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INTRODUCTION

Forgery and Memory in an Age of Iron

FORGERY WAS NOT particular to Europe or the Middle Ages. It was known in ancient Greece and Rome, where authors such as Galen and Martial railed against literary impersonation; it was also rife in early Christian society, with many of the biblical apocrypha—not to mention a number of now-canonical texts—being products of forgery.¹ Nor was falsification new then. Some Old Testament books bear the hallmarks of forgery (most notably, Daniel); and evidence of textual falsification can be traced even further back, to the very origins of Eurasian civilization in the Nile, Tigris and Euphrates valleys.

These early fakes have much to teach the scholar of ancient and medieval forgery. Perhaps the oldest on record is a decree of the eighteenth-dynasty pharaoh Amenhotep III (c. 1391–c. 1353 BC) for his funerary temple in Thebes. This survives as an inscription exempting the temple from the normal demands of royal officers, save the local mayor of West Thebes. But while this may look perfectly *pukka*, there was no mayor of West Thebes in Amenhotep's reign; and the hieroglyphs themselves are formed in a manner not seen before the twenty-first dynasty (c. 1169–c. 945 BC), some three to four hundred years later. Evidently this was an attempt, probably around the turn of the first millennium BC, to claim special rights for a once-important centre.² A similar situation is reflected in the Cruciform Monument, found at the Ebabbar temple at Sippar (modern Tell Abu Habbah in Iraq) and now housed in the British Museum in London. This records the successes of the Akkadian ruler Maništusu (c. 2270–c. 2255 BC) and the gifts he made to the temple.³ The

1. Speyer, *Literarische Fälschung*. On Graeco-Roman forgery, see further Peirano, *Rhetoric*; Higbie, *Collectors, Scholars, and Forgers*; and on early Christian forgery: Ehrman, *Forgery and Counterforgery*, and *Lost Christianities*, 9–89.

2. Murnane, 'Organization of Government', 219–20.

3. Rollston, 'Forging History', esp. 177–80.

inscription is written in the king's voice; however, the form it takes can be no earlier than the Old Babylonian period (c. 2000–c. 1600 BC), and probably belongs to the Neo-Babylonian period (c. 626–c. 539 BC), over a millennium and a half later.

A final early example is offered by the Famine Stele, located on Sehel Island in the Nile. This records a severe seven-year famine and drought which struck Egypt under the third-dynasty pharaoh Djoser, in the mid-third millennium BC. Disaster is reported to have been averted only when the pharaoh's leading adviser, Imhotep, suggested that Djoser appeal to Khnum, the god of the Nile based at Elephantine. This last roll of the dice succeeded and, as a consequence, Djoser granted the temple traditional pharaonic prerogatives in the region. Yet as in the previous cases, the story is too good to be true. As it survives, the Stele is clearly a product of the Ptolemaic period (c. 332–30 BC), over two millennia after its purported date. This was a time when myths and legends surrounding Imhotep—subsequently immortalized by Boris Karloff in the 1932 Hollywood blockbuster *The Mummy* (and more recently reprised by Arnold Vosloo in its 1999 remake)—were rife; it was also a time in which the priests of Elephantine lost many of their local rights to the temple of Isis at neighbouring Philae.⁴ Once more, we are dealing with creative anachronism. The defining feature of these early fakes—and doubtless many others, since lost (or as yet unidentified)—is a desire to use the past to cement current claims. It is no coincidence that they should all belong to religious houses. In ancient Egypt and the Middle East, as in medieval Europe, the religious classes were specialists in literacy, some of the few capable of presenting and recording complex claims in written form. They also possessed a strong sense of corporate identity (like the later medieval clergy), which encouraged the creation of such false narratives.

Yet if the desire to deceive (and be deceived) is universal, the manner in which it is pursued is not. In the ancient Middle East, our best evidence comes (not surprisingly) from the epigraphic record, not least in the form of the monuments just mentioned. In ancient Greece and Rome, we begin to hear more of the falsification of ephemeral records, with forged wills figuring in the great codifications of Roman law by Theodosius (438) and Justinian (529 × 534). We can also observe the first vogue for authorial impersonation, reflecting the growing importance of named authors within the literary canon. Such literary falsification would later flourish among the Renaissance humanists of early modern Europe, who drew much of their inspiration from Classical antiquity. In the seventeenth and eighteenth centuries, meanwhile, the Grand Tour sparked a similar boom in epigraphic forgery, as continental dealers sought to meet the new demand for antiquities in north-western Europe.

4. Ibid. On Imhotep, see Wildung, *Egyptian Saints*; on the loss of rights: Hölbl, *Ptolemaic Empire*, 167–68.

The nineteenth and early twentieth century then saw a similar spike in counterfeit Greek, Middle Eastern and (above all) Egyptian texts and artefacts, as growing scholarly expertise, improved transportation and the development of European and American museum collections combined to inspire successive waves of Graeco- and Egyptomania. In more recent times, artwork and currency have garnered the lion's share of falsifiers' attention (and with it, the public eye); nevertheless, the antiquities market has also seen a significant uptick in false wares, particularly since the discovery of the Dead Sea Scrolls in the 1960s.⁵

In the European Middle Ages, the most common form of forgery—at least so far as our records reveal (an important caveat)—was the manufacture of false documents. Indeed, the period has, with some justification, been seen as a golden age of documentary forgery, a time before modern means of criticism, when the counterfeit was king. Numbers bear this out. Well over half of the surviving diplomas in the names of the Merovingian Frankish rulers of mainland Europe (c. 481–752) are products of forgery; a third of the charters of the Lombard rulers of northern Italy (568–774) are suspect; and over a third of the documents from pre-Conquest England have been tampered with in some way.⁶ In almost all cases, these adjustments were made in the Middle Ages, sometimes within a lifetime or two of the documents' purported dates. Not surprisingly, forgers were particularly drawn to famous figures. Just as the creators of the Famine Stele latched onto the legendary Imhotep, so in the Middle Ages falsifiers saddled their productions on well-known and authoritative individuals, such as the Merovingian ruler Dagobert I (623–39), the Carolingian emperor Charlemagne (768–814) and the last monarch of Anglo-Saxon England's native line, Edward the Confessor (1042–66).⁷

Medieval Forgery and Modern Scholarship

As a general rule, the earlier one goes and the more famous the ruler, the higher the proportion of fakes. This was already known in the Middle Ages. But before the development of modern means of investigation—and before

5. Ancient Greece and Rome: Speyer, *Literarische Fälschung*, 111–49; Higbie, *Collectors, Scholars, and Forgers*; Peirano, *Rhetoric*; early modern Europe: Stephens and Havens, eds, *Literary Forgery*; Grafton, *Forgers and Critics*; Rowland, *Scarith*; the Grand Tour: Barron, 'Latin Inscriptions'; Egyptomania: Fiechter, *Egyptian Fakes*; various aspects of modern forgery: Rollston, 'Non-Provenanced Epigraphs'; Mihm, *Nation of Counterfeiters*; Lenain, *Art Forgery*; Keats, *Forged*; Davis, 'Caves of Dispute'.

