mc Nº 21 2023

manuscript cultures

Hamburg | Centre for the Study of Manuscript Cultures ISSN 1867–9617

Universität Hamburg
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CENTRE FOR THE STUDY OF MANUSCRIPT CULTURES

DFG

Publishing Information

Originators: Transformation and Collaboration in the Production of Original Written Artefacts
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Every volume of *manuscript cultures* has been subjected to a double-blind peer review process and is openly accessible at no cost on the CSMC website <https://www.csmc.uni-hamburg.de/publications/mc.html>. We would like to thank the German Research Foundation (DFG) for its generous support of the Cluster of Excellence EXC 2176 'Understanding Written Artefacts', which has made the printing of this journal volume possible.

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William Forsythe and Kendall Thomas, *Human Writes*, Performance view, 2010, Radialsystem, Berlin. Photography by Dominik Mentzos.

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Klimaneutral Druckprodukt
ClimatePartner.com/11339-2303-1094

VEGAN Veganes Druckprodukt

ISSN (Print) 1867-9617
ISSN (Online) 2749-1021

www.csmc.uni-hamburg.de

Funded by
DFG Deutsche Forschungsgemeinschaft
German Research Foundation

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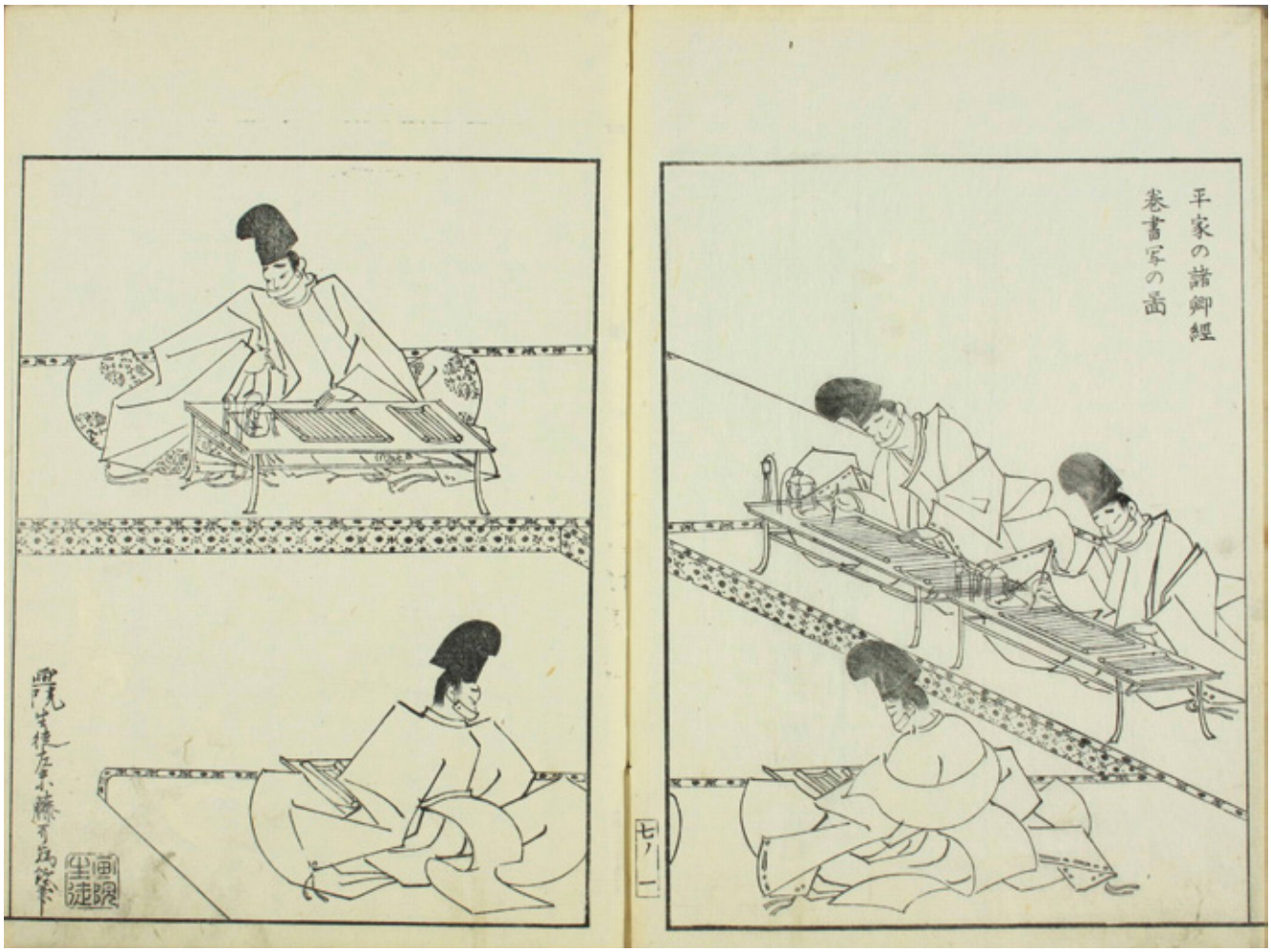

Fig. 1: Members of the Heike clan copying the *Lotus Sutra*, in Okuda and Yamano (1842), *Itsukushima zue, maki no nana*, 7/1^{v} and 7/2^{r}.

Introduction

On the Concept of 'Originators'

Jörg B. Quenzer, with Hanna Boeddeker, Janine Droese, Theresa Müller, Bruno Reudenbach, Ilona Steimann | Hamburg and Heidelberg

1. Introduction

In the autumn of 1164, a select group of Japanese noblemen gathered at the residence of Taira no Kiyomori (1118–1181), at the time the most powerful man in Japan, to copy Buddhist sūtras – including the famous *Lotus Sutra* – in fulfilment of a vow by Kiyomori, the head of the dominant political party (Fig. 1). The resulting set of 33 scrolls, the 'Dedication sūtras of the Heike [family]' (*Heike nôkyô*), is still extant today. Regarded as one of the most precious specimens of religious art in Japan's history, it is now designated a 'national treasure' (*kokuhô*), the highest level of cultural heritage in contemporary Japan. This designation, however, is only the last step within a long process of creating and maintaining the status of an original. The following paragraphs aim to highlight some aspects of this artefact's history from the point of view of the various actors and parties involved, hereafter referred to as 'originators'.

The dedication vow (*hônô ganmon*) states that the copying of the texts involved thirty-two persons in total, consisting of several members of the clan as well as retainers and other relatives. This group included only those who did the copying of the texts itself – i.e., those providing the calligraphy. Professionals would add the elaborate frontispieces (*migaeshi*) and decorations to each of the scrolls. The motifs of the paintings on the frontispieces clearly take up the role of women in the soteriological understanding of the time, suggesting at least an indirect participation of women in the whole project – other semi-historical sources of the time address the active role of women in producing such artefacts more explicitly.[1]

We know from similar occasions that all material resources, in particular the core elements of the written scrolls (ink and water, paper, the wooden axis of the scrolls), were specifically produced by specialists or scrupulously selected and imported, e.g. from auspicious places such as sacred wells (Fig. 2). A striking example of these practices, explicitly reflected in the colophon of the artefact, is the dedication sutra by the famous Buddhist sculptor Unkei (?–1223), which was completed in 1183. The huge copying project by the former emperor Goshirakawa (1127–1192), which took place in 1188 and involved leading members of both the secular and the religious realms, is another example.[2]

Back to the *Heike nôkyô*. As the last step of the first stage of the object's lifespan, the scrolls in question were subsequently dedicated to the deities of the Itsukushima shrine in Western Japan, the family shrine of the Taira, in a ritual performed by religious specialists. The artefacts' fame spread early in medieval Japan, but the rights of access were strongly restricted – and remain so to the present day.

This short overview illustrates the fact that the production, use and immediate historical perception of the *Heike nôkyô* as an original is not the result of one person alone. Multiple instances at different times and in different localities were involved in producing the artefact and its indisputable status: the anonymous source of the holy text, declaring itself to be the Buddha's words by quoting his disciple Ānanda's famous words 'Thus I have heard' at the beginning; the group of copyists; the craftsmen and artists; the priests; and last but not least the patron of its production and dedication, Taira no Kiyomori.

We must also consider the political powers that, in later centuries, exercised their right to grant access, and also how it became a national treasure in modern times, starting with the first exhibition at the end of the nineteenth century as part of the formation of 'national art', and culminating in the Japanese Agency of Cultural Affairs designating it as unique cultural heritage on the highest level in 1954.

And finally, we must consider the activities and the influence of the academic or semi-academic world via various publications, including popular editions and high-quality reproductions by famous publishing houses. The role

[1] See the chapter 'A Drop of Moisture' in the famous *Tale of Flowering Fortunes* (jap. *Eiga monogatari*), second half of the eleventh century.

[2] For Unkei see Quenzer 2000, 27–28, for Goshirakawa Quenzer 2018.

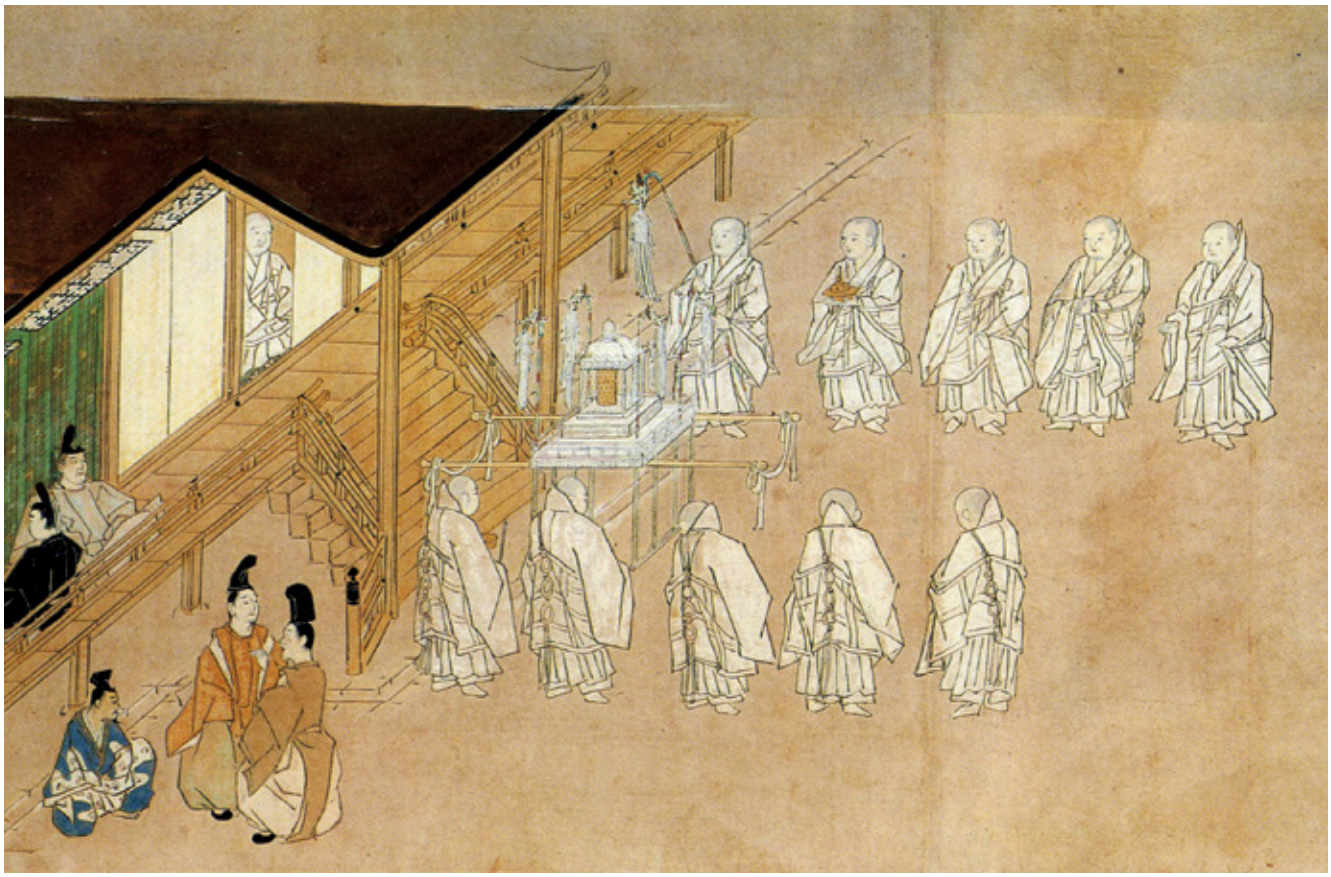

Fig. 2: Transfer of the paper used for a dedication sutra to the place of ritual copying in a precious container, detail from *The Illustrated Life of the Venerable Hônen* (*Hônen Shônin gyôjô ezu*), 1307–1317; scroll kept in Chion'in Temple, Kyôto. Reproduced from *Hônen Shônin eden*, ed. Komatsu Shigemi, Tokyo: Chûô kôronsha 1990.

of Komatsu Shigemi (1925–2010) merits particular mention. He devoted his whole live to exploring the making and transmission of this artefact, thus creating a kind of state of the art in dealing with these manuscripts and cementing the status of these scrolls within the academic field.[3]

All these instances, in their own but indispensable ways, contribute to the making of an original and to maintaining its status.

The term 'originator'

The term 'originators' has been used frequently in the short overview above. The contributions in this special issue are dedicated to it and it stems from a long-lasting discussion within a research field at the Centre for the Study of Manuscript Cultures (CSMC), University of Hamburg. It was chosen as a heuristic starting point in order to define the actual topic of this research field in more detail: the concept of an 'original' as a fundamental approach within the study of written artefacts. This concept is based on an initially phenomenological observation that many researchers share: even if, in an ontological sense, every handwritten artefact has to be regarded as unique, there is an observable tendency in many manuscript cultures to regard some written artefacts as 'special'. Some artefacts are assigned a special status and a higher value in many different ways: they are meticulously collected, bought and sold at high prices, carefully preserved, treated with respect and even awe; they have great efficacy in legal, religious, economic, literary and other contexts.

Their value can be derived from the materials chosen for their production, the special craftsmanship involved in their production, the person or persons responsible for their safe keeping, or from the power associated with them. Any one of these characteristics may be sufficient to elevate an original above other written artefacts circulating in a given culture, also distinguishing it from oral texts, printed books and digital versions. The numerous types include autographs, art works, legal documents, letters, diaries, notes, test and experiment reports, minutes and proceedings, among many others. As different as these types are, they all share

[3] The most detailed study on these artefacts was carried out by the above-mentioned Komatsu, collected in six volumes, published in 1995–1996. For a short overview in English, see Dix 2015.

a specific relationship between the object and the various parties involved in its production, and in particular between the object and the parties involved in its use or reception.

We refer to this group of artefacts as 'originals' in order to distinguish them as subjects of research from other artefacts. Like the term 'originator', this is a heuristic category, not the assignment of an ontological status. This brief outline has already made it clear how closely the phenomenon of the original is linked to the act of valuing the corresponding objects. As a result, this attribution is not only relational, but also dependent on the point of view, and is often only shared by a more or less limited circle of actors. All others might not regard the written artefact as an original. In other words: the question of originals in a manuscript culture thus primarily relates to questions of reception. But, and this is most important to understand, not only as a later process. For example, in art or in the case of the dedication sūtras described above, the idea that an original is to be created often already affects all aspects of production. This can be the choice of materials, special precautions during the writing process, or the prominent status of the donor.

The attribution of being an original is not an exclusive characteristic of written artefacts. But the phenomenon is particularly common with such materials. There are two main reasons for this: firstly, the fundamental importance attributed to the (hand-)written word in various cultures, particularly when there is not yet any significant competition with other written media, especially print; handwritten amulets or similar magical artefacts being obvious examples. One of the most notable exaltations of such a connection between written artefact and text can be found in traditional Judaism. It established the practice to gather no longer used or worn-out manuscripts and printed books in a so-called *genizah* (literally 'hiding'), a storeroom or attic, usually in a synagogue. The *genizah* is then emptied regularly and the hand-written or printed material contained therein is ritually buried. This practice is not primarily motivated by the textual contents, but by the sanctity of the Hebrew script as such. Thus, not only holy scriptures but also other kinds of texts were to be deposed in a *genizah*.

The second and perhaps more important reason is the notion of a close connection in many written cultures between the producer, in a narrow sense, and the resulting artefact. Many of these cultures assume that through the act of writing, the existence itself or specific qualities of the writer is reflected in the written artefact on different levels. These may be aesthetic qualities, moral or religious authority, or simply the existence of the other person, for example in the case of love letters or other personal documents. Many religious traditions, which centre around sacred texts, also draw on this connection, as in the example of the notion of gaining religious merit by the way of individually copying a specific scripture, or at least part of it. This special connection between the scribe and the written artefact also applies to other, more profane areas in which the attribute 'legitimisation via original' plays an important role, for example in the field of signatures, right up to variants of the digital signature in the 21st century.

In the course of discussions, it has been suggested that the term 'creator' be used instead of originator. However, this term does not quite fit, as the term 'to create' is – and should remain – closely associated with the material production of the given artefact. In other words: every original has a genuine creator in a physical sense, but it also always has at least one originator, who is sometimes but often not identical to the creator. This is precisely what allows us to differentiate, for example, between the scribe as one instance and all the other instances that might provide the written artefact with its actual status for the recipients at a given time.

However, the concept 'to create' is important in a different sense. It allows us to relate the concept of originators to the name and thereby to the main perspective of the research field within the CSMC from whose discussions it derives: 'Creating Originals'. The perspective of the originators directs our attention to the acts that make an artefact an original, and in many cases allows us to shift our perspective away from an overly isolated – and sometimes dangerously essentialistic – focus on the artefact itself.

The following discussion of the concept takes place in two steps: First, a phenomenological introduction to various instances that can bestow the status of an original on a written artefact in a specific tradition. The second part presents the model of an operationalisation of the term within the framework of a general scheme. This section also serves to highlight comparable aspects of the subsequent individual contributions in this issue, and thus allows to emphasise the comparative potential of our approach.

2. Originators as Actors

Creating an original written artefact involves, often in a very concrete sense, different hands or entities, endowed with different qualities and skills. Certainly, the awareness of

these conditions is nothing new. For example, the Franciscan monk Bonaventura (1217/21–1274) already discussed a four-tier hierarchy of originators, ascending in originality from scribe to author.

> There are four ways of making a book. Sometimes a man writes others' words, adding nothing and changing nothing; and he is simply called a scribe [*scriptor*]. Sometimes a man writes others' words, putting together passages which are not his own, and he is called a compiler [*compilator*]. Sometimes a man writes both others' words and his own, but with others' words in prime place and his own added only for purposes of clarification; and he is called not an author but a commentator [*commentator*]. Sometimes a man writes both his own words and others', but with his own in prime place and others' added only for purposes of confirmation; and he should be called an author [*auctor*].[4] (Bonaventura, *In primum librum sententiarum, proemii quaestionis* 4 *conclusio*)

For Bonaventura, the different contributions of each instance to a book establish a hierarchy with the author at the top. However, not only the author but all these types of originators (as well as others not mentioned by Bonaventura) can be responsible for the characteristics of a written artefact, so that it is given the status of an original, depending on different situations and contexts. And although Bonaventura's description contains more than a few vestiges of an essentialist understanding, it may serve as a good example of the awareness of the difficulties to define the special quality of a given written artefact.

In the following, the term 'originators' designates those individuals or instances involved in the making of written artefacts which – right from the start or by later changes – hold the status of an original within a certain manuscript culture. In this sense, 'originators' is meant to be a relational term, referring to a model or something else against which it is measured. As already mentioned, the term should be understood as a heuristic concept helping us to understand the various processes leading to the establishment of such a status, but precisely not as an essentialist attribution. In other words, not all scribes should be considered as originators, but a scribe can fulfil this role in specific cases; for example, author manuscripts (autograph), or, in the case of a master, calligraphy.

[4] Burrow 1982, 31.

Having this caveat in mind, the different acts and stages by which originators – intentionally or unintentionally – create the status of an original can be categorised by using the following typology:

a) Those taking part in the *material creation* of an object, including scribes, stonemasons, and other craftsmen. Often these are people with special abilities of a technical, spiritual or aesthetic nature; in other cases, only their de-facto status is decisive.

b) Those taking part in the *creation of the content* – the author of the text or image, or whatever is being written or drawn – in some cases (for example, religious texts) even non-human beings may be ascribed the role of actual originators.

c) Sometimes the *planning or conceiving* of a written artefact plays the most important role in this respect (for example, head of a workshop).

d) In other cases, those who *enable the production* are triggering the special status, such as donors, patrons and the like. Artefacts of this kind are often accompanied by specific paracontent stating these instances, whether these references are firmly integrated into the actual artefact (for example, via colophon or through enclosures).

e) In the case of institutional originators, *authenticating or authorising* written artefacts also has to be considered (for example, by institutions that issue legal documents, such as passports).

f) During later stages in the lifetime of an object, the mere *possession and/or distribution* can be identified as the main reason. The range here extends from individuals such as rulers to institutions such as museums, which by owning it distinguish an artefact from a larger group of comparable objects.

g) Last but not least, the group of experts whose *scholarly or academic expertise* is decisive for a change of status of the artefact should be mentioned.

None of these cases are mutually exclusive, but different types of originators may collaborate in creating such a written artefact. In some cases, two or more types even fall together,

as in the case of author manuscripts. At the same time, the entities involved can cover a range from individuals – including God or other transcendent entities – to groups to abstract institutions (for example, states). And, even more importantly, as many examples in the following show, the reasons for being considered an original may arise at a later date or may change during the lifetime of a written artefact.

3. Operationalisation

These findings call for a set of arguments helping to analyse the acts and interactions of persons, the social organisation of collaboration, and the various functions they provide. In other words: How can acts and interaction be operationalised in the field of written artefacts?

The following scheme is loosely based on a general scheme often used in the context of the analysis of written artefacts, a heuristic tool for the comparative study of manuscripts from different manuscript cultures. It centres around the four following key factors: production, use, setting and patterns; they 'determine or shape a manuscript's contents and physical characteristics'.[5]

Inspired by these factors, we identify first the different acts (3.1) mentioned above. They require further specification in order to be made fruitful as a heuristic approach, mainly regarding the respective socio-cultural settings (3.2) in which these acts are localised. In many cases, the socio-cultural settings also demand certain qualifications (3.3) of the individual participants, which can range from practical craftsmanship to certain spiritual qualities. As the typological overview suggested, many of these actions are temporally related (3.4), e.g., a group of originators may come into play only after other phases in the lifespan of a written artefact have been completed. And, last but not least, originators may reflect on their own role and explicate or define their self-understanding as originators (3.5).

3.1 Acts

We have already seen which different actions can be attributed to an originator. The temporally first one would be the involvement in the production, meaning the selection and preparation of the writing material and, of course, the writing itself; in this case, that said artefact is written or inscribed by the originator's own hand – a fact that possibly increases its monetary, cultural, religious, and/or legal value. However, the act of writing does not necessitate the creation of the content but may rather focus on the production of the material object. It is also not always the case that all of the writing in the production of an artefact is done by the same originator. For instance, one originator may only sign – and therefore authenticate – a manuscript while the rest of it is produced by a scribe. In the preparation of a written artefact we may even observe complex groups of specialists such as scribes and illustrators at work, but the process of production is finalised by, indeed culminates in, an authenticating signature. The following concept takes this even further: The monogram of the ruler on medieval documents in Europe was nearly always written by a scribe. Only a small part was left out, which the monarch personally completed: this 'Vollziehungsstrich' defined or confirmed the validity of a manuscript.

Affixing seals is another act of authentication. In contrast to signing, the entity who holds the power to validate the artefact does not automatically execute the act physically. Late medieval clerks in Europe, for example, were sometimes commissioned by a ruler to seal a manuscript. Considering artist seals in traditional China, one can rightly assume not only the identity of the artist and sealing person, but even the production of the seal itself. Cases in which the seal does not represent a singular person but rather an institution – like a monastery or even a state – imply the possibility of an originator being not an individual but an abstract entity such as an association or a government.

As indicated above, originators may also be conceived as being involved in the production of the material for the writing surface of said artefacts. However, the acts defining an originator do not only take place during an artefact's initial production but may occur any time within its lifespan. The consecration and veneration of religious objects mark the moments in which a mere physical object is attributed special significance and transcendental power. Therefore, originators may also act by authorising, using, collecting, or possessing artefacts possibly, but not necessarily, produced by their own hands. Post-production acts such as these also have the potential to define the original. In other words, the acts of the originator primarily differentiate a written artefact from others and afford it the status of an original.

3.2 Situations

Situations refer to the specific settings of the originators' activities in regard to oral-performative, temporal, and

[5] Wimmer et al. 2015, 2.

spatial aspects. It is our underlying assumption that the setting of production and use impart special qualities to a written artefact and contribute to its status of an original.

Oral-performative acts and writing go hand in hand in many scribal cultures. The individual or collective ritual performances centred on the artefact aim at enhancing its supramundane qualities in religious contexts; such are prayers and rituals that belong to the process of copying and using holy texts. Jewish scribes, for instance, visit a *mikvah* (ritual pool) before they start copying a Torah scroll, and they recite blessings during copying and when it is finished. Purification rituals were also found in the production of handwritten sutras throughout East Asia. The process of the collective production of Japanese *renga* (linked verse) also involves oral-performative elements – even during the creation of the poem, or as part of a ceremony by which the written artefact is dedicated to the deities of a shrine as the decisive act. In the legal sphere, the performers, the witnesses, and the audience of legal actions validate documents by reciting fixed formulas and oaths. The oral-performative aspects, in such cases, are part and parcel of the binding qualities of the documents and their authenticity.

The specific timespan in which the originators operate often corresponds to calendrical events that endow the work of functionaries and official scribes with solemnity and special significance. Some medieval European city councils, for instance, set aside particular days for issuing documents. Time also plays a profound role in religious practices and imparts hierarchical qualities to the activities of originators. Byzantine monks perform scribal activities specifically during the seven weeks of Lent, considering the sacrality of this time to be essential for the qualities of the texts they copy. For the same reasons, collective veneration of and private devotion to written artefacts in various traditions take place in accordance with the corresponding events of the liturgical calendar – a fact best exemplified by the genre of the books of hours.

The effectiveness of the originators' work may depend upon the spatial settings, both macro and micro, of their acts. Especially remarkable in the public sphere, (macro-)spatial forms of symbolic significance such as temples, churches, courts, city halls, parliaments, and museums serve as locales for the production and, more frequently, the use of written artefacts. The originators' acts in such loci may extend the sacral, formal, official, or expert qualities of the institutions to the artefacts, imbuing the latter with the merits necessary for their functions. Visitors of museums acknowledge, and perpetuate, the special status of the artefacts by virtue of having been established by experts and being exhibited in the museum.

The choice of place, time, and performance associated with the activities of originators thus may be motivated by functional, procedural, social, cultural, and religious concerns. Interacting with each other and complementing one another, the oral-performative, temporal, and spatial aspects provide a framework in which originators may effectively create originals.

3.3 Qualities

The qualities defining originators are manifold and most often relate to the production of an original as well as its use. These qualities range from specific knowledge and skills involved in producing and using the artefact to more status-related qualities like religious authority and political or symbolic power. Sometimes such skills and knowledge were unique to the originators. Writing charms and magic amulets in an encrypted form, for instance, suggest originators in possession of secret knowledge, and it was this knowledge that guaranteed the artefact's efficacy.

Such qualities appear more or less obvious in the case of an originator's role as scribe, author, patron, owner, collector, or keeper. Since the status of an original is the result of negotiation and ascription, i.e. is based on a particular setting and group consensus, the qualities defining originators, in fact, turn out to be rather elusive. Multiple originators with specific qualities may be needed for the production of *one* original, as is the case of the dedication sutras mentioned in the beginning, or, to draw on an example of modern times, with parliamentary shorthand protocols: not only the technical skill of the stenographer but also the validation of the deputies is required. Because these qualities are diverse and context-related, and because a written artefact typically is the product of several originators, the whole lifespan of the artefact needs to be taken into consideration.

3.4 Stages

The flexible character of a written artefact's status as original and the various possibilities for originators involved in its transformations amply illustrate the importance of time. Generally, if, during its lifespan, a written artefact changes the status and becomes an original, the contribution of specific originators will differ according to place (cf. 'situations')

but also to time. It might be reasonably assumed that the categories of the originators correspond to the general timeline or stages of the artefact and accord with patterns within a given manuscript culture. In the case of a holy manuscript or a personal letter, one important instance may be observed at a very early stage, whereas collected artefacts tend to change in status much later in their object biography. This leads to a second fundamental difference, namely whether the status change involves the artefact in a direct manner (for example, by processing it), or only in indirect ways (for example, by change of ownership). Examples of the first kind include all processes of refinement or transformation, i.e. a material manipulation of the artefact itself such as the application of precious materials, the rebinding, or the addition of decorative elements. Sometimes the mere combination of written artefacts will trigger the status change, as in the case of a famous collector binding manuscripts together. Indirect ways, on the other hand, often involve a change within the settings. The status of an artefact may derive from the fact of its being collected by an authority and being marked by his or her seal or signature. A rumour about a personal relation alone may already be enough to change the value of an object significantly; art history can tell many stories of changing appreciation.

In the final stages of a written artefact's biography, we have to consider modern institutions like museums, imparting authenticity to the object by adding it to its collection, or the impact of modern scholarship.

3.5 Self-Understanding and Reflection

In many cases, the originators seem aware of the importance of their own role wherever the performance of specific rituals or a certain mindset are regarded as a prerequisite for the written artefact that is being produced to be considered original. The same applies wherever the originators make efforts to ensure that the resulting original is forgery-proof. Also, in the case of a unique written artefact being produced consciously, one may assume the involved parties' awareness of their own role. This applies to the production of originals at great expense, possibly using valuable materials, as well as to individual compilations of material, for example in diaries or albums. Scribal colophons and signatures are especially useful sources reflecting the self-awareness of the originators, and some of them are highly particular regarding the personal role of the scribe in the production of an original, reflecting not only the different steps during production and its respective choices, but also the very notion of creating an original. Presumably, an originator's self-awareness is also present where certain licenses and rare skills are a prerequisite for the participation in the production process.

In each case, the perception of the individual role varies. Where, for example, God or other supernatural beings are assumed to be the first originator, the human being who produces the written artefact may understand himself or herself as a medium – and may be viewed by the surrounding society as such. A striking example can be found with the *letters from heaven:* God was believed to be the originator of these documents, which were thought to protect the owner from evil and danger and were still used (and newly produced) until well into the twentieth century. But in order to create such an efficacious artefact, someone had to copy the text of the amulet for the person supposed to own the *letter from heaven* and profit from its protective power. It is documented that the scribes believed to act as a vessel for God's word and that they saw themselves as a tool necessary for the production of a written artefact originated by God.

On the other hand, we should be aware that in other cases those factually involved in the making of an original do not see themselves as originators. We may even conceive originators initially unaware of their role, although they may have been consciously active as originators in other contexts. It may only be another's evaluation of – initially trivial – written artefacts as originals that makes their writer aware of their status as originators and subsequently lead them to give away autographs, notes, or sketches as originals, and thus as objects of – also material – value.

4. Final remarks

The aim of this special issue is to provide the reader with a series of case studies, thereby showing the heuristic benefits of the concept of originators. Nevertheless, it goes without saying, that this issue does not dare to claim to provide a comprehensive explanation of the phenomenon.

Having said this, some points for future studies should be raised here: Which other instances of originators with which functions can be identified? Are there special kinds of originals for which no instance of an originator can be identified? Could we identify certain cross-cultural patterns by which changes in status occur? What about cross-cultural changes, when a rather ordinaire artefact is removed from its original setting and then becomes a representative of the former culture? And, related to this field, what about

the respective motivation(s) of the various originators? The relationship between duplicates, i.e. several originals (such as contracts), and the respective originator(s) also must be further clarified, for example by differentiating between 'versions of an original' versus 'copies of an original'. And, last but not least, the interest of any of these originators in creating an original has to be approached systematically.

As a final note: These texts by members of the research field are deliberately not subject to standardising rules, neither as regards the length or detail of the contributions, nor the exact provenance of the written artefacts. It is precisely the diversity of the examples discussed below that is intended to demonstrate the heuristic value of our concept and, in the best case, to inspire the reader to use it themselves.

Acknowledgements

This introduction is the result of collaborative work within Research Field C of the Cluster of Excellence 'Understanding Written Artefacts'. The above-mentioned members contributed to its creation by providing text modules and conceptual input. The article owes important insights to discussions within the group itself and with members of other research fields. Especially noteworthy here are the contributions by Alessandro Bausi, Cornelius Berthold, Steffen Döll, Markus Friedrich, Michael Kohs, Jürgen Paul, and Ulla Kypta.

The writing of this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany´s Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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Article

Divine Authorship in the Mesopotamian Literary Tradition

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1. Introduction

In the Mesopotamian literary culture, the identity of the author often remained unknown; similarly, the names of the scribes who copied manuscripts – the creators of the written artefact – were rarely recorded. Thus, anonymity was a distinctive feature of this culture. Over the years – sometimes many years – texts were copied several times with or without textual changes.

The sporadic acknowledgement of authorship in Mesopotamian manuscripts raises several possibilities, one of which is that authorship – often implicitly but occasionally explicitly – was attributed to deities. In other cases, the human contributors were recorded as textual mediators in place of the original creators. The rare instances in which Mesopotamian gods were depicted as authors – together with further phenomena found in this context – offer insights into both the role of the divine sphere in the creation of the originals, and the way in which works produced by deities or resulting from divine inspiration were conceptualized.

In this paper, I shall examine a unique kind of originator, an originator that holds a distinct place in Mesopotamia's cultural history. My aim is to delineate the relationship between Mesopotamian deities and authorship, exploring both the roles of the deities as authors as well as their contributions to the production of written artefacts. The dual role of deities as both author and scribe is exceptional. Specific texts, various written artefacts and material objects highlight this captivating characteristic of Mesopotamia's writing history. Drawing on various literary works in Sumerian and Akkadian, as well as on the realm of magical and therapeutic practices, I shall demonstrate how the image of divine originators was culturally constructed and symbolically strengthened.

2. Writing and the gods

The connection between the divine sphere and cuneiform writing is most evident in the existence of deities who served as patrons of the writing and scribal profession. The earliest deity who had this role was the Sumerian goddess Nisaba,[1] known from the Early Dynastic period onward. Nisaba, originally an agricultural deity associated with grain, acquired her role as the patron of writing through the close connection between this new tool and early Mesopotamian administration. In the Akkadian pantheon, the same role was fulfilled by Nabû,[2] the god of wisdom and writing, whose significance grew during the Old Babylonian period.

The patronage of the scribal art is represented symbolically in the attributes of both deities. While no definitive iconography of Nisaba has been identified, Sumerian literary works, particularly those originating in educational contexts, commonly conclude with the doxology 'Praise be to Nisaba!' (^{d}nisaba za$_3$-mi^2)[3] or include a colophon dedicating the tablet to the goddess.[4] Furthermore, in a number of Sumerian literary compositions her lapis lazuli tablet is likened to the sky and the cuneiform signs to the stars.[5] Though lapis lazuli tablets are attested in Mesopotamia, they are exceptional and restricted to votive contexts; thus, besides being a powerful metaphor referring to a fictive artefact, the tablet of Nisaba is also linked to a very precious writing material.

[1] On this goddess, see Michalowski 1998–2001, Braun-Holzinger 1998–2001, and Michalowski 2002.

[2] On this deity, see Millard 1999, Pomponio 1998–2001, and Seidl 1998–2001.

[3] This practice is attested from the Early Dynastic period through to the Old Babylonian period. On the doxologies in the earliest literary corpus, see Zand 2020.

[4] On dedicatory colophons, including those dedicated to Nisaba and Nabû, see Sövegjártó 2023.

[5] See for example the initial line of the divine hymn *Nisaba A* [ETCSL 4.16.1]: nin mul-an-gin$_7$ gun$_3$-a dub za-gin$_3$ šu du$_8$ 'Lady coloured like the stars of heaven, holding a lapis-lazuli tablet!' The transcription and the translation follow the edition of the ETCSL.

This written artefact was apparently a well-known attribute of the goddess Nisaba, who was frequently referred to as the tablet of shining heavenly stars. Cuneiform signs were closely associated with heavenly stars and the inscribed tablet of the goddess corresponded to the starlit sky. This imagery was intensified by both the star-like features of cuneiform signs and the blue colour of this rare and precious stone. Thus, this divine attribute was not simply a theoretical concept, rather, in its form as lapis lazuli, it was an artefact belonging in the inventory of Nisaba's household.

The heavenly imagery related to the lapis lazuli tablet is a specific characteristic of the Old Babylonian literary corpus dating back to the nineteenth to eighteenth centuries BCE. Nisaba herself was referred to in this corpus as a 'heavenly star', expressing her close association with the stars and sky. These compositions, mainly divine and royal hymns, also make it clear that this heavenly writing has two distinct features: it is written or inspired by the gods, particularly by Nisaba, and it is meant to preserve divine statements for eternity.

However, the symbolism of the lapis lazuli tablet was part of a further system of metaphors in Sumerian and Akkadian literature. As an attribute of Nisaba, this artefact is documented in a hymn to the goddess, proclaiming that she 'took counsel with the wet lapis lazuli tablet'.[6] In this early piece of literature – written in the Ur III period, i.e. the late third millennium BCE – the 'wet' lapis lazuli tablet clearly correlates with water. From a Mesopotamian point of view, this is a metaphor referring to the cosmic underground waters, the Abzu, the dwelling place of the god Enki, the god of wisdom. This representation of the lapis lazuli tablet was transferred from Sumerian to Akkadian literature with some important modifications.[7] Apart from its association with the gods, the lapis lazuli tablet was also described as a repository of wisdom and associated with sages; furthermore, the power of the tablet derived not only from the gods, but from the precious material from which it was made.

Nabû's distinctive attribute was the stylus, depicted as a single wedge, either vertical or horizontal, sometimes resting on a clay tablet or platform. Thus, the shape of the stylus became closely associated with cuneiform writing. In the first millennium BCE, Nabû played a significant role in the New Year festival, recording the fate of the land on the Tablet of Destinies (a mythical artefact belonging to the divine sphere), as described in the creation myth *Enūma eliš*. As the patron of scribes, he was also invoked in numerous colophons.

Other deities were also believed to communicate with the human sphere through writing although this is not as explicit as in the cases of Nisaba and Nabû. The gods were considered to be the authors of the messages conveyed through various divinatory practices, and divination held a crucial place in Mesopotamian culture. Diviners would interpret signs and omens believed to be sent by the gods, providing insight into future events, and guidance. Indeed, reports of signs in the shape of cuneiform script appearing on the human body are found in omen series. Although such reports require interpretation,[8] nevertheless, they illustrate the fact that deities often chose quite specific and singular materials to convey written messages, including the human body.

Additionally, any composition recorded with cuneiform script could contain hidden meanings that scholars were tasked with unveiling. These secondary meanings were conveyed through multiple readings of individual signs, often documented in commentaries.[9] However, when deities interacted with the human sphere through these hidden messages, their identities remained obscure, with only the message and its consequences holding any significance.

Finally, written artefacts relating to the divine sphere can only exist within this sphere, as is apparent in the following example focusing on the conceptualisation of the Tablet of Destinies.[10] The possession of this fictive artefact guaranteed a supreme position among the gods, and rulership over the universe. However, information on the author is not known, nor is there any information on the possible producer of the object itself. Although the content of the tablet remains unknown, the name of the artefact is suggestive: it contained

[6] A hymn to Nisaba, NBC 11107, obv. 9: dub za-gin$_3$ duru$_5$-da šag$_4$ am-da-kuš$_2$-i$_3$.

[7] See the bilingual ritual text, CBS 11341 rev. iii 41–45 / iv 73–77 (second millennium BCE): dub abgal g̃ar-ra , pu$_2$ sud-ra$_2$ nam-gu$_2$-be$_2$ nu-til-la , lagab [na4]za-gin$_3$ kal-la , nig̃$_2$-tam-ma gurum$_2$-ak u$_3$-tud-da saḫar kur-ra , i-si-iš ba-e-la$_2$-la$_2$-e-⸢da?⸣ / *ṭu-u*[*p-pi …*] , *šu-ut-ta-tu*[*m …*] , *ši-bi-ir-ti uq-ni-*[*im …*] , *ṭa-bu ṣa-ar-*⸢*pu*?⸣*-um li-du-um* ⸢*e*⸣-[…] , *ša ṣi-iḫ-tam ma-lu-*[*u$_2$*] 'Tablet composed by the sage, an unfathomable well, whose shaft is never-ending, a block of precious lapis-lazuli, a cleansed item (Akk.: of good quality), inspected (Akk.: refined), a product of mountain ore, on which tears will drape.'

[8] On this topic see Frahm 2010.

[9] On Babylonian and Assyrian commentaries, see Frahm 2011. Several text editions were made accessible on the online portal of the Cuneiform Commentaries Project of Eckart Frahm, Enrique Jiménez, Mary Frazer, and Klaus Wagensonner; see Frahm et al. 2013–2023.

[10] On this written artefact and its conceptualisation, see Lämmerhirt, and Zgoll 2009.

Fig. 1: London, British Museum, BM 89810, unknown provenance, Neo-Assyrian period, cylinder seal and its modern impression. On the left are the symbols of the gods Nabû and Marduk – the stylus and the spade – standing on altars beneath a winged sun-disc, symbol of the sun god.

the destinies specified by the gods. The disclosure of the destinies could occur in the divine sphere through reading out the tablet's content; in the human sphere, the gods might mediate destiny in the course of divination. No illustration of this fictive artefact is known at present, thus its materiality is known only in a few literary descriptions: the Sumerian composition *Ninurta and the Turtle*, the Akkadian *Anzu Myth* and the Babylonian creation myth *Enūma eliš*.[11] However, in these descriptions of the Tablet of Destinies, it was seen primarily as a prototypical legal document (a clay tablet written with cuneiform script and impressed with cylinder seals); it was not a text which made any allusion to omen compendia or divinatory texts. Its rather plain materiality – a clay tablet – is surprising for an artefact which belongs in the divine sphere.

According to Sumerian and Akkadian literature, the owner of the tablet is described as 'holding the tablet in his hand' or 'clutching the tablet to his breast', i.e. wearing the tablet as an amulet. In both cases, physical ownership is emphasized. Interestingly, whenever the Tablet of Destinies was reported to have changed hands, it was said to have happened through theft or violence. According to both a Sumerian narrative and the *Anzu Myth*, the Anzu-bird stole the tablets from Enki. The *Enūma eliš* tells us that the tablet changed possession several times: Tiamat hands it over to Kingu, who will be overpowered by Marduk and thus loses the tablet. Thereafter, Marduk hands it over to Anu, the god to whom it is supposed to belong.

The praxeological aspects of this artefact also enhance its material features as they are closely related to the praxeology of legal documents. It is well known that the physical ownership of legal documents was also of importance in Mesopotamia: whenever a loan was repaid, the debtor took ownership of the corresponding document from the creditor. Again, whoever bought a piece of land, also took possession of all previous sale documents concerning the land. This procedure aimed to eliminate the possibility of another person claiming ownership of the same land. To sum up, the mere physical existence of a document indicating possession was not enough to satisfy legal requirements; the transfer of a piece of land involved the handover of all previous legal documents to the new owner.

Thus, the conceptualisation of the Tablet of Destinies was based on real models found in the human world. Apparently, the divine origin of an artefact would manifest itself in an exceptional material form only when the artefact was also accessible to, or transferred to, the human world.

[11] The exact references are, for *Ninurta and the Turtle*, [ETCSL 1.6.3], ll. B 2–4; for the *Anzu Myth* III: 91–95; for the *Enūma eliš*, EnEl I 157–160, IV 119–122, and V 69–70.

3. Deities as authors represented in lists of originators

The above statement suggests that divine authorship typically remained obscure in ancient Mesopotamia. However, there is a notable exception, namely the renowned *Catalogue of Texts and Authors*,[12] a composition which sought to identify the authors of specific texts and groups of texts, mainly of a scholarly or literary nature. The *Catalogue* emerged during the first millennium BCE and was preserved in at least three manuscripts found in the Nineveh libraries.[13] It was copied in later times and an alternative version from the Hellenistic or Arsacid Era is also known.[14]

While the *Catalogue* primarily addresses human authorship, it initially lists nine (groups of) compositions, seven with scholarly and two with literary content (ll. 1–3), attributing them to an important deity, Enki/Ea. Enki/Ea was the god associated with wisdom, magic, and incantations (l.4). This section of the *Catalogue* is as follows:[15]

> 1 ['The Exorcists'] Lore'; 'The Lamentation-priests' Lore'; 'When Anu and Enlil' (Celestial Divination);
> 2 ['(If) a] Form' (Physiognomic Divination); 'Who has not Completed the Months' (Teratological Divination); 'Diseased Sinews' (Healing Arts);
> 3 ['(If)] the Utterance [of the Mouth]' (Cledonomancy); 'The King, the Storm, whose Aura is Heroic' (Lugale); 'Fashioned like An' (Angim):
> 4 [These] are by E[a].

Although the *Catalogue* mentions no other deities, it attributes compositions to human authors employing two distinct formulas. In one formula, the intention is transparent, i.e. to assert authorship; this is conveyed in the phrase 'by the mouth of DN/PN' (*ša pi-i* DN/PN).[16] However, another formula uses a different scenario: 'This is what was revealed to PN, and what he proclaimed' (u_2-*šab-ri-šu-ma id-bu-bu*).[17] In the latter context, the human intermediary is included in the list, and the (assumed divine) authorship of the composition remains enigmatic. This practice also draws attention to the Mesopotamian belief that deities communicated directly with chosen individuals, endowing them with divine knowledge and inspiring them to record it in written form.

This distinction within the *Catalogue* demonstrates that there was a threefold understanding of how scholarly and literary compositions were produced in ancient Mesopotamia: they were composed either by deities or by humans or they were authored by deities and conveyed to the human sphere through human intermediaries. When examining the content of these three models, it becomes clear that omen series were directly attributed to the god Ea; this is also true of two Sumerian literary compositions which were known from the Old Babylonian period onwards. Furthermore, although these Sumerian literary or liturgical compositions were written in a language that was no longer used in the first millennium BCE, they were still used in religious contexts, making them accessible to scholars.

Human intermediaries are also mentioned in the *Catalogue* in three Akkadian literary compositions. Oannes-Adapa, more a mythological figure than human, was believed to be the transmitter of two compositions,[18] while the mythical composition *Erra and Išum* was revealed to the scholar Kabti-ilī-Marduk.[19]

An analysis of the wording used in the *Catalogue*, offers insights into how ancient Mesopotamian scholars perceived authorship. Both the term 'by the mouth of' and 'he proclaimed' denote oral rather than written transmission.[20]

Thus, being the author or mediator of a particular composition appears to be distinct from being the producer of a manuscript. Indeed, in most cases, authorship is associated with oral tradition rather than with the written domain.

Learning a composition by heart and performing it played a vital role in the transmission process. This observation is supported by the fact that clay tablets were not intended to be preserved for ever and the extant tablets were thus viewed as copies rather than originals. Perhaps these circumstances lessened the importance of the tablets and contributed to the emphasis on the oral rather than on the written tradition, particularly in the context of authorship and originality.

[12] Concerning the most recent textual reconstruction of this composition, see Mitto 2022 with further literature in n. 15.

[13] For a list of manuscripts, see Mitto 2022, 110.

[14] Mitto refers to these late manuscripts as part of the eBL fragmentarium and edits them in his article, see Mitto 2022, 109, 131–134, and 136 for a copy.

[15] The translation follows the recent edition of Mitto based on the Assyrian version of the *Catalogue*, see Mitto 2022, 112–113. In most cases, the incipit of the respective compositions is quoted here, in accordance with the Mesopotamian tradition where compositions did not have a title but were known by their initial lines.

[16] See for example Mitto 2022, 116, l. c+9.

[17] See for example Mitto 2022, 114, l. b+2.

[18] Mitto 2022, 113, ll. 5–6.

[19] Mitto 2022, 114, ll. b+1–2.

[20] In the Mesopotamian tradition, gods revealed their will in form of dreams.

Fig. 2: London, British Museum, K.2248, Library of Ashurbanipal, Neo-Assyrian period, one of the manuscripts containing the *Catalogue of Texts and Authors*.

The precise ways in which communication between the divine and the human spheres was conceptualized in ancient Mesopotamia remain unknown. As with numerous other ancient cultures, gods were believed to communicate with human intermediaries through dreams. However, the extent to which entire compositions could be thus inspired is shrouded in uncertainty, as is the possibility that alternative conduits existed for inspiring these human mediators.

Our knowledge of the possible connections between the divine realm and the individuals involved in manuscript production remains speculative. Conceivably, the author of a specific composition might also have been the originator of a written artefact. However, traditionally in the Mesopotamian writing culture, the two roles were seen to be distinct. Moreover, it is crucial to recognize the fact that Mesopotamian scholarly culture predominantly leaned towards orality. As such, those responsible for crafting written artefacts – these were the scribes who perpetuated the traditions by transmitting compositions – largely remained anonymous and were not directly associated with the act of composition itself. There are, however, some specific cases in which both author and scribe belonged to the divine sphere.

4. Divine originators in the literary tradition

In the literary tradition of Mesopotamia, one rarely finds specific attributions to the gods in individual compositions; this is also true of Sumerian and Akkadian literary manuscripts, where the originators, human or divine, are seldom named.[21] However, there are a few notable exceptions – literary works that serve as valuable sources for the present topic, as they make explicit reference to divine authorship or divine inspiration in relation to certain compositions.

I would like to present two well-known cases from the Sumerian tradition that illustrate the two types of divine authorship: direct involvement and divine inspiration. These compositions are the *Keš Temple Hymn* and one of the hymns of Šulgi, the famous ruler of the Ur III Dynasty.

In the introduction of the *Keš Temple Hymn*[22], the goddess Nisaba, the patroness of writing and the scribal profession, is presented as weaving the hymn like a net from the words of Enlil (ll. 8–11):[23]

> As Keš lifted its head among all the lands, Enlil spoke in praise of Keš. Nisaba was its accountant (?): with those words she wove it (= the praise) like a net. She carried out the writing on the tablet.

The figurative expression used in this case was the Sumerian verb 'sa-gen$_7$ – sur' ('to weave/form like a net').[24] Nisaba's act of creation, described in metaphorical language, takes place in the divine sphere, while the product, the manuscript of the hymn, also becomes available in the human realm. However, the identity of the divine author and originator is unclear. Is it Nisaba or Enlil? Interestingly, the creation of a temple hymn – like any other act of creation – involves two participants in the divine sphere: Enlil, the author of the oral composition, and Nisaba, who is the scribe and therefore the originator of the written tradition. This clear-cut difference between the actors – the author and the scribe – is a distinctive feature of Mesopotamian literary manuscripts.

The closing passage of the Sumerian hymn of *Šulgi E* (ll. 240–252) also highlights the role of several deities in inspiring royal hymnody, particularly the hymns about the ruler:[25]

> May my hymns be in every mouth. May the songs about me never be forgotten. The purpose of my praise is for the words that Enki conveyed about me, and the joyful utterances of Geštinana, which she speaks from her heart and disseminates, to never fade from memory. Therefore, I have meticulously recorded these great repositories of knowledge, line by line, in Nisaba's House of Wisdom, as if they were gleaming heavenly stars. They shall never be forgotten. They are like everlasting celestial bodies spanning eternal years. The scribe shall present them to the singer, who will peruse them, for

[21] In case of Akkadian literary manuscripts, see the list of Foster 1991, 17.

[22] ETCSL 4.80.2

[23] keš$_3^{ki}$ kur-kur-ra saĝ il$_2$-bi , ^{d}en-lil$_2$-le keš$_3^{ki}$ za$_3$-mi$_2$ am$_3$-ma-ab-be$_2$, ^{d}nisaba nu-ka-aš-bi-im , inim-bi-ta sa-gin$_7$ im-da-an-sur , dub-ba sar-sar šu-še$_3$ al-ĝa$_2$-ĝa$_2$. The transliteration follows the online edition of the ETCSL, the translation is my own.

[24] Conceptualizing authorship through metaphors is rare in Sumerian literature; nevertheless, it is a well-attested strategy, for example, in medieval Persian prose, see Rubanovich 2009.

[25] en$_3$-du-ĝu$_{10}$ ka-ga$_{14}$ ḫe$_2$-ĝal$_2$, šir$_3$-ĝu$_{10}$ ĝeštug$_2$-ge na-an-dib-be$_2$, gu-kur silim-eš$_2$ dug$_4$-ga-ĝa$_2$-kam , inim ^{d}en-ki-ke$_4$ mu-ši-ĝa$_2$-ĝa$_2$-a-am$_3$, ḫul$_2$-ḫul$_2$-e šag$_4$-ta dug$_4$ tal$_2$-tal$_2$ ^{d}ĝeštin-an-na-ka-kam , ud ul-le$_2$-a-aš nu-ḫa-lam-e-de$_3$, e$_2$-ĜEŠTUG$_2$. ^{d}NISABA niĝ$_2$-umun$_2$-a gal-gal mu-bi-še$_3$ mul-an kug-gin$_7$ bi$_2$-sar , ud me-da na-me ĝeštug$_2$-ge niĝ$_2$ la-ba-ab-dib-be$_2$ […]-bi , nu-ḫa-lam-e mul-an sag$_2$ nu-di mu da-ri$_2$ mu-tuku$_2^?$, nar-e dub-sar ḫe$_2$-en-ši-tum$_2$ igi ḫe$_2$-en-ni-in-bar-re , ĝeštug$_2$ ĝizzal ^{d}nisaba-ka-kam , dub za-gin$_3$-gin$_7$ gu$_3$ ḫe$_2$-na$^?$-ta$^?$-de$_2$-e , en$_3$-du-ĝu$_{10}$ kug ki-dar-ra-gin$_7$ pa ḫe$_2$-em-ta-e$_3$-e$_3$. The transliteration follows the online edition of the ETCSL; the translation is my own.

Fig. 3: London, British Museum, K.1282, Library of Ashurbanipal, Neo-Assyrian period, a manuscript of Tablet V of *Erra and Išum* with the colophon mentioning Kabti-ilī-Marduk.

> they possess the wisdom and understanding of Nisaba. And he, the singer, shall recite my hymns from them, as if from a lapis-lazuli tablet, illuminating them like silver in the lode.

In this case, Enki appears as the author of the compositions, but several other gods are involved in the chain of transmission. Geštinana seems to be responsible for the oral transmission of Šulgi's songs, while Nisaba, the goddess of writing, ensures the continuity of the written tradition. Moreover, the lapis lazuli tablet of Nisaba also appears in this context, making metaphorical reference to this eternal written artefact, written with heavenly stars, containing the royal hymns, and thus securing their transmission for many generations.

The Akkadian literary tradition also contains comparable narrative or descriptive accounts illustrating the divine inspiration of compositions or of their manuscripts. One example in which this concept is traceable is the myth *Erra and Išum* (Tablet V, ll. 42–47); here, it is not only the name of the human mediator that is given, but also the circumstances of the composition of the myth:[26]

> The composer of its text was Kabti-ilī-Marduk of the family Dabibi. He (the god) revealed it in the nighttime, and, just as he (the god) had conveyed it while he (the intermediary) was coming awake, he (the intermediary) omitted nothing at all. Nor one line did he add to it. When Erra heard it, he approved. What (belonged) to Išum his vanguard pleased him, all the gods were praising his sign.

This passage is followed by a statement made by Erra protecting the composition and guaranteeing its performative practice and transmission.

According to this passage, the composition was revealed to the human intermediary during the night, most likely in a dream. Whether he transmitted the composition in writing or orally, is not clear, but an oral performance certainly took place. Similarities between this account and the previously quoted hymn, *Šulgi E*, suggest a continuity across linguistic boundaries, and a strong connection between the Sumerian and Akkadian conceptualisations of divine authorship.

5. Divine originators in the magical and therapeutical praxis

Evidently, magic, religion, and medicine were all integral components of the Mesopotamian worldview. Distinguishing between these domains is challenging. Here, I offer the following descriptions: Magic is a divine tool utilized by both the gods and humans to restore or maintain order; religious rituals are symbolic of the involvement of the gods in achieving the desired changes.[27]

Within the realm of magical and therapeutic practices, there seem to be two types of divine authorship: firstly, direct action by the deity as an author and, secondly, action through a human intermediary. These two types are found in many Mesopotamian incantations, i.e. in practices which belong in the realm of theurgy,[28] this is a form of divine magic where ritual practices become effective through the involvement of a deity as well as through the mythological prefiguration of these practices, particularly in their role as creators.

Falkenstein identified four main types of incantation,[29] two of which are relevant to the present topic. The first type involves a priest who legitimizes himself as the representative of a deity, acting as a human intermediary to convey the intentions and words of the god. In such cases, various formulas are found at the end of the incantation confirming the involvement and contribution of the deity. These divine legitimisation formulas clearly state that the incantation contains the words or instructions of a deity. Examples of these closing formulas include 'Word of Enlil',[30] '(Invocation) of the temple of Enki. Even Asar in his abzu should not be able to dissolve it. It is (in) the name of Nanše',[31] 'This is the speech of Ningirimma',[32] or 'It is not

[26] *ka-ṣir kam-me-šu*$_2$ ^{m}*kab-ti-ilāni-*^{d}*marduk mār* ^{m}*da-bi-bi , ina šat mu-ši u*$_2$*-šab-ri-šu*$_2$*-ma ki-i ša*$_2$ *ina mu-na-at-ti id-bu-bu a-a-am-ma ul ih-ṭi , e-da šu-ma u*$_1$ *u*$_2$*-rad-di a-na muh-hi , iš-me-šu-ma* ^{d}*er*$_3$*-ra im-da-har pa-ni-šu*$_2$ *, ša*$_2$ ^{d}*i-šum a-lik mah-ri-šu*$_2$ *i-ṭib elī-šu*$_2$*, ilāni nap-har-šu*$_2$*-nu i-na-ad-du it-ti-šu*$_2$. The transliteration and translation follow Foster 1991, for the Akkadian text, see Lambert 1962, 122–125, or Foster 1991, 19.

[27] Rudik 2011, 7.

[28] See Ceccarelli 2015, 198, with reference to Bottéro 1987–1990, 201–202 § 2.

[29] The typology of Falkenstein 1931 consists of these main types: (1) legitimation type, (2) prophylactic type, (3) Marduk-Ea-type, as well as (4) dedicatory type. This typology is based on formal and formulaic differences of various incantations. A criticism of his typology can be found in Schramm 2008, 16–17, as well as Rudik 2011, 67–68. Rudnik even proposed a new typology based on the incantations' content. Nevertheless, the typology of Falkenstein is a useful one when considering divine authorship or mediation, as these aspects usually manifest in the formulaic language used and not in the content of the incantations.

[30] N 1235 + N 6283 ii 5: inim ^{d}en-[l]il$_2$-la$_2$-kam. The text was edited by Alster 1976, 14–18, Cunningham 1997, 54, and Rudik 2011, 438–441.

[31] RBC 2000 ii 6–8: eš$_3$ ^{d}en-ki ^{d}asar-re abzu-na , nam-mu-da-bur$_2$-e , ‹‹da›› mu ^{d}nanše al-me-a. The text was edited by Hallo 1985, 56–64, Veldhuis 2003, 1–4, and more recently by Rudik 2011, 428–433. The present transliteration and translation is based on the edition of Rudik.

[32] ARET V 19 iii 1–2: UD-du$_{11}$-ga , ^{d}nin-girim$_x$. The text was edited by Krebernik 1984, 146–149. The same formula occurs in VAT 12597 iii

my incantation. It is the incantation of Ea'.[33] The emphasis of such formulas is unmistakable: the composition is of divine origin, and, when the incantation is a spell, it is imbued with magical efficacy.

The third type in Falkenstein's typology refers to divine dialogues. Such dialogues take place between the god Enki and his son, Asalluhi.[34] For instance, Asalluhi, recognizing the suffering of a human caused by a demon, turns to his father for assistance; in the present example he addresses his father personally; in other examples he sends a messenger.[35] Enki, or the corresponding senior god, always responds with a formula: 'My son! What do you not know? What can I add for you?'[36] Subsequently, the senior deity explains the treatment of the patient in detail, assuming that the junior deity is already aware of it.

In compositions such as the above there are no formulas which explicitly assign the composition to the respective deity; nevertheless, the narrative framework of the composition clearly indicates that it is a god who reveals the treatment the incantation priest should carry out on the patient. Thus, we have a further example of divine authorship or, at least, of divine mediation.

The connection between the divine author and the composition is explicit in these cases. However, since magical-therapeutical compositions were primarily intended for oral performance – and only secondarily for written preservation and transmission – the direct connection between the divine author and the written artefact is not stated.

6. Conclusions

In Mesopotamia, the belief in divine authorship found expression in various forms, predominantly in religious and literary compositions. However, applying the terms 'originals' and 'originators' to ancient Mesopotamia is a challenging task. The challenge arises because of the prevalence of the practice of transmission through copying, a practice which may well have rendered the distinction between 'originals' and 'originators' less clear. However, precisely in the realm of divine originators, intriguing indications surface, pointing to instances of both divine authors and divine scribes (although the two functions remaining distinct). These instances offer a nuanced view of the multifaceted relationship between divine agency and the act of writing in this ancient civilisation.

The ancient Mesopotamians firmly believed that their gods actively shaped and influenced their lives; thus, it is no surprise that divine authorship – the creation and transmission of written works – is an element of such beliefs. Nevertheless, the details of divine authorship may well have varied among different social groups, and the perception of deities as the originators of compositions or written artefacts may have evolved over time and across different regions.

The manifestations of divine authorship in Mesopotamia were diverse. Not only was divine authorship held in great respect, but divine inspiration also played a significant role in the spheres of religion, magic, and therapeutical treatment. Ominous signs, closely associated with the cuneiform script, were also considered as indications of divine intervention in the human realm.

Whenever deities were presented as skilled scribes – conveying divine messages or shaping the written form of compositions – the written product appeared on specific, precious materials. Thus, the written artefacts of the divine sphere were not everyday objects but were the exceptional products of exceptional producers.

Given the scarcity of surviving source material, determining the prevalence of the concept of divine authorship in Mesopotamia poses a challenge. However, it is evident that divine authorship is directly visible in numerous genres, and its indirect influence was even more significant. Not only did deities communicate with the human realm through inspired compositions and ominous signs, but rulers were also believed to act as intermediaries of divine will. Authorship and inspiration were just two of the many ways in which deities could interact with the human sphere and make an impact on the life of human beings. Thus, the influence of the gods in the human sphere far exceeded the realms explored in this paper.

10–11, edited by Krebernik 1984, 20–24, among others. The present transliteration and translation is based on this edition.

[33] It is the typical closing formula of Akkadian incantations, not always referring to the god Ea: *šiptu ul yattun šiptu* DN.

[34] The deities involved change in the course of time. In the earliest periods, likely Enlil and Ningirima were involved in this incantation type, in the Ur III period, the compositions refer to Enki and Asalluhi, from the Old Babylonian period on, Ea and Marduk were featured in the text.

[35] HS 1588 + HS 1596 ii 1–2: ^{d}asal-lu$_2$-ḫi a-a-ni ^{d}en-ki-še$_3$ / e$_2$-a mu-ši-ku$_4$, g[u$_3$] mu-na-de$_2$-e ('Asalluhi entered his father Enki's house and spoke to him').

[36] HS 1588 + HS 1596 ii 3: dumu-ĝu$_{10}$ ‹‹a›› a-na nu-zu / a-na-ra-ab-[ta]ḫ.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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PICTURE CREDITS

Fig. 1: Wang Xizhi 王羲之 (303–361), attr. *Ritual to Pray for Good Harvest* (*Xingrang tie* 行穰帖); undated, Tang tracing copy, letter fragment mounted as a handscroll, here in rolled-up form with outer title slip; Princeton University Art Museum, Object no. 35203.

Article

A Two-Line Letter Fragment and its many Originators

Uta Lauer | Hamburg

Introduction

A calligraphy handscroll, whose English title is *Ritual to Pray for Good Harvest* and belongs in the collection of the Princeton University Art Museum (Figs 1 and 2) is the subject of this article.[1] The aim of this paper is to identify, describe and interpret the different acts and stages by which originators of this written artefact created its status as an original. The term 'original' here denotes a manuscript with authoritative status. This definition, departing significantly from the traditional concept of 'original' as a piece of work, produced by an artist and not a copy, offers new insights into this well-studied scroll.

Sometime in the seventh or eighth century, these two columns (Fig. 3) of the letter were written with brush and ink on semi-transparent, waxed paper in the 'outline tracing and filling-in' technique. In this copying method, a specially prepared piece of paper is placed over a manuscript, then the outlines of each character are traced on the copy paper and finally, the details of the ink tonality are filled in with hundreds of hair fine brush strokes, invisible to the naked eye. The manuscript fragment on which this copy was based no longer exists.

From the ninth century onwards, this anonymous fragment had been associated with the name of China's foremost calligrapher, Wang Xizhi 王羲之 (303–361). Today, not a single character written personally by Wang Xizhi survives. The closest extant written artefacts conveying an idea of what his calligraphy had looked like, are a handful of these tracing copies. The Princeton scroll is the only one outside Asia. The study of this extremely rare and old manuscript is crucial to gain insight into the creation of a corpus attributed to this single most influential calligrapher in the history of Chinese writing. This rare manuscript with good provenience has been discussed extensively from the eleventh century to the present.

Starting from the material form of the written artefact in its present stage, this article will closely examine the different acts committed by a number of originators in chronological sequence. Based on their interaction with this scroll, the following six categories of originators can be distinguished:

1. The copyist as originator.
2. The transcriber as originator.
3. The author as originator.
4. The colophon writer as originator.
5. The owner as originator.
6. The viewer as originator.

Some individuals acted in more than one capacity. A detailed analysis of this scroll clearly demonstrates how the interplay of different types of originators' acts were essential in creating its status as an original. This case study shows the validity of the concept of originators as postulated in the introduction, pertaining to questions of material creation, creation of content, planning and conceiving the written artefact, enabling its production, authenticating the manuscript or the mere possession of this piece of calligraphy.

1. The copyist as originator

Judging from material evidence, it is clear that this written artefact, produced in the outline tracing and filling-in technique, is a copy based on an earlier piece of calligraphy. How this manuscript gained the status of an original, despite being a copy, is best illustrated by closely observing the acts and processes by which the originators advanced this highly desirable status through their contributions, the first, contradictory as it may sound, being the copyist.

[1] The translations of the inscriptions and texts have been provided by the author, unless otherwise stated.
Wang Xizhi 王羲之 (303–361), attr. *Ritual to Pray for Good Harvest* (*Xingrang tie* 行穰帖); undated, Tang tracing copy, letter fragment mounted as a handscroll, ink on *ying huang* ('hardened yellow') paper, letter fragment alone 24.4 × 8.9 cm, entire scroll 30.0 × 372.0 cm; Princeton University Art Museum. Link to the artefact on the museum's website: <https://artmuseum.princeton.edu/collections/objects/35203>.

