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Études réunies par

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AN ARABIC-GREEK CHARTER
FOR ARCHBISHOP NICHOLAS OF MESSINA,
NOVEMBER 1166*

The document discussed in this article, and edited at its end, is a bilingual Arabic-Greek decree (*sijill*, *sigillion*) drawn up by the royal *dīwān* at the order of the young King William II and his mother, the regent Margaret – the Greek text names only Margaret, and omits to name William – in response to the petition of Archbishop Nicholas of Messina. It was issued in November 1166 by «the *shaykh*, the *qā'id* Martin, the lord of the *dīwān* (Arabic)... the *kāit* of the great palace, and the other elders, the *epi tou sekrétou* (Greek)». The decree is a record of both the royal order that the archdeaconry be returned from the control of the royal *dīwān* to the archbishopric of Messina, and the execution of the said order. It was signed by Martin, using his Arabic motto of signature or *'alāma*, and, in Greek, by the *epi tou sekrétou*, John and Roger; two other Arabic notes also authenticate and validate the document, which bears no trace of a seal.

The Greek text was published first by Giuseppe Spata, who had not seen the original but only copies made in the seventeenth and nineteenth centuries, and then soon afterwards by Salvatore Cusa, but the Arabic has remained inedited¹. The authentic original document is now preserved

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¹ G. SPATA, *Diplomi greci siciliani inediti (ultima serie) tradotti e pubblicati*, in *Miscellanea di storia italiana* 12 (1871), pp. 5–112: 58–59, nr. x, after Antonio Amico, *Diplomata, litterae, privilegia ecc., ad archiepiscopalem Ecclesiam Messanensem pertinentia* [17th century], Palermo, Biblioteca Comunale, MS. Qq H 4, f. 20; and Salvatore Morso, [Ventidue diplomi greci, con la versione latina, appartenenti alla chiesa di Messina: 19th century], Palermo, Biblioteca Comunale, MS. Qq E 172, f. 497 nr. xx. S. CUSA, *I diplomi greci ed arabi di Sicilia pubblicati nel testo originale, tradotti ed illustrati*, [1 vol. in 2 parts], Palermo 1868–1882 (repr. Köln-Wien 1982), nr. 120, pp. 321, 726. Although

in the Archivo General de la Fundación Casa Ducal de Medinaceli (Fondo Messina, nr. 1118) in Toledo, whither it came by a circuitous route from the Archivio Capitolare della Cattedrale di Messina, which was confiscated by the Spanish viceroy of Sicily in January 1679². There follows the translation of the document, the original text of which is edited at the end of this article.

ARABIC

In the name of God, the merciful, the compassionate. /¹ When it was the date of the month of November in the fifteenth indiction of the year six thousand six hundred and seventy five of the year of the creation, being in the year /² five hundred and sixty two, there went forth the high, to-be-obeyed, royal, holy, sublime, Williamian, exalted order, may God increase it in elevation and efficacy, /³ to the *dīwān al-tahqīq al-ma'mūr*, by the hand of the *shaykh*, the *qā'id* Martin, the lord of the *dīwān*, may God strengthen him, to hand over the archdeaconry of Messina the well-protected /⁴ to the *shaykh*, the archbishop Nicholas, in response to his petition, so that it would be under his jurisdiction and the jurisdiction of the bishopric of Messina from the date of this charter /⁵ and so that its revenue would be shielded from the *dīwān*. And the to-be-obeyed order was followed, and this charter was written for him to the aforesaid effect. And /⁶

GREEK

+ Martin, *káit* of the great palace and the other elders, the *epi tou sekretou* +++ /⁸ In the month of November of the 15th indiction of the year 6675, the order went forth from the mighty and holy king and the most pious and glorious queen, his mother, /⁹ Lady Margaret, to us the *sekreitikoí* to give to you, the most venerable archbishop of Messina, Lord Nicholas, the archdeaconry of Messina, /¹⁰ so that it would be under your authority together with all that pertains to the archbishopric. Therefore this present charter of that donation was made for you /¹¹ to stop [the interference of] all the royal officials (*exousiastai*) of Messina, so that nobody has authority over this archdeaconry save you the venerable /¹² archbishop. Therefore, this our charter has been authenticated by our hand, and given to you in the aforesaid month, year and indiction. /¹³

vol. 1 of Cusa's work bears the date 1868, it was not in fact published until 1874, three years after Spata's edition had appeared: see A. DE SIMONE, *Salvatore Cusa arabista siciliano del XIX secolo*, in *La conoscenza dell'Asia e dell'Africa in Italia nei secoli XVIII e XIX*, a cura di A. GALLOTTA – U. MARAZZI, I, Napoli 1984, pp. 593–617.

² A. SÁNCHEZ GONZÁLEZ, *De Messina a Sevilla. El largo peregrinar de un archivo siciliano por tierras españolas*, in *Messina. Il ritorno della memoria*, Messina, Palazzo Zanca, dal 1 marzo al 28 aprile 1994, Palermo 1994, pp. 129–141.

the *shaykhs*, may God strengthen them, appended their *'alāmas* in confirmation of it and as a proof of its authenticity on the aforesaid date. God is sufficient for us. How excellent a representative is He. (It is finis)h(ed). /⁷

[*'Alāma*, signatures and validation marks, from left to right:]
 [Arabic] My trust is in God³. [Arabic] Correct in the name of God. [Greek] John has written. [Greek] Roger has written. [Arabic] Correct by God. /¹⁴

Martin, clearly the most senior of the royal officials who issued this decree, was one of the «lords of the *dīwān al-taḥqīq al-ma'mūr*» – one of the heads of the executive department of the royal *dīwān* – from his first appearance in February 1161 until his last in May 1169⁴. Although nominally a Christian, Martin was a secret Muslim, as his *'alāma* proclaims⁵. Nothing is known of Martin's two junior colleagues, except that they too seem to have been Muslims, at least to judge from the pious tone of what the text calls their *'alāmāt*, but what are more precisely notes attesting to the official authentication and validation of the document within the *dīwān*⁶. Martin's Greek colleagues, the *sekretikoi* John and Roger, are well known. John's signature, in monocondylic script, is attested in two other charters, one dated November 1158⁷, and the other, also issued by the *qā'id* Martin, from January 1161⁸. He was a Greek whose family held

³ Martin's *'alāma*: see n. 5 below.

⁴ For his career, see J. JOHNS, *Arabic administration in Norman Sicily. The royal dīwān*, Cambridge 2002, pp. 219–222. See also A. SCHLICHTE, *Der «gute» König Wilhelm II von Sizilien (1166–1189)*, Tübingen 2005, pp. 36–37.