6. Brühl, *Studien zu den merowingischen Königsurkunden*, and *Studien zu den langobardischen Königsurkunden*; Kölzer, *Merowingerstudien*; Sawyer, *Anglo-Saxon Charters*.

7. Brühl, *Studien zu den merowingischen Königsurkunden*; Hägermann, 'Urkundenfälschungen'. The specific interest in Dagbobert is being considered by Guy Halsall, who has kindly shared some of his preliminary thoughts with me.

the advent of print, allowing findings to be disseminated swiftly (and comparatively inexpensively)—charter criticism was always an uphill battle.⁸ The more that scholarly understanding of documentary traditions has developed, therefore, the higher estimations of forgery have become.

In fact, the formal study of medieval documents owes its existence to questions of forgery and authenticity. It was the claim of Daniel Papebroch (d. 1714), that no genuine document survived in the name of an early Merovingian king, which famously spurred the great French Maurist Jean Mabillon (d. 1707) to pen his pioneering treatise on the subject, *De re diplomatica* (On matters relating to charters; 1681). In this, Mabillon established the first serious criteria for judging medieval documents, many of which are used to this day. These were not, however, ivory tower debates. Mabillon's own sometime abbey of Saint-Denis possessed a large number of Merovingian charters (both forged and authentic) and Papebroch's attacks had implications for the centre's standing. Mabillon's work, for all its undoubted learning, was therefore not the act of dispassionate reasoning modern historians have often imagined; it was, first and foremost, a means of defending his own turf.⁹

Still, it was out of these and similar exchanges that the academic study of medieval documents ('diplomatic') was born, starting with Mabillon's own *De re diplomatica*—'On Diplomatic', as we might now call it. As a dedicated subject of study, however, diplomatic first came into its own with the professionalization of the historical profession in the second half of the nineteenth century. At this point, Theodor Sickel (d. 1908), Arthur Giry (d. 1899) and Carlo Cipolla (d. 1916)—to name but three of the most prominent practitioners—made an art of such criticism, turning diplomatic into its own distinctive subdiscipline, with chairs, schools and departments. The focus of these scholars' work was largely editorial, and the attitude taken towards forgery contemptuous; false texts were a problem to be overcome, not a matter of interest in their own right. Once identified, counterfeits could be safely relegated to well-deserved obscurity, often in an appendix to the edition in question. Yet as diplomatic developed in the later nineteenth and early twentieth century, opinions began to change. This was partly a product of the natural evolution of the discipline. As more and more documents came to be edited, scholars started to emphasize their role as interpreters as well as editors of these. Ascertaining forgery and authenticity was now just the first step; the next lay in appreciating what the texts had to say about their wider historical context.¹⁰ Important impetus also came from pioneering studies of a number of particularly large and important forgery complexes, including those at Reichenau, Monte Cassino

8. On medieval charter criticism: Bougard and Morelle, 'Prévention'.

9. Brühl, 'Entwicklung'.

10. Ghignoli, 'Definizione dei principi'. See also Tessier, 'Leçon d'ouverture', esp. 262.

and Saint-Denis. These revealed just how subtle (and systematic) medieval forgers could be, and how important it was to study their work in isolation.¹¹

As ever more forgeries came to be identified (and associated with known figures), their value as sources in their own right became clearer. Such texts may tell us little about their purported point of origin, but they reveal much about the context in which they were confected—about the concerns of the forgers and the threats faced by their communities. Forgery was, moreover, far too widespread to be dismissed as the reserve of one or two recalcitrant rogues; it was practised by many of medieval Europe's great and good, including leading bishops, abbots and intellectuals. This revelation posed the 'problem of medieval forgery': how was an age of faith also an age of falsification? This question famously drove T. F. Tout (d. 1929), one of England's pioneers of diplomatic, in his study of 'Mediaeval Forgers and Forgery' (1919). Tout emphasized that medieval sensibilities were very different from modern ones, noting that 'it was almost the duty of the clerical class to forge'; by doing so, it served God and his earthly communities.¹² Similar themes were later taken up by Horst Fuhrmann (d. 2011), Christopher Brooke (d. 2015), and Giles Constable (1929–), in the mid- to later years of the twentieth century.¹³ The central contention of their work, like that of Tout, was that medieval attitudes toward truth and fiction were different from our own. In an era in which divine providence was felt to guide historical events, the study of the past possessed a pronounced moral dimension; true history was that which accorded with God's plans, not necessarily that attested by prior documents. Medieval forgers may, therefore, have acted in the conviction that they were doing good. Most falsification was, on this view, pious fraud (or *pia fraus*), intended to enlighten, not to deceive.

There is much to be said for this approach. It reminds us that attitudes towards truth and falsehood are culturally conditioned; it also explains why manifestly God-fearing men were willing to forge, sometimes on epic scales. But lingering doubts remain. If forgery was acceptable in the Middle Ages, why was it so often condemned by contemporaries, from the ninth-century Frankish archbishop Hincmar of Reims (d. 882) to Pope Innocent III (d. 1216)? And if the ends really justified the means, why is no medieval forger known to have excused his work on these grounds?¹⁴ The closest we come to a forger's own perspective is the remarks of the late antique theologian Salvian (d. c. 450), who when (rightly) accused of appropriating the name of the

11. Lechner, 'Schwäbische Urkundenfälschungen'; Caspar, *Petrus Diaconus*; Levillain, 'Études'.

12. Tout, 'Mediaeval Forgers', 208.

13. Fuhrmann, *Einfluß und Verbreitung*, 64–136 (reprising material first published in 1963); Brooke, 'Approaches'; Constable, 'Forgery and Plagiarism'. See also Fuhrmann, 'Fälschungen'.