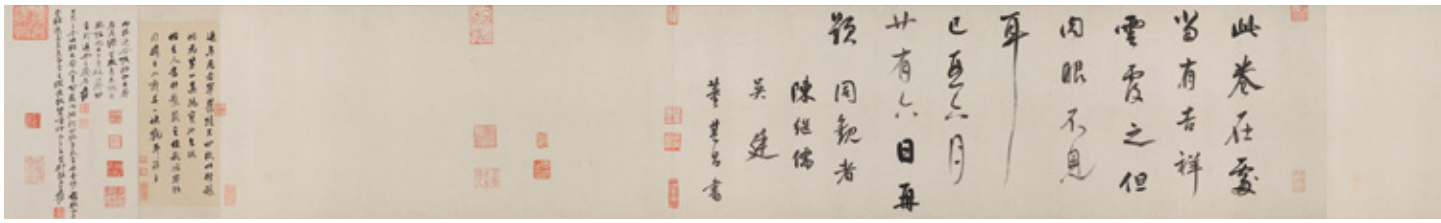


Fig. 2: Wang Xizhi 王羲之 (303–361), attr. *Ritual to Pray for Good Harvest* (*Xingrang tie* 行穰帖); undated, Tang tracing copy, letter fragment mounted as a

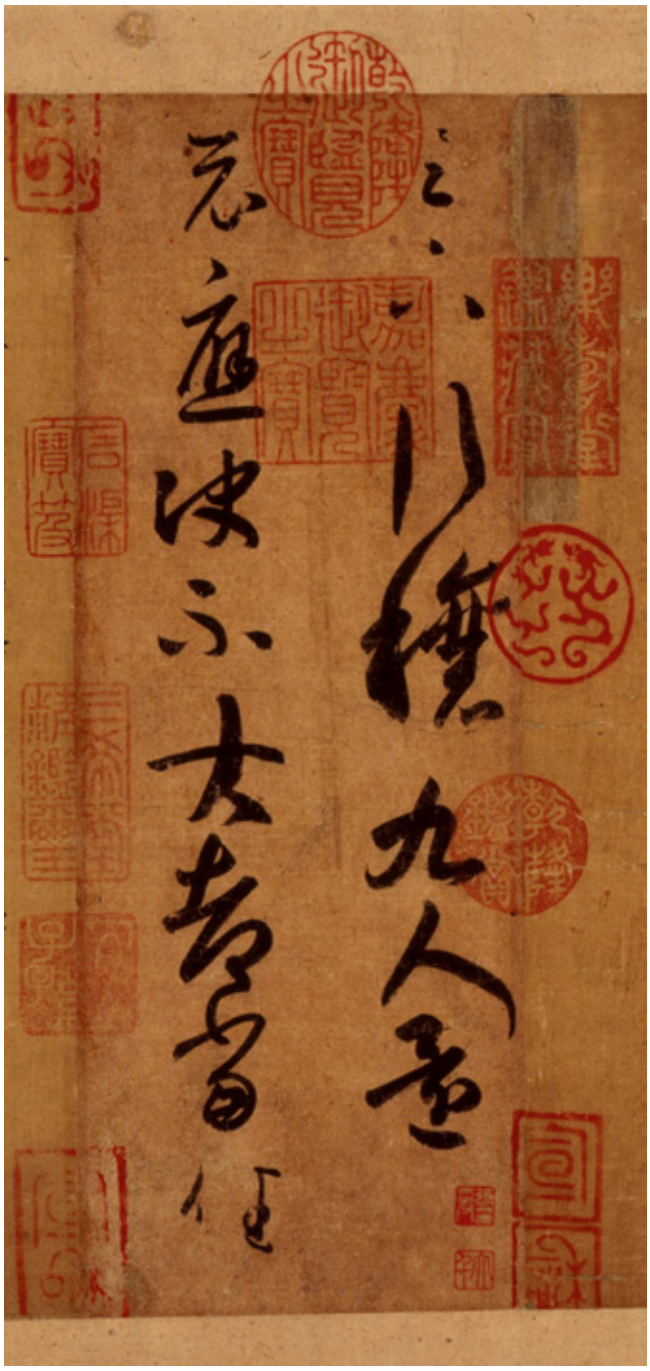


Fig. 3: *Ritual to Pray for Good Harvest*, detail, two-line letter fragment.

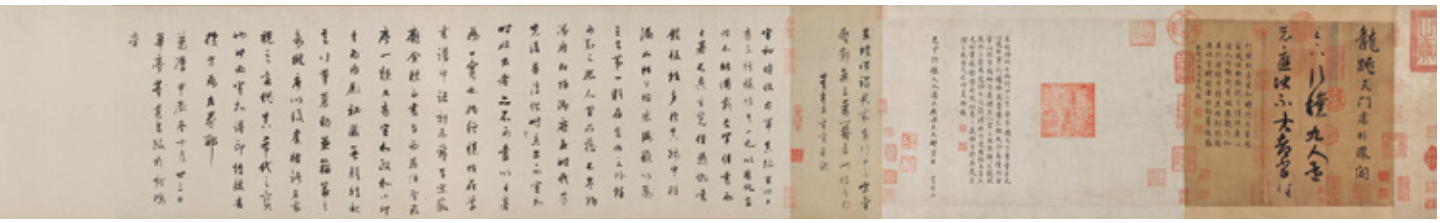
The early beginnings of this multi-layered artefact, *Ritual to Pray for Good Harvest*, lie in the seventh or eighth century, when an anonymous scribe carefully placed a specially prepared sheet of paper[2] over a two-line fragment of calligraphy. He then traced the outlines of each underlying character with brush and black ink. After that, he filled in the shapes of the characters with very thin brush strokes, conveying the different ink tonalities. Finally, the finished copy was glued onto another piece of paper for better handling and storage. What this first mounting exactly looked like, whether it took the form of a handscroll or an album leaf, is not known.

The high quality of the writing reveals the hand of an extremely skilled scribe. The paper provided to create this copy was costly as was the process to dye it and smoothen it with wax. Taking these two factors into account, plus Emperor Tang Taizong's 唐太宗 (r. 626–649) well-known predilection for Wang Xizhi's calligraphy, it is likely that the copyist was a scribe employed at the imperial scriptorium.

The question whether this is a Tang dynasty (618–907) tracing copy or a genuine piece of writing by Wang Xizhi's own hand is raised on the scroll proper as well as in the writings of some who had the privilege to handle it. In his colophon dated 1604, the influential calligrapher, painter, and art historian Dong Qichang 董其昌 (1555–1636) recounts the history of the artefact, appraising *Ritual to Pray for Good Harvest* as *zhenji* 真跡 ('genuine trace'). Dong later reiterates his judgement of this two-line fragment being genuine in a separate colophon attached to a painting by Li Tang 李唐 (*c.* 1050 – *c.* 1130).[3] In two instances on the Princeton scroll, Emperor Qianlong 乾隆 (r. 1735–1796) also airs his conviction that this is a genuine piece from the brush of Wang

[2] The Chinese technical term for this type of paper is *yinghuang zhi* 硬黃紙 ('yellow hardened paper'). The yellow-coloured substance extracted from the bark of the Amur cork tree has an antimicrobial effect, thus preventing insects from harming the paper.

[3] Li Tang, *Jiangshan xiao jing* 江山小景 ('Landscape'), handscroll, ink and colour on silk, 49.7 × 186.7 cm, National Palace Museum, Taipei. Dong Qichang's colophon is dated 1623.



handscroll, ink on *ying huang* ('hardened yellow') paper, letter fragment alone 24.4 × 8.9 cm, entire scroll 30.0 × 372.0 cm; Princeton University Art Museum.

Fig. 4: *Ritual to Pray for Good Harvest*, detail, beginning of the scroll with Emperor Qianlong's label.

Xizhi. He says so on the label (Fig. 4) as well as in his third colophon,[4] dated 1748, both times employing the term *zhenji*.

The opposing camp included connoisseurs who identified *Ritual to Pray for Good Harvest* as a Tang dynasty tracing copy. In his collected writings, and commenting on paintings and calligraphies he had the good fortune to examine, Zhan Jingfeng 詹景鳳 (1532–1602) lists seven pieces of calligraphy by Wang Xizhi, among them the two-line fragment, describing them as *moji* 墨迹 ('ink traces') and *Tang mo* 唐摹 ('Tang copies').[5]

From Zhan Jingfeng, *Ritual to Pray for Good Harvest* entered the collection of the eminent art collector Han Shineng 韓世能 (1528–1598). His son, Han Fengxi 韓逢禧 (early 17th c.) entertained friendly social relations with the connoisseur Zhang Chou 張醜 (1577–1643). Owing to this circumstance, Zhang Chou was able to see and closely study the scroll at the Han family mansion in Suzhou in 1616. He reiterates Zhan's point, further elucidating that this piece of calligraphy had been recorded in the Song dynasty (960–1279) catalogue of the imperial calligraphy collection *Xuanhe shupu* 宣和書譜, and continues:

> [...] 唐人硬黃臨本 定非真迹 [...][6]
>
> [...] hard yellow (paper) copy by a Tang person, definitely not a genuine trace [...]

Two years later, in 1618, the art-loving assistant salt transport commissioner Wang Keyu 汪砢玉 (1587– after 1643) had the good fortune to view *Ritual to Pray for Good Harvest* while out on a pleasure cruise on board a boat with the then owner of the scroll, Zhou Minzhong 周敏仲 (fl. early 17th c.). Upon his return home, he noted:

[4] In this colophon, Emperor Qianlong explicitly writes: '[...] 要非鉤摹能瓣 [...]' *yao fei goumo neng ban* ('this is certainly not what a tracing copy can do').

[5] Zhan 1591, 197.

[6] Zhang 1763, vol. 2, 215b.

[...] 行穰帖止存二行約二十餘字在黃麻紙上 [...][7]

[...] *Ritual to Pray for Good Harvest* consists of only two columns of about twenty characters, written on yellow hemp paper [...]

Eventually, the scroll entered the collection of the wealthy second-generation salt merchant from Korea, An Qi 安岐 (*c.* 1683– after 1746), who had formed one of the very best private art collections in China. In his annotated catalogue of his collection, An Qi also identifies this scroll as a Tang copy, praising it as:

[...] 硬黃紙本草書兩行十五字唐模至精者 [...][8]

[...] Hard yellow paper, cursive script, two lines, fifteen characters, the finest Tang copy [...]

The term *Tang mo* 唐模 ('Tang copy') is basically synonymous with *Tang mo* 唐摹 written with a different character for *mo*, very close in meaning, namely 'copy'. An Qi not only described the scroll's material features in detail but also impressed eleven of his seals on the joints of the pieces of paper. From the position of these seals (Fig. 5), it is evident that An Qi further interfered with the scroll by remounting it.[9]

From its creation in the seventh or eighth century onwards, the debate on the two-line letter fragment *Ritual to Pray for Good Harvest* centered on the question of whether it is an original or a copy.

2. The transcriber as originator

Its transcription was the second important contribution to elevate *Ritual to Pray for Good Harvest* to the iconic status of an original by China's calligrapher saint Wang Xizhi.

The two-line fragment is written in a cursive type of script that is notoriously difficult to decipher and defies an accurate reading of the text. A first attempt to transcribe the manuscript into legible, regular script was undertaken by the renowned art historian, calligrapher and painter Zhang Yanyuan 張彥遠 (fl. ninth-century CE).[10] Three out of the altogether fifteen characters pose almost insurmountable problems in deciphering them. However, Zhang Yanyuan made a conscious choice in his reading of these characters, a choice with far reaching implications. The last character (Fig. 6) of *Ritual to Pray for Good Harvest*, which Zhang transcribes as *ren* 任 '(an official position'; 'to put in office'; 'to appoint'), is of particular interest.

This is especially noteworthy since Zhang Yanyuan not only transcribed the text of the two-line fragment but rendered a complete letter, consisting of thirty-two characters in total, into regular script. In Zhang's transcription, the deciphering of the last character of the Princeton scroll as *ren* connects it very nicely to the second part of his transcription as far as grammar and contents are concerned. This fact strengthens Zhang's argument that these two parts do indeed belong together and form a single manuscript.

Furthermore, the second part of Zhang's transcription was signed Wang Xizhi. In putting the two parts together and publishing them as a complete letter, the hitherto anonymous two-line fragment suddenly had a name attached to it: that of the greatest Chinese calligraphers of all time. The two acts of transcribing the manuscript into regular script and forging it together into a more or less coherent letter with a signed part were certainly crucial in elevating *Ritual to Pray for Good Harvest* to the status of an original.

A second attempt to transcribe the two-line fragment into regular script was made by Dong Qichang. He wrote his transcription (Fig. 7) directly on the scroll, on the white sheet of paper bearing Emperor Huizong's 徽宗 (1082–1135) large palace seal. He signed his transcription:

其昌釋文.

Transcription [by] Qichang.

Dong Qichang's rendition differs from Zhang Yanyuan's in four places, most importantly in the reading of the last character as *jia* 佳 ('beautiful', 'good', 'auspicious', 'excellent'). As Kern has noted, 'If the present Xingrangtie is read on its own, it may end with the character *jia* 佳, which appears some 180 times in Wang's letters (Antje Richter, personal communication) […]'[11]

[7] Wang 1643, vol. 1, 9b.

[8] An 1724.

[9] The subject of remounting certainly deserves a separate article. Suffice to mention here that after An Qi, Emperor Qianlong had the scroll remounted, making significant changes to the sequence of the sheets of paper. When the scroll came into the possession of Zhang Daqian 張大千 (1899–1983) in 1957, he also had it remounted. The last remounting was undertaken at the Metropolitan Museum in New York in the 1980s.

[10] Zhang ninth century CE, vol. 10, 45b.

[11] Kern 2015, 135.

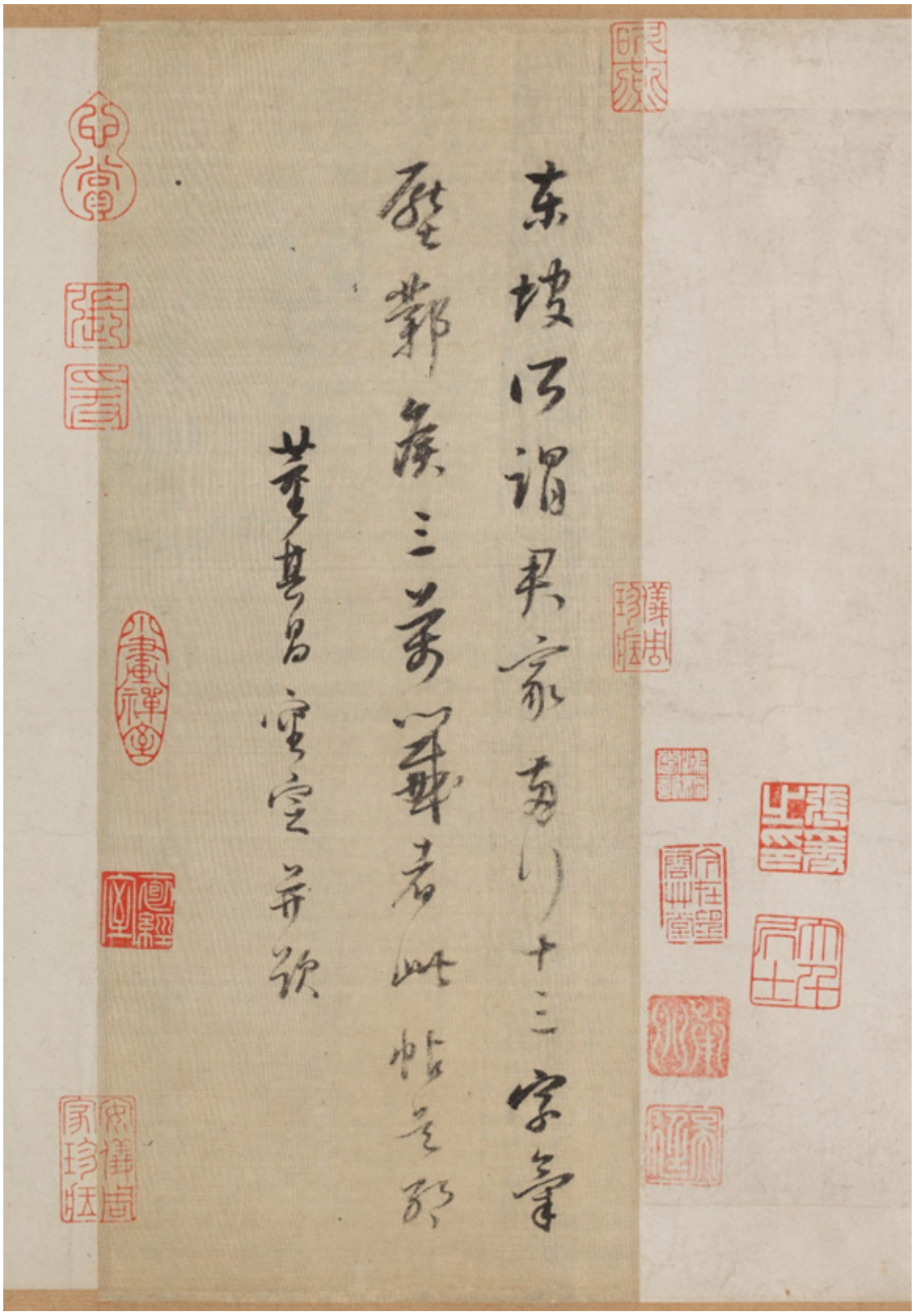


Fig. 5: *Ritual to Pray for Good Harvest*, detail, seals by An Qi surrounding Dong Qichang's undated colophon.

Fig. 6: *Ritual to Pray for Good Harvest*, detail, final character of two-line letter fragment.

Such a reading, as postulated here by Dong Qichang, strengthens his conviction, as recorded in his colophon dated 1604 on the scroll, that *Ritual to Pray for Good Harvest* is indeed a genuine trace. In transcribing the cursive manuscript directly on the scroll with marked differences to Zhang Yanyuan's earlier reading, Dong deliberately made a case for Ritual to be an original letter. He was fully aware of Zhang's transcription and had even included a rubbing of the alleged second part of the letter[12] in his own collection of model calligraphies, the *Xihong tang fatie* 戲鴻堂法帖 ('Model Calligraphies from the Hall of Playing Geese'), published in 1603, a year before he wrote that colophon.

Ultimately, it does not matter which, or if any, of the two transcriptions is correct. In Zhang's case the two-line fragment was tied to the name of Wang Xizhi through the transcription and through proclaiming that it was the first part of a letter, signed after the second part of the letter, to belong together as one manuscript. Dong went a step further with his reading of the final character which led him to believe that *Ritual to Pray for Good Harvest* is indeed a handwritten original from Wang Xizhi's brush. Both transcribers acted as originators since their reading of the fragment makes a claim on this manuscript to be part of a letter (Zhang), or a self-contained letter (Dong) written by Wang Xizhi.

[12] The second part of the letter is called *Xuanliang tie* 懸量帖. As it no longer exists as a handwritten manuscript, only in reproductions in various forms, especially rubbings, it will be treated in this article only in passing.

3. The author as originator

There is nothing in *Ritual to Pray for Good Harvest* in its present form that ties it in any way to the elusive persona of Wang Xizhi, no names, no mention of places or anything concrete known about Wang Xizhi's biography.

Nevertheless, Wang Xizhi is hailed as the author of this two-line fragment, not only by the acts of transcription detailed above, but also through the frequent mention of his name or official rank in labels and colophons on the Princeton scroll.

The first visible trace on the scroll proper connecting the manuscript with Wang Xizhi is Emperor Huizong's label written in his typical slender gold style of calligraphy, reading 王羲之行穰帖 *Wang Xizhi xingrang tie* ('*Ritual to Pray for Good Harvest* [by] Wang Xizhi'). The scroll was listed in Emperor Huizong's catalogue of his calligraphy collection, the 宣和書譜 *Xuanhe shupu* ('Notes on calligraphy from the Xuanhe reign') under the name of Wang Xizhi with its title, 行穰帖 *Xingrang tie*.

Then there was an almost five-hundred-year silence on the scroll proper, until Dong Qichang graced the scroll with a title slip, saying, '王右軍行穰帖' ('*Ritual to Pray for Good Harvest* [by] Wang Commander-of-the-Right'). The military title Commander-of-the-Right was Wang Xizhi's official title. Dong Qichang writes in his colophon of 1604: '宣和時收右軍真跡百四十有三行穰帖其一也' ('*Ritual to Pray for Good Harvest* is one of the Commander-of-the-Right's one

Fig. 7: *Ritual to Pray for Good Harvest*, detail, Dong Qichang transcription at the far left.

hundered and fourty three genuine traces collected during the Xuanhe era'). The Xuanhe era (1119–1125) refers to Emperor Huizong's reign. The scroll is mentioned with its correct name. Dong Qichang only erred in the number of calligraphies by Wang Xizhi in Emperor Huizong's collection, which was two hundred and forty-three and not one hundered and fourty three.

In the mid-seventeenth century, the Bejing-based official Sun Chengze 孫承澤 (1592–1676) acquired the scroll, at a time, when after the fall of the Ming dynasty in 1644, many works of art left the Jiangnan region in the South and were bought by Northerners. In his colophon (Fig. 8), now mounted towards the end of the scroll, he praises the work, exclaiming that, '近年見右軍舊迹三四紙以行穰帖爲弟一真鴻寶也' ('Of the three or four [sheets] of paper with old traces by the Commader-of-the Right I have seen in recent years, *Ritual to Pray for Good Harvest* is the best, truly a great treasure!').

After passing through the collection of the discriminating and well-informed connoisseur An Qi, who had re-mounted the scroll and impressed many of his seals, but left no writing on the scroll proper, it entered the world's biggest art collection of the time, that of Emperor Qianlong.[13] He not only reiterated Dong Qichang's earlier judgement that this is an original piece by Wang Xizhi, but also explicitly names Wang Xizhi as the author of this calligraphy. Emperor Qianlong does this very prominently on the title slip, saying, '王羲之行穰帖真跡神品内府秘寶' ('Wang Xizhi, *Ritual to Pray for Good Harvest*, genuine trace, divine work, Inner Palace secret treasure'). And again, in his colophon dated 1748, written on the white Song dynasty paper directly after Emperor Huizong's large palace seal, Emperor Qianlong names Wang Xizhe as the author of the two-line fragment, stating, '[...] 右軍行穰帖... 右軍此帖 [...]' ('Commander-of-the-Right, *Ritual to Pray for Good Harvest*... this piece of calligraphy by the Commander-of-the-Right'). Other than directly referring to Wang Xizhi by his name or title, Emperor Qianlong also implicitly refers to him in his colophon written directly after the two-line fragment by discussing the piece with regard to another well-known calligraphy by Wang, namely *Timely Clearing after Snowfall*.[14] By doing so, Emperor Qianlong elevated the anonymous fragment *Ritual to Pray for Good Harvest* to the status of an original written by the hand of Wang Xizhi, on the same level with *Timely Clearing after Snowfall*, which was one of Emperor Qianlong's most highly venerated works of calligraphy in his art collection. This ranking of *Ritual* right after *Timely Clearing after Snowfall*, which Emperor Qianlong proclaimed to be '天下法書弟一王家法書弟一' ('The best calligraphy in the world; the best calligraphy of the Wang family'). was also reflected in its inclusion in the first volume of the collection of rubbings *Rubbings from the Hall of Three Rarities*. This compendium of rubbings was commissioned by Emperor Qianlong in

[13] Liu, 2008, 302–303.

[14] Wang Xizhi. Kuai xue shi qing tie 快雪時晴帖 *Timely Clearing after Snowfall*, album leaf, ink on paper, 23.0 × 14.8 cm, National Palace Museum Taipei. This calligraphy is also a Tang dynasty tracing copy, but unlike *Ritual to Pray for Good Harvest*, the text of this letter fragment does contain Wang Xizhi's name.

Fig. 8: *Ritual to Pray for Good Harvest*, detail, Sun Chengze colophon to the right.

1747, containing altogether three hundred and forty works of calligraphy from the Imperial collection. Here, *Ritual to Pray for Good Harvest* was reproduced in the first section dedicated to works of calligraphy by Wang Xizhi under the heading, '晉 王羲之書' ('Calligraphy of Wang Xizhi of the Jin [dynasty]'), again clearly naming Wang Xizhi as author and originator of this anonymous two-line letter fragment.

Based on the material form of the scroll and the different acts and stages by which originators helped to create the status of an original, the purported author, Wang Xizhi, enters the scene only after the copyist had done his part as originator of the fragment and after the transcribers as originators had attached this short manuscript to the name of the famous calligrapher. Whether Wang ever authored this text will never be known.

4. The colophon writer as originator

On the scroll *Ritual to Pray for Good Harvest*, there are three handwritten labels and altogether nine colophons. The sequence of both the labels and the colophons is not in chronological order. This fact is nothing unusual. On the contrary, it can be observed that on almost all Chinese calligraphy scrolls, colophon writers vied to place their inscription as close as possible to the written artefact. This lends prestige to the colophon writer and reflected his social standing. Colophon writers were and are an important type of originator because their writing directly on the artefact as to its aesthetic form, placing and contents had a strong impact on the manuscript's status as an authentic piece of calligraphy.

The three labels were written by Emperor Huizong, by Dong Qichang and by Emperor Qianlong. They all state Wang Xizhi as the originator of this two-line letter fragment and provide its title.

Emperor Huizong's label, now barely visible with the naked eye, is written on a greyish coloured slip of paper in faint gold characters. The label is pasted on the seam between the two-line fragment and the adjoining dark piece of paper to its right.

Dong Qichang's label written in crisp regular script is now glued on to the piece of silk to the right of the central part of the scroll. Originally, this label was on the outside of the scroll but was carefully cut off and pasted in its current position during remounting in Emperor Qianlong's time, thus preserving and protecting an important piece of historical evidence concerning the provenience of the scroll.

The last label in chronological sequence is that by Emperor Qianlong, written in semi-cursive script. Prominently placed at the beginning of the scroll, this label is the very first writing the viewer of the scroll will encounter when opening the scroll. Interestingly, the placement of Emperor Qianlong's title slip in this exalted position was not of his own doing but was the result of the re-mounting by the Metropolitan Museum in the 1980s. According to evidence seen by Kern[15], the label was originally pasted on the first piece of dark paper, now dominated by the seals of twentieth century collectors. In other words, prior to the application of these seals, Emperor Qianlong's label would still have occupied the prime position on the scroll, as it does now after its last re-mounting.[16]

On the scroll in its current form, there is an outer title label, saying '御題晉王右軍行穰帖' ('Imperially inscribed *Ritual to Pray for Good Harvest* [by the] Jin [dynasty] Commander-of-the Right, Wang'). It is not exactly known when this label was written, but Kern[17] suggests it might have been produced during the Jiaqing era (1796–1820) because of the presence of a seal (Fig. 9) by Emperor Jiaqing on the scroll. This big, square relief seal is imprinted directly on the two-line fragment, touching, and partly covering several of the written characters. Other than this boldly placed seal, Emperor Jiaqing left no inscriptions on the scroll.

There are nine colophons on *Ritual to Pray for Good Harvest*, three by Dong Qichang, one by Sun Chengze, three by Emperor Qianlong and two by Zhang Daqian. As previously noted, they are not arranged in chronological sequence from right to left. Here, the colophons will be discussed in chronological order with due mention of their physical position on the scroll and their contents, and what both factors contribute to the status of the scroll as an original.

Dong Qichang's first undated colophon is written on a piece of silk, following directly after the white Song dynasty paper with Emperor Huizong's large palace seal. Though undated, circumstantial evidence indicates, as Harrist[18] convincingly argues, that Dong had purchased the scroll at a date between late 1603 and winter 1604. In his colophon, Dong Qichang evokes the name of the great poet, calligrapher and painter Su Dongpo 蘇東坡 (1037–1101), who in his time had inscribed a short piece of calligraphy by Wang Xizhi's son, Wang Xianzhi 王獻之 (344–386), with the same words Dong now quotes in his colophon. In doing so, Dong Qichang not only displayed his erudition and profound knowledge of the history of calligraphy but also inscribed himself in the illustrious lineage of famous cultural figures, whose contributions were essential in establishing the canon of the Two Wangs 二王 (Wang Xizhi and Wang Xianzhi). The colophon is signed '董其昌審定并題' ('Dong Qichang, examined and approved, appended colophon'). The expression *shen ding* 審定 ('to examine and approve') used in this context is a very formal wording, underlining Dong Qichang's belief that this piece of calligraphy is an authentic, genuine work.

The second and longest of Dong Qichang's colophons is dated to the winter of 1604. Recording the history and provenience of the scroll and appraising it as a *genuine trace*, he then signs it '華亭董其昌跋於戲鴻堂' ('Dong Qichang from Huating wrote this colophon at the Playing Geese Hall.') Playing Geese Hall was the name of Dong Qichang's studio. It was in the intimacy of his studio, where he, surrounded by his art collection and books, wrote this colophon. One can well imagine Dong thoroughly examining his newly acquired treasure, identifying earlier seals and writing on the scroll, comparing them with other artefacts in his collection and consulting books in his library. His colophon is written in small, semi-cursive script, perfectly suitable for the occasion. This type of script augments a feeling of concentrated study and scholarly seclusion in emerging himself into the history of this most significant manuscript.

[15] Kern 2015, 135.

[16] I would like to take this opportunity to thank Zoe Kwok, Nancy and Peter Lee, associate curator of Asian Art at the Princeton University Art Museum, for her efforts to locate and share the original restauration report at the Metropolitan Museum, New York. At the time of finishing this article, the restauration report was not yet available to me.

[17] Kern 2015, 119.

[18] Harrist 1999, 253, 258.

Fig. 9: *Ritual to Pray for Good Harvest*, detail, seal of Emperor Jiaqing to the top left.

In marked contrast, Dong Qichang's last colophon, dated 1609, is written in large semi-cursive script, an exquisite piece of calligraphy in itself. The writing is modelled on Wang Xizhi's, flamboyantly showing off Dong's mastery of Wang's style. Indeed, this colophon was written as a performance when Dong was viewing the scroll together with his childhood friend, Chen Jiru 陳繼儒 (1558–1639), and the wealthy and astute art collector Wu Ting 吳廷 (*c.* 1555– after 1626) on a fine summer day. Chen Jiru left no trace on the scroll, except that Dong mentioned his presence during the joint viewing. Wu Ting did not write anything on the scroll proper, but he impressed two of his square intaglio seals on the white Song dynasty paper, right after Dong Qichang's transcription of the text of the two-line letter fragment. In viewing the scroll together and through Dong Qichang writing a colophon to confirm this, all three gentlemen played an active part as originators.

After Dong Qichang had owned and inscribed *Ritual to Pray for Good Harvest*, the scroll changed hands several times, until it finally left the Jiangnan region of China and was purchased by an official in the capital named Sun Chengze. Sun had served in high government positions in the late Ming dynasty. After the fall of the Ming dynasty and three failed suicide attempts to demonstrate his loyalty to the Ming house, he reluctantly followed summons to the Qing court where he served in various capacities. At the earliest available opportunity, Sun Chengze withdrew into private life as a recluse, writing books on history and devoting his time to his art collection. He was especially interested in the calligraphy of Wang Xizhi. From his undated colophon on *Ritual to Pray for Good Harvest*, it is clear that, in one year, he had chanced to see three to four pieces of calligraphy by Wang Xizhi, quite a rare feat in the seventeenth century. Beyond writing this colophon on the scroll, Sun Chengze was actively engaged as originator in different capacities. A Song dynasty rubbing of a model letter compendium[19] of the works by Wang Xizhi[20], which is now in the Palace Museum in Beijing, was once owned by Sun Chengze; his seals and inscriptions in this album attest to this. This compendium of rubbings is extremely rare. The original stones have long been lost. No complete set of rubbings has survived the times. The leaves in Sun Chengze's set are the most comprehensive handed down to the present. They represent a most important source for the study of Wang Xizhi's calligraphy, and this was material at hand, available to Sun, assisting him enormously in research.

In chronological order, the next traces of writing on *Ritual to Pray for Good Harvest* are the three colophons by Emperor Qianlong. The first colophon consisting of one column written in large semi-cursive script is placed on the dark brown paper immediately to the right of the two-line fragment. It reads '龍跳天門虎臥鳳閣' ('A dragon leaping at the Gate of Heaven, a tiger crouching at the Phoenix Tower'). This phrase is a quote which the Liang Emperor Wu 梁武帝 (502–549) had coined more than a thousand years earlier in praise of Wang Xizhi's calligraphy. As a study by He Chuanxin[21] has revealed, Emperor Qianlong applied this phrase to several other calligraphies by Wang Xizhi in his possession, singling them out as the foremost and very best written artefacts in his collection. Furthermore, as this description of Wang's calligraphy had been applied to his works as early as the sixth century, this strengthened Emperor Qianlong's claim of a valid, historical connection with these priceless works of art.

In his second colophon, dated summer of the year 1748, Emperor Qianlong, like Dong Qichang before him, refers to the provenience of the scroll, including Dong's evaluation of it, and then proceeds to favourably compare it to another work by Wang Xizhi in his collection, namely *Timely Clearing after Snowfall*, pronouncing both to be *genuine traces*.

After bracketing the two-line fragment with his powerful inscriptions and slightly later in the summer of the same year 1748, Emperor Qianlong once again wrote a colophon on the scroll. This time, he wrote in the space of the white Song dynasty paper directly after Emperor Huizong's large palace seal and before Dong Qichang's transcription of the text of *Ritual to Pray for Good Harvest*. Emperor Qianlong's three colophons are the ones written closest to the two-line fragment, thus visibly cementing his authorative role as originator.

The last written traces of a brush on *Ritual to Pray for Good Harvest* are the two colophons by Zhang Daqian, written on a separate white sheet of paper after Sun Chengze's colophon from the eighteenth century. In his first colophon, Zhang Daqian notes that Sun Tuigu (one of Sun Chengze's sobriquets acquired later in life) had spoken of

[19] For a detailed study on 'model letters' see McNair 1994.

[20] *Chengqing tang tie* 澄清堂帖, album of 82 leaves, ink rubbing on paper, 26.5 × 13.4 cm each, Song dynasty, Palace Museum, Beijing.

[21] He 2010, 5, 17, 39, 40.

this manuscript, but there is a problem with the name given in the signature as Zeyan 澤言. Sun Chengze was not known under this name. However, the seal below this strange signature is a genuine seal bearing Sun Chengze's studio name, 硯山齋 Yanshan zhai ('Inkstone Mountain Studio'). Zhang Daqian just states the fact of this observation but draws no conclusion.

In his second colophon, Zhang provides the date, 1957, when he bought the scroll from the Li family in Hong Kong. Zhang himself was living in Japan at the time and had the scroll delivered to him in Tokyo by his close friend, the photographer Gao Lingmei 高嶺梅 (1913–1993). With this colophon, Zhang Daqian literally inscribes himself and his friend into the history of *Ritual to Pray for Good Harvest*, as an originator, who played an active role in the scroll's life. In 1962, Zhang Daqian apparently had a limited number of facsimile prints made of the scroll in a studio in Kyoto, which he liked to give away as gifts to his friends.

5. The owner as originator

After having presented colophon writers as originators who left writing on the *Ritual to Pray for Good Harvest* scroll, only owners who left no writing on the artefact proper but imprinted their seals will be considered here.

The presence of numerous seals points to collectors who owned the scroll, impressed one or more seals, and, in most cases, recorded their experience of handling and owning the scroll elsewhere in their writings, be it catalogues, letters or personal notes. Owners who had inscribed the scroll and of course impressed it with their seals will not be discussed here since this has been done in detail elsewhere, namely by Yang (2008) and Kern (2015). It must also be emphasized that the positioning of seals is significant. The exact location of where a seal or a set of seals is impressed, reflects different intentions by the originator. They range from a mere statement of ownership to documenting the sequence of the sheets of paper and silk slips as they were at the time when the seals were applied on the joints of two sheets of paper. Like the sequence of colophons, the sequence of seals does not reflect chronological order.

Ritual to Pray for Good Harvest was once part of Wu Ting's formidable art collection, along with other famous works of calligraphy by Wang Xizhi, Yan Zhenqing 顏真卿 (709–785) and Mi Fu 米芾 (1051–1107). All these outstanding artefacts eventually entered the Qing imperial collection and are now in major museums. Wu Ting impressed two of his personal seals on this scroll. Both are square intaglio seals, placed in the bottom left corner of the white sheet of Song paper, directly after Dong Qichang's transcription. Apart from Emperors, it was common practice that earlier owners impressed their seals in one of the two lower corners of a manuscript, leaving space above for the seals of later collectors. Wu Ting was part of the coterie surrounding Dong Qichang. From Dong's colophon dated 1609, it is evident that Wu, together with his friend Dong Qichang and Chen Jiru, had viewed *Ritual to Pray for Good Harvest* in the early summer of that year. Wu Ting was so taken by the scroll that he included it in his collection of model calligraphies, the *Yuqing zhai fatie* 餘清齋法帖 ('Model Letters of the Remaining Purity Studio'),[22] carved into stone between the years 1596 and 1614. For this big project, Wu Ting engaged the poet, calligrapher and painter Yang Mingshi 楊明時 (deceased 1643) to copy the written artefacts from his collection in the double-outline method. These carefully rendered copies were then pasted on to the polished face of a stone to be carved. From these engraved renditions[23], an almost infinite number of rubbings on paper could be taken, helping immensely to spread knowledge about the actual visual appearance of a work of calligraphy. The two seals by Wu Ting on *Ritual to Pray for Good Harvest* led the inquisitive scholar to browse his model letter compendium for this manuscript and thus gain an idea, what the scroll's appearance was at the beginning of the seventeenth century. After having viewed *Ritual*, later acquiring it, then imprinting his two seals and including it in his model letter compendium, Wu Ting certainly played an important role as an owner and originator of this scroll.

The scroll changed hands several times after it was in the possession of Wu Ting before entering the collection of An Qi. As the collectors who owned the scroll between Wu Ting and An Qi left no visible traces in the form of colophons or seals, they will be introduced separately in the next section (i.e. The Viewer as Originator). The next owner who imprinted a total of eleven seals on *Ritual to Pray for Good Harvest* was the wealthy art collector An Qi. When

[22] Wu Ting chose to name his studio *Remaining Purity Studio*, because one of his most treasured artefacts was a painting with the title, *Picture of Remaining Purity* by Wang Meng 王蒙 (*c.* 1308–1385), dated 1382. This hanging scroll is still extant and now in the National Palace Museum, Taipei. Wang Meng, *Picture of Remaining Purity* 有餘清圖, hanging scroll, ink on paper, 76.6 × 44.0 cm, dated 1382, National Palace Museum, Taipei.

[23] The original stones are still extant and today housed in the Shexian Museum 歙縣博物館 in Huangshan city.

An Qi owned the scroll, he had it re-mounted. From the position of his seals, which as a rule he always impressed on the joints of two sheets of paper or a piece of silk, it can be concluded that he added a white empty sheet of paper after Dong Qichang's 1609 colophon. At the same time, An Qi cut off Sun Chenze's colophon and glued it at the end of the scroll. This interference with *Ritual to Pray for Good Harvest* is obvious from the position of two of his seals, most notably one square intaglio seal at the lower right corner of the blank paper and another square intaglio seal at the joint of the empty paper and Sun Chengze's colophon following it. Other than providing a glimpse at An Qi's re-mounting of the scroll, unveiling the changes he introduced to the artefact, the presence of his personal seals also indicates that *Ritual to Pray for Good Harvest* was included in the catalogue of his art collection, *Moyuan huiguan* 墨緣匯觀, preface dated 1742. The catalogue entry first offers a material description of the scroll and then proceeds to transcribe the text of the colophons and seals.

In 1860, when British and French troops had plundered and burnt the Emperor's Summer Palace during the Second Opium War, many works of art from the imperial collection were among the looted booty and re-entered the art market. At the time, *Ritual to Pray for Good Harvest* was acquired by the youngest son of the renowned poet Zeng Ao 曾燠 (1759–1830), Zeng Xiejun 曾協均 (b. 1821). He imprinted two square seals on the scroll, one intaglio above, one relief below, both in the bottom right corner on the dark paper with Emperor Qianlong's inscription to the right of the two-line letter fragment. In his notes of the summer of 1862, Zeng Xiejun mentions *Ritual to Pray for Good Harvest*, quoting An Qi, who had declared that the manuscript was a Tang copy. In reiterating An Qi's view, Zeng Xiejun upholds the high status assigned to this manuscript, because it was based directly on the original and because of its great antiquity.

After Zeng Xiejun, one of the sons of the powerful official Li Hongzhang 李鴻章 (1823–1901), Li Jingmai 李經邁 (1876–1940), bought the scroll. Li Jingmai named his studio Wangyun caotang 望雲草堂 ('Thatched Cottage of Gazing at Clouds') and had several seals carved containing this name. On *Ritual to Pray for Good Harvest*, he impressed eleven seals, mainly at the beginning and at the end of the scroll. After Li Jingmai had passed away, his son Li Guozhao (dates unknown) sold the family property in Shanghai and moved to the British-ruled territory of Hong Kong. He could not take all the family's possessions with him, so he left several thousand books behind, donating them to Fudan University library. However, Li Guozhao at the time did not part with the precious calligraphies and paintings. He kept them in his possession until 1957, when he sold *Ritual to Pray for Good Harvest* to Zhang Daqian.

The highest number of seals imprinted on the scroll are the twenty-seven seals by Zhang Daqian. He even surpassed Emperor Qianlong with a relatively moderate nineteen seals. Zhang's seals are mainly at the beginning and end of the scroll. Emperor Qianlong's seals crowd around the two-line letter fragment and are even imprinted on the actual manuscript. Zhang Daqian's wife, Xu Wenbo 徐雯波 (b. 1927), is among those who did not write a colophon but only put their seals on the scroll. She left three seals and is the only female originator leaving her traces on *Ritual to Pray for Good Harvest*. One oblong relief seal is placed in the bottom left corner of the brownish paper pasted between Emperor Qianlong's and Dong Qichang's title slips at the opening of the scroll, a very prominent position indeed (Fig. 4).

It is beyond the scope of this article to provide a detailed and complete analysis of all ninety-one seals on *Ritual to Pray for Good Harvest*. Here, the general principles which apply to the placing of seals and the different strategies originators chose have been outlined. A future study of the seals regarding the concept of originator and examining questions relating to the position of a seal and how it enhances the written artefact's overall status as an original will offer new insights into this old, much discussed manuscript.

6. The viewer as originator

Viewers in this context are understood as people who physically handled *Ritual to Pray for Good Harvest* but left no visible traces on the scroll. They wrote down their experience of encountering the artefact, often supplying detailed descriptions of the scroll's material condition. Comparing the information provided in such texts to the material condition of the written artefact at present, helps to detect changes made to the manuscript; for example, through trimming, cutting off sections and re-mounting.

As *Ritual to Pray for Good Harvest* is a famous and much sought-after piece of calligraphy, a multitude of viewers took great pride in having the privilege to handle this scroll and announced this to the world in their writings.

The art collector and official Wang Keyu never owned *Ritual to Pray for Good Harvest*, but he viewed the scroll in

the year 1618 and recorded this in his book on calligraphies and paintings, the *Shanhuwang* 珊瑚網 ('coral net').[24] The book, completed in 1643, consists of forty-eight fascicles, the first half is about calligraphy and the second about painting. Wang Keyu's entry on *Ritual to Pray for Good Harvest* is to be found in the first fascicle, very close to the beginning.

Going through Wang Keyu's text step by step with the concept of originator in mind is most revealing. His entry in *Shanhuwang* bears the title 二王行穰中秋兩帖 (*Ritual to Pray for Good Harvest* and *Mid-Autumn*[25], by the Two Wang). Wang Keyu thus introduces two anonymous letter fragments as the works by father and son, Wang Xizhi and Wang Xianzhi. In his opening line, he gives the year 1618 as the date when he saw the two written artefacts. He then informs his readers that the two works of calligraphy at that time were owned by Zhou Minzhong from Wujiang 吳江. Wujiang is an area within the city of Suzhou in Southern China. Zhou Minzhong left no traces on the scroll. If records such as Wang Keyu's did not exist, one would not know that Zhou owned the scroll and showed it to his friends. He did the latter on this fine day, showing the two works of calligraphy to Wang Keyu while on a pleasure boat cruise. This is not such an odd setting for viewing calligraphies as one might think. In fact, it was quite common practice among the literati gentry in the Jiangnan region (South of the Yangzi River) to take artefacts on boat trips.

After naming Wang Xizhi by his title, Commander-of-the-Right, as author of *Ritual to Pray for Good Harvest*, he speaks of the two-line fragment as containing twenty characters. Today, the manuscript only has fifteen characters. When and why did this loss happen? The answer to this question would certainly shed some new light on the scroll's history. Reading on Wang Keyu's text, he then confirms that the two-line fragment was written on yellow hemp paper. This material description matches the scroll as we see it today. When Wang Keyu saw the piece of calligraphy it still bore the customary two-character numbering from Xiang Yuanbian's 項元汴 (1525–1590) collection. Today, there are no traces by Xiang Yuanbian left on the scroll. When a calligraphy or a painting came into his possession, Xiang would mark it with two characters taken from the *Thousand Character Classic*. This numbering system made it easier for him to keep order and to find scrolls more quickly. Xiang Yuanbian usually wrote two characters in an inconspicuous place, in a corner at the opening of a handscroll. It is not clear when the two characters still present on the scroll in 1618 disappeared. Wang Keyu's word can be trusted on this matter. His father had been a close friend of Xiang Yuanbian and several pieces in the Wang family art collection had come through the collection of Xiang Yuanbian. After praising the quality of the calligraphy of *Ritual to Pray for Good Harvest* and *Mid-Autumn*, Wang Keyu ends his remarks on this scroll with a quote from Dong Qichang's colophon of 1609. It should be noted that Wang's transcription differs from the reading proposed by Yang (2008)[26] and Kern (2015)[27], especially at the beginning. Whether this is actually a misreading by Wang Keyu or due to printing mistakes in editions of his book cannot be ascertained here. After briefly touching upon Wang Xianzhi's calligraphy *Mid-Autumn*, he concludes the entry with another quote from Dong Qichang's undated colophon. Again, his transcription differs from that of Yang[28] and Kern[29]. From the facts Wang Keyu relates about the scroll *Ritual to Pray for Good Harvest* it seems that he is writing about the same artefact, now at the Princeton University Art Museum, and not some other version of it.

Viewers were important originators because they published their experience of viewing and handling the scroll, often adding their own opinion on the authenticity of an artefact. These texts, describing first-hand encounters with a manuscript were widely read by the multitude of art afficionados who were not in a privileged enough position to see the real thing. Such texts had a strong impact on their readers, shaping their ideas about the authenticity of an artefact.

7. Conclusion

According to the concepts, definitions and methodologies developed in research field C 'Creating Originals' at the Cluster of Excellence *Understanding Written Artefacts* at Hamburg University, *Ritual to Pray for Good Harvest* is an original. It is a handwritten manuscript and as such treated as an original. This new approach liberates the discussion about ancient works of calligraphy from traditional notions

[24] Wang Keyu 汪砢玉 1643.

[25] Wang Xianzhi, *Mid-Autumn* 中秋帖, handscroll, ink on paper, 27.0 × 11.9 cm (three-line fragment only, not overall scroll), The Palace Museum, Beijing.

[26] Yang 2008, 13.

[27] Kern 2015, 127.

[28] Yang 2008, 13.

[29] Kern 2015, 127.

defining an original as a written artefact by the hand of a master. It is a fact that the anonymous two-line letter fragment of *Ritual to Pray for Good Harvest* is a Tang dynasty tracing-copy. Yet, throughout the ages, it has been venerated as an original associated with the name of Wang Xizhi. Through a close study of the acts the different originators committed to establish the scroll's status of an original, it is now possible to elucidate why and how the copy of an anonymous manuscript fragment came to be regarded as a masterpiece of calligraphy inextricably linked to the calligrapher sage Wang Xizhi.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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Article

Images of the Four Evangelists: Visual Discourses on the Originators of the Word of God

Bruno Reudenbach | Hamburg

1. Introduction: the fourfold Gospels as Word of God

Gospel books are the most important liturgical manuscripts of the Middle Ages. They contain the Gospels of the four evangelists Matthew, Mark, Luke and John, as well as a series of prologues and synoptic tables. In the four Gospels, the evangelists narrate the life of Christ, hand down his teachings, the words and sermons he addressed to his disciples and the apostles. Therefore, according to Christian belief, God revealed himself in these texts. Following this idea, in the ritual use of the Middle Ages, a Gospel book was not only a book for reading passages from the Gospel texts, but it could represent Christ himself.[1] At the beginning of the service, the book was led into the church like a person in a procession, accompanied by candles and incense, and acclamations were addressed to it. The Gospel book represented Christ *in persona*,[2] who in turn spoke to the believers through the texts contained in the book. Above all, the four Gospels, from which passages were read in every service and which often reproduced the literal speech of Jesus, were therefore regarded as the Word of God and Holy Scripture.

An intense debate that took place in the early church in the period from the second to the fourth century CE about the canonicity of biblical texts also resulted in which texts were to be counted as part of the New Testament.[3] Towards the end of the second century, this question was largely decided, so that the limitation to four Gospels, namely those of the authors with the names Matthew, Mark, Luke and John, was also established. A reflection of this canonisation process can still be found in the apparatus of prologues, texts and indexes that are added to the actual Gospel texts in every medieval Gospel book.[4]

From the commentary of the church father Jerome (*c.* 347–419 CE) on the Gospel of Matthew comes the prologue that begins with the words 'Plures fuisse, qui evangelia scripserunt'. ('There were many who wrote Gospels').[5] Jerome thus emphasises the diversity of the textual tradition and then justifies the selection of four Gospels. For this he cites evidence from the Old Testament and the Apocalypse to conclude: 'Quibus cunctis perspicue ostenditur quattuor tantum debere evangelia suscipi' ('With all this it is clearly shown that there are only four Gospels that must be included (sc. in the canon of biblical books]').[6]

However, the definition of four Gospels gave rise to another problem, namely how the one and divine truth could be transmitted fourfold in four different and partly divergent Gospels.[7] Attempts to solve this problem were gospel harmonies, in which the four gospel texts were harmonised into one coherent text, or the synoptic canon tables invented by Eusebius of Caesarea (*c.* 260 – *c.* 339/340 CE) and still contained in every medieval gospel book.[8]

In the background, this also touches on the relationship of the human authors to the supernatural origin of their texts as the Word of God. In the prologues, the *Plures fuisse* prologue of Jerome and in the *Argumenta*, which are short characterisations of the various evangelists that precede each Gospel, this relationship is only occasionally touched upon, but hardly ever explicitly discussed. They are rather biographical in character and focus primarily on the circumstances under which the four authors wrote their texts. But at least Jerome, for example, states that the beginning of John's Gospel 'caelo veniens' ('came from heaven') and

[1] Lentes 2005, 136–138; Reudenbach 2014.

[2] Heinzer 2009; 2015, 200.

[3] Metzger 1987; Karpp 1992; Watson 2013, 2017.

[4] De Bruyne 1920/2015, 153–208.

[5] De Bruyne 1920/2015, 155–156.

[6] De Bruyne 1920/2015, 156.

[7] Merkel 1971; Watson 2013, 2017.

[8] Wünsch 1982; O'Loughlin 2010; Crawford 2019; Bausi, Reudenbach, and Wimmer 2020; Wallraff 2021.

Luke's *Argumentum* says: 'sancto instigante spiritu [...] hoc scripsit evangelium' ('urged by the Holy Spirit he wrote this Gospel').[9]

The apparatus accompanying the Gospels in medieval Gospel books thus testifies to a lively interest in the origin and history of transmission of the Gospels, not least to emphasise their authenticity in each specific manuscript. At the same time, the use in ecclesiastical worship, in which the book is venerated as Christ, demonstrates the high rank of the texts as the Word of God. For the question of the originators, which is the focus of the following, a significant complex of transmission emerges when the Gospels written in the first century CE are simultaneously attributed as the Word of God to four different human authors, authenticated by their biographies and repeatedly copied and passed on in Gospel books with their names in the following centuries. The constellation thus encompasses the supernatural origin, the writing of the original Gospel text up to its ever-newer copies in concrete manuscripts, and thus also the relations of various originators to each other.

As already said, this complexity, which results from the history of the transmission and canonisation of the biblical text, appears only sporadically and between the lines in the paratexts of the Gospel books. However, if we look at the images of evangelists, which are often found in illuminated books of the Gospels, the result is completely different.[10]

2. The Images of the evangelists as authors of the Gospels

In many medieval gospel books, the images of the evangelists belong to a fixed set of three or four pages. This set usually includes incipit and initial pages, which are distinguished from the continuous text by precious and elaborate design.[11] Often, a full-page picture of an evangelist is also part of this sequence of pages, placed at the beginning of each Gospel.
In this way, Christian book culture followed an ancient tradition that knew various types of author images presenting an author as a pictorial prologue.[12] These images were the pictorial identification of the authors as originators of the text that followed the images. Possibly, the idea that texts were ultimately based on orality, that they arose from oral dictation and that the author himself spoke through the text, also played a role.[13] In this sense, the pictorially produced corporeal presence of the author could be understood as a direct link between the text and the person of the author as its originator.

The evangelist images of the Middle Ages entered the tradition of the ancient author images, using the type that depicts the author in a seated position and either writing or reflecting. Thus, the typical image of an evangelist, developed especially by the precious Gospel books of the Carolingians in the late eighth and ninth centuries CE, shows a seated evangelist in an architectural frame, with book or scroll, sometimes with writing desk and writing tools.[14]

Deviating from the ancient tradition, the evangelist images present Matthew, Mark, Luke and John at the beginning of the respective Gospel as its author, but not, as will be shown, as its originator. Can the Gospel text, as the Word of God and divine truth, come from an earthly author at the same time? The evangelist images react to this contradictory constellation by differentiating the concept of the author, visualised through the modification of the older iconography of the author image. The images can almost be understood as a visual discourse on the special status of the Gospel text and its originator.

It was the painters and scribes of the Carolingian period who developed the visualisation of a concept differentiating between various originators in the image of the evangelists. On the one hand, they used the representation scheme that can be traced back to the sixth century CE in the so-called Augustine Gospels (Cambridge, Corpus Christi College, cod. 286) for this purpose:[15] the Evangelist is flanked by two columns that are connected at the top with a semicircular arch field. In the picture of St. Luke in the Gospel of St. Augustine, an arrangement is derived from this, which was received again and again in the following centuries: Immediately above the enthroned evangelist, his symbolic being is placed in the arched field. On the other hand, the evangelist and the symbolic being were often shown together in a rectangular frame, without the framing of a column-arch architecture.

[9] De Bruyne 1920/2015, 156, 172.

[10] Nilgen 1968; Bloch 1973.

[11] Elbern 1971; Brown 2017; Reudenbach 2021.

[12] Bloch 1968; Nilgen 1973, 525–528; Meier 2000; Elsner 2020, 106–107.

[13] Wenzel 1995, 204–223.

[14] Alföldi-Rosenbaum 1956; Mütherich 1965, 31–36; Nilgen 1968, 708; Bloch 1973, 460–488.

[15] Wormald 1954; Weitzmann 1977, 112–115.

Fig. 1: Godescalc Gospel Lectionary, 781/783 CE. Paris, BnF, nouv. acq. lat. 1203, fol. 1v: Evangelist Marc.

3. The four beings as transmitters of divine inspiration

The four-winged beings, man, lion, ox and eagle, usually called evangelist symbols, originally come from the Old Testament and the Apocalypse. The prophet Ezekiel describes how the hand of God came upon him with a cloud of fire. In it appeared 'quattuor animalia' ('four beings') with four faces, that of a man, a lion, an ox and an eagle (Ez. 1:5–12). Similarly, the Apocalypse speaks of the appearance of God whose throne is surrounded by four beings (Rev. 4:6, 8). Since the second century, these four companions of God's throne had been understood as evangelist symbols.[16] Moreover, in the canonisation debate, the number of four *animalia* was an argument for also establishing the number of the Gospels. In Jerome's *Plures-fuisse* prologue, both aspects are explicitly cited. Jerome sees the number of four *animalia* as an argument for the fourfold Gospel: 'Haec igitur quattuor evangelia multo ante praedicta Hiezechielis quoque volumen probat.' ('So also, the Book of Ezekiel proves these four Gospels, which had accordingly been predicted much earlier'). He then assigns each of the beings to an evangelist, the man, who was often understood as an angel because of his wings, to Matthew, the lion to Mark, the ox to Luke and the eagle to John.[17]

In the art of early Christianity and the Middle Ages, therefore, the four evangelists were continuously shown together with the four *animalia*, each of which clearly identifies one of the enthroned evangelists. However, from the late eighth and ninth centuries CE, the role of the four *animalia* was fundamentally changed by Carolingian artists. They were no longer statically represented symbolic beings identifying the evangelists, but they were shown acting actively and dynamically above the evangelists.

3.1 The Godescalc Gospel Lectionary

Between the years 781 and 783 CE, a Gospel lectionary (Paris, Bibliothèque nationale de France [from now on BnF], Ms. nouv. acq. lat. 1203) was written by a scribe Godescalc on behalf of Emperor Charlemagne (*c.* 747–814 CE) and his wife Hildegard (*c.* 758–783 CE). Godescalc calls the lectionary an 'opus eximium' ('an outstanding work') in a dedicatory poem at the end of the manuscript.[18] It is considered the first of the precious liturgical manuscripts initiated by Charlemagne, with which a new era of medieval manuscript culture began. At the beginning of this early Carolingian manuscript, four full-page images of the evangelists follow one after the other. They do not use the column-arch scheme, but the other variant in which the evangelist and symbolic being are shown in a rectangular frame. Even in this early Carolingian manuscript, the aforementioned dynamization is clearly realised. It concerns not only the four *animalia*, but also the evangelists themselves. In very different postures and with sometimes lively movements, they are enthroned on benches with voluminous, embroidered cushions, their feet resting on gilded footstools. All of them are accompanied by an opened book. The writing utensils, such as inkwell and quill, are not missing either. Nevertheless, and this is crucial in the context here, none of these four authors is really absorbed in the writing process. Rather, their attention is focused on their relationship with their symbolic beings. Thus, Matthew and his angel (fol. 1^{r}) are connected in a dialogue. Luke's ox (fol. 2^{r}) pushes down from above on the right, so that the evangelist has to avoid it with his upper body. Nevertheless, the nimbs of the two collide with each other. This is also the case in Mark's image (fol. 1^{v}), although here the evangelist turns his head back in order to be able to make eye contact with the lion (Fig. 1).

John opens the book with one hand while he dips the pen into the inkpot with the other (fol. 2^{v}). At the same time, however, he looks up at the eagle. In these differentiated postures and movements there is one constant: the writing and reading desks with the opened book placed next to the evangelists. It is always in the right half of the picture, demonstratively spread out, four times in approximately the same slanted position. This clearly sets the desk apart from the parallel lines of the background and emphatically directs the viewer's gaze to the opened books, in which the opening words of the respective Gospel can be read in golden script. As just described, however, the evangelists are not actively writing the text of the Gospels themselves because they are focused on their relationship with their symbolic beings. The *animalia*, in turn, move energetically from above towards the heads of the evangelists. From this constellation it follows that the text of the Gospels is not genuinely due to the evangelists themselves, but to the action of their symbolic beings. Through them, the divine inspiration granted to the

[16] Nilgen 1968, 696–697; 1973, 520–525.

[17] De Bruyne 1920/2015, 156.

[18] Köhler 1958, 22–28; Reudenbach 1998; Crivello, Denoël, and Orth 2011.

Fig. 2: Gospels of Saint-Médard de Soissons, early 9th c. CE. Paris, BnF, lat. 8850, fol. 17v: Evangelist Matthew.

evangelists becomes comprehensible.[19] Following the figures of inspiration, which already appear occasionally in ancient author images, the evangelists' symbols function here as bearers and transmitters of God's word. Their former origin as signs of God's presence, accompanying his appearance on his throne, thus comes into play again. God himself as the primordial and actual origin of the Gospels remains invisible in the image, but his presence is indicated by the four *animalia*. They convey the message coming from the divine originator to the evangelists. The evangelists are thus shown as authors of the four gospels, literary narratives, which they do not write through their own initiative and creativity, but through divine commission. Through the symbolic beings God himself inspires them to write these texts.

3.2 The Gospels of Saint Médard de Soissons

In the Gospel books of the Carolingian court scriptorium that follow the Godescalc Gospel Lectionary, the evangelists are presented in a column-arch scheme rather than in a rectangular frame. Although the placement of the *animalia* in the arched field results in a stronger spatial separation from the evangelists enthroned below and flanked by columns, the concern to distinguish between the divine origin of the texts and the authorship of the evangelists by showing the inspiration through the *animalia* cannot be overlooked here either. This can be exemplified in the image of Matthew (Fig. 2) in the Gospels of Saint-Médard de Soissons (Paris, BnF, lat. 8850) which was made about two decades after the Godescalc Gospel Lectionary and is considered a high point of Carolingian manuscript production at Charlemagne's court.[20]

The image of Matthew (fol. 17^{v}) completely follows the column-arch scheme in the arrangement of the seated evangelist and the symbol shown above, while breaking up the strictness of the composition by placing the seat of Matthew diagonally in the space of the picture. At the same time, the upward boundary is broken by the nimbus of the evangelist and the book in the hands of the angel. In the other evangelist images of the Soissons Gospels, the *animalia* also hold and present books or scrolls; in addition, as in the Godescalc Gospel Lectionary, a writing desk with an opened Gospel book is shown next to Matthew, Mark and Luke, while John presents the open book on his lap to the viewers. As can be seen in Matthew's image, there are no dynamic encounters with direct contact between evangelist and symbol. Nevertheless, their relationship to each other is intensified by a parallelisation of their appearance. The evangelist is clothed in a blue outer garment, the angel wears an undergarment of the same colour. Like the evangelist, the angel is also turned to the right, with the same inclination of the head and also with his right arm outstretched. The arm directs the gaze on the one hand to the angel's book, but at the same time points somewhat downwards, to the book of Matthew, in which the evangelist writes with the quill in his outstretched right hand.

Matthew is actually writing here; his gaze is directed towards his book. At the same time, however, a gesture formed by his left hand, which can perhaps be understood as a sign of vision and concentration, points upwards to the angel. In contrast to Matthew, the angel is not writing; rather, he is opening the book, which is directly above the evangelist's book and in approximately the same oblique position. In the angel's book, the beginning of Matthew's Gospel 'Liber generationis IHV XRI' ('The book of the genealogy of Jesus Christ') is clearly legible.[21] From the angel, the text of the Gospel goes into the Gospel book on Matthew's desk below. The evangelist follows what the angel indicates and this is visualised by the posture of his body, but also by the parallel position of the books.

In the Soissons Gospels, the direct superimposition of two open books, one belonging to the symbolic being, the other lying on the evangelist's desk, is also carefully staged in the image of Mark (fol. 81^{v}) and that of Luke (fol. 123^{v}). In the image of John (fol. 180^{v}), the eagle spreads out a scroll above the evangelist with the opening words of John's Gospel, to which the book on John's lap, open to the viewers, responds like an echo. Here, the entire series of the four evangelist images is thus also concerned with the theme of divine inspiration. The contact between the inspiring *animalia* and the evangelists is demonstrated by compositional analogies, but also by motifs of movement, such as the violent turn of Mark's head upwards towards the lion, who points his book directly at the evangelist's nimbus and head. A special emphasis is placed on the presentation of written media, scroll and book. As attributes of the *animalia*, the books illustrate the heavenly origin of the text, which is materially and preciously concretised in the Gospel book written by the evangelists.

[19] To this iconography cf. Weisbach 1936; Bloch 1973, 468–478; Krause 2011; to the Godescalc-Evangelistary cf. Alföldi-Rosenbaum 1956, 84; Mütherich 1965, 33; Nordenfalk 1983, 134–135; Weisbach 1936.

[20] Köhler 1958, 70–82; Diebold 2018.

[21] Brenk 1993/1994, 663.

Fig. 3: Gospels of Lothair, Tour, 849/851 CE. Paris, BnF, lat 266, fol. 22v: Evangelist Matthew.

3.3 The Gospels of Lothair

The choice of the column-arch scheme is not to be understood as a developmental step, but as another option for the arrangement of evangelist and symbolic being. Both in this scheme and in the rectangular frame, the illustration of the inspiring encounter of symbol and evangelist is realised with ever-new variants in the following centuries. In the precious Gospel book (Paris, BnF, ms. lat 266), which was written around the middle of the ninth century CE in the famous scriptorium of the monastery of Saint-Martin in Tours for Emperor Lothair I (795–855 CE), the choice again fell on a rectangular picture field.[22] In it, structuring architecture is completely omitted, as are further attributes such as desks and writing tools. Only the seated evangelists and their symbolic beings can be seen here. The scene is thus entirely concentrated on their relationship to each other, which is staged in a highly expressive manner, especially in Matthew and Mark. All four evangelists are positioned on the central axis and surrounded by a kind of coloured cloud whose frayed upper edge is shaped like a semicircle with the symbolic being appearing at the apex.

In the image of Matthew (fol. 22^{v}), the angel is sitting with his wings spread out, holding an opened book in front of him and showing it to the evangelist in the area below him (Fig. 3). Matthew is about to write on a scroll, but has interrupted the writing process to turn his head far back and look up at the angel and the book presented to him.

Very similarly, Mark and his lion (fol. 75^{v}) and John and the eagle (fol. 171^{v}) are related to each other by highly concentrated gazes. Only Luke (fol. 112^{v}) turns his back on his ox and is completely absorbed in writing, while he is being observed by the intense gaze of the ox. The fact that here the correspondence between symbols and evangelists is also to be understood as inspiration becomes clear not only from the postures and movements just mentioned.

At the beginning of this Gospel book (fol. 2^{v}), a Maiestas Domini (Fig. 4) follows after Lothair's portrait. In a mandorla, Christ appears enthroned frontally on a globe, surrounded by the four *animalia* in the four corners between the mandorla and the rectangular frame. In this way they are presented as signs of God, who function as bearers of divine inspiration in the following images of the evangelists.

It is certainly no coincidence that the Carolingians in particular showed such great interest in the display of the inspired evangelists and found such striking solutions for illustrating them. It is obvious to see this in connection with the concerns of the Carolingian reforms.[23] Their concern for correct and authentic textual versions of the Holy Scriptures is thus reflected in each Gospel book, in that the divine origin of these texts is assured in the image at the beginning of each Gospel. This is all the truer when Christ himself speaks of the evangelists in the book. In Matthew's image of the Soissons Gospels, as shown above, the angel presents the beginning of the Gospel; in Matthew's book, however, a verse from Jesus' Sermon on the Mount (Matt. 6:20) is written in gold lettering and can be read clearly: 'Thesaurizate vobis thesauros in caelo' ('lay up for yourselves treasures in heaven'). The theological and political implications of this verse, which clearly refers to the characteristics of the Soissons Gospels as a precious treasure object, cannot be explained here.[24] In the context here, however, it is important that in this way Christ himself speaks to the viewers through the painted text; the painted Gospel book, which also means the Soissons Gospel Book itself, is thus identified as the authentic Word of God.

3.4 The Gospels St. Maria ad Gradus in Cologne

Especially in the Carolingian period, attractive artistic solutions were found for this task to differentiate between the originator of the Word of God and the authors of the Gospels and, at the same time, to illustrate their close relationship in order to prove the Gospels to be the authentic Word of God. They remained effective for a long time, even without the political and theological Carolingian context. An orientation towards these solutions is shown, to name just one example, by the Gospel book produced in Cologne around 1030, which comes from the former church of St. Maria ad Gradus in Cologne (Köln, Erzbischöfliche Diözesan- u. Dombibliothek, cod. 1001a).

The stage for the evangelists here is formed by elaborately detailed architecture, the gable wall of which is shaped as a large golden rectangle in which the evangelist is enthroned. The four beings rush down on the evangelists from above. They hold a large scroll which unfolds downwards and reaches to the evangelists' laps. The symbolic beings and

[22] Köhler 1933, 71–85; Mütherich and Gaehde 1976, 82–87.

[23] McKitterick 1989; Angenendt 1992.

[24] Brenk 1993/1994, 663–665.

Fig. 4: Gospels of Lothair, Tours, 849/851 CE. Paris, BnF, lat 266, fol. 2ᵛ: Maiestas Domini.

the evangelists are therefore not each given their own books; rather, the text of the Gospels is passed directly from the symbols to the evangelists as a scroll.

Therefore, writing desks as well as inkwells are missing. Matthew (fol. 21^{v}) (Fig. 5), Luke (fol. 122^{r}) and John (fol. 177^{v}) have indeed placed their quill on the rotulus as if writing; however, this is already finished with the opening words of the Gospel inscribed in golden script. Thus, Mark (fol. 84^{v}) dispenses entirely with hints of writing and instead looks urgently upwards at his lion.

Inspiration as an actual spiritual process becomes a rather material one here: the immediate handing over of the scroll already inscribed with the text of the Gospel. However, this illustrates all the more clearly that the text is not owed to the evangelists as authors, but had already been formulated by God in heaven and delivered by the symbols. Incidentally, their character as companions and signs of God is also evoked at the beginning of the manuscript by the image of the Maiestas Domini with the four *animalia* (fol. 1^{v}).

4. Images of the Evangelists and the transmission process from God to medieval scribes

The evangelist images discussed here as examples are thus about looking back to the supernatural origin of the Word of God and its transmission to the evangelists. God is the first and original originator, while the evangelists, as subordinate human authors, write their texts driven by the reception of divine inspiration – 'sancto instigante spiritu', as it is said in Luke's *argumentum*.[25] However, this is only one thematic aspect of these images, which concerns the content of the Gospel books and opens up a historical dimension of these images, so to speak. This dimension coincides with the paratexts accompanying the Gospels, which refer back to the early Christian canonisation debate and to selective aspects of the textual transmission. The beginning of this history is shown in the evangelist images as a largely spiritual process. However, this is often supplemented by a view of the continuation of this history of transmission in the respective present, in which the Gospel text is permanently copied and rewritten. The inspiration at the historical beginning, where the content of the Gospels is established, is joined by the ever-new materialisation in the continuation of the transmission. Thus, the material side of writing can also become an important theme of the evangelist images.

The direct handing over of the scrolls in the Cologne Gospels significantly connects inspiration with the material object and brings this to a sharper point when the evangelists write what had already been written in heaven (Fig. 5). In these images, therefore, the scenery of a scriptorium is dispensed with. In others, however, despite the concentration on inspiration, writing and reading desks can be seen, as well as evangelists dipping the pen into an inkpot or checking the condition of the pen, and finally also the writing itself and the presentation of the finished books or scrolls, often preciously decorated with gold or purple.[26]

The activities of the evangelists in the images are thus often the same as those of the scribes and painters who created these images and wrote the Gospel books. In this way, the evangelists can be perceived less as authors of texts and more as scribes and painters involved in the making of manuscripts. They become figures of identification and role models for the medieval scribes, who thus place themselves in the succession of the evangelists. For the concept of many Gospel books, this means that the images of the evangelists at the beginning of each Gospel cannot be regarded solely as author images for the presentation and identification of the authors. These images react to the contradictory constellation of understanding a text written by human authors as divine teaching and the Word of God. They present and illustrate precisely and in a differentiated manner the distinction between originator, author and scribe.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

[25] Cf. n. 9.

