem Codex Gottwicensis 53a (rot), 56 (schwarz) (Quellen und Erörterungen zur bayerischen Geschichte N. F. 46, 2011) p. 47* f. n. 14, responding to Hoffmann, Notare (as n. 14) p. 436 f.

more a pure recipient scribe than HB or BC: before his appointment to Passau, Pilgrim was active on behalf of his uncle; and in the following years he also produced a privilege for Duke Henry, with whose court he enjoyed close ties.

This brings us to the end of the regional and occasional scribes of Otto I – or at least to the end of those about whom much can be said. This leaves those more active hands, which Huschner dubs „trans-regional“ and „imperial court notaries“. These constitute a smaller but in some respects more significant group, which was responsible for the lion's share of diploma production through much of the period. In what follows, I will first focus on two of these: Willigis B and Italian B, in the latter case with a brief excursus on Italian D. All three of these hands reveal regional affiliations akin to those observed among the more occasional scribes already surveyed. And as we might expect, Huschner's model of charter production works well here, even if, as previously, his identifications do not always persuade. As we turn to other leading notaries of these years, however, Huschner's arguments start to face more significant obstacles.

Willigis B (WB) was one of the most active draftsman-scribes of the 970s, yet his charters are not distributed particularly evenly. Of the nine diplomas of Otto I assigned to WB, five are for recipients from Swabia and Bavaria, figures which stand in notable contrast with the general distribution of imperial *acta*[130]. This may suggest a southern orientation of some description, a conclusion which is strengthened if we limit ourselves to the six (or possibly now seven) of these which survive in their original format, three of which are for Bavaria and one for Swabia[131]. And since one of these (D O I 422 for Gandersheim)

130) Cf. Müller-Mertens, Reichsstruktur (as n. 114) p. 165–245; idem, Verfassung des Reiches, Reichsstruktur und Herrschaftspraxis unter Otto dem Großen, in: Otto der Große, Magdeburg und Europa 1: Essays, hg. von Matthias Puhle (2001) p. 189–198.

131) Originals: DD O I 365, 411, 422, 431, 432, 433. To this list can probably now be added D O I 426, which Sickel knew only from the modern copy of the Crespin cartulary (and ascribed to WB on the basis of formulation): Laurent Morelle, Les deux diplômes ottoniens pour l'abbaye de Crespin, in: Allemagne et France au cœur du Moyen Âge, éd. par Dominique Barthélemy / Rolf Grosse (2020) p. 75–86 (with reproduction at p. 76). Morelle does not discuss the hand, but it looks indeed to be that of WB. Further work is to be anticipated on the subject: Laurent Morelle, Pratiques médiévales de l'écrit documentaire. Conférences de l'année 2019–2020, in: Annuaire de l'École pratique des hautes études 152 (2021) p. 230–238, at p. 237 f. The following are only known from copies and were assigned by the editors to WB on grounds of formulation and/or script imitation:

may be in a different hand[132], we are left with four of five (or six) certain WB originals for southern recipients. A similar picture emerges WB's early activity on behalf of Otto II: all four of the diplomas he produced for the young co-emperor were for Swabian recipients. And even if we remove the two Einsiedeln diplomas of August 972 (DD O II 24, 25), which reveal close affinities to the Gandersheim privilege and may thus belong to a different notary, we are still left with two of two WB privileges before Otto I's death[133].

Where does this leave us with WB? In keeping with his policy of identifying as many leading notaries as possible with chancellors and archchancellors, Huschner inclines to see WB as none other than Archbishop Willigis of Mainz himself. Central to Huschner's argument are the close career parallels: WB first appears only shortly after Willigis was appointed chancellor, and he ceases operating soon after Willigis had been promoted to Mainz in January 975[134]. Huschner also suggests that WB's affiliations with the new foundation at Aschaffenburg – the importance of which was first underlined by Stengel – can be explained by Willigis' interest as the centre's metropolitan. WB's wide-ranging scribal activity would certainly make sense were he to have been the imperial chancellor. Nevertheless, doubts remain. WB's first diploma for Aschaffenburg (D O II 84) pre-dates Willigis' promotion to Mainz by six months, suggesting a prior association with the centre; and with the exception of a confirmation of early 975, WB is never active in favour of Mainz itself, as we might otherwise expect. Huschner seeks to secure the identification by comparing Willigis' (apparently autograph) subscription to the synod of Frankfurt of 1007 with the diplomas of WB. Given the large temporal gap (WB's hand is last attested in 975) and extremely small sample size (the subscription is only nine words long!), a secure identification can scarcely be expected. Still, what stand out are not the similarities but the differences: the vertical stroke on Willigis' **r** pierces through the horizontal one, whereas this is not so with WB; Willigis' bowl on **g** is large, wide and

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DD O I 324, 417, 420, 424. Note that DD O I 212, 421, which Sickel also believed to derive from authentic work of WB, should be treated with greater caution: Michael TANGL, Forschungen zu Karolinger-Diplomen, in: AUF 2 (1909) p. 167–326, esp. p. 304–306.

132) Wolfenbüttel, Niedersächsisches Landesarchiv, WO 6 Urk. 12. What most clearly distinguishes this scribe's work from that of WB are the forms of **g**, **x** and **d**.

133) DD O II 23, 24, 25, 26.

134) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 159–168. Cf. SICKEL, Programm (as n. 2) p. 470 f.

closed, while WB's is extremely small (even by the standards of diplomatic minuscule), sometimes disappearing entirely; Willigis' **e** is angular, with a small, horizontal eye, whereas WB's is fluid, with the eye pointing up diagonally to the right (Plates 6–7)[135]. Even allowing for the natural evolution of the archbishop's hand, these variations make identity most improbable. Much the same must be said for Bresslau's alternative identification of the hand of Willigis' subscription with that of Hildibald H. Though the latter's more upright and angular aspect comes closer to the archbishop's, the forms of **e**, **g** and **r** are again clearly distinct here[136]. There is, however, much to be said for returning to Stengel's identification of WB with Herward, the schoolmaster of Aschaffenburg. The latter is explicitly identified as an imperial notary in a private charter of Archbishop Willigis (*Herwardus domni nostri Ottonis serenissimi imperatoris notarius et ecclesie, que est in Ascafaburc, dydascalus*)[137]. And the strong concentration of diplomas produced by WB for Aschaffenburg is far better explained in this manner than by a general appeal to Willigis' interest as the foundation's metropolitan. Moreover, Herward's one known absence from the realm – a trip to Rome in 975 – corresponds to an extended hiatus in WB's scribal activity. Finally, the significant presence of Swabian and Bavarian recipients among WB's early diplomas finds ready explanation here. The foundation of Aschaffenburg was initiated by Duke Liudolf of Swabia and his

135) D H II 143, Bamberg, Staatsarchiv, Bamberger Urkunden 21. For a recent reproduction: Bernd SCHNEIDMÜLLER, Die einzigartig geliebte Stadt. Heinrich II. und Bamberg, in: Kaiser Heinrich II. 1002–1024, hg. von Josef KIRMEIER et al. (2002) p. 30–51, at p. 38. For these purposes, I have compared this to the following diplomas in WB's hand: D O I 365, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 30; D O II 95, Würzburg, Staatsarchiv, Mainzer Urkunden (Kaiser-Selekt 141), 975 Januar 26.

136) As examples of Hildibald H's hand, I have used D O III 146, Wolfenbüttel, Niedersächsiches Landesarchiv, WO 6 Urk. 20, and D H II 178, Darmstadt, Hessisches Staatsarchiv, A 3 257/1. Cf. Harry BRESSLAU, Erläuterungen zu den Diplomen Heinrichs II. (Erster Abschitt), in: NA 20 (1895) p. 125–176, at p. 160 n. 2. My findings confirm those of HOFFMANN, Buchkunst (as n. 29) 1, p. 246.

137) Mainzer Urkundenbuch 1: Die Urkunden bis zum Tode Erzbischof Adalberts I. (1137), hg. von Manfred STIMMING (1932) no. 219, with STENGEL, Immunität (as n. 27) p. 173–181. See further SICKEL, Erläuterungen (as n. 127) p. 88 n. 1; and cf. VOGTHERR, Diplome des 9.–12. Jahrhunderts (as n. 18) p. 306, endorsing Huschner's conclusions without discussing the „Herward thesis“. On Herward himself: Karl Heinrich REXROTH, Der Stiftsscholaster Herward von Aschaffenburg und das Schulrecht von 976, in: Aschaffenburger Jb. 4 (1957) p. 203–230; FLECKENSTEIN, Hofkapelle (as n. 115) p. 38 f., 121 f.

wife Ita and completed by their son Otto, who was not only duke of Swabia but also (briefly) duke of Bavaria.

More can be said for Huschner's identification of the draftsman-scribe Italian B (It B) with Hubert of Parma. Hubert was archchancellor for Italy 966–973, during which time It B was the most active scribe[138]. And as Sickel already noted, It B's hand (or one very similar to it) can be found in Hubert's subscription to judicial notices of 962 and 967. Since Hubert subscribed another notice of 964 in a Caroline bookhand – rather than the elegant diplomatic minuscule of the 962 and 967 subscriptions – Sickel concluded that this was the bishop's true autograph and the latter hand that of a private secretary, a private secretary Hubert also employed in the chancery as It B[139]. An

138) Sickel identified the following as being in It B's hand: DD O I 243, 274, 334, 356, 408, 410. To these can now be added DD O I 239, 371, where Sickel detected It B's formulation and subsequent recovery of the original has confirmed his judgement: Harry Bresslau, Nachträge zu den beiden ersten Bänden der Diplomata-Ausgabe, in: NA 23 (1898) p. 113–172, at p. 129–133; Antonella Ghignoli, Tradizione e critica del testo, una variante documentaria: il diploma di Ottone I per il fedele Ingo (D.O.I.371), in: Sit liber gratus, quem servulus est operatus: Studi in onore di Alessandro Pratesi per il suo 90° compleanno, a cura di Paolo Cherubini / Giovanna Nicolaj (2012) p. 231–247. Note that D O I 274, Milan, Biblioteca Ambrosiana, Pergamena 827, and D O I 410, Ravenna, Biblioteca Classense, Archivio storico comunale, Pergamene 2, are clearly not It B's work (*pace* Sickel): Huschner, Transalpine Kommunikation (as n. 10) p. 98 f. n. 327, p. 103 n. 350; idem, Originale, imitierende Kopien, Fälschungen. Die Nutzung und Sicherung mittelalterlicher Herrscherurkunden durch geistliche Empfänger Italiens (10.–12. Jahrhundert), in: Die Urkunde. Text – Bild – Objekt, hg. von Andrea Stieldorf (Das Mittelalter: Beihefte 12, 2019) p. 363–381 at p. 378–380; Sebastian Roebert, Herrschaftsverhältnisse im Spiegel der Urkunden. Die Diplome des 9. und 10. Jahrhunderts für Santa Maria Theodota zu Pavia, in: Herrscherurkunden (as n. 18) p. 259–278, at p. 267. In the latter case, the informal nature of the document is clear from the lack of seal; in the former, the scribe has apparently worked from a pre-sealed parchment (or „Blankett"), suggesting that we may be dealing with an authentic recipient hand mimicking It B's forms, rather than a later imitative copy, as Huschner suggests. Sickel also identified It B as responsible for the *recognitio* of D O I 390, while he ascribed the following to him on grounds of formulation or script imitation: DD O I 337, 339, 357, 373, 378, 413.

