

The Use of Records in Medieval Towns: The Case of Bolzano, South Tyrol¹

HANNES OBERMAIR

The innumerable documents and records preserved from the medieval town of Bolzano, providing us with a window into worlds of living that have long since passed, convey to us not only legal proceedings but many different social and cultural, political, economic, and gender-specific meanings. The records also have specific semantics which can be deciphered, and which stand in a strong relation to the social structure of the later Middle Ages. In order to shed some light on the forms of communication and their use in medieval Bolzano, this case-study will focus on four topics:

- Which area and which city are we discussing?
- How many records from Bolzano do exist? And what types of records are they?
- The life cycle of the records: how were the records written, used, and kept?
- The Konrad Chrille fresco as a multimedia example of combining text and image, reading and seeing.

¹ I would like to thank Marco Mostert and Anna Adamska for comments and suggestions on various versions of this paper.

Writing and the Administration of Medieval Towns: Medieval Urban Literacy 1, ed. Marco MOSTERT and Anna ADAMSKA, *Utrecht Studies in Medieval Literacy*, 27 (Turnhout: Brepols, 2014), pp. 49-68.

key area of Central Europe, which former US Defense Secretary Donald Rumsfeld might have called 'the oldest Old Europe'.⁵

On this north-south axis, since the late twelfth century Bolzano had been a village with increasing social, economic, and political functions. We could consider it as a central place, exerting a regulatory function over the market and the surrounding area. From the thirteenth century onwards, it developed into a borough – a small town with a central function.

The Quantity and the Types of Bolzano's Records

In the period from 1200 to 1500, the area of Bolzano produced an impressive quantity of written cultural monuments: a plethora of deeds and acts concerning a variety of property transactions and pious donations (mostly issued by the townspeople of Bolzano), regulations on trade and industry, tithe registers, lists, and statutes (issued by territorial princes, notably the counts of Tyrol from the Wittelsbach and Habsburg dynasties, and the bishops of Bressanone-Brixen and Trento). They illustrate a world we have lost and its social formations. The sources for the history of Bolzano are an impressive monument to the old European culture of writing within a small region.⁶

The variety of the communal written traditions shows that the Alps were never a cultural barrier in the development of the old European written culture. Quite the contrary: Bolzano's position in the border area of North- and South-Alpine cultural techniques was extremely favourable for the professionalisation of administration and rule when the commune and territory developed. The size of the medieval communal archives is considerable, also when one considers demographic conditions. In the later Middle Ages, the small town of Bolzano

⁵ W. HUSCHNER, *Transalpine Kommunikation im Mittelalter: Diplomatische, kulturelle und politische Wechselwirkungen zwischen Italien und dem nordalpinen Reich* (Hannover, 2003); J. RIEDMANN, "Politische, gesellschaftliche und ökonomische Entwicklungen im Tiroler Raum während des Mittelalters und in der frühen Neuzeit", in: *Musikgeschichte Tirols*, 1, *Von den Anfängen bis zur Frühen Neuzeit*, ed. K. DREXEL et al. (Innsbruck, 2001), pp. 63-79; H. OBERMAIR, "Bastard urbanism? Past forms of cities in the Alpine area of Tyrol-Trentino", *Concilium medii aevi* 10 (2007), pp. 53-76.

⁶ A great deal of Bolzano's old records are available in modern editions, among them *Die Südtiroler Notariats-Imbreviaturen des 13. Jahrhunderts*, ed. H. VOLTELINI, 2 vols. (Innsbruck, 1899-1951); *Tiroler Urkundenbuch*, 1.1-3, ed. F. HUTER, 3 vols. (Innsbruck, 1937-57); H. OBERMAIR, *Bozen Süd – Bolzano Nord: Schriftlichkeit und urkundliche Überlieferung der Stadt Bozen bis 1500*, 2 vols. (Bolzano, 2005-2008).

numbered between 1500 and 2000 inhabitants.⁷ Many more records are handed down to us.

How can one then explain this surfeit of materials? One important factor is that Bolzano was situated in the border area of German and Italian law, and could profit from both cultural influences. This condition was important both culturally and historically for knowledge about power. According to John Gilissen, the medieval borderline between *droit coutumier*, oral law, and *droit écrit*, the written forms of law, follows a line from Trieste to Geneva, passing Trento on the way, and from Geneva across France to the Ile d'Oleron.⁸ Bolzano lies exactly on this European dividing line, between the economic areas of South Germany and Austria to the north, and North Italy to the south.

A second factor is the strong relationship between urbanisation – the development of the cities – on the one hand, and the growth of literacy on the other. In a period of growth for society as a whole, the model of literacy had been implemented successfully in the communal belts along the axis of the Brenner. The impetus of urbanisation and literacy resulted in a relatively homogeneous development.⁹ In addition, settlements with a small population fulfilled a disproportionate role if they were centrally located. In spite of scant resources, these towns had a relatively high level of economic productivity. Structural data such as numbers of inhabitants and area concentration therefore do not sufficiently define this pre-modern form of urbanity.

