

# Recycled Medieval Documentary Fragments: Methodological Remarks

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**T**HIS is a dynamic and fruitful season for the study of manuscript fragments.<sup>1</sup> Like few other research topics, this area is truly multi- and trans-disciplinary because it requires the integration of skills and disciplines traditionally employed in the study of manuscripts with other innovative sectors, bringing together scholars of palaeography, codicology, diplomatics, philology, art history

1. See, e.g., *Interpreting and Collecting Fragments of Medieval Books*, ed. Linda L. Brownrigg and Margaret M. Smith (Los Altos Hills, CA, 2000); *Fragment und Makulatur: Überlieferungsstörungen und Forschungsbedarf bei Kulturgut in Archiven und Bibliotheken*, ed. Hanns Peter Neuhauser and Wolfgang Schmitz (Wiesbaden, 2015); William Duba and Christoph Flüeler, “Fragments and Fragmentology,” *Fragmentology* 1 (2018): 1–5, <https://doi.org/10.24446/a04a>; *Frammenti di un discorso storico: Per una grammatica dell’aldilà del frammento*, ed. Caterina Tristano (Spoleto, 2019).

**Abstract:** This article focuses on the reuse or recycling of medieval documents and their survival as fragments. It examines their status and the methodology of their analysis within the broader study of manuscript fragments. Hitherto, emphasis has been placed on fragments of book manuscripts, rather than media bearing texts of documentary nature. Despite the general disregard of documentary fragmentary sources, they are relevant and heuristically promising, and they represent a largely untapped source of research topics and teaching opportunities. Reflecting on the phenomenon of discarded and reused medieval documents calls for the adoption of new methodologies and at the same time represents a new and exciting challenge opening up interesting new avenues of research.

**Keywords:** Fragments; Fragmentology; Manuscript Waste; Legal Documents; Notaries; Notarial Registers; Charters; Palimpsests; Diplomatics; Archives.

and illumination, and literature with scholars of the digital humanities, and chemistry, and physics as applied to the analysis of cultural heritage.<sup>2</sup>

In recent years, the synergy between these different perspectives and research methodologies has resulted in many important online research projects. Among the first and most successful, one might mention *MuSIS: A Multi-spectral Imaging System*, whose technology enabled the launching of the *Rinascimento virtuale* project funded by the European Union.<sup>3</sup> More recently, these early initiatives have been followed by others with an extensive scope, such as the *Early Manuscripts Electronic Library*,<sup>4</sup> the well-known *Lazarus Project*,<sup>5</sup> and *Fragmentarium*,<sup>6</sup> but also by projects that are geographically more limited yet no less important in terms of their methodological developments and achievements, such as *Lost Manuscripts*<sup>7</sup> in Britain, *Bibliotheca Laureshamensis Digital*<sup>8</sup> and the digital collections of the Diözesan- und Dombibliothek Köln (formerly known

2. Cerys Jones, Christina Duffy, Adam Gibson, and Melissa Terras, "Understanding Multispectral Imaging of Cultural Heritage: Determining Best Practice in MSI Analysis of Historical Artefacts," *Journal of Cultural Heritage* 45 (2020): 339–50.

3. See *Rinascimento Virtuale: Digitale Palimpsestforschung; Rediscovering Written Records of a Hidden European Cultural Heritage*, accessed 3 October 2023, <http://www.bml.firenze.sbn.it/rinascimentovirtuale/pannello01a.shtm>.

4. See *Early Manuscripts Electronic Library*, 2014, accessed 3 October 2023, <http://emel-library.org/>.

5. See *Lazarus Project: The Future of the Past*, 2023, accessed 3 October 2023, <https://www.lazarusprojectimaging.com/>.

6. See *Fragmentarium: Laboratory for Medieval Manuscript Fragments*, 2023, accessed 3 October 2023, <https://fragmentarium.ms/>.

7. See *Lost Manuscripts*, accessed 3 October 2023, <https://www.lostmss.org.uk/>.

8. See *Bibliotheca Laureshamensis Digital*, 2014, accessed 3 October 2023, <https://www.bibliotheca-laureshamensis-digital.de/it/index.html>.

as *Codices Electronici Ecclesiae Coloniensis*)<sup>9</sup> in Germany, *Virtual Manuscripts*<sup>10</sup> in Norway, and *Fragmenta Italica Manuscripta* in Italy. We also find projects devoted to specific disciplinary fields, such as *Textus Invisibilis*<sup>11</sup> and *FraC: Frammenti della Commedia*,<sup>12</sup> just to mention a few cases.

The collecting, cataloguing, and examining of medieval manuscript fragments has made it possible to identify completely unpublished texts and to reconstruct book collections whose existence had hitherto only been assumed or was known only from indirect evidence. All these efforts have enabled scholars to study thousands of medieval fragments containing a broad range of works. Hitherto unknown aspects of the social and cultural history of both individuals and entire communities have emerged,<sup>13</sup> explanations have been found for the discarding of texts in very

9. See Diözesan- und Dombibliothek Köln, *Digitale Sammlungen*, accessed 3 October 2023, <https://digital.dombibliothek-koeln.de/handschriften/>.

10. See *Virtual Manuscripts*, 2015, accessed 3 October 2023, <https://fragment.uib.no/?k=4643>.

11. See *Textus Invisibilis*, 2023, accessed 3 October 2023, <https://www.textusinvisibilis.it>.

12. See “FraC: Frammenti della *Commedia*,” Manus Online: Manoscritti delle biblioteche italiane, accessed 3 October 2023, <https://manus.iccu.sbn.it/frammenti-della-commedia-frac>.