139) Placiti del 'Regnum Italiae', a cura di Cesare Manaresi, 3 vols. (Fonti 92, 96–97, 1955–1960) no. 148, Asti, Archivio della cattedrale, n. 86; ibid. no. 152, Reggio, Archivio di Stato, Monastero di S. Prospero, n. 13; ibid. no. 156, Arezzo, Archivio Capitolare, Badia delle sante Fiora e Lucilla, 13. For a full reproduction of the second: Giuseppe Albertoni, Il potere del vescovo. Parma in età ottoniana, in: Storia di Parma 3,1: Parma medievale. Poteri e istituzioni, a cura di Roberto Greci (2010) p. 69–114, at p. 101. Cf. Theodor Sickel, Das Privilegium Otto I. für die Römische Kirche vom Jahre 962 (1883) p. 30 f.

association of sorts is thus clear; the question is merely as to its nature. Since Sickel's day, Armando Petrucci and Carlo Romeo have shown that diplomatic minuscule and *litterae elongatae* were frequently used by Italian bishops in their subscriptions to judicial notices – indeed, these were their preferred forms, employed as signs of distinction. Petrucci and Romeo are therefore happy to accept Hubert's 962 and 967 subscriptions as *bona fide* autographs (alongside that of 964), a conclusion strengthened by consideration of Hubert's subscription to a further document of these years, which was unknown to them (or Sickel). This takes forms very similar to those of the 962 and 967 subscriptions, demonstrating beyond doubt that this is indeed Hubert's hand[140]. If any of these subscriptions were to be the work of a private secretary, it is thus the 964 one. There is, in any case, no reason to doubt Hubert's involvement here. As Antonella Ghignoli notes, the unusual form of the 964 subscription is readily explained by the fact that it is squeezed in above those of a number of laymen, who had left Hubert too little space for his usual forms. Forced to improvise, the bishop resorted to his regular bookhand so as to avoid disrupting the composition[141].

If the subscriptions are all Hubert's, the question becomes whether this is indeed the hand of It B, as Sickel thought. Hoffmann has expressed doubts here, noting that the distinctive subscription sign employed by Hubert differs in important manners from that of It B. He also observed that the latter's script is more assured than that of Hubert's subscriptions[142]. There is no denying the latter point, but we should be wary of making too much of it. Subscriptions are by their nature less stable than other scribal performances, since they are constrained by time, space and existing text on the page; and the letter forms themselves reveal considerable resemblances. More weight

140) Regesta Chartarum Pistoriensium. Alto Medioevo (493–1000) (1973) no. 70, Florence, Archivio di Stato, Diplomatico, Pistoia, S. Bartolomeo apostolo detto Badia dei Rocchettini, 937. Contrary to the register entry, the document is to be dated 962 × 972: Paolo Tomei, Coordinamento e dispersione. L'arcicancelliere Uberto di Parma e la riorganizzazione ottoniana della marca di Tuscia, in: Europäische Herrscher und die Toskana im Spiegel der urkundlichen Überlieferung, hg. von François Bougard / Antonella Ghignoli / Wolfgang Huschner (Italia Regia 1, 2015) p. 77–86, at p. 79–81. See further Petrucci / Romeo, 'Scriptores in urbibus' (as n. 26) p. 218; Antonella Ghignoli, Uberto, vescovo di Parma, e la sua scrittura, in: AfD 61 (2015) p. 55–96, at p. 69–78.

141) Ghignoli, Uberto (as n. 140) p. 73–75.

142) Hoffmann, Notare (as n. 14) p. 461–463.

should be accorded to the similarities between Hubert's subscription sign – which appears in all three of his diplomatic minuscule subscriptions – and that employed by It B in the eschatocol of his diplomas. Such signs are not a typical feature of diploma recognition clauses, nor are they always present in episcopal subscriptions to judicial notices, so it is significant that we should find them across both. And though some variation can be observed in execution, Hoffmann is wrong to say that in D O I 356 and D O II 17 – both established products of It B – the **i** is placed in a different part of the composition from Hubert's subscriptions: this is only true of the latter case, and even then the overall execution is distinctly Hubertian (Plates 8–14)[143]. This is not the only point of contact. Hubert often employs a chrismon, rather than a standard cross, in his subscriptions, and the forms this takes closely resemble those seen in It B's symbolic invocations. When we add to this the fact that It B's first charter is a generous privilege in favour of Hubert's see of Parma[144], the case for identifying bishop and notary becomes all but certain. The alternative possibility – that It B was Hubert's amanuensis, who repeatedly subscribed on his master's behalf – cannot be categorically excluded; and were It B anyone but the bishop, the most likely candidate would be the otherwise obscure *Willerius*, who appears as chancellor in the recognition clause of his first diploma. But Ockham's razor clearly favours Hubert: It B appears wherever Hubert does, writes the way Hubert would have written, and behaves as we might expect Hubert to have done[145].

The identification of Hubert with It B is important. It demonstrates that some bishops were indeed court notaries, at least in Italy. And on this basis, we should be more willing to countenance Huschner's other suggestions than was Hoffmann. Similarly encouraging is Huschner's identification of Italian D (It D) with Ambrosius of Bergamo.

143) D O I 356, Marburg, Hessisches Staatsarchiv, Urk. 56, 2284; D O II 17, Marburg, Hessisches Staatsarchiv, Urk. 56, 2285.

144) D O I 239, Parma, Archivio Vescovile, sec. X, 4, with BRESSLAU, Nachträge (as n. 138) p. 129–133. Note that the subscription sign here takes Hubert's standard forms. See further HUSCHNER, Transalpine Kommunikation (as n. 10) p. 107–112; Olivier GUYOTJEANNIN, Les pouvoirs publics de l'évêque de Parme au miroir des diplômes royaux et impériaux (fin IX^{e}–début XI^{e} siècle), in: Liber Largitorius. Études d'histoire médiévale offertes à Pierre Toubert par ses élèves, éd. par Dominique BARTHÉLEMY / Jean-Marie MARTIN (2003) p. 15–34, at p. 16–20; ALBERTONI, Il potere del vescovo (as n. 139) p. 69–70, 93–97 (with reproduction at p. 94).

145) GHIGNOLI, Uberto (as n. 140) p. 83–88. Cf. FICHTENAU, Urkundenfälschungen (as n. 7) p. 95–97.

According to Sickel, It D was a student and colleague of It B, who was responsible for at least five diplomas between 966 and 970. It D's scribal activity neatly coincides with Ambrosius' time as chancellor (966–970), and he disappears precisely when the latter was appointed to the see of Bergamo[146]. A contextual case can therefore be made for identifying the two, a case reinforced by the strong similarities between It D's hand and the apparently autograph subscription of Ambrosius to a private charter of 973 from Bergamo. While the material is insufficient to establish hand identity with absolute certainty, the use of **a** with an ascender at the start of words and the same form of **ro** ligature speak strongly in favour of the two being one and the same[147].

If so far Huschner's approach has enabled us to appreciate the regional qualities of figures once deemed „chancery scribes“ more fully, it struggles with other leading notaries of the period. A case in point is Bruno A (BA), one of the most active draftsman-scribes of Bruno of Cologne's chancellorship. Sickel and his associates assigned BA sole or primary responsibility for eighteen diplomas of the 940s or 950s, including a second engrossment of an earlier Magdeburg privilege, making him the dominant force in charter production in these years[148]. They also identified BA's hand in the protocol or eschatocol of another three documents, while they ascribed twenty more to him on the basis of formulation or later script imitation[149]. If there ever was a true

146) DD O I 335, 352, 360, 394, 396. Sickel and his team also identified his hand in the eschatocol of DD O I 334, 390, and signs of his formulation or script behind the following (which only survive in copial form): DD O I 336, 364, 372, 374. See HUSCHNER, Transalpine Kommunikation (as n. 10) p. 112–115; HOFFMANN, Notare (as n. 14) p. 450.

147) D O I 352, Florence, Archivio di Stato, Diplomatico, Camaldoli, S. Salvatore (eremo), 967 Dicembre 7; Le pergamene degli archivi di Bergamo, a. 740–1000, a cura di Mariarosa CORTESI, 2 vols. (Fonti per lo studio del territorio bergamasco 8, 1988) 1, no. 130, Bergamo, Archivio Capitolare, 431 (B XIII), 973 maggio –. For reproductions: ibid. 2, tav. 130; HUSCHNER, Transalpine Kommunikation (as n. 10) Abb. 5–7.

148) DD O I 15b, 56, 57, 65, 69, 77, 83, 87, 96, 97a, 100, 102, 116, 117, 119, 120, 126, 160. On BA: STENGEL, Immunität (as n. 27) p. 147–149, 153–156. This is one of the cases where Sickel's identifications require revisiting. Certainly the hand of D O I 96, Marburg, Hessisches Staatsarchiv, Urk. 56, 2276, does not look like that of BA; that of D O I 15b, Magdeburg, Landeshauptarchiv Sachsen-Anhalt, U 1, I 2b, also differs in manners which make the ascription doubtful. Systematic investigation will probably yield further doubtful cases.

149) Hand in protocol and/or eschatocol: DD O I 59, 104, 159; formulation or script imitation: DD O I 39, 42, 43, 64, 66, 67, 68, 80, 86, 88, 95, 99, 107, 111, 112, 125, 132, 134, 161, 164. Doubts have been expressed regarding the assignment

„chancery scribe", it was BA. Given this, it is hardly surprising that little by way of regional affiliations emerges from these documents. BA is most active in Eastphalia and the Rhine-Main district, but can also be found in Swabia, Lotharingia, Franconia and (probably) Frisia, closely reflecting the movements of the royal court. Similarly, all regions are represented among the recipients of these acts, though Frisia and Lotharingia figure more prominently than we might expect from a purely statistical standpoint[150]. Inspired by the cases of Hubert and Ambrosius, Huschner is inclined to identify BA with chancellor Bruno himself. This would make good sense of BA's activity in favour of Frisian and Lotharingian recipients, since Bruno had been educated at Utrecht and went on to be archbishop of Cologne. Equally significant are the signs that BA had access to Otto I's programmatic first privilege in favour of the new familial foundation at Quedlinburg. This suggests close ties with the royal family and its East Saxon heartlands; and since BA appears in the charter record shortly after Bruno's appointment as chancellor, then disappears just as swiftly upon Bruno's promotion to Cologne, a reasonable case can be constructed for identifying the two[151]. Nevertheless, coincidence of career is no decisive proof that BA was Bruno, rather than (say) a cleric in his service (as older scholarship presumed). Huschner therefore seeks palaeographical confirmation of his hypothesis, identifying the hand of BA with that of a note in Archbishop Bruno's voice, appended to a private charter for St Caecilia in Cologne. Whether the latter is Bruno's true autograph – many charters and subscriptions, including those to imperial diplomas, adopt the voice of an individual without being an autograph – can be left to one

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of D O I 67: MERTA, Rezension von HUSCHNER (as n. 13) p. 408; and D O I 86 (ascribed by Sickel to BA) should now be considered a forgery of c. 1000, while the status of D O I 66 (ascribed by Foltz to BA) is unclear: Heinz THOMAS, Ein kaisergleicher König und die Immunität der Trierer Kirche: Der Mönch Theoderich als Fälscher des DO I 86, in: Jb. für westdeutsche Landesgeschichte 19 (1993) p. 90–103; Rudolf SCHIEFFER, Rezension von Willi WAGNER, Das Augustiner-Chorherrenstift Ravengiersburg, in: DA 35 (1979) p. 673 f., at p. 674. By contrast, D O I 103 may be BA's work (rather than that of Otpert): STENGEL, Immunität (as n. 27) p. 154 n. 4.