⁵ JOHNS, *Arabic administration* cit., pp. 251–252; N.M. JAMIL – J. JOHNS, *Signs of the times: Arabic signatures as a measure of acculturation in Norman Sicily*, in *Muqarnas* 21 (2004), pp. 187–190.

⁶ For Islamic parallels, see S.M. STERN, *Fatimid decrees. Original documents from the Fatimid chancery*, London 1964, pp. 129, 139, 140–142.

⁷ V. VON FALKENHAUSEN, *Griechische Beamte in der «duana de secretis» von Palermo. Eine prosopographische Untersuchung*, in *Polis, Provinz und Peripherie. Beiträge zur byzantinischen Geschichte und Kultur*, hrsg. von L.M. HOFFMANN unter Mitarbeit von A. MONCHIZADEH, Wiesbaden 2005 (Mainzer Veröffentlichungen zur Byzantinistik, 7), pp. 381–390, Taf. 1.

⁸ *Safar* / January 556 A.H., ind. IX (1161 A.D.): original, Palermo, Archivio di Stato, Tabulario di Santa Maria della Grotta, nr. 2; edited (with many errors) by CUSA, *I diplomati greci ed arabi* cit., nr. 101, pp. 622–626, 722. Spata and Cusa mistook John's signature for Martin's – † Μαρτίνος ἔγραψα – but read Roger's correctly: see

property in Messina and is known to have had a son named Roger who was also a *sekretikos*⁹. It therefore seems almost certain that the second monocondylic signature, in the name of Roger, was that of John's own son.

Nicholas was archbishop of Messina from March 1166 until at least 1180¹⁰. Although, he refers to himself as *Dei gratia primus archiepiscopus Messanensis* in all his documents, this was not strictly the case. In September 1131, Bishop Hugh of Messina had been appointed archbishop by the schismatic Pope Anacletus II¹¹. Hugh's successor, Henry, before his

also VON FALKENHAUSEN, *Griechische Beamte* cit., pl. 2, and JOHNS, *Arabic administration* cit., App. 1, nr. 35, p. 310.

⁹ VON FALKENHAUSEN, *Griechische Beamte* cit., pp. 384–390. See also: EAD., *I funzionari greci nel regno normanno*, in *Byzantino-Sicula, V: Giorgio di Antiochia. L'arte della politica in Sicilia nel XII secolo tra Bisanzio e l'Islam. Atti del convegno internazionale (Palermo, 19-20 aprile 2007)*, a cura di M. RE – C. ROGNONI, Palermo 2009 (Istituto Siciliano di Studi Bizantini e Neoellenici. Quaderni, 17), pp. 190–192; and SCHLICHTER, *Der «gute» König Wilhelm II* cit., p. 175.

¹⁰ N. KAMP, *I vescovi siciliani nel periodo normanno: origine sociale e formazioni spirituali*, in *Chiesa e società in Sicilia. L'età normanna*, a cura di G. ZITO, Torino 1995, pp. 63–89: 69, 83; SCHLICHTER, *Der «gute» König Wilhelm II* cit., p. 122.

¹¹ Hugh appears as bishop in the Greek charter that announces the foundation of the archimandrite of St Saviour's *de Lingua Phari*: May 6639, ind. VIII (sic), edited from a 17th-century copy by CUSA, *I diplomi greci ed arabi* cit., doc. nr. 42, pp. 292–294, 706 [see also E. CASPAR, *Ruggero II (1101-1154) e la fondazione della monarchia normanna di Sicilia*, (translated into Italian and with updated bibliography), Roma-Bari 1999, reg. nr. 69, p. 472]. A late 12th- or early 13th-century copy of this charter, complete with the royal signature, is now known (Toledo, Archivo Ducal Medinaceli, Fondo Messina, nr. 530). The *datatio* is incorrect in that May 6639 corresponds to indiction IX. But, because the king refers to his coronation, the document must have been composed after Christmas 1130. Unless this is merely a copyist's error, the discord between year and indiction may perhaps be attributed to the fact that Roger had initiated the foundation of the archimandrite before his coronation, in indiction VIII, but that both he and the archimandrite Luke preferred to announce it in a royal chrysobull. In support of this hypothesis, it may be noted that Roger II's chrysobull for Patir, which again survives only as a copy, is also dated 6638, indiction VIII, but, like the charter for St Saviour's, bears the royal signature: B. DE MONTEFAUCON, *Palaeographia Graeca*, Paris 1708, pp. 397–400; F. TRINCHERA, *Syllabus Graecarum membranarum*, Neapoli 1865, pp. 138–141. See also V. VON FALKENHAUSEN, *I documenti greci del fondo Messina dell'Archivo General de la Fundación Casa Ducal de Medinaceli (Toledo). Progetto di edizione*, in *Vie per Bisanzio. Atti del VII Congresso Nazionale dell'Associazione Italiana di Studi Bizantini (Venezia, 25-28 novembre 2009)*, II, a cura di A. RIGO – A. BABUIN – M. TRIZIO, Bari 2013, pp. 665–687: 671. For Anacletus's elevation of Messina, see R. PIRRI, *Sicilia sacra disquisitionibus, et notitiis illustrata*, I–II, Palermo 1733: I, pp. 387–388; *I diplomi della cattedrale di Messina raccolti da Antonino Amico*, pubblicati (...) ed illustrati da R. STARRABBA, Palermo 1876 (Documenti per servire alla storia di Sicilia, pubblicati a cura della Società Siciliana per la Storia Patria, I/1), pp. 5–6, nr. 4; *Papsturkunden in Italien. Reiseberichte zur Italia Pon-*

promotion to Messina, had been one of Roger's scribes, as well as royal chaplain and archdeacon of Palermo¹². Although he appears with the Arabic title *al-ārik*, «archbishop», in a deed of sale dated 18th August 1137¹³, it would seem that Anacletus never had the opportunity to confirm his consecration, for a royal charter of 22 November 1137 was written *per manum Henrici, venerabilis Messanensis electi*¹⁴, and a Greek charter of February 1138, in the text of which he appears as ὑποψήφιος, is signed by him, in Latin, as *Messanensis electus*¹⁵. After Anacletus II's death in January 1138, the new pope, Innocent II, and his successors refused to recognize the creation by the schismatic pope of the archbishopric of Messina and its two suffragan sees of Cefalù and Lipari-Patti¹⁶, so that

tificia, a cura di P.F. KEHR, I-VI, Città del Vaticano 1977: V, pp. 12-13, nr. 61; and *Italia pontificia, sive Repertorium privilegiorum et litterarum a Romanis pontificibus ante annum MCLXXXVIII Italiae ecclesiis, monasteriis, civitatibus singulis personis concessorum*, I-X, (...) congedit P.F. KEHR, [vol. X edidit D. GIRGENSOHN usus W. HOLTZMANN schedis], Berolini-Turici 1906-1975: X, pp. 339 nr. 23, 357 nr. 4, 364 nr. 1; L.T. WHITE Jr., *Latin monasticism in Norman Sicily*, Cambridge, Mass. 1938, pp. 89, 111-112, 189-190; KAMP, *I vescovi siciliani* cit., p. 81 n. 36; G. LOUD, *The Latin church in Norman Italy*, Cambridge 2007, p. 225.