13. Åslaug Ommundsen and Tuomas Heikkilä, eds., *Nordic Latin Manuscript Fragments: The Deconstruction and Reconstruction of Medieval Books* (London, 2017); Giacomo Baroffio, “Colligere fragmenta ne pereant: Il recupero dei frammenti liturgici italiani,” *Rivista liturgica* 88 (2001): 679–94; Mauro Perani and Emma Abate, *Medieval Hebrew Manuscripts Reused as Book-Bindings in Italy* (Leiden, 2022); Barbara Lomagistro, “Per una definizione di ‘frammento documentario’ nella documentazione in lingua e scrittura slava di Istria e Dalmazia,” in *Documenti scartati, documenti reimpiegati: Forme, linguaggi, metodi per nuove prospettive di ricerca*, ed. Giuseppe De Gregorio, Marta L. Mangini, and Maddalena Modesti (Genoa, 2023), 357–94; Giuseppe De Gregorio, “Frammenti documentari di riuso: Esempi dal mondo bizantino,” in *Documenti scartati*, 277–307.

peculiar contexts, and recycling techniques have been examined. As part of this process, scholars have addressed the question of how aware those responsible for such operations were of the original nature of the material they were reusing. Finally, various methods of investigation<sup>14</sup> and restoration have been tested in relation to these fragments,<sup>15</sup> and existing methods of description and conservation have been evaluated.

Overall, considerable advances have been made in this multi- and trans-disciplinary field in recent decades, and the time has come to take stock of the projects undertaken so far and to envisage possible future research directions. In putting together the findings in terms of reused fragments identified, examined, and described in the broader context of European studies on the subject, strengths and gaps clearly emerge that are worth reflecting on. But I will focus here on one aspect I consider not only macroscopic, but also crucial for further investigations—the almost complete lack of interest so far, within all the projects mentioned, in the reuse of media bearing texts of a documentary nature.

14. Alessandra Corbo, “MANUS e la catalogazione informatizzata del frammento manoscritto: Riflessioni e proposte,” *Archivi* 13 (2018): 26–42; Simonetta Buttò, “Il programma MANUS e la catalogazione di frammenti di codici in Italia,” in *Frammenti di un discorso storico*, 473–80; Nicoletta Giovè Marchioli, “Catalogare per trovare: La scoperta dei frammenti attraverso la catalogazione dei ‘manoscritti datati d’Italia,’” in *Carta canta: Atti della giornata di studio, Pavia, Salone Teresiano, 28 maggio 2019*, ed. Marco D’Agostino and Pier Luigi Mulas (Pavia, 2019), 27–47.

15. Guglielmo Cavallo, “L’immagine ritrovata: In margine ai palinsesti,” *Quinio* 3 (2001): 5–16; Armando Petrucci, “Fra conservazione e oblio: Segni, tipi e modi della memoria scritta,” *Bullettino ISIME* 106 (2004): 75–79.

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Despite the statement of principle enunciated by William Duba and Christoph Flüeler for the field of what has come to be known as “fragmentology” that “collections of fragments include not just fragments of books, but also of documentary material: charters, registers, and similar items; material that requires expertise in the field of diplomatics,”<sup>16</sup> almost all scholars who have dealt with reused fragments so far have focused on recycled manuscripts of only one kind, namely book fragments.<sup>17</sup> The consequence of adopting this approach is that scholars have ignored a substantial portion of reused manuscript fragments of a documentary nature: fragments bearing “testimonies of facts of a juridical nature compiled according to certain specific forms intended to make them trustworthy and compelling.”<sup>18</sup> Yet, notwithstanding the general neglect of these fragmentary sources, they are relevant and heuristically promising for a number of reasons: firstly, because they are so numerous and display certain material and typological peculiarities; secondly, because they offer an original picture of the phenomenon of discarding and then reusing written material, insofar as they involve different contexts for the drafting, use, and conservation of texts (e.g., chanceries, administrative offices, public and private notarial, ecclesiastical, and family archives) compared to those considered so far in relation to book manuscripts; thirdly, because of the methodological and descriptive problems they raise; and finally, because of the peculiarities marking their dispersal, which make new findings still possible even in contexts completely unrelated to scribal transmission.

16. Duba and Flüeler, “Fragments and Fragmentology,” 2.

17. See *Frammenti di un discorso storico*.

18. Alessandro Pratesi, *Genesi e forme del documento medievale* (Rome, 1979), 9.

118 As one can see even from such a brief overview, there are many reasons why documentary fragments are potentially interesting. To begin tackling these issues, it seems useful to address a series of questions that might help us understand the complexity of codicological and diplomatic research on reused medieval documentary fragments. First, we might ask: when and for what reasons was a manuscript containing the text of a legal document considered “of little or no value” (*paucis aut nullius valoris*)? Who was responsible for deciding whether to preserve or discard such documents? Were certain types of documents discarded more frequently than others? Did medieval and modern legislation regulate the practice of discarding and reusing documents? What were the transmission or disposal circuits for documentary manuscripts deemed discardable or expendable? On the basis of what elements and under what conditions could certain discarded documentary media be reused and in what contexts? What methods and techniques were adopted for these reprocessing operations?

Attempting to answer these questions means venturing into largely unexplored territory. The methodologies applied so far have focused on the

document for its own sake, in order to establish whether it is genuine or not; to determine when, where, how, and why it was created; to identify what cultural environment, what legal tradition, and what legal norm or customary practice it reflects; and to determine what degree of trustworthiness it has enjoyed.<sup>19</sup>

These questions are certainly appropriate, but when dealing with a document in a fragmentary state, diplomatists must necessarily also examine the various phases it has undergone, as well as the connections between these phases

19. Ibid.

and the intrinsic and extrinsic characteristics acquired by the document. At the same time, the analysis is bound to extend to the ways in which the document was received and preserved, not least in an attempt to understand why it was discarded, transformed, and repurposed into disparate objects, now stored in public and private repositories such as archives, libraries, and museums. These documents are not only fragments of codicological units that have been lost forever: they also participated, for a certain period of time, or continue to participate in the nature of other objects, whereby their forms and functions have been redefined. What is currently lacking is a method for concise description of such documents, the prerequisite for an initial qualitative and quantitative assessment of the scope of the phenomenon they represent, as well as for defining strategies that may contribute to our understanding and appreciation of such material.