[26] Cf. n. 14; Mütherich 1965, 36–39; Bloch 1973, 468; Brenk 1993/1994, 644–645.

Fig. 5: Gospel book from St. Maria ad Gradus, Cologne, *c.* 1030 CE. Cologne, Erzbischöfliche Diözesan- u. Dombibliothek, cod. 1001a, fol. 21ᵛ: Evangelist Matthew.

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Article

From one Cast and yet with Many Contributors: Medieval Bronze Baptismal Fonts and their Originators

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> Nichilominus quoque cunctos sibi adhaerentes ad huiusmodi negocium, ut ita dicam, ultra vires impellebat, nec aliquid artis erat, quod non attemptaret, etiam si ad unguem pertingere non valeret. […] Ecclesiam namque miro studio decorare ardenter instabat. Unde exquisita ac lucida pictura tam parietes quam laquearia exornabat, ut ex veteri novam putares. Fecit et ad sollempnem processionem in praecipuis festis euangelia auro et gemmis clarissima, thimiamateria quoque precii et ponderis magnifici, calices nichilominus plures, et unum ex onichino, alterum vero cristallinum mira industria composuit. Adhuc autem unum aureum, valentem libras viginti publici ponderis, ex purissimo auro in usum ministerii conflavit.[1]
>
> However, he also pushed all those who were close to him to work in such a way that one might say [it was] beyond their strength. And there was no field of art in which he would not try his hand [himself], even if he did not manage to master it perfectly. […] With great fervour he passionately insisted on decorating the church. Thus, he decorated both the walls and the beamed ceiling with exquisite and luminous paintings, so that you might think the old church had become new. Furthermore, on the main feast days he made Gospel books gleaming with gold and precious stones for the solemn procession, as well as censers of great value and weight. This notwithstanding, he collected a number of chalices with admirable energy, one of onyx, another of crystal. Moreover, he made a chalice of the purest gold, worth twenty silver pounds in the public weight, for use in the divine service.

It was probably panegyric descriptions such as the above that led the local historian Hermann Adolf Lüntzel to assume[2] that the Hildesheim bishop Bernward (d.1022)

> [sich] schon in seinem Jünglingsalter mit Schreiben, Malen, Metallarbeiten, mit der Baukunst gern beschäftigte, und dass, nachdem er Bischof geworden, seine Lebensordnung den täglichen Besuch der von ihm beschäftigten Künstler und Handwerker mit sich brachte.
>
> liked to occupy himself with writing, painting, metalwork and building even in his youth, and that, after he became bishop, visiting the artists and craftsmen he employed were an integral part of his daily life.

Such descriptions are found in the biography of the Hildesheim bishop Bernward and in numerous works associated with him and are inscribed with the Latin 'BERNVVARDVS PRESVL FECIT HOC' ('Bishop Bernward made this') or with a similar inscription.[3] The art historian Stephan Beissel put it even more forcefully in 1895:[4]

> Freilich ist nicht zu leugnen, dass bei vielen mittelalterlichen Schriftstellern die Worte: „Jener Bischof baute diese Kirche, fertigte eine Altartafel, bereitete ein Reliquiar" sicher nicht so zu deuten sind, als ob der Betreffende Baumeister oder Goldschmied gewesen sei, weil ja auch heute mancher Fürst ein Schloss oder eine Festung baut, ohne Maurer zu sein. Aber des Thangmar Berichte […] sind derart abgefasst, dass sie offenbar sagen, Bernward habe in seiner Jugend die persönliche Uebung der technischen Künste erlernt und das Gelernte später praktisch verwerthet. Nur übertriebene Zweifelsucht kann es versuchen, Bernward aus der Reihe ausübender Künstler zu streichen.
>
> Admittedly, it cannot be denied that in many medieval writers the words: 'That bishop *built* this church, *made* an altarpiece,

[1] Thangmar, *Leben des hl. Bernward*, ed. Kallfalz 1973, chap. 6 and 8, 282 and 286. Unless otherwise stated, translations of the inscriptions and texts were provided by the author.

[2] Lüntzel 1856, 51.

[3] On these inscriptions, see Wulf 2003, 202–205 [14], 207–209 [17, 18]; on the contextualisation of the inscriptions, see Wulf 2008, 6–9.

[4] Beissel 1895, 14 (emphasis in the original).

> *created* a reliquary' are certainly not to be interpreted as if the person in question had been an architect or goldsmith, because even today some princes build a castle or a fortress without being a mason. But Thangmar's reports […] are written in such a way that they clearly say that Bernward personally learned the practice of the technical arts in his youth and later put what he had learned to practical use. Only exaggerated skepticism would attempt to exclude Bernward from the ranks of practising artists.

Thus Bernward, who, before he became bishop of Hildesheim, was tutor to the later Emperor Otto III (980–1002), was stylised as a kind of 'super-originator': According to the medieval biography he was an architect, illuminator, scribe, goldsmith, sculptor and bronze caster; he proposed ideas, inspired both inscriptions and pictorial designs, and donated works of art that were produced at his episcopal see. He was therefore regarded as both the intellectual and the material originator of the manuscripts, bronze castings, goldsmith's work, and church buildings that he initiated.[5] More recently, however, art historical research has moved away from seeing Bernward as the actual and, above all, practical creator of the various artefacts. The creators of the individual goldsmith's works, bronze castings and manuscripts are so diverse that they cannot be attributed to one single 'artist'.[6] Thus, Bernward is now regarded, certainly not without good reason, as simply an intellectual originator, a theological-conceptual initiator as well as patron and donor.

The famous bronze doors (1015)[7] and the monumental Christ's Column (around 1020)[8] in St. Mary's Cathedral in Hildesheim as well as the filigree silver candlesticks and various metal castings are attributed to Bernward's initiative.[9] The production of such castings – the small liturgical bronzes and the larger objects – required the interplay of various specialised crafts at different stages of production. The diversification of the roles of specialised craftsmen was already a feature in the production of high medieval artefacts and will be examined in more detail in the following, i.e. in the description of late medieval bronze baptismal fonts constructed between the thirteenth and fifteenth centuries.

The primary aim of the present contribution – focusing on the concept of originators – is to examine the facts and to draw analogies with other late medieval crafts and workshops. Based on the evidence of sources and material findings we shall attempt to raise relevant questions rather than venture definitive answers, and, in line with the objectives expressed by Klaus Niehr,[10] we shall try to sensitise future research into art history in order to trace the roles of the various actors responsible for the production of an artefact: casters, sculptors as well as – if only marginally – donors.

In the following, several North German bronze baptismal fonts are examined. These artefacts are significant objects whose inscriptions allow us to draw conclusions about the originators involved in the casting, the technological processes involved in their production and the details of the pictorial programs displayed on the *cuppae*. The fact that inscriptions are shown on many of the baptismal fonts means that they may be seen as Written Artefacts which in many cases offer evidence concerning both the originators and the people involved in the actual production of the bronze castings. Thus, the focus of the investigation is production methods rather than style, i.e. the methods which allow us to draw conclusions about the roles of the originators involved. We shall see that, over time, the contributions of the various craftsmen evolved and became specialised – analogous to other genres of medieval objects, e.g. altarpieces. In this respect, any diversification of the various trades and the division of labour within the workshops goes hand in hand with the economisation of the production processes, whereby specialisation led to the use of modules, sometimes even to the serial production of the objects.

1. Tracing an intellectual originator – the baptismal font of Osnabrück Cathedral

The baptismal font of St. Peter's Cathedral in Osnabrück was probably cast around 1225 (see Fig. 1).[11]

[5] See also Brandt 2011/2012; Beuckers 2013, 21–23; Weinryb 2023, 27, 31.

[6] On the stylistic differences between bronze door and bronze column, see Brand and Eggebrecht 1993, 546.

[7] On the bronze doors, see Tschan 1951, 141–270; Wesenberg 1955, 65–116, 172–181 [8]; Brand and Eggebrecht 1993, 503–512 [VII-33; Rainer Kahsnitz]; Brandt 2016.

[8] On the bronze column, see Tschan 1951, 271–350; Wesenberg 1955, 117–150, 181–182 [9]; Brand and Eggebrecht 1993, 540–548 [VIII-17; Rainer Kahsnitz]; Brandt 2022.

[9] The silver candlesticks were fashioned in the early eleventh century; since 1960 they have been in the treasury of Hildesheim Cathedral on loan from the parish of St Magdalene. On the candlesticks, see Tschan 1951, 129–140; Brand and Eggebrecht 1993, 581–584 [VIII-32; Michael Brandt]; Brandt, Höhl and Lutz 2015, 38 [11].

[10] Niehr 2022.

[11] On this baptismal font, see Niehr 1992, 328–329 [107]; Schlegel 2012, 469–472 [69].

Fig. 1: Bronze baptismal font, St. Peter's Cathedral Osnabrück, *c.* 1225.

As Fig. 1. shows, the vessel has the shape of a large bucket resting on three lion paws; it is 65 cm high and has a diameter of 63 cm. Three bands can be seen around the *cuppa*, of which the top two – the one below the upper rim and the one approximately in the middle of the vessel – are engraved with an inscription.[12] In addition, the five almost semi-circular relief panels between the upper and middle bands are also framed by inscriptions designating, on the one hand, the two apostolic princes Peter and Paul and, on the other, the half-figures of the Angel of the Lord, John the Baptist and Jesus standing in the Jordan – a baptismal scene which is often seen in the iconography of these fonts. The text on the upper rim documents reflections on the origin and effect of the sacrament of baptism,[13] while the lower inscription provides information on the production of the baptismal font and on the donor:

+ · WILBERNVS · PETRE · CONFERT · ISTVT · TIBI · DONVM · + · VT · P(ER) TE · SVMMVM · POSSIT · HABERE · BONV(M) · GERARD(VS) · ME FEC(IT) ·

Wilbernus gives you, Peter, this gift so that through you he may obtain the highest good. Gerhard made me.

Accordingly, Wilbernus can be identified as the donor[14] of this font and Gerhard as its 'material originator'. Although research into the identity of Wilbernus has long been inconclusive,[15] we know that he commissioned and financed this baptismal font. In contrast, Gerhard's role is not clear: was he the caster of the vessel, the modeler of the reliefs, the 'scribe' of the inscriptions? Was he, perhaps, solely responsible for all of these activities? The fact that only Gerhard's name is mentioned in the context of the actual production of the baptismal font would suggest that he alone was responsible for it.[16] Interestingly – and very relevant to the present discussion – the name of Wilbernus is also found on the bronze baptismal font in Hildesheim Cathedral, donated in 1226 (see Fig. 2). The date of production, the general materiality of the vessel, the complexity of the theological inscription as well as certain matching stylistic details of the reliefs – as well as the name – suggest a strong connection between the bronze baptismal fonts in Osnabrück and Hildesheim.[17]

Despite the numerous correspondences mentioned above, the two bronze castings show important differences: Firstly, they are very different in shape. While the *cuppa* in Hildesheim rests on four elaborately sculpted personifications of the Rivers of Paradise and the total height (with cover) is 170 cm, the vessel in Osnabrück Cathedral resembles a bucket with a total height of 65 cm resting on three lion's paws (but without a cover, which – if it existed – was probably rather flat and simple in design). Secondly, although the Hildesheim inscription reveals a theological concept and designates Wilbernus as the donor, as in Osnabrück, Gerhard's name is missing. Given the fact that the Hildesheim font is one of the most important medieval bronze baptismal fonts known to us, we would expect the name of the person responsible for the casting of the object.

Two other baptismal fonts in the region of Osnabrück have a similar shape to that found in the Osnabrück Cathedral and thus, presumably originated in the same workshop. However, compared to the font in the cathedral, the bronze castings in the churches of St. Peter and Paul in Oesede and of St. Anne in Twistringen differ significantly in their respective designs and in their quality (see Figs 3 and 4).[18]

While the baptismal font in Osnabrück Cathedral is elaborately decorated with reliefs and inscriptions, the *cuppa* in Oesede only shows modelled figures of the apostles, reproduced rather imprecisely. In contrast, the baptismal vessel in Twistringen presents almost playful, geometric-looking characters formed with the help of wax strings and richly decorated, precise inscriptions. It can be assumed that the similarities found in all four vessels indicate that the people involved in the casting – in both Hildesheim and Osnabrück, in Georgsmarienhütte-Oesede and perhaps Twistringen – were the same, and that the differences are the consequence of different actors involved in the later work: the reliefs and the inscriptions. It is almost certain that Wilbernus, as a cleric and dean of the cathedral in Hildesheim and administrator of the diocese of Osnabrück, had a solid theological education, and that he can be considered as the originator of the theological content and of the figurative

[12] On the inscriptions on the baptismal font, see Wehking 1988, 16–18 [9].

[13] On the sacramental theological inscription, see Vennebusch 2024a.

[14] On the motivations of medieval donors, see Beuckers 2013; on the names of donors on medieval liturgical objects, see Lange 2007; Tripps 2018.

[15] See the discussion in Dolfen 1964 and Wehking 1988, 17–18.

[16] See on Gerhard and his works Mithoff 1866, 56–57; Mithoff 1885, 108–109.

[17] See on this baptismal font Höhl 2009.

[18] On these baptismal fonts, see Weiß 1992, 1013–1014 (Oesede), 1276 (Twistringen); Katholische Kirchengemeinde St. Peter und Paul [*s.a.*], 6.

Fig. 2: Bronze baptismal font, St. Mary's Cathedral Hildesheim, 1226.

Fig. 3: Bronze baptismal font, St. Peter's and Paul's Church Georgsmarienhütte-Oesede, around 1220/1230.

Fig. 4: Bronze baptismal font, St. Anne's Church Twistringen, around 1220/1230.

programs. The stylistic similarities might be traced back either to similar models used in the production of the respective reliefs or even to identical sculptors manufacturing the wax models of the relief figures in the cathedrals of Hildesheim and Osnabrück. In contrast, the obvious differences in the basic shape of the two baptismal fonts is almost certainly due to different production methods and concepts used in the respective workshops. In this context, it is conceivable that Gerhard was the caster or head of the Osnabrück workshop, where sculptors who also worked in Hildesheim were then employed.

2. Hans Apengeter's baptismal fonts – testimonies to the interplay of wood sculptors and a bronze casting workshop

About a century later, Hans Apengeter appeared as a caster in the Baltic Sea region. We find his name in some inscriptions, but numerous monumental bronze and brass castings can be attributed to him. Among these objects are two baptismal fonts found in the churches of St. Mary in Wismar (around 1335; installed in St. Nicholas' Church after the Second World War)[19] and Lübeck (1337) respectively (see Figs 5 and 6).[20]

The *cuppae* of both bronze castings rest on carrying figures in the form of angels – although the wings have been lost in the meantime – and are divided into two registers. The narrative and figurative programs are completely identical on both baptismal vessels. The lower register shows scenes from the life of Jesus, such as the Baptism, the Temptation, the Prayer on the Mount of Olives and the Flagellation, as well as figures of the Wise and Foolish Virgins and a Man of Sorrows flanked by John and Mary. In the upper register, the sequence of Passion scenes continues with the Crucifixion, the Descent into Hell, and the Resurrection, completed by a *deësis* and the figures of the Apostles, some of whom can be identified by their attributes. Furthermore, individual figures on the *cuppae* as well as the respective carrying figures of both baptismal fonts are almost identical. They are completely congruent in their conceptual content,[21] but there are clear stylistic differences. One prominent difference is that, although the carrying figures in both Wismar and Lübeck are fashioned as angels, those in Wismar have a much more classical and serene appearance, with a hairstyle showing hardly any individual strands, and dressed in a robe which is very softly draped. In contrast, the angels in Lübeck have a more elegant drapery, with finely chiselled strands of hair;

[19] On this baptismal font, see Profanter 2022 (with further literature).

[20] On this baptismal font, see Vennebusch 2022a (with further literature).

[21] Mundt 1908, 51.

Fig. 5: Hans Apengeter, bronze baptismal font, St. Mary's Church Wismar (now in St. Nicholas' Church), around 1335.

Fig. 6: Hans Apengeter, Bronze baptismal font, St. Mary's Church Lübeck, 1337.

furthermore, the positions of the hands and head are very different.[22] The variation in the details is seen again in the design of the individual reliefs on both fonts; for example, the details of the plants and the figure of Jesus in the Garden of Gethsemane differ completely.[23] Again, while the Mouth of Hell is similar on both baptismal fonts, the details are modelled differently. Despite these differences in detail, the general conception and architectural framing of these fonts are similar.[24] For this reason, Hans Wentzel assumed that pattern- or model-books for these scenes existed, containing a basic layout of the images which were then adapted by the sculptors.[25]

While the baptismal fonts of Wismar and Lübeck seem, at first glance, to be completely identical, an examination of the production process offers deeper insights into the nature of the obvious correspondences and the equally striking differences between them: both were made using the lost wax process, in which a clay model of the bronze casting – covered with a thick layer of wax – was built onto a base over a brick core covered with clay; this gave the interior of the baptismal font its shape. The architectural frames – presumably individual figures such as the mouth of hell and forms of plants and trees – were worked out of this wax layer. Individual figures such as the Wise and Foolish Virgins and the Apostles – also made of wax – were placed on this casting mould with the help of models.[26] In some cases, these figures were 'individualised' by the addition of attributes and the reworking of facial features, hairstyle, or robe draperies. The wax layer was then covered with clay (the mantle), and the whole structure was heated by a fire underneath the base; the wax melted, leaving its shape imprinted in the hardened clay mantle.[27] After hardening, the mantle and the rest of the casting model were removed from the core and only the mantle was put over the core before the space between the two moulds was filled with the molten, liquid bronze.

On the baptismal font in St Mary's Church in Lübeck the inscription cut into the bands that run under the upper rim and between the two relief registers around the *cuppa* was made before the clay mantle was applied. This inscription draws our attention to the originators of this bronze casting:[28]

[22] Vennebusch 2022a, 117.

[23] Vennebusch 2022a, 117–118.

[24] The composition of reliefs on contemporary altarpieces also shows these similarities; see Niehr 2022, 172–176.

[25] On the question of pattern or model books, see Wentzel 1937, 70–71, Wentzel 1941, XII–XIII.

[26] Mundt 1908, 52; Niehr 2022, 168, 180–181; Vennebusch 2022a, 118.

[27] On this method, see Beelte 1962, 108–112.

[28] On the inscription, see Lampe 2022, 344–346 [12]; Vennebusch 2022a, 107–108.

ANNO · D(OMI)NI · M° · CCC · XXX° VII° · JN · UI//GILIA · PE(N)THECOSTES · PERFECTVM · EST · PRESENS · OPVS · MARIA · WES · T//O ALLEN · GMALEN · GNEDICH HERN · EVERDE UAN · ALEN · CRIST(US) · DI DI · MART(ER) · HEFT · GELEDEN · GNADE · HERN · IOH(AN)E · UAN SCHEPENSTEDEN · / UNDE · UERSEGTEG · NICHT · HEMELRIKE · IWME · TRWEN · DIENER · DARTWIKE · (CHRIST)E · UERGIF · ALLE · MISSEDAT · DEME · DI · DIT · VAT · GEMAKET · HAT · HANS · APENGITER · WAS · HE · GENANT · VND · WAS · GEBORN · UAN · SASSENLANT ·

In the year of our Lord 1337 on the eve of Pentecost this work was completed. Mary be merciful in all cases to Mister Everd van Alen. Christ who suffered the martyrdom be gracious to Mister John of Schepenstede / And do not deny the Kingdom of Heaven to his faithful servant Hartwich. Christ, forgive all evil deeds to him who made this baptismal font: Hans Apengeter he was called, and came from Saxony.

Thus, Everd van Alen and Johann van Schepenstede, presumably also Hartwich, the workshop foreman of St. Mary's Church, can be assumed to be the donors, while Hans Apengeter is explicitly named in the inscription as the actual caster. Again, the inscription characterises a single person as responsible for the whole casting. However, the complexity of one of the bronze castings as well as the stylistic differences of various objects associated with or attributed to Hans Apengeter – mentioned in various inscriptions[29] – suggest that several craftsmen were involved in the production of the two bronze castings. The reliefs on both baptismal fonts are similar, and neither of them bears any inscription related to the sacrament of baptism. This similarity, and the fact that figures of the Apostles and the Virgins as well as of the Passion scenes are found on both fonts, strongly suggests that a general narrative program was realised, a program which can be found in a similar form on contemporary altarpieces from the first half of the fourteenth century.[30]

The mutual influence of the principal pieces of medieval church furnishing found in these churches is also suggested by the clear 'architectonisation' of the reliefs on the baptismal font, a style which is also found in completely architectonically structured altarpieces, where individual sculptures or scenes composed in cycles are found in the arcades. For this reason, it can be assumed that the sculptors responsible for the contemporary woodcarvings were also involved in the production of the bronze castings, and given the quality of the figures on the baptismal fonts, we may assume that these figures were made by high-ranking sculptors. Such figures were made using patrices – the hollow moulds into which the wax of the casting mould was eventually pressed – a task which required the participation of high-ranking sculptors.[31] In contrast, individual parts such as the rather clumsily designed plants in the Mount of Olives scene on the Lübeck casting seem to have been freely modelled by less talented assistants or in the foundry workshop itself.

The patrices of the figures on the two baptismal vessels in Wismar and Lübeck have sometimes been attributed to Hermann Walther von Kolberg, to whom the sculptures of the main altarpiece of the former Benedictine abbey church of Cismar – near Lübeck – as well as the Bocholt stalls in Lübeck Cathedral are also attributed.[32] However, despite strong motivic, iconographic and stylistic correspondences between the bronze figures and wood carvings from fourteenth century workshops in Lübeck, his role as originator of these objects or designs cannot be definitively established. We may therefore assume that the hollow moulds for the wax models were not taken from wooden sculptures that were then used again (for example on altarpieces), but that these sculptures were made specifically for further use as patrices. We may therefore assume that the sculptures serving as patrices, and the bronze castings were made within a very short time span. Thus, the production of patrices exclusively for the manufacture of moulds for the wax plates applied to the *cuppae* of the baptismal fonts cannot be assumed for all these bronze castings. In the present case, this also applies to the clearly observable temporal connection between the production of the patrices and the baptismal vessels.

3. Towards serial production – additively and modularly constructed baptismal fonts of the fourteenth century

The bronze baptismal fonts made in Lüneburg – especially in the first half of the fourteenth century – have no scenic or

[29] Niehr 2022, 169–170, 176–177.

[30] The high altarpiece of the church in the former Cistercian monastery of Doberan near Rostock was built in the early fourteenth century. In concept, it is similar to the churches in Lübeck and Wismar, with a relief cycle of narrative scenes and isolated sculptures. On this altarpiece, see von Fircks 2018.

[31] Niehr 2022, 177–178.

[32] Niehr 2022, 178–179; Beuckers and Vennebusch 2022, 358. On Hermann Walter von Kolberg, see Wentzel 1937, 70–71; Wentzel 1938, 93–105; Wentzel 1941, XII–XX.

Fig. 7: Bronze baptismal font, St. Nicholas' Church Borstel, first half of the fourteenth century.

narrative programs; instead, they feature unusually figurative and ornamental applications. This stands in clear contrast to the fonts and figures cast in Hildesheim, Osnabrück and the workshop of Hans Apengeter. While the artefacts presented so far indicate a close connection to sculpture workshops, the baptismal vessels originating in Lüneburg are linked to other types of work. The various baptismal fonts shown above (see Figs 7 and 8) are closely connected with the name Ulricus. Some of these fonts are found in the Lüneburg Heath, others are found to the north and south of the Lower Elbe – Dithmarschen to the north and the area around Stade to the south.

Evidence for the origin of individual baptismal fonts in the same workshop can be found, firstly, in the inscriptions which run below the upper rim of the bowl, where they usually have the same wording: 'QVI BAPTIZATVR HOC SACRO FONTE LAVATVR' ('Whoever is baptised in this holy fountain is washed'), sometimes with the additions 'MVNDVS LABE' ('pure from sin') or 'ET CATHOLICVS REPVTATVR' ('and he is considered a Catholic').[33]

[33] Mundt 1908, 19–27; Vennebusch 2023b, 440–445.

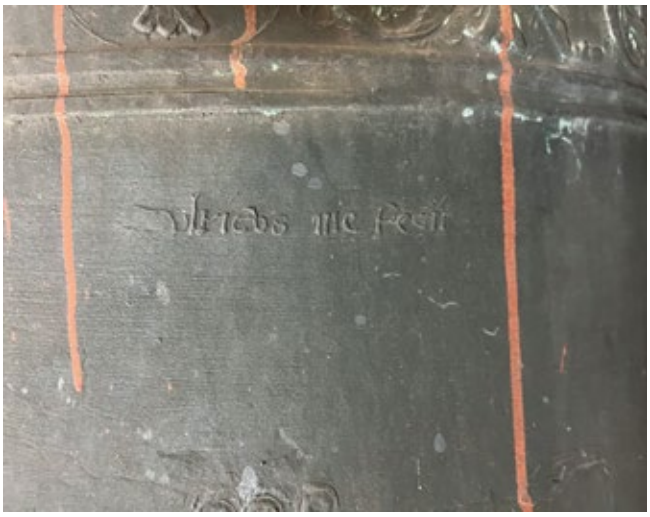

Fig. 8: Ulricus, 'Sunday Bell', Collegiate Church of St. Peter and Paul Bardowick, around 1325.

Secondly, the *cuppae* of these bronze castings is dominated by the figure of the enthroned Pantocrator, which appears four times and is surrounded by medallions with the tetramorph of the Evangelists (Matthew: angel; Mark: lion; Luke: ox; John: eagle). Between each of these relief figures there is a smaller figure showing Peter with the key, Paul with the sword, a bishop with the palm frond of the martyrs and a saint with a book. These four applications are not only found in the bronze castings of this group of works, but can also be seen on other baptismal fonts such as the one in the St. Jacob's Church in Lüdingworth near Cuxhaven, which is dated to the middle of the fourteenth century.[34] Some of these baptismal fonts show clear epigraphic similarities with the inscription found on the shoulder of the 'Sunday Bell' ('Sonntagsglocke') in the collegiate church of St. Peter and Paul in Bardowick, which dates to around 1325 and which has the following inscription:[35]

+ O REX · GLORIE · XPE · UENI · CVM · PACE

O, King of Glory, Christ, come with your peace!

[34] On this baptismal font, see Mithoff 1878, 64; Mundt 1908, 14–15; Weckwerth 2004a, 6; Vennebusch 2023b, 435–440.

[35] On this bell, see Wrede 1908, 14–20; Friske 2017, 10–11; Peter 2018, 414–415; Peter 2019, 61. A second inscription by the same 'scribe' ('+ DVM · TRAOR · AUDITE · VOCO · UOS · AT · SACRA · VENITE' ['While I am being rung, listen. I call you to the Holy. Come!']) is found on the 'Penitential Bell' ('Bußglocke') of the collegiate church in Bardowick, which is also dated to around 1325. On this bell, see Wrede 1908, 20–22.

Fig. 9: Front cover of the 'Spandau Gospels', Staatsbibliothek zu Berlin Preußischer Kulturbesitz, Ms. theol. lat. fol. 375.

Since the flank of the bell also bears the small inscription 'ulricus me fecit' ('Ulrich made me'), the baptismal fonts were also attributed to Ulricus, although he is not named in any of the inscriptions found on the baptismal fonts themselves (see Fig. 8). In this context, however, it should be noted that the considerable epigraphic differences between the inscription on the shoulder and the one on the flank suggest that the same 'scribe' cannot be assumed.[36]

The question as to what role Ulricus played as originator in the production of the various bronze castings cannot be conclusively answered. In contrast, the use of relief appliqués, which originate from the goldsmith's art, can be determined quite clearly: For example, the Pantocrator with the four medallions of the symbolic creatures portraying the Evangelists is found on the front cover of the 'Spandau Gospels'[37], which is thought to have been made in northern Germany, possibly in Hamburg, in the late thirteenth century (see Fig. 9).[38]

According to Erich Meyer, both the gilded silver medallions of the Animalia and the Pantocrator figure were punched. It can therefore be assumed that these punches, made by a goldsmith, were used to produce either the wax moulds for the applications of the baptismal fonts themselves or – more likely – the dies used for the later production of the moulds.[39] The various baptismal fonts that have such reliefs on their *cuppae* were made using the mantle lifting process. This process was more economical and less expensive than the lost wax process, since the wax – a precious raw material at the time – was only needed for the applications, and not for the basic structure of the baptismal vessel.[40] In the mantle lifting process, all three forms – the core, the model of the baptismal font and the mantle – were made of clay. In the final stage, wax applications produced with the help of hollow moulds were placed upside down on the casting model before the mantle was applied; the clay layers were then burnt, and the wax melted out. In this way, bronze castings could be produced almost serially, and a program of reliefs could easily be reproduced.

Obviously, a varying degree of care was taken in the casting workshop. In some cases, the small figures were placed very accurately, and the overhangs of the support plate were then removed; in other cases, these figures were placed directly onto the casting model without any reworking of the wax applications, so that the platelets, which were only roughly and hurriedly shaped, are still visible in the casting. However, the use of reliefs, which originally came from the field of the goldsmith's art and were thus made by originators working with delicate filigree, is not limited to the figures of the Pantocrator and the four Evangelists. Other baptismal fonts, probably also cast in Lüneburg from the second half of the fourteenth century onwards, such as the baptismal fonts in Wietzendorf (around 1350)[41] and Betzendorf (1368),[42] illustrated above, show both ornamental applications such as bracteates and medallions portraying scenes from the life of Jesus, sometimes arranged in a narrative cycle (see Fig. 10).

Fig. 10: Birth of Jesus, bronze baptismal font, St. Peter's and Paul's Church Betzendorf, 1368.

This kind of decoration can be found on fourteenth century paraments in the form of punched decorative plates; such items have been preserved in nunneries in the Lüneburg Heath, as shown here (see Fig. 11).[43]

[36] Friske 2017, 19.

[37] Staatsbibliothek zu Berlin Preußischer Kulturbesitz, Ms. theol. lat. fol. 375.

[38] On this book cover, see Saherwala and Theissen 1987, 249 [IV.16].

[39] On this production method, see Meyer 1932, 178.

[40] On this method, see Otte 1884, 108–113; Beelte 1962, 112–114.

[41] On this baptismal font, see Kähler 1993, 26–28; Vennebusch 2022c, 37–38.

[42] On this baptismal font, see Mithoff 1877, 24; Kähler 1993, 22–26; Vennebusch 2023a, 66–73.

[43] On the use of decorative plates on paraments, see von Boehn 1934; von Boehn 1935; Appuhn 1955; Appuhn 1966, 113 [Nr. 26]; Appuhn 1989, 32–33.

Fig. 11: 'Fürleger' with decorative plates (Resurrection left, Birth of Jesus right), pearl embroidery / gold and silver plate, first half of the fourteenth century, Isenhagen Monastery Hankensbüttel.

Thus, the origin of these reliefs – respectively of the punches with which they were shaped – can be traced back to goldsmith's workshops; the latter were possibly located in the vicinity of the former monasteries of the Cistercian and Benedictine nuns. Furthermore, these appliqués were not made exclusively for use as patrices for the decoration of bronze castings, as can be assumed for the patrices or sculptures made in Hans Apengeter's workshop; such items were created by wood sculptors. Indeed, given the various depth of the reliefs and the dimensions of the small medallions (measuring about 5.5 cm and depicting scenes from the Life of Jesus) as well the elaborately sculpted figure of the Pantocrator (with a height of about 22.5 cm), the 'original patrices' can be assumed to have had different functions: While the smaller reliefs (which, it seems, were originally created as models – in thin gold or silver plate or wax – and used in for further reproductions) were later sewn onto paraments as applications reproduced with punches, the larger figure of the Pantocrator was probably planned as a very impressive book cover decoration.

We may thus conclude that patrices were used in the following ways: On the one hand, conceptually or artistically important baptismal fonts were decorated with the help of specially made, highly sculptural patrices which were rarely used more than once, namely, in the production of the larger bronze castings. Here, the involvement of sculptors seems to have been the reason for the extraordinary quality of the reliefs. Even in these cases, however, individual figures were produced serially and eventually 'individualised' by adapting or adding certain attributes. On the other hand, flat appliqués, which were usually modest in size, and which are found on numerous baptismal fonts, are more likely to be an indication of the serial – and thus more cost-effective – production of bronze castings.

In view of the serial production of the bronze baptismal fonts and other advances, the question arises as to what extent they are still 'originals' – if they ever were. In any answer to this question, both the arrangement and design of the wax moulds on the *cuppae* must be considered, for they play a significant role; however, the importance of the inscriptions carved into the hardened clay mantle after the moulds were fired should not be underestimated. These inscriptions show a great deal of variation and ensure the individualisation of each bronze casting. Not only do they exhibit individual epigraphic characteristics that reveal the 'handwriting' of a particular 'scribe', but in some cases, the inscriptions show faces carved into the letters. The bells of the collegiate church in Bardowick – including the 'Sunday Bell' ('Sonntagsglocke') – have such inscriptions. However, the differences in the respective inscriptions are considerable, and it is unlikely that the scribe of the main inscriptions on the shoulders of the bells (and thus also on the baptismal fonts) was the Ulricus who placed the smaller inscription on the 'Sonntagsglocke'. Nevertheless, this is not an isolated case, as the 'Big Market Bell' ('Große Marktglocke') in the town hall in Lüneburg, dating from 1385, proves: in addition to large and elaborately incised depictions of Mary, the Mother of God, with the infant Jesus and John the Baptist, this bell bears the inscription[44]

[44] On this bell, see Wrede 1904, 51–52 [31].

Fig. 12: Bronze baptismal font, Minster of St. Alexander Einbeck, 1427.

+ANNO * D(OMI)NI * M * CCC * L * X * X * V + LAUDATE * EVM * I(N) * SIMBALIS * BENESONANTIBVS +

In the year of the Lord 1385. Praise him with melodious cymbals!

Furthermore, the flank between the two incised drawings shows an inscription band, also incised and rolled in at both ends, into which the words 'm(a)g(iste)r / iohan(ne)s me fecit' ('Master Johannes made me') have been 'written' rather clumsily; they are also in the hardened clay mantle, but to the left. The epigraphic idiosyncrasies of the two inscriptions and in particular their different qualities suggest that the caster (presumably Johannes) and the unnamed 'scribe' of the main inscription are different persons and thus specific 'originators' of this bell, each with their own contributions to this casting.

4. Putting the pieces together – the baptismal font from Einbeck and the diversification of bronze casting

From the fifteenth century onwards, the production of baptismal fonts became increasingly varied; these vessels were often no longer cast 'in one piece' but constructed from different parts. Whereas the production of the older baptismal fonts can be described as 'modular' – simply constructed using the mantle-lifting method with serially reproduced medallions, figures and bracteates – the more recent bronze castings were produced using an 'additive', 'diversified' and 'combinatory' method. An example of such a baptismal font can be found in the former collegiate church of St. Alexander in Einbeck near Hannover. This font is also of interest because it allows us to draw reliable conclusions about some of the originators involved in its production (see Fig. 12).[45]

[45] On this baptismal font, see Heege 2000, 19; Kellmann 2017, 262–263.

The baptismal font, now installed in the Chapel of the Holy Blood (in the Minster of St. Alexander), has the appearance of a sturdy, thickset chalice. The broad octagonal *cuppa* rests on a central foot with a *nodus*, which is flanked by four lion figures with escutcheons arranged crosswise. The upper and lower rims of the *cuppa* are framed by two circumferential inscription bands which encase the relief register. The latter is formed in eight tracery arcades each of which contains a figure: Saints Alexander (‘· sanctus · allexander ·’), Felicitas (‘· s(an)c(t)a · felicitas · mat(e)r – allex(a)nd(ri)’), John the Baptist (‘Joha(n)nes · babtista ·’), John the Evangelist (‘· i(o)h(ann)es · ewa(ngelis)ta ·’), Peter (‘petrus’), Thomas (‘· s(an)c(t)us · thomas · apostolus ·’), the Mother of God Mary with the Child Jesus (‘· sancta · maria · virgo’) and the Risen Christ (‘· Jhesus · cristus’). These figures are identified by various attributes and by the inscriptions in the band below.[46] Further inscriptions contain two antiphons which are used when dispensing holy water at the beginning of the Sunday mass during the year:

> + Asperges · me · d(omi)ne · ysopo · et · // mu(n)dabor · lauabis · me · i(n)sup(er) · ny//ue(m) · de · albabor
>
> You will wet me, Lord, with hyssop, and I will be cleansed; you will wash me, I will become whiter than snow

Respectively at Easter time:

> Vidi · aqua(m) · eg(r)ed(i)e(n)te(m) // · de · te(m)plo · a late(re) · dext(r)o · all(elui)a · et · om(ne)s // ad · quos · per · venit · aqua · is // ta · salui · facti · su(n)t · et · dicent · // alleluia · all(elui)a
>
> I saw the water coming out of the temple on the right side, Hallelujah, and all to whom this water came were healed, and they will say: Hallelujah, Halleluja

In addition, the baptismal font is dated: ‘· Anno · d(omi) ni · // · millesi(m)o · c°c°c° · xxvii° ·’ (‘In the year of the Lord 1427’). Of particular interest are the two inscriptions in which the originators involved in the production of the bronze casting are named: Below the figures of St. John the Evangelist and St. Thomas is the inscription:

> got · gheue · de(n) · sele(n) · // rat · de · dit · ghe · m(a) k(e)t · h(a)t · regner(us) ·/ hen(n)y(n)g(us) ·
>
> God grant counsel to the soul of him who made this. Henning Regner.

in which the material originator of the baptismal font is named (and God is asked to grant salvation to his soul): the bronze caster Henning Regner, probably from Hannover.[47] In addition, a kneeling figure dressed in liturgical vestments (alb, *pluviale* and *almutie*) can be seen next to the apostle Thomas; this is the figure of the donor, Degenhard Ree (see Fig. 13).

The almuce identifies Degenhard Ree as a canon, thus providing a direct link to the Einbeck collegiate chapter. The donor is now identified beyond doubt by the inscription, which winds along in a curved band between the small figure of the donor and the apostle Thomas:

> d(omi)n(u)s · dege(n)hard(us) · ree · orate · pro · dato(r)e ·
>
> Lord Degenhard Ree. Pray for the donor!

Here, Degenhard Ree is explicitly mentioned as the donor, for whose salvation the reader is asked to intercede. Although – as with other baptismal fonts – only the donor (Degenhard Ree) and the supposed bronze caster (Henning Regner) are named in the inscriptions, the technology involved in the production of this baptismal font clearly implies that, in contrast to the baptismal vessels analysed so far, the artefact from Einbeck was not cast in one piece, a fact which clearly suggests that a number of originators were involved in the production of this bronze casting. The individual architectural elements such as the buttresses and the blind tracery inserted between them are riveted to the *cuppa*, as are the figures. This is particularly evident in the small flaps extending from the pillars and reaching into the relief fields, in which the rivets are recognisable. We may therefore conclude that the individual compartments were moulded and cast separately before the various elements were attached to the baptismal font.[48] Even in the production of the architecturally structured baptismal fonts from Wismar

[46] On the inscriptions, see Hülse 1996, 14–15 [10].

[47] On Henning Regner, see Mithoff 1885, 261; Habicht 1913, 258–260; Habicht 1917, 206–207.

[48] On this idea, see Vennebusch 2024b.

Fig. 13: Degenhard Ree kneeling in front of St. Thomas, bronze baptismal font, Minster of St. Alexander Einbeck, 1427.

and Lübeck, it can be assumed that, although the casting was done in one piece, the workshop was organised according to the division of labour.

The separate production of the individual castings is accompanied by progressive diversification of the respective crafts, and is not specific to the production of bronze baptismal fonts, rather, it is characteristic of late medieval workshop organisation.[49] Accordingly, in addition to the caster, we may assume that tracery cutters for the architectural elements, sculptors for the figures and possibly craftsmen coming from a goldsmith's workshop undertook this highly specialised work together – in a single casting house. This assumption is based on the observation that the inscription was engraved into the bronze only after casting and achieved by hatching the areas between the letters.[50] Such a technique was especially common in the field of late medieval goldsmithing and required very precise work.

In reviewing the history of the construction of medieval baptismal fonts, the amount of existing data cannot be compared with that available for other bronze castings: for instance, the bell of St. Martin's Church in Lühnde near Hildesheim – cast in 1278 and fractured and melted down in 1858 for a new casting – had figurative drawings of extraordinary quality incised into its flank. As regards the identity of the originators an inscription on this bell – in small letters below the dominant inscription – is of considerable significance:[51]

SIGNO · DIES · FESTOS · FLEO · DEFVNCTOS VOCO · VIVOS

I signify the feast days, mourn the deceased, call the living.

Around the shoulder:

ANNO DOMINI M · CC · LXX · VIII · ME FVDIT · TIDERIC(VS) VI · K(ALENDAS) · NOVE(M)B(R)IS · ET · ME · PINXIT · HERMANNUS PLEBAN(VS) ·

In the year of the Lord 1278, Dietrich cast me on the 6th day before the Kalends of November, and priest Hermann painted me.

This inscription clearly shows that different people were responsible for the casting and for the applied decoration of the object, in this case the bell. Again, an inscription on the tomb of Bishop Wolfhard von Roth in Augsburg Cathedral offers further evidence of a division of labour in the workshops in which large bronze castings were produced; the following inscription is found at the feet of the deceased's *gisant*:[52]

. OTTO . ME . CERA . FECIT . CVONRATQ(VE) . PER . E(RA)

Otto made me of wax and Konrad of bronze.

This inscription shows that, while the priest Hermann carved the drawings (presumably also the inscriptions) into the clay mantle of the bell (possibly made by Dietrich), it was Otto who created the complete wax model of the tomb that was then cast in bronze by Conrad – who is assigned the role of the one who converted Otto's plastic work from the temporary wax to the permanent bronze. In the case of bronze baptismal fonts, such written evidence is not available. Thus, any conclusions about the division of labour and the different originators in the various crafts involved in the casting and their gradual specialisation must be deduced. However, given the complexity of the casting and design of baptismal fonts – much more complex than that of bells – we may assume that the information found in the inscriptions on Bishop von Roth's tomb and on the bell in Lühnde are relevant to the conception and production of baptismal fonts. Furthermore, the role of the donors and of the presumed casters is explicitly documented by numerous inscriptions.

5. Conclusion

For centuries, baptismal fonts have been seen as the product of an all-round talent rather than of a workshop where numerous professionals were involved in the production process. A single person was seen as having been primarily responsible for the casting (and, at least in the fourteenth century, for a single casting) and this person was named in the inscription – along with the donor(s). The common stylisation of individual persons, be they ecclesiastical dignitaries, sculptors, or even bronze casters, especially in the art historiography of the nineteenth century, helped to

[49] Huth 1967, 31–54.

[50] Vennebusch 2022b, 162.

[51] Mithoff 1875, 198–199; Wulf 2014, 51–53 [4]. Whether or not Hermann himself also developed the figurative drawing he incised into the clay mantle is debatable; models for incised drawings were frequently used. On these incised drawings, see Peter 1983.

[52] Bornschlegel 2020, 106–107; Diemer 2020; Olchawa 2020, 186–193.

consolidate this view. In fact, however, these workshops did not differ from the sculpture workshops about which more is known; such workshops had craftsmen from different specialised fields in their ranks producing the individual elements of an object that were then put together, forming a distinct object. However, the present study of baptismal fonts and their complexity reveals that, even in late medieval casting workshops, their production involved a division of labour and became increasingly well-organized. Over time, technological innovations and diversification as well as the separation of tasks and conceptual changes in design led to an ever-increasing complexity.

In order to delineate – or redefine – the role of the persons named in the inscriptions on the baptismal fonts, it is worth taking a further look at the *Vita* of Bernward of Hildesheim mentioned in the introduction. Regarding Bernward's role as originator, Thangmar wrote the following:[53]

> Inde officinas ubi diversi usus metalla fiebant circuiens, singulorum opera libraba
>
> Then he went around through the workshops where metals were worked in various ways and he evaluated the work of the individual craftsmen.

Thus, although elsewhere, Thangmar characterises Bernward as a skilled person, here he clearly assigns him the post of overseer – in the role of a workshop manager. In this paper it is argued that the same should be considered with regard to the production of late medieval bronze castings.

Acknowledgements

The research for this article was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg. The author is grateful to Dr. Michael S. Grimm (Hamburg) for his advice and support.

[53] Thangmar, *Leben des hl. Bernward*, ed. Kallfalz 1973, chap. 5, 280.

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Article

Nichiren's *Daimandara*: Originators and Originating Factors in the Serialised Production of Written Artefacts

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1. Introduction

Between the years of 1271 and 1282, the Japanese monk Nichiren 日蓮 (1222–1282)[1] produced a series of written artefacts. They are held in highest regard in the Nichiren school and tradition and are deemed to be imbued with pronounced spiritual powers. These *daimandara* 大曼荼羅 ('great *maṇḍala*s')[2] share a common layout, content, and ideological background as well as a complex religious functionality. After Nichiren's death, his *daimandara* were carefully preserved and transmitted, and a great number of them remains extant to the present day. His successors, in turn, made copies and epigones of the *daimandara*,[3] which to this day are being reproduced, mass-produced, forged, authenticated or consecrated, and the legitimacy of single specimen are being discussed, approved and negated. Numerous factors contribute to the origination of the *daimandara* as individual specimens and also as a coherent group of written artefacts.

The following overview uses this specific instance of a serialised production of interconnected written artefacts to characterise the multiplicity of originators and the associated factors. It will first discuss the *daimandara*'s dogmatic position and religious relevance, including issues arising later in their transmission and authentication. It will then proceed by sketching the general characteristics and the features shared by this group of written artefacts. It will conclude with three representative examples from Nichiren's holographs. They are paradigmatic *daimandara* due to the following features: their particular materiality, layout, content (especially in relation to canonical scriptures), historical setting, and their contexts (such as references to, and adaption of, canonical scriptures and Nichiren's own writings) as well as their subsequent preservation and transmission. Indeed, the *daimandara* derives its originality from the charismatic authority of Nichiren, and also, to a lesser degree, of his successors; however, it will become clear that it also stems from various historical circumstances, canonical references and ritual invocations. Arguing on a theoretical level, this text presents originality as a specific type of ascription. It proceeds on the assumption that the originality of the *daimandara* is not, as such, premised on any feature inherent in the written artefact's material, format or content, but rather on believers religiously and socially engaging with the artefact.

[1] Nichiren was originally ordained in the Tendai 天台 school. During the second half of his life, he came to be regarded as the founder of an eponymous school of Japanese Buddhism in competition with the Tendai establishment. Stone 2019 lucidly describes Nichiren's biography and related issues.

[2] Alternative terminologies include *Hoke mandara* 法華曼荼羅 ('*Lotus* [*Sutra*] *maṇḍala*'), *mandara honzon* 曼荼羅本尊 ('the *maṇḍala* as the main object of veneration'), *Hoke gohonzon* 法華御本尊 ('the main object of veneration [according to] the *Lotus* [*Sutra*]'), or simply *gohonzon* 御本尊 ('main object of veneration'). The prefix *go* in the latter two cases indicates reverence towards the *daimandara* as a work of Nichiren's creation manifesting the salvific powers of the *Lotus Sutra* rather than towards the sutra *per se*. For detailed, if confessionally biased introductions to the topic, see Komatsu 2014 and Nakao 2004. Whether Nichiren's *daimandara* may adequately be described as *maṇḍala* in the sense used, e.g., in the emic and etic terminology that (self-)describes and analyses esoteric and tantric forms of Buddhism must remain, at this point, an open question. From Nichiren's texts the fact is obvious that he believed his mandalic instantiations of the *Lotus Sutra* to be superior to, but in line with, esoteric practices and doctrines. For the purposes at hand, it may suffice to point out that the *maṇḍala* nomenclature in Japanese Buddhism and related religious traditions is used inclusively. The term refers to pictorial and symbolic representations in a general sense such as in the case of the *Taima mandara* 當麻曼荼羅 ('*maṇḍala* of Taima [monastery]'), see Snodgrass 1992, and the pictorial category of the *sankei mandara* 熊野参詣曼荼羅 ('pilgrimage *maṇḍala*s'), see Moermann 2005, 81–89, and Knecht 2006. On Japanese *maṇḍala*s in general, see ten Grotenhuis 1999.

[3] For a facsimile collection of representative examples in outstanding quality, see Nichiren shōnin monka rekidai daimandara honzon shūsei kankōkai 1986.

2. The *daimandara* in Nichiren's dogmatics

Nichiren perceived his day and age to be dominated by a historiographical and soteriological model known as *sanji* 三時, i.e. that of the 'three times' of the Buddhist teaching. The term subsumes a complex argument, the gist of which observably varies across the temporal and regional dissemination of the Buddhist tradition.[4] However, in the Japanese case in general,[5] and in Nichiren's in particular,[6] it can be summarized as follows: The *buppō* 佛法 ('teachings of the Buddha'; Skt. *Buddhadharma*), i.e. the true teachings preached by the historical Buddha, are not immune to the passing of time and deteriorating influences. The first period of *shōbō* 正法 ('true' or 'correct dharma') – frequently calculated to last for either five hundred or one thousand years after the Buddha's passing – was believed to avail believers and practitioners of the full salvific efficacy of his teachings. The next one thousand years of *zōhō* 像法 ('semblance dharma' or 'dharma as image') already held immense difficulties for adherents of Buddhism: while they still nominally possessed the teachings, and were able to practice accordingly, the final goal of liberation had become virtually impossible. In the third and final age of *mappō* 末法 ('degenerate dharma'), it was no longer even possible to rely on the remnants of the Buddha's teachings nor on the self-empowerment of religious practice, let alone any justifiable hope of salvation. In Japan, it was believed that it was accurate to date the starting point of the apocalyptic situation to the year of 1052, some two hundred years before Nichiren began producing the *daimandara*. He claimed that, while the age of *mappō* was as inevitable as it was universal, his interpretation of the canonical scripture of the *Lotus Sutra*[7] opened up the single valid means of salvation. His claim was far-reaching and included the conviction that Japan, removed in space and time from the original location of the Buddha and his preaching, held an advantageous, even singular, position in the Buddhist cosmos and in Buddhist history; that, by the same token, the exaltedness of the LS meant that adhering to any other form of Buddhist teaching and practice was offensive and merited unconditional rejection; and that, having deciphered the hidden meaning of the LS for the time and place at hand, imbued him with a unique spiritual authority, enabling him to produce the *daimandara* not as mere symbols of the LS's teachings[8] but as instantiations of its salvific efficacy:[9]

> をさなき人の御ために御まほり（守）さづけまいらせ候。この御まほりは法華經のうちのかんじん一切經のげんもく（眼目）にて候。たとへば、天には日月、地には大王、人には心、たからの中には如意寶珠のたま、いえにははしらのやうなる事にて候。このまんだら（曼荼羅）を身にたもちぬれば、王を武士のまほるがごとく、子をややのあいするがごとく、いを（魚）の水をたのむがごとく、草木のあめをねがうがごとく、とりの木をたのむがごとく、一切の佛神等のあつまりまほり、晝夜にかげのごとくまほらせ給フ法にて候。
>
> For the benefit of the powerless, to them I consign this talisman. This talisman is the living heart [*kanjin* 肝心, lit. 'liver and heart'] within the LS, and the most important asset [lit. 'eyeball'] of all canonical scriptures. To give examples, it is like the sun and the moon to the sky, a great sovereign to the earth, the heart to a human being, the marble of the wish-fulfilling jewel among the [many] treasures, or the central pillar to a house. If you keep this *maṇḍala* with you, then – as if a sovereign was protected by their warriors, as if a child was loved by their parents, as if a fish relied on the water [which surrounds it], as if grasses and trees delighted in the rain [that falls on them], as if a bird holds on to the tree [it builds its nest in] – this is a method for all buddhas and deities and such to gather and protect you, and to keep you from harm day and night as if they were your own shadow.

Thus, it comes as no surprise that the talisman or, more to the point, the apotropaic artefact of the *daimandara* assumes a significant, even primary, role in Nichiren's LS-related

[4] See Nattier 1992.

[5] See Rhodes 2004, Marra 1988a and 1988b, and Fischer 1976.

[6] See Stone 1985a and 1985b.

[7] Nichiren relied on the *Lotus Sutra* (Skt. *Saddharmapuṇḍarīkasūtra*) translation by Kumārajīva (344–413), completed in 406. Its title is in Japanese articulation *Myōhō renge kyō* 妙法蓮華經 ('canonical scripture of the lotus blossom of the sublime teachings'). It will be abbreviated henceforth as LS. For the standard edition of the Chinese translation, see Takakusu and Watanabe (eds) 1924–1932 (henceforth abbreviated as *T*), no. 262, vol. 9, 1a01–62c14. Numerous English translations are available; the following makes reference to Hurvitz 1976.

[8] For a contradictory interpretation, see Watanabe 1994.

[9] From the letter *Myōshin ama gozen gohenji* 妙心尼御前御返事 ('response addressed to the nun Myōshin'), dated 1275 (Kenji 建治 1), eighth month, 25th day; quoted according to Risshō daigaku shūgaku kenkyūjo 1952, vol. 2, 1105. Also available online <https://www.日蓮聖人御遺文.net/texts/妙心尼御前御返事_建治元/> (last accessed on 8 September 2023). All translations by the author.

readings and practices.[10] The so-called *sandai hihō* 三大秘法 ('three great secret teachings') epitomise his interpretation of the LS, and their respective relation to the *daimandara* can be outlined as follows:

(1) *honmon honzon* 本門本尊 ('main object of veneration according to the original [i.e. Nichiren's] teachings'): The LS's dogma that all sentient beings may achieve liberation, even during the lifetime of their present existence, is expressed (technically, *zuken* 圖顯, 'made to appear in writing') in the form of the *daimandara*, or *honzon*, which *in nuce* contains all of the Buddhist teachings as well as the orthodoxy of Nichiren's exegesis.

(2) *honmon kaidan* 本門戒壇 ('ordination platform according to the original teachings'): The enshrinement of the *honzon* for the purpose of worshipping the artefact enables Nichiren's followers to reduce their burden of unwholesome karma and promote their aspiration for buddhahood. The religious practice focussing on the *honzon* does not discriminate between gender, social standing or position in the religious hierarchy; it is therefore at least equal to, or even above and beyond, the ordination practices of established Buddhist schools.

(3) *honmon daimoku* 本門題目 ('stating the title [of the LS] according to the original teachings'): The pious adoration of the *honzon* is usually given verbal expression in the chanting of the LS's title with the phrase *namu Myōhō renge kyō* 南無妙法蓮華經 ('I take refuge to the LS'). It is simultaneously the audible manifestation of the all-inclusive teachings of the LS and the believers reaching the Buddha's self-same liberation.

The *daimandara* hold a prominent position in the overall context of Nichirenist dogmatics. Historical developments commencing immediately after Nichiren's death reflect this fact: his popularity, which won him numerous followers, on the one hand, and his acerbic polemics against other, in his view heterodox, interpretations of Buddhist canonical literature and established practices, on the other, contributed to internal strife within his denomination.[11] In some cases, their divergent claims to his heritage and secessionist politics crystallized in issues relating to one specific *daimandara* specimen or the overall status of the *daimandara* group of written artefacts. Since a detailed tracing of the venues and nodes of arguments and their institutional implications is beyond the scope of this paper, a single episode shall suffice for illustration.[12]

The Hōandō 奉安堂 ('hall of veneration and enshrinement') at Taisekiji 大石寺 ('great stone temple')[13] houses a wood carving believed to copy the Nichiren holograph of a *daimandara*. The holograph is dated to the year of 1279 (*Kōan* 弘安 2), and it is believed to have been transferred from paper to wood by Nippō 日法 (1258–1341), a direct disciple of Nichiren. It is formally known as *honmon kaidan no dai gohonzon* 本門戒壇之大御本尊 ('great main object of veneration at the ordination platform according to the original teachings') and commands a position of ultimate sanctity in the Nichiren shōshū 日蓮正宗 ('orthodox school of Nichiren'). Between 1952 and 1990, the Nichiren shōshū had been officially affiliated with the Sōka gakkai 創価学会 ('study group for the creation of values'), a Nichirenist lay movement. While infrequent tensions are observable throughout the four decades of their affiliation, discussions over conflicting views on issues of hierarchy and the respective roles of clergy and laypersons came to a head in the late 1980s. In particular, the Sōka gakkai's chairperson, Ikeda Daisaku 池田大作 (b. 1928), criticized the Nichiren shōshū's head priest, Abe Nikken 阿部日顕 (1922–2019), for demanding inappropriate sums of money for copies of Taisekiji's *dai gohonzon*, which adherents were generally expected to purchase and enshrine in their home altars. When Ikeda would not back down, the Nichiren shōshū unsuccessfully attempted to have him removed from office and finally took the drastic step of collectively excommunicating the Sōkai gakkai. Since then, it has been the unofficial, but frequently voiced position of the Sōka gakkai to deny the authenticity of the *daimandara* wood carving enshrined at Taisekiji, and generally facilitate believers' access to 'authentic' copies of *daimandara*.[14] In short, control over the *daimandara* and

[10] See also the analysis in Stone 1999, 402–405.

[11] See Stone 2014 for an in-depth analysis of an early example of struggles within the Nichirenist traditions.

[12] See Métraux 1992. For a general introduction to the history of the Sōka gakkai, see Fisker-Nielsen 2019; Wallinder-Pierini 2018 and MacWilliams 2006 for presentations of issues related to the material and digital reproduction of *daimandara*.

[13] Taisekiji is the headquarter (*sōhonzan* 総本山, 'mountain of general origin') of the Nichiren shōshū 日蓮正宗 ('orthodox school of Nichiren'). It is located in the city of Fujinomiya 富士宮, Shizuoka 静岡 prefecture.

[14] On this issue, sometimes referred to as the Nichiren 'temple wars', see MacWilliams 2006 and Hurst 1992.

the ability to attest or object to its authenticity-cum-efficacy as a Nichiren original stands central in this recent conflict between Nichiren Buddhist organizations.

The eminence that is generally – if in some cases not without contestation – attributed to the *daimandara* depends to a large extent on Nichiren's authorship. The following section will introduce the metrics, structure and historical setting of Nichiren holographs.

3. General outline of the *daimandara* as a group of written artefacts

3.1 Extant daimandara *and their metric data*

Research on the *daimandara* has hitherto mostly been conducted on a series of single-surface written artefacts that had been identified – by tradition and scholarly palaeographic analyses, with only some rare cases of disagreement – as holographs by the hand of Nichiren. 123 specimens of Nichiren holographs were catalogued by Yamanaka Kihachi 山中喜八[15] and the Risshō ankokukai 立正安國會in 1952[16] with a series of grey literature by The Nichiren Mandara Study Workshop – in part also confessionally motivated – updating, correcting and revising the Yamanaka catalogue.[17] Information on several more specimens, now apparently lost, is available so that the number of *daimandara* by the hand of Nichiren certainly amounts to 128, possibly even more than that. They had been produced between 1271/10/09 (earliest dated specimen) and 1282/06 (a few months before Nichiren's death on 1282/10/13). At times, Nichiren seems to have manufactured multiple *daimandara* per month: eight specimens are dated to 1280/04, while the dates of 1278/07/05, 1279/04/08, and 1280/05/08 have each been inscribed on two distinct *daimandara*. Two specimens are dated 1276/08/13, with one more the following day of 1276/08/14. The sheer amount of *daimandara* and the frequency with which they were written already makes it obvious that their main originator, Nichiren, was following a template to be discussed in detail below. At the same time, a surprising variety is equally observable: no two specimens have exactly the same size. The smallest (cat. no. 10) measures 142 mm width by 270 mm length, while the largest (cat. no. 57) clocks in at a staggering 1249 mm width by 2439 mm length. Three specimens feature silk as writing support, with two of them extant today (cat. nos. 11 and 58), respectively measuring 773 mm by 1651 mm and 403 mm by 836 mm. All other 125 artefacts are written on mulberry paper. Larger surfaces are created by conjoining (obviously irregularly sized) sheets of paper so that we may note the distribution as listed in Table 1.

The relatively high percentage to which Nichiren's holographs were inscribed on either single sheets of paper or the larger surfaces of three smaller sheets glued together may reflect that the *daimandara* were intended either as portable personal talismans to be kept continually close to the beneficiary's person or as artefacts to be enshrined in smaller places of worship of a growing community of believers that had, however, not yet solidified in the large-scale, permanent religious institutions of later Nichiren temples.

3.2 Scripts and languages

Without exception, all specimens are inscribed with black (at times 'blue', i.e. blackish) ink. Nichiren employs Chinese characters both for terms taken from East Asian vocabularies (mainly personal names such as Ch. Tiantai *dashi*, Jap. Tendai *daishi* 天台大師 for one of the founding figures of the Chinese Tiantai school of Buddhism, or Tenshō *daijin* 天照大神 for Amaterasu *ōmikami* 天照大御神, the sun goddess of the Japanese pantheon) and for the translation of Sanskrit terms (such as the title of the LS) or, respectively, their transliteration (as in Ch. *pusa*, Jap. *bosatsu* 菩薩 for Skt. *bodhisattva*). His signature is also present in (slightly cursive) regular script (*kaisho* 楷書), partly overlaid with his *kaō* 花押 ('flower-like impression'), i.e. his 'wet signature' comprising drastically abbreviated characters with partly rearranged stroke orders. A large part of *daimandara* also has Siddham letters inscribed, which Nichiren borrowed from the esoteric Buddhist traditions for the purposes of writing Sanskrit *shuji* 種字 ('seed syllables') that invoked superhuman agencies.[18] Typically, these invoke and represent

[15] Yamanaka was born in 1902 and became secretary of the Nichirenist Risshō ankokukai 立正安國會. In 1992 and 1993, the two-volume *Yamanaka Kihachi chosaku senshū* 山中喜八著作選集 ('collection of selected works by Yamanaka Kihachi') was published by Yūzankaku 雄山閣, Tōkyō, which contains a *jijo* 自序 ('preface by the author'). It is unknown to me when he died or whether he was alive when this paper was published.

[16] Republished in Yamanaka and Risshō ankokukai 1977.

[17] See the five-volume series *The Mandala in Nichiren Buddhism* (henceforth abbreviated as NMSW) 2013–2023, and, more concisely, Finocchiaro 2018. The expanded catalogue, almost complete with transcriptions, images and context information is also available online via the website *Nichiren shōnin daimandara ichiran* 日蓮聖人大漫荼羅一覧 ('overview of the *daimandara* of Nichiren, the sagacious one'), <http://juhoukai.la.coocan.jp/mandara/mandaraitiran.html> (accessed on 9 September 2023).

[18] On Nichiren's relation to the esoteric traditions of East Asian Buddhism, see Dolce 1999.

Table 1: The measurements of Nichiren's written artefacts.

no. of sheets	*avg. width (mm)*	*avg. length (mm)*	*no. of specimen*	*percentage of specimens*
1	326	500	52	41,6%
2	420	672	10	8,0%
3	500	938	51	40,8%
4	489	1135	4	3,2%
6	570	1273	1 (cat. no. 13)	0,8%
8	985	1334	1 (cat. no. 37)	0,8%
10	986	1571	2 (cat. nos. 34 and 81)	1,6%
12	1088	1976	1 (cat. no. 101)	0,8%
18 [19]	1030	1570	1 (cat. no. 9)	0,8%
20	1121	1894	1 (cat. no. 18)	0,8%
28	1249	2439	1 (cat. no. 57)	0,8%

the deities (*myōō* 明王, 'luminous [read: powerful] kings', Skt. *vidyārāja*) Fudō 不動 on the right ('the unmoved', Skt. Acala), and Aizen 愛染 ('tainted by desire', Skt. Rāgarāja) on the left edge of the written artefact's surface. In very few instances, other usages of Siddham script may be observed: cat. no. 8 has the two seed-syllables of Dainichi *nyorai* 大日如來 ('Great Sun Buddha', Skt. Mahāvairocana *tathāgata)* as manifest in the hierarchies of the Diamond and Womb realms. The written artefacts' languages, then, are generally Chinese, Japanese and Sanskrit, represented in the three different writing systems of the Chinese script, its Japanese adaptation, and Siddham letters.

3.3 Typical layout and inscriptional units

The fundamental structure of the *daimandara* may be described as one which creates a space between a centre and a peripheral circumference with tiers of invocations running from top to bottom and representing a specific hierarchy. Nevertheless, some elements of the *daimandara* are not captured by this characterization and, in a letter to a female adherent of his teachings, Nichiren outlined the ideas behind his creation:[20]

竜樹天親等・天台妙楽等だにも顕し給はざる大曼荼羅を・末法二百余年の比はじめて法華弘通のはたじるしとして顕し奉るなり、是全く日蓮が自作にあらず多宝塔中の大牟尼世尊分身の諸仏すりかたぎたる本尊なり、されば首題の五字は中央にかかり・四大天王は宝塔の四方に坐し・釈迦・多宝・本化の四菩薩肩を並べ普賢・文殊等・舎利弗・目連等坐を屈し・日天・月天・第六天の魔王・竜王・阿修羅・其の外不動・愛染は南北の二方に陣を取り・悪逆の達多・愚癡の竜女一座をはり・三千世界の人の寿命を奪ふ悪鬼たる鬼子母神・十羅刹女等・加之日本国の守護神たる天照太神・八幡大菩薩・天神七代・地神五代の神神・総じて大小の神祇等・体の神つらなる・其の余の用の神豈もるべきや、

This great *maṇḍala*, which neither Nāgārjuna[21] nor Vasubandhu[22], neither Tiantai [Zhiyi, 538–597][23] nor Miaole [(alt. Miaolo) Zhanran, 711–782][24] had given expression to, I was the first to dare to put into form as a banner for the dissemination of the [teachings of the] LS at this time of

[19] Finacchiaro 2018 documents 19 sheets for specimen cat. no. 9.

[20] From the letter *Nichinyo gozen gohenji* 日女御前御返事 ('response addressed to Nichinyo'), dated 1277 (Kenji 3), eighth month, 23rd day; quoted according to Hori 1975, 1243. Also available online <https://gosho-search.sokanet.jp/page.php?n=1243> (accessed on 8 September 2023).

[21] Nāgārjuna's life dates are uncertain but must be located between the 1st and the 3rd centuries. The usual dating of 150–250 given in scholarship is problematic. See Ye 2019.

[22] There is no need to go into the infamous debate on the dating of Vasubandhu, or the question of whether there were one or two persons of that name. For an excellent overview and evaluation of scholarship, see Kritzer 2019.

[23] See Bowring 2019b.

[24] See Bowring 2019a.

> more than 200 years since the [beginning of the age of the] degenerate dharma. But it is by no means a creation merely by myself, Nichiren. It is the main object of veneration of the great *muni* [i.e. sage], the World-Honoured One, and all the buddhas that are his emanation bodies in the shape of a woodblock [for printing]. Since this is the case, I have placed the five characters of the head title in the very centre, while the Four Great Heavenly Kings sit to the four sides of the jewelled *stūpa*. [The buddhas] Śākya[muni] and Many Jewels as well as the four bodhisattvas of [these two buddhas'] original transformations stand side by side. Samantabhadra, Mañjuśrī, Śāriputra, Maudgalyāyana, and the other [bodhisattvas and disciples] comply on their seats. The deities of the sun and the moon, the Demon King of the sixth sphere of the heavens, the Dragon King, and the *asura*s, and furthermore Fudō and Aizen take up formation to the South and North directions. The evil, fault-committing Devadatta and the ignorant Dragon Princess are deployed[, as well]. Not only the mother goddess of demons and the ten *raksa* [i.e. demon] women and others, who are malevolent spirits that rob the people of the trichiliocosm of their lives, are listed but also the Great Goddess that Illuminates the Heavens and the great bodhisattva Hachiman, who are the guardian deities of the realm of the sun's origin [i.e. Japan], the seven generations of the deities of the heavens and the five generations of the deities of the earth along with the greater and lesser heavenly and earthly deities in total and those deities [that possess] corporeal forms. How could one give [additional] space to the deities of other [and less important] functions?

In conformity with Nichiren's own narration of the *daimandara*'s layout, the invocation (*namu* 南無 for Skt. *namo*, 'I take refuge in […]') of the LS's title (i.e. the so-called *daimoku* 題目) is inscribed in the centre, and, mostly in larger script than the other elements on the written artefact's surface. While the composition of inscriptional units usually varies to some degree from one written artefact to the other, the *daimoku* – together with Nichiren's signature – is the only element present in every single specimen. Next to the *daimoku*, most specimens feature the two principal buddhas of the *Lotus Sutra*, one on either side: Tahō nyorai 多寶如來 ('buddha of many jewels', Skt. Prabhutaratna *tathāgata*) on the right, the historical Buddha Śākyamuni 釋迦牟尼佛 on the left. The constellation is one that locates the written artefact firmly in the dazzling narrative of the LS's eleventh chapter, *Ken hōtō bon* 見寶塔品 ('chapter on seeing the jewelled pagoda'), which has these two buddhas sitting side by side within a *stūpa*.[25] Given the fact that a stūpa originally designated a shrine for the Buddha's relics, it is small wonder that the LS subsequently elaborates its own text as a superior type of *stūpa* by which the bodily presence of said two buddhas becomes manifest. This is precisely the idea that gives shape to Nichiren's *daimandara*: Invoking the LS's title as the quintessence of the narratives it contains, it is supposed to enable the recipient-cum-practitioner of the *daimandara* to find themselves in the presence of the buddhas and their entourage. This entourage is then explicated in the names listed next to and below the two buddhas.