150) Cf. MÜLLER-MERTENS, Reichsstruktur (as n. 114) p. 165–245; IDEM, Verfassung des Reiches (as n. 130).

151) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 151–159. Huschner does not note the prominence of Frisia and Lotharingia among the recipients of BA's diplomas, though it reinforces his case. On Bruno's early education: Rolf GROSSE, Das Bistum Utrecht und seine Bischöfe im 10. und frühen 11. Jahrhundert (Kölner Historische Abhandlungen 33, 1987) p. 30–33.

side, for the script of the addition is clearly not that of BA: the looped descenders on **g** are entirely different, as are the abbreviation signs (!) and decorative loops on the ascenders; **x** has a long diagonal descender to the left, where BA's has none; and so on (Plates 15–16)[152].

An alternative possibility is raised by the fact that the otherwise unknown Hoholt appears in Bruno's stead in the recognition clauses of two of BA's diplomas of January 953[153]. The recognition clause was traditionally supplied by the individual who had checked the final text of a diploma, and only in exceptional cases would the recognitioner also be the main scribe of the act[154]. By Otto I's reign, however, recognition clauses had lost their original function: they were now typically supplied by the main hand in the name of the relevant chancellor, and even when added by a different scribe, they are rarely autograph (that is, in the hand of the named authority himself). When, however, names beyond those of the chancellor or archchancellor appear here, as is occasionally the case, there are often grounds for suspecting that these do indeed designate the scribe of the act (a point to which we shall return)[155]. Given this, it is tempting to identify BA as Hoholt. Against this identification, Huschner rightly notes that recognition clauses were flexible instruments, and that many names appear occasionally without necessarily being those of the diploma's scribe. He also observes that Bruno's name appears in all of BA's recognition clauses (even Hoholt recognizes „in place“ [*advicem*] of Bruno), whereas Hoholt is only present twice. Since Otto I's failed bid for the Italian throne in 951–952, Bruno had begun appearing periodically as arch-

152) RUB 250, Cologne, Historisches Archiv der Stadt, HUA, K/3A. Note that the original is missing following the dramatic collapse of the city archives in 2009. The remains are still being sifted, however, so there is a chance that it may yet be recovered. In the meantime, a good quality photographic reproduction survives in the Rheinisches Bildarchiv as RBA 052821. (For these details, I am greateful to Ann-Kathrin Höhler of the Archiv der Stadt: per. comm. 18.11.2021.) I have compared this with D O I 116, Karlsruhe, Generallandesarchiv, A 38, and D O I 160, Marburg, Hessisches Staatsarchiv, Urk. 75, 72. See similarly HOFFMANN, Notare (as n. 14) p. 451 f.

153) DD O I 160, 161. See STENGEL, Immunität (as n. 27) p. 147–149, 153–156; Kurt-Ulrich JÄSCHKE, Königskanzlei und imperiales Königtum im zehnten Jahrhundert, in: HJb 84 (1964) p. 288–333, esp. p. 297–299, 304–306, 331–333.

154) Daniel EICHLER, Die Kanzleinotare unter Ludwig dem Frommen – Ein Problemaufriß, in: Zwischen Tradition und Innovation: Die Urkunden Kaiser Ludwigs des Frommen (814–840), hg. von Theo KÖLZER (2014) p. 31–66.

155) ERDMANN, Beiträge (as n. 4) p. 98–106. Cf. KEHR, Kanzlei Ludwigs des Kindes (as n. 5) p. 45–49.

chaplain, with others recognizing in his place as chancellor; Hoholt may simply have been doing the same[156]. Further grounds for doubt, should we wish to find them, may be sought in Hoholt's title. In both cases, he is called *cancellarius* rather than *notarius*. As noted, the two terms are often synonymous, but only the latter carries unambiguous implications of charter production.

Nevertheless, Hoholt's appearances cannot be dismissed so swiftly. As chancellor, Bruno can be found in the recognition clauses of all draftsman-scribes of these years, but Hoholt's presence is unique to BA's œuvre. And though Bruno had begun appearing as archchaplain since 952 – a role which would become his exclusive purview upon promotion to Cologne in September 953 – he had yet to appear in this guise in any of BA's acts. Of the other figures who appear as recognitioners in Bruno's stead at this point, one was the future chancellor Liudolf, who was easing himself into the job, while the others (Wigfrid, Abraham, Enno, Haolt and Otpert) are all thought to be the scribes of the diplomas in question; it stands to reason that the same holds true of Hoholt[157]. Indeed, if Bruno were BA, it is hard to explain why he should twice – and only twice – recognize in Hoholt's name, in terms which suggest a degree of distance between the chancellor (or rather, archchaplain) and the transaction: *Hoholt cancellarius advicem Brunonis archicapellani recognovi*. One suspects, therefore, that these diplomas were issued at a time when Bruno was absent from court or otherwise occupied. As one of Bruno's leading notaries, Hoholt (i.e. BA) now stood in for him. By April of this year, when BA is next attested – in a diploma surviving only in later cartulary copies – Bruno is back in his usual position as chancellor, recognizing on behalf of Ruotbert of Mainz[158]. The identification of BA with Hoholt also better explains the close affiliations between this draftsman-scribe and the Magdeburg notaries of these years: while Bruno is not known to have spent any time at St Maurice, it is easy to imagine circumstances in which he might have recruited a skilled monk from his brother's foundation[159]. Yet if BA was probably not Bruno, there is every reason

156) Huschner, Transalpine Kommunikation (as n. 10) p. 154 f.

157) Liudolf: DD O I 149, 151, 152; Wigfrid: DD O I 140, 141, 142, 143, 144, 146, 147, 148 (though note Bruno in his „usual" position in D O I 145); Abraham: D O I 150; Enno: D O I 154; Haolt: D O I 155; Otpert: DD O I 156, 158.

158) D O I 164.

159) On BA and Magdeburg: Stengel, Immunität (as n. 27) p. 153 f.; Jäschke, Königskanzlei (as n. 153) p. 298.

to believe that the two were intimates, and we certainly should view BA's activities, as Huschner does, in light of Bruno's own interests. BA was one of the chancellor's closest confidants, and one suspects that he followed Bruno to Cologne in 953. It is matter of considerable frustration, therefore, that the early archiepiscopal archive of Cologne was destroyed in the mid-twelfth century, probably in the fire of 1150. For if BA were to be visible in Bruno's later years, it is here that we would expect to find him[160].

Another leading draftsman-scribe Huschner wishes to identify with a known historical figure is Liudolf F (LF), whom he sees as none other than the garrulous bishop, diplomat and historian Liudprand of Cremona. Superficially, the case is again strong enough. LF first appears as a charter scribe in 956, at around the time Liudprand went into exile at Otto I's court. He then becomes the leading notary of the late 950s and early 960s, continuing to produce diplomas in reduced numbers during the emperor's first Italian sojourn (961–965), when Liudprand was appointed to the vacant see of Cremona. After 964, he disappears entirely[161]. One can well imagine that Liudprand, like Poppo and Ambrosius, used notarial service as a route to promotion, then concerned himself largely with the affairs of his see. But just because LF's career coincides with Liudprand's – about which we know little concrete, it should be emphasized[162] – is no proof of identity. And there is little in LF's work which points towards Liudprand's known interests: he is active neither in favour of Abraham of Freising, one of the Cremonese bishop's leading patrons, nor for Liudprand's own see of Cremona. Indeed, the closest we come to any connection with Liudprand's politics is LF's role in furnishing the closing eschatocol (but not the protocol

160) On the fate of the archiepiscopal archive: Rheinisches Urkundenbuch, hg. von Wisplinghoff (as n. 86) 2, p. 126–129.

161) Sickel and his team identified LF's hand as primarily responsible for the following: DD O I 183, 184, 185, 186, 193, 196, 199, 200, 202, 203, 204, 206, 207, 219, 222a, 226, 232b, 236, 237, 244, 249, 253. They identified LF as a secondary hand in DD O I 242, 248, 268, and also ascribed the following to him (with varying degrees of certainty) on the basis of formulation or script imitation: DD O I 201, 240, 247, 251, 257. To the latter group can now be added D O I 248a in favour of St Gall: Hans Hirsch, St. Gallen und die Visconti, QFIAB 21 (1929/30) p. 94–119, at p. 116–118 (edition).

162) Paolo Chiesa, Liutprando di Cremona, in: DBI 65 (2005) p. 298–303. For recent discussions, which do little to adjust the details of Liudprand's career: Brakhman, Außenseiter und „Insider“ (as n. 17); Grabowski, Construction of Ottonian Kingship (as n. 17); Patrizia Stoppacci, Il secolo senza nome. Cultura, scuola e letteratura latina dell'anno Mille e dintorni (2020) p. 304–314.

or the main text) of a diploma of 962 in favour of Guy of Modena, another of the emperor's early Italian supporters[163].

The most decisive objection to identifying LF with Liudprand, however, is palaeographical. As Hoffmann notes, LF's hand is clearly transmontane, whereas we would expect Italian forms from Liudprand. Moreover, we have a number of examples of Liudprand's probable autograph in the form of the corrections and additions to Abraham of Freising's copy of the *Antapodosis* (the hand known as „the corrector", dubbed F_2 by Paolo Chiesa). This hand is typical of mid- to later tenth-century northern Italy, characterized by its rounded aspect, thick ascenders, use of the Italian **-us** abbreviation after m and n, form of **-or** and **-orum** abbreviation, and frequent ligatures on **r**. Particularly distinctive is the second stroke on **x**, which often begins with a slight flick at the top right then ends with a point on the bottom left, and the cross stroke on **r**, which frequently extends above the script-line (Plate 17)[164]. None of these features are to be found regularly in LF's work[165]. At the same time, many of LF's most distinctive forms find

163) D O I 248. As HUSCHNER, Transalpine Kommunikation (as n. 10) p. 116 f., notes, it is likely that the recipients were responsible for the main text, which is copied in an otherwise unknown Italian hand.