The only established fact at the moment is that for a certain number of medieval documents, which it is difficult to estimate, the decision to discard them did not inevitably condemn them to oblivion. Instead, it constituted an opportunity to initiate paths of material reprocessing that ultimately proved decisive for their survival. At the same time, discarding and reusing ensured that through these fragments we can get an idea of more substantial and complex documentary units that are otherwise lost. In light of these observations, it is furthermore evident that the set of issues alluded to by the questions we have just posed primarily finds its place within the debate on the wide range of repurposing practices that between the Middle Ages and the modern age involved various materials and contexts—territorial spaces, architectural and sculptural elements, everyday objects, decorative styles, literary forms of expression and images, legal formulas, biblical and patristic motifs,

hagiographical topoi, and so on—as well as different techniques, responsibilities, and circles of users.<sup>20</sup>

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#### TOWARDS A DEFINITION OF DOCUMENTARY FRAGMENTS

In the wake of this heuristic trend, the preparation of a questionnaire on the study of the phenomenon of discarded and reused medieval documents represents a new and exciting challenge that may open up interesting new research avenues. At the same time, it entails the adoption of new methodologies through which to delve deeper into a discipline that in many ways has already been fruitfully explored.<sup>21</sup> The aim is to include—not only potentially, but tangibly—within the scope of diplomatics written testimonies of legal facts that were deemed disposable in a certain context and at a particular moment during their transmission, and whose materiality has been redefined for purposes other than their original ones.

A first essential point in this regard is the meaning to be assigned to the term “fragment” in relation to documentary texts that are linked to an array of materials, forms, structures, and layouts.<sup>22</sup> The adjective “fragmentary” may first describe the material state of preservation, since the original form and structure of the documents are no longer

20. See Arnold Esch, “Reimpiego dell’antico nel medioevo: La prospettiva dell’archeologo, la prospettiva dello storico,” in *Ideologie e pratiche del reimpiego nell’alto medioevo, 16–21 aprile 1998*, 2 vols., Settimane di studio del Centro italiano di studi sull’alto medioevo 46 (Spoleto, 1999), 1:73–108.

21. Giuseppe De Gregorio, Marta L. Mangini, and Maddalena Modesti, “Diplomatica del documento medievale scartato e reimpiegato? Nuove prospettive di ricerca tra approcci tradizionali e digitali,” in *Documenti scartati*, 7–26.

22. Roberta Napoletano, “Scritture scartate, supporti riutilizzati: Fenomenologia del frammento manoscritto e del suo reimpiego,” *Teca* 13 (2023): 71–88, accessed 3 October 2023, <https://doi.org/10.6092/issn.2240-3604/17520>.



completely legible, but only hypothetically reconstructible through the identification of elements that partially reflect their original arrangement. Regrettably, in such cases not all identifiable fragments possess the same potential for study. One must consider the close and often essential relationship binding each text both to the codicological unit of which it was part and to the other texts within that unit. This relationship is based not only on extrinsic elements such as the collation, pagination, and in many cases the graphic unity and uniformity of the page layout, but also on intrinsic features such as indications of authorship in the heading, frequent internal references to dates and places, and the use of abridged formulas, especially ones previously employed.

Owing to the close interconnectedness of all these elements within the original codicological unity, even in the lucky event of finding sizeable fragments from the same register, the loss of the complete document renders the contextualisation and attribution of each individual fragment highly challenging. For example, while in some fragments the topical and chronological dates are still legible,<sup>23</sup> in many other cases these elements are missing or at most are present in the form of generic references to *eodem die*, *eiusdem anni*, *suprascriptis anno*, *die et loco*, etc. In the absence of explicit indications, probably transmitted by parts

23. E.g., Piacenza, Archivio di stato, *Notarile*, 54 (fragment of notarial register dated 1234–1236, Bobbio-Mezzano Scotti); Piacenza, Archivio di stato, *Notarile*, 33/11 (fragment of notarial register dated 1237, Piacenza); Meda, Villa Antona Traversi Archivio, *Liber memorationis* (fragment of notarial register dated 1242, Milan); Milan, Veneranda Biblioteca Ambrosiana, MS R 61 sup. (fragment of notarial register dated 1260, Cremona); Milan, Veneranda Biblioteca Ambrosiana, MS A 118 inf. (fragment of notarial register dated 1281, Trento); Milan, Archivio storico civico e Biblioteca Trivulziana, *Pergamene Trivulzio*, 1 (fragment of notarial register dated 1305, “in episcopatu Cremona”); Milan, Veneranda Biblioteca Ambrosiana, MS A 2 inf. (fragment of notarial register dated 1347, Milan).

122 of the register that are no longer preserved, one is therefore forced to date the material on the basis of the notary's *modus scribendi et operandi*<sup>24</sup> and any internal references to previous documentation.<sup>25</sup>

Similar difficulties are encountered when attempting to identify the drafting notaries, because in most cases the notary's personal sign (*signum notarii*), first name, surname, patronymic, and origin are unknown. In a few particularly fortunate cases we have the protocol sheet bearing the letterhead. This is the case, for example, with the guard sheets of two different manuscripts kept in the Veneranda Biblioteca Ambrosiana, namely the register written by notary Andrea son of Giacomo called Roba (*Liber hic est register scriptus per Andream Iacobi dictum Robam notarium*), who was active in Trento (1281),<sup>26</sup> and the one of the notary Giacomino Micherio Bitario, son of the late Gaspare (1347), living

24. E.g., Milan, Veneranda Biblioteca Ambrosiana, MS D 6 sup. (fragment of notarial register dated s.xiii<sup>2</sup>, Pavia); Piacenza, Archivio di stato, *Notarile*, 33/11 (fragment of notarial register dated s.xiii<sup>2</sup>, Piacenza); Piacenza, Archivio di stato, *Legature restaurate*, 68 (fragment of notarial register dated s.xiii<sup>2</sup>, Piacenza).