The historical background for this conjunction is the almost surprising coming into being of small towns and villages in the late twelfth and the early thirteenth centuries.¹⁰ This development *grosso modo* corresponds to developments taking place everywhere in Europe. But there were also distinctive Alpine qualities, such as a certain delay and especially a striking correlation with the formation of territories.¹¹

⁷ G.M. VARANINI, "Città alpine del tardo medioevo", in: *Il Gotico nelle Alpi 1350-1450*, ed. E. CASTELNUOVO and F. DE GRAMATICA (Trento, 2002), pp. 35-51, at pp. 38-39.

⁸ J. GILISSEN, *Introduction bibliographique à l'histoire du droit et à l'ethnologie juridique* (Bruxelles, 1979), pp. 165, 241; H. OBERMAIR, "Diritto come produzione sociale?", in *Le comunità rurali e i loro statuti*, ed. A. CORTONESI and F. VIOLA, 2 vols. (Roma, 2006), I, pp. 171-191, at pp. 173-174.

⁹ F.H. HYE, *Die Städte Tirols*, 2 vols. (Vienna and Innsbruck, 1980-2001); H. OBERMAIR, "Una regione di passaggio premoderna? Il panorama urbano nell'area tra Trento e Bolzano nei secoli XII-XIV", *Studi trentini di scienze storiche, Sezione I*, 84 (2005), pp. 149-162.

¹⁰ P. CLARK, *Small Towns in Early Modern Europe* (Cambridge, 1995).

¹¹ E. BRUCKMÜLLER, M. MITTERAUER, and E. STRADAL, *Herrschaftsstruktur und Ständebildung*, 3, *Täler und Gerichte* (Munich, 1973), pp. 193-197.

It is exciting to see how the beginnings of pre-modern bicultural living and hybridity are visible in the preserved written testimony of the micro-region Bolzano. In the archives, we see both the Roman law office of the notary and the practices of German law regarding the sealed charter, the court of justice, and the vernacular. The material of the records of Bolzano is characterised by an intense mix of Italian and North-Alpine forms of recording. Apart from notarial deeds, there are documents using seals for authentication; in these, the Latin language is found next to German. It is this great variety of records and languages that makes the material so attractive. In the combination of the Latin and German wording of the records, the documents of Bolzano illustrate the existence of alternate forms of documentation. This allows comparative studies in the history of legal and cultural communication to be carried out.

The position of Bolzano and its micro-region at the point of intersection between the large cultural systems of Germany and Italy rarely decided cultural, economic, social, and political developments more than in the Middle Ages and the Early Modern Period. The occurrence of different ways of recording, side by side, is significant for the influence of two strong social and cultural neighbours. The Tyrolean rulers (who were in the earlier period the counts of Tyrol and later the dukes of Austria) favoured cultural techniques originating north of the Alps.¹² The bishops of Trento promoted cultural patterns which had their origins in the Italic area.¹³ Especially since the middle of the fifteenth century, Bolzano, then the main border town in the south of the Empire, was strongly supported by the Habsburgs. The resulting developments in demography, society, and economy are not only fixed in writing, but the great variety of the sources gives us clear indications about the new qualities of communal relations.

The peculiar 'blurredness' of Bolzano in the time of the Old Empire has as yet no equivalent in the neighbouring towns of Trento, Brixen, and Innsbruck. The advantages given by the town's position on the central routes crossing the Alps are once again visible.

A very important role in the production of written records was played by the notaries. They were legally oriented lay professionals who were allowed, by virtue of their studies at the university and by the license they had obtained

¹² F. HUTER, "Das Urkundenwesen Deutschsüdtirols vor dem Jahre 1200", *Tiroler Heimat* 7-8 (1934-1945), pp. 183-213.

¹³ *Codex Wangianus: I cartulari della chiesa trentina (secoli XIII-XIV)*, ed. E. CURZEL and G.M. VARANINI, 2 vols. (Bologna, 2007), 1, pp. 56-79.

from the pope or the emperor, to issue official and trustworthy documents.¹⁴ In the thirteenth and fourteenth centuries, they became the symbol of the power of writing and of competence in writing, and so they were held in high esteem socially. As agents of writing, they often became town clerks. In the fifteenth century, however, they were gradually removed, due to a new constitution of the court, which knew the urban judge and the clerk of the court.

The notaries played an important role in developing literacy in the thirteenth and fourteenth centuries. They maintained good relations with the communal institutions, first among which were the hospital of the Holy Spirit and the parish church, and with the town's important persons and offices. They effectively monopolised pragmatic literacy in the town, also writing on behalf of the monasteries, the important provosts (i.e. the secular administrators of the parish church), and the nobility. The dominant position of the notaries precluded the development of an urban chancery.¹⁵

Because of their immense presence in legal transactions, in which notaries were in direct contact with the parties, they must have exerted a strong formative influence on literacy and the production of official documents. They were the owners of superior knowledge, which only they could put into practice and which only they could handle. This performative side of literacy should not be forgotten.

The activities of the notaries, which take pride of place in the records, occurred in an official space. Here, they were surrounded by witnesses; the notaries' activities were considered to inspire confidence in the witnesses. The notarial sign or token at the beginning of the document is meant to be a form of visual communication. The text itself is framed by the final sign of the notary of the text. The deeds are introduced by the date and the exact place of issue, which is immediately followed by the list of the testifiers. Only at this point are the issuer, subject, and beneficiary given; this is followed and closed by much legally binding language. Thus, notarial documents were not mere words. Their

¹⁴ C. NESCHWARA, *Geschichte des österreichischen Notariats* (Vienna, 1996), pp. 46-76; *Il 'Quaternus rogacionum' del notaio Bongiovanni di Bonandrea (1308-1320)*, ed. D. RANDO, M. MOTTER (Bologna, 1997), pp. 56-82.

