

Towards a Typology of Byzantine Cartularies: The Case of the Lembiotissa Cartulary¹⁾

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In 1983, Igor P. Medvedev gave an overview of Byzantine and post-Byzantine collections of copies of documents in the form of a codex under the name of ‘cartulary’; up to this time, scholars had used various terms, such as ‘Kopialbuch’, ‘diplomatarium’ or ‘kondakion’²⁾. In historiography, we have loosely adopted these words for codices, most of which have no name, although some use the term ‘κῶδιξ’³⁾. While it is still uncertain whether such a category is useful for the understanding of these Byzantine sources, here I follow the concept of ‘cartulary’ for convenience.

From the Byzantine period, we have about ten cartularies, all of which were completed in monasteries after the thirteenth century; these are the cartulary of the Makrinitissa and Nea Petra monasteries near Volos in Thessaly (1280s)⁴⁾; a fragment of the cartulary of the Hiera-Xerochoraphion monastery on Mount Mycale near Priene (thirteenth century)⁵⁾; the cartulary of the monastery of St. Paul on Mount Latros near Miletus (thirteenth century)⁶⁾; two cartularies, ‘A’ and ‘B’, of the monastery of St. John Prodromos on Mount Menoikeion near Serres (mid-fourteenth century)⁷⁾; the cartulary

¹⁾ Abbreviations are listed at the end of this paper.

²⁾ Medvedev, *Cartulaires*, p. 95.

³⁾ Cf. Dölger/Karayannopoulos, *Byzantinische Urkundenlehre*, pp. 26 and 133. Scholars often insist on the resemblance between the Byzantine cartulary and the ‘kondakion’, a technical word explained in a *typikon* written by eleventh-century intellectual Michael Attaleiates; see P. Gautier, “La Diataxis de Michel Attaliate,” *REB* 39 (1981), pp. 5-143; p. 77 lines 999-1001: Πλὴν ἵνα ἀπογραφῶσι πάντα τὰ δικαιώματα ἐν κονδακίῳ, ὃς ἀν συνοπτικῶς διαγινώσκηται πόσα καὶ ποῖα δικαιώματα ἔχῃ ἐκάτη κτῆσις. However, this definition signifies rather an ‘inventaire des archives’, as interpreted by P. Lemerle; see P. Lemerle, *Cinq études sur le XI^e siècle byzantin* (Paris, 1977), p. 326.

⁴⁾ MM IV, pp. 330-430.

⁵⁾ N. Wilson and J. Darrouzès, “Restes du cartulaire de Hiéra-Xérochoraphion,” *REB* 26 (1968), pp. 5-47.

⁶⁾ MM IV, pp. 290-329; A new edition to be published: Ch. Gastgeber and O. Kresten, *Das Chartular des Paulos Klosters am Berge Latros: Kritische Edition, Übersetzung, Kommentar und Indices* (Vienna, in press).

of the Eleousa monastery near Stroumitza in Macedonia (fourteenth–fifteenth century)⁸⁾; and the cartulary of the Lembotissa monastery near Smyrna, which is our concern below⁹⁾.

Among these cartularies, that of the Makrinitissa and Nea Petra monasteries is a unique case in that the imperial authority clearly participated in its redaction. In 1975, Franjo Barišić's study revealed that the cartulary was redacted by the order of Emperor Michael VIII Palaiologos (r. 1259–1282), and the validity of all documents copied in it was officially confirmed. This cartulary, unfortunately destroyed by fire in 1904, contained 42 documents classed in hierarchical order, with the signatures of Emperor Andronikos II Palaiologos (r. 1282–1328) and Patriarch John Bekkos (r. 1275–1282) on the last folio¹⁰⁾.

Other cartularies do not exhibit any clear signs that permit us to discern their contexts of composition, though various hypotheses have been proposed. Some scholars have tended to make hasty generalisations of Byzantine cartularies other than the officially authenticated cartulary of Makrinitissa and Nea Petra described above, for example, labelling them as products of scientific interest or some internal practical

⁷⁾ A. Guillou, *Les archives de Saint-Jean-Prodrome sur le mont Ménécée* (Paris, 1955); V. Laurent, “Remarques sur le cartulaire du couvent de Saint-Jean Prodrome sur le mont Ménécée,” *REB* 18 (1960), pp. 293–299; I. Dujcev, *Cartulary A of St. John Prodromos Monastery* (London, 1972); *Le codex B du monastère Saint-Jean-Prodrome (Serrès) : A (XIIIe –XVe siècles)*, ed. L. Bénou (Paris, 1998); O. Kresten and M. Schaller, “Diplomatische, chronologische und textkritische Beobachtungen zu Urkunden des Chartulars B des Ioannes Prodromos-Klosters bei Serrhai,” in *Sylloge Diplomatico-Palaeographica*, vol. I, ed. Ch. Gastgeber (Vienna, 2010), pp. 179–232.