25. E.g., Milan, Veneranda Biblioteca Ambrosiana, MS A 89 sup., see Marta L. Mangini, "Nuovi itinerari di ricerca sui protocolli milanesi del sec. XIII: Un frammento del quaternus del notaio Giacomo (1275)," in *Sit liber gratus, quem servulus est operatus: Studi in onore di Alessandro Pratesi per il suo 90. compleanno*, ed. Paolo Cherubini and Giovanna Nicolaj, 2 vols., *Littera antiqua* 19 (Vatican City, 2012), 1:549–63 at 556. Similar cases in Milan, Veneranda Biblioteca Ambrosiana, MS H 207 inf. (fragment of notarial register dated *post* 1311, Milan); Piacenza, Archivio di stato, *Notarile*, 71/27 and 65/7 (fragments of notarial registers dated s.xiii<sup>2-3</sup>, see Marta L. Mangini, "Dal registro alla legatura, e ritorno: Reimpiegghi notarili tra Bobbio e Piacenza (secoli XIII–XIV)," in *In signo notarii: Atti della giornata di studi Piacenza, Archivio di Stato, 24 settembre 2016 – Giornate Europee del Patrimonio 2016*, ed. Anna Riva, *Notariorum itinera*, varia 2 (Genoa, 2018), 10–31 at 29–30, accessed 3 October 2023, [http://www.storiapatriagenova.it/BD\\_vs\\_contenitore.aspx?Id\\_Scheda\\_Bibliografica\\_Padre=5975&Id\\_Progetto=0](http://www.storiapatriagenova.it/BD_vs_contenitore.aspx?Id_Scheda_Bibliografica_Padre=5975&Id_Progetto=0)

26. Biblioteca Ambrosiana, MS A 118 inf., fol. 155v.

in Milan (*Quaternus diversarum imbreviaturarum Iacobini Micherii Bitarii, filii condam Gasparri*).<sup>27</sup> In each of these two cases, only one bifolium of the original notarial registers has been preserved, but on each of them the names of the drafting notaries are still legible. Equally rare are those cases in which, upon a careful reading of the fragmentary text, brief self-references emerge that help us identify the notary. Examples include another Ambrosian fragment, A 89 sup., attributed to a notary named Giacomo,<sup>28</sup> two fragments from the State Archives of Mantua mentioning local professionals named Crescimbene and Antonio,<sup>29</sup> and three of the six fragments of thirteenth-century registers from Piacenza that have been assigned to the notaries Pagano de Placentino<sup>30</sup> and Rainaldo de Campromaldo.<sup>31</sup>

Another meaning of “fragment” is incomplete document. Equally significant problems emerge when it comes to defining the term “fragment” in relation to loose documents. Clearly, a document is incomplete not only when a portion of its medium has been lost, potentially including some text, but also when it has lost its original function. This occurs when the document has been removed from its original framework and/or the one it eventually acquired and has undergone repurposing. Any document of this nature represents a “historical testimony deprived of a more or less significant part of its original informational potential”; hence, to all intents and purposes, it should be regarded as a documentary fragment that is the result of a cultural, as much as material, selection process.<sup>32</sup>

27. Biblioteca Ambrosiana, MS A 2 inf.

28. Mangini, “Nuovi itinerari di ricerca,” 553.

29. Mantua, Archivio di stato, *Raccolta di cimeli*, 143ter.

30. Mangini, “Dal registro alla legatura,” 28.

31. *Ibid.*, 29–30.

32. Cristina Solidoro, “Fenomenologia dei frammenti di manoscritti,” in *Décrire le manuscrit liturgique: Méthodes, problématiques, perspectives*,

124 It is evident that the analysis, and indeed the very identification and definition of these fragments, poses a series of problems and questions that are only partly comparable to those already known and addressed in the study of book manuscript fragments.<sup>33</sup> As in the case of the latter, there is no doubt that interest in discarded and reused notarial and chancery deeds often arises from the dearth of original documentation, especially in relation to certain areas. It is also driven by the realisation that the recovery of what has been discarded and repurposed in view of uses other than the original ones represents a remarkable, and frequently unique, opportunity to obtain at least partial knowledge of drafting techniques and contents that would otherwise remain unknown or merely hypothetical.<sup>34</sup>

Let us consider notarial registers, for example. The possibility of studying them is limited by their partial or complete loss over time. Even in Italy, the country which boasts the earliest and most extensive repositories of such documents—specifically, the notarial archives of Genoa and Savona in Liguria and those of Lucca, Pisa, and Siena in Tuscany—only a few archives preserve cartularies dating back to the years before the fourteenth century. The contours of survival in this landscape have inevitably influenced our historical understanding of these documents.<sup>35</sup> Since the 1970s, when scholars began studying notarial reg-

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ed. Laura Albiero and Eleonora Celora, *Bibliologia* 64 (Turnhout, 2021), 73–93 at 75n9.

33. De Gregorio, Mangini, and Modesti, “Diplomatica del documento,” 13–19.

34. Elisabetta Caldelli, *I frammenti della Biblioteca Vallicelliana: Studio metodologico sulla catalogazione dei frammenti di codici medievali e sul fenomeno del loro riuso* (Rome, 2012), 15–18.