¹⁵ Which was, in the opinion of Walter Prevenier, "actually an invention of historians": W. PREVENIER, "La production et conservation des actes urbains dans l'Europe médiévale", in: *La diplomatie urbaine en Europe au Moyen Age: Actes du congrès de la Commission internationale de Diplomatie*, ed. W. PREVENIER and T. DE HEMPTINNE (Louvain, 2000), pp. 559-570, at p. 563.

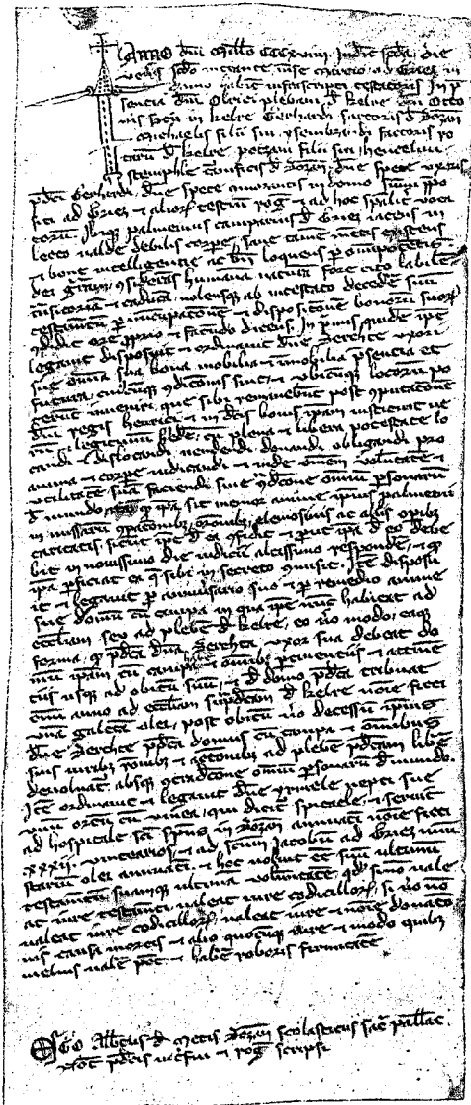


Fig. 1 An example of a notarial instrument from 1319, written in Latin (Civic Archives of Bozen-Bolzano). After OBERMAIR, *Bozen Süd – Bolzano Nord*, 1, p. 200 No. 318, p. 440, Fig. 15.

contents were also material signs – fetishes, so to speak – which were symbols of law and order.

The notaries' tangible presence in the public space had consequences for the social structure of the town. This is shown eloquently by the living quarters of the elite along the thoroughfare of Bolzano, the Lauben-Portici. The representatives of the top professions of the town lived here, both the artisans and the upper class strata of society.¹⁶ They were mayors, merchants, and church provosts, directors of hospitals and schools, tax collectors, and members from the elite professions (cobblers, saddlers, and coopers) and from the monopolistic suppliers (bakers and butchers). These people, almost exclusively male, also took on the roles in the Easter or Passion plays, which were very popular around 1500.¹⁷ This centralisation of the upper class was accompanied by the poverty which was concentrated in the periphery. Three quarters of the population did not have a chance to be documented in the records. Urban records – e.g. testaments, estates, tenancy agreements, or foundations – often deal with the transfer of property. That means that all urban literacy is structured from a material point of view.

It is not surprising that there was a strong connection between the development of population density and the quantity of the documents in which traditions of property were recorded. In other words, the history of literacy should be written from a demographic perspective, and we should reconsider literacy in terms of Malthusianism.¹⁸

The trends in the amount of the records, divided into quarter centuries, show a kind of double wave with peaks and troughs. They correspond to periods of boom and recession in the economy and demography of the town.

Within this quite symmetric movement we can see three main tendencies:¹⁹

- There is a rapid increase in the numbers of records of traditions in the two quarter centuries before and after 1300. This is followed by a period of a consistently high level, until the middle of the fourteenth century, and then by a progressive decline

¹⁶ R. LOOSE, "Wohnen und Wirtschaften in der Laubengasse – Versuch einer Sozialtopographie der Altstadt Bozen um 1350", in: *Bolzano fra i Tirolo e gli Asburgo / Bozen von den Grafen von Tirol bis zu den Habsburgern*, ed. Stadtarchiv Bozen (Bolzano, 1999), pp. 105-126.

¹⁷ H. OBERMAIR, "The social stages of the city: Vigil Raber and performance direction in Bozen / Bolzano (northern Italy) – A Socio-historical Outline", *Concilium medii aevi* 7 (2004), pp. 193-208.

¹⁸ As proposed, on the English example, by P.J. CORFIELD, "East Anglia", in: *The Cambridge Urban History of Britain 2, 1540-1840*, ed. P. CLARK (Cambridge, 2000), pp. 31-48.

¹⁹ According to OBERMAIR, "Bastard urbanism", pp. 70-75.