¹² C. BRÜHL, *Diplomi e cancelleria di Ruggero II*, Palermo 1983, pp. 32-33; KAMP, *I vescovi siciliani* cit., pp. 67, 74; L. GEIS, *Die Hofkapelle als Herrschaftsinstrument Rogers II. für Sizilien?*, in D. ENGELS - LIOBA GEIS - M. KLEU (Hg.), *Zwischen Ideal und Wirklichkeit. Herrschaft auf Sizilien von der Antike bis zum Spätmittelalter*, Wiesbaden 2010, pp. 283-306: 301-302.

¹³ The deed of sale is dated 29 Dhū l-Qa'da 531 A.H. (18 August 1137), and the transaction was registered with the *qādī* of Palermo in Ramaḍān 532 (May-June 1138). Original: Palermo, Cappella Palatina, nr. 4; ed. (with many errors) by CUSA, *I diplomi greci ed arabi* cit., nr. 54, pp. 61-67, 709-10; atrocious Italian translation by G. TROVATO, *Sopravvivenze arabe in Sicilia*, Monreale 1949, pp. 45-50; see also JOHNS, *Arabic administration* cit., Appendix 2, nr. 6, pp. 316-317. That Henry is given the title *al-ārik*, «archbishop» (in full, *ārik bishqifa*: see R.P.A. DOZY, *Supplément aux dictionnaires arabes*, I, Leiden 1881, p. 18), would appear to be deliberate for the same word is used in the plural – *al-arākīna* [A. DE SIMONE, *I diplomi arabi di Sicilia*, in *Testimonianze degli Arabi in Italia (Roma, 10 dicembre 1987)*, Roma 1988 (Accademia Nazionale dei Lincei. Fondazione Leone Caetani, Giornate di Studio, 22), pp. 57-75: 74, nods when she translates *ārākīna* as «arconti»] – in all the Arabic preambles of the renewals of 1145 (CUSA, *I diplomi greci ed arabi* cit., pp. 563, 472, 127; JOHNS, *Arabic administration* cit., pp. 120 n. 22, 128 n. 28, 128 n. 37), whereas, in January 1145, Jocelyn, the bishop-elect of Cefalù, is given the Arabic title *al-lathth*, from the Latin *electus* (CUSA, *I diplomi greci ed arabi* cit., p. 473; JOHNS, *Arabic administration* cit., p. 126 n. 28).

¹⁴ 22 November 1137: C. BRÜHL, *Rogerii II, regis, diplomata latina*, Köln 1987 (Codex diplomaticus Regni Siciliae, ser. I: Diplomata regum et principum e gente normannorum, 2/1), doc. nr. 46, pp. 129-131.

¹⁵ February 6646, ind. I [1138]: original, Cappella Palatina, perg. nr. 4; ed. CUSA, *I diplomi greci ed arabi* cit., doc. nr. 56, pp. 59-60, 710.

¹⁶ WHITE, *Latin monasticism* cit., pp. 89, 191; LOUD, *The Latin church* cit., pp. 159-160.

Henry's successors appear only as *electi* until 1158¹⁷. Bishop Robert of Messina is first attested in a bull of Pope Eugenius III dated 1151¹⁸. In December 1157, he witnessed a donation of William I to the church of Palermo as *Robertus Messanensis ecclesie episcopus*¹⁹, but in the very next month, when the king sold Robert a house in Palermo, he did so to *Robertus Messanensis Ecclesiae venerabilis archiepiscopus*²⁰. It would seem that, after the Treaty of Benevento (June 1156), which had confirmed Palermo as an archbishopric with its suffragan sees of Agrigento, Mazara and Malta²¹, William and Robert again attempted to promote Messina to an archbishopric, although this would only be recognized officially in the bull of Alexander III dated 1166²². Robert last appears at the royal court in Palermo during the tumultuous events of 1160–1161. According to

¹⁷ JOHN OF SALISBURY (*Historia Pontificalis*, ed. and trans. M. CHIBNALL, London 1956, p. 66) claims that Rome refused to permit the consecration of bishops-elect in the kingdom during the 1140s «as a penalty for the capture of Innocent II» at Galluccio on 22 July 1139 (see also LOUD, *The Latin church* cit., p. 160 and n. 61). Gerard is ὑποψήφιος in March 1142 (CUSA, *I diplomati greci ed arabi* cit., nr. 63, pp. 302–306, 711–712 [Toledo, Archivo Ducal Medinaceli, Fondo Messina, nr. 1319]) and *electus* in 1143 (BRÜHL, *Rogeri II* cit., doc. nrr. 56 and 57, pp. 154–162; ID., *Diplomi e cancelleria* cit., pp. 131–135). Arnald, *venerabilis Messanensis et Traianensis ecclesie electus* in February 1148: BRÜHL, *Rogeri II* cit., doc. nr. 75, pp. 214–216. See also N. KAMP, *Der unteritalienische Episkopat im Spannungsfeld zwischen monarchischer Kontrolle und römischer «libertas» von der Reichsgründung Rogers II. bis zum Konkordat von Benevent, in Società, potere e popolo nell'età di Ruggero II. Relazioni e comunicazioni nelle Terze Giornate normanno-sveve (Bari, 23-25 maggio 1977)*, Bari 1979, pp. 99–132: 119 and n. 79. (We discount the appearance, between Gerard and Arnald, of *Robertus divina miseratione Messanensis episcopus* in a clearly inauthentic document dated in Greek May 6650 A.M., indiction 12, and in Latin May 1143 A.D., indiction 12: Toledo, Archivo Ducal Medinaceli, Fondo Messina, nr. 1276, edited by Cusa [CUSA, *I diplomati greci ed arabi* cit., nr. 65, pp. 306–310, 712] from a unidentified copy, dated to May 6650 A.M., indiction 2; see also CASPAR, *Ruggero II* cit., nr. 145, p. 507, and BRÜHL, *Diplomi e cancelleria* cit., pp. 11 n. 21, 24 n. 145).