35. Andreas Meyer, *Felix et inclitus notarius: Studien zum italienischen Notariat vom 7. bis zum 13. Jahrhundert* (Tübingen, 2000), 179–222.

isters in a somewhat systematic way,<sup>36</sup> significant areas, potentially of great interest, have remained at the periphery of scientific research or have been examined only in relation to limited time frames.<sup>37</sup>

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The situation just outlined has had profound implications for the historiography and the concrete research that has been conducted—or is currently underway—on documents of this particular type. By extension, the same could be said about other types of documents. In any case, already from the last examples, it is evident that the development of a descriptive methodology to address the phenomenon of manuscript reuse, based on a shared analytical-scientific approach, a sort of “grammar of reused manuscript fragments” encompassing all the various types of manuscripts affected by the discarding and reusing of material over the centuries, could unveil new sources useful for the study not only of surviving fragments of notarial registers but also of many other types of documents. Regrettably, we are still far from achieving this outcome.<sup>38</sup> The methodological reflections developed thus far in the field of the description of book fragments, while undoubtedly significant,<sup>39</sup> remain

36. Sandra Macchiavello and Antonella Rovere, “Le edizioni delle fonti documentarie e gli studi di diplomatica nelle pubblicazioni della Società Ligure di Storia Patria (1857–2007),” in *La Società ligure di storia patria nella storiografia italiana 1857–2007*, ed. Dino Puncuh (Genoa, 2010), 5–92.

37. Marta L. Mangini, “Testimoni isolati di protagonisti assenti: Protocolli notarili scartati e reimpiegati in Italia settentrionale (secoli XIII–XIV),” in *Documenti scartati*, 101–23.

38. In the next three years we are looking for the research outcomes of the REcycled meDieval DIplomatic fragmentS Project (REDDIS), which has received funding from the European Union’s NextGenerationEU program and the Italian Ministry of University and Research. The project is currently being carried out at the Universities of Rome Tor Vergata, Milan, Genoa, and Bologna as host institutions.

39. *Guida ad una descrizione uniforme dei manoscritti e al loro censimento*, ed. Viviana Jemolo and Mirella Morelli (Rome, 1990); Caldelli, *I*

partial and inapplicable to the complex phenomenon of the reuse of both narrative and documentary texts. This limitation stems from the perspective adopted up until now. Fragments have largely been viewed as parts of a lost whole, as snippets of manuscripts no longer fully preserved, to be analysed and described by focusing on their original context. Those who have adopted, and who continue to adopt, this research perspective believe that one must “resist the temptation to make this type of study a discipline in its own right, ‘fragmentology’ ... as doing so would mean losing sight of the essential starting point, the complete codex.”<sup>40</sup>

More recently, however, it has been suggested that we approach the study of reused fragments from the opposite perspective, by “shifting the focus from fragments as fragments of something to fragments as fragments”<sup>41</sup> or, in the words of the American poet Lyn Hejinian, by considering first and foremost the fact that “a fragment is not a fraction but a whole piece.”<sup>42</sup> If we turn our attention to the object itself, to the fragment as a fragment, intrinsic and extrinsic forms become more apparent. If properly analysed, these forms can not only lead us to the manuscript from which the fragment originated, but also provide insights into a range of historical phenomena that extend beyond the mere context from which the fragment has been removed. By proceed-

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*frammenti*, 89–108; Corbo, “MANUS e la catalogazione”; Buttò, “Il programma MANUS”; Giovè Marchioli, “Catalogare per trovare”; Marina Bernasconi Reusser, “La ricerca e la catalogazione dei frammenti di manoscritti in Svizzera e il progetto Fragmentarium,” in *Frammenti di un discorso storico*, 427–34; Valentina Atturo and Lucia Negrini, “Manus Online: Una Base Dati Rinnovata, Non Solo Per Gli Specialisti,” *Digitalia* 17/1 (2022): 76–91 at 78, accessed 3 October 2023, <https://digitalia.cultura.gov.it/article/view/2959>.

40. Caldelli, *I frammenti*, 13.

41. Duba and Flüeler, “Fragments and Fragmentology,” 2–3.

42. Lyn Hejinian, *My Life and My Life in the Nineties*, 4th ed. (Middletown, CT, 2013), 70.

ing as in a stratigraphic excavation, that is in the reverse order from that in which the individual elements characterising the fragment in its current state were deposited, we can identify and highlight features of the reuse it has undergone. Additionally, we can identify elements that shed light on the circumstances surrounding the fragment's discarding, or even reconstruct the original methods of production, use, and preservation, and thus the context to which it originally belonged.

More specifically, a prerequisite for the reconstruction of the ways in which a document was discarded and reused is a comprehensive understanding not only of how it was produced, but also of the various archival management mechanisms and purposes to which that document was subjected during its more or less brief and troubled transmission. This means envisioning research projects that go beyond mere textual recovery or, on the contrary, the mere description of the *status quo*, by combining traditional and digital approaches—e.g., the multispectral analyses on Vercelli, Biblioteca capitolare, MS CLXXI conducted by Giacomo Vignodelli,<sup>43</sup> or the cataloguing of the documentary fragments from the Archivio generale arcivescovile of Bologna undertaken by Roberta Napoletano via the *Fragmentarium* portal.<sup>44</sup> In such a way, it might be possible to provide a broad representation of each reused document across its various phases, including its original drafting and use, conservation, discarding, and repurposing. This representation would consider the documentary fragment as an all-round cultural object, “as an historical object in its own

43. Giacomo Vignodelli, “Scarto e reimpiego all'Archivio Capitolare di Vercelli: I palinsesti del codice eusebiano CLXXI (secoli X–XIII),” in *Documenti scartati*, 51–80.

44. Roberta Napoletano, “Maculture documentarie dall'Archivio Arcivescovile di Bologna: Un approccio alla loro metadattazione,” in *Documenti scartati*, 175–96.

right, capable of serving as more than a second-class manuscript.<sup>45</sup> It would identify, describe, and highlight each of the elements that have defined the fragment throughout its centuries-old transmission. This research perspective, which we might call fragment-centred, requires us to consider the complete “life cycle” of each document during both the analysis and the description process, by examining three fundamental phases: firstly, the genesis of the document, including the formal elements through which it was brought into being and the modes of validation by virtue of which it was recognised as authentic (i.e., as the expression of the will of its legal author); secondly, the moment of its discarding, when it became available as waste material; and, finally, the moment of its reuse, at a time and space more or less distant from its discarding, not always clearly definable.