164) CHIESA, Liutprando di Cremona (as n. 66) p. 80–82.

165) For these purposes, I have compared Munich, Bayerische Staatsbibliothek, Clm 6388, fols. 82r–85v, with D O I 222a, Magdeburg, Landesarchiv Sachsen-Anhalt, U 1, I 14, and D O I 236, Karlsruhe, Generallandesarchiv, A 40. On the likelihood that the corrector (F_2) in the former is Liudprand: CHIESA, Liutprando di Cremona (as n. 66); IDEM, Sulla presunta autografia di Liutprando nel Clm 6388 e sulla scelta dell'ipotesi più economica in critica testuale, in: Revue d'histoire des textes 1 (2006) p. 153–172 (restating the thesis in light of criticism); and on the differences between this and the hand of LF: HOFFMANN, Notare (as n. 14) p. 469 f. LF's hand requires further consideration in light of the considerable variation attested across his corpus. It is by no means certain that D O I 203, Munich, Bayerisches Hauptstaatsarchiv, Kloster St. Emmeram Regensburg Urkunden 25, on which Huschner draws, is his work: the bow on **g**, form of **x** and **et** ligatures all differ from LF's standard forms, though the form of **a**, formatting of the dating clause and recognition sign do indeed look like his. This may be the same hand as that of D O I 202, Munich, Bayerisches Hauptstaatsarchiv, Domkapitel Salzburg Urkunden 1, issued on the previous day (and ascribed to LF by the editors), which strays even further from LF's established forms. See further HUSCHNER, Transalpine Kommunikation (as n. 10) p. 527–529, who is inclined (probably rightly) to ascribe the former to LF and the latter to a different hand, mimicking LF's forms. By contrast, D O I 204, Nürnberg, Staatsarchiv, Fürstentum Ansbach, Urkunden vor 1401, 1246, issued three days later, certainly is LF's work. Another attribution which may require reconsideration is D O I 184, Magdeburg, Landesarchiv Sachsen-Anhalt, U 9, A Ia 9. Here the forms (including the architectonic recognition sign) are clear-

no equivalent in F_2: the sharp right turn on the descender of **g**, introducing the bow (particularly pronounced in LF's later years); the low sitting cross-stroke on **r** (where F_2's often ranges above the line, even when unligatured); and the wide and angular head on **q** (Plate 18). Some of these variations can be put down to differences in script, but by no means all, and even Huschner has to admit that there are many differences[166]. We also possess a possible subscription of Liudprand to a judicial notice of 967. Although the attribution is far from certain, and the sample very short, the forms are clearly not those of LF[167]. Finally, it is worth noting that LF's formulation betrays few if any of Liudprand's stylistic features: he shows no marked preference for obscure terminology (particularly Graecisms) and no love of hyperbaton and complex syntax. Perhaps Liudprand was simply constrained by the diploma form. Yet when other great stylists of the era, such as Leo of Vercelli and Rather of Verona, compose charters, they stand out precisely on account of their rhetorical flourish[168]. In comparison, LF's works look decidedly pedestrian. This is not the only distinction between Liudprand's and LF's Latinity: Liudprand's writings reveal a small but significant number of vulgarisms, which speak of Romance influence; by contrast, LF's œuvre is largely free from interference

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ly those of LF, but the hand displays a high degree of instability. This is probably a product of inexperience (as Huschner notes, this was only LF's second diploma, and his first in diplomatic minuscule), but we must also allow for the possibility of script imitation. See Wolfgang HUSCHNER, Diplom König Ottos I. für das Kloster St. Peter in Quedlinburg, in: Otto der Große, Magdeburg und Europa 2: Katalog, hg. von Matthias PUHLE (2001) p. 115 f.; GREER, Commemorating Power (as n. 99) p. 129–131 (with reproduction at p. 131); and cf. Julia CRICK, Historical Literacy in the Archive: Post-Conquest Imitative Copies of Pre-Conquest Charters and Some French Comparanda, in: The Long Twelfth-Century View of the Anglo-Saxon Past, ed. by Martin BRETT / David WOODMAN (2015) p. 159–190, esp. p. 169 f., on „faker's palsy“.

166) HUSCHNER, Transalpine Kommunikation (as n. 10) p. 577–584. Cf. STOKES, Scribal Attribution (as n. 45).

167) Arezzo, Archivio Capitolare, Badia delle sante Fiora e Lucilla, 13, with HUSCHNER, Transalpine Kommunikation (as n. 10) p. 564–568; CHIESA, Liutprando di Cremona (as n. 66) p. 73 f. (with tav. XLII).

168) Heinrich FICHTENAU, Rhetorische Elemente in der ottonisch-salischen Herrscherurkunde, in: MIÖG 68 (1960) p. 39–61, esp. p. 47 f. On Liudprand's distinctive style: Liugi G. RICCI, Problemi sintattici nelle opere di Liutprando di Cremona (Medioevo Latino. Biblioteca 20, 1996); STOPPACCI, Il secolo senza nome (as n. 162) p. 309 f.

from his native idiom (beyond established medieval Latin forms)[169]. Moreover, in his rendering of personal and place names, LF displays an occasional preference for Lower German forms, perhaps indicating an origin in northern Germany: he typically writes the name of the chancellor as Liutolf (rather than Liudolf) and twice renders Quedlinburg with a **t**, as *Quitilingaburg* and *Quitilingaburch*. By contrast, Liudprand consistently spells his own name with a **d** as *Liudprandus*. There can, in other words, be little question of LF being the Cremonese bishop, nor is there an a priori case for identifying the latter with any other charter scribe of the era.

Finally, it should be noted that there are a significant number of „trans-regional/imperial court notaries" whom Huschner has not been able to associate with leading prelates and only discusses in passing. Among these are Bruno B (BB), who alongside BA was the leading notary of the 940s and early 950s; the otherwise obscure Wigfrid, who was responsible for almost all of Otto I's charters during his first bid for the Italian throne in 951–952; Italian C (It C), who alongside It B was the leading notary of Otto's next Italian expedition (961–965); Liudolf G (LG), who was one of the most active draftsman-scribes in the years thereafter (965–968); and Liudolf K (LK), who shouldered most of the rest of the notarial burden in these years. When we add to their ranks BA, LF and WB, then the vast majority of leading notaries cannot be securely identified with bishops, be they in post or not.

If we take stock of our identifiable notaries, we are therefore left with one bishop in active scribal service (Hubert of Parma, *alias* It B); two bishops who were active before promotion to the episcopate (Poppo of Würzburg and Ambrosius of Bergamo); three bishops who were never more than occasional scribes, largely active in favour of their own sees or associates (Hartbert of Chur, Abraham of Freising and Pilgrim of Passau); and five individuals who never held an episcopal seat (Hoholt, Otpert, Wigfrid, Adalman and Herward of Aschaffenburg). As Herward's case reveals, the latter were by no means insignificant figures. But like court chaplains, to whose ranks they often belonged, royal notaries were more often men on the make than leading prelates

169) Joseph BECKER, Textgeschichte Liudprands von Cremona (Quellen und Untersuchungen zur lateinischen Philologie des Mittelalters 3,2, 1908) p. 10 f.; RICCI, Problemi sintattici (as n. 168). See also Liudprandi Cremonensis opera omnia, ed. by Paolo CHIESA (CC Cont. Med. 156, 1998) p. LXXIf.

in post[170]. In this respect, they resemble Otto I's chancellors, who were typically well-connected young churchmen yet to achieve higher office: Poppo, the later bishop of Würzburg; Bruno, the later archbishop of Cologne; Liudolf, the later bishop of Osnabrück; the otherwise obscure Liudger; and Willigis, the later archbishop of Mainz. None of these figures was bishop and chancellor at the same time; and as case of Liudger reveals, there was no guarantee of promotion (though it may be that Liudger simply died before earning his stripes). And if most chancellors were not bishops or archbishops, it seems most unlikely that the majority of their notaries were. In this respect, it may be no coincidence that our one true „bishop notary“ is Italian, for it is in Italy that our evidence of episcopal involvement in diploma production is strongest in the ninth and early tenth centuries.

Such conclusions find further support in Edmund Stengel's plausible identification of Adaldag of Hamburg with the draftsman of Otto I's first three diplomas, all of which are in the same hand and recognized by a notary named Adaldag. These were produced in late 936, shortly before Adaldag's own promotion, after which this scribe and formulation promptly disappear. A connection between the two is thus likely, a conclusion strengthened by signs of similar formulation in the first diploma Adaldag received for his see the following year. And while Stengel (following Sickel) was hesitant to identify the hand of these documents with that of the archbishop – he saw Adaldag simply as draftsman – a strong case can be made for doing so, since the notary of this name only appears in the recognition clauses of this scribe's diplomas[171]. If Sickel's identification of LA with Adalbert of Magdeburg

170) Fleckenstein, Hofkapelle (as n. 115) p. 20–50. Cf. Klewitz, Cancellaria (as n. 3).

171) DD O I 1, 2, 3, with Stengel, Immunität (as n. 27) p. 139–142, noting the similarities with the formulation of D O I 11 (for Hamburg) at p. 140 f. n. 4. Following Sickel, Stengel believed that the hand responsible for protocol and eschatocol of D O I 1, which is clearly distinct from that of the main text, was that of Adaldag, but a connection with the main hand is more likely. Adaldag also appears in the recognition clause of D O I 6 (for Utrecht), which does not survive as an original. While Sickel suspected this was a recipient product, it is conceivable that the scribe of Otto's first three diplomas furnished the eschatocol (which Sickel deemed „kanzleigemäß“). Sickel placed D O I 466 (a late addition to the edition) before all three of these; however, its authenticity is questionable: Simon Groth, Die Königserhebung Ottos des Großen. Revision einer Herrschaftsfolge, in: HJb 137 (2017) p. 415–471, at p. 426–431. On Adaldag: Karl Schmid, Religiöses und sippengebundenes Gemeinschaftsbewußtsein in frühmittelalterlichen Gedenkbucheinträgen, in: DA 21 (1965) p. 18–81, at p. 70–78; Gerd Althoff, Amicitiae

is upheld, then we have yet another case of a cleric who used scribal service as a means of securing promotion. It would therefore seem that notaries not infrequently rose to episcopal rank, but that their scribal service typically ended then or became restricted to their see. Still, we should not let such „future bishops" blind us to the large number of draftsman-scribes who remain resolutely anonymous. Given the nature of the surviving sources, which privilege the elite, we are far more likely to be able to identify those scribes who achieved episcopal rank than the likes of Hoholt or even Herward, who did not; it is quite likely that they were in the majority.