¹⁸ KEHR – HOLTZMANN – GIRGENSOHN, *Italia pontificia* cit., X, p. 340, nr. 25; PIRRI, *Sicilia sacra* cit., I, p. 393; KAMP, *Der unteritalienische Episkopat* cit., p. 119 n. 79

¹⁹ H. ENZENSBERGER, *Guillelmi I, regis, diplomata*, Köln-Weimar-Wien 1996 (Codex diplomaticus Regni Siciliae, ser. I: Diplomata regum et principum e gente normannorum, 3), nr. 22, p. 63. Two versions of this document survive, neither is the original, and Robert appears in only one of these; his signature is not an autograph.

²⁰ ENZENSBERGER, *Guillelmi I* cit., nr. 25, pp. 68–70. In a sentence issued by Stephen, the strategot of Messina, in favour of Archbishop Nicholas in July 1173, Robert is twice called ἀρχιεπίσκοπος, but the same sentence also refers to a document of Robert's as a χάριτιν... τοῦ ἐπισκόπου Ῥομπέρτου: CUSA, *I diplomati greci ed arabi* cit., nr. 122, p. 328.

²¹ KEHR – HOLTZMANN – GIRGENSOHN, *Italia pontificia* cit., X, p. 231, nr. 27.

²² *Ibid.*, X, pp. 340–341.

«Hugo Falcandus», who calls him merely *episcopus Messanensis*, Robert set out with the Chancellor Maio of Bari on the evening of 10 November 1160 from the house of Archbishop Hugh of Palermo (whom, «Falcandus» alleges, Maio had been attempting to poison) towards the ambush set by Matthew Bonellus in which Maio was to meet his death²³. Romuald of Salerno, who describes Robert as archbishop of Messina, places him amongst the small group of leading churchmen who secured the king's release from the mob on Saturday 11 March 1161, alongside Romuald himself, Richard Palmer, the bishop-elect of Syracuse, and Bishop Turstan of Mazara²⁴. These two reports suggest that Robert was not just a leading figure at court, but also particularly close to William I.

Robert's successor, Nicholas, may be the *Nicolaus canonicus* who, in February 1148, signed a charter of *Arnaldus Messanensis et Trainensis Electus*²⁵. Nicholas, of course, is not a rare name, but the canons of Messina normally have Germanic names, as do the bishops themselves. Proud as Nicholas was of his new archiepiscopal dignity, pride alone was insufficient to restore the fortunes of his archdiocese, and the first archbishop set about recovering all its rights, privileges and revenues, including full control of the archdeaconry and of its income. In May 1172, he ordered Onophrius, the archimandrite of St Saviour's *de lingua phari*, to pay the tithes of the landed estate of Agrò, which had been granted to St Saviour's from the royal demesne by Roger II²⁶.

Little is known of the finances of the church of Messina during the twelfth century. It is probable that, in common with the other dioceses of the kingdom, in addition to revenue derived from church tithes of agriculture and livestock on baronial lands and the royal demesne, the archbishopric of Messina received a substantial part of its income from donations of tithes of the *regalia*. These were shares granted by the rulers of Sicily of income derived from the city and district of Messina and

²³ «HUGO FALCANDUS», *Liber de regno Siciliae*, ed. in *La Historia, o Liber de Regno Siciliae e la Epistola ad Petrum Panormitane ecclesie thesaurarium* (...), a cura di G.B. SIRAGUSA, Roma 1897 (Istituto Storico Italiano per il Medio Evo. Fonti per la Storia d'Italia, 22), p. 42.

²⁴ ROMUALD OF SALERNO, *Chronicon*, ed. C.A. GARUFI, Bologna 1935 (Rerum Italicarum Scriptores, ser. II, 7/1), p. 247.

²⁵ STARRABBA, *I diplomi della cattedrale di Messina* cit., nr. 11, pp. 14-15. In 1176, two of Nicholas's nephews, Daniel and Geoffrey, appear as canons of Messina: PIRRI, *Sicilia sacra* cit., I, pp. 394-398.

²⁶ Inedited: Toledo, Archivo Ducal Medinaceli, Fondo Messina, nr. 1248.

from various local royal taxes and monopolies²⁷. Norbert Kamp suggested that by withholding such shares of royal income, the crown was able to exercise a powerful control over its bishops²⁸. That such royal tithes were collected not by the church itself but by royal officials is confirmed by a law of Frederick II, which invokes the practice of the days of King William II, and stipulates that the tithes of the *regalia* were to be collected by royal officials and disbursed by them to the church²⁹. However, a document of the Empress Constance, dated 24 October 1198, indicates that, while royal tithes were indeed collected by local officials, they were to be accounted for in the royal *dīwān*³⁰. Until at least March 1167, the possessions of a church during the absence of its bishop were administered by local royal officials. However, a charter of William II and the Regent Margaret of that date states that, because the baileys entrusted with the administration of the possessions of the archbishopric of Trani had misappropriated them, their duties were instead to be performed by two or three *de melioribus et fidelioribus et sapientioribus personis ipsius ecclesie*, presumably members of the chapter³¹. This new practice was enacted in law by the same king, and included in the *Constitutions* of

²⁷ C.E. BOYD, *Tithes and parishes in medieval Italy: the historical roots of a modern problem*, Ithaca, N.Y. 1952, pp. 234–237. See also LOUD, *The Latin church* cit., pp. 316–320, and, for the Hohenstaufen period, N. KAMP, *Kirche und Monarchie im staufischen Königreich Sizilien*, I: *Prosopographische Grundlegung: Bistümer und Bischöfe des Königreichs 1194–1266*, 3: *Sizilien*, München 1975 (Münstersche Mittelalter-Schriften, 10,1,3), p. 1012; ID., *Der unteritalienische Episkopat* cit., pp. 104–105.

²⁸ N. KAMP, *Der Episkopat und die Monarchie im staufischen Königreich Sizilien*, in *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 64 (1984) pp. 84–115: 89–91.

²⁹ *Die Konstitutionen Friedrichs II. für das Königreich Sizilien*, hrsg. von W. STÜRNER, Hannover 1996 (Monumenta Germaniae historica. Legum sectio, IV. Constitutiones et acta publica imperatorum et regum, vol. 2, Supplementum), I, 7, pp. 157–158: «De decimis prestandis: (...) officialibus nostris universis et singulis presentis legis auctoritate mandamus, ut decimas integre, prout regis Guillelmi tempore, consobrini nostri et predecessoris, ab antecedentibus officialibus et baiulis solute fuerunt, locorum prelati exsolvere absque omni difficultate procurent. (...) Subjectis etiam nostris indicimus, ut decimas, quas de feudis et bonis suis antecessores eorum predicti regis Guillelmi tempore prestierunt venerabilibus locis, quibus decime ipse debentur, cum integritate persolvant».