14. E. A. R. Brown, 'Falsitas'; Koziol, *Politics of Memory*, 315–99.

apostle Timothy for his tract on avarice (*Ad ecclesiam*), responded that he had done so only to ensure that his teachings received the widest possible audience. Here we do indeed see elements of an ‘ends justify the means’ morality. But significantly, Salvian does not deny the accusation of deception. By his own admission, he used Timothy’s name because it carried greater weight than his own. Salvian did not really think Timothy had written such words; he merely wished the apostle had.¹⁵

The key to cutting this Gordian knot lies in distinguishing motives from intentions.¹⁶ Intentions are our immediate goals, while motives are our grounds for seeking these. Viewed in these terms, the *motives* of medieval forgers, like many of their antique and biblical forbears, may indeed have been pure (to restore what once was or should have been), but their *intentions* remained duplicitous (they wanted their documents to pass for the purportedly lost originals). Like Salvian, they did wish to deceive their contemporaries (and perhaps themselves); otherwise there would have been no point in the exercise. What good was a diploma in the name of Charlemagne, if no one thought it his? Why project present claims onto the past, if this did not fool anyone? The answer is obvious: they did, and it did.

Forgery, Rights and Charters in the Tenth and Eleventh Centuries

As Mabillon and Papebroch appreciated, we must understand how authentic documents were drawn up if we are to identify fakes. Forgeries were not produced in a vacuum; they are products of medieval documentary traditions, and typically offer hints as to the true context of their production. The difficulty lies in identifying the more subtle of these errors across the space of a millennium or more. In practice, this is best achieved by comparing suspect documents with authentic ones, and earlier texts with later ones from the house or region in question.

Since much hinges on these matters, it is worth setting out some of the general principles behind charter production. The focus here is on those documents issued in the names of rulers—what are known as royal charters or diplomas—from the tenth and eleventh centuries, though many of the same principles hold elsewhere (especially with regard to papal documents). Two matters concern us above all: who was responsible for these texts, and how they went about producing them. There has been considerable change in scholarly opinion on both fronts. Deeply influenced by the developing national

15. Salvian of Marseille, *Epistola* 9, ed. Lagarrigue, 120–32, with Ehrman, *Forgery and Counterforgery*, 94–96. See further P. Brown, *Through the Eye of a Needle*, 436–41.

16. Ehrman, *Forgery and Counterforgery*, 97–121. Ehrman’s distinction is anticipated by E. A. R. Brown, ‘*Falsitas*’, 103.

bureaucracies of the nineteenth century, early pioneers of diplomatic viewed charter production as a fundamentally top-down, bureaucratic affair: official documents were drawn up by a formal writing office (the chancery), operating in the name of the ruler. This was overseen by the chancellor—medieval middle management at its finest—and staffed by professional ‘chancery scribes’, whose chief responsibility lay in the production of public acts. Any individual responsible for more than two or three documents in a ruler’s name was generally identified as a chancery scribe and presumed to be in more or less permanent royal employ. The assumption was, therefore, of a high degree of centralization: documents were produced by professionals operating under close administrative oversight.¹⁷

As even early diplomatists were aware, however, not all diplomas can be ascribed to a central writing office. Some were clearly drawn up locally, most often by the recipients of the grant in question. This was especially common in the case of important religious houses, which were well stocked with scribes, many of whom had experience of drafting and copying such texts. Yet recipient production presented—and continues to present—scholars with particular problems. By its nature, it tends to be limited to an individual house or region, leaving a similar archival footprint to forgery (which is also a localized affair, typically limited to a single centre). As a consequence, it can be hard to distinguish anomalies arising from authentic recipient production from those resulting from later local tampering. It is partly for this reason that nineteenth-century scholars were keen to downplay the role of the recipient in charter production—it presented major (at times insoluble) methodological challenges. Indeed, Sickel famously deemed only ‘chancery-form’ (*kanzleigemäß*) diplomas to be above reproach; all others stood under a cloud.¹⁸

Work over the last century has done much to challenge these presumptions.¹⁹ It is now clear that medieval governance was more informal than nineteenth-century scholars imagined. And nowhere are changing attitudes clearer than in the case of the ‘chancery’ (now firmly in inverted commas). Though some established royal (and papal) scribes can be identified in the early to central Middle Ages, no more than a handful were in court employ at any time—and even these figures were more independent than traditional wisdom holds. Most combined duties at court with responsibilities elsewhere, often at local religious houses; and even those in regular royal service did not sever ties to friends and associates in other parts of the realm. Charter scribes were not, therefore, members of a formal government bureau, but rather

17. Bresslau, *Handbuch*, i, 41–43, 352–582; Giry, *Manuel de diplomatique*, 661–822.

18. Sickel, ‘Beiträge zur Diplomatik VI.’, 360–62.

19. Klewitz, ‘Cancellaria’; Tessier, ‘Originaux’; Bautier, ‘Leçon d’ouverture’; Huschner, *Transalpine Kommunikation*, 18–94; Guyotjeannin, Pycke and Tock, *Diplomatique médiévale*, 223–27.

periodic associates of king and court. In this respect, ‘chancery’ and ‘recipient’ production are not alternatives, but either end of a sliding scale, with most documents falling somewhere between these poles. Typically, the person responsible for drawing up an act had a connection to *both* the issuer and recipient. And even when the recipients took the lead, they operated under royal fiat; the difference might be slight.