4. Conclusions and implications

It would be easy to extend this study, surveying the draftsman-scribes of Otto II's, Otto III's and Henry II's reigns. But we would rapidly reach the point of diminishing returns. In these periods, too, Huschner's model of charter production is immensely useful, while his identifications of individual notaries with leading prelates prove problematic. To take but one example, alluded to in the introduction, it is most unlikely that Odilo of Cluny was Heribert D, one of the most active scribes of Otto III's later years. Heribert D was clearly an associate of the abbot, who frequently produced diplomas for Cluniac centres in Italy. But it beggars belief that Odilo would abandon his own monastery for years on end, in the manner Huschner presumes[172]. The objections

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und Pacta. Bündnis, Einigung, Politik und Gebetsgedenken im beginnenden 10. Jahrhundert (Schriften der MGH 37, 1992) p. 157–165; Claudia Moddelmog, Königliche Stiftungen des Mittelalters im historischen Wandel. Quedlinburg und Speyer, Königsfelden, Wiener Neustadt und Andernach (Stiftungsgeschichten 8, 2012) p. 25. The recent attempt to dismiss D O I 1 as a forgery by Christian Warnke, Die „Hausordnung" von 929 und die Thronfolge Ottos I., in: 919 – Plötzlich König. Heinrich I. und Quedlinburg, hg. von Gabriele Köster / Stephan Freund (Schriftenreihe des Zentrums für Mittelalterausstellungen Magdeburg 5, 2019) p. 117–142, at p. 128–130, fails to explain the presence of the same hand as that in DD O I 2, 3. How could a later Quedlinburg forger have employed the same notary otherwise uniquely attested in Otto I's other earliest diplomas, neither of which was for Quedlinburg or its neighbours? The fact that two hands were involved in producing the diploma also speaks in its favour (*pace* Warnke). Cf. Roach, Forgery and Memory (as n. 19) p. 38 f.

172) Wolfgang Huschner, Abt Odilo von Cluny und Kaiser Otto III. in Italien und in Gnesen (998–1001), in: Polen und Deutschland vor 1000 Jahren. Die Berliner Tagung über den „Akt von Gnesen", hg. von Michael Borgolte (Europa im

to the identification are not merely circumstantial, however. As Barret notes, Heribert D's preference for starting the new year on either the Feast of the Purification (25 March) or Easter would be at least as out of place in Odilo's Cluny as it was in northern Italy[173]. And Heribert D's consistent use of the C-formed chrismon first popularized in East Francia in the mid-ninth century – and increasingly common in Italy by the later years of the tenth – is hard to square with an origin anywhere outside the *Reich* or *regnum Italiae*[174].

So where does this leave us with the Ottonian „chancery“? Huschner is clearly right to challenge traditional thinking on many fronts. While he at times risks caricaturing the Altmeister (Sickel and Bresslau were certainly willing to identify recipient influence, where it was clear), he is correct that they overestimated the chancery – and that the old chancery-recipient binary is itself unhelpful. Most diplomas were drawn up by individuals with a connection to both issuer and recipient; and most of those capable of producing diplomas, did so on more than one occasion. In that respect, pure „chancery“ or „recipient“ production are the exception, not the rule, and only the most active draftsman-scribes (Huschner's „trans-regional“ and „imperial court notaries“) were chancery hands in anything like the Sickelian sense. Even then, there is no reason to believe that the chancery itself was a formal institution, which they joined and left in the manner of a modern government bureau. Rather we are dealing with an informal pool of scribal specialists, on whom the ruler could draw as he traversed his domains.

When it comes to appraising the activity of individual draftsman-scribes, Huschner is at his best discussing more occasional hands, which frequently display a marked regional quality. Whereas Sickel was quick to assume centralization here, identifying imperial notaries in an-

Mittelalter 5, 2002) p. 111–161; IDEM, Transalpine Kommunikation (as n. 10) p. 142, 351 f., 949. Cf. HOFFMANN, Notare (as n. 14) p. 471–474.

173) BARRET, Cluny et les Ottoniens (as n. 15) p. 196–199. At least one Italian draftsman-scribe of the era may indeed have used the Purification to mark the start of the new year: Robert HOLTZMANN, Die Urkunden König Arduins, in: NA 25 (1900) p. 453–479, at p. 457–459; ROACH, Forgery and Memory (as n. 19) p. 241 f.

174) Cf. Erika EISENLOHR, Von ligierten zu symbolischen Invokations- und Rekognitionszeichen in frühmittelalterlichen Urkunden, in: Graphische Symbole in mittelalterlichen Urkunden. Beiträge zur diplomatischen Semiotik, hg. von Peter RÜCK (Historische Hilfswissenschaften 3, 1996) p. 167–262.

yone active for more than one recipient[175], we would do well to follow Huschner in emphasizing the local qualities of these hands. The classic examples are the many Chur and Magdeburg scribes of the era: these were not royal servants, but local figures who periodically assisted the court in charter production. By reconceptualizing their activities, Huschner also shines new light on the leading notaries of the period. Only a handful of figures were in regular imperial service and they need to be treated differently.

Yet it is with these more active hands that Huschner struggles most. The problem is less that he is determined to prove regional interests where there are none, than that he is convinced that most of these figures were leading prelates – „bishops in post and prospect", as he repeatedly puts it[176]. As Merta notes, however, this turn of phrase obscures an important distinction: it is very different to undertake scribal work in hope of promotion than it is to do so as a leading member of the ecclesiastical hierarchy. No-one, save perhaps a bishop-elect, is a „future bishop"[177]. In this respect, Huschner is only able to adduce one convincing case from Otto I's reign of a bishop acting as a trans-regional notary (Hubert of Parma), and this comes from Italy, where our earlier evidence for episcopal notarial activity is strongest. Even so, Hubert's service pales in comparison with that of BA, BB, LF or WB; he is only a leading notary in a quite restricted sense of the term. By contrast, many bishops were active scribes before promotion, both north and south of the Alps; and doubtless many others entered royal service in hope of promotion, then found that this was not forthcoming. A number of bishops were also active in a recipient capacity, as we see with Abraham of Freising, Hartbert of Chur and Pilgrim of Passau. The problem is that Huschner's thesis risks becoming a self-fulfilling prophecy. Because he assumes that charter scribes were in most cases leading bishops, he easily enough finds candidates for their identity. And once he has established palaeographical links between a few of these, he allows himself to start making connections where no such evidence is available.

175) Sickel, Beiträge VI (as n. 2) p. 361f. Cf. Bresslau, Handbuch (as n. 2) 1, p. 414.

176) Huschner, Transalpine Kommunikation (as n. 10) p. 198–214, 617. See also idem, Ottonische Kanzlei (as n. 10) p. 362–365.

177) Merta, Rezension von Huschner (as n. 13) p. 407. Cf. Robert L. Benson, The Bishop-Elect: A Study in Medieval Ecclesiastical Office (1968).

A central plank of Huschner's argument throughout is that it would be anachronistic to imagine bishops employing amanuenses north of the Alps if they did not do so in Italy. Whether the Italian notariat was as episcopal as Huschner claims is open to question[178]; but even if so, it does not follow that its German counterpart must have been equally (or more) so. If anything, we might expect greater reliance on scribal specialists in a region where literacy was more limited; an amanuensis here would not be an anachronism, but a pragmatic response to the scarcity of such skills. Huschner is right that we should be more willing than Sickel was to identify bishops with charter scribes: even if most were not notaries, some clearly were. At the same time, we must not ignore the fact that many bishops had trained notaries in their service, sometimes even before their promotion to the episcopate. The clearest case is that of Hartbert of Chur, who had at least three (and perhaps more) scribes in his service, despite being capable of notarial work himself. The earliest manuscript of Thietmar's *Chronicon* tells a similar tale. While Thietmar was evidently a competent scribe, he left the copying work to others and largely restricted himself to correcting this. The most serious problem is that many of Huschner's identifications are not supported by palaeographical evidence; and those that are, with the notable exceptions of Hubert of Parma and Ambrosius of Bergamo, do not convince. Without such secure proof, his identifications become little more than a *petitio principii*; they are not necessarily wrong, or even implausible, they are simply incapable of falsification.

Nor should we be too swift to dismiss Sickel's point that draftsman was not always scribe, and that episcopal involvement, where present, need not have been scribal. To take an example identified by Sickel himself (but not discussed by Huschner), it is very likely that Rather of Verona composed the diploma Otto I issued for his see in 967, the text of which reveals strong similarities with Rather's other writings. Yet it is most unlikely that Rather was the scribe of this act. For Sickel identified an otherwise unknown Italian hand at work, while Rather's autograph – known from many other manuscripts of the period – bears the hallmarks of his Lotharingian training. Sadly, the original single sheet of the diploma has since been damaged by floodwaters, rendering it all but illegible. But Dario Cervato was able to consult it in its undamaged

178) By Huschner's own admission, there were plenty of Italian ecclesiastics below episcopal rank who had mastered diplomatic minuscule: Transalpine Kommunikation (as n. 10) p. 145–156. Cf. GHIGNOLI, Istituzioni ecclesiastiche (as n. 18), strongly endorsing Huschner's findings.

state in the late 1980s or early 1990s, and he was satisfied that Sickel got it right. It would seem that Rather supplied the text, then had it copied out by a local notary in his service[179]. A similar case is presented by the diploma of 945 of Hugh and Lothar for the canons of Vercelli, which Giacomo Vignodelli argues was composed by Bishop Atto. Though the Latin text bears the signs of Atto's distinctive style, the hand is clearly not the bishop's autograph, as preserved in his subscription to another Vercelli charter of these years[180]. Such arrangements were the norm in the papal chancery, where the recipients typically supplied the main body of the privilege (sometimes including the preamble), which would then be copied out and authenticated by papal notaries in the distinctive curial minuscule of Rome[181]. Moreover, the fact that within the Ottonian realms the appointment of a new chancellor typically coincided with the introduction of multiple new hands to court is itself an indication that these figures had multiple notaries on whom they could draw. If BA were Bruno of Cologne, the equally active BB must have been an amanuensis of sorts; if LF were Liudprand of Cremona (or indeed, chancellor Liudolf), LK was not.

A subject on which Huschner is strangely silent is that of the notarial subscriptions we occasionally see in recognition clauses of

179) D O I 348, Verona, Archivio Capitolare, Pergamene I, 1, 1r, with Dario Cervato, Raterio di Verona e di Liegi. Il terzo periodo del suo episcopato veronese (961–968): scritti e attività (1993) p. 257–261. See also idem, 'In loco qui dicitur insula Sancti Zenonis'. Raterio, Ottone I e la dieta imperiale dell'ottobre-novembre 967, in: Annuario storico zenoniano 10 (1993) p. 35–46, at p. 39–42. On Rather's autograph: Bernhard Bischoff, Anecdota novissima: Texte des vierten bis sechzehnten Jahrhunderts (Quellen und Untersuchungen zur lateinischen Philologie des Mittelalters 7, 1984) p. 10–19; Rather of Verona, Notae et glossae autographicae, ed. by Claudio Leonardi (CC Cont Med. 46a, 1984) p. 291–314. We also possess an apparent autograph subscription of Rather in Verona, Archivio Capitolare, Pergamene I, 4, 7r, though the relevant section is almost illegible. For an edition: Le carte antiche di San Pietro in Castello di Verona (809/10–1196), a cura di Antonio Ciaralli (Fonti: Regesta chartarum 55, 2007) p. 139–145.