³⁰ *Die Urkunden der Kaiserin Konstanze*, bearbeitet von Th. KÖLZER, Hannover 1990 (Monumenta Germaniae historica. Diplomata regum et imperatorum Germaniae, 11,3), nr. 62, pp. 193–195.

³¹ A. PROLOGO, *Le carte che si conservano nello archivio del capitolo metropolitano della città di Trani*, Barletta 1877, nr. 57, pp. 128–129. New edition by H. ENZENSBERGER, <http://www.hist-hh.uni-bamberg.de/WilhelmII/pdf/D.W.II.005.pdf>

Frederick II³². Despite these reforms, ecclesiastical vacancies continued to be a source of income for the imperial chancery³³.

As to the specific case of Messina, in 1200, Frederick II confirmed to Archbishop Berard an annual income of two thousand *tari*, which his church had been accustomed to receive from the royal tithes of the city, and stipulated that henceforth that sum was to be drawn from the income of the new royal baths in Messina. This revenue was destined for the canons of Messina, except the ten percent reserved for the archbishop himself³⁴. In March 1212, Frederick confirmed to Berard the possessions and rights of his church, including the tithe of the port of Messina and of all the customs and duties of the city³⁵. It was in the spring of 1166, before the new practice was instituted by William and Margaret, that Nicholas became archbishop of Messina, perhaps after a vacancy of several years, given that the last appearance of his predecessor, Robert, was in the winter of 1160-1161. It is probable, therefore, that the possessions of the vacant see had been administered by the royal officials of Messina – the *exousiastai* of the Greek text.

Why control over the revenues of the archdeaconry should have been retained by the *dīwān* and the royal officials of Messina after the appointment of Archbishop Nicholas is unclear. A charter of Constance

³² STÜRNER, *Die Konstitutionen Friedrichs II für das Königreich Sizilien*, cit., III, 31, pp. 398-399: *De administratione rerum ecclesiarum post mortem prelati*.

³³ See, for example, *Il Registro della Cancelleria di Federico II del 1239-1240*, I-II, a cura di C. CARBONETTI VENDITELLI, Roma 2002 (Istituto Storico Italiano per il Medio Evo. Fonti per la storia dell'Italia medievale. Antiquitates, 19/1-2): II, nr. 631, pp. 605-606 (29 Feb., 1240) to Alexander, son of Henry: *De procuratoribus et electis ecclesiarum, proventibus et beneficiis*: «Quod autem, sicut significasti, in ecclesiis vacantibus iurisdictionis tue procuratores idoneos ordinasti, licet in Monopolitana et Melfiensi Ecclesiis et monasterio Sancti Stephani de Monopuli sint electi a nostra celsitudine confirmati, volumus, ut ab ecclesiis, quarum nostra serenitas confirmavit electos, procuratores amoveas et electis eisdem permittas de suis iuribus responderi, omnes proventus perceptos usque ad receptionem presencium vel usque ad id temporis percipiendos recipiens ad opus nostrum a procuratore ratione recepta, alias omnes quantitates, etsi non exprimantur in litteris tibi missis, vel quas vacare contigerit, nec non beneficia et prebendas, que vacaverint seu vacant, in vacantibus ecclesiis ipsis recipiens et ad opus curie nostre iuxta priorum litterarum nostrarum formam faciens fideliter procurari; significaturus nobis vacantia beneficia et prebendas et redditus annuos eorundem, statim quod aliquas vacare contingerit».

³⁴ *Die Urkunden Friedrichs II.*, I: 1198-1212, bearbeitet von W. KOCH unter Mitwirkung von K. HOFLINGER - J. SPIEGEL, Hannover 2002 (Monumenta Germaniae historica. Diplomata regum et imperatorum Germaniae, 14,1), nr. 17, pp. 35-36.

³⁵ *Ibid.*, nr. 153, pp. 297-299: «decimam portus et omnium cabellarum civitatis nostre Messane...».

demonstrates that royal officials were sometimes reluctant to relinquish their control of ecclesiastical possessions³⁶. One possibility is that William I had installed a favourite in the lucrative office of archdeacon, and that what was restored to Archbishop Nicholas was the right to appoint his own man to that place. Certainly, Roger II and William I were accustomed to install their own candidates as canons. Two of Roger's chaplains and scribes, Guarnerius and the aforementioned Henry, were appointed, respectively, as dean of Mazara³⁷, and archdeacon of Palermo, and, as we have already seen, Henry went on to become bishop-elect of Messina³⁸. Before the summer of 1156, William I installed the court scholar, Henry Aristippus, as archdeacon of Catania³⁹. Significantly, both Guarnerius and Aristippus remained active at court and neither can be traced in his respective diocese. In these cases, at least, the king made such appointments as a reward for service at court and inasmuch as the appointees performed their ecclesiastical duties, they did so *in absentia*. Indeed, the agreement of 1145 concerning the archdeaconry of Catania that is discussed further below seems to assume that it would be normal for the archdeacon to be absent, for it stipulates that «The archdeacon and those who were to be in his place (*qui in loco eius fuerint*) would perform such spiritual duties as demanded by the rules of the holy brethren»⁴⁰.

Alternatively, and more probably, the prebends of the archdeaconry of Messina may have consisted of particular tithes of *regalia* which had been withheld for one reason or another. This possibility is suggested by a charter of December 1210 with which the young Frederick II created two new prebends in the cathedral of Palermo and endowed them with an annual income of three hundred *tanì* each «from the revenues of our *tunnaria* (tuna fisheries) in Palermo»⁴¹.

³⁶ KÖLZER, *Die Urkunden der Kaiserin Konstanze* cit., nr. 31, pp. 95-97.

³⁷ BRÜHL, *Rogerii II* cit., doc. nr. 12, pp. 35-38; ID., *Diplomi e cancelleria* cit., p. 31; GEIS, *Die Hofkapelle* cit., p. 301.

³⁸ See above, nn. 12-15.

³⁹ E. FRANCESCHINI, *Aristippo, Enrico*, in *Dizionario biografico degli Italiani*, IV, Roma 1962, pp. 201-206. In the letter that serves as preface to his translation of Plato's *Phaedo*, the first draft of which was completed at the siege of Benevento in the spring of 1156, Aristippus describes himself as «Enricus Aristippus Cathinensis Archidiaconus» (*Phaedo interprete Henrico Aristippo*, ed. (...) L. MINIO-PALUELLO adiuvante H.J. DROSSAART LULOFs, Londinii 1950 (Corpus Platonicum Medii Aevi. Plato Latinus, 2), p. 89.