⁸⁾ L. Petit, “Le monastère de Notre-Dame de Pitié en Macédoine,” *Извѣстія Русскаго Археологическаго Института въ Константиноپольѣ* 6 (1901), pp. 1–153; V. Laurent, “Recherches sur l'histoire et le cartulaire de Notre-Dame de Pitié à Stroumitsa,” *Échos d'Orient* 33 (1934), pp. 5–27.

⁹⁾ Besides, there is a cartulary of the Monastery of St. John Prodromos on Mount Vazelon in Trebizond; F. I. Uspenskij and V. N. Beneševič, *Ta Acta τῆς μονῆς Βαζελώνος. Στοιχεία για ιστορία της αγροτικής και μοναστηριακής εγγείας ιδιοκτησίας στο Βυζάντιο κατά το 130 –150 αι., Επιμέλεια, προλεγόμενα, προσθήκες: K. K. Papoulides; Μετάφραση: E. K. Petropoulos* (Thessalonike, 2007; first Russian edition in 1927); G. Mavromatis and A. Alexakis, “Τα Acta τῆς μονῆς Βαζελώνος στα κατάλογα του N. M. Πλαναγιωτάκη και οι προοπτικές για μια νέα έκδοσή τους,” in *Realia Byzantina*, eds. S. Kotzabassi and G. Mavromatis (Berlin/New York, 2009), pp. 151–166; idem, “Eleven Documents from the Acta of the Monastery of St. John the Forerunner of Vazelon in Trebizond,” in *Myriobiblos: Essays on Byzantine Literature and Culture*, eds. Th. Antonopoulou et al. (Boston/Berlin/Munich, 2015), pp. 1–23.

¹⁰⁾ F. Barišić, “Дипломатар тесалијских манастира Макринитиса и Неа Петра,” *ZRVI* 16 (1975), pp. 69–103.

objects¹¹). However, the majority of cartularies have not been sufficiently studied in their own right. The structures and contexts of each cartulary are diverse. Does the small number of transmitted cartularies signify that such practice was not popular in the Byzantine Empire? Moreover, from the fact that all instances derive from the thirteenth century or later, should one take into account, for example, the influence of the Latins, who had accelerated effects on the Byzantines after the Fourth Crusade? We cannot express these suppositions *a priori* because of the highly fragmented source tradition, especially before the twelfth century. Rather, such a material situation warns us not to accept the usefulness of the concept of ‘cartulary’ to characterise those codices easily or blindly. Historiography has not yet reached the stage where ‘Byzantine cartularies’ in general can be discussed. Thus, it is necessary to (re)investigate each Byzantine ‘cartulary’ in its own context, paying studious attention to the method of comparative study.

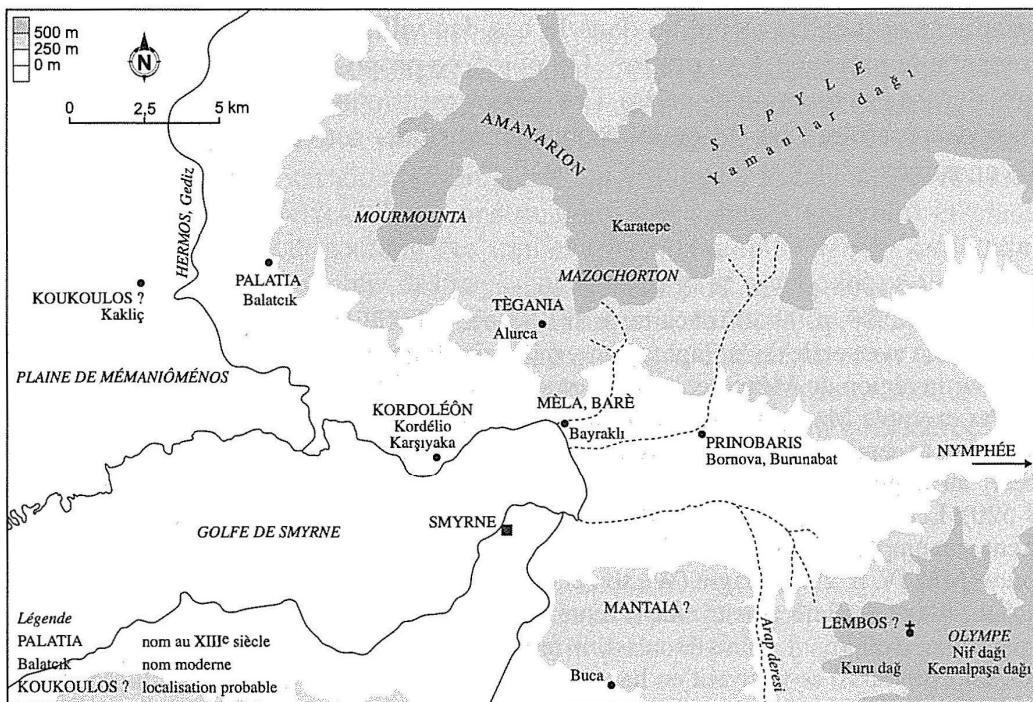
In this paper, as a small step in the study of Byzantine cartularies, I will review some characteristics of the cartulary of the Lembotissa monastery, which is one of the most important sources for studies of the late Byzantine period, as exemplified by the famous dispute on Byzantine ‘feudalism’. Here, I will minimise comparisons with other cartularies.