180) D HuLo 81, Vercelli, Archivio Capitolare, Diplomi, I Cartella, 8, with Vignodelli, Prima di Leone (as n. 34) p. 64 f. Atto's autograph is preserved in Vercelli, Archivio Capitolare, Diplomi, I Cartella, 9.

181) Hans-Henning Kortüm, Zur päpstlichen Urkundensprache im frühen Mittelalter. Die päpstlichen Privilegien 896–1046 (Beiträge zur Geschichte und Quellenkunde des Mittelalters 17, 1995); Jochen Johrendt, Der Empfängereinfluß auf die Gestaltung der Arenga und Sanctio in den päpstlichen Privilegien (896–1046), in: AfD 50 (2004) p. 1–12.

these years[182]. As noted, by the Ottonian period the scribe of the main text would normally supply the full eschatocol, including royal subscription and chancery recognition. These clauses thus have an artificial character, since the same named authorities „recognize“ acts in many different hands. It may be that the royal subscription, which had not been autograph since the Merovingian period[183], offered the model here; if scribes could ventriloquize the king, then why not also the chancellor, who now typically acted as recognitioner? That these clauses had not lost all meaning is, however, revealed by the periodic appearance of other individuals, particularly in the reigns of Henry I and Otto I. These figures often bear the title of notary (*notarius*) rather than chancellor; and in all cases, they appear in the work of a single draftsman-scribe. Informed by the belief that recognitioner and main scribe had been one and the same in the Carolingian period, Sickel saw this as a throw-back to earlier practices[184]. While this now seems unlikely – recognitioner and notary were rarely the same in the early ninth century – an argument can still be made for identifying these figures with the scribes in question, as Sickel did. The key point is that in all cases their appearances are restricted to the work of a single notary; and a particular concentration can be seen in the years 951–952, when previous arrangements for charter production seem to have been disrupted (in part, by Otto I's bid for the Italian throne). The situation is clearest with Otpert and Wigfrid, who appear repeatedly in the recognition clauses of a single well-attested draftsman-scribe. Most of the other named notaries only appear in a sole surviving single sheet, and sometimes only in a single diploma, so the identification of recognitioner with scribe is more of a working hypothesis. That this is a likely one, however, is revealed by the case of Abraham, who appears as recognitioner of a diploma of 952 for Osnabrück, which is in the same hand as a later privilege for a vassal of Abraham of Freising (in which the bishop himself intervenes). This makes it all but certain that the scribe in question is Bishop Abraham himself, and that the first recog-

182) Cf. HUSCHNER, Transalpine Kommunikation (as n. 10) p. 63–93, largely focusing on what these clauses offer our understanding of the „chancery“ as an organization (and how Sickel and Kehr modelled this).

183) Theo KÖLZER, Ein „Neufund“ zur merowingischen Diplomatik, in: Mediaevalia Augiensia (as n. 8) p. 1–11, at p. 8–11.

184) SICKEL, Beiträge VII (as n. 2). Cf. Die Urkunden Konrad I., Heinrich I. und Otto I., hg. von Theodor SICKEL (MGH DD regum et imperatorum Germaniae 1, 1879–1884) p. 83.

nition clause is notarial (that is to say, written in the name and hand of the scribe responsible for the act). On this basis, we can identify five further draftsman-scribes of Otto I's reign with reasonable confidence, many of whom we have met in passing: Adaldag, Notker, Adalman, Enno and Hoholt[185]. Of these, Adaldag is in all probability the later archbishop of Hamburg, and perhaps also Sickel's Simon E; Notker is a Swabian (probably St Gall) notary, who produced diplomas in favour of St Gall and the bishopric of Chur[186]; Adalman is probably PB; and Hoholt may be BA. It is also conceivable that Enno is BG. Other candidates for named notaries include the Haolt who appears as chancellor in D O I 155 (for Einsiedeln, written in an otherwise unknown hand) and the Tuoto who recognizes as chancellor in a lost diploma for Eichstätt of 955. In both cases, the presumption is that we are dealing with a recipient or local hand[187].

The important thing to note is that no bishops appear in recognition clauses, save in those cases where they are chancellor or (more often) archchancellor/archchaplain. It may be that these offices have obscured episcopal involvement, as Huschner notes: since the chancellor and archchaplain are named in recognition clauses as a matter of course, diplomatists have rarely accorded much significance to their presence. And at least in the cases of Poppo of Würzburg, Ambrosius of Bergamo and Hubert of Parma, the chancellor recognizing the act (or in Hubert's case, the archchancellor in whose name this was undertaken) was often also its scribe. But if prelates such as Adalbert, Giselher and Liudprand had been responsible for producing diplomas on the scale Huschner proposes, we would expect them to appear at least occasionally in the resulting recognition clauses, just as Otpert, Wigfrid and their colleagues do. Indeed, there is no obvious reason why notarial subscriptions should be rarer from bishops than from other figures. And while some allowance must be made for the unusual circumstances of 951–952, the eight to ten individuals identified above can probably be taken as a broadly representative cross-section of the

185) Bresslau, Handbuch (as n. 2) 1, p. 439–441; Fleckenstein, Hofkapelle (as n. 115) p. 35–39. See also Stengel, Immunität (as n. 27) p. 139–141, 146, 153–156, 159–163.

186) DD O I 25, 26. See Sickel, Programm (as n. 2) p. 460f.

187) D O I 155, Einsiedeln, Klosterarchiv, A.AI.3; Edmund von Oefele, Zu den Kaiser- und Königsurkunden des Hochstiftes Eichstätt, in: Archivalische Zs. N. F. 5 (1894) p. 276–283, at p. 281 (no. XIV). On the former: Sickel, Beiträge VII (as n. 2) p. 728; Hoffmann, Schreibschulen des 10. und des 11. Jahrhunderts (as n. 29) 1, p. 48, 58.

Ottonian notariat. From this, it would seem that bishops were sometimes scribes, but only under exceptional circumstances, while even „future bishops“ were by no means a dominant force. This is not to say that individuals such as Otpert were „subaltern“ servants in the manner envisaged by Sickel or Kehr. The fact that they might become bishops and archbishops is a clear sign that they constituted part of the elite; it is simply that they were not (yet) members of its uppermost echelons.

Partial confirmation of these findings is offered by the evidence for diploma production in East Francia and its neighbours in the immediately preceding and succeeding centuries. Though here, too, the evidence is fragmentary and problematic, a number of named scribes are known, and what is striking is how few of these were leading bishops. Thus the recent critical edition of the diplomas of Louis the Pious has facilitated the identification of at least four of Louis' notaries by name, typically in those rare cases where scribe and recognitioner were one and the same. A number of other individuals can be identified from recognition clauses alone, without necessarily having supplied the main text. The crucial point is that none of these figures was a leading bishop or abbot; and indeed, the very large number of hands involved in producing Louis' diplomas makes it unlikely that many (if any) were[188]. Even those nominally in charge of the „chancery“ rarely rose above the rank of abbot in these years. We see similar patterns in the diplomas of Louis' successors in later ninth- and early tenth-century East Francia. Though the status of the chancellorship saw some elevation, now sometimes being occupied by abbots or even bishops, those who supplied recognition clauses remain firmly below episcopal rank; and it stands to reason that the same holds true for the notaries (not least since many recognitioners bear the title *notarius*)[189]. Similar trends can be observed in late Carolingian and early Capetian France. The most common figure here is the chancellor-notary, an individual

188) Die Urkunden Ludwigs des Frommen, hg. von Theo KÖZLER, 3 pts (MGH DD Karol. 2, 2016) p. XXVI–XLII. See further EICHLER, Kanzleinotare (as n. 154); Mark MERSIOWSKY, Die Urkunde der Karolingerzeit. Originale, Urkundenpraxis und politische Kommunikation, 2 pts (Schriften der MGH 60, 2015) p. 666–690; IDEM, Die karolingischen Kanzleien als Problem der Forschung, in: Le corti nell'alto medioevo (Settimane di studio della fondazione Centro italiano di studi sull'alto medioevo 62, 2015) p. 503–541.

189) KEHR, Kanzleien Karlmanns (as n. 5); IDEM, Kanzlei Ludwigs des Deutschen (as n. 5); IDEM, Kanzlei Karls III. (as n. 5); IDEM, Kanzlei Arnolfs (as n. 5); Die Urkunden Zwentibolds und Ludwigs des Kindes, hg. von Theodor SCHIEFFER (MGH DD reg. Germ. ex stirpe Karol. 4, 1960) p. 81–84.

of some standing within the royal chapel (and sometimes a prominent abbot), who often later rose to episcopal dignity, but rarely if ever a bishop in office[190]. In Italy, by contrast, scribes saw a similar elevation in standing to chancellors north of the Alps; and by the later ninth and early tenth centuries, at least some bishops can be identified amongst their ranks (and many appear as recognitioners). Nevertheless, only in a small number of cases did this notarial activity continue uninterrupted after appointment to the episcopate (save in a recipient capacity), the main exception being a few chancellor bishops[191]. In England, we know little certain about the identities of the draftsmen and scribes responsible for royal *acta* before 1066. There is reason to believe that bishops might be involved; nevertheless, they are unlikely to have shouldered the majority of such work.[192] The situation becomes clearer under the later Anglo-Norman and Angevin kings, when a small but significant group of notaries can indeed be identified and sometimes even associated with a known hand. From this sample, it is clear that scribal service was often a route to promotion, including to the episcopate; nevertheless, no bishop in office is known to have regularly produced royal charters and many notaries were of more humble status,

190) Robert-Henri BAUTIER, La chancellerie et les actes royaux dans les royaumes carolingiens, in: BECh 142 (1984) p. 5–80, at p. 27–30.

191) Die Urkunden Ludwigs II., hg. von Konrad WANNER (MGH DD Karol. 4, 1994) p. 1–26; Luigi SCHIAPARELLI, I diplomi dei re d'Italia. Ricerche storico-diplomatiche I: I diplomi di Berengario I, in: Bullettino dell'Istituto storico italiano 23 (1902) p. 1–167, at p. 7–18, 24–34; IDEM, I diplomi dei re d'Italia. Ricerche storico-diplomatiche II: I diplomi di Guido e di Lamberto, in: Bullettino dell'Istituto storico italiano 26 (1905) p. 7–104, at p. 12–29; IDEM, I diplomi dei re d'Italia. Ricerche storico-diplomatiche III: I diplomi di Ludovico III, in: Bullettino dell'Istituto storico italiano 29 (1908) p. 105–207, at p. 107–112; IDEM, I diplomi di Ugo e di Lotario (as n. 34) p. 57–75.