⁴⁰ See n. 45 below.

⁴¹ KOCH - HÖFLINGER - SPIEGEL, *Die Urkunden Friedrichs II.* cit., nr. 139, pp. 267-269. See also *ibid.*, nr. 146, pp. 282-285; October 1211: «Insuper eciam concedimus

Whatever the case, a close reading of the Arabic and Greek texts suggests that the *dīwān* had been withholding the income of the archdeaconry. The Arabic states that Martin had been ordered «to hand over the archdeaconry (...) to (...) the archbishop Nicholas (...) so that it would be under his jurisdiction (...) and so that its revenue would be shielded from the *dīwān* (*wa-yuḥāṭa ma'lūmu-hā mina l-dīwān*)». *Ma'lūm* means literally that which is «known», «fixed» or «determined» and, by extension, a «fixed amount» of money, such as a custom, duty, fee, honorarium or tax. Here, it would appear to refer to the «revenue» of the archdeaconry or, perhaps, to a specific share of *regalia*. The Greek text which, as usual in bilingual documents, is not a translation of the Arabic, says that Martin was ordered «to give to you, the most venerable archbishop of Messina, Lord Nicholas, the archdeaconry of Messina, so that it would be under your authority together with all that pertains to the archbishopric. Therefore this present charter of that donation was made for you in order to stop [the interference of] all the *exousiastai* of Messina, so that nobody has authority over this archdeaconry save you the venerable archbishop». *Exousiastes* is a generic term for the royal official in charge of a city⁴², in Messina the strategot⁴³, to whom the *epi tou sekrétou* could give orders concerning the administration of royal possessions and revenues⁴⁴. It is therefore possible that, with or without the orders of the royal *dīwān*, the strategot of Messina had been withholding the revenue of the archdeaconry, and that this decree put an end to that practice.

The *recordatio* of the settlement of a dispute concerning the prebends of the archdeaconry of Catania, made before King Roger at Palermo in June 1145⁴⁵, gives an idea of the sort of sums that may have been at stake

(...) et eidem Panormitane ecclesie duos prebendas portus et duos alios prebendas novos unamquamque de tarenis trecentis in redditibus tunnariarum nostrarum Panormi annuatim percipiendis».

⁴² A. NEF, *Conquérir et gouverner la Sicile islamique aux XI^e et XII^e siècles*, Rome 2011 (Bibliothèque des Écoles françaises d'Athènes et de Rome, 346), pp. 389-391.

⁴³ L.-R. MÉNAGER, *Les actes latins de S. Maria di Messina (1103-1250)*, Palerme 1963 (Istituto Siciliano di Studi Bizantini e Neoellenici. Testi e Monumenti. Testi, 9), pp. 40-41; VON FALKENHAUSEN, *Griechische Beamte* cit., p. 387 n. 25.

⁴⁴ CUSA, *I diplomati greci ed arabi* cit., nr. 114, pp. 487-488, 725, and nr. 142, pp. 432-434, 732. See also the document of November 1158 edited in VON FALKENHAUSEN, *Griechische Beamte* cit., pp. 403-405, and 387 n. 25.

⁴⁵ C.A. GARUFI, *I documenti inediti dell'epoca normanna in Sicilia*, Palermo 1899 (Società Siciliana per la Storia Patria. Documenti per servire alla storia di Sicilia, ser. I, 18), doc. nr. XXII, pp. 53-54.

although, because Messina was almost certainly richer than Catania, the revenue of its archdeaconry is likely to have been even higher⁴⁶. The parties to the dispute were, on the one side, Aschetillus⁴⁷, the archdeacon of Catania, and, on the other, three monks of St Agatha's, Anselm of Roda, Raynald of Poitiers and William of Caltanissetta, representing Yvain, the bishop-elect of Catania⁴⁸, and the whole chapter. It was agreed that the prebends of the archdeaconry amounted to 1,200 *tarì per annum*⁴⁹, of which Aschetillus and his successors were to receive one third or 400 *tarì* at the beginning of August, either as foodstuffs or in gold *tarì*. Fifty *tarì* were to go to the church of St Martin, which was held as a prebend of the archdeaconry. The remaining 750 *tarì* were to be paid to the archdeacon in two instalments, half at Easter and half at Christmas.

Another ecclesiastical dispute, but in this case between Archbishop Nicholas of Messina and the canons of his cathedral, was heard before Archbishop Walter II of Palermo, and is recorded in a archiepiscopal charter dateable to 1172⁵⁰. The very length of the list of contentious issues, and the minutiae involved in some of them, indicates both how determined was Nicholas to assert his authority over the administration and finances of his church, and how crucially important to his clergy were all their customary benefits, privileges and rights⁵¹. One of the

⁴⁶ KAMP, *Kirche und Monarchie im staufischen Königreich Sizilien*, I,3, cit., p. 1012: according to the papal tax record of 1272-1273, the income of Messina was 800 *unciae*; for 1274-1280, Messina's income was 400 *unciae*, and that of Catania 300 *unciae* (*ibid.*, p. 1204).

⁴⁷ Asketill: a Norse name common in Norman south Italy in the eleventh century, but comparatively rare by the mid twelfth: L.-R. MÉNAGER, *Pesanteur et étologie de la colonisation normande de l'Italie*, in *Roberto il Guiscardo e il suo tempo. Relazioni e comunicazioni nelle Prime Giornate normanno-sveve (Bari, maggio 1973)*, Roma 1975 (Fonti e studi del *Corpus membranarum Italicarum*, 11), pp. 189-214: 196, 267-269 (reprinted with additions in *id.*, *Hommes et institutions dans l'Italie normande*, London 1981, nr. IV; see also *Additions*, p. 7).

⁴⁸ V. VON FALKENHAUSEN, *Tra Catania e Paternò: testimonianze greche dell'età normanno-sveva*, in *Rivista di studi bizantini e neoellenici*, n.s. 37 (2000), pp. 159-181: 165 n. 34.

⁴⁹ There were 30 *tarì* to the *uncia* so that, had the income of Messina in 1166 been 800 *unciae* (see n. 46 above), the prebends of the archdeaconry would have amounted to 5% of the income of the archbishopric. Given that a house in the centre of Palermo could be purchased for 300 *tarì* in 1166 (CUSA, *I diplomati greci ed arabi* cit., nr. 106, pp. 74-75, 723), 1,200 *tarì* represented a significant annual income.

⁵⁰ D. CICCARELLI, *Tabulario di S. Maria di Malfino*, I: (1093-1302), Messina 1986, pp. LXXIX-LXXXVII and doc. nr. 2, pp. 5-8.