The Lembotissa Monastery and the Cartulary

The Lembotissa (or Lembos) monastery, dedicated to the Virgin, was located near Smyrna and Nymphaion in South-Western Anatolia. It probably already existed in 787 and fell into ruin in the early thirteenth century. In the 1220s, it was restored by Nicene Emperor John III Vatatzes (r. 1221–1254) and flourished throughout the century. The situation of the monastery in the fourteenth century is uncertain, but it seems that it was abandoned because of the advance of Turkish beyliks during the first quarter of the fourteenth century¹²).

¹¹) Cf. Medvedev, *Cartulaires*, pp. 98–100.

¹²) On the history of the monastery and its possessions, see Smyrlis, *Fortune*, pp. 56–61; V. Puech, “Smyrne et ses campagnes au XIIIe siècle. Les relations d’une ville Byzantine avec son arrière-pays,” *Histoire et sociétés rurales* 39 (2013), pp. 35–59, as well as the works in the following note.



Map: Region of Smyrna in the Thirteenth Century (from Smyrlis, *Fortune*, p. 57)

The cartulary¹³⁾ of the Lembiotissa monastery was discovered at Constantinople in the mid-sixteenth century by Ogier Ghiselin de Busbecq, ambassador to the Ottoman Empire of the Austrian monarch Ferdinand I¹⁴⁾; it is now conserved in the Austrian

¹³⁾ Edition: MM IV, pp. 1-289. The following are some important works on the cartulary: A. Fontrier, "Le Monastère de Lembos près de Smyrne et ses possessions au XIIIe siècle," *Bulletin de correspondance hellénique* 16 (1892), pp. 379-410; Dölger, *Chronologisches*; Ahrweiler, *Smyrne*; Medvedev, *Cartulaires*; S. Kaplaneres, "Zur Datierung zweier Urkunden des Lembiotissa-Klosters," *JÖB* 41 (1991), pp. 237-239; P. Gounaridis, "Σημείωμα για ένα (;) ἔγγραφο της Λεμβιώτισσας," *Σύμμεικτα* 11 (1997), pp. 83-96; idem, "La pêche dans le golfe de Smyrne," in *Eupsychia: mélanges offerts à Hélène Ahrweiler*, eds. M. Balard et al., vol. I (Paris, 1998), pp. 265-271. A new edition is currently being produced; see A. Beihammer et al., "Byzantine Documentary Sources of the Nicean Empire: The Cartulary of Lembiotissa: Prospects and Possibilities of a New Critical Edition and Analysis," in A. G. Leventis *Research Projects 2000-2016: Reviews and Contribution*, eds. A. Gagatsis et al. (Nicosia, 2014), pp. 65-74.

¹⁴⁾ O. Gh. de Busbecq, *Legationis Turcicae Epistolae quatuor: Quarum Priores Duea ante aliquot annos in lucem prodierunt sub nomine Itinerum Constantinopolitani & Amasiani ; Adiectae Sunt Duea Alterae. Eiusdem De re militari contra Turcam instituenda consilium* (Frankfurt a. M., 1595), p. 314: *Adhaec librorum Graecorum manuscriptorum tota plaustra, totas naves. Sunt, credo, libri haud multo infra 240, quos mari transmisi Venetias, ut inde Viennam deportentur. Nam Caesareae bibliothecae eos destinavi. Sunt aliquot non cotemnendi, communes multi. Converri omnes angulos, ut quicquid restabat huiusmodi mercis, tanquam novissimo specilegio*

National Library (Cod. Vind. Hist. gr. no. 125). The manuscript is composed of 235 folios, while a dozen folios have been lost in the course of its tradition¹⁵⁾. It contains approximately 200 Greek documents related to the monastery ranging from the twelfth to the first decade of the fourteenth century (62 imperial acts, an act of empress, two patriarchal acts, 30 acts of civil and ecclesiastic officials, 112 private acts). With the exception of the last document of Patriarch Arsenios¹⁶⁾, all copies are transcribed by one hand. Although the cartulary has no preface or colophon to clarify its objective, each copy has a résumé¹⁷⁾ at the beginning in red ink¹⁸⁾. There is also some information about signatures, witnesses, seals and so on¹⁹⁾. The copies themselves are transcribed in black ink, not in a cursive style. One of the résumés reveals that the first copyist was transcribing the documents in the Lembiotissa monastery, although his identity is obscure²⁰⁾.