There are the four bodhisattvas of the fifteenth chapter, *Jūchi yōshutsu bon* 從地涌出品 ('chapter on welling up out of the earth').[26] There, it is disclosed that they had been taught the text of the LS in the far-removed time of aeons past by the Buddha, their names inscribed only slightly lower than those of the two buddhas. One tier down, there are the Buddha's disciples as well as the wisdom kings, guardian deities, and demons of canonical scripture. With growing distance from the top, the *daimandara*'s structure represents the temporal and geographic removal from the LS's foundational description of the episode of the two buddhas: the third tier typically has the later South and Central Asian as well as the Chinese patriarchs whose tradition Nichiren locates himself in. Lowermost, we finally find Japanese deities, namely Amaterasu and Hachiman 八幡.

The *shitennō* 四天王 ('four heavenly kings') are located on the periphery: one in each corner, while the right and left margins of the surface are occupied by the Siddham letters invoking Fudō and Aizen *myōō*. The bottom part of the writing surface features various quotes from canonical scriptures, Nichiren's signature in regular script and his *kaō*, an emphatic statement of the originality of the *daimandara*, and possibly further inscriptions detailing the processes of transmission and preservation of the specific written artefact. Some of the latter may have been written by a hand other than Nichiren's (see case study no. 3 below).

[25] The scene is also known by the term *kokū e* 虛空會 ('congregation [floating] in empty space'). See *T* no. 262, vol. 9, 32b16–34b22, and Hurvitz 1976, 183–194.

[26] These are known by the names of Jōgyō 上行 ('superior practice'), Muhen gyō 無辺行 ('universal practice'), Jōgyō 浄行 ('pure practice'), and Anryū gyō 安立行 ('peacefully established practice'). See *T* no. 262, vol. 9, 39c18–42a28, and Hurvitz 1976, 225–236.

We may then analyse the structure as follows: The circumference is guarded by those entities which are believed to protect the Buddhist tradition and its practitioners from both physical and spiritual harm. They stand equidistant from the centre, which focusses the LS. In light of the immediate presence of the two buddhas of the Pagoda Chapter, this must be interpreted as the shrine of the corporeal presence of the Buddha himself. The bottom part, as well as the snippets of inscriptions in between the primary, mandalic structure, must be read as paracontent that avails the reader-cum-practitioner of the written artefact – and in contexts of transmission, possibly, its recipient – of information on the origin, efficacy and pedigree of the *daimandara*. The *daimandara*'s inscriptional units may be described as follows:

(1) the invocation of the LS's title in the centre,
(2) the LS Pagoda Chapter's two buddhas immediately adjacent to the *daimoku*,
(3) bodhisattvas and disciples in the vicinity of the two buddhas, with their relative distance translating into their respective hierarchical position and doctrinal importance,
(4) various figures from the general Buddhist pantheon and
(5) specifically Japanese deities organized in descending tiers,
(6) Nichiren's signature and
(7) his *kaō* towards the bottom, and
(8) quotes from canonical scriptures and
(9) the self-eulogy are interspersed.

The case studies below will illustrate that, although not every inscriptional unit is present in every *daimandara*, the stereotypic structure is a useful matrix to describe the particular layouts and features of individual specimens.

One more feature in the above quotation opens yet another perspective on the question of what the *daimandara* were intended to achieve. In his letter, Nichiren applies military terminology: the written artefact is identified as a 'banner' (*hatajirushi* [旗印] or [幟]), the bodhisattvas 'comply' (*kutsu shi* 屈し) to the two buddhas' orders, and the *myōō* and other deities 'take up formation' (*jin wo tori* 陣を取り) on the lower tiers and on the circumference. The *daimandara*'s strict symmetry and unambiguous organization in this sense borrows its layout from military battle formations. This reflects a proselytization strategy in Nichiren Buddhism known as *shakubuku* 折伏 ('to break and subdue'; Skt. *abhibhava*), i.e. the forceful elimination and subsequent conversion of those forces opposing the LS as the ultimate truth. In its dogmatic context, it is complementary to *shōju* 攝受 ('to gather and receive'; Skt. *saṃgraha*), i.e. the persuasion of those that have not yet found their faith in the LS by means of compassion and kindness. In Nichiren's own words:[27]

> 無智・惡人の國土に充滿の時は攝受を前とす安樂行品のごとし、邪智・謗法の者の多き時は折伏を前とす常不輕品のごとし、譬へば熱き時に寒水を用い寒き時に火をこのむがごとし、
>
> When the ignorant and malevolent abound in the realm, then one puts *shōju* first as in the [LS's] 'chapter on peaceful and pleasant practices'[28]. When those of aberrant wisdom and those that denigrate the dharma are many, then one puts *shakubuku* first as in the [LS's] 'chapter on never taking lightly'[29]. This is, for instance, as if one would make use of cold water when it is hot or as if one was drawn to the fire when it is cold.

Against this background, it turns out that the *daimandara* is not only an apotropaic talisman that protects its believers but also a projection of the LS's power to subdue the impious. It is precisely for the reason of this eliminative function of the *daimandara* that their production peaked in the face of military confrontations during Nichiren's times.

3.4 Historical setting of the production of daimandara

Nichiren produced his holographic *daimandara* roughly during the last ten years of his life. This period largely coincides with the Mongols' occupation of the East Asian mainland and their subsequent demands for recognition of their overlordship and tribute payments. When the Japanese denied all concessions, the threat of a Mongol attack became imminent. Tensions escalated in the 1274 and 1281 assaults

[27] From the treatise *Kaimoku shō* 開目抄 ('Excerpts [for the purposes] of opening your eyes'), dated 1272 (Bun'ei 文永 9), second month; quoted according to Hori 1975, 235. Also available online <https://gosho-search.sokanet.jp/page.php?n=235> (accessed on 8 September 2023). With this treatise, Nichiren intended to explain to his followers (lit. 'open their eyes') the reason for him and them being persecuted, discriminated against, and sent into exile, citing the prophecies of the LS that the adherents of the true dharma would be subjected to a variety of sufferings.

[28] See *T* no. 262, vol. 9, 37a09–39c17, and Hurvitz 1976, 208–224.

[29] See *T* no. 262, vol. 9, 50b23–51c07, and Hurvitz 1976, 279–285.

of Mongol-Chinese-Korean fleets on Japanese territory, specifically the coast of the southernmost main island of Kyūshū 九州.[30] Nichiren perceived these military conflicts with an outside power as tell-tale signs of the definite arrival of the age of *mappō*, and at the same time staunchly believed to have the singular and absolute instrument of the LS at hand to save the realm of Japan and its people from the foreign aggressors (along with all other types of harm). Nichiren characterised the end times he believed himself and the world around him to be in, but also the sole soteriological option that remains open to him and his contemporaries, by referring to an alleged prediction of the Buddha:[31]

> 法華経の本門の肝心たる妙法蓮華経の五字をゆつらせ給て、あなかしこあなかしこ、我滅度の後正法一千年、像法一千年に弘通すへからす、末法の始に謗法の法師一閻浮提に充満して、諸天いかりをなし、慧星は一天にわたらせ、大地は大波のことくをとらむ、大旱魃・大火・大水・大風・大疫病・大飢謹・大兵乱等の無量の大災難竝をこり、一閻浮提の人人、各各甲冑をきて弓杖を手ににきらむ時、諸仏・諸菩薩・諸大善神等の御力の及せ給さらん時、諸人皆死して無間地獄に堕こと、雨のことくしけからん時、此五字の大曼荼羅を身に帯し心に存せは、諸王は国を扶け、万民は難をのかれん、乃至後生の大火災を脱へしと仏記しをかせ給ぬ.
>
> [The Buddha] graciously provided us with the five characters of the *myōhō rengekyō* [i.e. the LS's *daimoku*], which are the living heart [lit. 'liver and heart'] of the essential teachings of the LS. With much trepidation, he graciously gave this prediction: These [five characters] must not be disseminated during either the one thousand years of the correct *dharma* after my liberation-through-cessation or the [subsequent] one thousand years of the resemblance *dharma*. At the beginning of the [age of the] degenerate *dharma*, [false] teachers of Buddhism that [in reality] slander the dharma will be present everywhere [on this our continent of] Jambudvīpa, and all the different deities will be furious, and comets will circle throughout the heavens, and the great earth will tremble as if [its surface was made up of] great waves. Innumerable enormous disasters will occur, one after the other, such as great droughts, great fires, great floods, great storms, great epidemics, great famines, great wars, and others. When the people of Jambudvīpa then each will have girded their armour and taken in hand their bows and staffs, neither the buddhas nor the bodhisattvas nor the great benevolent deities nor the other [superhuman powers] will graciously extend their powers. At that time, all the people will fall into the [lowermost,] nonterminating hell upon their deaths, and they will keep doing so like rain [that is ceaselessly falling to the ground]. Then, if one was to keep close to oneself this *daimandara* of the five characters, the sovereigns would assist their realm, the myriad inhabitants would escape their hardships, and posterity was liberated[32] from such great fires and calamities.

During the long-lasting final age of *mappō*, spiritual maturation and religious liberation are deemed to have become impossible for all intents and purposes. Nichiren, however, believed to have found the last, final, and ultimate possibility of salvation in the text of the LS; hence his forceful, even ruthless propagation of the text. Again, a letter of his to a female adherent attests to the fact:[33]

> 法華第四に云く、仏滅度後能解其義是諸天人世間之眼と云云。此の経文の意は、法華経は人天・二乗・菩薩・仏の眼目なり、此の眼目を弘むるは日蓮一人なり […] 此の眼の字顕われて見れば煩悩即菩提・生死即涅槃なり、今末法に入つて、眼とは所謂未曽有の大曼荼羅なり、此の御本尊より外には眼目無きなり云云。
>
> The LS says in its fourth chapter:[34] 'If after the Buddha's liberation-through-cessation there is one who is competent to explain [this sutra's] meaning, [such a one] is as the eye

[30] For Japanese Studies research on the Mongol attacks, see Conlan 2001 and Turnbull 2010. For a complementary perspective from Mongolian Studies, see May 2018, 195–198.

[31] From the letter *Niiama gozen gohenji* 新尼御前御返事 ('response addressed to Niama'), dated 1275 (Bun'ei 12), second month, 16th day; quoted according to Hori 1975, 905–906. Also available online <https://gosho-search.sokanet.jp/page.php?n=905> and <https://gosho-search.sokanet.jp/page.php?n=906> (accessed on 8 September 2023).

[32] Alternative reading: 'during their own future rebirths, they would be liberated'.

[33] From the lecture notes *Onkō kikigaki* 御講聞書 ('writing down what I heard during [Nichiren's] venerable lectures', authored by Nichiren's disciple Nikō 日向 [1243–1314], between 1278 and 1280), quoted according to Hori 1975, 840–841. This specific lecture's title is *Myōhō renge kyō no goji wo manako to iu koto* 妙法蓮華経の五字を眼と云う事 ('on the five characters of the LS being termed "eyeball"'). Also available online: <https://gosho-search.sokanet.jp/page.php?n=840> and <https://gosho-search.sokanet.jp/page.php?n=841> (accessed on 8 September 2023).

[34] The fourth chapter of the LS is titled *Shinge bon* 信解品 ('chapter on liberation through belief'). See *T* no. 262, vol. 9, 16b07–19a11, and Hurvitz 1976, 84–100.

Table 2: The production of Nichiren's written artefacts after years.

year	*minimum of specimens produced*	*percentage of total (108)*
1271	1	0.9%
1272	1	0.9%
1273	1	0.9%
1274	6	5.6%
1275 (Bun'ei 12)	5	4.6%
1275 (Kenji 1)	4	3.7%
1276	11	10.2%
1277 (Kenji 3)	5	4.6%
1278 (Kōan 1)	9	8.3%
1279	13	12.0%
1280	30	27.8%
1281	15	13.9%
1282	7	6.5%

> in the realms of deities and human beings.'[35] The meaning of this passage of the sutra is that the LS is the eyeball of human beings, deities, [adherents of the] two vehicles, bodhisattvas, and buddhas. And it is Nichiren who propagates this eyeball. […] When we see this character for 'eye' come to light, then our afflictions are none other than *bodhi* [i.e., awakening], and birth-and-death is none other than nirvana. Now that we have entered [the age of] the degenerate dharma, what is called 'eye' is the great *maṇḍala* in question. Apart from this worthy main object of veneration there is no eyeball (and further elaborations were given).

Thus, it is no wonder that his *daimandara* were produced during a time of heightened tension and outright military aggression, correlating historical circumstance with Nichiren's deeply-held conviction. The chronological distribution of the *daimandara* group of written artefacts attests to this fact. During the Bun'ei 文永 era (1264/02–1275/04), 25 to 28 *daimandara* were produced; during the Kenji 健治 era (1275/04–1278/02), the number was 20 to 22; during the Kōan 弘安 era (1278/02–1288/04), 74 to 78. Table 2 presents production to year relations (non-dated written artefacts are omitted).

The chronological distribution of the *daimandara*'s origination suggests a correlation, if not a causal relation, to historical circumstance: immediately after the 1274 assault, and prior to the invasion of 1281, production numbers peaked. If we take the years of 1274 to 1281 as one, more than 90% of all *daimandara* were produced during this period. The conclusion that political tensions and the overall historical situation contributed to the origination of the series of written artefacts seems highly plausible.

The preceding remarks have given an overall idea of the *daimandara* group of written artefacts, their stereotypical structure and their historical background. The following case studies explore Nichiren's authorship in greater detail. At the same time, they complicate the question of originators and originating factors by emphasizing those circumstances and conditions that are not, or not directly, tied to the person of Nichiren.

[35] Nichiren quotes from the LS's Pagoda Chapter. See *T* no. 262, vol. 9, 34b20–21, and the alternative translation in Hurvitz 1976, 193–194.

4. Case studies

4.1 Specimen cat. no. 10

The first case study to be considered (Fig. 1) is the smallest of all extant *daimandara*, nicknamed the 'main object of veneration [written] onboard a ship' (*senchū gohonzon* 船中御本尊) or 'willow twig main object of veneration' (*yōshi gohonzon* 楊子御本尊). It is a single sheet of paper of 142 mm width and 270 mm length in the possession of Myōhōji 妙法寺 ('temple of the sublime dharma') in Niigata 新潟 prefecture, catalogued as no. 10 of Nichiren's holographs. Even though there are some worm holes in the paper, the legibility of the few inscribed characters is unimpeded. While the written artefact gives no indication as to the time and circumstance of its production, it was written, according to tradition, when Nichiren returned from exile on Sado 佐渡 island (off the Northern coast of Honshū 本州) to Kamakura 鎌倉. He is supposed to have been on board a ship (hence the first nickname) from Maura 真浦 on the island *en route* to Kashiwazaki 柏崎 on the coast of Honshū. Two versions of the story how the written artefact originated exist. One has the vessel's captain asking for a *gohonzon* in commemoration of having aboard the infamous passenger. Another dramatically elaborates that when the weather turned, and a storm hit the vessel, Nichiren was successful in warding off the storm's calamities by inscribing the title of the LS in the centre of the sheet and calling for metaphysical aid from the sun, the moon and the multitude of stars (in the right column) as well as the Four Heavenly Kings (in the column on the left). Either way, seeing that no brush was at hand, Nichiren is said to have made use of a willow twig, normally used to clean one's teeth by chewing on it (hence the second nickname), as a writing tool. While the circumstances of the written artefact's origin remain unclear, the background narrative may possibly tell the truth on this point, since the uneven and inhomogeneous *gestalt* of the characters corroborates the use of an unusual utensil. If indeed we proceed on what tradition reports, the willow twig *daimandara* was produced on the date of 1274, third month, 15th day. Having made landfall, it was presented to the ship's captain, and subsequently came into the possession of the Nichiren temple where it is now archived.

Whether the quoted narratives are fact or fiction is nigh irrelevant for the present purpose. What is important is that at least certain members of Nichiren's tradition believed them to be true, and valued the written artefact as an original precisely because of its origin narrative: it was held (1) to have been written personally – and therefore empowered – by the founder of the school, and in a highly extemporary, spontaneous and informal setting; (2) to have been efficacious because of its invocation of the LS and of metaphysical entities; (3) to have been tried and tested in dire circumstances; and (4) to have been transmitted authentically within the tradition. While originating factors (2) and (3) are matters of personal belief and hagiography, and (4) an issue for further research, the person of the originator (1) is attested to in the fact that, below the three columns, the written artefact bears Nichiren's name in clear script and is signed with his *kaō*. Also, the authenticity of these signatures has been confirmed not only by denominational ascription but also by modern scholarship through palaeographic analysis. All of these originators – the LS's textual authority, the metaphysical entities acting in unison, Nichiren both as bearer of religious charisma and as scribe (but not as author, since the *daimoku*, the title of the LS, is not Nichiren's creation but originates with the historical Buddha as a manifestation of the metahistorical, eternal buddha, Prabhutaratna), the averse situation onboard and the protective effect the talisman is supposed to have had, and the transmission of the written artefact among Nichirenist believers and institutions – contribute to the willow twig *daimandara*'s status as an original.

4.2 Specimen cat. no. 81

Next, we turn to catalogue no. 81 (Fig. 2), the so-called *Rinmetsudoji gohonzon* 臨滅度時御本尊 ('main object of veneration from the time when [Nichiren] expected his liberation-through-cessation'). The written artefact consists of ten sheets creating a paper surface of 1027 mm width and 1615 mm length. Together with several other *daimandara*, it is preserved at Myōhonji 妙本寺 ('temple of the sublime origin') in the city of Kamakura. Again, it is a complete holograph: all of its many inscriptions are in Nichiren's hand, and while there is a background narrative that tells the story of its implementation and transmission, none of it reflects in the materiality and visuality of the written artefact. The *daimandara* no. 81's large surface provides ample space for (1) a number of invocations, (2) a eulogy stating the originality of the artefact,[36] (3) an imprecise date, and (4) Nichiren's signatures.

[36] See Kuwana 2018.

Fig. 1: Yamanaka 1977, specimen cat. no. 10 ('willow twig *gohonzon*').

Re (1): The written artefact's layout generally follows the outline given above. Its centre features the seven stereotypical characters invoking the LS. In its immediate vicinity, further invocations are inscribed in horizontal symmetry. From top to bottom, we read the names of Śākyamuni to the left, and Prabhutaratna to the right, of the LS's title, set in larger script than the rest of the names. Both buddhas' names are each flanked on their outer sides by two bodhisattvas. Below these six names is a tier of bodhisattvas, buddha disciples, and deities and heavenly beings, totalling twelve names. Yet lower, and in loose spatial and prosopographical coordination, there are seven names (three to the left, four to the right) of figures of Buddhist myth, sovereigns of realms of transmigration and female demons. Four names follow which invoke representatives of the Buddhist tradition. Lowermost, the names of Hachiman *daibosatsu* and Tenshō *daijin* (i.e. the Sino-Japanese reading of Amaterasu *ōmikami*, the Sun Goddess and mythological origin of the Japanese imperial lineage) are given. The interjacent names descend by way of a religious hierarchy from spiritually advanced bodhisattvas through a who's who of canonical scripture to profane authorities, scholiasts, and deities particular to the Japanese context. The periphery of the invocatory tableau has the Four Heavenly Kings in the corners, while the left and right margin are dominated by the names of Aizen (left) and Fudō (right) in cursive Siddham script. Many, but by no means all, of these names are preceded by the phrase *namu*, lit. 'I take refuge in' or 'I pay homage to'. Clearly, the names are inscribed for the purpose of summoning their referents and compelling them to action.

Re (2): The small-scale block of text on the lower right reads: 'This is a great *maṇḍala* the likes of which for the 2,220 and more years since the Buddha's liberation-through-cessation have never before existed on [this continent of] Jambudvīpa'. The text states the novelty and uniqueness of the written artefact. No source is to be found for this turn of phrase, and it is therefore assumed to have been coined by Nichiren. As such, it is to be placed in the specific context of the Nichirenist championing of the LS as the sole valid soteriological option, and his own role in its propagation (the *daimandara* as the 'banner of the LS').

Re (3): The date is given as 'third year of the Kōan era, when Tai Sui [i.e. a specific group of celestial bodies are located in the area of] yang-metal and dragon, in the third month', which translates to late spring of 1280. No day is mentioned.

Re (4): As is customary for Nichiren's *daimandara*, he signs both in clear script and by his *kaō*. In this specific case, the pronounced curve in the final stroke of the *kaō* has been likened to a snake's tail; hence the written artefact's nickname of 'snake-formed *honzon*' (*jagyō gohonzon* 蛇形御本尊).

Naturally, Nichiren looms large in an attempt to distinguish the originating factors involved in the production of the written artefact. He is both the conceptualizer of the *daimandara*'s specific visual, referential and metaphysical layout (1) which immediately results in its alleged efficacy, and the scribe of the holograph. His authorship, in contrast to the previous case study of the *senchū gohonzon*, is asserted in characteristic no. (2) which states the disconnection between the text of the LS and its implementation in the form of the *daimandara*. While in Nichiren's understanding the LS was disclosed more than 2,220 years ago, it is only his unique position – the conjunction between his person, that precise point in time during the age of the degenerate dharma and that particular location of Japan – that allows for the production of the *daimandara* as the LS's manifestation. In this sense, Nichiren assumes an authorship here that is far more consequential for the written artefact in question.

With regard to the written artefact's transmission, its more formal designation, *Rinmetsudoji gohonzon*, indicates yet another facet of origination. It is believed that when Nichiren felt his end draw near, he requested that the disciples that were with him hang the *daimandara* by his bedside where it is supposed to have remained until after his passing. Accordingly, this particular specimen of *daimandara* is partly ascribed its status as an original in light of its biography: it shared in Nichiren's final moments and his demise, which was an event of fundamental significance to the subsequent tradition and is thus unique among all other *daimandara*. The reverence with which this particular specimen is regarded is attested to by two additional phenomena: one is that Nichiren's name, as well as the surface below, appear eroded beyond the wear and tear of the rest of the written artefact. It has been convincingly conjectured that these result from years and decades of believers touching the *daimandara*,

Fig. 2: Yamanaka 1977, specimen cat. no. 81 ('*gohonzon* from the time when [Nichiren] expected his liberation-through-cessation'). This specimen is also available as a full-colour reproduction in Nakao and Terao 2012, 83.

hoping to create a karmic, if not physical, connection to their religion's founding figure.[37] This also suggests that the written artefact was first mounted on some kind of board at a height that allowed pilgrims to reach it; only later was it remounted in the fashion of a hanging scroll and removed to the temple's altar area beyond the reach of the pilgrims. In fact – and this is the second attestation – inscriptions on the back of the written artefact document its production, transmission and restoration. The earliest one of these verso inscriptions are the signature and *kaō* of Nichirō 日朗 (1243–1320), whom Nichiren publicly designated as one of his six main disciples[38] immediately before his demise. In conjunction with the fact that it was Nichirō who was installed as the founding priest of Myōhonji (where this specific *daimandara* is located), this inscription indicates that Nichirō had received the written artefact from Nichiren himself.[39] Further verso inscriptions as well as inscriptions on the wood of the scroll's axes dated 1631, 1729, 1766 and 1833 detail the repairs and restorative works that had been performed. Naturally, these must also be regarded as being part of a continuing process of the origination of the written artefact.

4.3 Specimen no. 107

As a final case study, a look at one of the *daimandara* in the possession of Honmanji 本満寺 ('temple of the plenitude of the origin') in Kyōto 京都 is in order (Fig. 3). While it follows the paradigmatic structure reviewed above, it also features some noteworthy idiosyncrasies. Most importantly, it reflects several hands in addition to Nichiren's holograph: a fact which further complicates the question of originators and originating factors. The written artefact consists of three conjoined sheets of paper, creating a surface of 534 mm width by 982 mm length. Despite some differences in script size and cursivity, most of the written artefact's inscriptions are in Nichiren's hand and follow the stereotypical layout: the *daimoku* stands central. The top tier gives one of the two buddhas of Pagoda Chapter to either side, followed horizontally by the four bodhisattvas. The following tiers diverge little, if at all, in regard to verbiage and selection of personnel from those given in the above typology and the concrete example of specimen no. 81. The features of Nichiren's signatures at centre bottom, the date of inscription to the bottom left (here, it is Kōan 4, i.e. 1281, fourth month, 25th day), and the self-eulogy to the bottom right are also almost identical. The most significant differences between the preceding specimen no. 81 and the *daimandara* under discussion here can be observed on the surfaces' periphery and in the interspersed inscriptions. The left and right edges of the writing surface feature two Siddham syllables; however, in divergence from Nichiren's usual pattern he inscribed the representation of Aizen *myōō* on both left and right. For this reason, the written artefact's nickname is *Ryō Aizen mandara* 両愛染曼荼羅 ('*maṇḍala* with Aizen on both [sides]'). Furthermore, to the immediate left of Nichiren's *kaō*, a passage in small script, but in Nichiren's hand, reads: 'I bestow this [*daimandara*] on the *bhiksuni* [i.e. nun] Jien' (*bikuni Jien kore wo sazuke-atafu* 比丘尼持圓授與之).[40] Further details about the nun Jien may be gleaned on the lower right part of the written artefact, where an inscription in two lines is wedged between the edges of the surface and the large characters of *Daikōmoku tennō* 大廣目天王 representing the guardian deity Virūpākṣa. According to this statement,[41]

> 甲斐國大井庄々司入道女子同國曽弥小吾郎後家尼者日興弟子也　仍申與之
>
> the nun [Jien] was the daughter of the renunciant who had been the provost of Ōi district in Kai province[42] and widowed heir to her husband Sone Kogorō. She was a disciple of Nikkō's. I thus hereby state that this [*daimandara*] was given to her.

The handwriting has been identified as that of the self-same Nikkō 日興 (1246–1333) mentioned in the text.[43] His *Honzon bun'yo chō* 本尊分與帳 ('register of the distribution

[37] See Nakao and Terao 2012, 82.

[38] For the purposes of reference, the main disciples are formally known as the *roku rōsō* 六老僧 ('six old monks'). They are Nisshō 日昭 (1221–1323), Nichirō 日朗 (1245–1320), Nikkō 日興 (1246–1333), Nikō 日向 (1253–1314), Nitchō 日頂 (1252–1317) and Nichiji 日持 (born 1250).

[39] It even seems reasonable to assume that Nichiren had given the specimen no. 81 to Nichirō much earlier, and that the latter brought the written artefact with him when he attended his teacher during the latter's final days.

[40] For further information on Jien, see Nakao and Terao 2012, 92.

[41] The following inscriptions by the hand of Nikkō (see below) are quoted according to Nakao and Terao 2012, 105.

[42] The designated locality corresponds to the cities of Kōsai 甲西 and Masu 増穂 in today's Yamanashi 山梨 prefecture.

[43] Nikkō was one of Nichiren's six principal disciples. He also came from Kai province and founded the Honmonji 本門寺 ('temple of the gate to the origin') in Omosu 重須 (i.e. a part of Numazu 沼津 city in present-day Shizuoka prefecture 静岡) in 1298. As the founder of Taisekiji 大石寺 (see the outline of the 'temple wars' above) in 1290, he is regarded as the secondary founding figure of the Nichiren shōshū mentioned above.

Fig. 3: Yamanaka, specimen cat. no. 107 ('two Aizen *gohonzon*'). This specimen is also available as a full-colour reproduction in Nakao and Terao 2012, 93.

and bestowment of the main objects of veneration', 1298)[44] corroborates the information contained in this inscription and adds further details: Jien is recorded to have subsequently become the disciple of Nikke 日華 (1252–1334, referred to here by his hermitage name, Jakunichi-bō 寂日房). Furthermore, the Register states that she turned her back on the congregation after Nichiren's demise.[45] If these statements are taken to be fact, this leaves a narrow window of time for the inscription at hand: it must have been made after Nichiren authored the *daimandara* (1282/04/25), but in all probability before his demise (1282/10/13).

Yet another inscription in Nikkō's hand can be observed to the immediate right of Nichiren's dedicatory inscriptions: 'This [*daimandara*] has been inherited by and transmitted to the offspring, the great second lord Nisshō' 孫大弐公日正相傳也.

While it remains difficult to ascertain the identity of the mentioned persons,[46] the following attempt at a reconstruction of events may yield a plausible explanation. After Nichiren's death, when Jien had apparently become estranged from Nikkō and Nikke, the *daimandara* has come into the possession of her 'offspring' (read: grandson) who obviously was of Nichiren adherence. He must have returned the written artefact to Nikkō, for a third inscription in Nikkō's hand to the immediate left of the *Daikōmoku tennō* characters reads: 'This [*daimandara*] is to be the precious treasure of Honmonji' (*Honmonji no chōhō to nasubeki nari* 可為本門寺重寶也), referring to the Hononji of Nikkō's founding in the year of 1298.

In addition to these post-production additions on the *daimandara*'s surface, this written artefact also has inscriptions on the scroll's axes, detailing three restorations during the Edo period (1690, 1709 and 1813). Its present state thus turns out to be the composite result of a number of scribes and craftsmen, personal allegiances, and biographical vagaries. The group of originators and their categories are mostly identical to no. 81, with the exception of three other factors, namely: (1) the person of Nikkō, one of Nichiren's direct disciples and partial heir of the founder's charisma; (2) the nun Jien and her (largely unknown) religious inclinations and reservations, through which the *daimandara* seems to have returned into Nikkō's possession, even though she has not left any material traces on the written artefact as such, and (3) the enshrinement of the written artefact at Honmonji and, later on, Honmanji as religious institutions representative of a particular formation within the group of traditions claiming to originate with Nichiren.

5. Conclusions

The *daimandara* exemplify how originators produced written artefacts and did so acting in different capacities – both in the sense of being involved in the written artefact's production and transmission in individual ways, and in the sense of one person or factor acting in different capacities at the same time. While Nichiren obviously acts as protagonist in the complex constellation that enabled the origination of the *daimandara*, his role cannot be described without ambivalence. He certainly functions as the artefacts' scribe, but is it correct to describe him as their author? Indeed, this seems to be the case for some inscriptional units, but it would certainly be incorrect to see Nichiren as the author of the *daimoku* or the inscribed names of the pantheon. Saying that the resulting apotropaic artefact was efficacious solely because of Nichiren's personal charisma would also be tantamount to misrepresenting the emic view, since it is first and foremost the invoked entities that grant protection to the practitioner. Along similar lines, it is noteworthy that, while the *daimandara* must be classed as a group of written artefacts that was produced serially, it is also indisputable that no two are exactly the same. Rather, it is their very own idiosyncrasies and biographies that grant the *daimandara* specimens their respective individuality, authenticity and prestige. These are typically reflected in changes to the artefacts' materiality in the form of additional inscriptions by Nichiren, his successors, or other beneficiaries and involved parties; the mounting of inconspicuous paper surfaces on boards and scrolls; the maintenance and restoration of such artefacts; and the performative endowment, negotiation, and substantiation of efficacy. However, this must not hide the fact that originators may have been present without leaving any discernible traces on the artefact. And finally, Nichiren shōshū's positioning of the Taisekiji *dai gohonzon* – significantly a woodblock-carved copy of an inscription by Nichiren – as the single true *daimandara* may be described as a surprising strategy to reduce, even eliminate the originality of Nichiren's other, serially-produced holographs. By the

[44] The source is edited in Nichirenshū shūgaku zensho kankōkai 1921, 112–118.

[45] *Shōnin gometsu no gō, somuki owannu* 聖人御滅後背了 ('after the Sagacious One's extinction, she turned her back absolutely'), quoted according to Nichirenshū shūgaku zensho kankōkai 1921, 116. While the name of Jien is not mentioned as such, the familial relations are identical.

[46] Ueda 1980, 22.

same token, Sōka gakkai's repudiation of the *dai gohonzon* illustrates the fact that originality remains a characteristic defined neither by the materiality of the written artefact, nor palaeographic or historical evidence, but by the ongoing attribution and negotiation of the stakeholders in religious discourse.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg. The author expresses his thanks to Fujii Jun and the Faculty of Buddhist Studies at Komazawa University, Tokyo, for their hospitality and support during the finalisation of this paper.

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Fig. 1: Jerusalem, Islamic Museum (متحف الآثار الإسلامية), located in a building complex on the Temple Mount / al-Ḥaram al-sharīf west of al-Aqsa Mosque (2013).

Article

Creating Multiple Originals of Estate Inventories in Fourteenth-century Jerusalem

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1. Introduction

In the documentation of estate settlements in fourteenth-century Jerusalem, a pattern emerges: multiple exemplars of the same estate inventory coexist, each with distinct variations even though they document the same subject. Rather than being verbatim replications, these inventories display differences in structure, language, physical characteristics, and content. This pattern of dissimilar versions is a result of the scribal practices of versioning and copying. Integral to this phenomenon were the originators of the inventories – the notary witnesses, or *shuhūd ʿudūl* in Arabic. Vested with integrity and professional expertise, notary witnesses were judicially tasked with inspecting estates and then drafting, authenticating, annotating, and replicating the estate inventories, when necessary, as well as offering oral attestation to their content in case of litigation.

The Ḥaram al-sharīf corpus – a documentary collection consisting primarily of deeds from pre-Ottoman Arabic lands – offers a unique window into the intricate practices of producing multiple original versions of estate inventories. A significant proportion of its more than 900 handwritten documents are dated to the Mamlūk period (1250–1517 CE), making it an invaluable collection of legal and administrative records from this era. Originating mainly from late fourteenth-century Jerusalem, these documents can be categorised into various sub-corpora based on criteria such as provenance, document type, language and content.[1] Remarkably, nearly half of the Ḥaram corpus encompasses individual inventories decreed during the tenure of Jerusalem Judge Sharaf al-Dīn ʿĪsā b. Ghānim from 793 H/1391 CE to 797 H/1395 CE.[2] Shortly after they were drafted, as Christian Müller has shown, these estate inventories – along with other documents – were compiled into an investigative dossier to be used to probe suspected misconduct associated with Sharaf al-Dīn, focusing particularly on estate inventories authorised by him and his administration.[3]

Included in the investigation dossier, which is today part of the Ḥaram corpus, are around 400 estate inventories drafted by notary witnesses. This documentary sub-corpus reveals a notable pattern: there are eleven instances of duplicate inventories and one instance of a triplicate.[4] Some of these duplicates and triplicates are written by the same hand (termed 'copies') and others by different hands (termed 'versions'). Although the versions originate from the same estate inspection, and the copies, in turn, stem from one of these versions, no two documents are identical in a verbatim sense. The products of both versioning and copying practices exhibit noticeable variations in terms of structure, wording, physical characteristics, and content, including context-specific nomenclature. Such variations among multiple exemplars of estate inventories that all pertain to the same subject raise further questions. What is their status within the broader documentary landscape? How do these variations, created by court-appointed notary witnesses in late fourteenth-century Jerusalem, shed light on the 'originator's' role in the scribal practices of versioning and copying?

[1] There exist three collections of images of the Ḥaram documents. The earliest set, dating from 1978, is rendered in black and white and was initially stored as microfilm at McGill University, Montreal. This collection has been digitally accessible since 2021: <https://mcgill.on.worldcat.org/oclc/1102813166>. A second set of photographs was produced in 2010–2011, under the supervision of Christian Müller (based in Paris) and Khader Salamah (based in Jerusalem). Parts of this collection are available through the CALD Database: <https://cald.irht.cnrs.fr>. The most contemporary series of photographs were compiled in 2014. For the most updated list of published editions of the Ḥaram documents, see Aljoumani, Bhalloo, and Hirschler 2024.

[2] This and the following dates are provided in both the Hijri and Gregorian calendars for the benefit of the reader. The Hijri calendar (or Islamic calendar) is a lunar calendar consisting of 12 lunar months in a year of 354 or 355 days.

[3] Müller 2011, 449–455; Müller 2013, 509–529.

[4] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum (Fig. 1) #128/#142, #168/#592, #237/#537, #259.1/#431, #262.1/#624.1, #404/#406, #436/441/#720, #444/#473, #445/#533, #515/#626, #523/#559, #694/696.

Donald Little acknowledged the presence of multiple exemplars of estate inventories during the initial cataloguing of the Ḥaram documents in the early 1980s. Little's work, though foundational, essentially provides an incomplete roster of the duplicate exemplars without offering an analysis of the pattern. Huda Lutfi expanded on the catalogue by identifying more duplicates.[5] However, the most significant stride in understanding the phenomenon of multiple exemplars of estate inventories and the first complete list of duplicate and triplicate inventories came with Christian Müller's meticulous study of the Ḥaram documents. Taking a legal-historical perspective, his 2010 article explored the evidentiary value of written and oral testimony in applied Islamic law, particularly in the context of establishing proof with private documents, such as the Ḥaram estate inventories.[6]

In his 2013 monograph, Müller provided a substantive classification for the multiple exemplars of estate inventories in the Ḥaram corpus. He identified two exemplar types: those penned by the same hand, which he termed 'Abschriften' in German (or 'copy' in our terminology) and those written by different hands, which he termed 'Ausfertigung' (here 'version'). Explaining these classifications, he argued that:

> [S]ome inventories obtained in multiple versions [...] largely agree in general content, but the exact wording varies in places. Thus, each witness wrote their version of the inventory, which was signed by their colleague, without collating the two versions. Unlike other exemplars, the corresponding documents do not bear a marginal note indicating that copies (nusakh) were made. They are, therefore, genuinely different versions.[7] [Our translation]

In this statement, Müller remarked on the presence of what we term a '*nuskha*-note' – a marginal note indicative of copies being made – on certain documents but did not further characterise the exemplars that carried this notation. Throughout his scholarship, he rarely considered distinctions between duplicate exemplars with *nuskha*-notes or differentiated between variations in copies versus variations in versions. Moreover, while the original status of versions among the Ḥaram documents has been recognised in scholarship, the status of individual copies remains largely overlooked.

Our research, therefore, seeks to place a magnifying glass over the document pairs in which at least one of the documents carries a *nuskha*-note. In doing so, we aim to identify the nuanced differences between documents created by versioning and those created by copying. This endeavour necessitates differentiating between a 'copy' and a 'version', a distinction fundamentally linked to the concept of the originator. In the context of our study, a 'scribe/originator' is not merely a writer; this role encompasses the functions of creating, authenticating, and conferring original status to the estate inventory. This approach resonates with the multi-layered nature of originators as presented in the introduction of this volume, where originators are recognised for their diverse contributions to the creation and originality of a written artefact. While various entities, including local judges and authority representatives, have roles in the multifaceted creation process of estate inventories, our research specifically focuses on the scribal practices of notary witnesses. These individuals, as scribe/originators, play a pivotal role in the estate inventory creation process, integrating writing with content creation and authentication. Their role exemplifies the interplay of actions, qualifications, and stages that define an originator, aligning with the framework set forth in the volume's introduction.

Notary witnesses, appointed by the local judge, served dual roles as both professional court witnesses and notaries. They were responsible for drafting, annotating, and copying their versions of the inventory, as well as undertaking the prior inspection of the estate which led to the inventory's itemisation. All these tasks fell within the ambit of 'creating content', as referred to in the introduction to this volume. Furthermore, as part of a court-delegated group, each individual witness acted as an originator by 'authenticating'

[5] Little 1984; Lutfi 1985; A second catalogue publication has just been published, introducing nearly 100 additional Ḥaram documents that significantly expand the known corpus. This publication includes estate inventories, potentially increasing the number of duplicates and triplicates. See Aljoumani, Bhalloo, and Hirschler 2024.

[6] Müller 2010.

[7] The original quote is in German: 'Einige in mehrfacher Ausfertigung erhaltene Inventare [...] stimmen zwar im Großen und Ganzen überein, der genaue Wortlaut variiert jedoch teilweise. So schrieb jeder Zeuge seine Version des Inventars, die von seinem Kollegen signiert wurde, ohne beide Versionen abzugleichen. Im Gegensatz zu anderen Exemplaren tragen die entsprechenden Urkunden keine Randnotiz, es seien Abschriften (nusaḫ) angefertigt worden. Es handelt sich somit tatsächlich um unterschiedliche Ausfertigungen.', Müller 2013, 504.

not only their own documents (version and/or copy) but also the documents produced by other court-authorised witnesses, evidenced by a witness signature.[8] Although this article focuses primarily on the originators' 'creation of content', this act of mutual documentary authentication can be thought of as another dimension of the witnesses' role in originating the document. Thus, identifying the scribe/originator of the main body of text from among the group of witnesses who signed the document, becomes crucial in determining whether a pair of documents was copied by the same individual or created as versions by two distinct witnesses. Given the unique and original characteristics of each exemplar, we argue that every individual estate inventory, drafted and authenticated by professional, court-authorised notary witnesses, was considered an original document within the socio-cultural context of the time.

This article sets out to systematically examine the documentary practices related to the creation of estate inventories from late fourteenth-century Jerusalem within the Ḥaram corpus. As stated above, we place particular emphasis on distinguishing between two main scribal practices: versioning and copying. First, we set out the general process of drafting an estate inventory. We then explain our method of distinguishing the scribe from several witness signatures on a single document, with the aim of identifying the 'scribe/originator' of the main body of text. Next, we analyse the role of the notary witness as the originator of a version and the originator of a copy. Importantly, while the scribe appears as the originator in the creation of both the original content of his version and, where required, the content of copies, this role is shaped in each case by two consecutive but distinct processes. This key section is anchored by four comparative case studies centred on document pairs in which at least one of the documents carries a *nuskha*-note. Two of these studies analyse document pairs written by different scribes/originators to highlight the practice of versioning, while the other two focus on pairs penned by the same hand to examine the practice of copying.

2. Two scribal practices, multiple exemplars

In late fourteenth-century Jerusalem, the notary witnesses – whom this article identifies and focuses on as the primary 'originators' of estate inventories – were instrumental in the estate settlement process. Known as *shuhūd ʿudūl* in Arabic, their role spanned various stages, starting with the inspection, detailed listing, and documentation of the estate, and including any potential testamentary dispositions made by the testator. These notary witnesses, renowned for their integrity and specialised knowledge, were appointed by the local judiciary to serve as 'certifiers of truth.' Their primary responsibility was to ensure the authenticity and accuracy of the oral and written witness testimony, to ensure a legally effective transaction.[9]

According to Müller's detailed research of the Ḥaram estate inventories and the role of the notary witnesses who wrote and signed them, over the course of four years, from 793/1391 to 797/1395, more than a hundred different individuals performed the role of notary witnesses in Jerusalem. This significant number reflects the dynamic nature of the profession and highlights the diverse group of experts involved in the process of estate inspections and documentation within the local context of fourteenth-century Jerusalem.[10]

Müller's analysis underscores the significant societal role played by the notary witnesses during this period. Their integration into daily life, along with their distinctive identity and specialised skillset, not only highlight the contextual framework but also reaffirm their role as what we term 'originators' in this article. Within the distinct socio-cultural landscape of fourteenth-century Jerusalem, these court-appointed notary witnesses bestowed the status of originality upon the documents they created and authenticated. Even if several additional judicial steps were necessary for a witness' testimony to have evidentiary value without further oral affirmation, their expertise in drafting and attesting deeds endowed the records with an initial layer of credibility – which in case of a dispute would be upheld primarily by oral testimony in court. This amplified their central role as 'originators' in the overarching administrative and legal procedures in late fourteenth-century Jerusalem.[11]

[8] In this contribution, 'authentication' refers to the conceptualisation of 'originator' as discussed in the introduction of this volume. Within the context of Ḥaram documents, 'authentication' typically denotes a higher level of judicial affirmation than the sole display of witness signatures, indicating documents that serve as written proof in a Muslim court. In most cases this does not, however, apply to the estate inventories.

[9] Apellániz 2020, 62.

[10] Müller 2013, 295.

[11] In the 2nd–3rd/8th century Islamic legal system, honourable witnesses (*shuhūd ʿudūl*) were recognised as a professional group by the judiciary, and their testimonies accepted without reservation. By the 4th–5th/10th century,

In the Ḥaram corpus, one of the most consistently documented responsibilities of witnesses in fourteenth-century Jerusalem was to conduct estate inspections and draft estate inventories in a collective setting, typically with a minimum of two notary witnesses present during each inspection. Depending on the testators' needs, the inventory was recorded as an inspection by the witnesses in the form of estate inspections (*wuqūf*), accounts of inventories (*ḍabṭ*), acknowledgement deeds (*iqrār*) or a call for attestation (*ishhād*).[12] The procedure of estate inspection and drafting of an estate inventory typically occurred shortly before or immediately after the individual's death, under court supervision. The judge's authorisation, frequently noted in inventories through standardised formulas such as *ḥaṣala al-wuqūf bi-l-idhn al-karīm al-qaḍāʾī* ('the inspection took place by generous authorisation of the judge'), was a prerequisite for most inspections.[13]

One of the primary goals of the inventory process was to guarantee that the heirs, regardless of whether they were physically present or not, received their rightful portion of the estate in accordance with the wishes of the deceased and the provisions of Islamic law. By meticulously examining and documenting the deceased's assets and possessions, the inventory aimed to facilitate a fair distribution of inheritance among the designated beneficiaries.[14] This inventory process differed significantly from other legal procedures, insofar as it was primarily based on the visual inspection conducted by professional notary witnesses appointed by the court. Representatives of the local authorities also occasionally attended these inspections. Unlike several other document types in the Ḥaram corpus, the inventory relied on the first-hand survey and assessment of the assets and properties involved in the estate settlement. These witnesses played a crucial role in ensuring the accuracy and reliability of the inventory process, and subsequently in originating the written inventory.[15]

The written product of the court-delegated inspection, the estate inventory, typically included essential information such as the name of the testator, the location of the inspection, a comprehensive list of the testator's material possessions intended for inheritance, and the identification of any existing or known heirs. This procedure of inspection and inventory taking was widely employed across all social classes in late-fourteenth-century Jerusalem. It was not limited to any specific group or gender but rather constituted a standardised practice that permeated every stratum of society.[16]

Having highlighted the significant role of notary witnesses in estate settlement, we now turn to a specific pattern in the creation of multiple versions of a single estate inventory. Within the Ḥaram corpus, which comprises over 400 estate inventories produced by the above-introduced group of witnesses, this pattern is characterised by twelve instances of duplicate inventories and one triplicate. Some pairs were penned by the same individual, others by different hands, and half of the duplicates carry marginal documentary notes indicating the creation of copies (*nuskha*-note).[17]

Central to this pattern are the two practices introduced above: versioning and copying. For the versioned estate inventory, the exemplar predominantly acted as an aide-mémoire for the respective scribe/originator. This aided in recalling details and provided a record for court proceedings alongside oral testimony. Copies, on the other hand, were distributed to parties involved in the estate settlement, such as heirs, local authorities, and the local treasury (*bayt al-*

they had evolved into professional notaries well-versed in law and with the legal expertise to draft witness deeds; see for example: Amīn 1982; Mandaville 1969; Tyan 1959; Tyan 1960; Ḥamzah 2000. On the role of notary witnesses in the Ḥaram corpus, see e.g. Little 1998; Lutfi 1985; Müller 2013; Müller 2022; Richards 2004.

[12] The four forms of estate inventories will be examined collectively in the following sections of this paper, regardless of their notarial differences. The majority of the Ḥaram sub-corpus of estate inventories is comprised of *wuqūf* documents; see Müller 2013, 197–198, 390–391. Lutfi documents a count of 423 estate inventories, Lutfi 1985, 3. Meanwhile, Müller records 373 inspections (*wuqūf*), 20 acknowledgements (*iqrār*), 24 calls for attestation (*ishhād*), and 12 accounts of inventories (*ḍabṭ*), Müller 2011, 442 n. 50.

[13] Lutfi 1985, 193–194; Müller 2013, 91. Estate inventories with this exact formula are for example: Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #136 (793/1391), #396 (796/1394), #451 (793/1391) and #452 (795/1393).

[14] Müller 2013, 389–462, esp. 418. The inspection and drawing up of the inventory were only the first of several phases in the judicial settlement of an estate. The subsequent step entailed the allocation of the estate's assets to the rightful beneficiaries. In certain instances, this phase was followed by an extended period of management for the inheritance portions belonging to heirs who were either absent or minors, overseen by a judicial trustee or a guardian under the auspices of judicial supervision. On the archival and documentary history of an estate archive in the Ḥaram corpus, see Aljoumani and Hirschler 2023.

[15] Müller 2013, 90.

[16] Little 1984, 59–63; Lutfi 1985, 3–4, 19–20; Müller 2013, 390.

[17] Duplicate and triplicate estate inventories are categorised based on the presence of *nuskha*-notes and scribal variations. Those without a *nuskha*-note are as follows: by different scribes, #523/#559, #436/441/#720, #262.1/#624.1; by the same scribe, #445/#533, #237/#537, #259.1/#431. Inventories in which at least one carries a *nuskha*-note are as follows: by different scribes, #515(*nuskhatān*)/#626, #128(*nuskhatayn*)/#142, #444/#473(*nuskhatayn*), #404(*thalātha nusakh*)/#406; by the same scribe, #168(*nuskhatayn*)/#592, #694(*nuskhatayn*)/696(*nuskhatayn*), all Jerusalem, al-Ḥaram al-sharīf, Islamic Museum. Compare for partly different results concerning the same or different scribes and partly missing information about *nuskha*-notes, Müller 2010, 32 n. 54; Müller 2013, 315, 391 n. 2., 504 n. 165.

māl). Should any disputes arise regarding estate division or claims, heirs could present these copies in court to initiate legal proceedings. Given that documents in both scenarios complemented oral testimony, it is evident that a single originator might produce varied copies of one version. Moreover, multiple originators could draft different versions based on the same estate inspection.

The following sections delve deeper into understanding these two scribal practices, which are essential for grasping the originator's role in content production and the authentication of various versions and copies of an estate inventory. The examination of these practices sets the stage for four case studies, highlighting the practical application of versioning and copying, as well as the role of the originators in creating multiple originals.

3. Multiplicity of versions

Each 'version' of the estate inventory in the Ḥaram corpus represents the written output of a distinct inventory process conducted by the respective court-delegated notary witness. The variations in text structures and wording are evident among the duplicates and the triplicate, none of which are identical word-for-word. It is important to note that the creation of these multiple versions, each written by a different witness, was not the result of a copying process, but rather emerged during the inspection of the estate through distinct inventory-taking processes by the attending witnesses.

As Müller has compellingly demonstrated through a detailed analysis of the variations between the exemplars of the only triplicate inventory of the Ḥaram corpus – and as we explore further in two of the subsequent case studies – after the estate inspection each attending court-delegated notary witness typically drafted his own version of the inventory.[18] Therefore, the wording and sequence of key elements in these multiple records did not match precisely, despite the shared formulaic legal language with a distinct vocabulary and a set of word sequences commonly used in writing estate inventories within the Ḥaram corpus. The variants were therefore all original versions of the same inventory, none of which had the exclusive status of an officially binding version.[19]

Even though the witness signatures authenticated the estate inventory documents, it is important to note that in the context of court-authorised estate inspections, the oral testimony of the witnesses prevailed. This explains why, on its own, the exact wording of the written inventory did not serve as the definitive reference for the judge, notwithstanding its significance. Instead, it was considered in conjunction with the oral confirmation provided by the witnesses following the inspection. In situations involving legal disputes, the judge would rely on these witnesses to testify orally regarding the content of the document. Hence, as Müller argued, while the written estate inventory served as a valuable aide-mémoire for notary witnesses' testimony in court, it did not possess immediate value as standalone evidence. Its primary purpose was to assist witness recollections and provide a record of the inspection, to be used in conjunction with their oral testimony when required in legal proceedings. Therefore, variations between the written versions of each witness did not preclude their use in court. If there were discrepancies between written versions, the testimony of the witnesses, rather than the written record, was deemed most crucial judicial evidence.[20]

The complete legal significance of an estate inventory was thus intricately tied to its social context. It was the combination of the court-appointed status of the notary witnesses, the judge's authorisation, and their collaborative inspection that lent weight to their testimony and served as an argument in potential legal conflicts.[21] It is therefore likely that witnesses preserved their written inventory for a specific duration, archiving it in case they needed to provide oral testimony in court.

In summary, within the context of fourteenth-century Jerusalem's estate inventories, each notary witness served as an originator by versioning and thereby creating unique content. Despite adherence to a common legal formulaic language, individual variations were evident. The notary witnesses not only originated the unique content of their respective versions but also authenticated both their own version and those of their colleagues with their witness signature. These multiple versions, though distinct, were all recognised as originals, with no single version designated as the definitive or officially binding record.

[18] Müller 2010, 22–33.

[19] Müller 2013, 504.

[20] On the question of written and oral evidence in Islamic court procedure, see Apellániz 2020; Baber 1997; Marglin 2017; Müller 2010; Müller 2013; Oberauer 2021.

[21] Müller 2013, 117–119.

4. Multiplicity of copies

In the scribal practice of versioning, each notary witness involved in the estate inspection would create a distinct version of an inventory, often carrying the signatures of their fellow notary witnesses. This resulted in the creation of multiple unique versions of estate inventories, characterised by different handwriting. Copying, on the other hand, involved the production of additional copies of an existing version, most likely to be handed to the heirs and other parties involved in the estate settlement. While different versions of the same estate inventory are typically identifiable by distinct handwritings, a copy is primarily recognised by its match to another inventory's handwriting in the document pair. In most cases, the presence of a documentary note (*nuskha*-note) in the margin of the initial version further indicates that a copy was made.[22]

When copying estate inventories, it was usual for all witnesses to sign not only their versions and the versions of other witnesses but also the copies, as we will show in the following case studies. By doing so, the notary witnesses contributed to the authenticity of the copied documents, attesting with their names that they were present during the estate inspection. It appears from the material in the Ḥaram corpus that the task of copying was typically carried out by one of the court witnesses who had participated in the inspection and drafted their version of the inventory. In cases where there was a dispute concerning the settlement of the estate, the copy of the estate inventory could be submitted to the court by the heirs, to initiate a legal procedure. Thus, the production of copies of estate inventories, delivered to the parties involved and marked with the witness signatures, played a crucial role in the process of estate settlement. However, these copies, like the versions of the inventories mentioned above, were not considered as evidence on their own; they had to be upheld by an oral testimony of their originator in court.

These copies of estate inventories, typically written in the same hand as the initial version, are not verbatim replicas of the initial version carrying the *nuskha*-note. A central question of this article is the extent to which these copies differed from the initial version – an aspect that has been explored less than variations between versions, which were examined in a case study by Christian Müller.[23] We argue, however, that both the initial version and its copy, drafted by the same witness, exhibit variations in wording, sentence structure, and content, comparable to those between different versions. During copying, the originator crafted a new original with its own unique features.

In the Ḥaram corpus, the practice of copying is most discernibly illustrated by a small documentary note found on the recto side of many estate inventories, which we refer to as the '*nuskha*-note'. Approximately a quarter of the estate inventories in the Ḥaram corpus, amounting to nearly one hundred inventories, carry this notation. It is typically located in the right margin, often adjacent to the witness signatures or towards the end of the main body of the text. Although catalogued entries often refer to these *nuskha*-notes as 'squiggles', the note in fact comprises the word 'copy' (*nuskha*) and denotes the number of exemplars issued.[24] These notes, probably penned by the originator of the main text, are therefore crucial in indicating how many copies of an exemplar were made (Table 1).[25]

Evidence of the creation of multiple copies of estate inventories is found in the presence of *nuskha*-notes in several inventories. This is supported by the existence of multiple exemplars written by the same scribe. While the specific practices and possible standards surrounding the production of these copies and the addition of *nuskha*-notes have largely been overlooked in the context of the Ḥaram corpus, Müller offers insights into the interval between the two consecutive but distinct processes: versioning and copying. He suggests that a notary witness might have created a copy either concurrently with or shortly after drafting the initial version.[26] The fact that, in most instances, all the witnesses who took part in the inspection also signed the copies, suggests that the copies were made shortly after the initial versions. Rather than being determined by the content of the version, the choice of which notary witness would create the copies seems to have been influenced by who was deemed responsible for producing copies for the relevant parties.

[22] The production of copies was an elementary component of administrative and legal processes in Islamic societies of the Middle Ages and was often a core element of archival processes, cf. Apellániz 2020, 107–108, 140–143; Bauden 2013; Hirschler 2016; Rustow 2020, chapter 12.

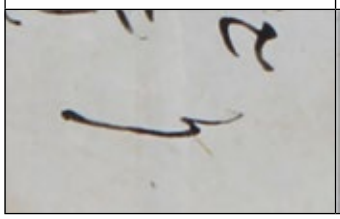
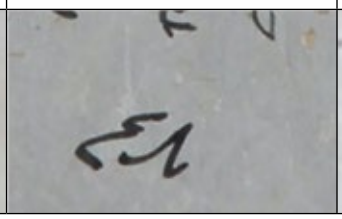
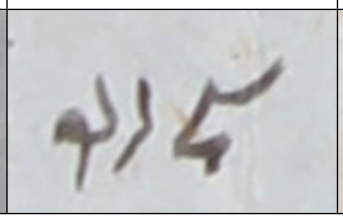
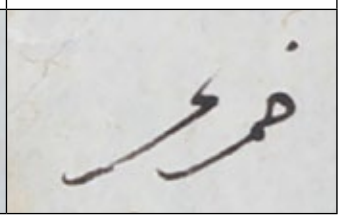
[23] Müller 2010, 22–33.

[24] Little 1984, 62.

[25] Sg. *nuskha* / pl. *nusakh*. Predominantly, this term signifies a physical written exemplar or a copy, implying a replacement for the original or a basis for a transcript. This understanding aligns with the definitions given in Lane's *Arabic-English Lexicon* and Ibn Manzūr's *Lisān al-ʿarab*. Furthermore, Rustow refers to a collation statement in Gacek 2009, wherein a distinction is made between the acts of copying extracts and corrections from a manuscripts (n-q-l), and creating a new physical exemplar from an oral reading (n-s-kh), Rustow 2020, 509 n.12.

[26] Müller 2013, 93.

Table 1: Examples of *nuskha*-notes in the margins of Ḥaram documents.

2 exemplars (*nuskhatayn/nuskhatān*)[27]	3 exemplars (*thalātha nusakh*)[28]	4 exemplars (*nusakh arbaʿa*)[29]	5 exemplars (*khamsa nusakh*)[30]
			

As the following case studies demonstrate, the copies are not verbatim replicas of the estate inventory on which they are based, despite being created in temporal proximity to the initial versions and by one of their originators. Instead, they exhibit variations similar to those found among the different versions. Even though any copy produced could have become a crucial component in an estate archive of the testator's family or local authorities, the originators of those copies did not appear overly concerned with ensuring complete uniformity in the copying process. This was because of the weight of their oral testimonies in any legal dispute regarding the estate. Furthermore, although neither the copies nor the initial version served as standalone written proof, any of these drafted and signed copies could have been submitted to the court to commence proceedings for the resolution of an estate-related dispute.[31]

Given the composition of the documentary sub-corpus of estate inventories to which we have access, our exploration of the phenomenon of copies is somewhat limited. It is likely that the items in the documentary sub-corpus, which forms a part of, or originally constituted, the investigative dossier, are largely initial versions retained by their originators, rather than the numerous copies that might have been distributed to heirs. Estate inventories from across Jerusalem were assembled with a clear purpose of scrutiny, as Müller has shown. They were collected to build up a case against Judge Sharaf al-Dīn and his administration shortly after his tenure as a judge, given that he authorised the notary witnesses conducting the estate inspections.[32] One reason for the scant number of versions of the same estate inventory from different witnesses might be that a single version was sufficient to make a case against the judge. Furthermore, it is probable that copies stored with non-organisational heirs, primarily the testator's family members as opposed to organisational entities like the local treasury (*bayt al-māl*), were not central to this collection. The *nuskha*-notes in several instances on single estate inventories in the corpus indicate that copies were made, but tangible duplicate versions and their counterparts are rare. We suggest that these copies entered the official record and subsequently the Ḥaram corpus mainly because they remained unclaimed in their originator's archive. Shortly thereafter, they were integrated into the investigation case dossier as originals, alongside their initial versions.

5. Case studies: four pairs of estate inventories

In the comparatively extensive sub-corpus of estate inventories within the Ḥaram corpus, comprising more than 400 inventories and including eleven duplicates and one triplicate, we will narrow our focus to four pairs of estate inventories for the following case studies. These pairs are particularly intriguing as they allow us to explore the nature of the written outcome resulting from two distinct yet sequential scribal practices (versioning and copying) within the context of estate settlement outlined above. Each of these four pairs includes duplicate exemplars of the same inspection, with the unique feature that at least one inventory in each pair bears a *nuskha*-note.[33]

[27] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #160 (795/1393); 'two exemplars' is written in the dual form either with نسختين (*nuskhatayn*) or with نسختان (*nuskhatān*), e.g., Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #141 (795/1393).

[28] ثلاث نسخ, نسخ ثلاث, Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #091 (793/1391).

[29] اربع نسخ, نسخ اربعـ[ـة], Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #519 (797/1395).

[30] خمس نسخ, Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #457 (796/1394).

[31] Müller 2010, 23–32.

[32] Müller 2011, 435–459.

[33] Of the total of 11 duplicates and one triplicate, there are six pairs in which at least one document bears a *nuskha*-note: #515(*nuskhatān*)/#626, #128(*nuskhatayn*)/#142, #444/#473(*nuskhatayn*), #404(*thalātha nusakh*)/#406, #168(*nuskhatayn*)/#592, #694(*nuskhatayn*)/696(*nuskhatayn*). We have limited our analysis to four pairs with *nuskha*-notes to analyse in detail the practice of copying, in two examples, and the practice of versioning, in two examples.

In the specific case of these four pairs, the document lacking a *nuskha*-note could either be a version drafted by a different witness or a copy of the version that contains the *nuskha*-note. To shed light on the specifics of each document pair, our analysis aims to: identify the handwriting and the scribe of the documents; compare their formal characteristics, including sentence structure, nomenclature, and phraseology; and examine selected aspects of their materiality, such as script, visual organisation (encompassing size, form, and shape)[34] folding patterns, and archival holes.[35] The intention was to provide examples that demonstrate whether it is feasible to differentiate between versions of the inventory created by different notary witnesses and the copies intended for relatives and other parties involved. By doing so, we wished to determine the status of individual documents within a collection of multiple exemplars, to understand their specific characteristics, and, most importantly for the purpose of this volume, to propose a methodology for identifying their scribe/originator.

Before discussing the individual case studies, it is important to note that identifying the scribe/originator of an estate inventory with multiple signatures can be difficult. While each witness involved in the inspection might be the originator of their own version, determining the identity of the scribe for a specific version requires significant effort from today's perspective. The notion of a centralised notary service connected to the *shāfiʿī* judge in Jerusalem, comprising court secretaries responsible for drafting estate inventories, has been convincingly refuted by Müller.[36] As explained above, it was the notary witnesses themselves who, probably based on a draft written on-site during the inspection, subsequently produced the final version of their inventories. Additionally, one or more of the witnesses undertook the task of copying their respective version of the inventory when copies were required, such as for distribution to heirs. During this process, the participating witnesses signed not only their own version, but also the versions of their colleague(s) and the copies that were made. We must emphasise that the scribe/originator of the respective copy and version did not explicitly indicate their role in the witness clause. Consequently, in most cases it is not possible to determine the identity of the scribe solely from the document's text and witness clauses.

The absence of the self-designation as scribe underscores the complexities involved in identifying the specific originator responsible for a given exemplar of an estate inventory. Alternative methods and factors beyond the document's textual content and witness clauses may need to be considered to determine the identity of the scribe. In our quest to identify the scribe within the case studies on four pairs of estate inventories, the legal manual 'The Nature of Contracts and the Aid of Judges, Notaries, and Witnesses' (*Jawāhir al-ʿuqūd wa-muʿīn al-quḍāt wa-l-muwaqqiʿīn wa-l-shuhūd*) by al-Asyūṭī (d. 880/1475) serves as a theoretical reference for understanding the administrative and legal processes in fourteenth-century Jerusalem.[37] It illustrates the potential correlation between the position of the witness signatures and the identity of the scribe:

وَاعْلَم أَن الْمنزلَة الْعَالِيَة فِي مَوَاضِع الشَّهَادَة من جِهَة الْيَسَار وَبعدهَا جِهَة الْيَمين وَمَا بَينهمَا رُتْبَة وَاحِدَة وَالْأَدب أَن يكْتب المورق رسم شَهَادَته فِي الْوسط تواضعا وَإِن كَانَ أكبر من بَقِيَّة الْعُدُول الَّذين يشْهدُونَ مَعَه فِي ذَلِك الْمَكْتُوب فَإِن التَّوَاضُع يرفع صَاحبه والحمق يَضعهُ[38]

Know that the witness signature on the left holds the most esteemed position. After it comes [the signature] placed on the right. [The signatures] between them all have the same [third] rank. The etiquette is that the scribe should write his signature modestly in the middle, even if they hold a higher rank than the other witnesses testifying on the same document. For humility elevates its bearer and foolishness demeans him. [Our translation]

[34] Müller 2011, 444–445, describes various formats of estate inventories in the Ḥaram corpus. The most frequently found format is the *daftar*, approximately 18 × 26 cm in size. Its length is about a third more than its width, and it is typically folded twice lengthwise. Some inventories employ a long, narrow format around 10 × 28 cm, which makes the length three times more than the width. A few are composed on a medium format, almost twice as long as their width, typically measuring about 12 × 20 cm. Yet another format is almost square, with dimensions nearly equal in width and height, at around 26 × 28 cm. Lastly, there exist several outliers that do not fit within these typologies. The use of similar paper formats may potentially hint at a common archival location, serving as a marker in the study of archival practices. However, it is crucial to exercise caution when interpreting these formats as evidence of shared archival processes. They should ideally be considered in conjunction with other traces of archival practice before drawing conclusions about a common archival actor.

[35] From an archival perspective, the chronological filing is clearly linked to the identifiable material archival traces in the sub-corpus of the estate inventories. Archival holes in estate inventories can be traced back to archival bundling by a string holding them together.

[36] Müller 2013, chapter 3.2.2.4.

[37] Little 2001, 171; translation of title, in Little 1998, 102.

[38] al-Asyūṭī, *Jawāhir al-ʿuqūd*, ed. al-Saʿdanī 1996, 276–277.

In this instruction, which applies to various types of deeds and not specifically to estate inventories, al-Asyūṭī provides guidelines for the spatial arrangement of witness signatures. He states that the scribe's witness clause, regardless of rank, is typically found among the witnesses who signed in the middle.[39]

However, we are not the first to have noted that this instruction as to where on a document the scribe should place his signature, rarely applies to the Ḥaram documents.[40] Furthermore, our understanding of the witnesses' identity and social standing is limited, consisting primarily of their names as recorded in their signatures. Without precise knowledge of the social statuses of notary witnesses in fourteenth-century Jerusalem, which an informed contemporary reader of these documents would possess, we cannot draw any conclusions about the scribe/originator of the document based on the order of the signatures, as outlined in the manual.[41]

To address the limited adherence to the al-Asyūṭī manual, as observed in the order of witness signatures on documents from late fourteenth-century Jerusalem, the extensive and chronologically specific resources of the Ḥaram corpus, particularly its rich collection of estate inventories, offer a potential solution. This corpus provides a concentrated compilation of documents spanning a specific and short chronological range. Most of these documents bear the signatures of a distinct group of professional witnesses who routinely performed these duties. In the context of the at that time relatively provincial city of Jerusalem, this group of professionals represented a sizeable yet manageable cohort. They consistently signed the Ḥaram documents as witnesses, thus establishing a discernible pattern. By identifying the witnesses – which Müller has done – for most of the estate inventories of the Ḥaram corpus, and by comparing the handwriting across various documents, which we will do in the following case studies, it becomes possible to identify the scribe/originator of a particular inventory.[42]

Identifying the scribe/originator of an estate inventory among the signing witnesses is a multi-step process. The initial step is a comprehensive palaeographic analysis of the main body of text in the document. This analysis scrutinises specific features of the script such as letter formation, the flow and sequence of strokes, variations in ligature connections, and distinct orthographic tendencies. The aim is to capture and catalogue the unique handwriting characteristics of the document's originator. Following this, the second step revolves around the witness signatures. Here, the primary aim is to accurately identify the name of each witness. Once these names have been discerned, efforts shift towards locating these witnesses in other documents in the corpus.[43] If a particular witness' name emerges as a common element across multiple documents, and the handwriting of the main text consistently aligns with the characteristics previously recorded, it becomes plausible to infer that this witness may indeed be the scribe/originator of the main text. However, the more witnesses have signed a particular document, or the rarer the appearance of a given witness in several Ḥaram documents is, the more challenging it becomes to identify the document's scribe using this method. Furthermore, the presence of cursive handwriting adds a layer of complexity, as it can sometimes be difficult to distinguish and analyse accurately. Therefore, the process of handwriting analysis in the case of estate inventories within the Ḥaram corpus is particularly susceptible to inaccuracies.