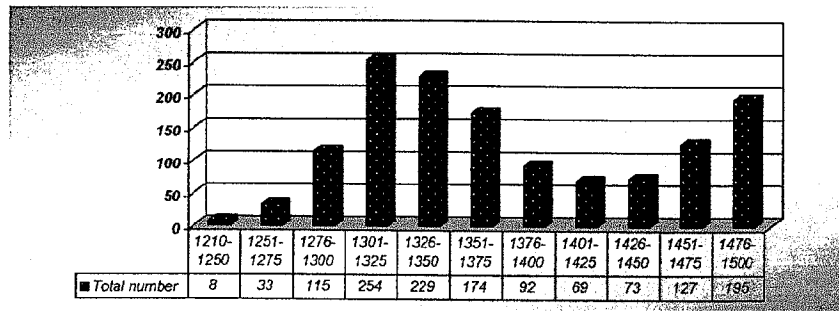


Fig. 2 Long-term development of Bolzano records from 1210 to 1500.

until 1400. The boom of the late thirteenth century may be ascribed to the success of the practised model of documentation, which reflects the growth of society as such.

- The striking period of increase until 1340-1350 is followed by a continuous decline until the early fifteenth century. The break in growth around the middle of the fourteenth century can be explained by the crisis of the bubonic plague (which was not an urban disease, but flourished in urban conditions) in the later Middle Ages, by the supra-regional predicaments of supply, by demographic loss, and by the political changes in the Tyrolean-Austrian realm that took place in 1363: in this year the Habsburgs acquired Tyrol, outdoing the Wittelsbach and Luxembourg dynasties.²⁰
- After a plateau of several decades in the middle of the fifteenth century, a new positive cycle of communal literacy starts. Just as in the first half of the fourteenth century, the chance survival of documents cannot fully account for this recovery. After more than one hundred years of delay after the acquisition of Tyrol by the Habsburgs in 1363, the development of literacy gained new cyclical impetus. During the reigns of Archduke Sigmund of Austria and Tyrol and King Maximilian I, Bolzano became the most important town in the Tyrolean sphere of influence. It became the dominant base in the Austrian Southwest.²¹

²⁰ J. RIEDMANN, "Mittelalter", in: *Geschichte des Landes Tirol*, 1, ed. J. FONTANA et al. (Bolzano, Innsbruck, and Vienna, 1990), pp. 291-698, at pp. 452-458; M. MENZEL, "Die Wittelsbacher Hausmacherweiterungen in Brandenburg, Tirol und Holland", *Deutsches Archiv für Erforschung des Mittelalters* 61 (2005), pp. 103-149, at pp. 127-147.

²¹ H. WIESFLECKER, *Österreich im Zeitalter Maximilians I.: Die Vereinigung der Länder zum frühmodernen Staat, der Aufstieg zur Weltmacht* (Munich, 1999), pp. 174-192, 349-376.

The Habsburgs' politics of 'modernisation' extended the town of Bolzano and her surrounding area systematically, promoting it as an economic and political centre in the Empire's south. Well-directed investments were injected into a region characterised by intensive contact and cooperation with the North-Italian region, but also by violent conflicts.²²

Bolzano was now the most flourishing town in Tyrol. Consequently, in the town many trials and gatherings of federal state parliaments were held. New forms of knowledge could develop because of the lively exchanges and inter-regional relationships taking place via Bolzano. The urban elites became of paramount significance in regional politics in this frontier area – even when in the perception of contemporaries the region remained a bit blurred.

Literate behaviour reflects this climax. In the second half of the fifteenth century new professional forms were adopted. Expressing a new understanding of literacy and communal administration are the civic register (the *Stadtbuch*, a kind of official cartulary) and serial sources, such as the registers of the urban council (the so-called *Ratsprotokolle*), tithe registers and accounts – all starting at this time. The earlier, traditional records, such as the impressive series of privileges, maintained their importance.

This leads us to the drawing-up of the urban law in 1437.²³ With the privilege of the town council obtained from King Frederick III in 1442, it constituted a proper communal Magna Carta.²⁴ The two texts formed an important starting point for the urban development of Bolzano in the fifteenth and sixteenth centuries. They decided the political and administrative fabric of the town. They also decided the reputation of the individual groups and institutions which were important for the town and her social structure.

Let us juxtapose the types of records and the use of language. If we consider the typology and the language of the Bolzano records as two strictly related matters, we will find a conspicuous, at times even total congruence of both phenomena (see Fig. 3). We may use as a basis the diplomatic distinction between documents using seals for authentication and notarial ones.²⁵ Notarial instruments predominate until the turn from the fourteenth to the fifteenth

²² On the Habsburg politics in that period in general E. MEUTHEN, *Das 15. Jahrhundert* (Munich, 2006: *Oldenbourg Grundriss der Geschichte*), pp. 141-150.

²³ OBERMAIR, *Bozen Süd – Bolzano Nord*, 2, pp. 79-83, No. 996.

²⁴ *Ibid.*, pp. 92-93, No. 1016; p. 505, Fig. 12.

²⁵ On this distinction H. FICHTENAU, *Das Urkundenwesen in Österreich vom 8. bis zum 13. Jahrhundert* (Vienna, 1971), pp. 167-173; R. HÄRTEL, *Notarielle und kirchliche Urkunden im frühen und hohen Mittelalter* (Vienna and Munich, 2011), pp. 51-210, at pp. 95-96.