In terms of the mechanics, charters were normally drawn up shortly after the act of donation or confirmation they record.²⁰ The final text represents a fair copy of earlier working drafts. And normally, the same individual would be responsible for both draft and copy—in the technical language of diplomatic, he (or less often she) was draftsman and scribe. When the contents of a document were known in advance (as in the case of confirmations), the text might be largely drafted and copied before the transaction and simply approved and completed on this occasion. In such cases, earlier charters relevant to the rights in question would normally be brought to court alongside the new privilege, which would itself be modelled on these precedents, often repeating their terms verbatim. With new grants, draftsmen and scribes were freer in their choice of models, but naturally followed prevailing styles. (This is how we catch our forgers; because they do not belong to the documentary world they wish to evoke, they frequently fall into anachronism.) In any case, the final charter would be subject to formal presentation at court, either on the same occasion as the transaction or at a later date.²¹ It was at this moment that it was sealed, authenticating its contents. In England, where royal charters bear witness-lists instead of seals, those present seem to have publicly signalled their assent at this point. Occasionally, a gap separated the grant and production of the requisite document. The final diploma would still be subject to approval and authentication at court, but this might take place months or even years after the transaction.

In terms of composition, scholars distinguish three distinct parts of a charter: the opening formulae (or protocol), main text (body) and closing formulae (eschatocol) (Table 1; see also Illustration 1.1 in the next chapter).²² Each of these is, in turn, divided into subsections, not all of which are present in every document; the ordering of specific elements might also vary. The first part of the opening formulae is typically a *chrismon* (a symbolic invocation of Christ), often in the form of a cross or a stylized C. This is followed by a verbal invocation, along the lines of ‘in the name of Our Lord’ (‘in nomine domini nostri’). Then comes the name and title of the issuing authority (superscription).

20. On charter production: Bresslau, *Handbuch*, ii, 62–193; Boüard, *Manuel de diplomatique*, i, 61–111; Tessier, *Diplomatique*, 102–14; Mersiowsky, *Urkunde*, 543–782. On England, see also Keynes, ‘Church Councils’.

21. Keller, ‘Zu den Siegeln’, 424–33; Roach, *Kingship and Consent*, 77–103.

22. For the following: Fichtenau, ‘Forschungen’; Guyotjeannin, Pycke and Tock, *Diplomatique médiévale*, 71–92.

Table 1. Constituent parts of a later tenth-century diploma (D O I 310)

Protocol	(CHRISMON) <i>In nomine sanctae et individuae trinitatis.</i> <i>Otto divina favente clementia imperator augustus.</i>	Chrismon and verbal invocation
Main text/body	<i>Dignum igitur censeus ut, quoniam exaltatio aeclesiarum salus regum vel imperatorum et stabilitas creditur esse regnorum, sublimitas imperialis in eo quod sui est officii, studere non recuset, quin potius decreta antecessorum suorum, regum videlicet aut imperatorum, eisdem dei aeclesis cultus amore concessa sua etiam auctoritate roboret et confirmet.</i> <i>Unde notum esse volumus omnium fidelium nostrorum tam praesentium etiam futurorum industriae qualiter vir generabilis Anno sanctae Uuormacienensis vel Uuangionensis aeclesiae episcopus nostrum adit sublimitatem ferens secum cartas seu praecepta regum vel imperatorum, Christianissimorum videlicet antecessorum nostrorum, in quibus continebatur, ipsam sedem cum aeclesis cellulis vicis ac villis vel rebus omnibus illuc aspicientibus plenissima defensione et emunitatis eorum tucione semper fuisse munitam, petitique ut nos ob spem divinae remunerationis similia concederemus et confirmatione nostrae auctoritatis impertiremus.</i> <i>Nos vero divino tacti amore pro statu et incolomitate regni vel imperii nostri, pro sanitate etiam nostra dilectaeque coniugis nostrae Adelheidis, filiique nostri carissimi Ottonis pię illius petitioni assensum praebuimus et in omnibus sicut petitit obedivimus, ita sane ut eadem Uuangionensis sades vel aeclesia sub perpetua regiae vel imperatoriarie emunitatis defensione cum aeclesiis in Lobotonburg vel Uuainphina constructis consistat nullusque iudex publicus vel quislibet ex nostris sanctae dei aeclesiae fidelibus praesentibus scilicet et futuris</i> <i>in aeclesias vel parochias cellas aut loca vel agros seu reliquas possessiones praedictae sades vel aeclesiae Uuangionensis in honore sanctorum apostolorum Petri et Pauli constructae quas hactenus iuste et rationabiliter possedisse visa est in quibuslibet pagis vel territoris sitas vel quicquid ibidem tam a nobis quam ab antecessoribus nostris seu ceteris fidelibus quoquo modo propter divinum amorem collatum est vel quae deinceps in ius ipsius aeclesiae suprema pietas addere vel amplificare voluerit, ad causas audiendas vel freda seu telonea exigenda aut mansiones vel paratas faciendas aut fideiussores tollendos aut ullas redhibitiones inlittitas requirendas aut ad homines ipsius aeclesiae tam ingenuos quam servos distringendos ingredi audeat vel quid exigere ullo umquam tempore praesumat, nec ab hominibus ipsius aeclesiae hostilis expeditio requiratur, nisi quando necessitas utilitati regum fuerit, simul cum suo episcopo pergant.</i>	Royal/imperial superscription Preamble Publication clause Narrative section (<i>narratio</i>) <i>Dispositio</i> Prohibition clause Appurtenances (with military exemption)

Continued on next page

Table 1. Continued

	<p><i>Quicquid autem de rebus praefatae ecclesiae fiscus sperare poterat, totum nos pro nostrae mercedis incremento praedictae ecclesiae concedimus, ut perennibus temporibus in perpetuos usus ipsius ecclesiae deoque ibi famulantium proficiat, quatinus, pro nostra dilectae nostrae nostraeque prolis salute vel pro stabilitate regni vel imperii nostri illos iugiter exorare delectet.</i></p> <p><i>Et ut haec emunitatis nostrae confirmatio rata et probabilis existat, volumus et firmiter iubemus et antecessorum nostrorum decreta sive statuta super eiusdem ecclesiae rebus nostra auctoritate probamus roboramus et confirmamus. Et ut hoc auctoritatis nostrae preceptum firmum et stabile permaneat, cartam hanc conscribi et anuli nostri impressione signari iussimus, quam et manu propria subthus firmavimus.</i></p> <p><i>Signum domini Ottonis (MONOGRAM) magni et invictissimi imperatoris augusti.</i></p>	<p>Prayer clause (relatively unusual)</p> <p>Corroboration clause</p> <p>Subscription and royal/imperial monogram</p>
Eschatocol	<p><i>Liudolfus cancellarius ad vivem Uuillihelmi archicappellani recognovi. (SEAL) (RECOGNITION SIGN)</i></p> <p><i>Data v kal. decemb. anno dominicae incarnationis DCCCCLXV, indictione VIII, anno regni domini Ottonis XXXI, imperii vero IIII; actum Uualahuson; in dei nomine feliciter amen.</i></p>	<p>Chancery recognition (with seal and recognition sign)</p> <p>Dating clause</p>