In the following study of four unique pairs of estate inventories, we employ the aforementioned method to identify the scribe/originator of each document. This method has proven particularly useful not only in identifying the scribe but also in verifying whether two documents display

[39] These manual entries serve as valuable resources for contextualising and discussing the administrative or judicial practices observed in the Ḥaram documents. They shed light on how these practices were implemented and materialised. However, it is important to acknowledge that the processes described in such manuals often adhered to regional and temporal conventions that may have differed in practice. The scribal conventions employed in the actual proceedings, particularly during estate inspections and the documentation of inventories by notary witnesses, may have deviated from or even disregarded the guidelines outlined in the manuals. Therefore, while these manuals provide useful insights, it is crucial to recognise that practical implementation may have varied. Hence, the scribal conventions employed in the Ḥaram documents may exhibit deviations or omissions compared to the theoretical descriptions found in the manuals.

[40] Little 1998, 158 n.174, cites a passage from al-Ṭarsūsī that is almost identical and compares the instruction to the positioning of witness signatures in the Ḥaram documents. For an analysis of the correlation between the scribe's handwriting and the location of witness signatures in the Ḥaram corpus, see Müller 2013, chapter 3.2.2.4.

[41] This challenge is further amplified by the fact that many estate inventories feature only two signatures, rendering the established formula inapplicable. Additionally, deviations from al-Asyūṭī's formula have been observed among the Ḥaram documents that include signatures of notable witnesses of high rank, Müller 2013, chapter 3.2.2.4.

[42] Müller 2013, chapters 3.2.2.1. and 3.2.2.2.2.

[43] The basis for such a process is the comprehensive identification of the witness signatures and the deciphering of the often difficult-to-read names in the clauses by Müller 2013, Appendix 2: Overview of their witness signatures, for an in-depth analysis of the role of court witnesses in the sub-corpus of the estate inventories of the Ḥaram corpus. In the following four case studies, we demonstrate that our results from the handwriting analysis, and consequently the categorisation of whether a document pair is written by the same hand or two different hands, differ markedly from those of Müller.

the same or different handwriting. Since handwriting analysis, as described above, is prone to error for the cursive notarial hand present in most estate inventories, it has proven beneficial to use our method to compare the handwriting with other documents signed by the same witness. This enables us to develop a pattern and understanding of their respective hand.

As outlined above, our case studies comprise a comparative analysis, concentrating specifically on the formal elements of four document pairs, each with at least one *nuskha*-note. These elements are the structure, wording, and content of our chosen samples. Our objective is to shed light on the nuances differentiating documents produced through versioning from those created by copying. For clarity, the first half of our case studies will analyse two pairs of distinct versions, while the latter half will look at pairs that comprise an initial version alongside its corresponding copy.

5.1 Versioning case study 1: documents #515 and #626

Our first case study examines a pair of documents from the Ḥaram corpus that highlight the practice of versioning (Figs 2 and 3). One document features a *nuskha*-note in the right margin (#515, *nuskhatān*), whilst the other does not (#626).[44] The two versions detail the estate of Al-Ḥājj ʿUthmān b. Thuʿaylib al-Jālūdī, from an inspection conducted on 16th September 795/1393. Two court witnesses participated in this inspection, and each of the two versions of the inventory was drafted by one of these witnesses. The scribe of document #626 is Khalīl b. Mūsā,[45] who appears on the right side, while the scribe of document #515 is Aḥmad b. Yūsuf al-Daqūnā,[46] who is located centrally.

To illustrate our methodology in discerning whether the two documents, #515 and #626, have separate scribes, and how to identify the scribes, we detail the critical steps involved in our handwriting analysis. Müller posits that documents #626 and #515 were penned by the same hand.[47] However, our analysis refutes this claim and points instead to distinct scribes for each document. This conclusion is based on an initial comparison of identical passages from both documents. An examination of the scripts of #515 and #626 reveals clear differences in handwriting traits,[48] as is for instance evident in the formulaic sentence: 'And that she is not entitled to maintenance, clothing, or anything from her mentioned husband' that we find in both documents (Table 2).

In the subsequent step of our analysis, we juxtapose the script of manuscript #626 against another Ḥaram document bearing the witness signature of either Khalīl b. Mūsā or Aḥmad b. Yūsuf al-Daqūnā, with the aim of identifying the potential scribe of #626. Document #570,[49] which is attested by Khalīl b. Mūsā, but not Aḥmad b. Yūsuf al-Daqūnā, exhibits discernible congruencies in script characteristics with #626. We thus determine that manuscript #626 was originated by Khalīl b. Mūsā (Table 3).

To further substantiate our initial hypothesis that #515 and #626 were written by distinct scribes, we juxtapose the script of #515 against another Ḥaram document bearing the signature of Aḥmad b. Yūsuf al-Daqūnā that exhibits script characteristics aligning with #515. As this correlation is evident in document #250,[50] we conclude that #515 and #250 were originated by the same scribe, conclusively attributed to Aḥmad b. Yūsuf al-Daqūnā (Table 4).

Based on the insights obtained from the analysis of handwriting, it is now possible to compare these documents as two versions originated by two different scribes. First, we examine the initial four lines of each document (Tables 5 and 6).

[44] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #515 (795/1393), 18.0 × 16.2 cm, Little 1984, 134; #626 (795/1393), 33.00 × 36.75 cm, Little 1984, 148.

[45] Identical to the notary witness identified in Müller 2013, 556, who was active between the years 793 and 797 (witness ID P509).

[46] Identical to the notary witness identified in Müller 2013, 550–551, who was active between the years 793 and 798 (witness ID P126). However, the reading of the name differs from Müller's identification.

[47] Müller 2013, 504 n.165. In the following case studies, we do not describe and illustrate the individual steps for analysing the handwriting and comparing it with other documents in equal detail. This description is intended as an example of the method that was also used in the other three case studies.

[48] The comparison of script involves looking closely at the handwriting, comparing letterforms, the way specific words or phrases are written, and other unique characteristics. If there are consistent differences in these features between the two documents, it would suggest they were written by different scribes.

[49] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #570 (795/1393), Little 1984, 146.

[50] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #250 (795/1393), Little 1984, 91.

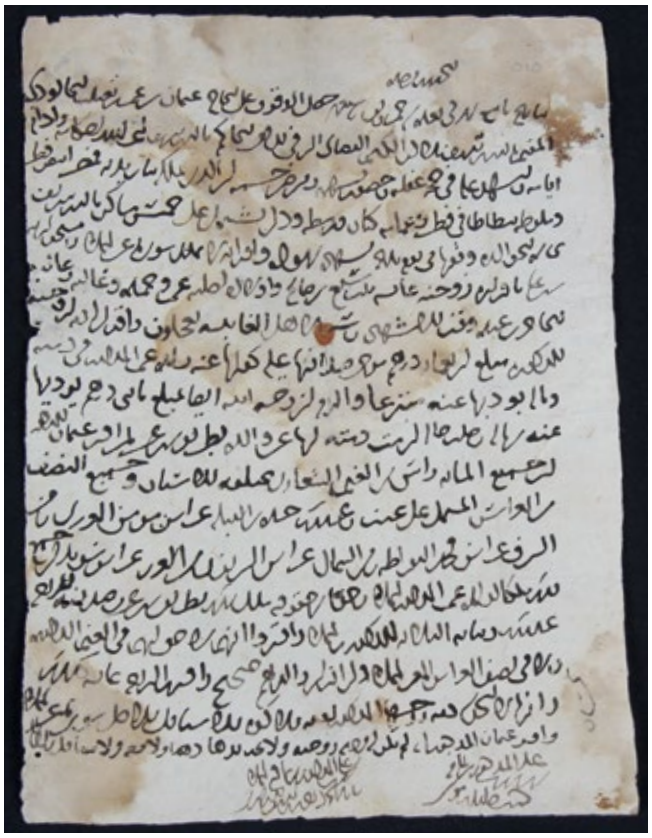


Fig. 2: Estate inventory #515 with *nuskha*-note (795/1393).

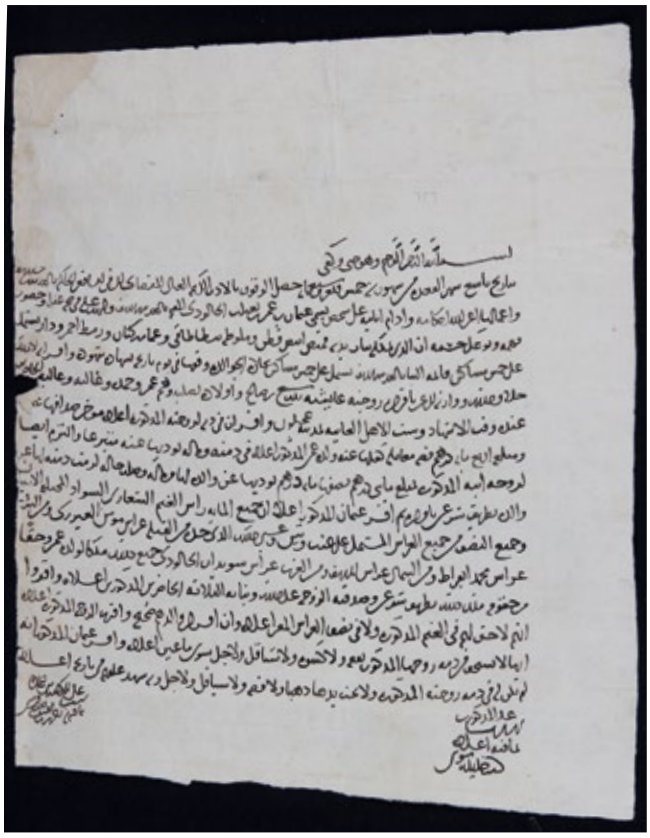


Fig. 3: Estate inventory #626 (795/1393).

Table 2: Comparison of handwriting between Ḥaram documents #515 and #626.

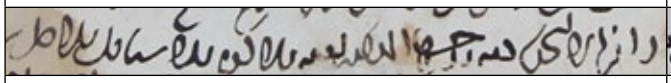
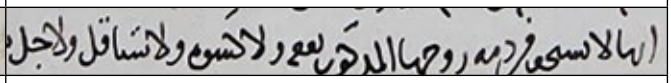
#515, line 18	#626, line 15
	
وأنها لا تستحق في ذمة زوجها المذكور نفقة ولا كسوة ولا شيئا قل ولا جل	أنها لا تستحق في ذمة زوجها المذكور نفقة ولا كسوة ولا شيئا قل ولا جل

Table 3: Comparison of handwriting between Ḥaram documents #626 and #570.

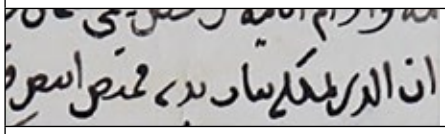
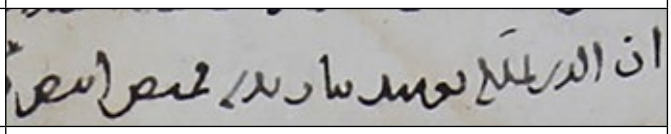
#626, line 4	#570, line 4
	
أن الذي يملكه ثياب بدنه قميص ابيض	أن الذي يملكه يومئذ ثياب بدنه قميص ابيض

Table 4: Comparison of handwriting between Ḥaram documents #515 and #250.

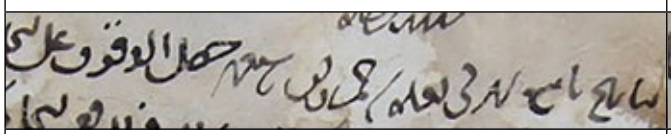
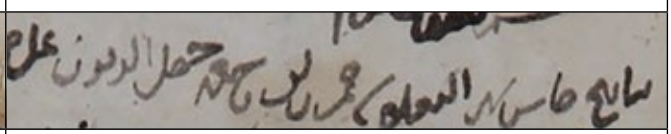
#515, line 2	#250, line 2
	
بتاريخ تاسع شهر ذي قعدة سنة خمس وتسعين وسبعمية حصل الوقوف على	بتاريخ خامس شهر القعدة سنة خمس وتسعين وسبعمية حصل الوقوف على

Table 5: Ḥaram Document #515: Edition and translation of lines 1–4 out of a total of 19 lines and 2 witness clauses.

#515	
الحمد لله وحده	1
بتاريخ تاسع شهر ذي قعدة سنة خمس وتسعين وسبعمية حصل الوقوف على الحاج عثمان بن عمر بن ثعيلب الجالودي	2
المقيم بالقدس الشريف بالإذن الكريم القضائي الشرفي الشافعي الحاكم بالقدس الشريف أعزه الله أحكامه وأدام	3
أيامه وأشهد عليه في صحة عقله وحضور فهمه ومرض جسمه […]	4
Praise be to God alone	1
On the date of the ninth of the month of Dhū Qaʿda the year seven hundred and ninety-five, the inspection took place [of the estate] of Ḥājj ʿUthmān b. ʿUmar b. Thuʿaylib al-Jālūdī,	2
resident in Jerusalem, with the generous authorisation of the honourable shāfiʿī Judge, the magistrate of Jerusalem the Noble, may God support his judgments and prolong	3
his days; and he [the testator named above] attested while he was in sound mind and possession of his mental faculties, but his body was sick […]	4

Table 6: Ḥaram Document #626: Edition and translation of lines 1–4 out of a total of 16 lines and 2 witness clauses.

#626	
بسم الله الرحمن الرحيم وهو حسبي وكفى	1
بتاريخ تاسع شهر القعدة من شهور سنة خمس وتسعين وسبعماية حصل الوقوف بالإذن الكريم العالي القضائي الشرفي الشافعي الحاكم بالقدس الشريف	2
وأعمالها أعز الله أحكامه وأدام أيامه على شخص يسمى عثمان بن عمر بن ثعيلب الجالودي المقيم بالقدس الشريف وأشهد عليه في صحة عقله وحضور	3
فهمه وتوعك جسمه […]	4
In the name of God, the Compassionate, the Merciful, and He is sufficient	1
On the date of the ninth of the month of [Dhū] al-Qaʿda among the months of the year seven hundred and ninety-five, the inspection [of the estate] took place with the generous authorisation of the honourable shāfiʿī High Judge, the magistrate of Jerusalem the Noble	2
and its districts, may God support his judgments and prolong His days; on a person called ʿUthmān b. ʿUmar b. Thuʿaylib al-Jālūdī, resident in Jerusalem the Noble, and attested while he was in sound mind and possession of	3
his mental faculties, but his body was in indisposition [...]	4

When comparing the two versions of documents #515 and #626, each of which was written by a different scribe, variations emerge in the first four lines. Specifically, differences in wording and sentence structure are evident. While both texts include the same key components (invocation, date, temporal and spatial markers, name, if the testator is dead or ill, and authorisation), the sequence of these components differs. Document #515 introduces the testator, Ḥājj ʿUthmān b. ʿUmar b. Thuʿaylib al-Jālūdī, before declaring the authorisation by the honourable *shāfiʿī* Judge. Conversely, in document #626, the authorisation of the shāfiʿī High Judge is articulated before the introduction of the testator. This sequence variation subtly shifts the focus between the two texts, although this can be interpreted as a standard deviation between the two versions.

Despite general differences in structure, there are also a few clear variations in the wording between these two texts. For instance, the invocation in #515 is 'Praise be to God alone', while in #626 it is 'In the name of God, the Compassionate, the Merciful, and He is sufficient'. Another example pertains to the depiction of the testator's physical state: in document #515, it is noted as 'his body was sick,' while in #626, it is expressed as 'his body was in indisposition'. Despite both phrases conveying a concept of illness and implying in the context that the testator is on his deathbed, they employ different expressions. These divergent choices reflect the standardised, yet flexible formulaic vocabulary typically seen in these kinds of legal documents. The final illustrative example of variation in wording is that document #515 directly addresses the magistrate, whereas #626 expands to include a reference to the districts within the magistrate's jurisdiction.

Notwithstanding their formal disparities, it is important to note that these two versions, each drafted by a different scribe, record the same content of the itemised estate of al-Ḥājj ʿUthmān b. Thuʿaylib al-Jālūdī. If we look at the itemisation of the testator's possessions that follows the introductory sequences edited above, the contents of each item and description (e.g. *qamīṣ abyaḍ quṭn*, 'white cotton shirt') are consistent.[51] There are no differences in content or omissions here when we compare the versions of the inventories recorded by the two different witnesses.

Document #626 distinguishes itself in terms of physical characteristics, particularly its script and spatial arrangement. Its script exhibits high legibility, particularly when compared to other 'notarial' handwriting styles found in the Ḥaram corpus. Additionally, the text's spatial arrangement sets it apart from other paired documents examined in this paper, although it is not entirely unique within the sub-corpus of estate inventories in the Ḥaram corpus. One noteworthy feature is the ample white space above the text, which is rare in similar documents. In contrast, document #515 adheres more closely to the formal features typically seen in estate inventories within the Ḥaram corpus. The margins in this document have less space, particularly above the initial invocation, and the script appears to be more cursive.[52]

Furthermore, a striking difference between the two documents, #515 and #626, lies in the material traces of archival practices. Specifically, only document #515 features archival holes, characteristic of the notary witnesses' storage methods for the Ḥaram corpus' estate inventories. These documents were typically bundled into chronologically sorted serial files. The lack of such archival holes in document #626 implies that it was likely not stored by the witness, but rather in a different context where documents were not archived in bundled piles. The idea that the scribe/originator of #626 might not have been the archival actor, as is the case with many other estate inventories of the Ḥaram corpus, is corroborated by the number of inspections traceable to Khalīl b. Mūsā, the scribe of #626, within the Ḥaram corpus. Khalīl b. Mūsā's witness signature appears on 34 estate inventories, suggesting that he participated in these inspections and most likely originated his own version of the inventory. Given this pattern, it can be inferred that he probably had a systematic filing system, perhaps involving bundled stacks, much like other notary witnesses, and would have left archival holes as a result. On this basis, we argue that Khalīl b. Mūsā did not draft exemplar #626 for his own records.[53]

It is uncertain why the scribe chose this particular visual organisation for document #626, and who archived it without leaving archival holes. It is plausible that #626 is a slightly more legible and beautifully executed copy of a more cursive version of the inventory, written by Khalīl b. Mūsā, which may not have been included in the investigation dossier that is now part of the Ḥaram corpus. Similarly, Aḥmad b. Yūsuf al-Daqūnā, the scribe of document #515 that contains the *nuskha*-note, might have created copies of his version. However, those exemplars are not part of the Ḥaram corpus today.

In summary, the duplicate inventories #626 and #515 represent two versions of documentation for an estate inspection. Their scribes/originators are two distinct notary witnesses, each documenting their version of the jointly conducted inspection of Al-Ḥājj ʿUthmān b. Thuʿaylib al-Jālūdī's estate.[54] Importantly, while each of these documents

[51] Transcribed and translated from the Arabic term قميص ابيض قطن, line 4 in both #525 and #626.

[52] Hirschler 2020, 45, 49–50 suggests that 'illegibility' might reflect a distinct style, specifically a 'notarial' hand, common in legal documents but less so in scholarly books. Assessments of legibility should consider the historical and geographical context, as what appears illegible today may have been easily read by the intended audience.

[53] Müller 2013, 308 n. 398.

[54] In the present analysis, it remains inconclusive whether a document lacking a *nuskha*-note might also represent a copy of another version. Since no duplicate pairs in the Ḥaram corpus feature two versions with different scribes, both bearing a *nuskha*-note, we tentatively conclude that typically only one witness was responsible for drafting copies.

holds the status of an original, they exhibit only formal deviations and do not have any substantive discrepancies in their itemised content.

5.2 Versioning case study 2: documents #128 and #142

The second pair of documents also reflects the pattern seen in the first case study: they represent two versions of inventories for the same estate, that of Ṭāshḥūn b. Shukrān b. Aʿlabak al-Rūmī from Tarsus on 30th September 795/1393. Inventory item #128 includes a *nuskha*-note (*nuskhatayn*), unlike inventory item #142, and the documents are written by two different scribes.[55] Hence, these documents represent different versions originated by two distinct witnesses who participated in the same inspection.[56] Given that the two versions exhibit distinct handwriting styles, the corresponding copy indicated by the *nuskha*-note on #128 remains absent from the current Ḥaram corpus.

On both #128 and #142, the same five witnesses have signed in the same place. In document #142, an additional sixth signature is located on the far right. Document version #128 was originated by Muḥammad b. al-Suyūṭī, who placed his signature at the centre-left, and #142 by Muḥammad b. Sulaymān, who signed on the right.[57] However, in both documents, two of the witnesses did not personally sign. Instead, someone signed on their behalf – probably the respective scribe/originator of each document. This fact is explicitly mentioned in the witness clause: 'It was written on his behalf, and so-and-so witnessed that for him' (*kutiba ʿanhu shahida ʿalayhi bi-dhālika fulān*). The names of the two absent witnesses, ʿAbd al-ʿAzīz b. ʿUmar (3rd from the left) and Tawakkul b. ʿAbd Allāh (4th from the left), are mentioned in this manner and in the same order on both documents.[58]

Shifting our focus now to the structure and content, the two versions – each originated by a distinct scribe – will be compared, based on the initial lines of the deed's main text:

When comparing documents #128 and #142, there are subtle yet noticeable differences in both their wording and structure (Tables 7 and 8). However, the two texts, similar to the pair mentioned above and many others in the corpus, follow a standardised format. They begin with a religious invocation, followed by a mention of the date, place, and the testator's physical condition.

Both documents begin with a similar invocation, although there are slight variations. In #128, the phrase extends to 'Praise be to God alone,' while #142 simply states 'Praise be to God.' Regarding the temporal marker, both documents indicate the same date, 'the last day of the month of Ramadan, the year seven hundred and ninety-five.' However, there is a minor difference in how the date is presented. In document #128, the month of Ramadan is described as one that is 'held in high esteem,' while this additional phrase is absent in document #142. After the identification of a temporal marker, both documents employ the word *ḍaʿīf* ('weak') to denote the testator's physical condition, indicating his state on the deathbed. Furthermore, the testator's location is mentioned similarly in both documents. However, a slight disparity arises regarding the reference to the location of the estate inspection. Document #128 refers to it as 'Khān al-Ḥaram al-Kabīr in Jerusalem the Noble', while #142 simply states 'Khān al-Kabīr in Jerusalem the Noble.' Consequently, the descriptor 'al-Ḥaram' is present only in version #128.

[55] Similar to our analysis of the document pair #515 and #626, our conclusion diverges from Müller's. He posited that the two inventories, #128 and #142, were originated by the same witness, Müller 2013, 504 n. 165.

[56] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #128 and #142 (795/1393), 16.5 × 24.5 cm, Little 1984, 73. Note that Little refers to both documents in one catalogue entry and gives measurements for only one, without specifying which one it is. The images of the documents show clearly that the documents have different formats and the measurements given by Little seem to refer to #128.

[57] Muḥammad b. al-Suyūṭī corresponds to the notary witness identified in Müller 2013, 567. He served as a witness from the year 795 to 797 and was assigned the witness ID P583. Similarly, Muḥammad b. Sulaymān matches the notary witness detailed in Müller 2013, 570–571, with active years between 776 and 795, bearing the witness ID P256. The identification of witness P583 as the scribe of document #128 was confirmed through a handwriting comparison with document #224, which he also signed. Likewise, the identification of witness P256 as the scribe of document #142 was ascertained by comparing its features with document #270.

[58] Müller identifies only that the signature was made in the absence of the witnesses; he does not identify the names of the two witness, Müller 2013, 316 n. 443. Ideally, it would be expected that all witnesses would sign the copies. However, there are instances where this may not have been feasible, likely due to logistical reasons such as the witnesses being geographically separated. In such cases, the originator of the respective version might write the signatures 'on behalf of' the absent witnesses or in a few cases even omit them entirely, only including their own signature.

Table 7: Ḥaram Document #128: Edition and translation of lines 1–4 out of a total of 11 lines and 5 witness clauses.

#128	
الحمد لله وحده	1
بتاريخ سلخ شهر رمضان المعظم قدره سنة خمس وتسعين وسبعمية حصل الوقوف على ضعيف بخان الحرم	2
الكبير بالقدس الشريف يسمى طاشحون	3
Praise be to God alone	1
On the date of the last day of the month Ramadan, its value held in high esteem, the year seven hundred and ninety-five, the inspection took place [of the estate] of a weak [person] at Khān al-Ḥaram	2
al-Kabīr in Jerusalem the Noble, [the person] named Ṭāshḥūn	3

Table 8: Ḥaram Document #142: Edition and translation of lines 1–2 out of a total of 10 lines and 6 witness clauses.

#142	
الحمد لله	1
بتاريخ سلخ شهر رمضان سنة خمس وتسعين وسبعمية حصل الوقوف على ضعيف بالخان الكبير بالقدس الشريف يسمى طاشحون بن	2
Praise be to God	1
On the date of the last day of the month Ramadan, the year seven hundred and ninety-five, the inspection took place [of the estate] of a weak [person] at Khān al-Kabīr in Jerusalem the Noble, [the person] named Ṭāshḥūn b.	2

In regard to the physical characteristics of this document pair, they offer some insights into their archival history. Each document displays archival holes, indicative of having been folded, pierced, and strung for storage. Document #128 has been folded once horizontally and then pierced. Document #142, however, underwent a different archival process; it was folded twice in the middle and pierced once, and at another stage, it was folded once in the middle and pierced again. The distinct patterns of archival holes suggest that they were archived in different strung bundles at various stages. These archival holes alone, however, do not conclusively determine if the document pair was ever archived together. Additionally, both documents exhibit differences in visual organisation. Document #128 is larger than #142, with ample white space under the witness signatures, whereas #142 has minimal marginal space adjacent to its main text. These variations, significant as they are, do not necessarily indicate whether the documents were archived together or separately. Instead, the fact that they were originated by different scribes suggests they were likely archived in separate bundles. This is consistent with the notion that each scribe would have maintained their own version as an aide-mémoire within their proximity, underscoring the independent nature of their archival and documentary processes.

The two estate inventory versions from the Ḥaram corpus #128 and #142, both recording the estate of Ṭāshḥūn b. Shukrān b. Aʿlabak al-Rūmī, dated 30th September 795/1393, exhibit consistent content in the itemisation of the estate but nuanced variations in wording, sentence structure and number of signatures. Similarly, as observed in the previous case study which also examines versions penned by different originators, the variances in vocabulary in each version represent more than just stylistic differences. Each witness drafted his own version of the inventory which he then had his colleagues sign, without any effort to collate the different versions. The originality of each version is thus apparent.

5.3 Copying case study 1: documents #168 and #592

Our third case study focuses on inventory #168 and #592, the first pair of documents that constitute a version and its copy. Both documents record the estate of Sūmalik bint Muḥammad b. Muḥammad al-Dimashqīya, who was on her deathbed when the inventories were conducted on 13th December 795/1392. These two documents were written by the same hand.[59]

While Inventory #168 features a *nuskha*-note (*nuskhatayn*), Inventory #592 does not have one. Both inventories were originated by the same scribe, identified as Muḥammad b. Muḥammad b. Abī [al-ʿUdrī/al-Qadrī?]. In inventory #168, only the scribe's signature is present, positioned on the right side. However, in document #592, lacking the *nuskha*-note, there is an additional signature of a second witness, located to the left of the scribe's signature.[60]

Differences exist between the initial version #168 and its copy #592, particularly in aspects such as sentence structure and phraseology. An example is the use of two different invocation formulas: Basmala (#168) and Ḥamdala (#592), both commonly used to introduce estate inventories. However, more specific details vary between the two documents penned by the same hand. For instance, document #168 provides a detailed description of the location of the inspection as 'a house in the Noble Jerusalem in the quarter/area of the Cotton Market is known as the endowment (*waqf*) of the late Nāṣir al-Dīn al-Ḥanbalī'.[66] Document #592, on the other hand, offers a more succinct version, simply referring to it as the 'house of the late Nāṣir al-Dīn b. al-Ḥanbalī in Jerusalem the Noble'.[67] Document #592 omits reference to an endowed house situated in the cotton merchant market quarter, an element present in document #168. These discrepancies, while noteworthy, are not significantly impactful. It can reasonably be assumed that, despite the abbreviated description in document #592, the inspection location would be clear to all parties involved, given its regularity as a topographical feature in Jerusalem.

The differences in content of the itemised estate between the two inventories #592 and #168, both written by the same scribe, are even more remarkable. When we compare the two, it is evident that each document contains items that are not present in the other (Table 9).

Table 9: Items named in one of the two documents and not mentioned in the other.

Items mentioned exclusively in #168	**Items mentioned exclusively in #592**
Container for *kuḥl*[61]	Shabby skullcap[62]
Perfume flacon[63]	Shoes[64]
Handkerchief from Jerusalem[65]	

[59] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #168 (795/1392), 13.5 × 32.5 cm, Little 1984, 83; #592 (795/1392), 11.9 × 26.0 cm, Little 1984, 147. Müller asserts that the handwriting is the same. We concur with this assessment, making it the only pair discussed here where we have the same result in our handwriting analysis, Müller 2013, 504 n.165.

[60] Although rare, #168 is not the only document in the Ḥaram corpus which carries only one witness signature. See for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #168, #246, #255, #290, #363; cf. Lutfi 1985, 215 n.192.

[61] The Arabic term مكحلة refers to a container for *kuḥl*, which is a type of eye cosmetic traditionally used in Middle Eastern cultures.

[62] The Arabic term خلق طاقية translates to 'shabby, worn skullcap'.

[63] In this context, the Arabic term طيبية can likely be translated as 'perfume flacon'.

[64] The term سرموجة is indicative of footwear (possibly an overshoe, worn over primary shoes). See *sarmūza* in 'Abd al-Jawād 2002 for further reference.

[65] The Arabic term منديل قدسي denotes a 'handkerchief from Jerusalem', indicating a handkerchief with origins in or associations with Jerusalem.

[66] Translated from the Arabic phrase بدار بالقدس الشريف بخط سوق القطن يعرف وقف المرحوم ناصر الدين الحنبلي. The word *waqf* is used to denote an Islamic endowment, a property dedicated to charitable purposes in perpetuity.

[67] Translated from the Arabic phrase بدار المرحوم ناصر الدين بن الحنبلي بالقدس الشريف. Note that in document #168, the name of the endower appears as Nāṣir al-Dīn al-Ḥanbalī, while in document #592, it is written as Nāṣir al-Dīn b. al-Ḥanbalī.

These discrepancies in the itemisation are quite significant, especially considering that they are present in both inventories. If only document #168 had omissions while document #592 listed all the items found in #168, one could entertain the possibility that the scribe, Muḥammad b. Muḥammad b. Abī [al-ʿUdrī/al-Qadrī?], initially wrote one inventory, later noticed the omissions, and then created a new and more complete version. In this scenario, the second witness could have signed the revised version, which would explain why the earlier version bears only the scribe's signature. However, since omissions occur in both documents and #168 even includes more listed items, this scenario seems unlikely. Alternatively, and more probably in this case, the scribe may not have placed significant emphasis on ensuring that the initial document and its copy were identical or at least comparable in terms of content. This is also supported by the fact that we know that the scribe was able to make corrections in the text by crossing out words. This was a common practice, as we can see in several other estate inventories.[68]

The presence of matching archival holes in both documents, similar sizes and folding patterns suggests they were bundled and archived together for a certain period. Given their similar and very distinct hole patterns, it is plausible that they were once part of the same bundled pile. It seems likely that these documents – the version with the *nuskha*-note (#168) and its copy (#592) – remained with the originator before being relocated to a different archival context approximately two and a half years later, during the compilation of the investigation dossier. It remains unclear whether the major discrepancies in the inventory prevented its copy from being passed on to one of the heirs.

In summary, both inventories #168 and #592 were originated by the same notary witness, Muḥammad b. Muḥammad b. Abī [al-ʿUdrī/al-Qadrī?]. While these documents share structural similarities, they exhibit pronounced differences in their itemised content. The version with the *nuskha*-note – argued the initial version to serve as an aide-mémoire for its originator – features only one witness signature, whereas the copy without the *nuskha*-note intended for an external party bears two signatures. This suggests a higher degree of authentication for external copies and implies that obtaining an additional signature on the version archived by the scribe/originator was not a priority. Moreover, the deviations and variations between the two documents make it evident that the originator created both the initial version and its copy as separate originals intended for two different purposes.

5.4 Copying case study 2: documents #694 and #696

The fourth and final case study concerns a pair of *iqrār*-inventories, namely notarised acknowledgements of estates inventories #694 and #696 (Figs 4 and 5). These duplicate exemplars provide a detailed account of the estate of the miller, Abū Bakr b. ʿAlī b. ʿAbd Allāh al-Dimashqī, dated the 28th of Shawwāl, 795/6th of September 1393.[69] A distinguishing feature of this document pair is that both #694 and #696 bear a *nuskha*-note (*nuskhatayn*) on the right side of the text. This is the only pair of documents amongst the estate inventories in the Ḥaram corpus where both exemplars carry such a note, whether they were written by the same hand or by different hands. In this specific case, with two copies penned by the same hand, one of the duplicates can be considered a product of the scribal practice of 'copying'. However, while we previously argued that in a pair of documents written by the same originator, where only one bears a *nuskha*-note, the copy with the note indicating the number of copies often remained with the originator and the copy without such a note was given to a party involved in the inheritance, we cannot apply such a distinction to the case of #694 and #696. Here, the originator deviated from common practice by leaving notes on both copies. Whether he had specific reasons for applying two *nuskha*-notes or whether this occurred accidentally in the course of copying the initial version of the inventory remains inconclusive.

While the three pairs of inventories discussed in the first three case studies fall under the *wuqūf* category, inventories #694 and #696 differ formally because they were drafted as *iqrār* deeds. These *iqrār*-inventories include the primary elements of estate inventories and may additionally outline outstanding debts or loans, confirm the spouse's ownership of household goods, or refute claims to the dower. An integral part of *iqrār* documents is the legal formula that verifies the

[68] See for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #257 (796/1394).

[69] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #694 (795/1393), 17.3 × 26.0 cm, Little 1984, 219–220; #696 (793/1393), 19.6 × 28.0 cm, Little 1984, 220. Lutfi edited and translated #694, Lutfi 1985, 51–53. However, our reading of the date in document #694 as 28th Shawwāl 795 diverges from Little's and Lutfi's interpretations. Little identifies it as 3rd Shawwāl 795, Little 1984, 220, while Lutfi records it as 22nd Shawwāl 795, Lutfi 1985, 51–53.

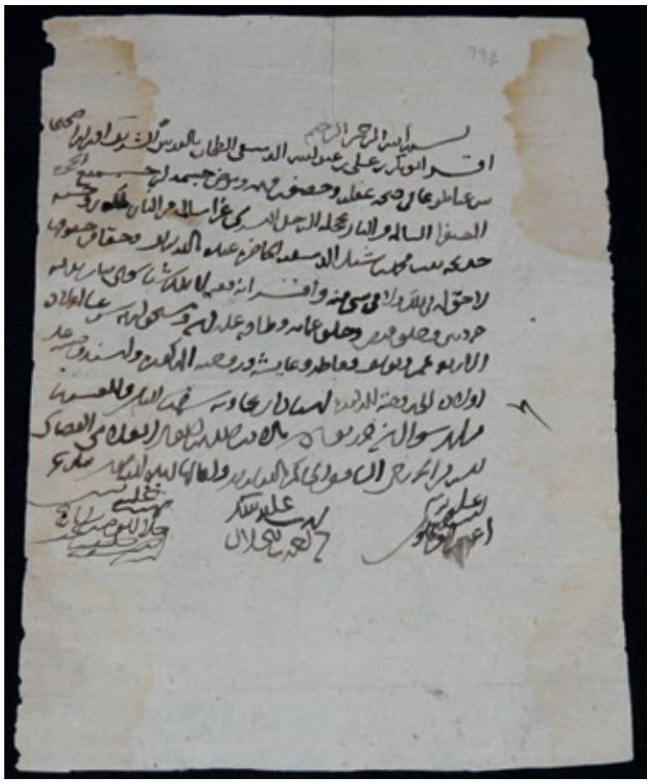


Fig. 4: Estate inventory #694 with *nuskha*-note (795/1393).

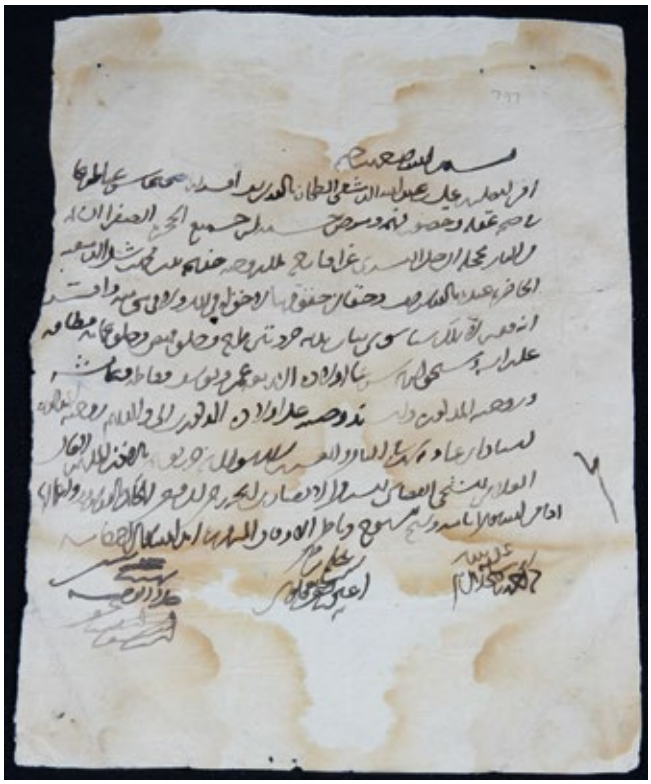


Fig. 5: Estate inventory #696 with *nuskha*-note (795/1393).

testator's voluntary acknowledgment, and in the specific case of *iqrār*-inventories, it asserts that they, though (terminally) ill, maintain a sound mind and full mental faculties. Some *iqrār* estate inventories, including the document pair #696 and #694, incorporate a will (*waṣiyya*), a section devoted to the particular demands of the dying. Despite the differences in their notarial formats, both the *wuqūf* and the *iqrār* inventories fall within the scope of this paper. They underscore shared administrative goals and exemplify a common scribal practice of copying in the context of estate settlement.[70]

The duplicate estate inventories, #694 and #696, were both drafted on the 6th of September 795/1393. The process was attended by three witnesses who each affixed their signatures to both exemplars. Intriguingly, the order of these witness signatures varies between the two documents. While both documents were originated from the same scribe, the signatures, horizontally arranged at the bottom of the main body of text, show a consistent pattern: Yūsuf b. Khalīfa b. al-Ḥanafī[71] always signs on the leftmost side, while the positions of the other two witnesses vary, interchanging in the middle and on the right.

Regarding the specific role of the witness Yūsuf b. Khalīfa b. al-Ḥanafī, it is important to note that he was present for the inventorying procedure but did not witness the will. This distinction is reflected in the witness clause he wrote at the bottom of the main body of the text. His slightly varied witness clauses for #694 and #696 read as follows (Table 10).

Consequently, any deed drafted by this witness would exclude the will segment (*waṣiyya*) due to his absence during its witnessing. Given that both #696 and #694 incorporate a will, it is evident, even without a handwriting analysis, that Yūsuf b. Khalīfa neither originated this pair of documents nor likely presented his own version to the other witnesses for signing.

Upon analysing the handwriting in the main body of the document and the witness clauses, using the method described above, it becomes evident that both papers were drafted by ʿĪsā b. Aḥmad al-ʿAjlūnī.[72] Our findings contrast with those of Müller, who states that the two documents originated from different hands.[73] According to our study, al-ʿAjlūnī, who signed on the right side of #694 and in the middle of #696,

[70] Lutfi 1985, 70; Müller 2013, 89, 390–396.

[71] This individual is identical to the notary witness identified by Müller, although he reads Yūsuf b. al-Naqīb al-Ḥanafī, Müller 2023, 574–575 (witness ID P298), who was active between the years 787 and 796.

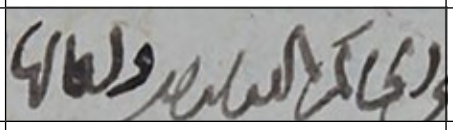
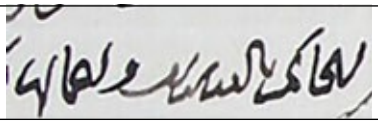
[72] This individual is identical to the notary witness identified by Müller, Müller 2013, 559–560 (witness ID P111), who was active between the years 777 and 797.

[73] Müller 2013, 504 n.165.

Table 10: Witness clause by Yūsuf b. Khalīfa b. al-Ḥanafī as written on the left on the inventories #694 and #696.

#694, left witness clause		#696, left witness clause	
شهدت عليه بذلك	12	شهدت عليه بذلك	12
خلا الوصية في تاريخه	13	خلا الوصية	13
كتبه يوسف بن خليفة بن الحنفي	14	كتبه يوسف بن خليفة بن الحنفي	14
I have testified thereto for him	12	I have testified thereto for him	12
except for the will on the document´s date	13	except for the will	13
written by Yūsuf b. Khalīfa b. al-Ḥanafī	14	written by Yūsuf b. Khalīfa b. al-Ḥanafī	14

Table 11: Comparison of handwriting for the sentence *al-ḥākim bi-l-quds al-sharīf wa-ʿmālihā* on Ḥaram documents #696, #694 and #335.

#696, line 10	#694, line 11	#335, line 10
		
الحاكم بالقدس الشريف وأعمالها	الحاكم بالقدس الشريف وأعمالها	الحاكم بالقدس الشريف وأعمالها

is the scribe/originator of the two inventories. This assertion is supported by handwriting features consistent across both duplicate records. We further validated our claim by comparing passages from these documents to another one (#355)[74] signed by the same witness. For instance, the same sentence *al-ḥākim bi-l-quds al-sharīf wa-aʿmālihā* ('the magistrate of Jerusalem the Noble and its districts') from our pair, juxtaposed with its counterpart in document #355, reveals the same scribe's work. The combined evidence of matching handwriting and signatures conclusively identifies ʿĪsā b. Aḥmad al-ʿAjlūnī as the scribe of inventories #696 and #694 (Table 11).

After identifying ʿĪsā b. Aḥmad al-ʿAjlūnī as the scribe/originator of both documents and discerning that they are copies penned by the same hand, we can now proceed to compare the two inventories #696 and #694. Both exemplars in the paired set display notable similarities in their formal structures, nomenclatures, and content of the itemised estate. However, they diverge from being verbatim copies, showing nuanced distinctions. Such variations are consistent with previous analyses, emphasising that exemplars, even when they are from the same originator, might not be exact word-for-word copies.

The two *iqrār*-inventories begin with the same invocation, the *Basmala*. In #694 it is then stated that the testator acknowledges that 'All of the yellow mare, unaffected by disease,[75] with whiteness exclusive to its left leg, having a white spot on its forehead, belongs to his wife.' The same sentence appears in #696, along with an additional descriptive element of the hight of the horse that belongs to his wife: 'All of the yellow mare, unaffected by disease, with whiteness exclusive to its left leg, having a white spot on its forehead and being tall (*fāriʿ*), belongs to his wife.'[76] In essence, the sentences are mostly similar but for the addition of the height descriptor in #696. This additional information provides more detail about the physical appearance of the mare – a difference that, in the legal sense, most certainly had no effect. This is another example of how the act of copying by the same originator was not verbatim.

[74] Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #355 (795/1393), Little 1984, 232.

[75] The original wording is 'safe from fire'. A horse being 'safe from fire' in this context means that the mare was not affected by any disease, that is, she did not need to be cauterised with fire to recover from her illness, see ʿOmarī 1964, 256.

[76] In lines 3–4 of both #694 and #696, our edition reads: جميع الجِجْرَة الصفراء السالمة من النار بحجلة الرجل غرَّاء [فارع]. Lutfi tentatively offers a different reading for the same passage in #694: جميع الحجرة الصغرا السالمة من النار عجلة الرجل اليسرى غرا, which she translates as 'all of the small stone, unimpaired by fire, is the left-foot wheel that is (?)', see Lutfi 1985, 51–52. While Lutfi interprets *ḥajar* as 'stone', we read it in this context as *ḥijr* ('mare'), see 'al-ḥijr', al-Zabīdī, *Tāj al-ʿarūs*, eds Ḥijāzī et al. 2001, vol. 10, 536.

Table 12: Draft on the verso side of #696, reused for writing estate inventory.

#696, verso	
بسم الله الرحمن الرحيم	1
بتاريخ سادس عشري شوال المبارك سنة خمس وتسعين وسبعمية أشهد عليه داود بن محمد بن داود أنه وقعت خشبة على إصبعيه	2
In the name of God, the Compassionate, the Merciful	1
On the date of the sixteenth of blessed Shawwāl in the year seven hundred and ninety-five, Dāwūd b. Muḥammad b. Dāwūd attested that a piece of wood fell on his fingers	2

Transitioning to the analysis of the itemised content of the estate of the testator, Abū Bakr b. ʿAlī b. ʿAbd Allāh al-Dimashqī, a single discrepancy emerges. Whereas both inventories enumerate two 'rags' (*jardatayn*) amongst the miller's items of clothing, there is a variance in the detailed description of this item. Document #696 provides a more comprehensive explanation, identifying the rags as being made of a fabric termed *tarḥ*, which is akin to silk.[77] In comparison, document #694 merely lists the rags, without any specification of the silk-like *tarḥ* material. This difference aside, the enumeration of the remaining possessions bequeathed to his wife and their children is consistent, with identical order and wording in both inventories.

In the formulation of the will that follows the itemisation, a noteworthy discrepancy comes to light: Exemplar #694 states, 'He assigned his will for his children to his mentioned wife'[78] whereas #696 reads, 'He assigned his will for his mentioned children to their mother, his mentioned wife.'[79] The lack of specificity in #694 might lead to the misinterpretation that the mother of the children is someone other than the wife referred to in the will. Despite this ambiguity, it would likely be clarified during an oral testimony by the scribe/originator of both documents. Concluding with the honorifics, inventory #696 extends a more generous set of praises, bestowing additional titles and blessings upon the Judge who authorised the acknowledgement, as compared to its counterpart, #694, penned by the same scribe/originator.

One of the unique features of the duplicate estate inventory for the sick miller Abū Bakr b. ʿAlī b. ʿAbd Allāh al-Dimashqī, in addition to the presence of a *nuskha*-note on both documents, provides insights into the intended purpose and recipient of each exemplar. Specifically, inventory #696 was written on the reverse of what appears to be a discarded draft for a separate legal document. This draft, dated two days earlier, the 26th of Shawwāl 795/1393, initially addressed the case of an individual named Dāwūd b. Muḥammad b. Dāwūd (Table 12).

While the reason for the cessation of the writing remains uncertain, what is evident is that two days later, on the 28th of Shawwāl, the same notary witness chose to reuse the near-empty page. He drafted one of the two extant written inventories, #696, for Abū Bakr b. ʿAlī b. ʿAbd Allāh al-Dimashqī on the reverse side. The connection between the incomplete deed on the recto and the inventory on the verso is their shared scribe. The notary witness, ʿĪsā b. Aḥmad al-ʿAjlūnī, decided to repurpose the paper for one of the two exemplars of the inventory #696 without crossing out the initial deed. This use implies that document #696 was likely intended as an aide-mémoire for its scribe/originator, archived for potential court proceedings where he might be required to provide oral testimony. Meanwhile, its counterpart, document #694, penned by the same scribe on a blank sheet, was likely designated for an external party.

The visual organisation of the two inventories is strikingly similar. Furthermore, physical characteristics of estate inventories #694 and #696 suggest that, not only were they scribed by the same hand, but also that they exhibit traces of similar archival practices. Both were folded once horizontally at the midpoint and bear archival holes, indicating they were once pierced and strung together. Currently, however, they are no longer connected, with only the holes remaining as residues of this past practice. The presence of symmetrical discolorations suggests they were stored in a comparable folded fashion, perhaps in the same environment. This mirrors the characteristics of the aforementioned version #168 and its copy #592, reinforcing the notion that the copies were produced for the heirs of the testator or other parties involved in the

[77] Ṣāliḥīya 1985, 21, 25, 35.

[78] In lines 8–9 of #694, our edition reads: أسند وصيته على أولاده إلى زوجته المذكورة.

[79] In lines 8 of #696, our edition reads: أسند وصيته على أولاده المذكورين إلى والدتهم زوجته المذكورة.

estate resolution, but went uncollected. Given that these estate inventories were part of an investigation dossier that focused on the judge who authorised them and that comprised materials sourced from various sites within Jerusalem, it is plausible that they were accrued from witnesses and local authorities, rather than from the family archives of individual estate lots.

In summary, the fourth case study examines two *iqrār*-inventories, documents #694 and #696, each detailing the estate of Abū Bakr b. ʿAlī b. ʿAbd Allāh al-Dimashqī from 6th of September 795/1393. Both are distinctively marked with a *nuskha*-note and exhibit structural and wording variations, with only minor differences in content. These nuances underscore a scribal practice of non-verbatim copying of estate inventories. Both documents were signed not only by the originator but also by attending notary witnesses, further affirming their status as originals. Notary witness ʿĪsā b. Aḥmad al-ʿAjlūnī used a fresh sheet for #694, while the reverse side of a discarded draft served as the writing support for #696. This suggests that the reused paper was designated for the initial version and as an aide-mémoire for its originator, with the other exemplar drafted as a copy for another party involved in the estate settlement. Furthermore, they exhibit parallel archival trajectories, with the copy remaining unclaimed.

6. Conclusion: multiple originals and their originators

In this article, we have delved into the phenomenon of multiple exemplars of the same estate inventory from the late fourteenth-century Jerusalem, each showcasing distinct variations in structure, wording, physical characteristics, and content. This pattern, evident in the Ḥaram corpus, is characterised by both versioning and copying practices. It sheds light on two distinctive successive writing processes carried out by court-appointed notaries in Jerusalem. Central to our investigation is the classification of these documents as either 'versions' or 'copies', a distinction that hinges on the identity of the scribe/originator and their distinct roles and responsibilities in creating and authenticating these documents. We have also discussed the implications of the status of the versioned and copied inventories as 'originals' within the socio-cultural context of late fourteenth-century Jerusalem.

Out of eleven instances of duplicate inventories and one instance of a triplicate inventory, we identified six pairs of estate inventories where at least one of the exemplars carries a *nuskha*-note, indicating that copies of that respective exemplar were made. Some of these pairs with a *nuskha*-note were originated by the same notary witness, while others were originated by two distinct witnesses. In our comparison of two pairs written by the same hand (a version and its copy) and two exemplars written by different hands (two versions), we found that the scribal practices of both 'versioning' and 'copying' led to written exemplars with notable degrees of deviation. These differences spanned not only structure and nomenclature but also the core content of the inventory. Despite the standardised formulaic language of these documents, each one bears the distinct imprint of its originator, thus showing its status as an original both physically and formally. These variations highlight the unique role of each notary witness in the estate inspection and their contribution as originators to the creation of the content of these multiple originals.

Our findings not only underscore Müller's argument about versions – that there was no stringent insistence on exact textual conformity, because they held no probative significance – but also extend this understanding to the copies of estate inventories.[80] This suggests that the group of notary witnesses attending the estate inspection did not collate their versions among themselves, and the witness tasked with drafting copies for the heirs did not collate those copies with his own version either, despite collation being an established practice during that period.[81] This observation further supports the idea that each document, whether a version or a copy, was crafted with a distinct purpose and audience in mind, reaffirming the significance of the originators' roles in the creation process.

When discrepancies emerged between written versions or copies, the oral testimony of the notary witnesses took precedence. Thus, the written version, archived in proximity to its originator, was crafted as an aide-mémoire in case of litigation. In contrast, the copy was produced for the heirs of the estate, intended for their private archives and for them to initiate court procedures if necessary.

Creating unique content with two distinct purposes and recipients in mind, the notary witnesses acted as scribes/originators of two different kinds of originals: their version of an inventory and its copy. By placing their witness signature not only on their own exemplars but also on those created by the other witnesses attending the court-authorised inspection, the originators authenticated each inventory, further elevating

[80] Müller 2010, 22–32.

[81] For a collation note in the Ḥaram corpus see for example Jerusalem, al-Ḥaram al-sharīf, Islamic Museum #051 (717/1318).

its status to that of an original. However, none of these exemplars had the status of an authoritative version.

The dual role of the notary witnesses, encompassing both written and oral practices, provides valuable insights into their professional practice. As court-delegated estate inspectors and notaries, they engaged in witnessing and documenting the facts, and in providing oral testimonies when required. This emphasises the importance of both the material and immaterial aspects of their profession. As originators of multiple exemplars, the notary witnesses, as argued above, drafted both copies and versions with specific recipients in mind, including themselves. Particularly in the two case studies on 'copying' presented in this contribution, there appears to be a slight inclination for an individual's own version to take on a 'draft' status. This is evident in instances such as #168, which bears only a single signature, and document #696, which uses reused paper without obscuring the initial draft.

The presence of a draft-like character in the initial versions suggests a nuanced approach by the scribe/originator. Initially, these versions likely served as preliminary drafts, archived by their originator. They were crafted as aides-mémoire in case of litigation, and later refined in subsequent copies for distribution to other parties involved in the estate settlement. However, such observations should be considered with caution. While the Ḥaram corpus features numerous inventories with *nuskha*-notes, only a select few allow for a comparison between a version and its copy, as the majority of inventories with a *nuskha*-note are extant as single exemplars rather than duplicates. The insights, drawn from our focused case studies, illuminate the complexities and variations in the creation of multiple exemplars of estate inventories. They also underscore the necessity for further in-depth analysis to fully understand the dynamics and significance of both versions and copies within the documentary and archival landscape of the Ḥaram al-sharīf corpus.

Acknowledgements

The research for this article was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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Fig. 2: Estate inventory #515 with *nuskha*-note (795/1393) © Mohammad H. Ghosheh.

Fig. 3: Estate inventory with *nuskha*-note #626 (795/1393) © Mohammad H. Ghosheh.

Fig. 4: Estate inventory #694 with *nuskha*-note (795/1393) © Mohammad H. Ghosheh.

Fig. 5: Estate inventory #696 with *nuskha*-note (795/1393) © Mohammad H. Ghosheh.

Article

Creating, Confirming, Reconstructing Authority – The Originators of the *Hanserezesse*

Ulla Kypta | Hamburg

1. Introduction

The handwritten originals discussed in this contribution created and organised a community of various German-speaking towns in late medieval and early modern Northern Europe. This community is commonly called 'Hanse'. Every few years, towns from Deventer to Tallinn and from Kiel to Cologne sent delegates to the Hanse Diets (*Hansetage*) to discuss cooperation especially in matters of economic policy. When the representatives of the towns met, they wrote down their discussions, deliberations, and decisions in the so called 'Hanserezesse'. In this article, I examine the different originators who gave the *Hanserezesse* the status of originals, a status which sustained this community of towns for several hundred years.

The *Hanserezesse* – the written records of the proceedings of the Hanse Diets – played a very important role in the history of the Hanse towns; indeed, they were the only visible thread holding the Hanse towns together. The authority attributed to the *Hanserezesse* was crucial, if the towns were to be induced to enact and follow the decisions made by the Hanse Diet, and cooperation was to continue. In other words, these documents had to be regarded as originals – although this does not imply that contemporaries ever used the term 'original'.

In this article, 'original(s)' serves as a technical term to denote written artefacts that were invested with a certain authority. However, the authority contained in these documents was not created by a central power. The assembly of the Hanse towns had no legal basis with which it could force the towns to implement the common rules and regulations; rather, if cooperation was to work, the group of towns had to recognize the *Hanserezesse* as original – i.e., authoritative – written artefacts. Thus, in this case study of the *Hanserezesse* it is argued that the status of an original was not something inherent in the document; it had to be created by a community that regarded the document as an original. In turn, this original consolidated the community by operating as a common ground for discussion and cooperation.

In this article, I first present the originals and the context in which they were created. In the main part, I discuss the two groups of people who gave the written artefacts the status of originals, viz., the originators who created the authority of the *Hanserezesse* and the originators who recognized, consolidated, and perpetuated this authority. The authoritative status that these originals acquired is preserved in modern scholarly editions, thus transforming the *Rezesse* from the most important building block of Hanse cooperation into the most important building block of Hanse research. In sum, it becomes clear how a community was established and sustained by constantly recognizing the special status of the *Hanserezesse*. The community was formed by originators who maintained this status – a shared status – by repeatedly and regularly acting as originators.

2. Originals: the *Hanserezesse*

The written artefacts analysed in this article were first composed in the Late Middle Ages and in the early modern age in the North of the Holy Roman Empire. The starting point of the evolution of the *Hanserezesse* lies even earlier:[1] During the High Middle Ages, merchants from various towns of the Holy Roman Empire began to cooperate with one another when they travelled abroad, for example to the Russian trading outpost in Novgorod where they could buy furs as well as goods from the Far East – goods that had travelled via the Silk Road to this place of exchange between Europe and Asia.[2] Fur, wax or ash were traded from Russia and other places in the east as far as Bruges in the west, where merchants from various northern towns

[1] For a good introduction into the basic facts of Hanse history, see Hammel-Kiesow 2021, Selzer 2010.

[2] Angermann, Friedland 2002.

also cooperated.[3] Together, they persuaded the Bruges city authorities to grant them special privileges, for example the right to unload their ships on holidays or a guarantee of fixed conditions if they entered into a contract with a broker or carrier.[4] Similar practises were found in Bergen (Norway) and in London (England). Merchants formed communities, trading outposts called 'Kontore', and were more and more often referred to as 'Hanse merchants'.[5]

The *Kontore* that managed the privileges and relations between traders and the authorities thus consisted of merchants from different towns. Over time, it became both necessary and convenient for the representatives of those towns to meet and discuss questions of how the trade of their burghers was organized.[6] In 1358, delegates of the merchants' hometowns came together to impose a trade boycott on Flanders to persuade the Bruges city authorities to grant them better privileges. On this occasion, the Hanse towns wanted to create the impression of unity and called themselves 'the German Hanse' (*Hansa Theutonicorum*); this meeting is usually regarded as the first Hanse Diet.[7] The last of these diets took place more than 300 years later in 1669.[8]

During these three centuries, representatives of the towns met on an irregular, but quite frequent basis.[9] Rates of attendance changed according to the number of towns that were interested in the topics discussed. For example, a large number of cities sent representatives to the diet of 1418, when some general problems of organization were tackled; the *Rezess* names delegates from 31 towns.[10] At other diets far fewer delegates gathered, for instance, the last diet of 1669 was attended by representatives from only six towns.[11] Most meetings took place in Lübeck, and, around the turn of the fifteenth century, the town developed into a kind of centre of administration for the Hanse.[12] Contemporaries did not use the name 'Hanse Diet', but rather just called it *tag* ('day'), a very generic term used for all kinds of assemblies in premodern Europe.[13] The label 'Hanse Diet' was introduced by modern researchers to distinguish the meetings of the Hanse towns of various regions from other, mainly smaller local assemblies. Towns from the different regions mostly met to discuss matters of common economic policy: How could they get and ensure special trading privileges from the king of England; how should ships be loaded; what was the volume of a standard ton of herring; how could princes be induced to leave the towns alone and let them carry out their own policies etc.[14] The management of the *Kontore* and how they should operate was a recurring theme on the agenda.[15] How could the *Kontore* bring the merchants to pay their duties, and how should they react against threats from the authorities? Occasionally conflicts with rulers even led to wars, most prominently the wars against the king of Denmark (1368–1370) and the king of England (1469–1474).

The assemblies lasted from two to four weeks and ended when the official record of the meeting, the 'Rezess' was distributed. The German term 'Rezess' means the passing of laws, and, in the beginning, the *Hanserezesse* simply contained the resolutions of the diets. From the late fifteenth century onwards, however, the written artefacts also paraphrased the discussions between the representatives which preceded the resolution. Sometimes the *Rezess* even mentioned the time of day when something was discussed.[16] The *Rezesse* of the sixteenth and early seventeenth centuries were extensive volumes containing several hundred pages. From the mid-seventeenth century, resolutions and discussions were split into two separate volumes, *Rezesse*

[3] The trading outpost in Bruges is one of the topics of Hanse history that has been most avidly researched; see Henn 2014.

[4] Jenks 2005, 37–40.

[5] Schubert 2000. In the High Middle Ages, the term 'Hanse' referred to various groups of travelling merchants. It was only during the Late Middle Ages that 'Hanse' came to denote a specific group of towns and merchants from Northern German towns.

[6] Hammel-Kiesow 2021, 66–68.

[7] Behrmann 2001, 122.

[8] Postel 2001, 156; Huang, Steinführer 2020.

[9] Exactly how often the Hanse Diets met is not easy to say because researchers are still discussing which diets should be counted as 'Hanse Diets' and which should be regarded as only regional meetings of some of the towns; see Huang (forthcoming). For the early period from 1356 to 1407, Henn counts 68 Hanse Diets; see Henn 2001. During the fifteenth century, the Hanse towns met on average approximately every third year, Münger 2001, 39. From 1550 to 1669, 36 diets took place; see Huang, Steinführer 2020, 13.

[10] Lübeck, Köln, Bremen, Rostock, Stralsund, Wismar, Braunschweig, Danzig, Gotland, Riga, Dorpat, Reval, Stettin, Anklam, Osnabrück, Stargard, Stade, Buxtehude, Salzwedel, Stendal, Hamburg, Dortmund, Lüneburg, Greifswald, Münster, Kolberg, Nimwegen, Deventer, Zutphen, Harderwijk, Elburg. HR, I, 4, No. 556, 534f.

[11] Lübeck, Danzig, Hamburg, Bremen, Braunschweig and Köln. Rostock, Osnabrück and Hildesheim were represented by others. See Huang, Steinführer, 2020, 14.

[12] Jenks 1992.

[13] Hardy 2018.

[14] Henn 2001, 7.

[15] Jörn 2000 gives London as an example.

[16] For instance, 'Monday morning at eight, the delegates came together at the municipal hall'; HR III, 5, No. 105, §106, 183.

on the one hand and protocols on the other.[17] However, for most of their existence, the *Rezesse* comprised both the discussions and the resolutions.

Every town that had sent a representative to the diet received a *Rezess*. If twenty towns had participated in a diet in Lübeck, the chancellery in Lübeck wrote the *Rezess* twenty times.[18] Thus, there were several versions of each *Rezess*. In this contribution, I focus mainly on the *Rezesse* – the versions – found in the State Archive in Gdansk ,[19] since I have had the opportunity to study them in Gdansk.

Unfortunately, we do not know exactly how these versions were produced. Indeed, a study of the documents seems to suggest that we should regard them not as many copies of a single original, but rather as a number of versions each of which had the status of an original. In contrast, the records of the proceedings of the imperial diets, starting in 1495, were issued as one authoritative charter, whose special status was certified by the seal attached to the document.[20] The Hanse Diet, however, did not attach a seal or a mark of any kind. No single version of the *Rezess* was the most authoritative; each version was produced with the same amount of care. It will be shown below that the Gdansk version can be treated as an original, i.e., as an authoritative document. There is no reason to believe that any Hanse town or city regarded their versions of the *Rezess* as more or less valuable than any other.

The *Rezesse* served as a reference for any questions about what had been agreed and how the community worked; thus they played a very important role in the cooperation between Hanse towns.[21] In a way, the *Rezesse* mirror the non-written constitution of the Hanse.[22] Over the course of the three centuries that the Hanse towns worked together, they tried time and again to validate the rules regarding cooperation in yet other documents. At certain times, some of the towns – but never all – succeeded in forming closer and more formal alliances,[23] but these leagues never lasted very long. Hence, the *Rezesse* can be regarded as the cornerstone of collective action; the community of Hanse towns articulated itself in the *Rezesse* which were written and issued following their meetings.

Nevertheless, the resolutions laid down in the *Rezesse* were not immediately legally binding. Each city council had to decide to adopt them into their own urban law;[24] if they had failed to do this, any effort to harmonize policies would have come to nothing. Hence, the *Rezesse* had to be given a certain authoritative force to induce the individual city councils to accept the thinking which lay behind them and to adhere to the rules contained in them. Since the Hanse Diet had no executive powers, this authoritative force could not be achieved by imposing penalties or sending troops. It was the special status of the *Rezesse* as originals which consolidated their authority. This does not mean that every town council always adopted every resolution into its urban law. However, the authoritative force of the *Rezesse* was strong enough to keep cooperation going for a few hundred years. To find out how the *Rezesse* attained this power, we have to see how they came to be seen as originals – an enquiry which implies the following question: Who were the originators of the *Hanserezesse*?

3. Originators of the *Hanserezesse*

The *Hanserezesse* were written after a Hanse Diet. However, they continued to have authoritative force over several centuries. Thus, it makes sense to discern different types of originators through the lifetime of these written artefacts. Two groups of originators can be discerned, namely the persons who created the written artefacts as originals and the persons who recognized the special status of the written artefacts as authoritative with regard to their own actions and decisions. Thus, one group of originators – the scribes – gave the documents the status of an original; the other group helped to maintain this status over the centuries.

3.1 Creating authority

The *Rezesse* were drawn up at the Hanse Diets where representatives from various town councils from the northern Holy Roman Empire had gathered to discuss matters of common interest, especially a common economic policy. The progress and the results of their discussions were written down in the *Hanserezesse*. Two elements of the process of

[17] Huang, Steinführer 2020.

[18] For example, on the *Rezess* of 1577 found in the Gdansk archive the scribe had written the note 'dantzigk' to indicate that this was the version that was to go to Gdansk; see Archiwum Państwowe w Gdańsku, 300, 28, no. 48.

[19] Archiwum Państwowe w Gdańsku, 300, 28.

[20] Deeter 2011, 147.

[21] Deeters 2011, 146.

[22] For a similar interpretation, see Ressel 2020, 100.

[23] They were called 'tohopesaten' or, in the later sixteenth century, 'confederations'; see Seier 2012, and Iwanov 2016, chapter 2.3.

[24] Hammel-Kiesow 2016, 185. One is reminded of EU procedures here. For a comparison between Hanse and EU structures, see Hammel-Kiesow 2007.

creating an original can be discerned at this stage. Firstly, the content of the *Rezesse* had to be created during the diet, and secondly, it had to be put it down on parchment, or later, on paper. The representatives of the towns were responsible for the first part, and the urban scribes of the town hosting the diet for the second.

Thus, the representatives of the towns must be regarded as the first group of originators of the *Hanserezesse*. When the delegates of various cities came together, they constituted the entity of cooperation known as the Hanse. And this fact – that the discussions and decisions took place at a Hanse Diet – invested them with a special authority. Some rules had to be observed, however, to make sure that the Hanse Diet was recognized as a regular Hanse meeting: The representatives of the towns had to be members of their respective city council, not notaries or clerks.[25] Resolutions had to be passed unanimously, i.e., the delegates had to reach a consensus on every single topic.[26] Every town had to agree with the consensual position; a majority vote was not an option. This consensus, however, could – and often did – consist in agreeing to disagree for a time and to postpone the topic to the next meeting.

In addition to the legal status of the delegates and the need to find a consensus, the general setting and the procedures of the diet were important in investing the *Rezess* with authority. A Hanse Diet followed a certain protocol. For example, at the beginning the delegates gathered for a common religious service in church.[27] Proceedings always started with checking which towns had sent representatives, which towns were represented by other towns,[28] and which towns had sent letters excusing themselves.[29] In this way, the members of the Hanse – the towns which constituted the Hanse at any point in time – were officially confirmed. The next item on the agenda was almost always a discussion about the order of seating, a discussion that roughly mirrored the economic and political importance of the towns and was thus often contested.[30]

The discussions were structured by the seating order. The delegates voted on the order of seating, hence, whoever sat at the top of the table could influence the rest of discussions more easily than someone who had to vote last. The chair of the meeting – usually the mayor of Lübeck – called out the item on the agenda and proposed a possible common position. Then all the delegates had to express their position on this point. They could agree to the proposed position, disagree, or say that they had no interest in this subject. However, each town had to make a statement, each town had to be heard. The resolutions agreed upon were invested with the authority of all the towns present at the meeting. Thus, all the delegates together constituted the Hanse and thereby enabled the document recording their discussions to be regarded as an original by the fellow town councillors at home.

The second group of originators was the scribes, the material originators. Since the Hanse towns did not develop into a fixed entity, the Hanse itself did not dispose of its own bureaucracy. The scribes who wrote the *Rezesse* were part of the urban administration of the town that hosted the meeting, in most cases Lübeck.

The scribes from the host city created the original by giving the written artefact a special shape and form: it was always written by hand, never printed. The text was neatly arranged in sections which were separated by a few blank lines; the beginning of each section was often written in larger letters (Figs 1 and 2).