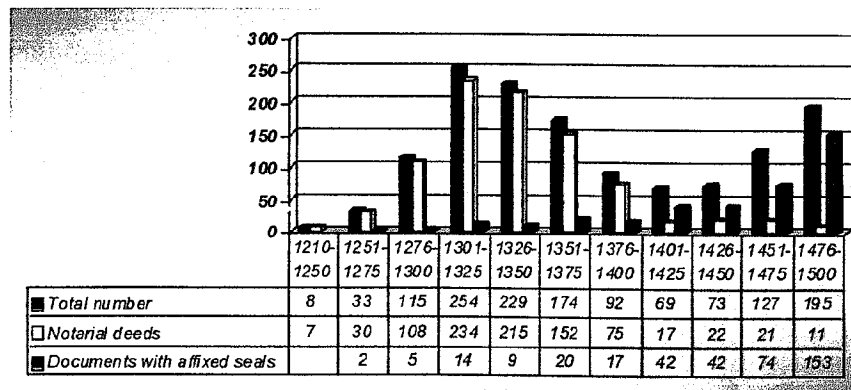


Fig. 3 Distribution of the types of Bolzano records from 1210 to 1500.

century. The dualism of the records changed in the first two decades of the fifteenth century, when sealed records were used. In the graph of Fig. 4 you can see the share of total amounts. One can clearly notice the period of shifting, of turning from notarial acts to documents using seals for authentication. But the change from notarial records to documents with affixed seals is a mere epiphenomenon, a manifestation with only a minor effect on either the system of writing or the juridical substance of the written texts. Far more important is the concomitant change in language, for sealed charters were written in the vernacular. The period around 1400, when Latin was overtaken by the vernacular, is clearly marked.

We see a consistent distribution of the languages in notarial and sealed records. The widely used, but also stereotyped notarial instrument was strictly limited to the Latin language. Corresponding with the dominant role of the notaries until 1400, the language of the records up to this point is primarily Latin. With few exceptions, these Latin documents are attested by a notary; similarly, the ones in German are almost without exception records with seals. The persistence of the notaries had delayed the use of the vernacular by several generations. The shift from Latin to German became possible with the development of the sealed record. The ousting of the notaries has to be seen against the background of the reform of the district court in the Tyrolean territories. The district courts had replaced the notaries' institution by the service of the clerk. Even the biographies of the notaries show this change: sometimes, as they had

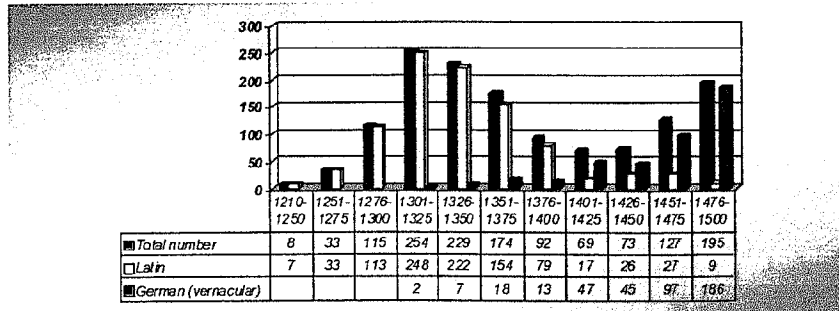


Fig. 4 Distribution of the language of the Bolzano records from 1210 to 1500.

knowledge about power and important persons, they smoothly adapted themselves to the exigencies of the courts of the fifteenth and sixteenth centuries. The *Chunt sey getan* ('Let it be known') of the earliest record in the German language, dated 1356 (a sealed piece), was only the precursor of things to come (see Fig. 5).²⁶

Because of Bolzano's position near the Italian centre Trento, Latin was the principal language of the Bolzano records in the thirteenth and fourteenth centuries. To borrow the expression of Peter Burke, Latin in Bolzano had become "a language in search of a community".²⁷ Latin had turned into a language without native speakers long before the centuries we are discussing. Specialists such as the notaries, or the educated circles of judges, monks, and priests, knew Latin. But we may wonder whether the Latin of the records was understandable to all inhabitants of Bolzano.

An event which took place in the year 1242 is suggestive. It is documented in the notarial register (*Imbreviatur*) of the notary Jakob Haas. It concerns the refusal of a man, aided by his witnesses, to face the ecclesiastical court of the parish priest and to defend himself in a case of fornication. One of the potential witnesses said in his defence:

²⁶ OBERMAIR, *Bozen Süd – Bolzano Nord*, 1, pp. 333-334, Nos. 674-675; p. 455, Fig. 30.

²⁷ P. BURKE, *Languages and Communities in Early Modern Europe* (Cambridge, 2004), pp. 43-60.