192) Simon KEYNES, Church Councils, Royal Assemblies, and Anglo-Saxon Royal Diplomas, in: Kingship, Legislation and Power in Anglo-Saxon England, ed. by Gale R. OWEN-CROCKER / Brian W. SCHNEIDER (2013) p. 17–182; Tom LICENCE, Edward the Confessor: Last of the Royal Blood (2020) p. 263–281; Robert GALLAGHER, Asser and the Writing of West Saxon Charters, in: English Historical Review 136 (2021) p. 773–808. It has been argued that Æthelwold of Winchester (d. 983) was Edgar A, a highly influential draftsman-scribe of the late 950s and early 960s; but if so, he ceased operating upon promotion to the episcopate: Charters of Abingdon Abbey, ed. by Susan KELLY, 2 pts (Anglo-Saxon Charters 7–8, 2001–2002) p. CXV–CXXI; Simon KEYNES, Edgar, *rex admirabilis*, in: Edgar, King of the English, 959–975: New Interpretations, ed. by Donald G. SCRAGG (2008) p. 3–59, at p. 14–20.

such as the „master Germanus“ responsible for over 80 of Henry II's surviving originals[193].

A similar picture emerges from Salian and Staufer Germany. The leading notary of Henry IV in the 1070s and early 1080s was famously Gottschalk of Aachen[194]. Gottschalk was provost of St Servatius in Maastricht and latterly of the Marienstift in Aachen – an office often used to reward leading chaplains and notaries – and as such a figure of note. Nevertheless, he only rose to these dignities late in his career: Gottschalk is first attested at St Servatius in 1087 and at Aachen in 1098, well after his most active period of scribal service at court. Even so, Gottschalk was more like a Herward of Aschaffenburg than a Willigis of Mainz. Broadly comparable is the case of Rainald H, an important (though not leading) notary under Frederick Barbarossa between 1158 and 1167. Though it was once thought that Rainald H was the imperial chancellor Rainald of Dassel (an identification soon to be resurrected), Rudolf Schieffer has made a case for identifying him with the enigmatic archpoet, an important member of Rainald's clerical entourage[195]. Once more, we seem to be dealing with a prominent figure, but one below episcopal rank. And while Rainald H stands out for his close associations with the chancellor, a different profile is cut by the two other identifiable notaries of Barbarossa's earlier years. The more prominent of these is the chaplain Heribert, who was successively provost of Aachen (1158) and archbishop of Besançon (1163). Yet much like Gottschalk, Heribert's notarial activity is largely

193) T.A.M. Bishop, Scriptores regis. Facsimiles to Identify and Illustrate the Hands of Royal Scribes in Original Charters of Henry I, Stephen, and Henry II (1961); Nicholas Karn, Robert de Sigillo: An Unruly Head of the Royal Scriptorium in the 1120s and 1130s, in: English Historical Review 123 (2008) p. 539–553; Nicholas Vincent, Scribes in the Chancery of Henry II, King of England, 1154–1189, in: Le scribe d'archives dans l'Occident médiéval: formations, carrières, réseaux, éd. par Xavier Hermand / Jan-Francois Nieus / Étienne Renard (2019) p. 133–162.

194) Carl Erdmann / Dietrich von Gladiss, Gottschalk von Aachen im Dienste Heinrichs IV., in: DA 3 (1939) p. 115–174. See also Die Urkunden Heinrichs IV., hg. von Dietrich von Gladiss / Alfred Gawlik, 3 pts. (MGH DD regum et imperatorum Germaniae 6, 1941–1978), 1 (1978) p. XXXVIIf., LXII–LXVI.

195) Rudolf Schieffer, Bleibt der Archipoeta anonym?, in: MIÖG 98 (1990) p. 59–79. See further Peter Godman, The Archpoet and Medieval Culture (2014). Note, however, that Vedran Sulovsky (Cambridge) will be making a case for the likelihood of the old identification with Rainald, on which: Rainer Maria Herkenrath, Reinald von Dassel als Verfasser und Schreiber von Kaiserurkunden, in: MIÖG 72 (1984), p. 34–62.

confined to the years before his promotion: his hand is not seen after his appointment to Aachen, and there is no sign of his influence at all after 1159[196]. The career of Wortwin is broadly comparable. He was a canon of Würzburg and was initially active as an episcopal notary there, before starting to draft and copy imperial diplomas in the mid- to late 1160s. Until 1171, Wortwin balanced duties at court with occasional service back at Würzburg. This then came largely to a halt when Wortwin was appointed protonotary in 1172. Thereafter he is attested as provost of the collegiate church of St Andrew in Worms (probably in early 1179) and as provost of the Neumünster in Würzburg (in 1180). He subsequently became provost of Aschaffenburg, in which guise he is attested in 1183; and by 1186, he was also provost of St Victor in Mainz. During his time as protonotary, Wortwin only seems to have been involved in producing diplomas twice, and it is clear that his election to the Neumünster coincided with his departure from court (and probably also his resignation from the provostship of St Andrew)[197]. Imperial notaries of the later eleventh and twelfth centuries were thus important figures, but they were rarely if ever bishops in office; indeed, they were often not yet provosts. And beyond Rainald, the closest we come to Huschner's picture of leading prelates as draftsman-scribes is Wibald of Stablo, who may indeed have combined high ecclesiastical office (albeit abbatial rather than episcopal) with notarial service. Yet the identification of Wibald with Arnold E is disputed, and there is little reason in any case to believe that Wibald (or Rainald) represents the norm[198].

Much of the above discussion has, of necessity, been quite technical and critical. Before concluding, it is therefore worth emphasizing once more how much we are all in Huschner's debt. His *opus magnum*, the implications of which have yet to be fully digested, represents the most serious rethinking of Ottonian diplomatic in over a century. If

196) Die Urkunden Friedrich Barbarossas, hg. von Heinrich APPELT, 5 vols. (MGH DD regum et imperatorum Germaniae 10, 1975–1990), 5 (1990) p. 29 f.

197) Ibid. p. 22 f., 43 f.; Friedrich HAUSMANN, Wortwin. Protonotar Kaiser Friedrichs I., Stiftspropst zu Aschaffenburg, in: Aschaffenburger Jb. 4 (1957) p. 321–372.

198) Friederich HAUSMANN, Die Reichskanzlei und Hofkapelle unter Heinrich V. und Konrad III. (Schriften der MGH 14, 1956) p. 167–257, sums up traditional wisdom well. In light of the objections raised by Hartmut HOFFMANN, Das Briefbuch Wibalds von Stablo, in: DA 63 (2007) p. 41–70, recent scholarship has been more circumspect: Das Briefbuch Abt Wibalds von Stablo und Corvey, hg. von Martina HARTMANN, 3 pts (MGH Briefe d. dt. Kaiserzeit 9, 2012) p. XLIVf.

on some fronts, Huschner has overreached, it is only to be expected. Works of great insight are rarely free from blemishes, as Sickel's own œuvre attests. On a host of subjects, from recipient influence to scribal agency, Huschner is right, and even where he is not, he has done us all a huge favour in questioning received wisdom. At the same time, it is important to test Huschner's bolder theses. And if this article may seem like an extended game of academic nit picking, it is because there are indeed nits to be picked. It makes a difference whether LF was Liudprand; it matters if Odilo of Cluny was Heribert D. If we are to build on Huschner's foundations, we must make sure these are solid. In many cases, they are; but in some, they are not.

Where this leaves us with the „chancery“ is a good question. Huschner is probably right to eschew the term, which all too easily assumes institutionalization and routine royal service, and we would do well to follow him in preferring the more flexible designations „court“ and „court notary“. Huschner's picture of devolved and varied charter production sits well with more recent work on Carolingian diplomatic, which has shown that great consistency can be achieved without a regular body of scribes in royal service. In the tenth century, too, the ability to produce diplomas was not the preserve of a small cadre of court clerks, but rather found quite widely across Germany and northern Italy. Equally welcome is Huschner's emphasis on the contribution of these draftsman-scribes to the texts they produced. Even if most of these figures were not bishops, they were far from insignificant players, and as work on Gottschalk, Wibald and the Archpoet reveals, they could make a decisive contribution to court culture and ideology.

Under the Ottonians, it seems that there existed a pool of draftsman-scribes of varying degrees of experience and expertise, on whom rulers drew in an *ad hoc* manner as they travelled from palace to palace. The common denominator was physical presence at or proximity to court: when present, any experienced scribe might be called upon to play a part in charter production, and the same scribes were typically called on more than once, even in the case of local or recipient notaries. The most active of these figures were those present at court much of the time; they were evidently in some form of more regular royal service. Such service need not, however, have been exclusive or permanent. Others appear more periodically, either when the court happened to be passing by or when they travelled to court to represent local interests. Charter production and the royal itinerary thus intersected in more ways than even Eckhard Müller-Mertens realized: not only do patterns

of diploma production reflect the movements of king and court, but they also map onto the activities of different notaries[199]. All this is a far cry from the formal government bureau envisioned by Sickel.

At the same time, we must we wary of throwing out the baby with the bathwater. A large number of documents were produced by scribes in regular royal employ, even if further study is likely strip them of a few diplomas. And there is no denying a strong centralizing element in charter production of these years, particularly when we compare Otto I's *acta* to those of his French and English counterparts[200]. Even when recipients took the lead, they generally marched to the tune of the court, responding to (and sometimes subverting) the matrix of the imperial diploma developed and maintained there. Indeed, the majority of recipient and regional court notaries come from religious houses which enjoyed close connections to king and court – places such as Magdeburg, Quedlinburg and Chur. We must also reckon with considerable archival losses, particularly among lay recipients. This is an especially salient point. As work towards the recent edition of the charters of Henry II of England has shown, even in the bureaucratic world of the twelfth-century „Angevin Empire", recipient production remained common (particularly in Henry's earlier years) and the chancery, such as it was, is most visible in documents in favour of laymen[201]. Exam-

199) MÜLLER-MERTENS, Reichsstruktur (as n. 114); IDEM, Verfassung des Reiches (as n. 130). See also BERNHARDT, Itinerant Kingship (as n. 98); Hagen KELLER, Reichsstruktur und Herrschaftsauffassung in ottonisch- frühsalischer Zeit, in: FMSt 16 (1982) p. 74–128; Andreas KRÄNZLE, Der abwesende König. Überlegungen zur ottonischen Königsherrschaft, in: FMSt 31 (1997) p. 120–157. It is no coincidence here that Huschner was a student of Müller-Mertens: Wolfgang HUSCHNER, Professor Dr. Eckhard Müller-Mertens als Hochschullehrer an der Humboldt-Universität zu Berlin, in: Beiträge zum Ehrenkolloquium von Eckhard Müller-Mertens anlässlich seines 90. Geburtstages, hg. von Michael BORGOLTE (2014) p. 41–46.