Together, these comprise the protocol, the first line of which is normally written in elongated letters (*litterae elongatae*). Thereafter comes the body. This sometimes opens with a preamble, reflecting on the (generally pious) motives of the donor. In almost all cases, there follows a publication clause, addressing the kingdom's great and good. Then we proceed to the donation proper, within which we find a narrative account of how the document came to be produced (a *narratio*); a legal statement of donation or confirmation (the *dispositio*); and a listing of any other associated rights (the appurtenances). A prohibition (or immunity) clause secures the new owner's rights against interference; sometimes this is followed by a sanction threatening those who infringe the document's terms with divine displeasure and/or monetary penalties. Finally, the main text is rounded off by a corroboration clause, in which the ruler asserts his desire to have the document authenticated. This prepares the way for the closing elements (eschatocol), which are separated from the body by a gap. Like the first line of the protocol, these are in elongated script, and their purpose is to authenticate the charter. They typically comprise a subscription by the ruler, formally consenting to the donation; a royal/imperial monogram, symbolically enacting this assent; and a recognition clause (or *recognitio*) in the name of the chancellor responsible for overseeing the act. The latter is sometimes accompanied by a recognition sign—the chancellor's equivalent to the royal monogram. Last but not least, at the very foot of the parchment—normally following a further gap—comes the dating clause (back in normal charter script), detailing where and when the document was issued. The seal is also found in this section, usually to the right of the subscription and recognition, though sometimes between these and the dating clause. (Note that hanging seals, attached to the bottom of the parchment by thread or a parchment strap, only become standard in later centuries.)

Most surviving charters, forged and authentic, concern lands and legal rights. And the rights most frequently claimed by religious houses are the institutional prerogatives of immunity, liberty and exemption. The medieval immunity was a descendent of a form of late Roman tax exemption. Originally, this granted the holder rights to dues otherwise owed to the monarch. But as taxation waned in the former Western Empire, immunity came to be defined by judicial independence—by the fact that the immunist did not have to answer to the local comital court and could receive the profits of justice on his or her lands. It also became closely associated with concepts of royal protection (*defensio*, *tuitio* or *mundeburdium*), the support offered by monarchs to certain prized individuals and, above all, religious centres. Indeed, this new form of immunity was an exclusively (and distinctively) ecclesiastical prerogative, a defining feature of sacred space and religious status.²³ Exemp-

23. Rosenwein, *Negotiating Space*, 25–96; Murray, 'Merovingian Immunity'. Further work on the subject is anticipated from Guy Halsall.

tion, on the other hand, was the ecclesiastical counterpart of immunity. Just as immunity removed a religious house from the interference of secular agents of the crown (particularly the count), so exemption took it—partially or fully—out of the control of its ecclesiastical superiors (generally the local diocesan bishop). In the seventh and eighth centuries, exemption was often granted by kings and bishops, but by the tenth it had become strongly associated with the pope. And just as immunity was often coupled with rights of royal lordship and influence, so exemption might involve a degree of dependence on Rome.²⁴ Liberty was less tangible, but no less important. It designates the character of a religious house. A centre was free if it was able to run its own affairs, above all when it came to choosing its own leader (abbot, prior or bishop). Liberty also incorporated ideas about integrity of landholding—the essential basis for such institutional independence.²⁵

In practice, all three of these rights bled into one another.²⁶ Immunity and exemption were often a means of securing liberty, and grants and confirmations of both frequently mention the right of free abbatial election. Nor were immunity and exemption themselves hermetically sealed. The two are sometimes conferred in tandem; and popes might grant and confirm immunity (particularly in the tenth and eleventh centuries), just as kings might on occasion do with exemption. This overlap is reflected in contemporary linguistic usage, in which *immunitas* and *libertas* might be used for grants or confirmations of any (or all) of these rights. Still, it is useful to maintain a distinction between them, at least at a conceptual level. Liberty could exist without immunity or exemption, just as the latter two might be pursued independently. Moreover, none of these were themselves stable legal statuses; rather they represent constantly evolving socio-political relationships. What immunity, liberty and exemption constituted thus varied significantly across time and space. And in fact, one of the most common spurs to forgery was the need to update such texts to meet the legal and customary expectations of a later age.

Forgeries can be distinguished from authentic documents by the fact that they do not conform fully to contemporary conventions. The most common error here is anachronism, the transposing of ideas or formulation from later eras onto texts of earlier periods. If a charter includes turns of phrase not seen until decades or centuries after its purported date of issue, this is immediately suspicious; so too are grants or confirmations of rights we know to have later been under dispute. More subtle, but equally striking, is the reverse error, that of hyperarchaism. This is when forgers went *too far* in their efforts to mimic earlier documentary forms, applying older conventions to supposedly younger

24. Rennie, *Freedom*. See also Rosenwein, *Negotiating Space*, 35–36, 106–9, 171–83.

25. Tellenbach, *Libertas*.

26. Manganaro, 'Forme e lessico'.

documents. Where the original (or pseudo-original) single sheet charters survive, we can also apply palaeographical (script-historical) criteria. The key point is that script changes subtly but significantly over time, and it is a rare forger indeed who can imitate the writing of an earlier age with complete mastery.²⁷

What is Forgery?