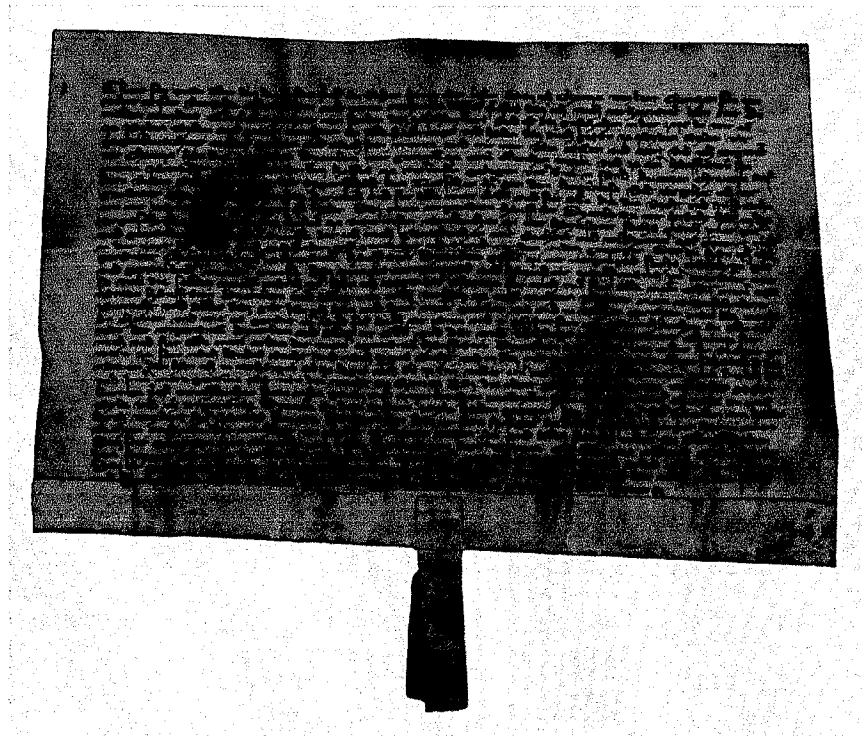


Fig. 5 The sealed document from 1356, written in German (Civic Archives of Bozen-Bolzano). After OBERMAIER, *Bolzano Süd – Bolzano Nord*, 1, p. 334, No. 675; p. 455, Fig. 30.

*Ego non dico de scripto iure nec nihil scio de iure illo scripto, sed ius illud agnosco, prout consueti sumus facere et nostra est consuetudo et facere consuevimus usque ad hunc diem.*²⁸

He says that he does not know the written law (“*de scripto iure*”), and he is only bound by the common law (“*nostra ... consuetudo*”). This reference to common law is an outspoken negation of canon law, applied in the religious courts. So we witness an eloquent negation of forms of law based on literacy, in the middle of the town – even when this event is only known to us because

²⁸ *Die Südtiroler Notariats-Imbreviaturen*, 2, p. 249, No. 388.

of its written form. The common law is already visible in the statute of the Eisack bridge of 1239.²⁹ Later, it entered the urban law of Bolzano of 1437. Clearly it was necessary to write it down to uphold its validity. This is part of the dialectical, if not paradoxical relation and competition between written and oral forms in any juridical communication. We should not forget that – from an anthropological point of view – law is less a system of conflict resolution than a system of expressing values through interaction. It enables good relationships between the members of a community.

The Making, Using, and Keeping of the Bolzano Records

Michael Clanchy has analysed the whole biography of medieval records, drawing on the two roots of the collective memory with a concise precision.³⁰ On the one hand exists the well-known, almost daily memory, which plays an important role in the smooth functioning of societies. On the other hand, literacy and the capability of recording through writing – the production of written records – are to be intended as a consolidation of mostly pending rules, and with it as a strengthening of fluent social relationships, at least in writing and in acts and deeds. Apart from the records themselves, the places where the documents were kept play an important role in our understanding of urban literacy. Therefore it will be of great interest to discuss a central aspect of urban literacy: the forming of archives.

Similar studies of the medieval practices of keeping documents in Northern Italy, the South German towns, and Switzerland have recently been carried out.³¹ They allow a basic examination of the development of the places, forms, and methods of keeping records in urban environments.

Information about the keeping of Bolzano's archives is rare. Even so, we know that since the fifteenth century measures were taken to improve the creation, storage, and use of communal writings. The most valuable documents

²⁹ *Tiroler Urkundenbuch*, I.3, pp. 141-144, No. 1100; H. VOLTELINI, "Die Bozner Eisack-Brücke", in: *Festschrift zu Ehren Emils von Otenthal*, ed. R. VON KLEBELSBERG (Innsbruck, 1925), pp. 164-169.

³⁰ M.T. CLANCHY, *From Memory to Written Record: England 1066-1307*, 2nd edn. (Oxford, 2002).

³¹ J. RAUSCHERT, *Herrschaft und Schrift: Strategien der Inszenierung und Funktionalisierung von Texten in Luzern und Bern am Ende des Mittelalters* (Berlin and New York, 2006), pp. 88-98.

and written texts were kept in the vestry of the parish church. They were literally the neighbours of the Virgin Mary and the saints. That is an expressive indicator of the archives' importance.³²

Another aspect, discussed by Valentin Groebner, is also important.³³ The deeds of the town were not accessible to just anyone. Rather, this system of knowledge was inaccessible and hidden. So what was their role in the town government's organisation and in the maintenance of its self-presentation? The practice of archives, hidden and full of a sacral meaning, mirrors the social order of Bolzano in the later Middle Ages. Only a few persons had access to the records or could influence them. Our modern interpretations should take this normative coherence into account: that of the role of the archives in the exercise of power. There was likely to be an apprehension of those records and books in which written information about the lives of the town's inhabitants could be found. This came to the surface in the years 1525-1526, during the time of the German empire's Peasant Revolt. Then, the rage of the countryside was directed against the tithe registers in the archives. These riots would be calmed by the government through a mixture of repressions and concessions. The authorities did not forget to demand immediate compensation from *all* inhabitants of Bolzano, exacted with the help of the judges of the district of Bolzano and Gries. The lists of these payments, too, can be found in the archives, where they are still awaiting an evaluation from a social and economic point of view.³⁴