200) French: Geoffrey KOZIOL, The Politics of Memory and Identity in Carolingian Royal Diplomas (Utrecht Studies in Medieval Literacy 19, 2012); Olivier GUYOTJEANNIN, Actes royaux français – Les actes des trois premiers Capétiens (987–1060), in: Typologie der Königsurkunden, hg. von Jan BISTŘICKÝ (1998) p. 43–63; English: KEYNES, Church Councils (as n. 192); Regesta regum Anglo-Normannorum: The acta of William I (1066–1087), ed. by David BATES (1998) p. 96–109. The Islamic world was far more precocious in this respect: Marina RUSTOW, The Lost Archive: Traces of a Caliphate in a Cairo Synagogue (2020).

201) VINCENT, Scribes in the Chancery (as n. 193) p. 159–162; IDEM, English (and European) Royal Charters: From Reading to Reading, in: Reading Medieval Studies 46 (2020) p. 69–127, at p. 104–106. Cf. The Letters and Charters of Henry II: King of England 1154–1189, ed. by. Nicholas VINCENT, 7 vols. (2020–2022).

ination of the thirty-five or so originals of Otto I for lay recipients is instructive here. Of these, thirty were ascribed by Sickel and his team to figures we might consider court notaries of some description[202]. Of the remaining five, two were produced by individuals who later entered imperial service (Hildibald B and Folkmar A); one was written by Abraham of Freising in favour of his own vassal (D O I 279); one is of questionable status; and one defies further definition[203]. How much more centralized Ottonian diploma production would look had the lay archives of the period survived more fully is, therefore, one of those Rumsfeldian known unknowns[204].

There are wider implications here for our understanding of Ottonian kingship. Though few medieval rulers interested themselves in the day-to-day business of charter production, there can be little doubt that more centralized regimes tend to control the issuing of sovereign *acta* more tightly[205]. In this respect, Huschner originally framed his arguments as part of wider efforts to deconstruct Ottonian rulership in the 1990s and early 2000s. Just as Gerd Althoff, Hagen Keller and Johannes Fried had questioned the power and administrative reach of the Liudolfings, so Huschner queried the sophistication (indeed, the very existence) of the imperial chancery. Where Karl Leyser had seen this and the chapel as among the few truly impressive institutions of Ottonian government[206], in Huschner's hands, it starts to look decidedly pedestrian. More recently, a number of American scholars, led by

202) DD O I 17, 33, 40, 49, 52, 56, 57, 59, 60, 65, 69, 71, 78, 87, 113, 114, 129, 152, 160, 193, 197, 198, 204, 207, 311, 327, 352, 370.

203) DD O I 101, 220, 223, 279, 330. Of these, the first is of uncertain status, the second is in Folkmar A's hand, the fourth can be ascribed to Abraham and the fifth belongs to Hildibald B.

204) For comparative perspectives: Documentary Culture and the Laity in the Early Middle Ages, ed. by Warren Brown / Marios Costambeys / Matthew Innes / Adam Kosto (2012).

205) See, e.g., Rustow, The Lost Archive (as n. 200); Graham A. Loud, The Chancery and Charters of the Kings of Sicily (1130–1212), in: English Historical Review 124 (2009) p. 779–810; Nicholas Vincent, Royal Diplomatic and the Shape of the Medieval English State, 1066–1300, in: Identifying Governmental Forms in Europe, c. 1100–c. 1300, ed. by Alice Taylor (forthcoming). Cf. Hartmut Hoffmann, Eigendiktat in den Urkunden Ottos III. und Heinrichs II., in: DA 44 (1988) p. 390–423.

206) Karl J. Leyser, Ottonian Government, in: English Historical Review 96 (1981) p. 721–753, at p. 725. See similarly Laura Wangerin, Kingship and Justice in the Ottonian Empire (2019) p. 17; and cf. Henry Mayr-Harting, Karl Josef Leyser (1920–1992), in: Proceedings of the British Academy 94 (1996) p. 599–624, at p. 615.

Bernard and David Bachrach, have challenged these presumptions, arguing (partly on the basis of the charter evidence) that Ottonian kingship depended on a sophisticated bureaucratic apparatus and significant recourse to the written word[207]. The evidence surveyed here suggests that both assessments are somewhat wide of the mark[208]. That so many draftsman-scribes of the period were local or occasional is a clear indication of the informality of Ottonian rulership, at least when it came to diploma production. Improvisation, not bureaucratization, was the order of the day. Nevertheless, the degree of consistency achieved in the resulting documents, at least by tenth-century standards, demonstrates that this remained a fundamentally court-focused system; even recipient scribes sought to mimic the forms of their more active court counterparts. Moreover, the very fact that so many figures were capa-

207) Bernard S. BACHRACH, Magyar-Ottonian Warfare: *À propos* a New Minimalist Interpretation, in: Francia 27,1 (2000) p. 211–230; David S. BACHRACH, Exercise of Royal Power in Early Medieval Europe: The Case of Otto the Great 936–73, in: Early Medieval Europe 17 (2009) p. 389–419; IDEM, The Written Word in Carolingian-Style Fiscal Administration under King Henry I, 919–936, in: German History 28 (2010) p. 399–423; Bernard S. BACHRACH and David [S.] BACHRACH, Early Saxon Frontier Warfare: Henry I, Otto I, and Carolingian Military Institutions, in: The Journal of Medieval Military History 10 (2012) p. 17–60; David S. BACHRACH, Immunities as Tools of Royal Military Policy unter the Carolingian and Ottonian Kings, in: ZRG: GA 130 (2013) p. 1–36; IDEM, Inquisitio as a Tool of Royal Governance under the Carolingian and Ottonian Kings, in: ZRG: GA 133 (2016) p. 1–80; IDEM, Royal Licensing of Ecclesiastical Property Exchanges in Early Medieval Germany: Ottonian Practice on Carolingian Foundations, in: Viator 48,2 (2017) p. 93–114; IDEM, Royal Justice, Freedom, and Comital Courts in Ottonian Germany, in: ZRG: GA 137 (2020) p. 1–51; IDEM, The Foundations of Royal Power in Early Medieval Germany: Material Resources and Governmental Administration in a Carolingian Successor State (2022). I am grateful to David Bachrach for making the latter study available to me in advance of publication. See also WANGERIN, Kingship and Justice (as n. 206), to somewhat similar effect; and note, too, the earlier objections of August NITSCHKE, Karolinger und Ottonen. Von der karolingischen „Staatlichkeit" zur „Königsherrschaft ohne Staat"?, in: HZ 273 (2001) p. 1–29; and Hans-Wener GOETZ, Die Wahrnehmung von „Staat" und „Herrschaft" im frühen Mittelalter, in: Staat im frühen Mittalter, ed by Stuart AIRLIE / Walter POHL / Helmut REIMITZ (Forschungen zur Geschichte des Mittelalters 11, 2006) p. 39–58, at p. 55–58. Cf. Steffen PATZOLD, Capitularies in the Ottonian Realm, in: Early Medieval Europe 27 (2019) p. 112–132, which also has important implications here.

208) Closest to my estimation is that of Roman DEUTINGER, Staatlichkeit im Reich der Ottonen – ein Versuch, in: Der frühmittelalterliche Staat – europäische Perspektiven, hg. von Walter POHL / Veronika WIESER (Forschungen zur Geschichte des Mittelalters 16, 2009) p. 133–144.

ble of such work is a sign that the written word was highly valued, both at and beyond court.

The Ottonian chancery, if we allow ourselves the anachronism, was thus no monolith, but it was equally not run „from a box under the bed“, to borrow Vivian Galbraith's oft-quoted dictum[209]. In a period often thought poor in sources and lacking in literacy, the large number of well-produced diplomas in the name of Otto I serves as a reminder that neither of these characterizations is entirely fair. And if what is proposed here seems like an awkward compromise – a fudge between the radical revisionism of Huschner and the reactionary recalcitrance of Hoffmann (channelling his inner Sickeliote[210]) – it is because that is what the evidence dictates. *Res ipsa loquitur*.

Summaria

Seit ihrer Veröffentlichung Ende des 19. Jh. gelten Theodor Sickels Editionen der Urkunden der ottonischen Herrscher als erstrangige Dokumente der frühen Diplomatik. Doch mit den grundlegenden Fragen, wie und durch wen diese Urkunden hergestellt wurden, hat bisher kaum jemand sich näher auseinandergesetzt; als Ausnahme ist lediglich die bahnbrechende, wenn auch nicht ohne Widerspruch aufgenommene Habilitationsschrift von Wolfgang Huschner aus dem Jahr 2003 hervorzuheben. Der Aufsatz unterzieht sowohl Sickels als auch Huschners Thesen zur ottonischen „Kanzlei“ einer Revision, wobei er sich auf die Regierungszeit Ottos I. konzentriert. Es zeigt sich, dass keinem der beiden Forscher unumschränkt zuzustimmen ist. Es gibt keinen Grund, wie Huschner anzunehmen, dass die prominentesten Notare unter den führenden Bischöfen der Zeit zu suchen seien; auf der anderen Seite steht aber auch fest, dass sie auf keinen Fall solche niederen Funktionäre gewesen sein können, wie Sickel vermutete. In Wirklichkeit waren die Verfasser und Schreiber von Urkunden norma-

209) Vivian Hunter GALBRAITH, Studies in the Public Records (1948) p. 45. However, note VINCENT, Royal Diplomatic (as n. 205), observing that „[c]ontrary to Galbraith's assumptions, the twelfth-century ‚scriptorium' may have begun as just such a box“; the same doubtless holds true in Germany.

210) On Sickel and the „Sickelioten“: Heinrich FICHTENAU, Diplomatiker und Urkundenforscher, in: MIÖG 100 (1992) p. 9–49, at p. 15–30; Annekatrin SCHALLER, Michael Tangl (1861–1921) und seine Schule. Forschung und Lehre in den Historischen Hilfswissenschaften (Pallas Athene 7, 2002) p. 20–44, 65 (for the term).

lerweise hochrangige Kirchenmänner, nur eine Stufe unterhalb der Bischöfe und Äbte. Oft handelte es such um aufstrebende junge Kleriker am Beginn ihrer Karriere.

Since first published in the late nineteenth century, Theodor Sickel's editions of the diplomas of the Ottonian rulers have stood as leading monuments of early diplomatic. With the notable exception of Wolfgang Huschner's pioneering (if controversial) Habilitationsschrift of 2003, there has, however, been little further effort to grapple with fundamental questions of how and by whom such documents were produced. Focusing on the reign of Otto I, the present study revisits Sickel's and Huschner's arguments regarding the Ottonian „chancery", demonstrating that neither can be accepted *in toto*. There is no reason to believe that most prominent notaries of the era were leading bishops, as Huschner would have it; at the same time, it is clear that such figures were far from the low-level functionaries once envisaged by Sickel. Rather, diploma draftsmen and scribes were typically ecclesiastics just below episcopal or abbatial rank, often up-and-coming young churchmen at the start of their careers.