With these parameters established, we may turn to the thorny issue of defining forgery. Much ink has been spilt on this, so we may restrict ourselves to the essentials. Conceptions of forgery and falsity are culturally conditioned and defined by their antitheses: originality and authenticity. Where the original is not valued above the copy, there is little space for a concept of the fake; in such a world, any image or text which evokes the forms of the original may pass for it.²⁸ On the other hand, where the original is prized above the copy, forgery is often rife. Medieval documentary culture certainly qualifies here. Throughout the Middle Ages, original charters were accorded greater weight than copies. And considerable effort went into their authentication, by means of seals, subscriptions and monograms—devices all intended to prevent copies passing for originals. This is not to say that modern ideas about forgery and authenticity can be applied across the board, however. A helpful contrast is offered by the world of medieval art. Here the cult of the original had yet to establish itself, and forgery was indeed an alien concept; works of art were judged by the quality of their execution, not whether they had been produced by a specific artist or in a specific context.²⁹

From a purely analytical standpoint, documentary forgery can be isolated easily enough: a document is forged if it claims to be something it is not. A diploma of the late tenth century pretending to be an original of Charlemagne is a fake; one of the same era claiming to be a copy of an earlier charter of Charlemagne is not (or at least, not necessarily). The question is, therefore, one of intentions (not motives): was the aim to deceive? A case in point is offered by the Donation of Constantine, perhaps the most famous forgery of the Middle Ages. In this, the late antique emperor Constantine I (306–37) is said to have conferred the entire Western Roman Empire on Pope Sylvester I (314–35) and his successors, including the Lateran Palace and many other specific (but still very extensive) rights in Rome and Italy. The anonymous eighth-century author of the Donation, who was inspired by the (largely fictional) late antique ‘Acts of Sylvester’ (*Actus Silvestri*), may well have believed that he was doing no more than recording the real actions of the historical Constantine I;

27. Crick, ‘Historical Literacy’, 169–70. See also T. J. Brown, ‘Detection’.

28. Han, *Shanzai*.

29. Lenain, *Art Forgery*, 46–147. See also C. S. Wood, *Forgery*.

nevertheless, he must have known that the words he used were not those of the emperor. At the same time, he knew that they would command greater respect if others believed this to be so. This was forgery, pious or not.³⁰

Theory may be clear, but reality is messy. If, as sometimes happens, a scribe produces an imitative copy of a text—one which closely reproduces the appearance of the original—is this forgery? By our criteria, the answer must be: only if intended to pass for the original. The problem is, how do we know? And how do we know that, even if not originally intended to deceive, it did not later pass for the original?³¹ In practice there is, therefore, considerable middle ground between forged and authentic. The situation is further complicated by the tendency of copyists to update the documents they transmit. Much as we instinctively use modern registers to discuss the plays of Shakespeare, so medieval scribes often reverted to their own accustomed idioms when describing and transcribing earlier documents. An ancient formula might thus become a modern one, even if the contents are otherwise faithfully transmitted. These problems are particularly acute for documents from the earliest centuries of the Middle Ages. At most one royal diploma survives in its original format from Lombard Italy (568–774); the rest are all preserved in copies, often from much later. Some of these are quite faithful to their lost exemplars; but many show signs of updating, reflecting the legal, linguistic and cultural registers of subsequent centuries.³² Is this forgery? As before, the answer must be: only if intended to deceive. The difficulty, however, lies in determining where harmless intervention stops and active deception starts. If the updating consciously improves the terms of the original, this is forgery; but since we do not have the originals for comparison, it is frequently hard to be sure. Moreover, even the most blatant forgeries tend to draw on authentic materials, preserving elements of (authentic) earlier texts. Forged and authentic are, therefore, rough-and-ready labels, which can obscure as much as they inform.

Once dated and localized, forgeries reveal a great deal about the context in which they were produced. The most common types of text forged in the Middle Ages were, as noted above, charters conveying or confirming legal rights, particularly of liberty, immunity and exemption—texts not dissimilar from the ancient epigraphic forgeries with which we began. Like those, they provide precious glimpses into how, when and why the rights of individual religious houses were contested. Moreover, because they are fictional, they give their authors freer rein than authentic texts, furnishing privileged access to

30. *Constitutum Constantini*, ed. Fuhrmann, with Goodson and Nelson, 'Roman Constitutions'. Cf. Constable, 'Forgery and Plagiarism', 39; Hiatt, *Making of Medieval Forgeries*, 139–41, whose arguments do not entirely convince on this point.

31. Cf. Boüiard, *Manuel de diplomatique*, i, 188–90.

32. Brühl, *Studien zu den langobardischen Königsurkunden*. See also Everett, *Literacy*, 186–87.

what Karl Leyser memorably called the ‘ought world’ of the age—a vision of the world as it should be, not as it is.³³ In this respect, it is important to bear in mind that charters of the tenth and eleventh centuries were more than legal texts (though they were this too). As Hagen Keller and Geoffrey Koziol have shown, they were powerful ideological tools, capable of shaping social and political realities.³⁴ This is why they were so highly valued; it is also why they were so often forged. In this context, it is important to appreciate that forgery itself is a deeply historical act. Each falsified document is an attempt to rewrite the past or plug gaps in an existing narrative. Counterfeit charters therefore not only tell us about contemporary concerns, but also shed light on attitudes towards the past. Scholars of early modern Europe have long noted that forgery and antiquarianism go hand in hand: as scholarly knowledge of (and interest in) the ancient world grew, so too did attempts to falsify its records. It has been less frequently appreciated that the same holds true of the ancient and medieval worlds; here, too, forgery is was often a sign of a heightened interest in the past.³⁵

Pilgrim’s era is of particular interest in this respect. Patrick Geary famously argued that the tenth and eleventh centuries saw a sea-change in attitudes toward the past in western Europe. These years saw new strategies of memorialization emerge, with a particular focus on local and institutional memory.³⁶ Geary’s work is now complemented by that of Theo Riches, who notes that in these years many religious houses began to write their own narrative histories in the form of the ‘deeds of bishops’ (*gesta episcoporum*) genre. Such centres were starting to conceive of themselves as corporate entities, with collective pasts of their own.³⁷ For most major houses, we can trace a continuous history from the tenth or eleventh centuries, but only rarely can we take this back much further. It is not simply that there were no earlier records (though in some places, this was so); it is that earlier historical and archival undertakings took forms which did not encourage their later transmission and preservation. What we are seeing is, therefore, the formation of new kinds of institutional memory and identity which were to prove remarkably resilient. These processes are reflected in the upsurge in forgery noted in the Preface. In some regions, particularly in France, there are important ninth-century antecedents; but across the board, the tenth and eleventh centuries saw the spread and diversification of documentary falsification. Viewed in these terms, this period, famously branded an iron, leaden and dark age (‘saeculum . . .