When the delegates discussed the treaties they might sign, the discussions on the subsections were marked with numbers corresponding to the subsections of the proposed treaty (Fig. 3).

If a larger part of a page or a whole page was left blank, the scribes wrote in large letters *Nihil deest* ('nothing missing here') to indicate that nothing had been erased and to prevent anyone from entering paragraphs after the record was finished (Fig. 4).

The scribes also made use of standard phrases that any reader familiar with the *Rezesse* would instantly recognize; these were sometimes written in a larger font. For example, the *Rezess* typically started with the phrase, 'in the name of

[25] Henn 2001, 7–8.

[26] Hammel-Kiesow 2016, 184–186.

[27] Seier 2017, 66.

[28] To name just one example: in 1525 Braunsberg was represented by the delegates from Gdansk; see Archiwum Państwowe w Gdańsku, 300, 28, no. 7a.

[29] For instance, a large number of towns sent notes asking to be excused for their absence, namely, Cologne, Nijmegen, Duisburg, Emmerich, Groningen, Roermond, Münster, Osnabrück, Dortmund, Soest, Herford, Lemgo, Bielefeld, Wesel, Minden, Deventer, Zwolle, Kampen, Bremen, Königsberg, Braunsberg and Brunswick. See Archiwum Państwowe w Gdańsku, 300, 28, no. 57.

[30] For example, in 1576 the delegates from Soest claimed that they should sit in front of and not behind the representatives from Lüneburg; see Schipmann 2004, 50.

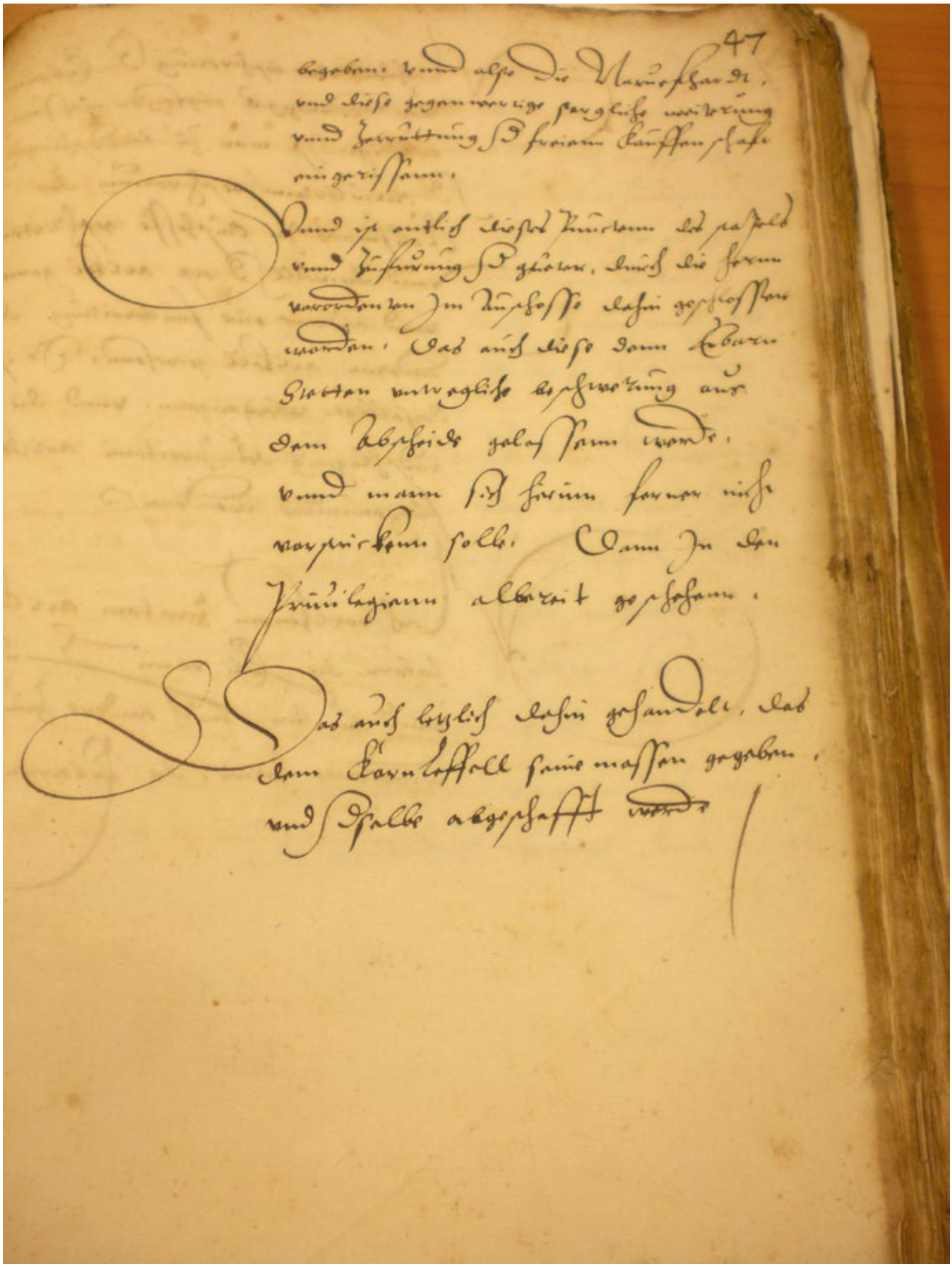

Fig. 1: *Hanserezess* from 1566, Gdansk, Archiwum Państwowe w Gdańsku, 300,28 no. 37.

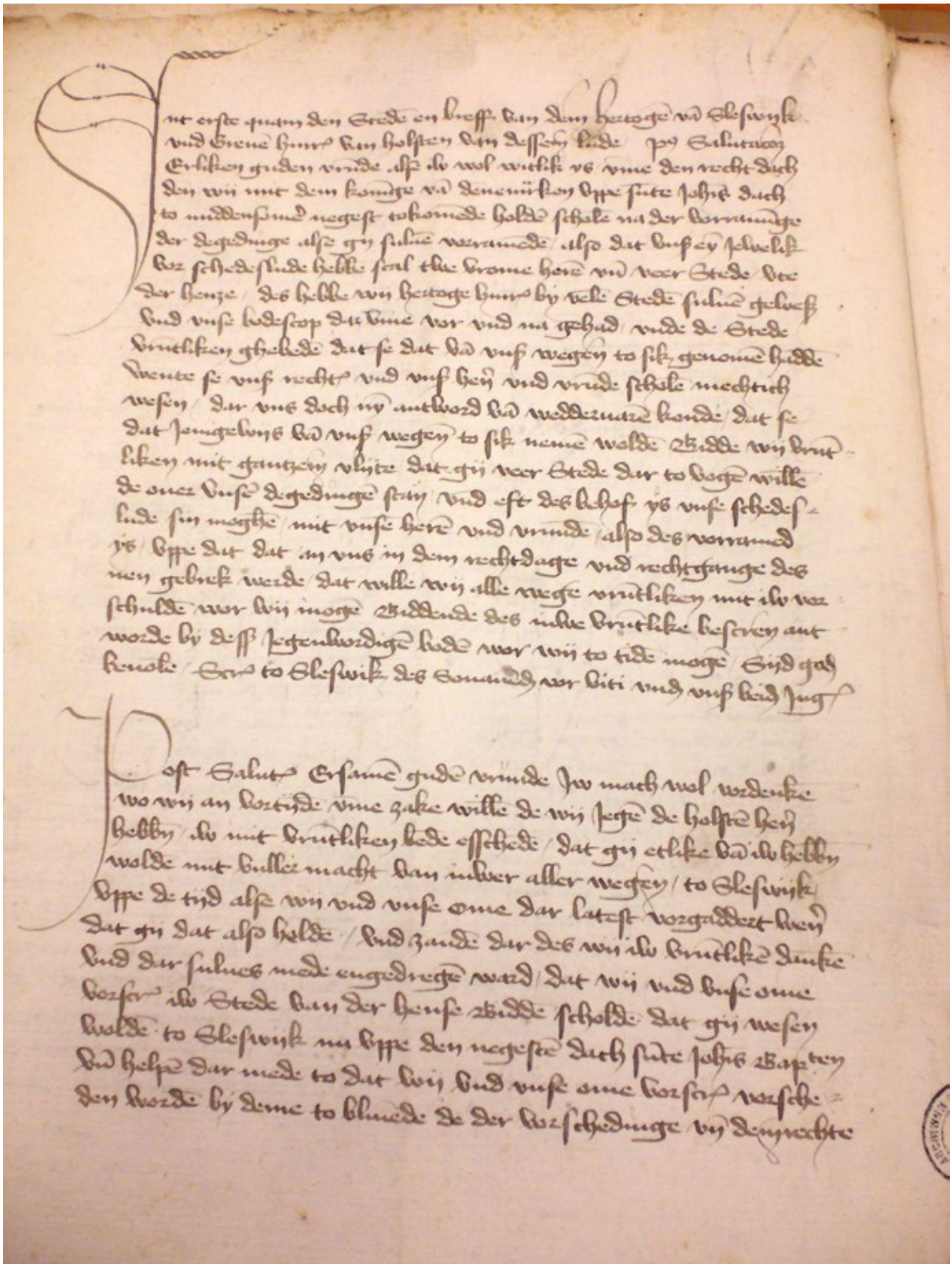

Fig. 2: *Hanserezess* from 1418, Gdansk, Archiwum Państwowe w Gdańsku, 300,28 no. 153a.

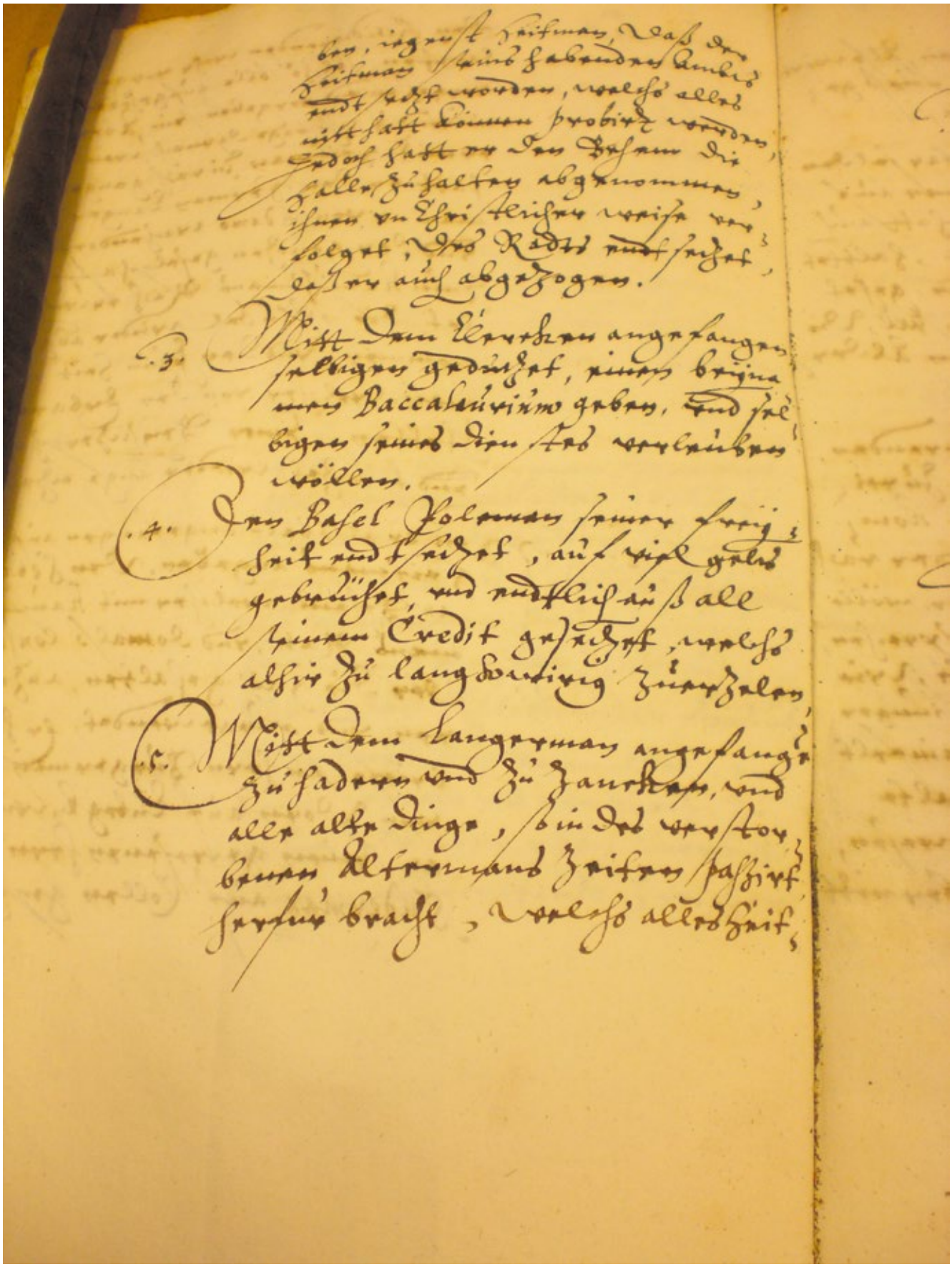

Fig. 3: *Hanserezess* from 1594, Gdansk, Archiwum Państwowe w Gdańsku, 300,28 no. 62.

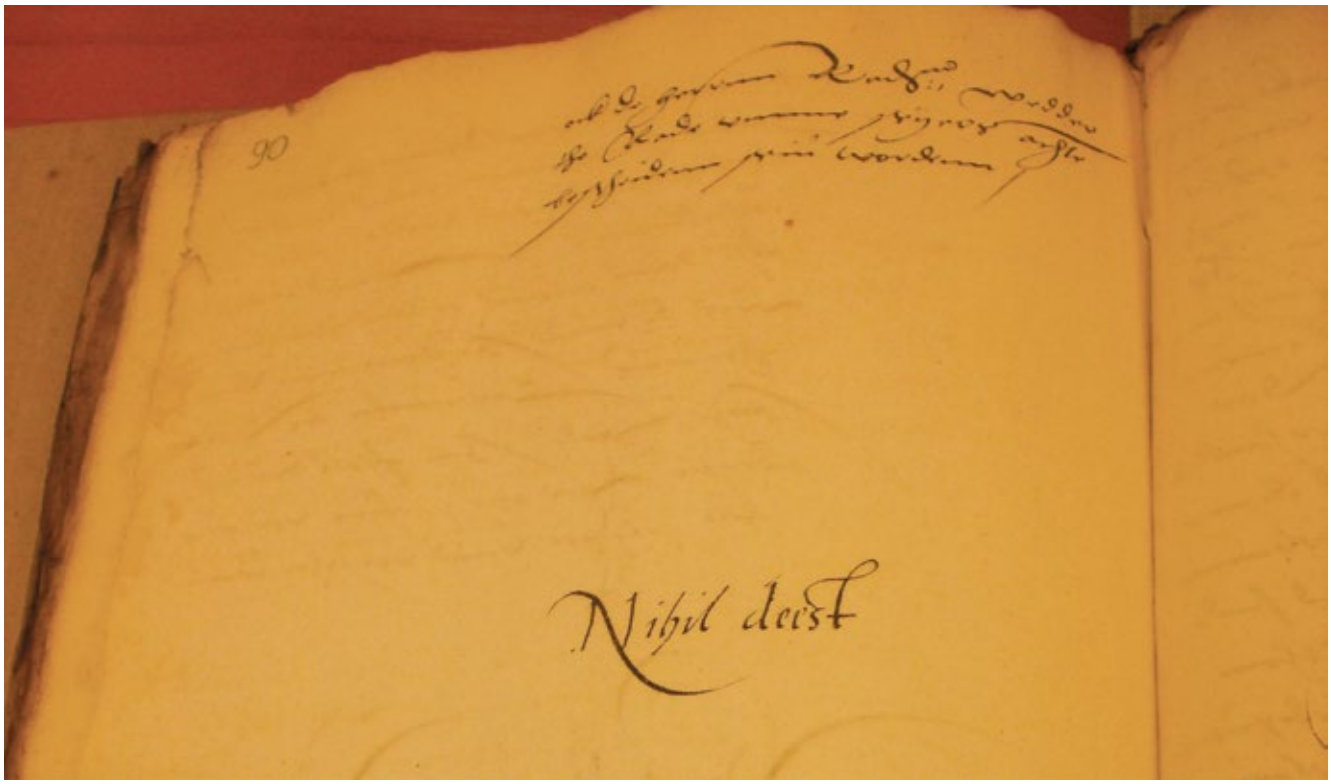

Fig. 4: *Hanserezess* from 1549, Gdansk, Archiwum Państwowe w Gdańsku, 300,28 no. 14.

God Amen' or 'in the name of the Holy Trinity Amen', and these words were often written in larger letters. A *Rezess* ended with the statement that the delegates had heard and approved the *Rezess*, then thanked each other and said their goodbyes (Fig. 5).

Unfortunately, the sources do not mention how approval was organized, but perhaps the statement at the end of the document refers to the fact that the delegates could close the discussions on each topic of the agenda only when they were able to agree on a common position, and this common position was written into the *Rezess*. It is possible that the whole document was read aloud at the end of the diet.

As mentioned above, every town represented at the meeting received its own version of the *Rezess*. However, the delegates did not wait for their *Rezess* to be drawn up; they travelled home and the *Rezess* was sent later. For example, the *Rezess* of the meeting that ended in Lübeck in November 1584 was brought to Gdansk by a messenger from Lübeck on January 17th, 1585.[31] Interestingly, the exact wording of the various versions differed slightly, and it is still not known exactly how much one *Rezess* differed from another. At first glance, it is surprising that each version of such an important document was not worded in the same way. The idea that those involved did not consider the exact wording to be so important is supported by the fact that, when delegates referred to older *Rezesse* in later diets, they did not quote specific phrases or words, but rather mentioned the general agreements that had been reached.[32] Thus, the *Rezesse* were not used as laws, but rather as the source for general norms of cooperation.

In sum, the first two groups of originators created the authority of the document: The delegates to the diet who discussed the agreed agenda, and the scribes who recorded the proceedings of the diet as an original *Rezess*. The status of the delegates as city councillors and their observance of certain procedural rules invested the discussions and resolutions recorded in the *Rezess* with authoritative force.

3.2 Confirming authority

The authority of the *Hanserezesse* was created during and immediately following each Hanse Diet. To maintain its status as an original, however, the authority of the document had to be recognized by a community. Hence, the second group of originators consists of those who acknowledged, confirmed, and thus perpetuated the authority of the *Rezesse*. Accordingly, the *Rezesse* – the actual written artefacts –

[31] Archiwum Państwowe w Gdańsku, 300, 28, no. 57.

[32] See for example HR II, 6, No. 356 §55, 334.

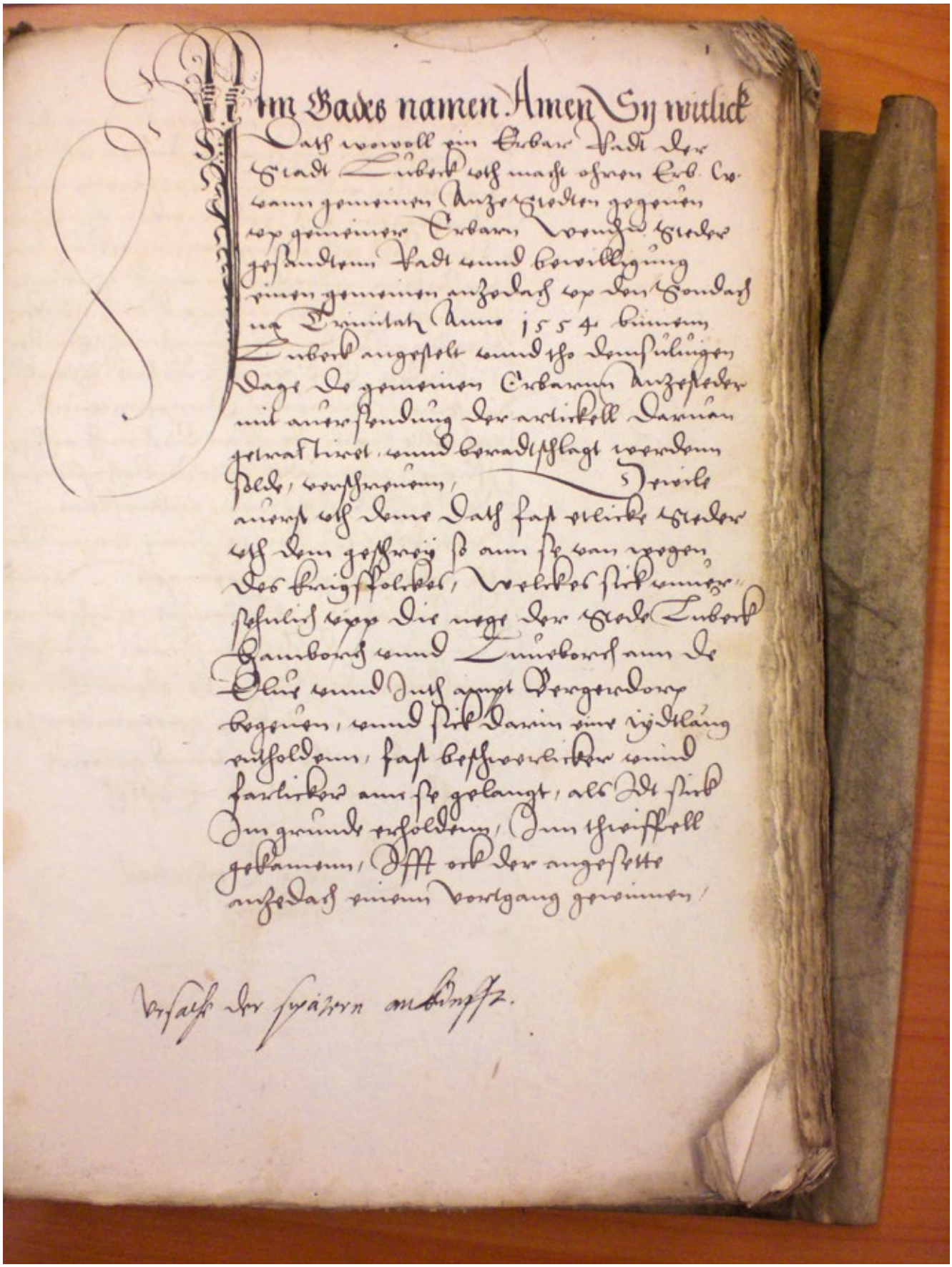

Fig. 5: from 1554, Gdansk, Archiwum Państwowe w Gdańsku, 300,28 no. 24.

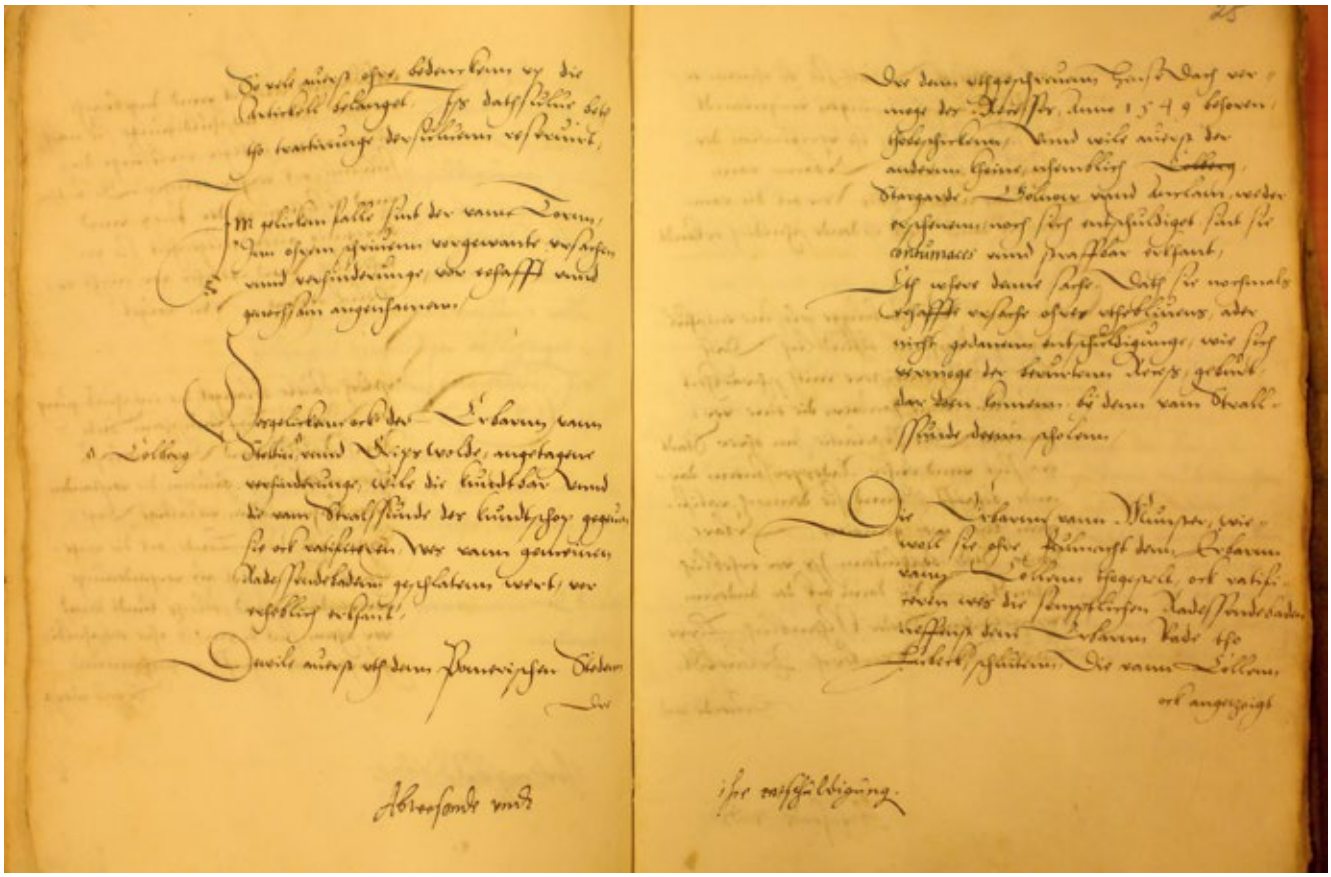

Fig. 6: *Hanserezess* from 1556, Gdansk, Archiwum Państwowe w Gdańsku, 300, 28, no. 26.

were regarded as originals, and their status as originals was endorsed when the content was adopted into urban law.[33] In Gdansk, it seems that, in some cases, they were copied instantly upon arrival,[34] probably to be on the safe side in the case of a loss of the original. The original, however, was not locked in a safe, it was available for use. Traces of such use show that the *Rezesse* were examined in search of authoritative information. The manuscripts, often thick volumes,[35] were indexed and annotated. The *Rezesse* stored in the Gdansk archive show that several such processes were operative when working with the content of the manuscript: In many of the Gdansk *Rezesse*, a note can be found at the bottom of every page informing the reader of the topic discussed at the diet and recorded on that page (Fig. 6).

Occasionally, a short comment indicates that someone went through a *Rezess* searching for a certain issue which is then noted in the margin. For example, the *Rezess* of 1554 was examined by someone who had an obvious interest in a discussion concerning the trading outpost in Bruges. He wrote the following statement in the margin of the page on which this discussion was recorded: 'declaration by Gdansk, declaration by Riga, declarations by the delegates from Tallin'.[36] Although this information was already in the text, nevertheless, the scribe deemed it necessary to copy it into the margin, presumably because, in this way, it was easier to find the relevant information when needed. Moreover, most *Rezesse* had a list of contents written on the last page of the volume; this was added later and was possible because, in most cases, several pages were left blank at the end of the manuscript.

Unfortunately, nothing is known about the persons who indexed and annotated the *Rezesse*; their handwriting is similar to that of the *Rezess* itself, which suggests that the text was edited not too long after the Hanse Diet took

[33] Pitz 2001, 408–412. The number of decisions made by the Hanse Diet which were then adopted into urban law – or not – is not known; for a first impression, see Huang, Kypta 2011, 144–147.

[34] For example, two versions of the *Rezess* of 1584 can be found in the Gdansk archive; see Archiwum Państwowe w Gdańsku, 300, 28, no. 56.

[35] This is especially true of the *Rezesse* drafted in the sixteenth and early seventeenth centuries. For instance, the *Rezess* from 1549 consists of 367 pages, the one from 1611 of 247 pages. Archiwum Państwowe w Gdańsku, 300, 28, no. 14 and no. 78.

[36] Archiwum Państwowe w Gdańsku, 300, 28, no. 24.

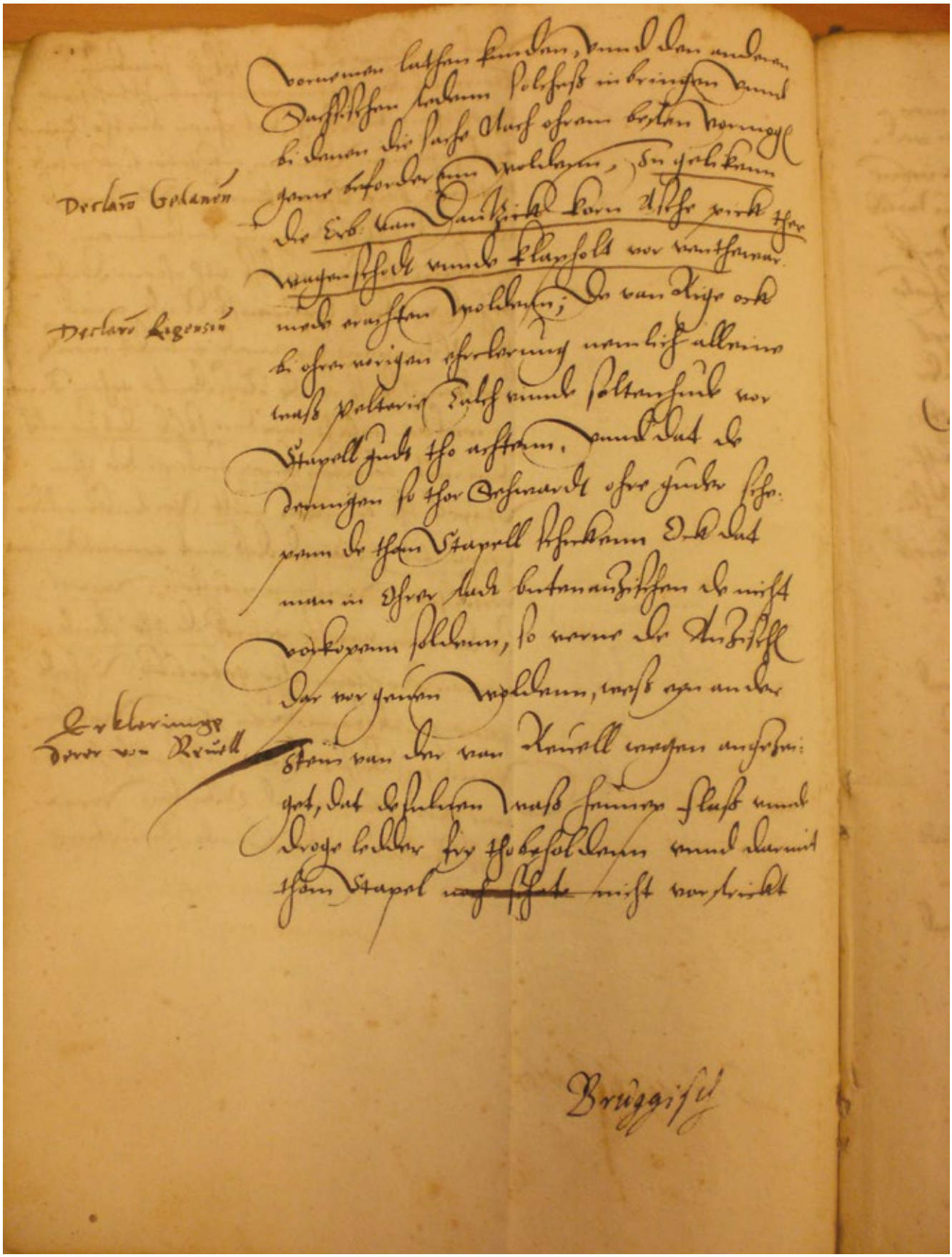

Fig. 7: *Hanserezess* from 1554, Gdansk, Archiwum Państwowe w Gdańsku, 300, 28, no. 24.

place.[37] However, some of the marginal notes, comments, and indexes were added much later – even centuries later. This suggests not only that the *Rezesse* were regarded as special documents by the towns which participated, but also that the cooperation between the towns was highly valued. There are also indications that the *Rezesse* were immediately seen as a source of the current rules and regulations regarding cooperation, thus enforcing their status as authoritative originals. One such document contains an inserted sheet with a note stating that the Gdansk delegate to one of the Hanse Diets took a copy of the *Rezess* to the diet in Lübeck.[38] Indeed, the administration in Gdansk sometimes prepared collections of selected paragraphs of the *Rezesse*.[39] Presumably, these collections served as a memory and argumentation aid for the delegates at the diets. It is also well known that delegates referred to older *Rezesse* as sources of authoritative information. For example, at the diet of 1447 the towns agreed that it was henceforth forbidden for Hanse merchants to load their commercial goods onto ships belonging to owners from non-Hanse towns. In 1470, the diet re-issued the same decree; and here, the delegates stressed that they were affirming the rules the towns had already agreed upon in the *Rezess* of 1447.[40] When Soest claimed the seat in front of Lüneburg (and not behind), their delegates referred to the old *Rezesse* as the authoritative source stating that Soest belonged there.[41] Thus, delegates who cited the old *Rezesse* as a source of past consensus can also be regarded as originators, since they confirmed the special – original – status of the *Rezesse*.

These examples show that, at some point in time, the power of the original was conferred on its parts. Firstly, the *Rezess* had to be created and recognized as an original in order to gain normative force. This seems to have worked so well that, over time, even extracts of a *Rezess* could be regarded as originals with authority. It had to be clear, however, that these extracts originated in a *Rezess*. These collections of excerpts do not state, for instance, 'this is what we agreed upon', but rather, 'these are older *Rezesse*'. It was necessary to refer to the original to invoke its power.[42]

Referring to the *Rezesse* as sources of reliable information was not the only way in which their authority as originals was recognized; their special status was also confirmed by the fact that town administrations stored them in special collections. In the Gdansk archives, for instance, the *Rezesse* were very often put into one volume together with related documents, e.g., with the invitation to the respective diet and the instructions given to the Gdansk delegates.[43] Sometimes, concepts for letters to be written in connection with the meeting were stored in the same volume along with yet other documents. The whole collection was then bound together with a thick cover and given the title 'Rezess'.[44] In so doing, the urban personnel credited the *Rezesse* with a special status that was then attributed to the other documents stored with the *Rezesse* (see above). The whole collection was called a 'Rezess', thus confirming that the *Rezesse* were the most important building blocks of Hanse cooperation.

In sum, the creation of an original involved expanding and changing the arrangement of the first version, thereby confirming its status as an authoritative document, an authority which was valid for selected parts of the whole written artefact. In this way, the persons recognizing, confirming and perpetuating the status of the *Rezesse* as originals may themselves be seen as originators; these include firstly, the persons – presumably working in the urban administration – who annotated the *Rezesse*, procured selections of excerpts and prepared folders containing the *Rezesse* together with related documents; and secondly,

[37] An analysis of the ink used might help to better determine the age of the additions. This work is planned in RFC07 over the course of the next years.

[38] Archiwum Państwowe w Gdańsku, 300, 28, no. 83.

[39] One such early collection holds extensive excerpts from the *Rezesse* 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1405; see Archiwum Państwowe w Gdańsku, 300, 28, no. 217. Excerpts of *Rezesse* from the fourteenth to the seventeenth century were printed around the middle of the seventeenth century; see Archiwum Państwowe w Gdańsku, 300, 28, no. 85.

[40] HR II, 6, No. 356 §44, 334: 'ene bevestinghe aller recesse. Unde wante denne de stede van der Dutschen hense radessendeboden nu tor tyd bynnen Lubeke rypliker unde merkliker vorgaddert synt, dan se van langhen yaren her vorgaddert unde vorsammelt synt gheweset, also hebben se alle artikele in deme recesse anno 47 ascensionis domini bevestighet unde besloten hyr uppet nye bewillet, bevestighet unde confirmiret, so se de hyr yegenwardighen vornyen, willen, bevestigen unde conirmeren in kraft desses recesses, (nichtesdemyn alle andere recesse) myd eren innehebbenden artikelen vor dat ghemene beste beslaten unde belevet by werde, macht unde krafft to holdende unvorbroden, so se sik des hyr beholden unde darvan protesteren.'

[41] Schipmann 2004, 50.

[42] The following phrase is written on a printed collection of essays from the middle of the seventeenth century: 'Abdruck etzlicher hansischer Recessen' (print of several Hanse Rezesse). Each excerpt is marked as 'stems from the *Rezess* of the year…'. Archiwum Państwowe w Gdańsku, 300, 28, no. 85. The collection from the early fifteenth century is called 'liber recessi' (book of Rezesse) in the same archive, but it is not clear when this title was added. (300,28 no. 217).

[43] See for example Archiwum Państwowe w Gdańsku, 300, 28, no. 46, 51, 68 or 83.

[44] See for example Archiwum Państwowe w Gdańsku, 300, 28, no. 74.

the delegates to Hanse Diets who referred to the *Rezesse* as authoritative sources and enhanced their status as originals by assigning the power attributed to the originals to copies and selections of paragraphs of the older *Rezesse*.

4. The aftermath: reconstructing authority

The originators created, recognized, and preserved the status of the *Rezesse* as originals over the course of three centuries. From *c.* 1350 to 1669, Hanse Diets were held, and the *Rezesse* were distributed among the various towns, then annotated, indexed, stored, and referred to in later meetings. The authoritative power of these *Rezesse* can also be seen in the cooperation between the towns, a cooperation that was shaped by the joint projects recorded in the *Rezesse*. Not only did the *Rezesse* influence the Hanse community, they were, to a certain extent, responsible for creating the Hanse as a community of towns and people.

But the power of these originals did not end when the Hanse towns ceased to cooperate. Research into the Hanse started immediately after the demise of the Hanse Diets. Scholarly treatises on the nature and special character of the Hanse were published as early as the seventeenth and eighteenth centuries.[45] The first volume of what can be regarded as modern historical research on the Hanse appeared in 1808.[46] In the nineteenth century, the emerging European nation states began to publish editions of sources they considered to be important for their national histories.[47] Germany was not yet a unified state, but – perhaps for this very reason – German scholars searched for sources reaching back to the Middle Ages that would help to create a German identity. To begin with, they studied the charters establishing the prerogatives of the emperors and kings, and the chronicles recording their deeds.[48] Soon after this project started, however, discussions began as to how the *Hanserezesse* could be published.[49] Since the *Rezesse* were issued in several versions and stored in various archives, this was not an easy project and has still not been completed.[50]

The fact that nineteenth century scholars held the opinion that the *Rezesse* should be among the first sources to be edited in a historical-critical fashion surely derives from the special status of the *Rezesse* as originals. In fact, these scholarly editions both mirror and consolidate the status of originals. In this way, the modern editors can be counted as the last group of originators of the *Rezesse*.

The status of the modern editors as orginators derives from the special status they granted the *Rezesse*. This has even been criticized by recent researchers:[51] These modern editors saw the *Rezess* as the undisputed centre of each meeting, as its heart. Nevertheless, they considered yet other documents which they regarded as related to the *Rezess* to be important, and included them in the *Rezesse*. Some of these documents were indisputably written in connection with the *Rezesse*, for example, reports of delegates giving their impressions of how the negotiations went.[52] Other documents, however, were more loosely related to the *Rezess*, for instance letters written from one town to another.[53] By putting the *Rezess* at the centre and structuring all the other documents as either leading up to or stemming from the meeting recorded in the *Rezess*, the editors created the impression of highly ordered proceedings which are perhaps more typical of a modern bureaucracy than of a premodern assembly. Hence, these editors can be viewed as retrospective originators, investing the *Rezesse* with even more authority than they probably had.

Indeed, their use of the term 'Hanserezesse' for these editions is somewhat inappropriate since these volumes contain various types of documents over and above the actual *Rezesse*.[54]

[45] Ressel 2014; Cordes 2001; Iwanov 2016, 293–300.

[46] Sartorius 1802–1808.

[47] In France, the edition of the 'Recueils des historiens des Gaules et de la France' started in the eighteenth century. In England, two large projects began in the middle of the nineteenth century: firstly, the 'Rerum Britannicarum medii aevi scriptores' (the so-called Rolls series), secondly, the public record office started publishing editions of various administrative documents.

[48] Edited by the Monumenta Germaniae Historica; see <https://www.mgh.de/en>.

[49] Waitz 1870.

[50] The latest volume – which brings us up to 1537 – was published in 1970, see HR IV, 2. Thus, there are approximately 130 years of *Rezesse* which remain to be edited. The Research Centre for Hanse and Baltic History in Lübeck is hoping to provide transcriptions of the Lübeck *Rezesse* as well as some other versions; see <https://fgho.eu/en/projects/hanse-quellen-lesen>.

[51] Huang, Kypta 2011; Jahnke 2019.

[52] For example, the edition covering the diet from 1487 contains not only the *Rezess* but also a report by the representative from Riga, see HR III, 2, no. 164, 192–206.

[53] The edition covering the diet from 1487 includes not only the letters officially written by the assembled delegates of the Hanse Diets, but also several letters sent from the delegates of one town to their home council and vice versa; see HR III, 2, no. 168–173, 209–213.

[54] The eight volumes of the first series are called *Hanserecesse und andere Akten der Hansetage* ('Hanserezesse and other documents of the Hanse Diets'); but in the second series, the second part is dropped, and the editions are simply called *Hanserecesse*.

In this way, these editors enhanced the meaning of *Rezess*. The editions of the 'Rezesse' must be consulted even if the researcher is studying e.g., the instructions for delegates or the letters sent between the towns – and not the records of the actual Hanse Diets. The 'Rezesse' are seen as the most authoritative source of Hanse history. To a certain extent, these editions are new originals, and their authoritative force is strengthened when researchers interested in any topic of Hanse history turn first to these editions of the *Rezesse*. The editions create a community, but not a community of towns, rather a community of researchers who invest the editions of the *Rezesse* with the authoritative power of originals, and in turn the *Rezesse* – the larger versions containing a variety of related documents – shape and maintain the community of Hanse researchers. This might explain why research on the Hanse has continued to be a topic of historical research for 150 years without any major interruption.

5. Conclusion

This contribution has shown how an original – a *Hanserezess* – was created at different points in time. Firstly, at the Hanse Diets, documents were written and invested with authoritative force by the city councillors who convened in a certain configuration, and by the city clerks who recorded these proceedings in a certain shape and form. Thus, a first version of the originals was created at each of the Hanse Diets. Secondly, these records were regarded as legitimate sources of the law in each single town as well as of the rules and agreements that shaped the cooperation between the towns. A second version of the original was created when city clerks and councillors examined and indexed the *Rezess* for use in future discussions, and when they copied the written artefact or excerpts from it to take with them to further meetings; these second versions were later enhanced when clerks and councillors appended related documents. Furthermore, the authority of the originals was reconstructed and transformed by the research which preceded the modern editions.

Thus, at different points in time, various groups of people invested these documents with some authority, recognizing them as authoritative – as originals. These groups also acted as originators. By being originators of the same original, they strengthened their ties. Since the community of Hanse towns was not based on any formal foundation such as a charter or a treaty, the joint creation of an original played an important – if not the most important – role in holding the community together.

Furthermore, the content of the *Rezesse* – the rules and agreements – structured and organized cooperation between towns. This was possible because the *Rezess* was regarded as an original by the various parties involved. To a lesser degree, the community of Hanse researchers is also constituted and shaped by their common appreciation of the *Rezesse* as originals – as authoritative sources of Hanse history. The *Rezesse* as originals thus created, shaped, and maintained first the community of Hanse towns and then the community of its researchers.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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Article

One *Miserere* – Many Originators: Manuscripts of 'Allegri's *Miserere*' as Originals

Oliver Huck | Hamburg

In 1514, Pope Leo X inaugurated the tradition of singing psalm 50 'in falsobordone' in the Sistine Chapel at the end of the office in the Tenebrae – the service of the matins and the lauds on Wednesday, Thursday and Friday during the Holy Week (i.e. the week starting on Palm Sunday and ending on Holy Saturday before Easter Day).[1] The very first compositions performed on this occasion were destroyed by fire during the sack of Rome by Emperor Charles V in 1527, and in 1545 Pope Paul III prohibited such polyphonic music in the Tenebrae.[2] The tradition continued after his death in 1555.[3] As of 1714, the *Miserere* of Gregorio Allegri was performed annually[4] on Wednesday and Friday and that of Tommaso Bai on Thursday, with castratos for the high parts. In 1661,[5] and respectively 1713, these compositions had become part of the Cappella Sistina's repertoire. The exclusiveness and the atmosphere of the performances[6] awarded an aura to these compositions that attracted travelers on their *grand tour*. Their travel reports[7] drew even more onlookers. This tradition of performing the *Misereres* (i.e. what the public considered the compositions of Allegri and Bai) was interrupted during the Napoleonic wars.[8] From 1870 onwards, it was dying out when Pope Leo XIII decided to no longer preside over the Holy Week ceremonies after the occupation of Rome under Vittorio Emanuele II.[9] At the end of his pontificate in 1902, Leo XIII abandoned the hiring of castratos, thus ending the practice of castrating boys before voice mutation to sustain their high voices. Terminating these acts of violence, which had been promoted for centuries, definitely inhibited singing the *Miserere* (i.e. what the public considered as the composition of Allegri) in the Tenebrae in the tradition of the Cappella Sistina.

1. The frame of copying – members of the Sistine Chapel as originators

At the very end of this tradition, Domenico Mustafà, who had joined the Cappella Sistina as a soprano in 1848 and acted as *direttore generale in perpetuo* since 1881, produced a manuscript (V-CVbav Capp. Sist. 375) and presented it to the choir on 8 March 1892.[10] His aim was to document the choir's practice of performing the *Miserere* when it was dying out. The title of this manuscript is 'Miserere di Bai ed Allegri' and indeed Mustafà presents a conflation of the two pieces, the *Miserere* of Allegri and that of Bai. On 16 March 1892, an internal performance took place in the Sistine Chapel.[11] It was not part of the Holy Week service, but Mustafà put this manuscript, a score and parts dated

[1] Cf. Baini 1828, vol. 2, 194–195 (n. 577): 'Paride Grassi, maestro di cerimonie di Leone X. nel suo diario MS. ha segnato la preziosa notizia del primo anno, in cui i nostri cantori modulavano in falsobordone il salmo *Miserere* nel fine dei mattutini delle tenebre nella settimana santa.' Cf. Sherr 1982, 252 and 262 (n. 31).

[2] Cf. Sherr, 258 and 262 (n. 41).

[3] Cf. *Diario Sistino* 73 (18 January 1555), fol. 9r: 'In questo giorno fu ricominciato il contrapunto essendo stato tralasciato molto prima per ordine del defonto pontefice.' Cit. after Rostirolla 1994, here 685. All manuscripts are listed in the appendix and are cited with their Répertoire Internationale de Sources Musicales (RISM) sigla <https://rism.info/community/sigla.html>. All volumes of the *Diario Sistino* (V-CVbav Capp. Sist. Diari. 1–299) are given with their respective number.

[4] Cf. Baini 1828, vol. 2, 197 (n. 578), who notes as exceptions a *Miserere* of Pasquale Pisari sung in 1777, and since 1821 Baini's own *Miserere*. Giuseppe Tartini's *Miserere* in 1769 is an additional exception, cf. Rostirolla 1994, 742. A *Miserere* by Domenico Mustafà was added to the repertoire in 1856, cf. Kantner and Pachovsky 1998, 170. The sequence Allegri (Wednesday) – Bai (Thursday) – Allegri (Friday) is first confirmed in the *Diario Sistino* 132 (1718), cf. Rostirolla 1994, 741.

[5] The first account of a performance is found in 1684 in the *Diario Sistino* 103 (1684), cf. Rostirolla 1994, 739–740.

[6] Cf. Lütteken 1999 and Holzmüller 2020.

[7] On these reports cf. Amann 1935, Heidrich 2001, and Schiltz 2016.

[8] From 1798 to 1801 and from 1809 to 1814, cf. Kantner and Pachovsky 1998, 25–29 and O'Reilly 2020, 122.

[9] The castrato Alessandro Moreschi, admitted on 22 March 1883, reports that the only performance of the *Miserere* since the pope had decided to no longer attend the Tenebrae in 1870 was on 16 March 1892, cf. Berio 1913, 63. O'Reilly 2020, 172–175, assumes that Moreschi sang the *Miserere* for the first time on 23 March 1883 and that there were performances at least in 1884 and, after 1878, in 1892, and later.

[10] Cf. *Diario Sistino* 294 (8 March 1892), fols 9v–10v in Kantner and Pachovsky 1998, 246. On Mustafà's career cf. Kantner and Pachovsky 1998, 169–170.

[11] Cf. Kantner and Pachovsky 1998, 75.

23 January 1892[12] in an envelope, which he addressed to the Papal singers and furnished with the request to the Pope to prohibit copying from it.[13] In the dedication Mustafà wrote:[14]

> Miserere di Bai ed Allegri in cui sono state accennate le tradizioni come se eseguivano nella Sistina dai Cappellani Cantori Pontifici. Nella sventura in cui viviamo per la mancanza delle Funzioni Papali e per conseguenza molto si può dimenticare, lo scrivente dopo quaranta cinque anni passata tra gli amati Colleghi, servendo Dio, il Sommo Pontefice e la Cappella, ha creduto di transcrivere le sud. te tradizioni (come ha potuto) tanto per chi dovrà dirigere che per i singoli Cantori, ondo dopo tanti anni non andasse perduto quell'effetto che rese tanto celebri l'Esecuzioni nella Sistina.
>
> Miserere by Bai and Allegri in which the traditions were indicated as performed in the Sistine Chapel by the pontifical chaplain-singers. In the misfortune in which we live due to the lack of papal functions and in consequence much can be forgotten, the writer after forty-five years spent among his beloved colleagues, serving god, the supreme pontiff and the chapel, believed to transcribe the aforementioned traditions (as he has been able) both for those who will have to conduct and for the individual singers, so that after so many years the effect that made the performances in the Sistine Chapel so famous would not be lost.[15]

In 1883, Mustafà had already invited his colleague Innocenzo Pasquali 'a scrivere le ornamentazioni per assicurare e garantirne la vera tradizione'.[16] But the title of Mustafà's manuscript only credits the two composers as the originators of the *Miserere*, even though the version he had written down differs significantly from those in the choir books of the Cappella Sistina (see below), which had been the reference for these compositions. The reason for not mentioning any of the singers, neither Pasquali nor himself, may be that his manuscript was for internal use in the choir only and that all the singers felt part of a performance tradition that had lasted for centuries. But the originators of this 'true tradition' were no longer known. By signing the dedication in the manuscript with his authority *ex officio* 'D. Mustafà Direttore perpetuo della Cap. Pont. *Manu Domenici Mustafà scriptus Romae 23 ianuarii 1892*', Mustafà acted as an originator who was not only responsible for the material creation but also for the content.[17]

At the beginning of the tradition in the sixteenth century, the repertoire of the Cappella Sistina included several compositions of psalm 50; the oldest one that is extant was composed by Costanzo Festa in 1517. This and another twelve[18] had been collected since 1631[19] in two choir books written by six different hands (V-CVbav Capp. Sist. 205 and 206).[20] Each of these manuscripts includes only the music for one of the two alternating choirs, both of which alternate with the even verses being sung as plainsong. The last of these compositions, that of Allegri, was entered in 1661 by Giusto Romani and approved by the choir's then acting *magister pro tempore*[21] Bonaventura Argenti. As was the custom in the choir books of the Cappella Sistina, both were explicitly mentioned on the preceding page after the pope confirming the admission of the composition as it follows to the repertoire of the chapel.[22] Regardless of accounts that Allegri's composition dates back two decades[23] and regardless of what it may have looked like before,[24]

[12] Facsimile of some of its pages in O'Reilly 2020, 176–180.

[13] Cf. *Diario Sistino* 294 (8 March 1892), fol. 14^{r} in O'Reilly 2020, 175 (n. 15).

[14] V-CVbav Capp. Sist. 375, cit. after Llorens 1960, 388.

[15] All translations from German and Italian by the author unless otherwise stated.

[16] *Diario Sistino* 290 (24 March 1883), fol. 79^{v}, cit. after Kantner and Pachovsky 1998, 75, 'to write the ornaments to ensure and guarantee the true tradition'.

[17] Cit. after Llorens 1960, 388.

[18] On later compositions of psalm 50 in Rome cf. Marx-Weber 1985.

[19] Cf. V-CVbav Capp. Sist. 205, fol. 2^{r}: 'D. Loreto Vittore existente pro tempore Magistro Capellae'. The singer and composer Loreto Vittori acted in 1631, cf. Llorens 1960, 126.

[20] Cf. the inventory in O'Reilly 2020, 26.

[21] In the Sistine Chapel there was no director, but an annual alternation of a *magister pro tempore*. Romani was active as a scribe in the choir books from 1660 (V-CVbav Capp. Sist. 378) to 1669 (V-CVbav Capp. Sist. 99), cf. Llorens 1960, 389–390 and 147.

[22] Cf. V-CVbav Capp. Sist. 205, fol. 50^{r}: 'Sedente ALEXANDRO VII PONT. OPT. MAX | Bonaventura Argenteo Magistro Cappellae Pontificiae pro tempore existente | Iustus Romanus Scriptor 1661', Allegri's *Miserere* V-CVbav Capp. Sist. 205, fols 50^{v}–56^{r} and V-CVbav Capp. Sist. 206, fols 54^{v}–60^{r}.

[23] Cf. O'Reilly 2020, 34.

[24] One can neither exclude nor prove that this earliest pair of manuscripts written after Allegri's death in 1652 already differs from Allegri's composition because the *falsobordone* is a technique of improvisational *contrappunto alla mente*. Sievers reports: 'Hrn. Baini's Meinung zu Folge, ist das *Miserere*, wie es von jeher und besonders, wie es seit Anfang des achtzehnten Jahrhunderts gesungen worden, keineswegs ein Product Allegri's. […] Wie Hr. Baini meint, sollen die ersten achtzehn oder zwanzig Takte des Basses […] die ursprüngliche, von Allegri gesetzte, Stimme, alles Übrige aber successive Zuthat der Sänger sein', Sievers 1825, 69–70. 'According to Mr. Baini's opinion, the *Miserere*, as was always sung and especially as it

only the version confirmed by the *magister* and the scribe passed as Allegri's *Miserere* once it had been included in the repertoire of the Cappella Sistina. As Andrea Adami reported in 1711, this composition soon became the most popular of all the *miserere*-settings.[25] From the very beginning, the performance practice may have included embellishments that had not been written down.[26] The practice of singing a different setting of the *miserere* on Wednesday, Thursday and Friday changed in the second half of the seventeenth century when Allegri's composition was always sung on Wednesday and Friday. On Thursday, Felice Anerio's composition was performed until Alessandro Scarlatti's new composition replaced it.[27] In 1711, Bai delivered a setting modelled on Allegri's composition that was then performed regularly on Thursday and canonised by copying it in V-CVbav Capp. Sist. 203 and 204 in 1713. The success of Bai's *Miserere* led to the decision to modernise Allegri's. This was the task of the alto and composer Giovanni Biordi who joined the chapel in 1717 and wrote his arrangement of Allegri's five-part choir in manuscript V-CVbav Capp. Sist. 263, fols 2^{v}–8^{r} (not later than 1725).[28] In 1731, it was copied by the scribe Giovanni Domenico Biondini into V-CVbav Capp. Sist. 185 and approved by the *magister pro tempore* Ansano Bernini.[29] By that time, four choir books were needed for the performance of the *miserere* in the Holy Week. In order to facilitate the handling of the music manuscripts,[30] once again Biondini produced a new pair of choir books in 1748, which the *magister* Francesco Colapauli (V-CVbav Capp. Sist. 340 and 341) approved, including both the *Misereres* (Table 1).[31]

The attribution of the *Miserere* to 'Greg. Alleg.' is stable in all these choir books. But while the music for the four-part choir is the same in all the choir books, the music for the five-part choir is Allegri's composition, which was canonised in 1661, and Biordi's arrangement of it, which was canonised in 1731; in the words of the chapel's later director Giuseppe Baini: 'fu variata e perfezionata da altri colleghi eccellenti esecutori, e compositori, che sopra vi studiarono, onde si ridusse nella esecuzione a quel gran perfetto, che in essa ammirò tutto il mondo fin dalla metà del secolo XVII.'[32] Allegri was credited on the first page for creating the content as the composer. However, on the preceding page the acting pope, cardinal protector, magister and scribe were also credited as authorities enabling, planning and executing the production of the manuscript. Thus, these persons together comprise the originators of both versions.

During the nineteenth century, the conflation of Allegri's *Miserere* with the *Miserere* of Bai as codified in Mustafà's manuscript was looming. Lamenting about the quality of the choir after its reestablishment in 1814 during Pope Pius VII's restoration, the *Diario Sistino* reports on 29 March 1820 that 'è stato cantato in fine il *Miserere* di Tommaso Allegri'[33]. The error of connecting Bai's given name with Allegri's surname is significant because the conflation of the two *Misereres* was already in progress (see below). As of 1815, for the Papal singers there was the 'Miserere della nostra Cappella'[34]; only outside the Vatican it was still considered Allegri's *Miserere* as in the past. Between 1748 and 1892, no updated manuscript was produced because the chapel was even more interested in keeping its secrets since the first publications of the *Misereres* (see below). Baini, basso in the choir since 1795 and its quasi-director since 1815,[35] stated that inside the Cappella Sistina the embellishments added in the performance to the written

has been sung since the beginning of the eighteenth century, is by no means a product of Allegri. […] According to Mr. Baini the first eighteen or twenty bars of the bass [...] are the original voice set by Allegri, but everything else is the singer's successive addition.'

[25] Cf. Adami 1711, 37–38.

[26] Cf. O'Reilly 2020, 37–41.

[27] Cf. Adami 1711, 41 and Rostirolla 1994, 740–741.

[28] On the date cf. O'Reilly 2020, 41–42 with a partial edition 259–260.

[29] V-CVbav Capp. Sist. 185, fol. 1^{r}: 'SEDENTE | CLEMENTE XII | P. O. M. | Sub protectione Eminentissimi, & Reverendissimi D. Petri | CARD. OTTOBONI | S. R. E. ViceCancellarii | Episcopi Tusculanensis | | R. Dño. Ansano Bernini | Magistro Cappellae Pontificiae | pro tempore existente | Jo: Dominicus de Biondinis Tusculanus Scribebat | ANNO DOMINI | MDCCXXXI'. Biondini was active as a scribe in the choir books from 1719 (V-CVbav Capp. Sist. 326) to 1752 (V-CVbav Capp. Sist. 336), cf. Llorens 1960, 350 and 356.

[30] On the manuscripts in the Fondo Cappella Sistina cf. Llorens 1960, 206, 217–222, 299–300, and 359–361.

[31] V-CVbav Capp. Sist. 340, fol. 2^{r}: 'SEDENTE | BENEDICTO XIV | P. O. M. | Sub protecione *Eminentissimi*, & *Reverendissimi* D. Alexandri | CARD ALBANI | S. R. E. Diaconi | R. D.no Francisco Colapauli | Magistro Cappellae Pontificiae | pro tempore existente | Jo: Dominicus de Biondinis Tusculanus Scribebat | ANNO DOMINI | MDCCXLVIII.' For an edition cf. O'Reilly 2020, 261–269.

[32] Baini 1828, vol. 2, 196 (n. 578), 'it was varied and perfected by other excellent fellow performers and composers, who worked through it, so that it was reduced in execution to that great perfection, which in it was admired by the whole world since the middle of the seventeenth century'.

[33] *Diario Sistino* 236 (29 March 1820), fol. 26^{v}, cit. after Kantner and Pachovsky 1998, 216, 'at the end Tommaso Allegri's *Miserere* was sung'.

[34] *Diario Sistino* 231 (1815), fol. 35^{v}, cit. after O'Reilly 2020, 162, 'the *Miserere* of our chapel'.

[35] On Baini's career cf. Kantner and Pachovsky 1998, 29–31 and 141–143. In 1830, he is mentioned officially as direttore for the first time, cf. Kantner and Pachovsky 1998, 30.

Table 1: Choir books including the *Misereres* in use in the service in the Sistine Chapel (no. of choir book, fols).

	choir 1	**choir 2**
Wednesday	185, fols 2^{v}–9^{r}	206, fols 54^{v}–60^{r}
Thursday	203, fols 2^{v}–8^{r}	204, fols 2^{v}–8^{r}
Friday	185, fols 2^{v}–9^{r}	206, fols 54^{v}–60^{r}
from 1748	341, fols 3^{v}–9^{r} / 11^{v}–18^{r}	340 fols 3^{v}–9^{r} / 10^{v}–16^{r}

music until Mustafà's manuscript 'mai non sono stati scritti affinché non possano comunicarsi a veruno, e si tramandano per tradizione in voce da cantore in cantore.'[36]

2. The shame of copying – scribes as originators

Mustafà's motivation to produce a definitive manuscript of the *Miserere* might have been stimulated by laments of his predecessor Baini about a print of the *Misereres* in 1840 that had been edited by the Vatican publisher Pietro Alfieri under a pseudonym.[37] Baini, who regarded the *Misereres* as 'le nostre privative composizioni'[38], felt uncomfortable with this edition due to several reasons: first, even when the *Misereres* were available to the public at the latest since 1771 thanks to a print edited by Charles Burney,[39] it was even more pressing to keep the real substance, the performance practice of these compositions including embellishments, secret inside the Sistine Chapel.[40] Second, Baini found the embellishments in Alfieri's edition inappropriate and felt ashamed that these were related to the Cappella Sistina in the preface of the edition.[41] Giuseppe Santarelli, soprano and acting *magister pro tempore* in 1770, whom Baini accused of enabling Burney's publication of the *Misereres* by providing the editor with a copy solely for financial gain,[42] was well

[36] Baini's letter to Monsignor Francesco Saverio Massimo, secretary of state and prefect of the Apostolic Palace dated 4 April 1841 (V-CVbav Capp. Sist. 658, fols 48^{v}–49^{r}), cit. after Kantner and Pachovsky 1998, 210, 'they were never written down so that they could not be communicated to anyone and are handed down by oral tradition from singer to singer'.

[37] *Il salmo Miserere* 1840. This edition of the Vatican publisher Pietro Alfieri appeared under a pseudonym, cf. O'Reilly 2020, 147 and 155 and the notice on the manuscript copy I-OS Mss. Mus. B 2988: 'Mantova, 23 settembre 1851. Questa copia, riveduta da me, fu tratta da un esemplare stampato, prestatomi dal Rev.o Sacerd.e Giovambattista Condotti Maestro di cappella in Cividale del Friuli, sul quale era scritto di suo pugno: Dono dell'Editore M.r Pietro Alfieri Romano nascosto sotto falso nome. Settembre 1846. Sacerdote Giuseppe Greggiati', cit. after RISM <https://opac.rism.info/rism/Record/rism850609607>, 'Mantua, 23 September 1851. This copy, revised by myself, was taken from a print, lent to me by Giovambattista Condotti, *maestro di cappella* in Cividale del Friuli, on which was written in his own hand: Gift from the publisher Mr. Pietro Alfieri from Rome, hidden under a false name. September 1846. Priest Giuseppe Greggiati'.

[38] Baini's letter to Francesco Saverio Massimo, cit. after Kantner and Pachovsky 1998, 209, 'our private compositions'.

[39] *La musica che si canta annualmente* 1771, 35–42. On the differences between Burney's edition and the Vatican manuscripts and the differences between his manuscripts noted by him in the first verse cf. O'Reilly 2020, 185–187, who suspects, that Martini's manuscript only contained one verse with music of each choir and has been 'corrected' by Martini. There are at least two eighteenth-century copies of the Biordi-arrangement, which in contrast to most of the manuscripts do not depend on Burney's edition and predate the copies for François Cacault and Louis-Hippolyte Mesplet (see below). In addition, they indicate in their titles the tone for reciting the even verses sung in plainchant as *g* cf. F-Pn D-14624: 'Miserere a 5.e voci | del secondo tuono | Della Capella Pontificia | Di D. Gregorio Allegri Romano | Il Choro risponda Salmegiando vocalmente nella corda di Gesolreut.' Cit. after RISM <https://opac.rism.info/rism/Record/rism840000150>, cf. Viret, 1992, 251 with facsimile of the first page and I-Bc Mus. Ms. V. 65 'Miserere a 5 voci secondo tuono della Capella Pontificia di D. Gregorio Allegri romano. Il Choro risponda salmeggiando vocalmente nella corda di Gesolreut' cit, after Amann 1935, 109. A-Wn Mus. Hs. 19451 indicates *b* for reciting the plainchant verses.

[40] Cf. Baini's letter to Domenico Buttaoni, master of ceremonies of the Apostolic Palace dated 30 March 1841 (V-CVbav Capp. Sist. 658, fols 45^{r}–45^{v}): 'Li due Miserere della Cap[pella] Pont[ificia] di quella fama che ognun sa, erano sempre conservati gelosamente nell'Archivio della Capp[ella]. […] Il Santarelli vendè all'ebreo le note semplice, lo scheletro dei due miserere; il s[igno]r … vende all'Alfieri gli adornamenti, onde per tradizione verbale sono rivestiti: adornamenti, che io insegnai al s[igno]r …', cit. after Kantner and Pachovsky 1998, 208, 'The two *Misereres* of the pontifical chapel which are of that fame that everyone knows were always jealously preserved in the chapel's archive. […] Santarelli sold the sheet music to the Jew, the skeleton of the two *Misereres*; Mr. ... sold to Alfieri the ornaments, which were only part of an oral tradition, ornaments, which I taught to the Mr ....'. There is no hint who had passed the embellishments to Alfieri. A possible candidate could be the soprano Donato Leone, who had been demoted from *magister pro tempore* to *cantore* on 25 August 1839 and only reassumed the position of a *magister pro tempore* after Baini's death, cf. Kantner and Pachovsky 1998, 164.

[41] Cf. Baini's letter to Francesco Saverio Massimo: 'Li due Miserere dell'Allegri e del Bai che si ascoltano ogni anno nella Capp[ella] Pont[ificia] sono eseguiti con molti e squisiti abbellimenti che mai non sono stati scritti. […] Ora l'Alfieri pretende di farli imprimere; e vantandosi di essere il primo a pubblicarli, li ha ridotti ad uno stato di miseria e di sconcezza da far onta alla Cappella, alle funzioni pontificie, alla fama che han sempre meritamente goduto.' Cit. after Kantner and Pachovsky 1998, 210.

[42] Cf. Baini's letter to Domenico Buttaoni: 'Un tal musico evirato G. Santarelli trovato il mezzo di nascostamente copiarli [the *Misereres* of Allegri and Bai], li vendè ad un ebreo inglese C. Burney, che tosto li fe' stampare in Londra con immenso lucro. Questo tradimento dispiacque a

aware that publishing the written music does not constitute a betrayal of the secret of the *Misereres*. And it seems that Pope Clemens XIV shared his views, given that Santerelli had not been excommunicated despite such threat having been made to the papal singers when copying music from the choir books and giving it away[43] and despite Burney publicly mentioning the scribe of his copy in his travel report published in 1771.[44] Santarelli told Burney an anecdote about the presumably first copy of Allegri's *Miserere*, according to which the pope at the time had not only permitted that it be given away, but had actually ordered it. He also reported on the misfortune of one of his predecessors who was responsible for the copy:[45]

> The Emperor Leopold the first, not only a lover and patron of music, but a good composer himself, ordered his ambassador, at Rome, to entreat the Pope to permit him to have a copy of the celebrated *Miserere* of *Allegri*, for the use of the Imperial chapel in Vienna; which being granted, a copy was made by the *Signor Maestro* of the Pope's chapel, and sent to the Emperor, who had then in his service some of the first singers of the age; but, notwithstanding the abilities of the performers, this composition was so far from answering the expectations of the Emperor and his court, in the execution, that he concluded the Pope's *Maestro di Capella*, in order to keep it a mystery, had put a trick upon him, and sent him another composition. Upon which, in great wrath, he sent an express to his Holiness, with a complaint against the *Maestro di Capella*, which occasioned his immediate disgrace, and dismission from the service of the papal chapel; and in so great a degree was the Pope offended, at the supposed imposition of his composer, that, for a long time, he would neither see him, or hear his defence; however, at length the poor man got one of the cardinals to plead his cause, and acquaint his Holiness, that the stile of singing in his chapel, particularly in performing the *Miserere*, was such as could not be expressed by notes, nor taught or transmitted to any other place, but by example; for which reason the piece in question, though faithfully transcribed, must fail in its effect, when performed elsewhere. His Holiness did not understand music, and could hardly comprehend how the same notes should sound so differently in different places; however, he ordered his *Maestro di Capella* to write down his defence, in order to be sent to Vienna, which was done; and the Emperor, seeing no other way of gratifying his wishes with respect to this composition, begged of the Pope, that some of the musician in the service of his Holiness, might be sent to Vienna, to instruct those in the service of his chapel how to perform the *Miserere* of Allegri, in the same expressive manner as in the Sistine chapel at Rome, which was granted. But, before they arrived, a war broke out with the Turks, which called the emperor from Vienna; and the *Miserere* was never yet, perhaps, been truly performed, but in the Pope's chapel.