**DISPOSAL AND REUSE: NOT JUST A QUESTION OF “DISTANCE”**

Identifying the traces of each of the functional passages involving a documentary fragment necessarily brings up the question of the circumstances, responsibilities, times, places, and modes of transition from one phase to the other. When and why were certain documents disposed of, even though they contained evidence of legal facts regarded as original records (*matrices scripturarum*)? Who played an active or passive role in this process? What dynamics led to the repurposing of these documents? What were the transmission circuits and the selection criteria (if any)? In what ways were these fragments recycled and where were they preserved? What have been the outcomes in terms of preservation and the possibilities of studying such documents?

45. Duba and Flüeler, “Fragments and Fragmentology,” 3.



In order to answer these and many other related questions, it is first of all crucial to reflect on the problems and reasons that led to the disposal of certain documentary manuscripts. In this sense, it seems to me that we can try to summarise the various cases by grouping them into four distinct classes that can be defined on the basis of the following characteristics. First of all, fragmentary documents exist because they were discarded. Owing to changing economic, legal, and cultural conditions, these documents became useless. The documents' loss of their original *raison d'être* led to a loss of their functionality, resulting in a more or less deliberate decision to dispose of them. This category includes documents written in scripts that were no longer comprehensible, dissolved contracts, and deeds bearing formulas and regulations no longer in force. Then there are documents that are fragmentary because they are worn out. Their state of preservation deteriorated to the point that they could no longer fulfil the functions for which they had originally been drafted. This may have occurred as the result of conscious, continuous, and prolonged human actions—leafing through, rubbing, folding, or rolling up the document—or of external factors not directly due to human intervention, such as heat, light, water, humidity, mould, rodents, insects, etc. This category includes documents whose material state of preservation has become so precarious as to render the text illegible. Another category of fragmentary documents includes deeds never completed, owing to sudden changes affecting their context. From the very beginning these have been in a fragmentary state with respect to an ideal completeness that has never been achieved. Finally, some documents are fragmentary because they have been decontextualised. In this case we are dealing with documents that, for various reasons, have lost the necessary links with their original context and/or the one they eventually acquired, including their context of use and preservation. Partly deprived of their original informational potential, they have lost their meaning and

130 usefulness. It is clear that the dynamics underlying each of these operations respond to different logics. That means they must therefore be studied by focusing in each case on the specific system of conservatorship in use in the area to which the documents originally belonged and on the time-span defined by the *ante quem* of their reuse.

Other circumstances of documentary survival are less easily categorized and addressed typologically. Yet, some remarks can usefully be made about the frequency and abundance of their reuse of their reuse. For instance, the preservation of an original document officially drafted by a notary and delivered to the interested parties was the responsibility of the individual recipients. Documents in these situations are subject to a variety of vicissitudes and to changing regard as to their importance. Focusing on medieval notarial registers, particularly those produced in northern Italy, can help to provide clarity—registers of notarial *imbreviaturae* presenting a case in point, illustrating the dynamics of transmission within a context of conflicting interests. On the one hand, there are the corporate interests of the notaries, who had every patrimonial interest in personally selecting the colleague to whom they would transfer their archive of documents, sometimes in return for payment. On the other hand, there are the interests of secular and religious authorities with territorial jurisdiction, who claimed the right to preserve written attestations of their own rights and those of their subordinates by managing centralised repositories of retired notaries' registers.<sup>46</sup>

Especially in places such as in northern Italy, where the first of the these two forces prevailed,<sup>47</sup> and registers were

46. Mangini, "Testimoni isolati di protagonisti assenti."

47. Andrea Giorgi and Stefano Moscadelli, "Archivi notarili e archivi di notai: Riflessioni sulle forme di conservazione e tradizione delle carte dei notai italiani (secoli XVI–XIX)," in *Il notariato nell'arco alpino: Produzione e con servazione delle carte notarili tra medioevo ed età mo-*

gradually parcelled out, individual professionals had wide latitude in the application of existing laws.<sup>48</sup> While there was recognised need to preserve these documents adequately in order to protect the legitimate interests of the parties involved, there was also a competing impulse to generate additional revenue through recycling these writing supports, leading to the dispersal or even destruction of documents. This was due to the fact that the monetary value of registers decreased as the individual *imbreviaturae* within them aged, since the profit that could be obtained from the extraction of *munda* progressively diminished over time. Consequently, it was not uncommon for notaries to dispose of the older documents they had in storage by selling them in bulk as material for reuse and repurposing. In this regard, therefore, as already ascertained by scholars in relation to the reuse of written material bearing literary, liturgical, or musical texts,<sup>49</sup> the discarding and recycling of individual deeds and documentary registers may be seen to reflect a “distance” between these legal documents and their owners and potential users—a distance not only, or not necessarily, physical and chronological, but chiefly cultural. At some point, the owners of the documents ceased to appreciate or value the primary function of these texts or simply became uninterested in them. Their interest focused instead on the materiality of the physical medium—in most cases parchment—to the point that they decided to repurpose it and/or give it away so that it might be used in a way unrelated to the official documents inscribed on it.

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*derna; Atti del convegno Trento, 24–26 febbraio 2011*, ed. Andrea Giorgi, Stefano Moscadelli, Diego Quaglioni, and Gian Maria Varanini (Milan, 2014), 19–83.

48. Andreas Meyer, “Hereditary Laws and City Topography: On the Development of Italian Notarial Archives in the Late Middle Ages,” in *Urban Space in the Middle Ages and the Early Modern Age*, ed. Albrecht Classen (Berlin, 2009), 225–43.