The so-called town register of Bolzano, the *Stadtbuch* from about 1500, is an expression of a normative centralisation of urban literacy. MS 140 of Bolzano's archives is the single urban register of copies before 1500. It is a typical town register, representative of how a civic register was used in the South-German-Austrian area and in Switzerland. It was conceived as an *Amtsbuch* and *Privilegienbuch* of the urban administrative body. It includes, apart from abridged versions of the annual accounts, also the most important privileges from the fourteenth century onwards.³⁵

³² OBERMAIR, *Bozen Süd – Bolzano Nord*, 1, pp. 11-21.

³³ V. GROEBNER, "Zu einigen Parametern der Sichtbarmachung städtischer Ordnung im späten Mittelalter", in: *Stadt und Recht im Mittelalter / La ville et le droit au Moyen Âge*, ed. P. MONNET and O.G. OEXLE (Göttingen, 2003), pp. 133-151, esp. pp. 140-142.

³⁴ There is only a tentative examination by H. WOPFNER, "Bozen im Bauernkriege von 1525", *Der Schlern* 5 (1924), pp. 145-149, 176-184. For the broader context, see P. BLICKLE, *Unruhen in der ständischen Gesellschaft 1300-1800* (Munich, 1988).

³⁵ On the register, see H. OBERMAIR, "Das Bozner Stadtbuch", in: *Bolzano fra i Tirolo e gli*

The structure of the codex, starting with the year 1472 under mayor Konrad Lerhuber, corresponds with the upgrading of urban administrative sovereignty in the time of the reign of duke Sigmund of Austria-Tyrol. Against the background of the impetus of modernisation which had been given to all urban fields, there was a high production of norms and a clear increase of communal literacy. The civic register is an important indicator for the display of producing pragmatic literacy, normative centralisation, and cultural organisation.

In content the codex is dominated by three fields:

- copies of privileges by the dukes of Tyrol from the period from the middle of the fourteenth century until the early sixteenth century;
- statutes and legal norms (normative texts); and
- abridged versions of the annual accounts of urban public authorities and offices.

In addition, the civic register offers a summary of legal norms with different origins and varied geneeses. Comparable to an official collection, it includes the effective law of the town in a sweeping sense. The practice of consistently securing the administration ended in the first half of the sixteenth century. Afterwards, the increasing complexity of the urban office needed separate registers and subject indices.

The town register is an expression of the political actions of a highly developed citizenry. With its copies from accounts and privileges it also represents the attempt to stop the loss of writings. A continuous threat to written knowledge was their potential fragility. The preservation of the originals was only possible through the production of copies and their careful safekeeping in the archives. Both the original and the copy are kept in a book within easy reach even today. The civic register connected each copy with the original through the signatures. The keeping of urban knowledge was now, around 1500, completely in the hands of the clerks, and the notaries were relieved of their responsibility.



Fig. 6 The Konrad Chrille fresco in the parish church of Bolzano, early fourteenth century (Courtesy of the Bozen-Bolzano City Council).

Interactions between Text and Image, Reading and Seeing

A fresco wall-painting in the parish church of Bolzano shows a couple kneeling and praying (Fig. 6). They are turning their faces towards a centre which is now lost, because the frescoes have been damaged by younger coverings. Originally both of the donors portrayed here were flanking a larger central image or statue, possibly the Virgin and Child or a crucifixion. I am inclined towards the view that must have been a portrait of the Virgin, because Mary is the patron saint of the church itself.

The technique used by the nameless painter is what we could call one of the most southern examples of the so-called linear style, which – taken over from the older Romanesque period – from the late thirteenth century on was spreading from Britain (as exemplified at Westminster Abbey or Winchester cathedral) to the northern parts of continental Europe, especially to the Central European, French, German, Polish, and Bohemian areas.³⁶ This more linear style of wall paintings, which is clearly visible in this fresco and makes one think of a sort of venerable cartoon, was opposed to the more picturesque and much more skilful style, which had been on the rise in Italy since the Duecento and is so masterfully carried out in the frescoes of Giotto and his school. There are several excellent examples in Bolzano as well, some of them only remnants, such as in the two convents of the mendicant orders, the Franciscan and the Dominican friars.³⁷

The fresco has a ribbon with text, revealing the identity of the donors:

DAZ IST CHVN RAT DER CRILLE VND SEIN HAUSFRAW IRMGART

This is Konrad Chrille and his housewife Irmgart.

The text complements the picture and is embedded in a concrete context of action, and so it is no surprise that both of the donors could be found in the records. What could be a better illustration of the performative turn than this example?³⁸

³⁶ A. MARTINDALE, *Gothic Art* (London, 1996: *The World of Art Library*); M. CAMILLE, *Gothic Art: Glorious Visions* (New York, 1996).

³⁷ *Atlas Trecento: Gotische Maler in Bozen*, ed. A. DE MARCHI (Bolzano, 2001), p. 331.