The exact date of the cartulary's compilation is uncertain. According to Hélène Ahrweiler's study devoted to dating the documents copied in it, the *terminus post quem* can be determined as 1307²¹⁾. In contrast, the *terminus ante quem* should correspond with the time of the monastery's destruction or abandonment. Although no direct information about the monastery in the fourteenth century is extant, we can roughly estimate when the monks of the monastery ceased their activity. The two cities near the monastery fell to the beyliks – Nymphaion in 1315 by the beylik of

congerem. For his intention to collect Greek manuscripts, see D. Arrighi, *Écritures de l'ambassade: les Lettres turques d'Ogier Ghiselin de Busbecq* (Paris, 2011), pp. 47–53. On the situation surrounding the cartulary from the sixteenth century onwards, see H. Hunger, "Bestand und Katalogisierung der griechischen Handschriften der Österreichischen Nationalbibliothek: Geschichte und Aufgabe," *Libri* 1–1 (1950/1951), pp. 351–361.

¹⁵⁾ At least thirteen folios; see H. Hunger, *Katalog der griechischen Handschriften der Österreichischen Nationalbibliothek*, vol. I (Vienna, 1961), p. 127.

¹⁶⁾ On this document, see Regestes no. 1330.

¹⁷⁾ Except for MM IV, nos. 1, 3, 4, 5, 12, 65 and 131.

¹⁸⁾ Several résumés are written in black ink; for example, see Cod. Vind. Hist. gr. 125, fol. 30 v. (no. 7i), 31 v. (no. 7ii), 48 r. (no. 15).

¹⁹⁾ It is clear that not all signatures were recorded by the copyists. The description of an act of an official (MM IV, no. 8ii) shows that an imperial ordinance (*prostaxis*, MM IV, no. 8i) was copied without the signature of the *mesazon* Demetrios Tornikes, which the original included.

²⁰⁾ MM IV, no. 50 (July 1274): pp. 110–112: p. 110: Τὸ ἐκδοτήριον ἔγγραφον, δῆπερ ἐγεγόνει τῇ παρούσῃ βασιλικῇ μονῇ τῶν Λέμβων παρὰ τοῦ μητροπολίτου Σμύρνης.... Cf. P. Lambecius, *Commentariorum de Augustissima Bibliotheca Caesarea Vindobonensi*, vol. VIII (Vienna, 1679), p. 523.

²¹⁾ MM IV, no. 164 (April 1302 or April 1307); see Ahrweiler, *Smyrne*, p. 153.

Saruhan and Smyrna in 1317 by the beylik of Aydin²²⁾. Thus, the monastery probably fell down around this period of time.

Over 100 years ago, Vasily G. Vasilievsky commented that the Lembotissa cartulary was composed for the historical memory and some practical needs of the monastery, although his remark was inspired by no more than an impression²³⁾. In fact, no intensive study on the cartulary itself has ever appeared. The present paper is not an attempt to establish any concrete thesis on the objective of the codex; rather, it provides preliminary observations on some characteristics of the cartulary's structure and on the relationship between the cartulary and the monastic archive with a view to fostering further consideration of Byzantine 'cartularies'.

Observations

Initially, the beginning part of the cartulary appears to be well ordered, containing five chronologically placed imperial chrysobulls (*chrysoboulloī logoi* from 1228, 1235, 1258, 1262 and 1284) and an inventory of the possessions and taxes of the monastery (*praktikon* from 1235; MM IV, nos. 1–6)²⁴⁾. In reading the following documents, however, one notices that such a clear order of documents is exceptional. In fact, most documents in the cartulary are organised in a very loose geographical order or scattered in a disorderly way. I will introduce the arrangement of documents according to particular categories.

Other than the part comprising the chrysobulls and praktikon, in a few sections, it can be stated that the first copyist of the cartulary was apparently attempting to put

²²⁾ Cl. Foss, "Late Byzantine fortifications in Lydia," *JÖB* 28 (1979), pp. 297–320; p. 311; P. Lemerle, *L'Émirat d'Aydin : Byzance et l'Occident* (Paris, 1957), pp. 45–50. Cf. S. Vryonis, *The Decline of Medieval Hellenism in Asia Minor and the Process of Islamization from the Eleventh through the Fifteenth Century* (Los Angeles, 1971), pp. 138–39, 310–31.

²³⁾ V. G. Vasilievsky, "Материалы для внутренней истории византийского государства," *Журнал министерства народного просвещения* 210 (1880), pp. 98–170; p. 114.

²⁴⁾ MM IV, no. 1 (chrysoboullos logos, August 1228: Regesten no. 1718); no. 2 (praktikon, March 1235); no. 3 (chrysoboullos logos, June 1235: Regesten no. 1749); no. 4 (chrysoboullos logos, September 1258: Regesten no. 1853); no. 5 (chrysoboullos logos, December 1262: Regesten no. 1915); no. 6 (chrysoboullos logos, April 1284: Regesten no. 2100).

several documents together in some order. There are four sections that have titles under which a number of related documents are arranged together. First, six documents following the chrysobull section are related to a farm called Sphournu situated in the northeast of Smyrna (MM IV, nos. 7i–7vi); these are arranged in chronological order under the title ‘The documents of the farm of Sphournu [...]’²⁵). First is a document from January 1234 in which George Kaloeidas donates an estate in Sphournu to the Lembiotissa monastery (no. 7i); second is an imperial ordinance of April 1234 that confirms that donation (no. 7ii). Following this, there are several documents concerning an infringement on the right of Sphournu (nos. 7iii–7vi)²⁶). Here, all documents regarding Sphournu are collected together.