Thus, it was obvious to Santarelli that nobody would be able to reproduce the *Miserere* as performed in the Sistine Chapel if they had nothing but the sheet music in their hands. When this story was told in 1770, there is good reason to assume that he was right, which the fate of the manuscripts of the *Miserere* circulating at this time shows. In addition to the legendary copy for Leopold I, the composer Giovanni Battista Martini reported to Burney that two more copies of the *Miserere* had crossed the borders of the Vatican so far; one addressed to the late King of Portugal João V and

Roma, e dispiacque eziandio al som[mo] pont[efice] Clemente 13, che se non era impedito dalla morte, voleva darne al Santarelli il meritato gastigo.' Cit. after Kantner and Pachovsky 1998, 208, 'A certain emasculated musician G. Santarelli found the means to secretly copy them [the *Misereres* of Allegri and Bai], sold them to an English Jew C. Burney, who immediately published them in London with an immense profit. This betrayal displeased Rome, and also displeased the supreme Pontiff Clement 13, who, if he was not prevented by death, wanted to give Santarelli the deserved punishment.' Baini is wrong in claiming that the death of Clemens XIII prevented the punishment of Santarelli. When Burney was in Rome and met Santarelli, his successor Clemens XIV was already acting.

[43] Cf. *Diario sistino* 169 (28 January 1752), fols 15^{v}–16^{v}: 'La provida, e speciale premura che hanno sempre mostrata i sommi pontefici per l'esatta, e segreta custodia de' libri, e composizioni musicali della sua papale Cappella serbati in un archivio particolare, e il rigoroso divieto da essi fatto, anche sotto pena di scommunica, non solo d'estrarre da quella i detti libri, e composizioni, ma anche di trascriverli in tutto, o in parte, e darne fuori le copie ci obbliga ad usare tutta la diligenza, acciò la pontificia volontà venga puntualmente adempita'. Cit. after Rostirolla 1994, 763, 'The provident and special care that the supreme pontiffs have always shown for the exact and secret custody of the books and musical compositions of the papal chapel kept in a particular archive, and the rigorous prohibition made by them, even under penalty of excommunication, not only to extract the said books and musical compositions from it, but also to copy them completely or partly, and to pass the copies outside, obliges us to use all diligence, so that the pontifical will is punctually fulfilled.'

[44] Cf. Burney 1771, 277: 'This composition used to be held so sacred that it was imagined excommunication would be the consequence of an attempt to transcribe it'; Burney 1771, 278: 'Signor Santarelli favoured me with another copy from the archives of the Pope's chapel', and Burney 1771, 270: 'to crown the whole, he joined to all these benefits, not only that of furnishing me with a true and genuine copy of the famous *Miserere* of Allegri, but all the compositions performed in the Pope's chapel during Passion Week.' In a letter to the actor David Garrick dated 17 October 1770 Burney wrote: 'Sig^{r} Santarelli the pope's Maestro di Capella […] is now getting made out for me Copies of the best of the Compositions that are in constant use in the Pope's Chapel', Burney, *Letters*, ed. Ribeiro 1991, 65.

[45] Burney 1771, 279–281.

one in Martini's own hands,[46] to which Burney added the manuscript Santarelli had passed to him. In contrast to the copies for the Portuguese court (see below), there is no evidence that the two other manuscripts had ever been used to prepare a performance of the *Miserere*. Burney, who missed the Holy Week in Rome,[47] based his edition on a copy of Martini's manuscript and compared it to the manuscript he had obtained from Santarelli.[48] But his account of how many copies were circulating is definitely wrong. Burney writes that he had rejected Francesco Giovanni Dreyer's offer to provide him with a manuscript of the *Miserere* that was to be copied from a manuscript in the archive of SS. Annunziata in Florence.[49] And Burney should also have known about the performances of the *Miserere* in the Academy of Ancient Music in London. On 27 February 1735, the *Miserere* was premiered in London thanks to a manuscript which Robert Hamilton had brought from Rome. There were also more performances (1743, 1749 and 1761) before the publication of Burney's travel report.[50] None of the manuscripts outside the Vatican mentioned so far are extant, but there are two pre-1771 manuscripts of the *Miserere* outside the Vatican. Both are based on the earliest version as in V-CVbav Capp. Sist. 205 and 206 and change the assignation of the verses to the two choirs in a different manner:[51]

- a manuscript copied *c.*1729–1739 by the composer Jan Dismas Zelenka, who died in 1745, only with the four-part choir bearing the title 'Miserere del S: Allegri', which was used in the service in Dresden where Zelenka was employed,[52]
- a manuscript in the Abbey of Lambach predating 1768 written by the local organist Anton Obermayr attributing the *Miserere* to 'Authore Gregorio Allegri Famosissimo et Celebrissimo Pontif: Musico.'[53]

One may doubt that the story as told by Santarelli has any historical background, but the inventory of the imperial chapel written by Kilian Reinhard in 1727 mentions a 'Miserere di Roma'[54]. It had been performed regularly in the Holy Week in eighteenth-century Vienna, and there is no reason for doubting that it was Allegri's. At first glance, it seems obvious that Leopold I, himself a skilled composer, was interested in the famous *Miserere* and felt that the pope should share his property with the emperor due to its special status. Santarelli's report that a war against the Turks inhibited the teaching of the Roman singers in Vienna allows two dates for the preparation of such a manuscript: either *c.*1663 or *c.*1683. But, at that time, the *Miserere* had just been entered in the choir books of the Sistine Chapel and added to its repertoire. None of the travel accounts praising it had been published yet. If the Viennese 'Miserere from Rome' was a faithful copy (or a copy of the copy) of the choir books in the Sistine Chapel that the pope sent to Leopold I, it may have included readings prior to the earliest extant Vatican choir books, including the *Miserere* written in 1661. But the earliest extant Viennese manuscripts do not show any *lectio difficilior* and none of them date back to 1727 or earlier.[55] A-Wn Mus. Hs. 19452 is a fair copy of a print published by the Milanese publisher Giussani in the last decade of the

[46] Cf. Burney 1771, 277–278: 'Padre Martini told me there were never more than two copies of it made by authority, one of which was for the late king of Portugal, and the other for himself'.

[47] Burney stayed in Rome from 28 September to 13 October and again from 11 to 21 November 1770 to pick up the manuscripts copied for him by Santarelli when Santarelli and some colleagues on 16 November 'were so obliging as to execute several beautiful compositions of Palestrina, Benevoli, and Allegri, in order to give me a true idea of the delicate and expressive manner in which they are sung in the chapel of his holiness', Burney 1771, 372.

[48] Cf. Burney 1771, 278: 'upon collating these two copies [Martini's and Santarelli's], I find them to agree pretty exactly, except in the first verse'. Burney's manuscripts were sold on 8 August 1814, one item in the catalogue is 'Allegri–Miserere, *by Permission from P. Martini's copy*, MS. 1770', Hyatt King 1973, 10. The copy obtained from Santarelli is not explicitly mentioned.

[49] Cf. Burney 1771, 243–244: 'upon my requesting him to favour me with a copy of the most celebrated composition performed in his church, he told me that it was the *Miserere* of *Allegri*, which is sung here, as in the Pope's chapel, only on Good Fridays, and that it should be transcribed for me immediately: but as I had already obtained a copy of that famous composition from Padre Martini, who had one made by the express order of the late Pope [Clemens XIII], I declined the acceptance of his obliging offer.' There is neither an account of a manuscript of the *Miserere*, nor about the performance of the *Miserere* in Florence *c.*1770.

[50] Chrissochoidis 2010, 87.

[51] The arrangement also differs from the Vatican manuscript V-CVbav Capp. Sist. 354, fols 13^{v}–20^{r} written in 1705 and assigns verses 1, 5, 9, 13, 17 and 20 to the music of the four-part choir, and only verse 3 to that of the five-part choir. There is no evidence in the readings of this manuscript that any of the pre-1771 manuscripts outside the Vatican depend on this one.

[52] D-Dl Mus. 2-E-12, cf. Horn 1987, 106–108 and Hochradner 2022, 26 and 28. There is only the music of the four-part choir, in a set of parts related to this manuscript and written by Zelenka (now RUS-Mrg Ф.954 №92) the music is distributed to two choirs, but they are both given the text of all the uneven verses of the psalm (so that they are not alternating); in addition, bassoons and a *violone* are added and there are indications of dynamics.

[53] A-LA 1930, cf. Hochradner 2022, 27–28 with a partial facsimile, 30. The distribution of the text is different to the Roman practice, choir 1 has verses 1, 4, 7, 10, 13, 16 and 19, choir 2 verses 3, 6, 9, 12, 15, 18 and 20a, both choirs verse 20b.

[54] Cf. Riedel 1977, 109 and 253.

[55] Cf. Hochradner 2022, 18–23 with partial facsimiles of all three manuscripts.

eighth century. It was edited by the composer Václav Pichl, who had been in the service of Ferdinand Karl, Archduke of Austria-Este in Milan since 1775, and was based on the earliest version in V-CVbav Capp. Sist. 205 and 206 with the addition of the indication of the *messa di voce*.[56] A-Wn Mus. Hs. 15849 and A-Wn Mus. Hs. 19451 share the difference in the order of the choirs as A-LA 1930, but in contrast to the latter, the other two have dynamics. It is evident that these three manuscripts depend on the same manuscript tradition, and it is likely that it was the 'Miserere from Rome' mentioned in the inventory in 1727 because A-Wn Mus. Hs. 19451 names no author whereas A-LA 1930 and A-Wn Mus. Hs. 15849 do so as 'Miserere […] | Del Gregorio Allegri'. The title of A-Wn Mus. Hs. 19451 is similar to the one in the inventory 'Miserere | Per la settimana Santa […] | Di Roma'. D-Dl Mus. 2-E-12 is independent from the three Austrian manuscripts.[57] Zelenka was in Vienna from 1716 until 1719. Possibly, he copied the *Miserere* there, but his extant manuscript is supposed to date from between 1729 and 1739.[58] Both traditions could only have depended on the manuscript of the 'Miserere from Rome' if it had been a faithful copy of V-CVbav Capp. Sist. 205 and 206. Given that Zelenka only adds the dynamics in the parts and does so differently than in the Viennese manuscripts gives rise to the question whether he may have once copied from a manuscript with dynamics, but, instead of copying them into his score, tried to add them from memory when writing out the parts.

In any case, Zelenka is the originator of a version of the *Miserere* performed in Dresden in which all the uneven verses are sung by two choirs to the same music accompanied by some instruments. This version is as different from the Roman service as is the version in A-LA 1930 and the two Viennese manuscripts (changing the distribution of the verses to the two choirs and the 'clero' singing the verses in plainsong), whose originator is unknown, and had been performed in Vienna, and perhaps in Lambach, too. Neither of the originators of these versions are mentioned in the respective manuscripts. It would be mere speculation to conclude that the dynamics in the Vienna manuscripts reflect advice given to the court musicians of Leopold I by a Vatican scribe or singer in the seventeenth century. And even if so, these dynamics do not represent the contemporary performance practice in Rome at the beginning of the nineteenth century at all as Franz Sales Kandler (who subsequently translated Baini's Memorie) proclaimed in 1817 in his edition where he superposed Burney's edition with the indications of the dynamics taken from one of the Viennese manuscripts.[59]

3. The fame of copying – listeners as originators

Beyond the small number of authentic manuscripts, Burney mentions 'spurious copies' of the *Miserere* that had been circulating. In these manuscripts, the top voice resembles that of Allegri's composition (or Biordi's arrangement) to which other parts were added single-handedly.[60] One can assume with Burney that this kind of manuscript had been produced by writing down the top voice from memory after attending the performance and setting the other parts to it single-handedly according to the memorised harmonic progression. One such manuscript, whose whereabouts and originator is unknown, must have been the antigraph of the publication of the 'Miserere del Sgr Allegri', which appeared in 1767 in Charles-Henri de Blainville's *Histoire générale*.[61] The first choir is reduced to four voices, the canto primo has embellishments that are not written in any of the choir books of the Sistine Chapel, but may have been sung

[56] *Il salmo Miserere mei Deus s. a.* That this print is not based on A-Wn Mus. Hs. 19452 is evident due to an error in the latter (one note missing in bar 8 in the second cantus of the second choir) which is not to be found in the print. Other manuscript copies depending on this print are D-B Mus. ms. 30086 (with a slightly different preface) and D-Rp Pr-M Allegri 26, facsimile of the first page of the latter in Schiltz 2016, 231. The latter is not a copy of A-Wn Mus. Hs. 19452 as Schiltz states, because it does not show the error.

[57] None of them gives the beginning of the second choir, 'amplius lava me', with the same readings as V-CVbav Capp. Sist. 206, there is a shared error between A-LA 1930, A-Wn Mus. Hs. 15849, and A-Wn Mus. Hs. 19451 (one additional bar in the first half of the music of the second choir), but none with D-Dl Mus. 2-E-12. The lost antigraph may have included the dynamics then eliminated in A-LA 1930 because the division of the long note at 'et peccatis' to be found in this copy would not have been eliminated in copying but is not found in A-Wn Mus. Hs. 15849 and A-Wn Mus. Hs. 19451. The dynamics added to RUS-Mrg Ф.954 №92 and those added to A-Wn Mus. Hs. 15849 and A-Wn Mus. Hs. 19451 differ significantly.

[58] D-Dl Mus.1474-E-3

[59] Cf. *Miserere di Allegri* 1817. Kandler states that the dynamics are 'aus einem zuverlässigen Manuscripte hinzugefügt worden', *Miserere di Allegri* 1817, 112. This manuscript was either A-Wn Mus. Hs. 15849 or A-Wn Mus. Hs. 19451. The procedure is strange enough in the five-part choir because Kandler adopted the dynamics added to the earliest version of the *Miserere* in the Vienna manuscripts to the Biordi-arrangement as published by Burney.

[60] Cf. Burney 1771, 278: 'I have seen several spurious copies of this composition in the possession of different persons, in which the melody of the *soprano*, or upper part, was tolerably correct, but the other parts differed very much; and this inclined me to suppose the upper part to have been written from memory, which, being so often repeated to different words in the performance, would not be difficult to do, and the other parts have been made to it by some modern contra-puntist afterwards.'

[61] Blainville 1767, plates XXII–XXIII, edition in O'Reilly 2020, 281–282. Blainville gives only the first of the verses for each choir.

in a performance. The basso forms the foundation of the harmonies, and the alto and tenor part have been added to this framework single-handedly. The cantus primus resembles the earliest version as in V-CVbav Capp. Sist. 205 and 206, performance of which in the Sistine Chapel is believed to have ceased after Biordi's arrangement had been approved in 1731. Thus, it is likely that, at the time of its publication, Blainville's manuscript (or its antigraph) was already at least thirty-seven years old. Allegedly, the lost manuscript of the Academy of Ancient Music predating 1735 was also such a 'spurious copy'. Maybe its readings were close to those of Blainville's manuscript.[62] There is no hint that any of the stenographers have been given credit in these manuscripts, and it is most likely that they were not at all interested in being identified as originators.

The ability of writing the *Miserere* down after attending its performance made a significant contribution to Wolfgang Amadeus Mozart's – predominantly posthumous – fame.[63] The most famous act of writing music in Mozart's whole life was not the notation of one of his own compositions, but writing down the music of the *Miserere* that he had heard in the Sistine Chapel in Rome on 11 and 13 April 1770 from his memory shortly before Burney's edition appeared. His father Leopold was very proud of his son having 'stolen' the *Miserere* from the Cappella Sistina and wrote to his wife about the coup from Rome on 14 April 1770:[64]

> du wirst vielleicht oft von dem berühmten *Miserere* in Rom gehört haben, welches so hoch geachtet ist, daß den Musicis der Capellen unter der excommunication verbotten ist eine stimme davon. aus der Capelle weg zu tragen, zu Copieren, oder iemanden zu geben. Allein, *wir haben es schon*. der Wolfg: hast es schon aufgeschrieben, und wir würden es in diesen Briefe nach Salzb: geschickt haben, wenn unsere Gegenwarth, es zu machen, nicht nothwendig wäre; allein die Art der production muß mehr dabey thun, als die Composition selbst, folglich werden wir es mit uns nach hause bringen, und weil es eine der Geheimnisse von Rom ist, so wollen wir es nicht in andere Hände lassen, ut non incurremus mediate vel immediate in Censuram Ecclesiae.
>
> You may have often heard of the famous *Miserere* in Rome, which is so highly respected that the musicians of the chapels are forbidden under excommunication to carry a part of it away from the chapel, to copy it, or to give it to someone. Yet, *we already have it*. Wolfgang has already written it down, and we would have sent it in this letter to Salzburg if our presence was not necessary to perform it; but the art of performance must do more than the composition itself, so we will take it home with us, and because it is one of the secrets of Rome, we do not want to let it into other hands, so that we do not run directly or indirectly into the censorship of the church.

Leopold was well aware that there was a gap between the written music and its performance, that an experience similar to the emperor's in Santarelli's anecdote could only be avoided when advice on its performance was also transmitted in addition to the music. His wife was primarily afraid of the potential consequences of the 'theft' as Leopold's answer in his letter from 19 May 1770 shows:[65]

> da wir den Articul wegen dem *Miserere* gelesen, haben wir beyde hell lachen müssen. Es ist deswegen gar nicht die mündeste sorge. Man macht ander Orts mehr daraus. ganz Rom weis es; und selbst der Pabst weis es, daß der Wolfg: das *Miserere* geschrieben. Es ist gar nichts zu beförchten: es hat ihm vielmehr grosse Ehre gemacht, wie du in kurzem hören wirst. Du sollst absolute den Brief aller ort lesen lassen, und solches Sr: Hf: Gden zu wissen machen.
>
> When we read the article about the *Miserere*, we both had to laugh out loud. Therefore, there is not the slightest concern. More is made out of it elsewhere. All Rome knows it, and even the Pope knows that Wolfgang wrote down the *Miserere*. There is nothing to be afraid of: on the contrary, it did him great honor, as you will soon hear. You should absolutely make the letter be read everywhere and to announce it to his royal grace.

[62] Cf. Hawkins 1776, 90 (n.): 'The few copies of the Miserere of Allegri till lately extant are said to be incorrect, having been surreptitiously obtained, or written down by memory, and the chasms afterwards supplied: such it is said is that in the library of the Academy of Ancient Music'. Hawkins adds: 'one [copy] in every respect complete, and copied with the utmost care and exactness, was about three years ago presented as an inestimable curiosity by the present pope to an illustrious personage of this country.' Taking up this information, Watkins 1800 writes (no page numbers, article Allegri, Gregorio): 'Pope Clement XIV sent a magnificent copy of it to our present king, in 1773.' But Hawkins does not mention George III, and the present pope was Pius VI. The copy Hawkins refers to was made for William Henry Duke of Gloucester, see below.

[63] Cf. Schlichtegroll 1793, 102–103.

[64] Mozart, *Briefe und Aufzeichnungen*, eds Bauer and Deutsch 1962, vol. 1, 334–335.

[65] Mozart, *Briefe und Aufzeichnungen*, eds Bauer and Deutsch 1962, vol. 1, 349.

Leopold was right: nothing happened to him and his son. On the contrary, Clemens XIV awarded the order of the Golden Spur to Wolfgang, promoting him to *cavaliere*.[66] Presumably because they did not cash in on their stolen goods and did not 'let it in other hands'[67]. There is no evidence for a performance of the *Miserere* in Salzburg after their return in March 1771.[68] Their employer, archbishop Sigismund III Christoph Graf von Schrattenbach, will have viewed the unauthorised dissemination of the *Miserere* as a poisoned gift and must have regarded it as the pope's property.

Hence, it is no wonder that Mozart's manuscript of the *Miserere*, devaluated by Burney's publication in the following year, got lost. The only documentary evidence about Mozart's manuscript or a copy of it is to be found in a letter of the composer Carl Friedrich Zelter dated 14 January 1809 to the music publisher Ambrosius Kühnel: 'Von dem Miserere des Allegri besitzt jemand hier zu Berlin eine Abschrift, welche der sel. Mozart, in Rom der Aufführung soll nachgeschrieben haben.'[69] In fact, at least four manuscripts of the *Miserere* mention Mozart. The earliest of these, and perhaps the one Zelter knew about, seems to be D-B Mus. ms. 550 from the library of the collector Georg Pölchau. Its title reads: 'Gregorio Allegri Miserere a 5 Voci. | G m. | Mit der Bezeichnung des Piano u[nd] Forte, Smorzando etc. | so wie es jährlich in der Sixtina gesungen wird. | Diese Bezeichnung der Vortragsart soll von Mozart herrühren.'[70] This manuscript gives the readings of Burney's edition and adds a tenor-part to the second choir as well as some dynamics not included in any other manuscript. The only reason for pointing Mozart out as the originator is that the anecdote about his theft of the *Miserere* had been published in 1793, and somebody wondering about the differences between a manuscript with dynamics and Burney's edition created an originator for the add-on in the first. There are three later manuscripts, formerly in the possession of Gustav Wilhelm Teschner (*c.*1844), one of them written by Karl Wünsch[71] in 1832, mentioning Mozart in the same way (Figs 1–2).[72]

But their readings are different from D-B Mus. ms. 550. They give no dynamics, but the same embellishments as in I-Mc M. S. MS. 2-2, a manuscript related to the singers of the Cappella Sistina (see below). Nevertheless, Mozart is credited as an originator ('is said to originate from Mozart') of the notation of the art of performing the *Miserere*. The merit attributed to him in these words goes far beyond that of a copyist or a black marketeer, because he is said to have successfully bridged the gap between Burney's edition and the performance practice in the Sistine Chapel, with the titles stating 'as sung in the Sistine Chapel'.

Precisely, this 'as sung' had been missed in Burney's publication because travelers had started comparing the music of the *Miserere* to the actual performances once it was no longer exclusive to the Sistine Chapel. And as the emperor-composer in Santarelli's anecdote, learned musicians immediately became aware of the differences.

4. The claim of copying – popes as originators

The *Diario Sistino* contains evidence of five manuscripts of the *Miserere* that had been produced before 1800; not only had the popes permitted this, but they actually ordered it. There were two manuscripts for the Portuguese King João V and his successor José I in 1718 and 1757, one for the duke of Gloucester in 1772, one for a royal minister in 1788 and one for the French *chargé d'affaires* in Italy François Cacault in

[66] Cf. Leopold Mozart's letter to his wife dated 7 July 1770, Mozart, *Briefe und Aufzeichnungen*, eds Bauer and Deutsch 1962, vol. 1, 368.

[67] There is a manuscript by Wolfgang's sister Maria Anna written in 1792 for Friedrich Schlichtegroll. She reports that Mozart sang the *Miserere* in a private circle accompanying himself: 'Er musste es in einer academie beym Clavier singen. der Castrat christofori, der es in der Capella sang war zugegen.' Mozart, *Briefe und Aufzeichnungen*, eds Bauer and Deutsch 1963, vol. 4, 194. Another detail of her account is trustworthy due to the date of Leopold's report. She writes that Wolfgang attended the service again on 13 April 1770, proofreading his manuscript against the performance, Mozart, *Briefe und Aufzeichnungen*, eds Bauer and Deutsch 1963, vol. 4, 194, 'gieng er wieder hin, hielt seinen aufsatz in hut, um zu bemerken, ob er es getrofen, oder nicht, Allein es wurde ein anderes *Miserere* gesungen. Am Charfreytag wurde das nehmliche gemacht, nachdem er nach Hause kam, machte er da und dort eine Ausbesserung, dann war es fertig.' The programming of the two pieces is confirmed in the *Diario Sistino* 193 (13 April 1770), fol. 123^{r}, cf. Rostirolla 1994, 771. It has been speculated that the Mozarts had already had access to a copy of the *Miserere* during their stay in London, cf. Chrissochoidis 2010, 88, but there is no evidence that the 'sheltered paper' Mozart took to the Sistine Chapel was a copy taken in London.

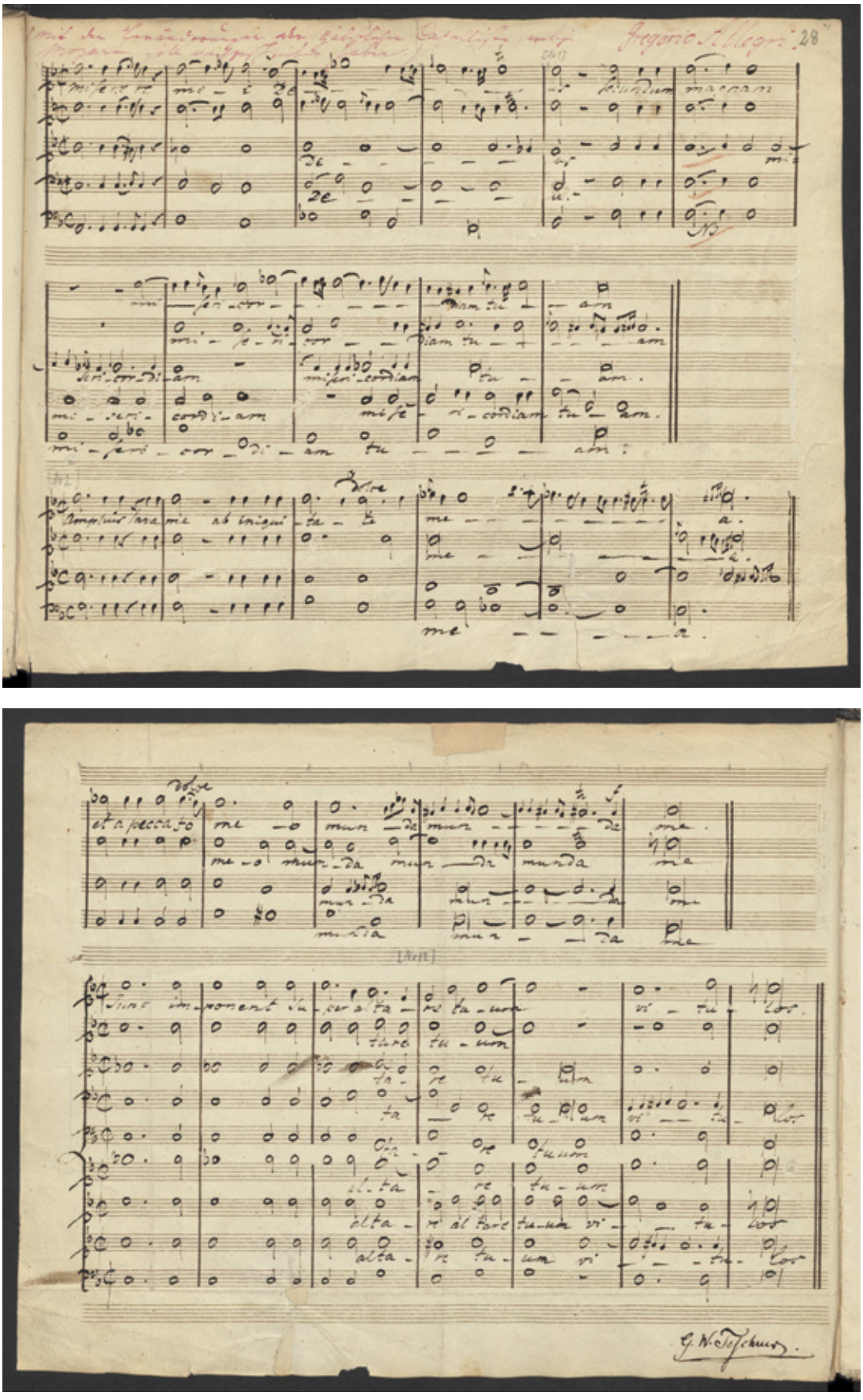
[68] The version in the earliest extant copy of the *Miserere*, written by Johann Mederitsch (1752–1835), in the Dommusikarchiv in Salzburg (A-Sd M.N. 115,1an) is related to Burney's edition, cf. Hochradner 2022, 31.

[69] D-B Mus. ep. 2204, cit. after Plath 1985, 404, 'Someone here in Berlin has a copy of the Allegri's *Miserere*, which is said to have been copied from the performance in Rome by the blessed Mozart'.

[70] Cf. Amann 1935, 108–109, 'With the indication of the piano and forte, smorzando etc. just as it is sung annually in the Sistine Chapel. This indication of the art of performance is said to originate from Mozart.'

[71] Wünsch was Kammergerichtsrat in Berlin; on his journey to Italy and his interest in music cf. *Neuer Nekrolog* 1839, 511–514.

[72] D-B Mus. ms. Teschner 39, fols 11^{v}–12^{r} (only verses 5 and 6) and fols 28$^{r–v}$ ('Mit den Veränderungen der päbstlichen Capellisten, welche Mozart sole [sic!] nachgeschrieben haben.') as well as D-B Mus. ms. Teschner 111, fols 19^{r}–20^{r} ('Das Miserere von Allegri *samt* der Veränderungen der Päpstl. Capellisten welche Mozart nachgeschrieben haben soll') which subdivides the bars, cf. Plath 1985, 405 and Vetter 1998, 145.



Figs 1–2: Gregorio Allegri, *Miserere*, Rome or Berlin, 1832–1844, Staatsbibliothek zu Berlin – Preußischer Kulturbesitz – Musikabteilung mit Mendelssohn-Archiv (D-B) Mus. ms. Teschner 39, fols 28^{r}–28^{v}.

1797. The production of these copies occurred for diplomatic reasons and was governed by the political interests of the popes with regard to those asking for them. Regardless of who prepared the manuscripts, the respective pope is the originator, conceding a favor to the recipients by sharing his exclusive property. None of these manuscripts are extant, and there is no indication whether a label of authorisation was affixed to them. Considering these donations, it would be no wonder if the legend of the copy for Leopold I, who defended the Holy Roman Empire against the Turks, has a true core. The preparation of the manuscripts made in 1718 and 1757 for the Portuguese court is well documented. After having elevated the Portuguese Royal Chapel to the rank of Patriarchal Church on 7 November 1716 with the bull *In supremo apostolatus solio*, Clemens XI permitted to copy not only Allegri's *Miserere*, but a good portion of the repertory of the Cappella Sistina in 1718.[73] This collection was designated to set up a copy of the Roman liturgy in Lisbon. After the archive of the Cappella Reale in Lisbon had been destroyed by fire, the production of a second manuscript was approved by Benedict XIV in 1757.[74] Of course, P-La 54-iii-93 n. 36 a 44, a complete extant set of parts of the *Miserere*, is not the copy sent from Rome to Lisbon. One must assume that the latter was a choir book, but the parts are connected to the Capella Reale (Figs 3–4).

They contain the earliest version of the *Miserere* as in V-CVbav Capp. Sist. 205 and 206.[75] This suggests that the second manuscript prepared in 1757 contained this version again as in the manuscript from 1718 and not the Biordi-arrangement which had replaced it in the Cappella Sistina in the meantime.

After Burney's edition, there was no longer the chance to keep the papal music enclosed, and more popes were willing to fulfill the wishes of majestic admirers of the *Miserere*. Pius VI flattered William Henry Duke of Gloucester, the brother of King George III, when he was visiting Rome in 1772 to further cultivate good relations with Great Britain and Ireland. A private performance of the *Miserere* was part of the program,[76] after which the Duke of Gloucester received a copy of the *Miserere*.[77] In 1788, Pope Pius VI gave permission for a copy for a 'regio ministro'[78], but it is not known to which court he belonged. When the French

[73] Cf. *Diario Sistino* 138 (29 July 1718), fols 51^{r}–53^{r}, cf. Rostirolla 1994, 650 (n. 67). This copy of the *Miserere* is mentioned as part of the repertoire of the Portugese Royal Chapel *c.*1722–1724 in the *Breve rezume de tudo o que se canta en cantochaõ, e canto de orgaõ pellos cantores na santa igreja patriarchal*, fol. 24^{r}, as the *Miserere* 'o que se costuma cantar na Cappella pontifisia', cit. after d'Alvarenga 2011, 183.

[74] Cf. *Diario Sistino* 174 (1757), fol. 39^{r}: 'Francesco d'Almada, e Mendoza, ministro di sua maestà fedelissima riverentemente l'espone d'essere state assorbite dal incendio le musiche della real Cappella per le quali s'en degnata la signoria vostra dare il permesso se ne fosse fatta, conforme seguì, la copia da quelle della Cappella pontificia contenute nella annessa nota. Pertanto a nome della detta maestà sua fedelissima supplica la signoria vostra degnarsi dare la facoltà di potersi nuovamente copiare le accennate musiche per uso della real Cappella …'. Cit. after Rostirolla 1994, 764, 'Francesco d'Almada, e Mendoza, minister of his most faithful majesty reverently explains that the music of the Royal Chapel had been absorbed by the fire. It contained the copies of those compositions from the Papal Chapel contained in the attached note for which your holiness has deigned to give permission to copy them. Therefore, in the name of his most faithful Majesty, he begs your Holiness to grant you the right to copy the aforementioned music again for the use of the Royal Chapel.' The manuscript then was prepared, cf. *Diario Sistino* 174 (1757), fol. 41^{v}: 'nota delle musiche che sono necessarie per questa reale Cappella e che devono farsi copiare in Roma dalla Cappella del papa. […] Il Miserere che si canta in S. Pietro nella Settimana santa', cit. after Rostirolla 1994, 765, 'Sheet music that is necessary for this Royal Chapel and which must be copied in Rome from the Pope's Chapel. […] The *Miserere* that is sung in S. Pietro during the Holy Week.'

[75] There are some changes, erasures and added notes in the cadences, effected after the copy had been made, and there is the indication 'Largo'.

[76] Cf. *Diario Sistino* 195 (8 March 1772), fol. 50^{v}: 'Il real duca di Gloucester avendo palesato il suo desiderio di sentire il Miserere di Gregorio Allegri, che si canta nel Mercoledi santo nella Cappella pontificia, all'eminentissimo nostro protettore Alessandro Albani […] nella presente domenica verso l'un ora e mezzo di notte nella villa del nostro eminentissimo protettore fuor di Porta Salara si è cantato da'nostri cantori pontificij il detto Miserere'. Cit. after Rostirolla 1994, 772, 'Because the Royal Duke of Gloucester had expressed his desire to hear Gregorio Allegri's *Miserere*, which is sung on Holy Wednesday in the Papal Chapel, to our most eminent protector Alessandro Albani [...], on this Sunday at about one hour and a half in the night in the villa of our most eminent protector outside Porta Salara the said *Miserere* was sung by our pontifical singers.' There was another extraordinary performance of the *Miserere* taking place when Emperor Joseph II visited the conclave 17 March 1769, cf. *Diario Sistino* 192 (17 March 1769), fol. 53^{r}: 'è stato loro comandato a nome del sacro Collegio di tenere all'ordine il Miserere di Gregorio Allegri, per farlo sentire a sua maestà imperiale, casochè la medesima ne mostrasse desiderio'. Cit. after Rostirolla 1994, 770, 'they were commanded in the name of the sacred college to prepare Gregorio Allegri's *Miserere* in order to sing it for his imperial majesty in case he would show a desire for it'.

[77] Cf. *Diario Sistino* 1772 (19 March 1772), fol. 54^{r}: 'Questa mattina il signor maestro [Giovanni Lopez] ha data parte al reverendo Collegio di avergli sua eminenza nostro protettore comunicato esser mente di nostro signore di far trascrivere da' nostri scrittori il Miserere di Gregorio Allegri, et rigalarne la copia al real duca di Gloucester', cit. after Rostirolla 1994, 772, 'This morning the *maestro* [Giovanni Lopez] shared with the reverend college that His Eminence, our protector, had communicated to him that it was our Pope's intention to have copied Gregorio Allegri's *Miserere* by our scribes, and to give the copy to the Royal Duke of Gloucester'. There is no extant manuscript which can be related to this copy, but a report on it in Junker 1784, 111.

[78] Cf. *Diario Sistino* 211 (8 October 1788), fol. 32^{v}, cit. after Rostirolla 1994, 777: 'Il signor maestro esibì un biglietto, mandatogli da monsignor maggiordomo […] in cui ad istanza di un regio ministro il santo padre dava il permesso di far trascrivere alcune delle nostre migliori composizioni', 'The *maestro* showed a notice, sent to him by the *maggiordomo* [...] in which, at the request of a royal minister, the Holy Father gave permission to copy some of our best compositions'. There is no extant manuscript that can be related to this copy.

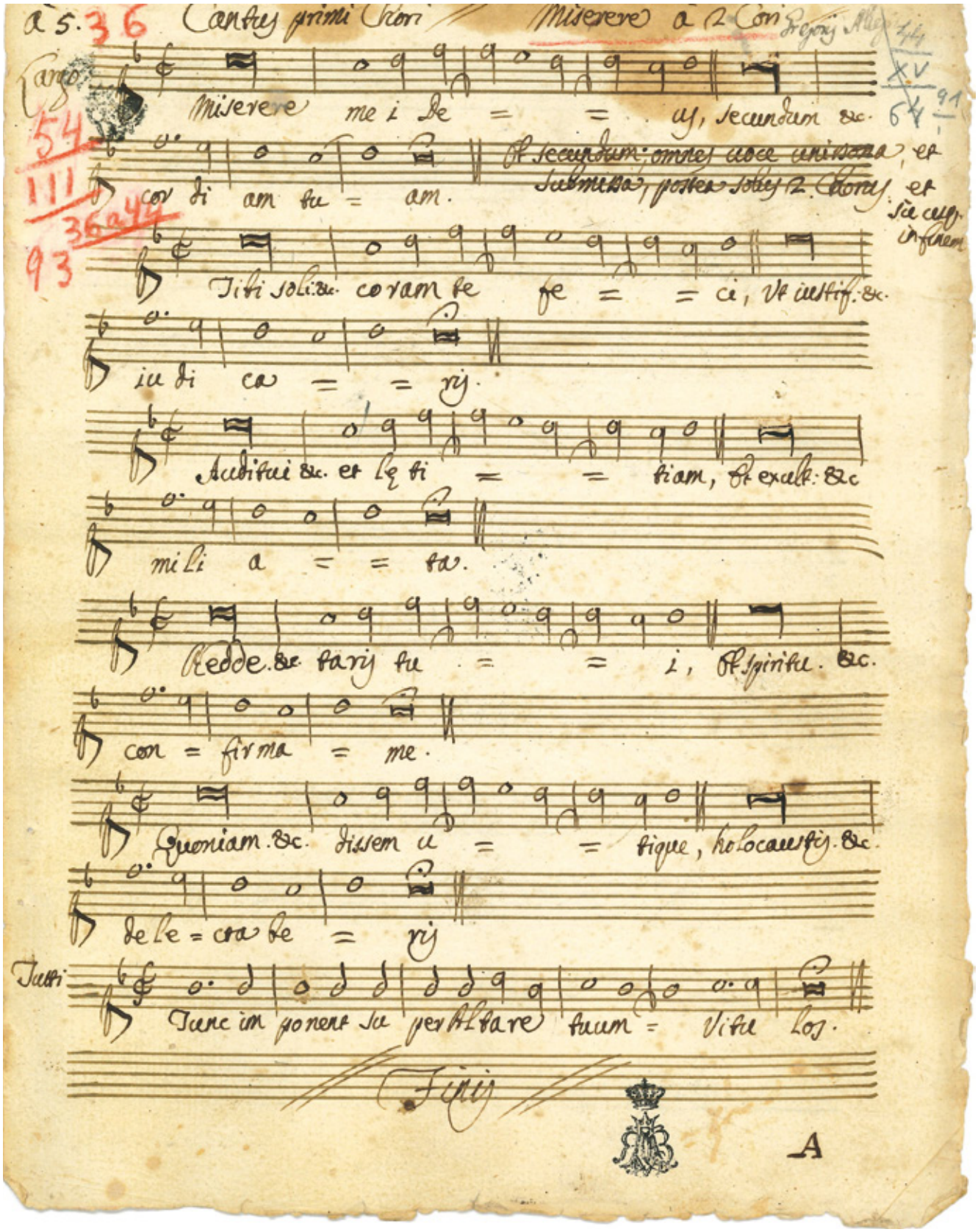


Fig. 3: Gregorio Allegri, *Miserere, cantus primi chori*, Lisbon, after 1757, Biblioteca da Ajuda Lisboa (P-La) 54-iii-93 n. 36

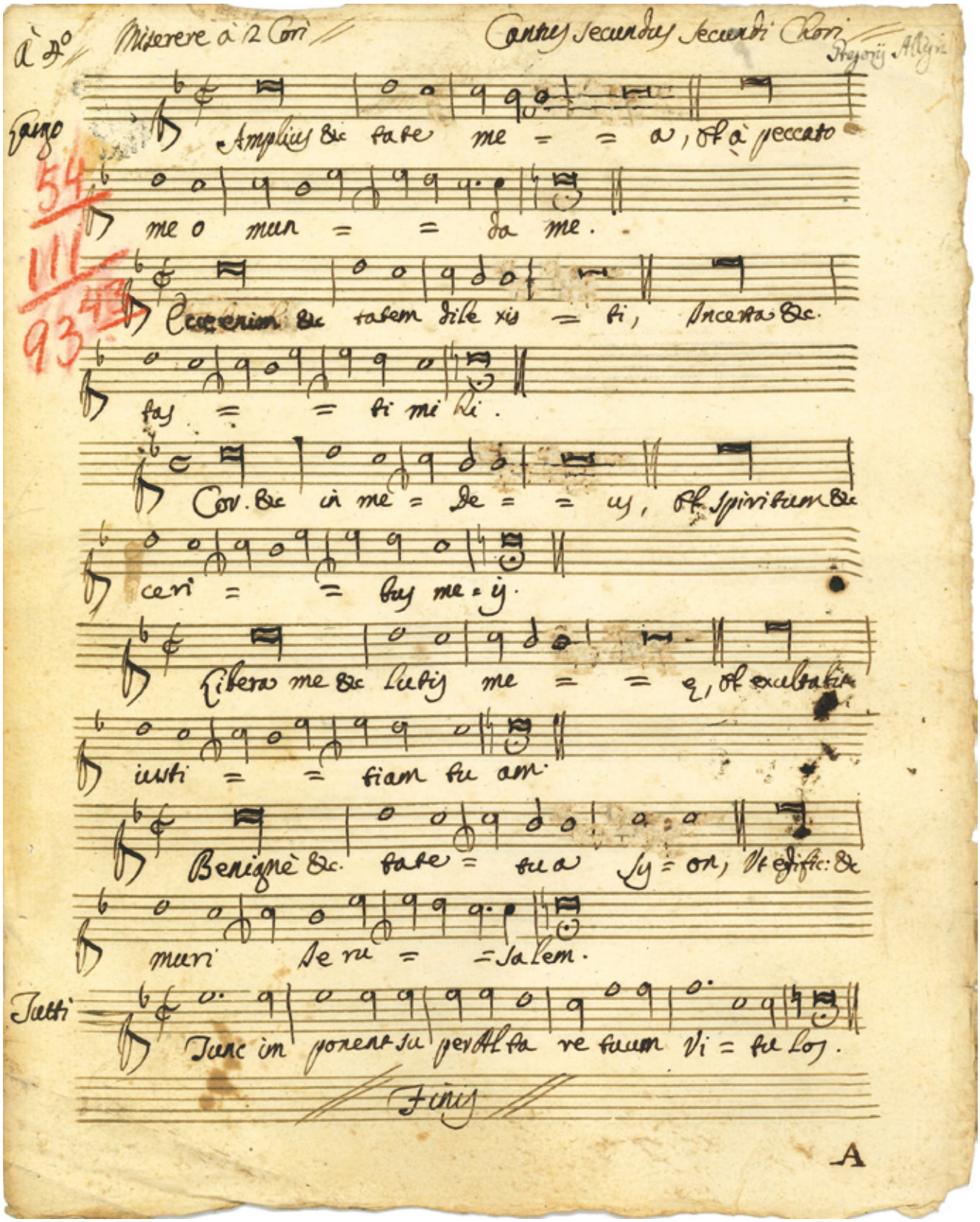


Fig. 4: Gregorio Allegri, *Miserere, cantus secundus secundi chori*, Lisbon, after 1757, Biblioteca da Ajuda Lisboa (P-La) 54-iii-93 n. 43

army had invaded Italy, the French general agent François Cacault, who was a collector of artefacts, asked for copies of the famous compositions of the Papal Chapel after the Treaty of Tolentino in 1797. Pius VI directed the Chapel to copy 'venti pezzi di musica de' migliori classici autori, e antichi, che si racchiudono nella custodia e archivio della Cappella pontificia a scelta'[79], the soprano Tommaso Marconi was made responsible for the redaction and a second singer asked to assist him.[80] The multiple text manuscript GB-Mr Italian 45 contains exactly twenty of these most famous compositions, including the *Miserere*.[81] And even though this manuscript has a title page dedicating it to Louis-Hippolyte Mesplet, who was in contact with the Cappella Sistina the year after (see below), there can be no doubt that giving away this repertoire for the second time was a conciliation by the Pope in order to protect the properties of the Vatican from being looted by the French as other goods in Italy. However, it is unlikely that GB-Mr Italian 45 is the manuscript officially prepared for Cacault: there was no reason to give him the last item, which was a second copy of the *Miserere* 'con suoi rifiorimenti' (see below), the treasure of the Chapel.

5. The aim of copying – singers as originators

Wilhelm Heinse's praise of the *Miserere* in his novel *Hildegard von Hohenthal* (1795), 'es macht ihr wohl, was Wirkung betrifft, keine andre Musik ihrer Art den Rang streitig'[82], provoked a harsh review by the composer Johann Friedrich Reichardt published in 1796. Reichardt criticised not only Heinse's lascivious novel and his description of the *Miserere*, but Allegri's music itself, calling the *Miserere* 'eine so unwichtige Arbeit'.[83] The dispute between Reichardt and Heinse centered on whether the written composition or the performance of the *Miserere* should be regarded as its original. Reichardt, who added an edition of the music of the *Miserere* to his review,[84] wondered why such a simple composition was adored by so many listeners and speculated about the *Miserere* being hyped due to intrigues at the papal court.[85] In an unpublished response kept in his notebooks, Heinse pointed out that only attending the performance in Rome gives a real idea of what the *Miserere* is, much more than the sheet music which was in circulation:[86]

> In den bloßen Noten der Partitur, wenn man auch den ganzen Psalm sich hinzu denkt, kann die stärkste Einbildungskraft die Wirkung kaum einigermaßen sich vorstellen, die die Musik in vortrefflicher Aufführung, noch immer zu Rom nach Angabe des Meisters, bey Zuhörern hervorbringt, […] Diese Art von Musik ist uns […] zu fremd, *wir müssen sie schlechterdings mit dem leibhaften Sinn des Ohrs hören*.

> In the mere notes of the score, even if one imagines the whole psalm in addition, the strongest imagination can scarcely imagine the effect which the music produces in the listener in an excellent performance, as it still takes place in Rome according to the master. [...] This kind of music is too alien to us [...], *we absolutely have to hear it with the physical sense of the ear.*

Reichardt will not have been satisfied with this because, after hearing the *Miserere* in Rom in 1790, he published a lament about the poor quality of the embellishments performed.[87] To close the gap between music and performance, a new type of manuscript of the *Miserere* became the object of desire: manuscripts confirming that all the embellishments added in the performance in the Sistine Chapel are included in its written record. No longer was the composer regarded as the sole originator, but the performers were too. Being aware of the differences between the performance in Rome, and the manuscripts and prints circulating since Burney's

[79] *Diario Sistino* 220 (15 and 24 May 1797), fol. 21^{v} and 49^{r}, cit. after Rostirolla 1994, 780, 'twenty pieces of music by the best classical and ancient authors, which are enclosed in the custody and archive of the pontifical chapel, of your choice'.

[80] Cf. Rostirolla 1994, 780.

[81] Cf. the inventory of the manuscripts in O'Reilly 2020, 103–105.

[82] Heinse, *Hildegard von Hohenthal*, ed. Keil 2002, 14–15, 'As far as effect is concerned, no other music of its kind can compete with it'. Heinse heard the *Miserere* in Rome 1782, see the letter to Friedrich Heinrich Jacobi dated 16 March 1782 in Heinse, *Briefe*, ed. Süddekopf 1910, 155. His notebooks contain the description of the *Miserere* later used in his novel, cf. Heinse, *Die Aufzeichnungen*, ed. Bernauer 2003, 660–662. As the quotation of the notice concerning the performance of the last verse shows, Heinse had Burney's edition or a fair copy of it at hand. For more late-eighteenth cen-tury accounts cf. Heidrich 2004.

[83] Cf. Reichardt 1796, 404, 'such an unimportant work'.

[84] *Deutschland* 1796, vol. 3, appendix, for the alleged source cf. 419: 'nach einer Abschrift, die im Jahr 1790 von dem Original in der sixtinischen Kapelle selbst genommen, und die mit *der* vollkommen übereinstimmt, welche *Burney* im Jahr 1770 von *Santarelli* […] erhielt'. Although Reichardt had been in Italy in 1790, his edition is based on Burney's print or a fair copy of it; on the offer of a manuscript to him, see below.

[85] Cf. Reichardt 1796, 424–425.

[86] Heinse, *Die Aufzeichnungen*, ed. Bernauer 2003, 892.

[87] Cf. Reichardt 1792, 83: 'Nun sind die Verzierungen noch gar meistens der Art, das man es ihnen gleich anhört, dass sie von unverständigen Sängern herkommen und das Ohr des Künstlers wird oft durch grobe Verstösse gegen die Harmonie beleidigt.'

publication, the interest especially of music experts changed from obtaining a manuscript[88] (or print) of the *Miserere* to possessing a manuscript of the *Miserere* as it was performed in Rome. No copyist would have been able to prepare such a manuscript from the choir books in the Sistine Chapel or any manuscript copied from them, only the singers of the Cappella Sistina were trustworthy to certify a copy as 'so wie es in der […] Capella Sistina gesungen wird'[89], and it is no wonder that an excerpt from Heinse's *Hildegard von Hohenthal* was added to one such manuscript of the *Miserere*.[90]

Reichardt already reported in 1792 that a manuscript with embellishments was offered to him during his attendance at the performance of the *Miserere* in the Sistine Chapel in 1790:[91]

> […] ein kleiner schäbiger Abate, der neben mir steht […] bietet mir an, mir das *Miserere* mit allen Verzierungen, wie sie der berühmte Sänger *Santarelli* aufgesetzt, und wie es seitdem immer gesungen würde, in Abschrift mitzuteilen.
>
> […] a small, shabby abate standing next to me […] offers me a copy of the *Miserere* with all the embellishments as the famous singer *Santarelli* wrote it down and how it has been sung ever since.

But if the 'copy' used by Reichardt for his printed edition was the manuscript offered to him by the *abate*, Santerelli's 'embellishments' would be nothing else than the music published in Burney's edition.

The papal singers risked being regarded as traitors by their colleagues when giving away information about the performance practice. But when the choir was dispersed in 1798 due to the French invasion of Rome and the exile of Pius VI, this was no longer a barrier for not doing so. The French official Mesplet was appointed 'inspecteur des dépots de musique de Saint Pierre et du Vatican'[92] on 19 February 1798. He was the first to take advantage of the situation by obtaining a copy of the *Miserere* that contained more information about its performance practice than Burney's edition, the copies given away by the popes themselves, or any other manuscript or print so far. By supporting the papal singers with money, organising a public concert of the Chapel and safeguarding the treasure of their compositions,[93] Mesplet earned so many merits that they provided him with copies of numerous compositions from their choir books to which he had access as the *inspecteur* (the same repertory copied recently for Cacault)[94]. Moreover, they supplied him with a version of the *Miserere* 'Con suoi Rifiorimenti' in the manuscript given to him (F-Pn D-14499)[95]. The same version of the *Miserere* and most of the repertoire can also be found in a second, preparatory manuscript (GB-Mr Italian 45); the title page of the *Miserere* says:

> Miserere mei Deus, della Cappella Sistina | Di Gregorio Allegri Romano | Con suoi Rifiorimenti, come si deve Eseguire | Li quali s'imparano per Tradizzione | Per divertimento del Cittadino Mesplet | Amatore, e conoscitore della vera Musica
>
> *Miserere mei Deus* from the Sistine Chapel by Gregorio Allegri from Rome with its embellishments, how it has to be performed what is learned by oral tradition, for the enjoyment of the citizen Mesplet, enthusiast and connoisseur of true music.

Mesplet's manuscript was only used after his death to prepare a printed edition which was published in Paris in 1838.[96] But another similar manuscript (I-Mc M. S. MS. 2-2) shows that Mesplet was not the only one with whom the papal singers shared their secrets. It was given away by the tenor Abbate Nicola Binder, one of the members of the Chapel.[97] O'Reilly

[88] There is no complete catalogue of the enormous amount of post-1771 manuscripts of the *Miserere*, but cf. Amann 1935, 107–120, O'Reilly 2020, 367–368, and Helfricht 2004, 173–205.

[89] D-Dl Mus. 1474-E-3, fol. 1^{r}, 'as sung in the Sistine Chapel'.

[90] Cf. D-Dl Mus. 1474-E-3, fol. 1^{v}.

[91] Reichardt 1792, 84.

[92] O'Reilly 2020, 82 (n. 12), 'inspector of the music depots of Saint Peter and the Vatican'.

[93] Cf. Baini 1828, vol. 1, 278–289 (n. 379) and vol. 2, 165–166 (n. 562).

[94] Cf. the inventory of the manuscripts in O'Reilly 2020, 103–105.

[95] Cf. the *Miserere* on pp. 45–58, for an edition including the variants of GB-Mr Italian 45 cf. O'Reilly 2020, 283–285.

[96] *Sainte Cécile* 1838, 17–36. First, the version from Burney's edition is given, then the two versions of F-Pn D-14499. The statement, *Sainte Cécile* 1838, 19, that 'Le Maître de Chapelle de Pie VII, M. Baini, fu don à M. Mesplet d'un petit manuscrit', definitely does not report the true story. On this print cf. O'Reilly 2020, 95–99.

[97] Cf. I-Mc M. S. MS. 2-2, fol. 1^{r}: 'Rifiorimenti | Che si usano nella Cappella Pontificia | Al Miserere | Di Gregorio Allegri | Avvertimento: Nell'esecuzione di questo Miserere non si usi il tempo in precisione.' There is the notice 'Ricevuti dall'Abb.e Niccola'. There is an edition of this manuscript in O'Reilly 2020, 286–287. This version has been circulating as the copies in the possession of Teschner show, cf. D-B Mus. ms. Teschner 39,

states that the scribe of this manuscript is different from the manuscripts related to Mesplet, in which he identifies two different hands, one of which had written GB-Mr Italian 45 and parts (scribe A) of F-Pn D-14499.[98] O'Reilly compared the hands to those of two papal singers, the soprano Filippo Ceciliani and his colleague Binder. However, according to him, other manuscripts written by them[99] show similarities of both to the hand of scribe A, who wrote two compositions by Ceciliani (*Si difensore tu sei* and *Veni creator spiritus*) in F-Pn D-14499 (pp. 90–114).[100] All in all, the *Miserere* is written by three different hands in these three manuscripts.[101] Whoever wrote GB-Mr Italian 45 (scribe A) seems to be the originator of the transcription of the 'rifiorimenti', but none of the three manuscripts mention such an originator.

In 1825, Baini claimed to have retaught the singers the tradition of performing the *Misereres* when the Chapel continued its service after Pope Pius VII had returned to Rome.[102] Evidence such as the nineteenth-century manuscript tradition and not least those manuscripts connected to Mozart, shows that much of the performance tradition reestablished from 1814 on is similar to that documented in the three 'rifiorimenti'-manuscripts.

The English organist and collector Joseph Warren owned two early nineteenth-century manuscripts with embellishments close to those in the 'rifiorimenti'-manuscripts. Apparently one of them was sold by a Roman dealer, who was also offering an assortment of excerpts from contemporary operas, and the title misattributing the *Miserere* reads 'Miserere | del Sig. Mro Baj | Come si eseguisce nella Cappella Pontificia | Di Roma. | In Roma presso Bened. Morganti Via de Crociferi N° 119'[103]. Several early-nineteenth-century manuscripts bear similar indications like 'Miserere von Allegri | (mit allen Verzierungen; so wie es in der | Heiligen Woche zu Rom u der Capella | Sistina gesungen wird.—)'[104] or 'Miserere di Gregorio Allegri con tutti quelli ornamenti come si canta nella capella sistina nei giorni Mercoldi, Giovedi e Venerdi della Settimana Santa'[105]. Others additionally indicate 'von einem päpstlichen Sänger'.[106] Most of these manuscripts ended up in German-speaking countries, share the embellishments with Warren's manuscripts and are related to each other.[107] There are three manuscripts with all the verses of the *Miserere* written separately,[108] and two groups of manuscripts with music only for some of the verses of each choir, five manuscripts with a German title which are related to the composer Bernhard Klein, who acquired the master copy during his honeymoon in Rome in 1825,[109] and three with an Italian title and the indication 'Rome (30 October 1829)'.[110] Two of them show an ongoing engagement of their owners with the *Miserere* beyond obtaining the copy. Anton

fols 11^{v}–12^{r} (only verses 5 and 6) and fols 28$^{r–v}$ as well as D-B Mus. ms. Teschner 111, fols 19^{r}–20^{r}.

[98] Cf. the inventory of both manuscripts in O'Reilly 2020, 103–105.

[99] There is a manuscript written by Binder, a copy of the *Laudate pueri* by Giovanni Masi (I-Rsc G.Mss.44) and it is likely that the manuscript of Ceciliani's oratorio *Ruth* in I-Rf F.III.4 is an autograph.

[100] Cf. O'Reilly 2020, 102–107.

[101] Cf. O'Reilly 2020, 107–108.

[102] Cf. Sievers 1825, 72.

[103] GB-Lbl Add. 31525(1), cit. after O'Reilly 2020, 288. On this and on Warren's other manuscript GB-Lbl Add. 31525(2) cf. O'Reilly 2020, 135–138 and 288 and on the latter Byram-Wigfield 1997. For more manuscripts bearing evidence of being sold in Rome cf. Amann 1935, 107–120, cf. three manuscripts of the Biordi-arrangement without embellishments sold by Gaetano Rosati in Rome, D-B Mus. ms. Landsberg 8: 'In Roma Presso Gaetano Rosati in Via Babuino N° 117', H-KE 2667, cf. RISM <https://opac.rism.info/rism/Record/rism530000051>, and I-Nc Mus. ms. 34.1.24, cf. Amann, 115. A manuscript of which both the scribe and the price are known is D-MÜs SANT HS 51, Nr. 1. The collector Giuseppe Santini bought both the *Misereres* indicating: 'pagai Scudi 3 | per questi | due Miserere | essendo copiati | dal mio Maestro | Giuseppe Jannaconi | 15 Marzo | 1809.' Cit. after RISM <https://opac.rism.info/rism/Record/rism451012204>. The composer Jannacconi became *maestro di cappella* at St. Peter in 1811. The latter and the three manuscripts sold by Rosati are related because they all bear the indication 'Il Bello di questo Miserere consiste nella precisione esattezza, ed unione delle parti nell'eseguire quelle maniere di canto che li cantori fra di loro soltanto si comunicano', 'The beauty of this *Miserere* lies in the precision, exactitude and concinnity of the voices when performing the singing manners that the singers only communicate among themselves'.

[104] D-Dl Mus. 1474-E-3, fol. 1^{r}.

[105] D-LEm PM 5618, fol. 24^{r}, cit. after RISM <https://opac.rism.info/rism/Record/rism201004041>.

[106] PL-Wu RM 6027 (*olim* PL-WRu Mus. ms. Mf. 5132), cit. after Amann 1935, 109. There is an edition of this manuscript in Amann 1935, 50–52.

[107] Cf. the description and an edition of the manuscripts of this group in O'Reilly 2020, 288–299.

[108] PL-Wu RM 6027; D-Mbs Mus.ms. 671; A-Wn Mus. Hs. 15604, fols 1^{a}–18^{a}, cf. O'Reilly 2020, 135–138 and 288–289.

[109] D-B Mus. ms. Teschner 119, fols 10^{r}–13^{r} (fol. 13^{r} 'Soweit führte das Exemplar, nach welchem diese Copiatur gemacht. Rom im Februar 182[5] Bernh: Klein', 'This is what the manuscript from which this copy was made included. Rome in February 182[5] Bernh. Klein'); D-Dl Mus. 1474-E-3 (with the same indication); D-Mbs Mus.ms. 3268, and D-KNh R1038/2, cf. O'Reilly 2020, 138–140 and 290–291. In addition, D-B Mus. ms. Teschner 39, fols 24^{r}–27^{r}, written by 'Wünsch im Nobr. 1832' with the indication on fol. 24^{r}: 'Diese Verzierungen hat Bernhard Klein von einem päbstlichen Sänger erhalten, u. beim Zuhören noch vervollständigt', 'Bernhard Klein obtained these ornaments from a papal singer and completed them while listening.'

[110] CH-Bu UBH kk XII 22:3; D-LEm PM 5618 (written by the composer Moritz Hauptmann) and GB-Ob M. Deneke Mendelssohn d.70 (written by the music teacher Franz Xaver Gleichauf, no date), cf. O'Reilly 2020, 140–141 and 292.

Friedrich Justus Thibaut published a eulogy of sixteenth-century music (*Über Reinheit der Tonkunst*, 1825) one year after the preparation of his manuscript. His manuscript not only indicates 'von einem päpstlichen Sänger, mit allen Verzierungen und Andeutungen des Vortrags aufgesetzt, wie es jetzt in der Sixtinischen Capelle gesungen wird (d. h. seit 1824)', but also: 'auch bey dem Anhören revidirt.'[111] A manuscript once in the possession of the music historian Raphael Georg Kiesewetter shows the same indication with the same date, but it includes two additional versions of the *Miserere*, the latter one labeled as 'Wie es in Salzburg in der Domkirche gesungen wird' and the former one 'Original'.[112] The distinction between 'original' and 'as sung now' reveals the perspective of the historian in search for the *Miserere*'s origins, which are definitely not to be found in this version because it is a copy of Burney's edition.

When Baini lamented Alfieri's and Burney's editions (he had not noticed the Parisian edition of 1838), he made no comment on any manuscript of that new type, and there is no evidence that he could be held responsible for distributing them.[113] The only manuscript of the *Miserere* known to have been in Baini's possession is a copy of the earliest version of the *Miserere* without embellishments.[114] Although he knew the traitor who provided Alfieri with information about the performance practice, he did not mention his name. While Baini thought that a singer sang the embellishments to Alfieri,[115] O'Reilly suspects that there was written evidence of them in the hands of the singers,[116] because there are similarities between the embellishments in Alfieri's edition, the two manuscripts he had used to prepare it,[117] and the 'rifiorimenti'-manuscripts. Thibaut had speculated about such manuscripts in a letter to Georg August Christian Kestner, who acquired manuscripts for him in Rome, dated 10 April 1817:[118]

> Insbesondere würden Sie mich verpflichten, wenn Sie mir ungefähr mitteilen könnten, in welchem Ton und Tempo die Sachen von Palestrina, Baj und Allegri in der Charwoche in der Sixtinischen Capelle gegeben werden. Sie waren doch Ohrenzeuge? […] Man sagt, daß Sänger der päpstlichen Capelle geschriebene Traditionen über das alles besitzen sollen.
>
> In particular, you would oblige me if you could tell me roughly the tone and tempo in which the pieces by Palestrina, Baj, and Allegri are given in the Sistine Chapel during Holy Week. You were an ear witness, weren't you? […] It is said that singers of the papal chapel should have written traditions about all this.

There is evidence that by that time the Cappella Sistina sang a major third or a fourth higher than the music is notated in all the manuscripts inside and outside the Vatican. This practice is also reported by Alfieri[119] and Warren[120] as well as by travelling music experts such as Georg Ludwig Peter Sievers (1825) and the composers Louis-Joseph-Ferdinand Herold (1815), Louis Spohr (1817), Felix Mendelssohn (1831), Otto Nicolai (1839), and Fanny Hensel (1840).[121]

Regarding the embellishments, which Thibaut articulates no interest in, there was no ultimate version. The singers and especially the soprano Mariano Padroni, who entered the choir in 1801 and was responsible for the highest notes at least until 1839, tended to vary the ornaments according to their nature. There are accounts by some German musicians (Sievers, Mendelssohn and Nicolai), who took notes when they attended the services in the Sistine Chapel, documenting different embellishments in the performances they attended.[122]

Not only did Baini complain about the embellishments which Alfieri had published, but also about another secret that was revealed in the preface to his edition: from 1815

[111] D-Mbs Mus.ms. 671, fol. 1^{r}.

[112] A-Wn Mus.Hs.15604, fol. 1^{r}.

[113] But see D-KNh R1038/2, whose first owner (the musician Nicolaus Joseph Hompesch?) noticed: 'Erhalten im Jahr 1830 | von Bernhard Klein | welcher dieselben von dem | Capellmeister der päpstlichen | Capelle bei seiner Anwesen-|heit in Rom empfing', cit. after O'Reilly 2020, 291. Baini held no official position as a 'Capellmeister', the *magister pro tempore* in 1824 was the tenor Francesco Tifoni.

[114] Cf. I-Rc 2567, fols 7^{v}–8^{r}, 'Miserere della Capp.la del Papa | di Giorgio Allegri | Riportato da Venezia dal Sigr Pio Costanzi', cit. after RISM <https://opac.rism.info/rism/Record/rism850011007>.

[115] Cf. Baini's letter to Domenico Buttaoni, cit. Kantner and Pachovsky 1998, 208: 'Come mai il s[igno]r Alfieri li ha intesi se non sono stati eseguiti da molti anni per difetto del suo socio? Come mai li ha potuti scrivere se non li ha intesi?', 'How could Mr. Alfieri understand them when they were not performed for many years due to the fault of his companion? How could he write them if he did not understand them?'

[116] Cf. O'Reilly 2020, 155.

[117] D-B Mus. ms. 550/2 and D-B Alfieri 1, pp. 63–70, but there must have been a final copy that is now lost but was sent to the printer, cf. O'Reilly 2020, 153.

[118] Polley 1982, 311.

[119] Cf. *Il salmo Miserere* 1840, 3–4.

[120] Cf. GB-Lbl Add. 31525(2), cf. O'Reilly 2020, 288.

[121] Cf. O'Reilly 2020, 156–159.

[122] Cf. O'Reilly 2020, 142–144.

on, the conflation of the *Misereres* regularly took place in the Holy Week on the days when Baini's *Miserere* or Mustafà's *Miserere* were not sung.[123] At the beginning of the psalm, the listener would gain the impression that he was always hearing the same piece of music, the *Miserere*. Only experts such as Spohr and Mendelssohn were aware of the conflation.[124] Evidence for this practice can be found in the *Diario Sistino* in 1822 on the occasion of a concert for Friedrich Wilhelm III, King of Prussia[125] as well as in the regular services in 1827–1829, 1835, 1837, 1840–1842, and 1849–1851.[126] Evidence for the convergence of the *Misereres*, which is only documented in 1870 in a printed edition,[127] is found in a manuscript of the second half of the nineteenth century. Its title reads: 'Miserere. | wie es jetzt in der Sixtinischen Capelle gesungen wird, teils von Gregorio Allegri […] | theils von Tommaso Bai'[128]. But there is also a manuscript dated *c.*1800 in which one verse of the second choir is presented with the music of Bai's *Miserere* before the final verse for both choirs.[129] And in 1832, Wünsch created a compilation of the Burney-edition (first pair of verses), the embellishments in the Klein-manuscripts (second pair of verses), the embellishments attributed to Mozart, but the same in I-Mc M. S. MS. 2-2 (third pair of verses), a Roman manuscript (fourth pair of verses)[130], and Bai's coda.[131] Mustafà's manuscript sums up the practice of conflation and the tradition of the embellishments, but does not transpose the music to the actual pitches sung by the choir.

6. Conclusion

Who are the originators of the *Miserere* and its manuscripts? As Sievers commented:[132]

> Man wird geneigt, der Behauptung des Hrn. Baini von der successiven Entstehung desselben, beizupflichten und diese Composition nicht für das Product eines einzigen Künstlers, eines einzigen Lebens, sondern vieler Meister und mehrerer Jahrhunderte zu nehmen.
>
> One is inclined to agree with M. Baini's assertion that it came into being successively, and to take this composition not as the product of a single artist, of a single life, but of many masters and several centuries.