⁵¹ *Ibid.*, p. 6: «de statuendis custodibus in cappelis, de oblacione nove ecclesie, de decanatu, de cantoria, de archidiaconatu, de prebendis magistrati Petri de Cathania et domini Michaelis; de confessionibus et processionibus forensium ecclesiarum, de

clauses of the settlement regarded the archdeaconry, and had the effect of restricting candidates for that office to the most senior canons of the church of Messina: «As to the personal offices of the dean, the cantor and the archdeacon, that is to say the high offices of Messina, whenever one should fall vacant, according to the custom of the church of Messina, it should be granted to one of the elder canons of the same church»⁵².

The comparable cases cited from a range of documentary sources in the preceding paragraphs illustrate not only why the royal *dīwān* and the strategot should have wished to maintain control of the archdeaconry of Messina, but also why Archbishop Nicholas should have been so anxious to regain control of it. While this bilingual decree serves as a reminder of the wide range of the *dīwān*'s competencies and responsibilities, it also illustrates the complexity of an office which must have employed no fewer than five, and perhaps as many as seven members of staff to produce this one document. Most of all, it reminds us that the surviving products of the royal *dīwān* constitute a tiny and almost certainly non-representative sample of what must once have been its far greater original output.

November 6675 A.M., 563 A.H., indiction 15 [1166 A.D.]

ORIGINAL: Toledo, Hospital de S. Juan Bautista (Tavera), Calle Vega Baia, Archivo General de la Fundación Casa Ducal de Medinaceli, Fondo Messina, nr. 1118 (S 2004).

COPIES: (of Greek text only, without Arabic text and signatures) Antonio Amico, *Diplomata, litterae, privilegia ecc., ad archiepiscopalem Ecclesiam Messanensem pertinentia* [17th century]: Palermo, Biblioteca Comunale, MS. Qq H 4, f. 20; and Salvatore Morso, [Ventidue diplomi greci, con la versione latina, appartenenti alla chiesa di Messina: 19th century]: Palermo, Biblioteca Comunale, MS. Qq E 172, nr. XX, f. 497.

EDITIONS: (of Greek text only; Arabic and signatures *etc.* unedited) CUSA, *I diplomi greci ed arabi cit.*, nr. 120, pp. 321, 726 [= C]; SPATA, *Diplomi greci siciliani inediti cit.*, nr. X, pp. 58–59 [= S]. Both after Palermo, Biblioteca Comunale, MS. Qq H 4, f. 20.

candelis quas debent habere singulis mensibus decanus et cantor et omnes canonici ter in anno, de oblationibus missarum domini archiepiscopi, et remotione capellani in archiepiscopatu et de eius victu».

⁵² *Ibid.*, p. 7: «Decanatum vero, cantoriam et archidiaconatum personales, videlicet dignitates Messane quandocumque vacari contingerit iuxta consuetudinem eiusdem Messanensis Ecclesie antiquioribus canonicis ipsius Ecclesie concedendas».

REGISTERS etc.: CUSA, *I diplomati greci ed arabi* cit., nr. 120, p. 726; W. BEHRING, *Sicilianische Studien II: Die Regesten des normannischen Königshauses*, in *Programm des königlichen Gymnasiums zu Elbing* 20 (1887), pp. 3–28: 16, nr. 163; *Messina. Il ritorno della memoria* cit., pp. 164–165, nr. 36 and fig. 36; JOHNS, *Arabic administration* cit., p. 311 nr. 37. Listed by: NEF, *Conquérir et gouverner la Sicile* cit., p. 643, but with the year 1167, and curiously described as an «Acte arabe-grec parfaitement bilingue»; and SCHLICHTER, *Der «gute» König* cit., p. 36.

DIMENSIONS: pale, thick parchment, sub-rectangular: height 545–501 mm; width 385–394 mm.

NOTES ON VERSO: Top centre (circa 14th century): *Restitutio archidiaconat(us) <eccl(esi)e> Messane de mandato Regine M(argarite) ... / N(icholao), ven(er)abili archie(pisco)po Messane(n)si cu(m) o(mn)ib(us) iu(ri)b(us) suys*. Upper left, written vertically: *Elin(...)* (?) Centre (circa 13th century): *Sigillum curie datum venerabili arch(iepiscopo) / Mess(anensi) d(omin)o Nich(olao) de archidiaconatu Mess(anense) / sibi a d(omin)o rege (et) d(omi)na regina reddito*. Centre (below Latin; 12th century): Σιγήλλ(ιον) γενόμε(ε)ν(ον) περι του αρχ(ι)διακονατ(ου) Μησ(ή)ν(ης) οταν επι/στράφη πρό(ς) τ(όν) τιμώτ(α)τ(ον) αρχιεπίσκοπ(ον) κύρ Νικόλ(αον). Modern archival notes: Top left: in *prima mansione*. Top right (pencil): *S 2004*. Bottom right (ink): *1118*.

SCRIPTS: The Arabic script is one of the most confident, elegant and fluent hands of the royal *dīwān*. The hand is very close to, and may possibly be the same as, that of the Arabic and Greek donation of William II and Margaret dated June 6677 [1169 A.D.]: Palermo, Archivio Storico Diocesano, Tabulario, Fondo primo, nr. 25 (ed. CUSA, *I diplomati greci ed arabi* cit., nr. 110, pp. 37–39, 724). The lines slope upwards from right to left. A wide margin is left on the right hand side of the folio. The Arabic is written with a fine reed, using what appears to be the same, rich brown ink as is used for the Greek text. Letters are rarely pointed and, when they are, it is according to no apparent logic. The short vowels are indicated only very rarely, and usually to emphasize the grammar (e.g. the two passive verbs in l. 6). Individual words are often written without lifting the pen from the page, and two words or parts of words may be joined in the same way. Other remarkable features include: *allāh* complete with *shadda* and a *madda*-shaped sign instead of the more familiar *alif kharjariyya* (l. 1); *hā'* distinguished by subscript miniature *hā'* (ll. 4, 5, 6 7); *'ayn* distinguished by subscript miniature *'ayn* (ll. 6, 7); *kāf* distinguished by superscript miniature *kāf* (l. 5); the curved upper stroke of the *kāf* at the end of l. 6; and the manner in which the tail of the *lām* in the final *ḥasbala* is looped back and round, and then continued to form the *hā'* that stands for *intahā*. The Greek script is a professional, regular hand. Unlike the Arabic text, the lines of the Greek are horizontal, as is the line of signatures. As to the signatures, Martin's *'alāma* and one note of validation *ṣaḥīḥ billāh* are written in the same black ink, and Roger's signature uses a dark brown ink, while John's monocondyl and the note of validation *ṣaḥīḥ bismillāh* are written in the same ink as the texts, and so may perhaps belong to the scribes who wrote the document.