The second section groups documents related to properties of the metochion (a monastic establishment subordinate to an independent monastery, i.e. the Lembiotissa monastery in this case) of Palatia situated to the north of the Gulf of Smyrna (MM IV, nos. 75–79). At the top of the section, the following is written: ‘The documents from the archive of the metochion of Palatia, which now begin from here’²⁷). This title is followed by five documents, which are not in chronological order, as follows: nos. 75–77 and 79 (June 1231–May 1234) concern the donation of the imperial lands of 8 *zeugaria* (a unit of measurement) in total and a number of establishments in Koukoulos to the monks of Lembiotissa; no. 78 is an imperial document of 1226 that orders an official to restore the properties usurped by neighbourhoods to the Lembiotissa monastery; in the latter document, it is uncertain where the properties in question were situated. In any case, the properties in Koukoulos probably were managed by the metochion of Palatia, which probably was established after 1234, for documents related to the properties in Koukoulos appear only in this section of the cartulary²⁸).

²⁵) MM IV, p. 32: Τὰ δικαιώματα τοῦ προαστείου τῶν Σφούρνων [...]ν πρῶτον ἐκδοτήριον.

²⁶) MM IV, no. 7i (donation, January 1234); no. 7ii (imperial ordinance, April 1234: Regesten no. 1738); no. 7iii (report of oaths by neighborhood residents, July 1235); no. 7iv (judgment by a dux, September 1235); no. 7v (imperial ordinance, January 1236: Regesten no. 1752); no. 7vi (report of a settlement, May 1238).

²⁷) MM IV, p. 142: Τὰ τοῦ μετοχίου τῶν Παλατίων χαρτᾶ δικαιώματα, ἄτινα δὴ καὶ ἄρχονται ἀπὸ τῶν ὥδε.

²⁸) MM IV, no. 75 (imperial ordinance, June 1231: Regesten no. 1725); no. 76 (demarcation by an officer, July 1231); no. 77 (imperial ordinance, May 1234: Regesten no. 1739); no. 78 (imperial ordinance, February 1226: Regesten no. 1713); no. 79 (imperial ordinance, March 1234: Regesten

The third case, comprising documents concerning the metochion of Amanariotissa from 1252 to 1293 (MM IV, nos. 167–177), follows the same pattern as the second²⁹). A dozen documents follow the title ‘The documents from the archive of the metochion of our entirely pure Virgin Mary of Amanariotissa begin from here’³⁰). Here, it should be noted that the Lembiotissa monastery took possession of this metochion in 1283³¹).

The last case is related to the cultivated fields (*choraphia*) once owned by laymen (MM IV, nos. 131–133). At the beginning of this section, the following title appears: ‘The imperial ordinances by which the Blatteros and Rabdokanakes family legally held the choraphia of the Gounaropoulo along the Demosiates River’³²). This section collects the ordinances in favour of the Blatteros and Rabdokanakes family concerning a dispute in the 1230s between the family and the Lembiotissa monastery over a set of fields in the village of Bare near the Demosiates River, which flows into the Gulf of Smyrna. The property had formerly been in the Gounaropoulos family’s hands, and their ownership was confirmed by Emperor Theodore I Laskaris (r. 1205–1221) in June 1207 (no. 131). Soon after, in November 1207, it was sold to Basilius Blatteros³³; it was then transferred to John Rabdokanakes as a dowry for Blatteros’ daughter Anna³⁴). However,

no. 1273). For the properties of the metochion, see P. Gounaridis, “Τὰ τοῦ μετοχίου τῶν Παλαιών χαρτῶν δικαιώματα: Σύσταση, τοπιογραφικά δεδομένα καὶ εντοπισμός ενός μετοχίου τῆς Λεμβιώτισσας (Σμύρνη),” *Σύμμεικτα* 14 (2001), pp. 95–141; Smyrlis, *Fortune*, pp. 57 and 254..

²⁹) For the region of Amanarion, see Ahrweiler, *Smyrne*, pp. 64–67; S. Kalopissi-Verti, “Church Foundations by Entire Villages (13th–16th C.): A Short Note,” *ZRVI* 44 (2007), pp. 333–340: p. 335.