33. K. J. Leyser, ‘Tenth-Century Condition’, 4–5.

34. Keller, ‘Hulderweis durch Privilegien’; Koziol, *Politics of Memory*.

35. Grafton, *Forgers and Critics*; Rowland, *Scarith*. Cf. Higbie, *Collectors, Scholars, and Forgers*.

36. Geary, *Phantoms*. For discussion and criticism: Morelle, ‘Histoire et archives’. See also Southern, ‘Sense of the Past’, to somewhat similar effect.

37. Riches, ‘Changing Political Horizons’. Cf. Sot, *Gesta episcoporum*.

ferreum . . . plubeum, atque . . . obscurum') by the great Counter-Reformation cardinal Cesare Baronio (d. 1607), emerges as an exciting and dynamic era.³⁸ To extend Baronio's own ferrous metaphor, it was in the crucible of these years that new identities and attitudes were forged, ones which would define the *Ancien Régime*.

Geary was alive to the potential of forgeries within this context, noting how at Saint-Denis, north of Paris, falsification was an important part of repackaging the Merovingian past in the 1060s. And Amy Remensnyder has similarly underlined the important memorial function of foundation charters—many of them forged—in the religious houses of southern France.³⁹ Still, forgery remains largely (and strangely) absent from the many studies of medieval memory, in which manuscripts and narrative histories loom large.⁴⁰ Such work provides a helpful framework for the present book. The essential point of departure is that memory is not simply an individual affair; it is a social phenomenon, reflecting wider socio-political trends. Especially important here are collective memories, which play a key part in group formation; these reflect (and inform) local, regional and national identities.⁴¹ They are of particular salience in periods of rupture and innovation, when new pasts are developed in response to a changing present, processes famously dubbed 'the invention of tradition' by Eric Hobsbawm and Terence Ranger (with reference to the nineteenth century).⁴² We are apparently observing something along these lines in the later tenth century, with forgery representing part of a wider set of initiatives aiming to recast local understandings of the past in the light of new challenges.

Particularly useful from the perspective of the present study is the work of the German couple Jan and Aleida Assmann. In his influential book of 1990, the former argued that collective memory can be subdivided into communicative and cultural memory (*kommunikatives* and *kulturelles Gedächtnis*). The former embodies lived oral tradition, stretching back two to three generations (or about eighty years); the latter, on the other hand, is constituted of distant origin myths and legends. Both are important, but it is cultural memory which typically defines group membership. If we were to take the example of the modern United States, the Bush (Sr) and Clinton presidencies belong firmly to the realm of communicative memory, while the Washington and Lincoln

38. Baronio, *Annales Ecclesiastici*, x, 647.

39. Geary, *Phantoms*, 107–13; Remensnyder, *Remembering Kings Past*.

40. Among others, see Goetz, 'Gegenwart der Vergangenheit'; Hen and Innes, eds, *Uses of the Past*; W. Pohl, *Werkstätte der Erinnerung*, and 'History in Fragments'; McKitterick, *History and Memory*; Ugé, *Creating the Monastic Past*; B. Pohl, *Dudo*; Rembold, 'History and (Selective) Memory'; Greer, Hicklin and Esders, eds, *Using and Not Using the Past*.

41. Fentress and Wickham, *Social Memory*; Wertsch, *Voices*; G. Cubitt, *History and Memory*, 118–74, 199–256.

42. Hobsbawm and Ranger, eds, *Invention of Tradition*.

eras have long since entered that of cultural memory. The former play comparatively little role in questions of national identity, whereas the latter are central to them. The Assmanns also identify a number of factors that go into creating and maintaining cultural memory. In literate societies, this is typically characterized by a recognizable (if often implicit) canon, excerpted from the larger body of the recorded past. To stick with the example of the United States, Washington and Lincoln belong to the country's active cultural memory (the Assmanns' canon), where they are kept alive by popular writings, sayings and cultural references. Other early presidents, however, such as James Monroe (d. 1831) and Martin Van Buren (d. 1862), are less frequently invoked; in Aleida Assmann's terms, they belong to the dormant archive (or 'storage cultural memory') of the nation, which must be activated if it is to play a part in questions of identity.⁴³ Viewed in these terms, forgery can certainly tell us much about the formation of cultural memory in the Middle Ages, especially within ecclesiastical institutions. To forge documents was to recreate the past, participating in a process of canonization; this is how certain iconic figures and moments came to dominate local and national memory.

Given this potential, it is perhaps surprising that there has not been more research into the memorial aspects of medieval forgery. As noted, Geary and Remensnyder have undertaken pioneering work here. And more recently, Robert F. Berkhofer III and Constance Bouchard have added important detail, noting the deeply historicizing nature of forgery. Along similar lines, Alfred Hiatt has underlined the narrative qualities of false documents, particularly in the later Middle Ages.⁴⁴ Nevertheless, a connected story of the development of forgery, as reflected in attitudes towards institutional identity, remains to be told. Part of the problem lies the nature of forgery itself. It was undertaken locally, with a close eye to the history and interests of the religious house (or houses) in question. It therefore demands close contextual study of a kind which has discouraged generalization and synthesis. The most wide-ranging study to date—that of Hiatt—sensibly restricts itself to one country (England) and century (the fifteenth). Here, I have sought to range more widely, though similar limitations have had to be imposed.

The situation is further complicated by distinct national historiographical traditions, which begin to exert a strong pull on scholarship regarding these years. Because France, England and Germany can all trace a more (or less)

43. J. Assmann, *Das kulturelle Gedächtnis*, translated as *Cultural Memory and Early Civilization*. See also J. Assmann, *Religion and Cultural Memory*; A. Assmann, *Cultural Memory and Western Civilization*, esp. 119–34.