- 10 κυρ(άς) Μαργαρίτ(ας) πρὸς ἡμ(άς) τοὺς σεκρετ(ι)κ(οὺς) τοῦ δοῦναι προς σὲ τὸν τιμιώτ(α)τ(ον) ἀρχιἐπίσκοπ(ον) Μεσήν(ης) κύρ Νικόλ(αον) τὸ ἀρχιδιακονάτον τ(ῆς) Μεσήν(ης),
- 11 τοῦ εἶναι εἰς τ(ῆν) ἐξουσίαν σου συν⁶⁰ πάντ(ων) τῶν προσόντ(ων) τ(ῆς) τοιαύτ(ης) ἀρχιἐπίσκοπ(ῆς). Ὅθεν ἐποιήθει σοι τὸ παρὸν σιγ(ί)λλ(ιον) τῆς τοιαύτ(ης) δωρε(άς)
- 12 πρὸς ἀπόπασ(ιν) πάντ(ων) τῶν ἐξουσιαστ(ῶν) Μεσήν(ης), τοῦ μηδεῖς⁶¹ ἔχ(ειν) τινὰ ἐξουσίαν εἰς τ(ὸ) τοιοῦτον ἀρχιδιακον(ά)τ(ον) πλην σοῦ τοῦ τιμιωτ(ά)τ(ου)
- 13 ἀρχιἐπισκόπ(ου). Διὸ (καὶ) ἐκυρώθ(η) τὸ παρὸν σιγ(ί)λλ(ιον) οἰκειόχ(ει)ρ(ον)⁶² ἡμῶν (καὶ) ἐδόθ(η) σοι μη(νὶ) (καὶ) ἰνδικτιῶν(ι) καὶ ἔτει τ(οῖς) προγεγραμμέν(οις).
- 14 (*‘Alāmāt* and signatures, from left to right)
- (a) توکلي على الله
- (b) صحيح بسم الله
- (c) † Ἰω(άν)ν(ης) ἔγρα(ψεν) †⁶³
- (d) † Πογέριος ἔγρα(ψεν) †
- (e) صحيح بالله⁶⁴

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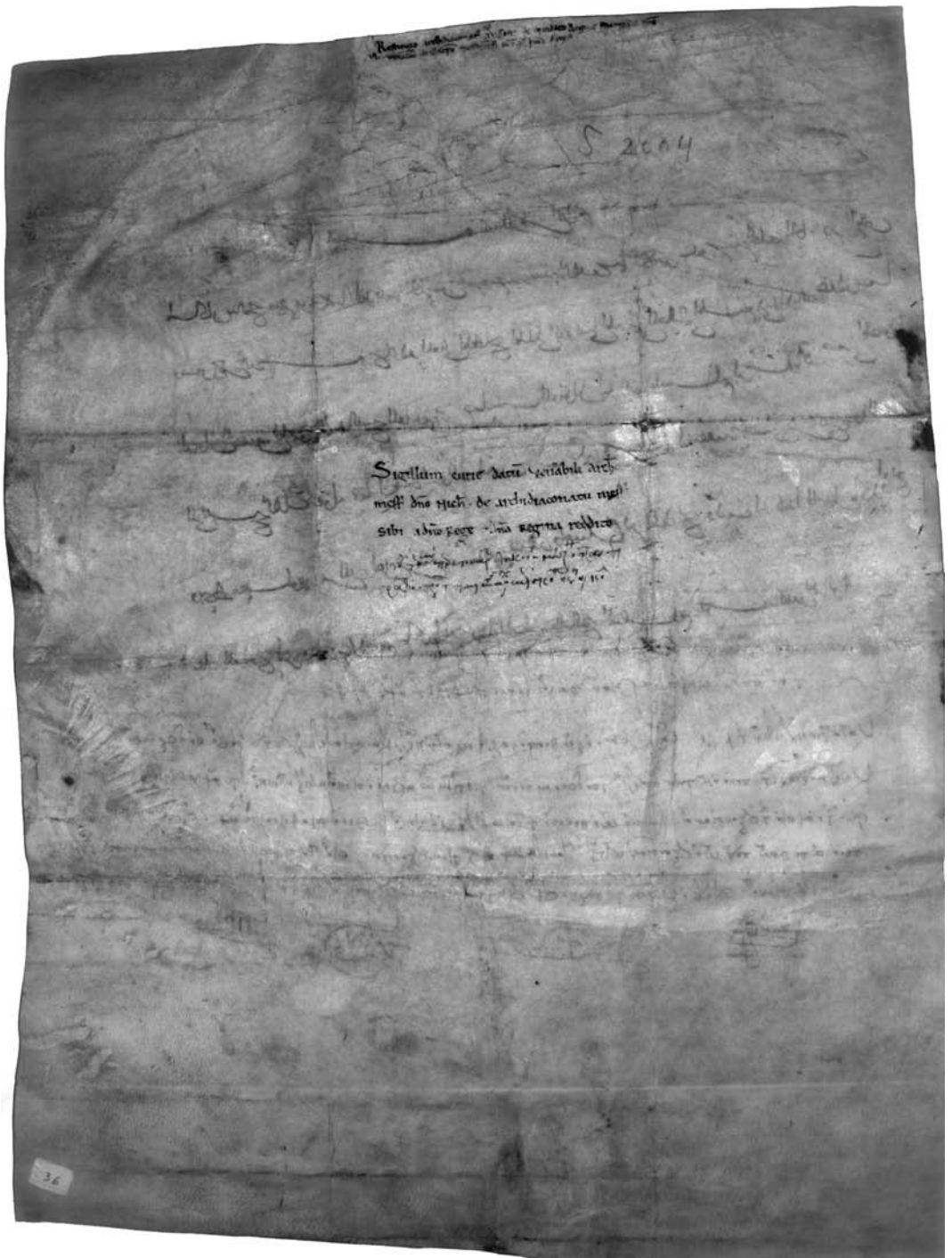
⁶⁰ S and C: μετὰ.

⁶¹ S and C: μηδένα.

⁶² S and C: οικειωχείρως.

⁶³ S and C: † μαρτίνοσ ἔγραψα; Rocco (*Messina. Il ritorno della memoria* cit., p. 165) follows them.

⁶⁴ Rocco (*Messina. Il ritorno della memoria* cit., p. 165) reads *Sahib-Allah*.



Refractio...

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Tav. 2. Toledo, Archivo General de la Fundación Casa Ducal de Medinaceli, Fondo Messina, nr. 1118 (S 2004) [November 1166], verso.

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