49. Caldelli, *I frammenti*, 35–39; *Frammenti di un discorso storico*.

At this point it would be easy to identify notaries as the main, if not the only, individuals responsible for such choices. But in reality, the picture is far more complex. From medieval regulations it becomes evident that the choice of discarding and reusing documents can be attributed to a much broader chain of responsibilities, in which the interests of some people were influenced by the demands of others.<sup>50</sup> The Sienese complained that carts of paper were being sold to “grocers and other shopkeepers.”<sup>51</sup> In Florence, the shredding and sale of documentary registers was repeatedly banned.<sup>52</sup> In Milan, the statutes and ducal regulations of the late fourteenth and early fifteenth centuries blamed the *infinita damna* suffered by documents not only on those who sold writing supports bearing documentary texts, namely notaries and their heirs (*nullus audeat vendere*), but also on those who bought/received them (*nullus audeat ... emere nec recipere*) and, finally, on those who processed such media (*nullus audeat ... nec abradere nec super clipeis nec aliis operibus ponere nec operari*).<sup>53</sup> Fourteenth-century laws make explicit reference to certain categories of craftsmen (*scudarios, abraxatores cartarum, aurisichos, fabros et facientes fieri drapos*)<sup>54</sup> and also retailers (*spizarius, formagiarius, luganegarius, venditor pissium, salsorum, carnum recentium nec aliarum rerum*).<sup>55</sup>

50. Marta L. Mangini, “Custodire l’invisibile: Scritture scartate, trasformate e nascoste tra Medioevo ed Età Moderna,” in *Scritture nascoste, scritture invisibili: Quando il medium non fa ‘passare’ il messaggio; Miscellanea internazionale multidisciplinare*, ed. Alessandro Campus, Simona Marchesini, and Paolo Pocetti (Verona, 2020), 335–52.

51. *L’archivio notarile (1221–1862): Inventario*, ed. Giuliano Catoni and Sonia Fineschi, Pubblicazioni degli archivi di stato 87 (Rome, 1975), 15.

52. Antonio Panella, “Le origini dell’archivio notarile di Firenze,” *Archivio storico italiano* 92 (1934): 57–92 at 58 and 63.

53. Milan, Archivio di stato, *Registri Panigarola*, 21a, fols. 95–96.

54. Milan, Biblioteca nazionale Braidense, Codici Morbio, MS 86, fol. 76r (*Statuta comunis Mediolani*, 1386).

55. Milan, Archivio di stato, *Registri Panigarola*, 21a, fol. 94.

Just as a wide range of individuals were responsible for discarding and reusing documents, so did the times and places vary considerably, along with the degree of awareness of the consequences entailed by the recycling of media bearing documentary texts and *imbreviaturae*. Judging from the intrinsic and extrinsic elements available, in certain cases the context of reuse was culturally and chronologically, if not geographically, distant from that of production and disposal. Therefore, the people handling the recycled fragments must have had little understanding of the legal significance of such texts. For example, how many children studying the *Libretto dei nomi e primo libro di lettura per le scuole elementari di città*—published by the Imperiale Regia Stamperia di Milano in 1838 and now preserved in Villa di Chiavenna—were able to decipher the fifteenth-century handwriting of the notary Lorenzo Limaga di Piuro, who had drafted the sales document that had been reused as the cover of this small textbook?<sup>56</sup> How many officials of the municipality of Piuro, when recording the victuals given and received in the five-year period 1869–74, actually realised that the crumpled cover used to protect their notebook was taken from an early fourteenth-century sales document?<sup>57</sup>

These are just two of the many possible examples of how the distance between legal documents and their owners and/or users could obscure the primary function of these text or lead to disinterest in them, and hence to the repurposing of their physical media. But what about the numerous loose documents and registers that were reused less than a century after the date of the transactions recorded in them, what is more by professionals who in many cases belonged to the same socio-cultural context as the fragments? In us-

56. *Pergamene di Villa di Chiavenna dei secoli XIV–XVI*, ed. Marta L. Mangini (Chiavenna, 2015), 106n23.

57. *Ibid.*, 143n38.

134 ing these writing supports and, even more so, in sometimes erasing them and filling them with words, numbers, and images,<sup>58</sup> could experienced notaries really have been unaware that their annotations were overlapping with pre-existing documentation? How could they have been oblivious to the legal nature of these documents and to the implications of what they were doing in terms of the preservation of documentary texts and mutual obligations? For example, only a few years separate certain documentary fragments discovered in Piacenza from the chronological time span for the activity of the notaries Raimondo Stradella, Lanfranco Brugnone, and Giovanni Guselini who were responsible for the reuse of these documents.<sup>59</sup>

A similar degree of chronological and geographical “proximity” is witnessed by the *imbreviaturae* palimpsested onto other *imbreviaturae* that, not without some difficulty, can be identified in three separate sources: the register of the notary Oliverio de Salarolis, active in Cremona between 1250 and 1267;<sup>60</sup> the *quaternus* of Mafeo de Mercato, who is known to have been active in Milan and Meda in the last two decades of the thirteenth century;<sup>61</sup> and the protocol of the notary Ottobono Nuvoloni, active in Mantua

58. In many cases, palaeographic analysis of the handwritten annotations made on the reused material used to cover the notarial registers makes it possible to ascertain that the stages of their assembly took place when they were still in the full responsibility of their respective notaries: see Mangini, “Dal registro alla legatura, e ritorno,” 17–21.

59. *Ibid.*

60. Marta L. Mangini, “Non solo parole, non solo formule: Le imbreviature di Oliverio de Salarolis (Cremona, 1250–1267),” in *Oliverio de Salarolis: Percorsi di studio su un notaio cremonese del Duecento*, ed. Elisabetta Filippini (Selci-Lama, 2020), 11–46 at 21–22 and 22n77.

61. *Mafeo de Mercatodi Meda (Milano-Meda, 1290–1294)*, ed. Marta L. Mangini, *Notariorum itinera 9* (Genoa, 2021), vi, [https://notariorumitinera.eu/NI\\_vs\\_contenitore.aspx?Id\\_Scheda\\_Bibliografica\\_Padre=6408&Id\\_Progetto=0](https://notariorumitinera.eu/NI_vs_contenitore.aspx?Id_Scheda_Bibliografica_Padre=6408&Id_Progetto=0).

in the first thirty years of the fourteenth century.<sup>62</sup> In all three cases, the *scriptio inferior* can be traced back to hands slightly earlier if not actually contemporary to the *scriptio superior*.