44. Berkhofer, *Day of Reckoning*, 40–48; Bouchard, *Rewriting Saints*, 22–37; Hiatt, *Making of Medieval Forgeries*. See also Ugé, *Creating the Monastic Past*, 149–53; Insley, 'Communities Past'; Maskarinec, 'Why Remember Ratchis?'. A monograph on the subject is anticipated from Berkhofer. For preliminary studies, see his 'Canterbury Forgeries', and 'Guerno the Forger'.

continuous history back to the tenth century, the history of these regions tends to be framed in terms of the birth and development of the medieval nation—and by proxy, the modern nation state. It is largely undertaken by historians of the country in question, with an eye to later developments, and connections and parallels are easily overlooked. Even in Italy, where no such simple continuity can be charted, the influence of national master-narratives is powerful; there, the tenth century is viewed in terms of the pre-history of the urban communes, which would dominate the politics of the peninsula well into (and beyond) the Renaissance.⁴⁵ These historiographical traditions strongly colour the way we view these years. The story of Italy is one of regions and cities, of the foundations of the later communes; that of England, one of kings, courts and administration, of the pre-history of the impressive Angevin state of the later twelfth century. France and Germany sit somewhere between these poles. In the former, the tenth century is an age of regional magnates and monastic reform, a period of royal weakness before the later ascent of the Capetians; in the latter, it is a time of surprising (but ultimately abortive) royal success, soon to be overtaken by the centripetal forces of the locality. By the late tenth century it is, therefore, hard to tell a connected tale at the best of times; that it has not been attempted for forgery is perfectly understandable.

This book is written in the belief that a more connected story can and should be told, even if it must be assembled from fragments. As Heinrich Fichtenau demonstrated, similar social practices and mentalities can be traced across the Latin West in these years, particularly in those regions which had once been part of the Carolingian empire. And much of the most exciting recent work spans national historiographical traditions in this fashion, revealing how subjects as diverse as ecclesiastical reform and queenship can benefit from a wider perspective.⁴⁶ In this respect, the differing historiographies sketched above can inform as much as they obscure. By engaging with studies of Italian urban history side by side with ones of English administration, French monastic reform and German regional history (*Landesgeschichte*), we may hope to achieve a more rounded picture of all regions.

Yet historiographical comparison is only truly meaningful when underpinned by detailed source criticism. And here charters (and forgeries) offer a promising point of entry, since they survive in substantial numbers from across these regions. The aim cannot, however, be to write a history of every falsified document of the later tenth century. Partly, this is a matter of pragmatism. By the final decades of the century, forgery was so widespread that

45. On France and Germany: Brühl, *Deutschland—Frankreich*, esp. 7–82; and on Italy: Wickham, *Sleepwalking*, esp. 8–11.

46. Fichtenau, *Lebensordnungen*, available in English (without footnotes) as *Living in the Tenth Century*. For subsequent studies in this vein: Hamilton, *Church and People*; MacLean, *Ottonian Queenship*.

anything approaching systematic treatment would be impossible. Nor, in any case, would it be desirable. The disparate nature of falsification means that comprehensive investigation risks getting lost in the detail: as examples are multiplied, it becomes harder to keep the big picture in focus. The attempt here, therefore, is to balance the benefits of the bird's and worm's eye view. Five forgery complexes—those of Worms, Passau, Abingdon, Fleury and Vercelli, mentioned in the Preface—are used to combine close contextual analysis with wider discussion and synthesis. Each case requires considerable contextualization, both historical and historiographical. But the result of taking them together is, I sincerely hope, greater than the sum of the constituent parts, a picture which allows for local variation alongside pan-European trends.

The case studies have been selected so as to span as much of the Latin West as possible, without overburdening an already heavily laden author (and critical apparatus). They take in all of the realms which had once been part of the Carolingian empire, as well as England, where the Carolingian legacy was strong (if indirect). East to west, they stretch from the Danube to the Loire (by way of the Rhine); north to south, they span the Thames Valley to the Piedmontese Sesia. They have also been chosen to take in different types of religious house, with two monasteries and three bishoprics represented. Finally, in each case forgery has been dated closely to the half century or so spanning the turn of the first millennium (c. 970–1020). This allows us to paint as detailed a picture as possible, one chronologically tight but geographically diverse (though, as we shall see, some of these dates have shifted under scrutiny). In most of these cases, forgery can also be associated with known individuals, enabling us to bring much ancillary evidence to bear.

What follows is thus an exercise in serial microhistory, the first—but hopefully not the last—attempt to study the documentary traditions of tenth- and eleventh-century Europe side by side. The overarching argument, to the extent that there is one, is that forgery tells us a great deal about changing attitudes towards past and present. In this respect, the later tenth century emerges as a significant turning-point: a time when mentalities changed alongside other elements of the socio-political order. Here, forgery speaks not of the blind anachronism earlier scholars saw as characteristic of the Middle Ages, but rather of a budding antiquarianism which would not have been out of place in *Quattrocento* Florence. Indeed, like later Renaissance counterfeits, these fakes were often intended for local consumption, giving voice to new regional and institutional identities. Karl Leyser once spoke of the 'ascent of Latin Europe' in these years, of how writers of the early eleventh century began to express a new-found confidence in the social and political order of the West.⁴⁷ The texts surveyed here flesh out Leyser's picture, illustrating how such processes played

47. K. J. Leyser, 'Ascent of Latin Europe'.

out on the ground. The forgers examined may be somewhat humbler than Leyser's historical narrators, but their voices are no less worthy of attention.

As an exercise in microhistory, this book makes no claim to comprehensiveness. In order to make the material manageable, I have focused on royal and papal documents at five centres, leaving local ('private') documentary traditions largely to one side. I likewise only touch on narrative history in passing. This is not because the subject is uninteresting or unimportant, but rather because it deserves treatment on its own terms. Points of contact between narrative history and forgery are, in any case, taken up in the Conclusions. Other absences weigh more heavily. Some will understandably baulk at my reticence regarding the Iberian Peninsula, a region rich in documentary records of these years (including forgeries), but regarding which I have little competence and no formal training. Others will, with equal justification, regret the absence of a female religious house among my examples. More still will find further matters wanting. All I can hope is that these dissatisfied readers will take my oversights as a challenge, and set about rectifying them. When they do, perhaps they will see further for being perched on these diminutive shoulders.

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