³⁰) MM IV, p. 262: Τὰ χαρτῷ δικαιώματα τοῦ μετοχίου τῆς ὑπεράγνου ήμων Θεοτόκου τῆς Ἀμαναριωτίσσης ἀπὸ τῶν ὅδε λαμβάνουσι τὴν καταρχήν. MM IV, no. 167 (donation, June 1252); no. 168 (donation, October 1267?); no. 169 (donation, October 1283); no. 170 (donation, November 1284); no. 171 (transfer, December 1284); no. 172 (transfer, January 1285); no. 173 (sale, January 1283); no. 174 (sale, March 1283); no. 175 (synodal act, 1286–1293?); no. 176 (imperial ordinance, May 1293: Regesten no. 2154); no. 177 (transfer, May 1293). On the dates of nos. 168 and 175, see respectively Ahrweiler, *Smyrne*, p. 114 and Regestes, no. 1558. From this section of the cartulary, three folios have been lost (one before f. 231; two before f. 233).

³¹) Smyrlis, *Fortune*, pp. 59 and 255.

³²) MM IV, p. 217: Τὰ προστάγματα, ἄπερ εἶχε τὸ μέρος τοῦ Βλαττεροῦ καὶ τοῦ Ραβδοκανάκη εἰς δικαιώσιν αὐτῶν χάριν τῶν εἰς τὸν Δημοσιάτην ποταμὸν χωραφίων τῶν Γουνάρου πούλων. MM IV, no. 131 (imperial ordinance, June 1207: Regesten no. 1676); no. 132 (imperial ordinance, October 1230: Regesten no. 1724); no. 133 (imperial ordinance, June 1233: Regesten no. 1733).

³³) MM IV, no. 106 (sale, November 1207).

³⁴) Cf. MM IV, no. 111 (imperial ordinance, August 1232: Regesten no. 1728). On the Blatteros family, see Ahrweiler, *Smyrne*, p. 168.

when the monks of Lembiotissa acquired the village of Bare under the auspices of Emperor John III Vatatzes between 1224 and 1228³⁵⁾, they sought to claim the above property of Rabdokanakes with the justification that it should also be a part of the village of Bare. The dispute between Rabdokanakes and the monastery, during which John III twice confirmed Rabdokanakes' rights to the property in October 1230 and in June 1233 (nos. 132 and 133), was finally settled by the judgement of the *mesazon* Demetrios Tornikes in July 1233 in favour of the monks of Lembiotissa³⁶⁾. In this section of the cartulary, the first copyist's criterion for grouping the three imperial ordinances has to do with the legal predecessor of a particular property, not the property itself. In fact, when one seeks to reconstruct the story of the above *choraphia* in Bare, one should consult certain documents copied in other parts of the cartulary³⁷⁾.

Among these four sections, while the first groups all documents regarding a specific property, the second and third sections group documents connected to subordinate institutions of the monastery, while the fourth section groups documents of a legal predecessor. Therefore, these sections in the cartulary, which the first copyist seems to carefully order in appearance, are not consistent in light of the criteria used to collect them.

There are, in contrast, many sections where some documents that are mutually related in some particular sense (mainly geographical) are transcribed together without any title grouping them³⁸⁾. The remaining documents are only partially grouped or are dispersed in various parts of the cartulary. Six documents concerning properties in the city of Smyrna (MM IV, nos. 8a–12) are apparently grouped, but they neither have an inclusive title nor are arranged chronologically; moreover, they do not cover everything related to those properties in Smyrna, as some contract documents about estates in Smyrna are evident in other parts of the cartulary (e.g. MM IV, nos. 14, 114, 180 etc.)³⁹⁾.

³⁵⁾ MM IV, no. 1 (see note 15).

³⁶⁾ MM IV, no. 115 (imperial ordinance: Regesten no. 1734). On the property, see Dölger, *Chronologisches*, p. 294; Ahrweiler, *Smyrne*, pp. 140–141; M. C. Bartusis, *Land and Privilege in Byzantium: The Institution of Pronoia* (Cambridge, 2012), pp. 176–183.

³⁷⁾ MM IV, nos. 103, 106, 110, 111, 115 and 116.

³⁸⁾ For example, donations by the *protobestiaritissa* Eirene (MM IV, nos. 146i–146v); on the vivarium of Gyros (MM IV, nos. 150i–153); and on the contract between the saltpan in Smyrna and the Lembiotissa monastery (MM IV, nos. 179i–179iii).

³⁹⁾ MM IV, no. 8i (imperial ordinance, October 1227: Regesten no. 1717); no. 8ii (sale, October

The documents connected to legal actions related to the property in the village of Panaretos, in the east of Smyrna, are transcribed separately in the cartulary (MM IV, nos. 17, 25, 66, and 70)⁴⁰.

We have considered the documents in the cartulary according to some characteristic groupings. The structure may seem us to be inconsistent and variegated. However, this indicates that the first copyist did not perceive a strict order of the documents as important. Assuming that is the case, the loose order may reflect the state of the monastic archive of Lembiotissa at the time of the compilation of the cartulary rather than a reflection of the copyist's intent. In other words, the order of the grouped sections in the cartulary suggests that the copyist transcribed documents one after another as he took them from the monastic archive, without sorting on a large scale. It is remarkable that the two sections of Amanariotissa and the Blatteros and Rabdokanakes family, which have titles grouping several documents, concern the archives first created by other independent legal entities and later integrated into the archive of the Lembiotissa monastery because of the transfer of the rights of properties that the former archives concerned. These archives of legal predecessors were probably preserved separately even after such integration.