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The practice in question is not confined to freelance professionals. One case in point is provided by the cover bearing texts and drawings from the lost *Liber instrumentorum porte Cumane*, which in the third quarter of the thirteenth century was discarded by the chancellors of the municipality of Milan and within a handful of years was reused as the soft cover of a *Breve recordationis* of the monastery of Sant'Ambrogio dated 1283. The operation of unbinding and repurposing this material was most likely carried out by one of the numerous notaries who in those years had distinguished themselves in fulfilling communal appointments and had gone on to serve the city's most important monastery.<sup>63</sup> The same can be said for the numerous cases of disposal and reuse in the chancery sphere, studied by Paolo Buffo in relation to the Franco-Provençal area<sup>64</sup> and by Marta Calleri and Sandra Macchiavello in relation to the Ligurian Riviera. In the archival-administrative context of the municipality of Savona, for instance, a bifolium containing some regulations on the collection and sale of duties, signed not long before 1407 by the notary Nicola Natono—the chancellor and scribe of the tax-collectors' office—was repurposed a few years later to protect a paper

62. Giuseppe Gardoni, "Note sul protocollo palinsesto di un notaio mantovano del Trecento," *Atti e memorie: Accademia nazionale virgiliana di scienze lettere ed arti* 74 (2006): 49–70 at 65 and 68–69.

63. Marta L. Mangini, "Parole e immagini del perduto *Liber instrumentorum porte Cumane* (Milano, metà del secolo XIII)," in *Ianuensis non nascitur sed fit: Studi per Dino Puncuh*, 3 vols., Quaderni della Società ligure di storia patria 7 (Genoa, 2019), 2:801–24.

64. Paolo Buffo, "I documenti reimpiegati come fonte per la storia degli apparati di governo: Riflessioni a partire dal caso sabauda (secoli XII–XV)," in *Documenti scartati*, 27–50.

bifolium containing the proceedings of a 1414 court case between the municipality and one Raffaele Carpaneto.<sup>65</sup>

If in all these cases it was not any cultural, geographical, or chronological distance that determined the fragmentary fate of the documents, what did? Were these texts perhaps written on supports in a poor state of preservation? Were they sheets that had never been bound *in quaterno* and which therefore, within a short time from their writing, became difficult to trace back to their original context and those responsible for their preservation? Or, as seems to be suggested—albeit only in a few cases—by the lines running through certain fragments, were they mostly discarded and reused texts recording contracts that had already been annulled or had never been completed?

Precisely to try to answer these questions, a two-year research project entitled REcycled meDieval DIplomatic fragmentS (REDDIS) was recently launched.<sup>66</sup> For the time being, all hypotheses remain open. They will have to be evaluated on a case-by-case basis, by trying to identify what higher need or propitious occasion may have led notaries, chancellors, archivists, and other professionals to forget that these documents constituted written evidence of legal facts to be kept at the disposal of those entitled to them.

65. Marta Calleri and Sandra Macchiavello, “Il reimpiego documentario in Liguria: Due realtà a confronto; Genova e Savona (secc. XIV–XVI),” in *Documenti scartati*, 81–100.

66. REcycled meDieval DIplomatic fragmentS (REDDIS), project code P2022PZS2S, was funded by the Italian Ministry of University and Research and ongoing (2023–25). The expected results of the project in terms of census, digitization, description, and application of metadata for recycled medieval diplomatic fragments are still being developed and will be published in the coming years by the scholars involved (Emma Abate, Marta Calleri, Cristina Carbonetti, Giuseppe De Gregorio, Federico Del Tredici, Stefano Gardini, Sandra Macchiavello, Marta Luigina Mangini, Maddalena Modesti, Valentina Ruzzin, Maddalena Signorini, Fabio Venuda, and Giacomo Vignodelli).



CONCLUSION

The list of examples could be extended indefinitely in quantitative, typological, geographical, and chronological terms. But while I do not wish to claim that the cases mentioned are in any way exhaustive or systematic, I believe they are sufficient to highlight how the phenomenon of re-using documentary media constitutes a form of memory conservation that must be considered in all of its aspects on the basis of a necessarily interdisciplinary approach. An investigation of this material must take account of the dynamics involved in the process of reuse. Therefore, it must refer both to the dimensions and contexts of the production, use, and preservation of texts, to the multiple possibilities they afford, to the remarkable physical characteristics of the media destined to receive them, and to their capacity to be reshaped and redefined.

Fragmentary texts, even those that may be only partially visible, offer the possibility of recovering the identity of the original manuscript.<sup>67</sup> Yet, the materiality of the manuscript is important as well, for it is precisely the peculiar transformation of these writing supports and documents once deemed expendable that has ensured their preservation. An archaeological or stratigraphic approach, thus, needs to pay attention to the relationship between text and object, fragment and repurposing. The goal is challenging, and the descriptive schemes adopted so far are insufficient. We need to develop specific metadata and to integrate and harmonise the existing frameworks for the description of manuscript fragments with the platforms already established to describe objects held within memory institutions such as

67. Tarcisio Lancioni, "Il tutto, in parte," in *Frammenti di un discorso storico*, 1–13 at 8.

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138 galleries, libraries, archives, and museums.<sup>68</sup> While much remains to be done, the “soil is more fertile than ever”—we should start tilling it now, if we wish to sow.

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68. The elaboration of a descriptive sheet capable of comprehensively representing the peculiarities of recycled diplomatic fragments is one of the expected outcomes of the ongoing REDDIS project (see n66). Pending the results of this project, for some initial thoughts on the topic see Fabio Venuda, “Il digital curator alla ricerca di un’identità,” *Bibliologia: An International Journal of Bibliography, Library Science, History of Typography and the Book* 12 (2017): 261–71; Napoletano, “Maculature documentarie”; De Gregorio, Mangini, and Modesti, “Diplomatica del documento medievale scartato e reimpiegato?”



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