³⁸ H. OBERMAIR, "Frühes Wissen: Auf der Suche nach vormodernen Wissensformen in Bozen und Tirol", in: *Universitas Est*, 1, *Essays and Documents on the History of Education in Tyrol / South-Tyrol*, ed. H.K. PETERLINI (Bolzano, 2007), pp. 35-87, at p. 74-77.

This fresco provides an opportunity for several fundamental reflections: With Lessing's *Laokoon*, the bifurcation of 'language' and 'picture' is canonical, and since his time writing has almost always been assessed as language rather than as picture. From a phonographic perspective, writing is conceived as 'written oral language'. The fresco of Bolzano encourages us to try a change of perspective with the help of the concept, shaped by Sybille Krämer, of *Schriftbildlichkeit*, the showing and beholding of a text, in order to discuss an idea of writing which is slightly more neutral.³⁹ Because writing is always more than the strong nexus of writings and their spelling, what we are doing is calculating in a written form, composing music from notes and through the treatment of texts. Writings seem to us as a hybrid of language and picture, and only in the interaction of the discursive and the iconic can the roots of their own potential for representation and their creativity be found.

The rough draft of this *Schriftbildlichkeit* makes visible the iconicity and operativity of writings. In accordance with this concept, the writings keep their performative quality through the 'weaving' of pictures. That is part of the mode of communication in towns, and therefore a crucial factor deciding the model of 'urban' culture.

Two things could be noted:

- We find that literacy starts in an oral context, but it has also a visual dimension. These changes are not so much a "parade that can be watched as it passes",⁴⁰ following prescribed stations – from traditional stages to more modern ones – but a discontinuous and disjunctive process. It progresses by leaps and halts rather than smoothly, and, in its course, spawns surprising and largely unintended effects. Orality, visualisation, and literacy are different sides of the same coin.⁴¹
- In towns one seems to have had more chance of being confronted with writing than elsewhere.⁴² We may suppose that the two donors could read and understand the

³⁹ S. KRÄMER, "Die Schrift als Hybrid aus Sprache und Bild: Thesen über die Schriftbildlichkeit unter Berücksichtigung von Diagrammatik und Kartographie", in: *Bilder: Ein (neues) Leitmedium?*, ed. T. HOFFMANN and G. RIPPL (Göttingen, 2006), pp. 79-92.

⁴⁰ C. GEERTZ, *After the Fact: Two Countries, Four Decades, One Anthropologist* (Cambridge and London, 1995), p. 4.

⁴¹ *New Approaches to Medieval Communication*, ed. M. MOSTERT (Turnhout, 1999: *Utrecht Studies in Medieval Literacy* 1); *The Development of Literate Mentalities in East Central Europe*, ed. A. ADAMSKA and M. MOSTERT (Turnhout, 2004: *Utrecht Studies in Medieval Literacy* 9); *Transforming the Medieval World: Uses of Pragmatic Literacy in the Middle Ages*, ed. F.J. ARLINGHAUS *et al.* (Turnhout, 2006: *Utrecht Studies in Medieval Literacy* 6[b]).

⁴² M. MOSTERT, "Nuovi approcci alla comunicazione nel Medioevo? Comunicazione, alfabetismo e lo sviluppo della società medievale", in: *Schrift Stadt Region – Scrittura città territorio*,

text on the ribbon. Is this a sign and an indicator of a literate mentality, even if a germinal one? It would have only made sense to add the inscription if others also – some at least of the town citizens gathering in the church, who could convey the inscription's meaning to the others – could properly understand its meaning.⁴³

Conclusions

Medieval Bolzano presents us with a historical example of European biculturalism or multiculturalism. It is striking for the diversity of the 'cultural exchange' between German and Romanic practices.

The consequences and manifestations of this multiculturalism have to do with the location of the territory at the border of the medieval Romance and Germanic worlds. The consequences are visible not only in the typology of the preserved documents, with both notarial instruments and sealed documents being present, but also in language and law. Latin and the German vernacular lived precariously next to one another. Common law and Roman law coexisted.

The medieval centre of Europe was a mixed zone, a zone of cultural accommodation, adaptation, and hybridity, whose cultural expressions resulted in blending, 'blurredness', and 'creolisation'.⁴⁴ This phenomenon can be studied by a wide range of disciplines, such as the history of settlements, of agricultural practice, or of art. Why then look at urban literacy? Because here we can find clear traces of this knowledge transfer, which was so important for the making and shaping of Europe and its cultural design. The use of records in medieval Bolzano, with the toing and froing of cultural flows, can provide us with insight into 'code switching' in medieval spoken and written communication.

ed. G. ALBERTONI, H. OBERMAIR (Innsbruck, Vienna, and Bolzano, 2006), pp. 17-37, esp. pp. 32-34.

⁴³ On this topic generally: *Lesen und Schreiben in Europa 1500-1900: Vergleichende Perspektiven – Perspectives comparées – Prospettive comparate*, ed. A. MESSERLI and R. CHARTIER (Basel, 2000).

⁴⁴ On the concept of creolisation, see R. CHAUDENSON, *La créolisation: Théorie, applications, implications* (Paris, 2003); C. STEWART, *Creolization: History, Ethnography, Theory* (Walnut Creek, CA, 2007).