This supposition leads us to another important question: How do the documents represent the monastic archive of the early fourteenth century? A quick reference reveals that all documents in the cartulary are connected to the monastery's privileges and properties. To determine how these documents represent the monastic archive in the period of the compilation of the codex, we consider the five chrysobulls from 1228 to 1284 and the praktikon of 1235 copied at the top of the cartulary; these record all properties and privileges of the monastery at the time of each issuance. By comparing them with other documents in the cartulary, in most cases, we can find some document(s) concerning every property and privilege described in the chrysobulls and the praktikon up to 1284⁴¹. Although we know of a few *deperdita* on the monastic

1227); no. 8iii (imperial ordinance, August 1232: Regesten no. 1729); no. 9 (donation, January 1231); no. 10 (donation, September 1230); no. 11 (sale, July 1231); no. 12 (donation, November 1237). Some examples of fragmentally placed documents are no. 14 (sale, June 1258); no. 114 (sale, April 1233); no. 180 (donation, March 1294).

⁴⁰) MM IV, no. 17 (sale, August 1231); no. 25 (sale, February 1232); no. 66 (sale, March 1232); no. 70 (imperial ordinance, March 1232: Regesten no. 1727).

properties, there is no apparent intention to eliminate them. They were probably copied in the lost folios of the cartulary⁴²⁾.

Sometimes, we find documents that would have had no legal validity in the period of the early fourteenth century. For example, the cartulary contains a twelfth-century ecclesiastic document that confirms some olive trees as the possession of the Lembiotissa monastery (July 1133). This is entitled ‘an old document’ (εγγαφον παλαιόν) by the copyist⁴³⁾. An imperial ordinance temporarily exempts fifteen hyperpyra from the assessed value of the monastic property (July 1261?); this ordinance probably expired when the cartulary was composed⁴⁴⁾. In contrast, there are no purely practical documents in the cartulary, such as administrative orders, instruments of appointment, receipts for taxes and so on. Interestingly, the composition of the cartulary resembles the archives of the monasteries in Athos and Patmos, which are still active⁴⁵⁾.

If our cartulary reflects the state of the monastic archive to a certain degree, the compilation might be intimately connected with the organisation of the monastic archive. From this perspective, we should closely consider the résumés that the copyists added to the top of each document. In fact, these résumés are written under a consistent policy. For example, the copyist explains a document issued in June 1231 as follows: Πρόσταγμα δωρεαστικὸν περὶ τῆς δωρηθείσης εἰς τὸ βασιλικὸν ζευγγλατεῖον τὸν Κούκουλον γῆς ζευγαρίων δύο⁴⁶⁾. This reveals the document’s author (Πρόσταγμα = imperial ordinance), its legal transaction (δωρεαστικὸν = donating) and its subject (lands in Koukoulos). These three elements appear in examples of almost all document types⁴⁷⁾. Thus, the process of transcription may be reconstructed as follows: The copyist(s) at first read a document through, summarised it according to his concern and wrote a résumé (mostly in red ink); then, he transcribed the body of the

⁴¹⁾ Of course, it is impossible to ascertain whether all documents in the monastic archive after April 1284 were copied in the cartulary.

⁴²⁾ Regesten nos. 1710, 1719, 1875b, 1924 and 2097.

⁴³⁾ MM IV, no. 18. On the dating, see Ahrweiler, *Smyrne*, p. 128.

⁴⁴⁾ MM IV, no. 159 (Regesten no. 1892a). On the dating, see Ahrweiler, *Smyrne*, p. 148. This exemption is not confirmed by the chrysobulls issued later (MM IV, nos. 5 and 6).

⁴⁵⁾ On their archives, see N. Oikonomides, “Byzantine Archives of the Palaiologan Period, 1258–1453,” in *Pragmatic literacy, east and west, 1200–1330*, ed. R. Britnell (Woodbridge, 1997), pp. 189–197.

⁴⁶⁾ MM IV, no. 75.

⁴⁷⁾ Cf. note 17 above.

document (and other elements) in black ink. This method of copying implies a document selection step. Although the overall structure of the cartulary is inconsistent, the copyists' résumés made it easy for readers to determine the contexts of each monastic property; meanwhile, for a broad picture of the monastic possessions, they could refer to the chrysobulls copied at the beginning. Thus, the cartulary's structure allows easy reference to the monastic possessions and rights corresponding with the organisation of the monastic archive in the early fourteenth century. This is an outcome connected to the management of the monastic estates rather than something intended to be a historical monument or of scientific interest.

Finally, I consider the legal validity of the Lembiotissa cartulary, which many scholars have employed as an important (at times plenary) standard to evaluate documental sources. Unlike the case of the cartulary of the Makrinitissa and Nea Petra monasteries, our codex does not exhibit any explicit indication that it was authenticated by the imperial authority. However, there is a factor provoking hesitation to conclude that the cartulary was purely for internal use. This is the method of transcribing imperial signatures when imperial documents were concerned. The signatures of emperors are copied in the following manner.

Chrysobulls:

εἰχε τὸ· X (first name), ἐν Χριστῷ τῷ Θεῷ πιστὸς βασιλεὺς καὶ αὐτοκράτωρ Ὑ
ωμαίων Y (family name), δι’ ἐρυθρῶν γραμμάτων τῆς βασιλικῆς καὶ θείας χείρο
ς.

[The original] had: 'X (first name), in Christ the God faithful Emperor and
Autokrator of the Romans, Y (family name)', in red letters by the divine
hand of Emperor.

Ordinances (Prostigmata):

εἰχε τὸ· ‘μηνὶ X, ἵνδ. Y’, δι’ ἐρυθρῶν γραμμάτων τῆς βασιλικῆς καὶ θείας χείρός.
[The original] had: 'in the month X of the Yth induction', in red letters by
the divine hand of Emperor.

This is the formula generally employed to make an authentic single copy of imperial documents by officials⁴⁸⁾. Does this represent the copyist's expectation of future authentication, or does it follow an unknown practice not connected to legal concerns? This problem should be considered in relation to the system of registration in the Byzantine Empire. The imperial chancery maintained the register of imperial documents, in which all documents were theoretically copied *in extenso* before issuance⁴⁹⁾. When a property holder insisted on his rights by relying on an imperial document, chancery officials could compare the original document (or its authentic copy[s]) submitted with the imperial register. However, it is uncertain whether a copy in a private collection could be confirmed as authentic by the government⁵⁰⁾. This remains an open problem.

At present, I cannot propose any conclusive thesis on the objective of the Lembotissa cartulary. Nevertheless, it is certain that the codex includes various characteristics that do not permit us to understand it as the product of a simple goal. These features may indicate that it should be evaluated as something verifying the usefulness of the concept of 'Byzantine cartularies' for studies on codices from Byzantine monasteries.

⁴⁸⁾ The patriarchal register in the form of a codex from the fourteenth–fifteenth century also employs the formula for imperial documents. See *Das Register des Patriarchats von Konstantinopel*, eds. H. Hunger et al., 3 vols. (Vienna, 1981–2001), nos. 58, 66, 98, 99, 167, 168, 169 and 203 (though not consistently; see nos. 69 and 141).

⁴⁹⁾ N. Oikonomidès, "La chancellerie impériale de Byzance du 13^e au 15^e siècle," *REB* 43 (1985), pp. 167–195: p. 187.

⁵⁰⁾ Cf. Dölger/Karayannopoulos, *Byzantinische Urkundenlehre*, pp. 130–134. On the individual copies of documents, see B. Caseau, "Un aspect de la diplomatie Byzantine: les copies de documents," in *L'autorité de l'écrit au Moyen Âge (Orient-Occident)*, ed. Société des historiens médiévistes de l'Enseignement supérieur public (Paris, 2009), pp. 159–173.

Abbreviations

Ahrweiler, *Smyrne* = H. Ahrweiler, “L’histoire et la géographie de la région de Smyrne entre les deux occupations turques (1081-1317) particulièrement au XIIIe siècle,” *Travaux et Mémoires* 1 (1965), pp. 1-204 (repr. in H. Ahrweiler, *Byzance : Les pays et les territoires*, London 1976, no. IV).

Dölger, *Chronologisches* = F. Dölger, “Chronologisches und Prosopographisches zur byzantinischen Geschichte des 13. Jahrhunderts,” *Byzantinische Zeitschrift* 27 (1927), pp. 291-320.

Dölger/Karayannopoulos, *Byzantinische Urkundenlehre* = F. Dölger and J. Karayannopoulos, *Byzantinische Urkundenlehre 1. Die Kaiserurkunden* (Munich, 1968).

JÖB = *Jahrbuch der Österreichischen Byzantinistik*.

Medvedev, *Cartulaires* = I. P. Medvedev, “Cartulaires byzantins et post-byzantins,” *Rivista di Studi Bizantini e Slavi* 3 (1983), pp. 95-109.

MM IV = *Acta et diplomata graeca medii aevi sacra et profana*, eds. F. Miklosich et J. Müller, vol. IV (Vienna, 1871).

REB = *Revue des études Byzantines*.

Regesten = F. Dölger and P. Wirth, *Regesten der Kaiserurkunden des Oströmischen Reiches von 565 – 1453*, vol. III: *Regesten 1204-1282*, 2nd ed. (Munich, 1977).

Regestes = V. Laurent, *Les regestes des actes du patriarcat de Constantinople*, vol. I: *Les actes des Patriarches*, fasc. IV: *Les regestes de 1208 à 1309* (Paris, 1971).

Smyrlis, *Fortune* = K. Smyrlis, *La fortune des grands monastères byzantins (fin du xe-milieu du xive siècle)* (Paris, 2006).

ZRVI = *Zbornik radova Vizantoloskog instituta*.