The earliest pair of manuscripts were written after Allegri's death. Thus, it remains unclear to which extent the content of the *Miserere* in V-CVbav Capp. Sist. 205 and 206 owes to Allegri, and how much to the singers of the Cappella Sistina or to the scribe Romano, who was responsible for the material creation. The *magister pro tempore* was responsible for planning the addition to the collection of *misereres*, which was enabled by the pope. The latter three authorised it. In V-CVbav Capp. Sist. 263, 185 and 341, Biordi (perhaps at least partially recording what singers of the chapel had already performed) must be added to the originators creating additional content. He does not receive credit for his arrangement. Only the scribe Biondini and the respective *magistri pro tempore*, the cardinal protectors, and the popes

[123] Cf. Kantner and Pachovsky 1998, 102–103.

[124] Cf. Spohr 1817, 677: 'Es wurden an diesem Abend zwey Compositionen (wie man mir sagte, von Allegri und Bay) gesungen, die sich abwechselnd jede viermal wiederholten' (Kantner and Pachowsky 1998, 102, state that the *Diario Sistino* for that year states no conflation) and Mendelsohn's letter to Zelter dated 16 Juni 1831, in Mendelssohn-Bartholdy, *Sämtliche Briefe*, eds Morgenstern and Wald 2009, 287, 'Den 2ten Tag gaben sie einige Stücke von Allegri, die andern von Bai.'

[125] Cf. *Diario Sistino* 238 (15 February 1822), fols 52–53 in Kantner and Pachovsky 1998, 217.

[126] Cf. *Diario Sistino* 243 (1827), fol. 32^{r}; 247 (1 April 1831), fol. 22^{r}; 251 (17. April 1835), fol. 25^{r}; 266 (13 April 1851), fol. 35 in Kantner and Pachovsky 1998, 114 (n. 184–185) and 102. For 1849–1850 cf. the annotations of the then *magister pro tempore* Giovanni Battista Baccellieri in his copy of Adamis *Osservazioni*, for Thursday: 'si canta un verso di allegri ed uno di Bai', Adami 1711, 41 'one sings one verse of Allegri and one of Bai' (instead of the *Miserere* by Alessandro Scarlatti) and for Friday to 'Il Miserere a due Cori è di Gregorio Allegri' the addition 'di Tom. Bai', Adami 1711, 47.

[127] *Excerpta ex celebrioribus in musica viris* 1870, 72–96. In the previous edition, the *Miserere* is not included due to Baini's intervention (see above), cf. *Excerpta ex celebrioribus in musica viris* 1840.

[128] D-Bhm RH 1480, cit. after RISM <https://opac.rism.info/rism/Record/rism1001220990>. 'Miserere as it is now sung in the Sistine Chapel, partly by Gregorio Allegri […] partly by Tommaso Bai'. It is a manuscript without embellishments, stating on the title page: 'NB. Die Schönheit dieses berühmten *Miserere* beruht auf der Bestimmtheit, | Genauigkeit und Übereinstimmung der Sänger bei Ausführung eigenthümlicher | Gesangsmanieren, wie sie sich dieselben nur unter sich allein mittheilen', 'NB. The beauty of this famous *Miserere* lies in the resolution, precision and concordance of the singers when performing specific ornaments that they only communicate among themselves'.

[129] GB-Lbl Add. 24291, with an added organ part by Giovanni Jubbilli, active as a music dealer in Rome around 1800, see *Allgemeine musikalische Zeitung* 17 (1882), 213–214 and copies of Giuseppe Sarti's *Miserere* (D-Hs ND VI 675) and excerpts from Mozart's Don Giovanni (D-Hs M A/816, Nr. 6) sold by Jubbilli.

[130] The readings are very close to those in the Biordi-arrangement.

[131] D-B Mus. ms. Teschner 39, fols 10^{r}–15^{r}. Wünsch states on the title page: 'Die Baische Coda, welche in Rom für die schönste gilt, u. deshalb zum Allegrischen Miserere gesungen wird. Das Baische erhält dafür die Coda von Allegri […] Aber von der gerühmten Vollkommenheit der Ausführung war nichts zu bemerken. Baini hat die Coda gar nicht componirt. Er läßt ebenfalls die von Bai singen.'

[132] Sievers 1825, 73.

are credited in the copies V-CVbav Capp. Sist. 185 and 341. In V-CVbav Capp. Sist. 375, Biordi's contribution is eliminated, Allegri and Bai figure as originators. Mustafà's redaction adds what is considered the 'true tradition' of performing the music. However, he does not give any credit to himself or to any other singers who are the originators in the manuscript itself and only does so in the preface. If manuscripts of the *Miserere* existed outside of the Vatican before the circulation of prints and manuscripts started in 1771, it was due to either a musician writing it down from memory after attending a performance, a papal order or a traitor. The first and the latter became originators because it was solely their efforts that introduced the *Miserere* to the world outside of the Vatican. Santarelli was given credit by Burney, and Mozart was given credit for the 'manner of performance' in some manuscripts, even though their content is not related to Mozart's own manuscript. In contrast, only one of the scribes of the official copies is known, and the only anecdotal notice about the scribes' role as originators ironically deems the scribe a 'fraud'. The originator of an official copy is not the scribe who wrote it, but the pope who donated and distributed it.

Members of the chapel only produced manuscripts indicating embellishments in addition to Biordi's arrangement after the Cappella Sistina had dispersed. Gratefulness to Mesplet, who had helped the singers survive and protected their archive in difficult times, was the initial motivation. Perhaps some of them feared that the tradition would get lost and felt responsible for recording it. The only pieces of evidence pointing to an originator of the notation of these embellishments is that a similar manuscript was given away by Binder; he and Ceciliani are probably two of the three scribes and one of them might be the originator of the version in these manuscripts. Only then did selling such manuscripts become a business, and different versions circulated. But the singers who provided manuscripts to the Roman dealers (mentioned in such manuscripts), and the foreign musicians and scholars (who collected copies), do not reveal themselves. Not the individual scribe or singer, but only the (assumed) concordance with the performance practice of the Cappella Sistina as an institution was important to the owners to certify the manuscript as an original by mentioning either the institution or 'a papal singer' as a witness. Baini claimed that he was the originator of the embellishments as they had been in use from 1814 on, but he left no written record of them, and the accounts of travelling musicians show that the singers varied the embellishments from one performance to another. Therefore, at least leading sopranos such as Padroni must also be considered originators, even if their individual performances have not been recorded.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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Article

A 'Fake' Original and an 'Original' Fake – Two Cases in the Mackenzie Collection

Neela Bhaskar | Hamburg

1. Introduction

In the early nineteenth century, the literary world of South India bore witness to a unique literary phenomenon: an unlikely collaboration between a British military official, Colin Mackenzie (1754–1821), and a few South Indian scholars. Lasting around a decade, this collaboration spawned a large, important manuscript archive of the first distinctively historical texts in South India. This is significant for several reasons. Yet, in direct relevance to the idea of originator/original, the line between the product (in this case a particular manuscript) and its producer (a South Indian scholar) is blurred. On the one hand, Colin Mackenzie, who by his own admission knew no Indian languages,[1] left his collaborators to work independently. They sent him reports of their travels across peninsular India, informing him of the procurement of a certain manuscript that he sought, or of the completion of their translation (into English) of a text. On the other hand, the 'ownership' of the manuscript, so to speak, remained, and remains, with the name, idea and context of Mackenzie. Additionally, Mackenzie's emissaries worked largely on the basis of oral reports that they collected from their travels. In this light, I investigate how exactly the written artefacts of the Mackenzie Collection,[2] as it is now called, must be perceived. Do they qualify as originals for the simple reason that they were created for the first time? Or is the true original the now lost, or less tangible, oral report upon which their work was based? Were their translations then originals too, or was the transition from one language to another simply for the result of a practical decision?

A further layer of complexity is observed when one considers the colonial (and thus largely oppressive) environment under which Mackenzie's collaborators worked. The combination of the already existing practice of scribal anonymity,[3] and the need for colonial powers to claim that which was Indian as their own,[4] explains the difficulty in determining what really qualifies an original, or who qualifies as an originator. Mackenzie's efforts, in terms both of conviction and of his own personal finances being used to create the archive, resulted in the Collection that is named after him. Yet he never wrote a single manuscript, nor could he read most of them. Is he the originator of the archive, but not the originator of the individual written artefact?

In discussing the Mackenzie Collection, I strive to respect the complexity of the circumstances under which it was created. At the same time, the material object takes precedence, and its story is rather straightforward, as we will shortly see. In other words, the circumstance is complicated, but the manuscript is not. Essentially, the role of my research is to prioritise the material object, and only then, its creator. It will nevertheless be necessary to revert to discussing the circumstance now and then, for it ultimately decided the fate of the archive as a whole, and thus of all the manuscripts in it. Throughout this article, I view every manuscript as an authentic creation, but argue that it is not necessarily an 'original'. My definition, or rather idea, of an original is that

[1] Wilson 1828, 2 has a copy of a letter written by Mackenzie to his friend Alexander Johnston, where he states: '[A] knowledge of the native languages, so essentially requisite, could never be regularly cultivated, in consequence of the frequent changes and removals from province to province; from garrison to camp, and from one desultory duty to another.' Mackenzie moved extensively around India on account of his military career.

[2] Wilson 1828, 15: 'At the time of his death, he was in possession of a vast archive that comprised 1,568 manuscripts in 15 languages, 2,070 regional histories and chronologies in four languages, 8,076 transcriptions of inscriptions, 2,159 translations of manuscript material into English, 79 plans, 2,630 drawings, 6,218 coins, 106 images, and 40 antique objects.' This is the extent of the Mackenzie Collection.

[3] An editorial colophon is rare among Tamil palm-leaf manuscripts. The author of the text is often mentioned, but the scribe rarely. The Mackenzie manuscripts do not have any colophons, but this is unsurprising. Most Tamil manuscripts are anonymous anyway.

[4] This process has been dealt with by Cohn 1996, Dirks 2010 and Ebeling 2018. Several Orientalists made their fame on the alleged 'discovery' of Indian languages, probably assisted by several Indian scholars who went unmentioned. This will be evident in both the examples I discuss below in this article.

which is genuine to its creator, whether that is on purpose or by mistake. My reason behind this understanding lies in two specific instances that are the focus of this article. The first is the case of an ubiquitous text that was sold to the colonial authorities as an original manuscript (thus, a new discovery). Its seller knew that it was not an original, but Mackenzie considered it to be one, and treated it as such in his archive. At the same time, this sale represents an original idea, in that the seller of the material object established its value through the notion that it was something that it was not. The second instance is that two Orientalist scholars, namely Horace Hayman Wilson (1786–1860) and William Taylor (1796[?]–1881),[5] wrongfully inherited the Mackenzie Collection after Mackenzie's death in 1821. Both refused to cooperate with, and essentially replaced,[6] Mackenzie's emissaries, who were probably the only ones who knew how to navigate this Collection in its entirety. Yet, in an effort to protect their reputations, they benefitted from the ignorance of their Orientalist colleagues, and produced histories that they claimed were authentic accounts based on the manuscripts of the Mackenzie Collection, even though they were not. They thus produced an original (that is, a completely self-formulated work of literature), but presented it as a chain of historical writings that originated with the Mackenzie manuscripts. We therefore have two instances – one in which an ubiquitous text is passed off for a rare (i.e. original) one, and another in which an unintentionally original text is marketed as being based on other, earlier texts. In both cases we witness a lack of authenticity in the behaviour, towards either the acquirer of the material object or the reader of the text. This speaks for the larger scheme of issues surrounding this collaborative project. Authenticity was questioned at the convenience of the British, who at the time were all-powerful colonisers in India. At the same time, it was concealed at the discretion of South Indian scholars, in the hope of protecting the narrative of their land's past.

In the concluding portion of this article, I attempt to contextualize my understandings and arguments of how the original is perceived in the Mackenzie Collection, in relation to how manuscript studies and cultures of South India operate today. I hope to show how the main idea of originality is a matter of interpretation, especially when socio-political power dynamics are the ultimate deciders of the fate of an archive.

2. The interpretation of originality

2.1 Case 1: The 'fake' original

Mackenzie's emissaries, namely Kavali Boriah, Kavali Lakshmiah and Sreenivasiah[7] (among many others), were responsible for the collection of manuscripts from across South India, and then for their translation so that Mackenzie and his British colleagues may peruse them (Fig. 1). Those translations are stored in the British Library in London,[8] alongside the personal correspondences the emissaries sent to Mackenzie during their travels.[9] In these letters they sometimes wrote about their successes in procuring a certain rare manuscript, or of the unwillingness of locals to share such precious documents, or else they requested a leave of absence from work for personal reasons. The resultant documents are the only insight we have into how a manuscript archive was built in South India.[10] In one such manuscript,

[5] According to Penny 1904, 362, William Taylor was born in Madras in 1796 and died in 1881. However, Taylor's book *Madrasiana* (1889) which was published under the pseudonym W. T. Munro, states that Taylor was born around 1796 elsewhere and came to India around 1814. This work does not tell us when, or where, he died.

[6] Kavali Venkata Lakshmiah, the second of the five Kavali brothers, took on the role of Mackenzie's primary translator after the death of his older brother, Boriah, in 1803, see Mantena 2012, 95. Little is known about Lakshmiah's life, but he began to appear in Mackenzie's journals in 1802, see Mantena 2009, 137. Lakshmiah, wishing to take over the Mackenzie project, sent a request to the British government to acquire the Mackenzie Collection. He was, however, rejected. A letter by James Prinsep documents this rejection and reads thus: 'The qualifications of Cavelly Venkata for such an office, judging of them by his "abstract" or indeed of any native, could hardly be pronounced equal to such a task, however useful they may prove as auxilliaries in such a train of research…'. 'This gentleman [Taylor] has already gone deep into the subject. At a great expense and sacrifice of time, he has published a variety of "Oriental Historical Manuscripts" in the original character and in translation, with a connective commentary, shewing [*sic*] their bearing on the general history of the country.' See Prinsep 1836, 440–441. As Taylor took charge of the Mackenzie Collection, Lakshmiah disappeared from public records after 1835.

[7] There is significant amnesia concerning Mackenzie's South Indian emissaries from the time of Mackenzie's death in 1821. With few, very recent exceptions, the memories and contributions of Boriah, Lakshmiah, Sreenivasiah and many others have been forgotten, see for instance, Mantena 2009, Mantena 2012, and Dirks 2001. Thus, it is difficult to produce a timeline of their lives or interactions with one another. All that remains of their work is Lakshmiah and Sreenivasiah's (among others') manuscripts in the British Library, which tell us with certainty that they travelled extensively to collect manuscripts on Mackenzie's behalf between approximately 1809 and 1815. Boriah died tragically young in 1806 and his death left a tremendous impact on Mackenzie. Mackenzie apparently wished to build a monument in Boriah's memory. See Howes 2010, 67 for a discussion on the same.

[8] Inventorised under the shelf mark British Library, Mss Mack Trans Class I–XIV, with one exception explained below.

[9] British Library, Mss Mack Trans Class XII – Letters and Reports.

[10] The only other comprehensive documentation on the collection of manuscripts that I am aware of is the autobiography of U. Vē Cāmināṭaiyar, almost single-handedly credited with the preservation of Tamil texts from the early first millenium. His autobiography, titled *En̲ Carittiram* ('my history'), speaks of his many long journeys across South India on foot to try and procure palm-leaf manuscripts that he then edited and had published.

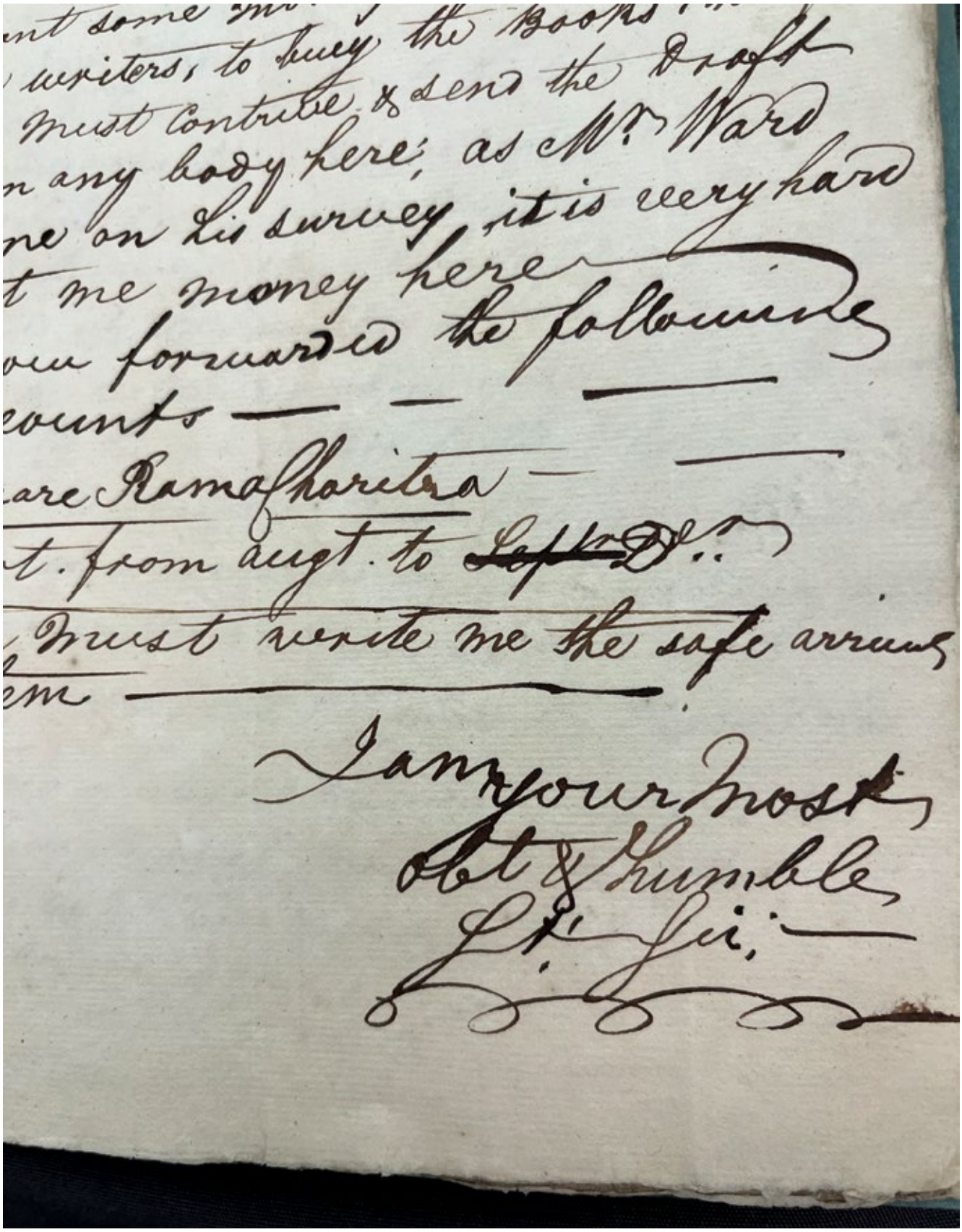


Fig. 1: British Library, Mss Mack Trans Class XII –Letters and Reports 1-3 and 8-12, last page of the manuscript in which the signature of the scribe (unidentifiable, but probably Lakshmiah or Sreenivasiah) is visible.

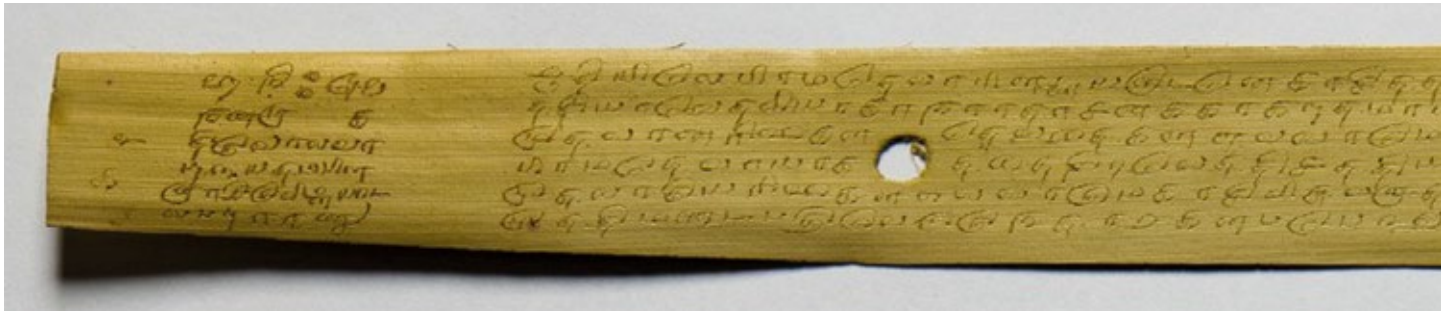


Fig. 2: Bibliothèque nationale de France, MS Indien 291 (Collection Eugène Burnouf), 2.5 cm × 37.0 cm, fol. 1r; the beginning of the *Tiruviḷaiyāṭal Purāṇam* in prose.

we find notes from Mackenzie's emissary Sreenivasiah, who was tasked with the procurement and subsequent translation of a particular history:[11]

> From 1st March to the 30th 1813 — I finished a history of Puttanam Pilla and Varagoona Pandia Raja.
> From 1st April to the 3rd May 1813 — I finished history of Pandiyan Cheran and Cholun.
> From the 1st May (?) to the 30th December 1813 — I finished the whole Book of Madura Pooraanum of 64 chapter [*sic*].

The very last line of this transcription is significant.[12] The text that Sreenivasiah had translated for Mackenzie's use was the 'whole Book of Madura Pooraanum of 64 chapter [*sic*]'. This is, in fact, a ubiquitous Tamil text called *Tiruviḷaiyāṭal Purāṇam* ('the legend of the holy sports'), divided into 64 chapters. It traces the divine origins of the city of Madurai to the actions of Lord Cuntarēcuvarar (one of many incarnations of the pan-Indian Hindu God Śiva) and his divine consort Mīṉāṭci. The other two texts that this excerpt speaks of relate to the same body of legends, but not as directly. The 'original' (and I use that term loosely here) version of the story is a metrical text by Parañcōti, a seventeenth-century poet.[13] In the early to late nineteenth century, several re-tellings of this work in prose emerged (Fig. 2).[14] Yet Mackenzie's emissaries were tasked particularly with finding historical manuscripts. These are legendary texts, with no dates or timelines, no complete chronologies, and very few mentions of non-divine themes. There is an awareness in them of the Pāṇṭiya dynasty, whose capital was Madurai, but no more than nine kings are mentioned, of which one is Lord Cuntarēcuvarar himself, and the other, Mīṉāṭci. The other human kings seem to have ruled for an average of 3000 years each. Therefore, it qualifies by no standard as a historically viable text.

The additional 'issue' with this entry in Sreenivasiah's letter is that we have several distinctly marked historical (versus legendary or ahistorical) accounts of Madurai in the Government Oriental Manuscripts Library, Madras (now the city of Chennai), which hosts the bulk of the Mackenzie Collection. Some examples of histories on Madurai include the manuscripts D. 437, D. 3184, and R. 2327, all titled *Pāṇṭiya Rācākkaḷ Carittiram*. They are perhaps among the earliest written histories in Tamil.[15] My first question is, why were these manuscripts not translated, instead of the legendary account? In an attempt to find an answer, I looked through the English translations of the Madurai legends by

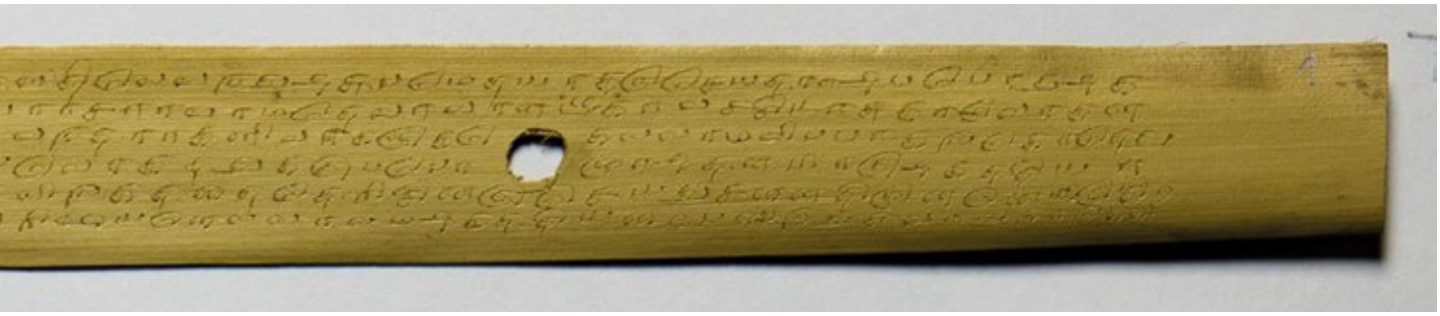
[11] British Library, Mss Eur Mack Trans XII: No. 56. There is unfortunately no page number available for this portion of the manuscript. I manually located the relevant passages which consist of three pages after the label 'No. 56' in a bound volume. The passage I have consulted in my comment above is contained in those three pages.

[12] All manuscripts quoted in this work are transcribed by me.

[13] There are several versions of this text. The first extant one is by Nampi (twelfth to fourteenth century CE), see Wilden 2014, 24, after which a Sanskrit version called *Hālāsya Māhātmya* was produced in the sixteenth century. Parañcōti's version is a transcreation of the Sanskrit one. It remains the most popular version to date, while Nampi's text has in comparison fallen into obscurity. As for Parañcōti himself, little is known of his life or circumstances outside of the creation of this important text. This is not uncommon in the Tamil literary world. Authors mentioned their names in the texts they wrote, but no significant research was, or has since been, conducted on their lives. For the purpose of this article, I would also suggest here that he was fundamentally an originator, as his text has since inspired almost every text-ual version of the *Tiruviḷaiyāṭal Purāṇam*.

[14] I have located three prose re-tellings (called *vacaṉam* in Tamil), all on palm-leaf, all unpublished. The first is Indien 291 in the Bibliothèque nationale de France in Paris. The other two are RE27530 and RE25375 in the library of the Institut Français de Pondichéry, in Pondicherry/Puducherry, South India.

[15] Here, I exclude epigraphical evidence. Inscriptions that name Pāṇṭiya kings do not match with this, or any, written historical account. A separate project needs to be undertaken to compare the two sources and find correlations. Unfortunately, that is beyond the scope of this contribution. It is nevertheless worth noting that the Mackenzie Collection represented the first Europeanised histories in the Tamil language. Before this, traditional systems of historical writings existed, but were intermingled with literature, legends and story-telling traditions, both written and oral.



This manuscript contains glosses of Parañcōti's poetic text, the prose portion seems to be a mini-commentary to it.

Mackenzie's emissaries. I found Mss Eur Mack Trans III.27 in the British Library, which seemed to be the result of a combined effort by Lakshmiah and Sreenivasiah. It is the translation of the Tamil D. 437 in the Government Oriental Manuscripts Library. Yet it was never used by Mackenzie's Orientalist successors Wilson and Taylor, who instead consulted (or rather, claimed to consult – I discuss this in the following section) the three translations by Sreenivasiah mentioned above. This brings me to my second question: why was the historical translation overlooked, but the legendary one maintained and used?

I realised that the comfortable environment that Mackenzie created for his emissaries, and the loss of that environment upon his death in 1821, was the main reason. Horace Hayman Wilson, a Sanskritist, reluctantly inherited the Mackenzie Collection in 1821, and was charged with producing a descriptive catalogue of the Collection. He, by his own admission, knew no South Indian language, and relied primarily on Mackenzie's emissaries to interpret the texts that were in a state of disarray. Yet there is reason to believe that Wilson did not treat them well. Cohn writes, 'Wilson…seems to have dismissed most of Mackenzie's staff, undertook the task of organising and publishing a catalogue of the papers [= the Collection] …'.[16] Keeping this in mind, Wilson produced an index of abstracts of the Mackenzie manuscripts, somewhere between 1822 and 1823 (Fig. 3). The index has been preserved in the British Library under the category 'Wilson Mss', along with a small collection of Wilson's private letters.[17] In his index, the only mention of a Pāṇṭiya manuscript reads as follows: 'Index of the Pandya Rajaghall Charitra Sangraha' (Fig. 4).[18] There is no abstract (unlike in other entries) and no mention of this dynasty anywhere else. This would mean that Mackenzie's reluctant emissaries simply avoided telling him that other versions (namely, the translation of D. 437) existed, and produced a 'false' index entry of the Pāṇṭiyas. This is reflected in Wilson's catalogue of the Mackenzie Collection, which is disorganised and has several errors, particularly in terms of the Pāṇṭiya histories.

Thus, one does not have to look far to realise that Mackenzie's emissaries, dissatisfied by the way they were treated by Wilson, simply did not think it necessary to provide him with accurate information. This brings me back to the three non-historical (i.e. legendary) manuscripts that were translated. They were, as I see it, produced as a matter of duty. Those legends are, even today, important texts in South India. Yet they were added to Wilson's catalogue instead of the more historically sound ones, for the same reason as above, that Wilson was not respected and nor was his work. A 'fake' original was thus given, and a non-historical text, posed as a history, made it to Wilson's index.

2.2 Case 2: An 'original' fake

Following the release of Wilson's erroneous catalogue in 1828, he published two works on the Pāṇṭiya dynasty, allegedly based on the Mackenzie manuscripts. He first wrote *Historical Sketch of the Kingdom of Pándya* (1836), in which he attempted to trace the chronology of the Pāṇṭiya dynasty. However, he based it entirely on the legendary *Tiruviḷaiyāṭal Purāṇam*, which he probably obtained from Mackenzie's emissaries. He presented this article in the *Journal of the Royal Asiatic Society of Britain and Ireland*, a routine publication that was written by, and catered to, elite British research circles in South India and England. Several

[16] Cohn 1996, 83.

[17] Wilson's index is listed in Rusby and Johnston 1937, 1169, under the heading 'The Wilson Mss'. It must be noted that it is not considered a 'manuscript' but a 'record' under the shelf mark Mss Eur. D. 431.

[18] 'The Wilson Mss', p. 75.

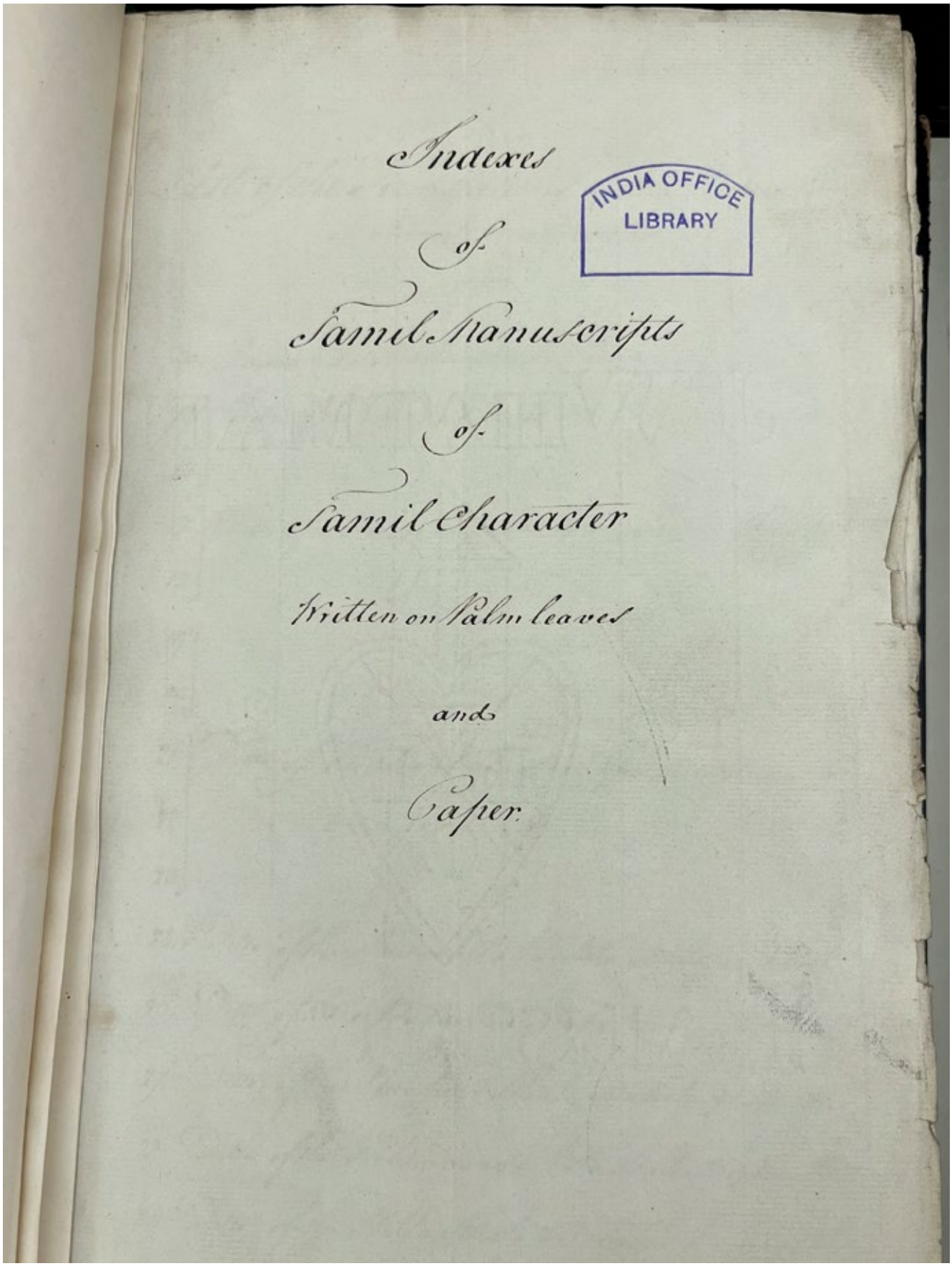


Fig. 3: British Library, Mss Eur. D. 431, Wilson's Index of Mackenzie manuscripts, written between 1822 and 1823, title page.

prominent Orientalists made their contribution to this journal, such as Charles Philip Brown (1798–1884), a scholar of Telugu. Yet nobody noticed, nor criticised, the erroneousness of his so-called historical work, except for William Taylor. Taylor began his work on the Mackenzie Collection around the same time, Lakshmiah having been denied the job.[19] He published a scathing review of Wilson's Historical Sketch in his first publication on the Mackenzie Collection, titled *Oriental Historical Manuscripts in the Tamil Language*.[20] Taylor's own investigation of the Pāṇṭiyas does not match what Wilson had published not so long before that.[21] The premise of Taylor's argument against Wilson was that the latter's identification of the Pāṇṭiya capital was wrong, as was his genealogy of kings (I discuss Wilson's errors below). In response to Taylor's criticism, Wilson published the *Supplementary Note to the Historical Sketch of the Kingdom of Pándya*, also in 1836. He justified the slight difference in his genealogy from that of Taylor's as a matter of differing opinions and source-material. He stated, that:

> Madura and the Pandya kingdom are essentially the same; and whether it was founded by a native of Oude, named Pandya, as I have it, or by an agricultural Pandion from the north, as Mr. Taylor states, does not appear to me to be so exceedingly different, that, where the latter occurs it can be said that there is no warrant for the former. The difference, as far as it extends, appears to be that of translation; and the question of accuracy depends upon the relative competency of the translators. Admitting, however, that Mr. Taylor's version is correct, it does not follow that there were no traces whatever [*sic*] of such an interpretation as I have followed, and which, though not perhaps literally, is substantially the same with his own.[22]

The only significant part in this quote is Wilson's claim that the origin of the Pāṇṭiyas ('Pandya' above) was in Oude. No manuscript of the Mackenzie Collection, be it the original Tamil, or its translation, claims this. Oude is an extraneous location, far north in the modern state of Uttar Pradesh in India. The Pāṇṭiya hometown and capital has always been Madurai, across all accounts of them, and its main port, Korkai. This tells us that Wilson's source was not only erroneous, but also not among the Mackenzie manuscripts, which brings us to the work of William Taylor. In his publication of six reports in the *Madras Journal of Literature and Science*, he touched upon the question of the Pāṇṭiyas, but simply produced once more of the *Tiruviḷaiyāṭal Purāṇam*.[23] This proves that his (and Wilson's) sources were not from the Mackenzie Collection, even though they claimed them to be so. In terms of historical authenticity, this is indeed questionable, as they published under the auspices of the Mackenzie Collection. In terms of originality, they claimed it by producing their own, creative work that was historically incompatible. In other words, it was a historical fake, but a textual original (Fig. 5).

A chain-reaction began when Wilson's index did not accurately document the Mackenzie Archive. Wilson's own catalogue was erroneous and therefore so was his work on the Pāṇṭiyas. Taylor, who claimed to have extensively worked on the Mackenzie Collection, solved some of the archiving errors of his predecessor in his *Catalogue Raisonné* (1862), but his literature on the Pāṇṭiyas was just as unreliable as Wilson's. My proof, as it were, of the inaccuracy of Taylor's writing lies in the fact that in his catalogue he did not list the manuscripts that he claimed to have used in the production of Pāṇṭiya history. In 1835, prior to the publications in the *Madras Journal of Literature and Science*, he compiled a dedicated history of the Pāṇṭiyas, in which he used three manuscripts in Tamil.[24] One of these three manuscripts is transcribed, translated and provided in this publication. He did not use the original Tamil title of the texts, but provided his own translation of them, namely, *Pandion Chronicle*, *Madura Stalla Purana*, and *Supplementary Manuscript*. The second one is quite clearly a translation of the 64 chapters of the *Tiruviḷaiyāṭal Purāṇam*. The first, although different in name, is similar, but claims the origin of the Pāṇṭiyas to be from Northern Indian royal families. The third, unspecified manuscript offers an overview of the kings (including the Pāṇṭiyas) who ruled over Madurai. It focuses on a very distant, ancient (thus largely legendary) past that attributes the origin of the kingdom of Madurai to divine sources (not unlike the narrative of the *Tiruviḷaiyāṭal Purāṇam*). Keeping this in mind, one wonders exactly *what*

[19] Taylor also published on the Mackenzie Collection, in the *Madras Journal of Literature and Science* (vols 7–10) between 1838 and 1845. Yet his criticism of Wilson's work was earlier, as I explain below.

[20] Taylor 1835, vol. 2, 63–66.

[21] Wilson's publication came out in 1836, a year after Taylor had criticised it. I would surmise that the first edition of his work is now lost, or that Taylor had access to a private copy. As it happens, the same paper was published multiple times across several Orientalist journals and was distributed in scholarly circles.

[22] Wilson 1837, 388.

[23] Taylor 1835, Taylor 1839.

[24] Taylor 1835, vol. 1.

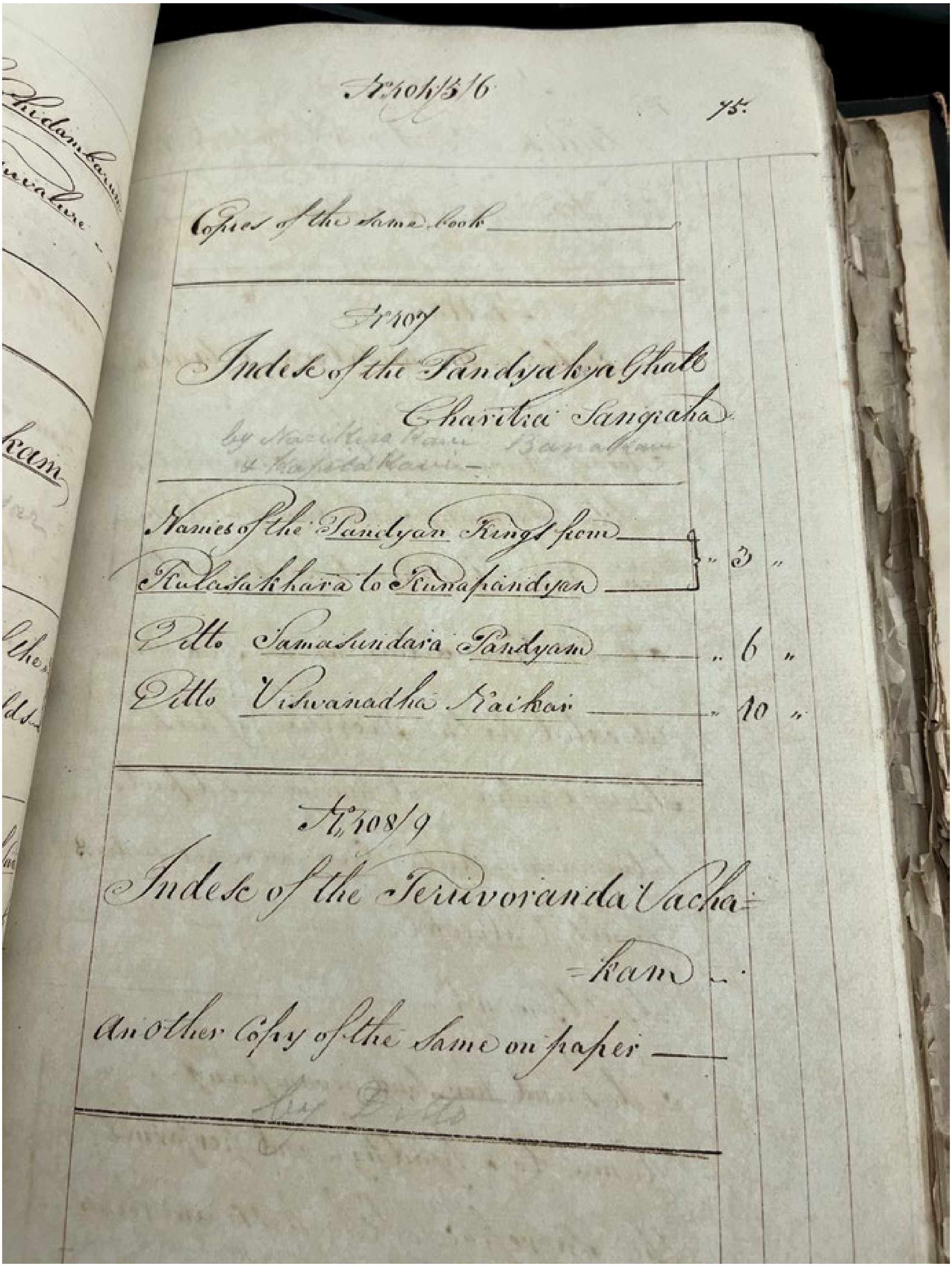


Fig. 4: British Library, Mss Eur. D. 431, Wilson's Index of the Mackenzie manuscripts, written between 1822 and 1823, p. 75: showing the meagre entry for the Pāṇṭiya manuscripts; the entry contains the names of three Pāṇṭiya kings, but without further description.

Fig. 5: Taylor's work contains a transcription of the manuscript he used/translated in this very publication. This manuscript contains ahistorical information and does not bear any symptoms of being one of the manuscripts of the Mackenzie Collection.

the purpose of the Mackenzie Collection was in the first place, if no one used it, and *why* Taylor and Wilson did not consult it, especially when it was so clearly at their disposal. The answer, as I see it, lies in the interpretation of originality that I (and hopefully, others in the field) attribute to these texts.

As stated above, a difference between authenticity and originality must be made. Authenticity is necessary, even compulsory, in writing a historical account. Originality, on the other hand, is generally rejected, for the writing of a sound history is based on the number of citations and sources the scholar offers along with their work. Thus, a historical work must be devoid of originality, but indeed be authentic. Importantly, in this respect, the deeply hierarchical environment that British rule in India created lent itself to two fundamental 'patterns' of behaviour, as it were. The British had clout and exercised it often in their scholarship. The South Indians bore resentment, and had space to exercise it in their own scholarship, if at all they were provided with a chance to publish. The Indian interpretation of originality is therefore the same as authenticity: as long as a text is the 'first' (be it in relation to the medium upon which it is written, or the content of the writing itself), it is worth consulting. Such 'firsts' (i.e. originals), were a carefully concealed secret, especially since British scholarship began to override the field of Tamil in the early nineteenth century already. Thus, the fact that Wilson's index was erroneous may not have been his fault entirely. It was a bad combination of his own lack of knowledge of Tamil, and his Indian workers disliking him. Yet this rather simple dynamic that colonialism enabled in India (simple insofar as it is easy to understand, but the issues it created were certainly complicated) determined the fate of one of the most important archives of manuscripts in South India. The notion of an 'original' did not have the same meaning among the two parties, and that fundamental misunderstanding manifested itself through many manuscripts being labelled wrongly, and other manuscripts being promoted for the wrong reasons.

3. Conclusions – Does unauthenticity equal originality?

The Mackenzie Collection shows us that there are several nuances to understanding what an original may mean and who its originator(s) could be. More relevantly to my discussions above, it compels us to question the implication of 'originality' within a distinct historiographical framework. Essentially, I argue above that the question of authenticity clashed with that of originality. Authenticity, so to speak, determined how air-tight or factually sound a certain history was. By re-writing, copying or translating that history, the goal of the good historian was to maintain that which came before him. Originality thus did not help if one wanted to remain historically authentic. In this light, I now seek to clarify *what* an original is, for I have thus far touched only upon *how* the idea of an original determined the fate of the Mackenzie Collection.

I consider all works of the Collection to be original in their own way, and all its contributors to thus be originators. Mackenzie, although not directly contributing to the individual written artefact, produced an archive of such vastness and importance for the first time. He presented the world of manuscript studies with an original idea that he and his team successfully executed. His emissaries procured and produced documents for him that they saw to be as authentic as possible. Lakshmiah translated an important historical document for him, while Sreenivasiah translated those legends that were culturally important. Both sets of documents were tied together by the common theme of Madurai, and both qualify (in my own understanding) as originals, if only because they produced a new kind of document that South India had not yet seen. Yet, when leadership changed from Mackenzie

to Wilson, those South Indian scholars once employed by Mackenzie saw no reason to remain faithful to Wilson. They resented his leadership and knew that his knowledge of Tamil was scant. They thus formulated their own legendary tales based on the *Tiruviḷaiyāṭal Purāṇam* which they claimed was a historical source (a 'fake' original). At the same time, the complexity of defining 'original' is augmented through the study of Wilson and Taylor's works. Their (and therefore, the British) understanding of originality was somewhat skewed. They too believed that the more authentic (i.e. the more cited and provable) a work was, the more viable it was in the scientific world, but their own work did not reflect this understanding. Instead, they freely criticised their Indian predecessors for their alleged lack of authenticity. Their claim of having produced authentic works has been disputed by me above, and I thus argue that the result of their efforts were more 'original' fakes, namely Taylor (1836, vol. 1) and Wilson (1836). Ironically, the inauthenticity of Wilson's history was criticised by Taylor, who still then produced flawed histories in the *Madras Journal of Literature and Science*. His use of manuscripts, not translations, could be traced back to a single manuscript. Essentially, he created his own, original work of fiction, and his social power and conviction took precedence over the less influential but more accurate histories of Mackenzie's Indian emissaries.

The impact of perceiving a manuscript in a certain way is huge. When Mackenzie died in 1821, those manuscripts that were deemed useful by British authorities were shipped to London, and those that were not remained in India. The useful manuscripts consisted largely of paintings, drawings, and maps. The translations of the Mackenzie manuscripts into English in fourteen volumes was also included in this list of useful manuscripts. I would suggest, albeit tentatively, that the notion of originality already determined this choice of dividing the Collection. In terms of European value systems, an original painting was priceless. Yet its copy was worthless (so copies were left behind). This perception affected the state of the Mackenzie manuscripts left behind in Chennai: they are in disarray, many are damaged, and most originals have been lost. When viewing originality through the lens of history, the image is often deceptive.

Through the examples described in this article, I hope to have shed light on this early source of historical writing and on how our perception of it was shaped through our perception of originality.

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Article

Abu Bakar, the Temenggong of Johor, and the Creation of a Unique Type of Malay Land Deed

Elsa Clavé | Hamburg

1. Introduction

In the second half of the nineteenth century, a new type of document appeared in the Malay manuscript culture, which recorded agreements related specifically to gambir and pepper plantations.[1] At the time, the plantation economy extended from the Riau archipelago to Singapore and Johor on the neighboring Malay peninsula (Fig. 1). The development of this new type of written document – the *surat sungai* ('river documents') – was linked to the arrival of large numbers of Chinese Teochew,[2] whose presence in the Malay states, and whose occupation as coolies on plantations, created a need to produce and record legal documents regulating their rights, duties, and activities. At the origin of this practice was the dynasty of the Temenggong,[3] the rulers of the state of Johor, and in particular the figure of Abu Bakar (1833–1895), who took charge of state affairs from 1862. Abu Bakar's role in the modernization of Johor is well-known in the historiography, where he is often presented as the father of the modern Malay state. To reach a fast pace of development of the land, which was still covered with jungle when he took over, Abu Bakar surrounded himself with legal advisers, family members, and other officials. This article examines the role of those people, each considered for their own contribution, as being at the origin of the creation, composition, and institutionalization of the *surat sungai*, a unique form of Malay legal document used for the administration of land rights and shaped over several years.

Behind those legal documents, which became one medium of Johor modernization, were specific knowledge and traditions, as well as the hands of the contributors who participated in creating them and giving them their final form. Considering the *surat sungai* through the different originators who contributed to making those documents authoritative is important on several counts. First, it shows that the story of modern Johor, often presented as the result of a one-man policy, was actually more complicated than that. Second, it highlights the complexity of the socio-political relationships in nineteenth-century Singapore and Johor, through a close look at the written artefacts that resulted from it.

2. Plantations and agreements: the sociocultural setting of the new legal written artefacts

Traditionally, in the Malay-speaking world and in most of Southeast Asia, political power relied more on people's allegiance than on the control of a territory. While an idea of a state's limits existed in the precolonial period, borders were considered not as a continued line separating two entities but rather as a zone indicated either by stone markers placed at distant intervals on the land or, more frequently, simply by landmarks such as a river, mountains, or a prominent tree. While private and public spaces existed, the terms differed from those implied by property. Cultivated spaces were most often demarcated by fences, which indicated that the place had been worked by people, and that it was therefore not free of use. Opening and cultivating lands created rights to use it, but not to own it.[4] In the Malay peninsula, the concept of land ownership appeared progressively between the end of the nineteenth and the beginning of the twentieth

[1] Gambir (*Uncaria Gambir*) was cultivated for the brown dye and tanning agent produced from its leaves, Fontaine 1926. Pepper, as a seasonal and slow-to-mature plant, was profitable only when combined with gambir, which was harvested all year around, Andaya and Andaya 2001, 139.

[2] The Teochew form a large part of the Chinese diaspora in Southeast Asia. They come from the Chaoshan region, in the Fujian, Southern China.

[3] The dynasty of the Temenggong started in the eighteenth century with Tun Abdul Jamal (d. 1762) who created that office, which became hereditary after him. Initially, in the Malay sultanate of Malacca, Temenggong was a title given to the third man of the state, who had the role of a minister of justice, Trocki 1979, 24.

[4] The importance of fences to mark work and not space remained largely unnoticed, but appeared in several Malay legal codes.

Fig. 1: Map of British dependencies in Malaya and Singapore, 1888 CE.

century in the Straits Settlements,[5] which were under direct British rule, and in the Malay states, which were under local (Unfederated Malay States) and British (Federated Malay States) administrations (Fig. 1).

What came first were land tenure regulations, which differed from one state and settlement to another, depending on the history of places. Malacca, for example, had been occupied by the Portuguese and the Dutch before the British, creating a particularly complex case for the administration of rights that had previously been acquired. By contrast, Johor was a new settlement, where the jungle was cleared progressively by the new settlers under the impetus of the Malay ruling family who supported export agriculture. The plantation economy brought changes in land tenure, and along with the change in land use and the increase in population due to the migration of manpower, came the need to register land rights and therefore to expand the use of the Malay written culture.

The local aristocracy had started to grant such rights to Chinese in the second quarter of the eighteenth century, long before Johor was established.[6] However, no written sources have remained about that period, and therefore nothing is known about land transactions, and the possible written practices accompanying it, for the first period of cash-crop agriculture in the Malay states from 1740 to 1784.[7] Many Chinese moved to Singapore in the last quarter of the eighteenth century, after the Dutch attack on Riau, which destroyed the port and disrupted food supply to the island.[8] There, they started gambir and pepper plantations organized in settlements named *kangkar*, which were located in the river watersheds and organized around the house belonging to the head of the community, initially used for storage and as a collective house. *Kangkar* were sometimes moved upstream, for example when the soil was exhausted or the surrounding woods showed signs of depletion.[9]

In Singapore and Johor, *surat sungai* were issued, first to the head of the *kangkar*, named the *kangchu* (港主 'lord of the river'),[10] who was responsible for managing the people working on those settlements and the products they cultivated. The *kangkar* were located within the watershed of a particular river and its people worked on *bangsal* (plantation units) of various sizes from 50 to 250 acres. As three to eight men worked on each *bangsal*, the inhabitants of a *kangkar* usually worked on several plantation units. The responsibility for quality checks and price maintenance was entrusted to the *kangchu*, who was also in charge of social and public order. This role, codified in the *Undang-undang Kangchu* ('Laws of the Kangchu')[11] seems to have been increasingly important following the rapid growth of the population.[12]

The *kangkar* multiplied so quickly that in 1840 available land started to be scarce in Singapore, and border conflicts erupted. Shortly thereafter, the British decided to survey plantations in order to lay down boundaries.[13] The control and the taxes that this implied caused thousands of Chinese to leave for Johor, the neighbouring state. When they moved up north and settled in the new state, the *temenggong* did not follow the system of land tenure used in Singapore and other Straits Settlements, which consisted in renting the land for a fixed number of years, based on English legal technicalities. Instead, he integrated the planters in the existing socio-political system, first of all by transferring authority to the *kangchu* using *surat tauliah* ('letters of credence'),[14] as was commonly done with Malay *penghulu* ('headmen'). This letter conveyed rights and duties to the *kangchu*, including responsibility for cultivation and development of land, respect for Malay law and order in the *kangkar*, and a monopoly on certain trade, such as opium and rice. The

[5] These trading centers were established, or taken over, by the East India Company between the late eighteenth and nineteenth century and comprised Penang (1786), Singapore (1819), Malacca (1824), and Dindings (1874).

[6] Malay rulers had already started to implement that type of agriculture to compensate for the decline of trade revenue in the Riau archipelago, which was the seat of the old Johor sultanate. For more details on the relationship between Riau and Johor, see note 49.

[7] The second period, in Riau, from 1784 to 1818, was a time of great political instability with apparently no Malay rulers involved, then, the period from 1819 to 1835 marked the shift from Riau to Singapore, and the years from 1844 to 1862 saw a period of important expansion and regulation, see Trocki 1976.

[8] Trocki 1975.

[9] Jackson 1968, 20.

[10] As the Kangchu system was a Chinese system of cultivation, the terms used in Malay came from Chinese and their pronunciation was based on the Teochew dialect, Trocki 1979, 90, n. 12. I use the conventional rendering of *kangchu*, whereas in Malay it should be written without an *h*. For information on the organization and economic aspect of the system, see Coope 1936; Jackson 1968; Trocki 1975, 1976, 1979; and Fauzi 1984.

[11] *Undang-undang Kangchu* 1873, Johor Bahru, ANM-J, J/PU 1. The text is also known as *Qanun Kangchu*.

[12] In 1825, only 3,317 Chinese were living in Singapore, whereas ten years later, in 1836, there were 13,000, most of whom had migrated from Riau, Trocki 1976, 139.

[13] Singapore was founded, as a Straits Settlement, in 1819 by Sir Thomas Raffles. The first governor surveyor, Thomson, arrived only in 1841, Trocki 1979, 98.

[14] Those rights were sometimes temporally transferred through *surat wakil* ('representative certificate').

contracts, which gave rights to the *kangchu* to open land near a river, were known under the generic term *surat sungai*[15] but bore different titles such as *surat keterangan membuka kebun* ('licence to open a plantation') or *surat menebang hutan kerana membuat kebun* ('licence to clear the forest and to open a plantation'). Other legal documents, such as the *surat jual-beli* ('bill of sale'), *surat serahan bahagian sungai* ('certificate of river shares transfer'), *surat kongsi bahagian sungai* (*kongsi* 公司[16] 'certificate of river shares') transferred rights initially granted on the rivers to a third party. Finally, a third type of document, related to the *surat sungai*, was used when land rights were mortgaged or transferred as a repayment of a debt (*surat gadai* 'mortgage certificate'; *surat perjanjian hutang* 'debt agreement'). The system of the *surat sungai* gave authority over a portion of land, initially to a *kangchu*. However, with time and following the expansion of plantations, the system became more complex. Commercial partnerships were formed to finance the growth of the *kangkar* and the work on *bangsal*, giving birth to the different types of agreements mentioned above (bill of sale, certificate of river shares, etc.). Those documents had a single purpose: to be recognized as valid in the eyes of different parties, and to guarantee the respective interests. They therefore needed to be perceived as authoritative documents for Malays, Chinese, and Europeans alike.

The fact that the *temenggong* was the highest authority in Johor[17], and that value was conferred to his signature and seal, should have been enough to guarantee the validity of the attributed licence. However, in the socio-cultural context described above, his status (traditional and charismatic authority) and acts (signature and seal) were not sufficient to issue a document that would be recognized by the different parties involved in land deals. Given the influence of neighbouring Singapore and its British laws, legal authority became necessary. This type of authority relied on legally established impersonal orders and could be bestowed on a person only by a system.[18]

In the case of the *surat sungai*, it appears that the system – the prototype of the first modern Malay state – was constructed in parallel with the creation of these documents. Several originators intervened at different times of the process through which these documents acquired their particular status. This process was as much administrative as cultural, and it was the combination of the two that made the *surat sungai* a particular type of Malay legal document conferring land rights.[19]

3. Creating authoritative legal documents: the gradual process and its different originators

In Johor, as in most nineteenth-century Malay states, land rights were essentially usage rights. In fact, the continuous use of a plot was sufficient to secure rights on it.[20] As property did not exist as such, the written documents stipulating those rights were referred to not as land titles, but rather as contracts or deeds, understood here as legal instruments that allow the transfer of rights from one party to another.

Before the change from a trade to a plantation economy, legally binding documents were unnecessary and land tenure was regulated through royal edicts or local laws, the terms of which were stated in the *Undang-undang* ('codes of law'). Only a few articles concerned land, which was categorized in two types: *tanah hidup* (land collectively or privately used), and *tanah mati* (land left uncultivated). The codes contained general principles to follow in case of dispute.[21]

Answering to new socio-economic conditions, the dynasty of the Temenggong succeeded in creating an original form of Malay land deed in Johor, which borrowed and integrated features belonging to different written cultures. By doing so, they composed documents of which the form and content

[15] There is much confusion as to the type of documents covered by the *surat sungai*. In one of the first studies on the *kangchu*, Coope distinguished the *surat kebenaran menebang pohon* ('licence to cut trees') from the *surat sungai*, which he defined as 'document granted […] a vague area limited only by the watershed of the next two rivers', Coope 1936, 247. Trocki followed the same distinction in his works, see Trocki 1975, 1976, 1979. However, the term *surat sungai* also appears as a term of auto-reference in *surat jual-beli* ('bill of sale'), *Surat-surat jual beli*, *surat-surat kongsi*, *surat-surat pajak dan surat-surat perjanjian hutang* 1284–1301 (1861–1882), Johor Bahru, ANM-J, J/SUK 13, letter n°191. For that reason, in this study, *surat sungai* is used as a generic term covering any documents conferring rights on parts of a river.

[16] *Kongsi* entered Malay through Hokkien. It refers in this context to different forms of commercial partnership. For a history of the term *kongsi* in Southeast Asia, see Wang Tai Peng 1979.

[17] See note 3.

[18] Weber 1980, 124.

[19] Archival practices and documents related to land rights are attested in other places in the Malay world. Studies on the Jambi *piagam* and the Aceh 1666 *tarakata* reveal documentary practices conferring land rights, and it is probable that other Malay states had developed their own written tradition to deal with land grants and deeds, Gallop 2009, 2016. While the overall form was different, Malay elements of phrasing appear to be surprisingly stable and could denote a Malay culture more developed on that question than presently thought, due to the lack of studies.

[20] The only agreements concerning land, known in the region for the pre-colonial period, were written in Thailand and Java, and concerned endowments to religious institutions, Damais 1952.

[21] See for example the related articles in Liaw Yock Fang 1976.

were recognized as authoritative not only by the different parties involved in land transactions, but also by those observing them, the colonial empires. Vested with the power of legality for both Malays and foreigners, this new type of document, the *surat sungai*, organized and recorded the affairs of pepper and gambir plantations.

The composition and formulation were neither entirely Malay nor European, and had no apparent features belonging to Chinese culture. They were written in Jawi script – the Arabic alphabet adapted to Malay, in use at that time – and borrowed elements from the European way of wording contracts (used on preprinted forms). The *surat sungai* were also recopied and archived,[22] a practice that existed in the nineteenth century only under that form and to that extent in Johor. Those features, which characterized the documents, had been acquired over time, through a process of cultural negotiation in which various originators – whose identity is sometimes difficult to assess – played a role.[23]

For example, at the bottom of the *surat gadai* ('pawning agreement') one would often find the Arabic formula والله خير الشاهدين *wallahu khayrul shahidin*[24] ('God is the best of all witnesses'), which might have come from the Quranic tradition (Q 17. 96) according to which Allah is sufficient as Witness. The fact that the sentence appeared in contracts where none of the parties was Muslim indicates that it was purely a formality, and seemingly that pawning agreements had a standardized form.[25] As the source of this practice is still to be found, one can only acknowledge here the role of an anonymous originator.[26]

The *surat sungai* also absorbed, and adapted, several elements belonging to the British legal documentary culture. Printed models of contracts, used in the Strait Settlements, circulated in Malay states to the regret of British administrators who complained that 'land was being transferred and mortgaged […] by the aid of two or three ignorant scribes who brought printed forms from the nearest British Settlement – Penang!'[27] While that was not the situation in Johor, models did circulate in more than one state, and traces of those forms are found in Johor. Very early on, the *surat sungai* bore, at the bottom and in brackets, the Jawi term ساين (*sayn*), to render phonetically the English word 'sign'.[28] (Fig. 2, blue arrows) This indicates that the layout was modelled, at least partially, on a printed form, where the signatures of the witnesses where on the left, a characteristic which remained even when the word ساين (*sayn*) disappeared from the formula.

Other features reveal that printed forms served as a basis for the composition of those Malay legal documents. The Malay تندا تاڠن سقسي *tanda tangan saksi* ('signature of the witnesses'), written before (Fig. 2, red arrow) the signature of the witness(es), was the Malay equivalent of the British 'signed, sealed, and delivered in the presence of', which appeared on indentures, also near the signatures. The presence of witnesses is also a fact to highlight. While their presence was not a novelty in the Malay context,[29] their signatures on the document were. Absent on the first *surat sungai*, they appeared at a following stage, as a feature lending validity to the deal. Signatures doubled the oral and performative role that the witnesses had previously had. The *surat sungai*, which was sealed[30] and signed by the Malay ruler, or his representative, when it emanated from him, was then validated through the acts of other originators, the witnesses (Fig. 3).

Finally, the sentence 'ketahuilah oleh segala orang yang ada hadzir dan lainnya', which systematically opened the *surat jual beli, surat wakil* and *surat gadai*, is the verbatim translation of the original English 'know all men by these

[22] The records are kept in present-day Johor archives.

[23] As previously mentioned, very few examples of Malay land deeds have been identified and even less studied. However, we know more about *surat* ('letters'), which were a major medium of royal authority, through which land was granted, Adam 2009, 6. Many sources of Malay letters concerned diplomatic correspondence with local or foreign rulers, written according to very specific rules explained in manuals known as *Kitab tarasul*. Letters were also used to transfer political rights between a Malay ruler and his trusted men through, for example, *surat kuasa* ('power of attorney') and *surat tauliah* ('letters of credence'), which can be considered as having served as a basis for the development of the *surat sungai*.

[24] Transliterated according to the system of the American Library Association / Library of Congress 1997.

[25] Documents of the same type in Malacca do not have the same form nor the exact Arabic formula at the end, but one which is very close and may denote the same tradition. I refer here to records of transactions from 1813 to 1824, transliterations and translations of which have been generously communicated to me by Annabel T. Gallop: London, British Library, IOR Malacca Record, R/9/12/32; R/9/12/41; R/9/22/41, fol. 98^{v} [n°914]; R/9/22/42, fol.168^{v}; R/9/27/3, fol. 8^{r}.

[26] The formula does not appear to have been used as *kepala surat* ('letter headings') in Malay traditional epistolary art, Adam 2009, 11–13.

[27] Maxwell 1884, 76.

[28] Some examples also have the Malay تندا تاڠن *tanda tangan*, likewise in brackets, with the same layout.

[29] Wisseman Christie 2009.

[30] The presence of an imprint seal is clearly attested to in some *surat*, with the reproduction of the *cap* in the register. In other cases, it is suggested by the mention, in the document, that these were *surat cap* or *surat cap tanda keterangan*. The position of the seal, which was not adjusted according to the sender and the recipient status, but simply stamped at the bottom of the page, near the signature of the ruler or his representative, appears also to be the result of British influence.

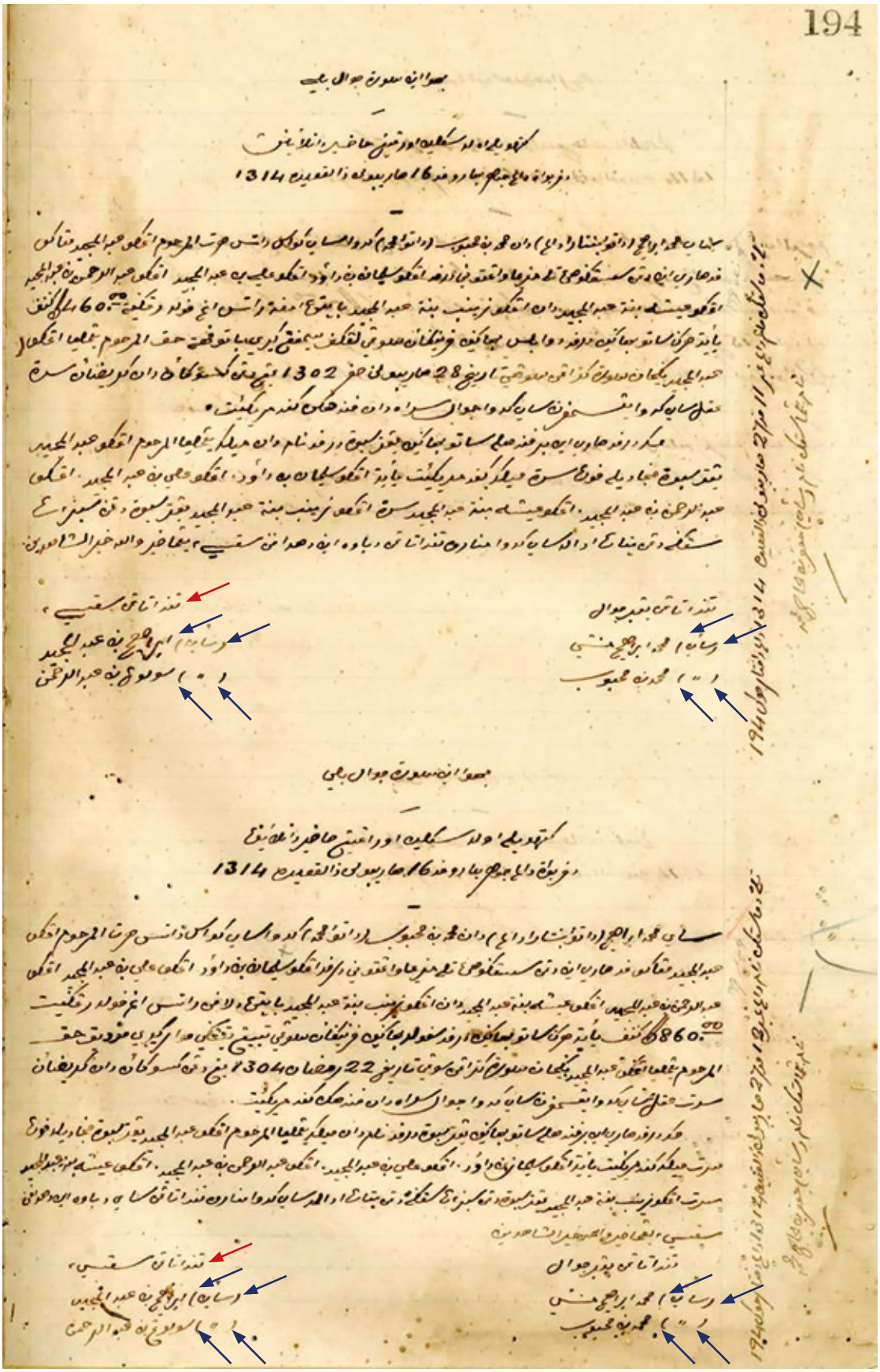

Fig. 2: Copy of a *surat sungai* with the Jawi ساين *sayn* ('sign') resp. the repetition sign enclosed in brackets, and the label سقسي تندا تاغن *tanda tangan saksi* ('signature of the witnesses') above. Marginal notes give information about the record of the copy. *Surat jual beli bahagian sungai Johor*, 1313–1334 H (1896–1916 CE). Johor, National Archives (ANM-J), J/SUK 13.

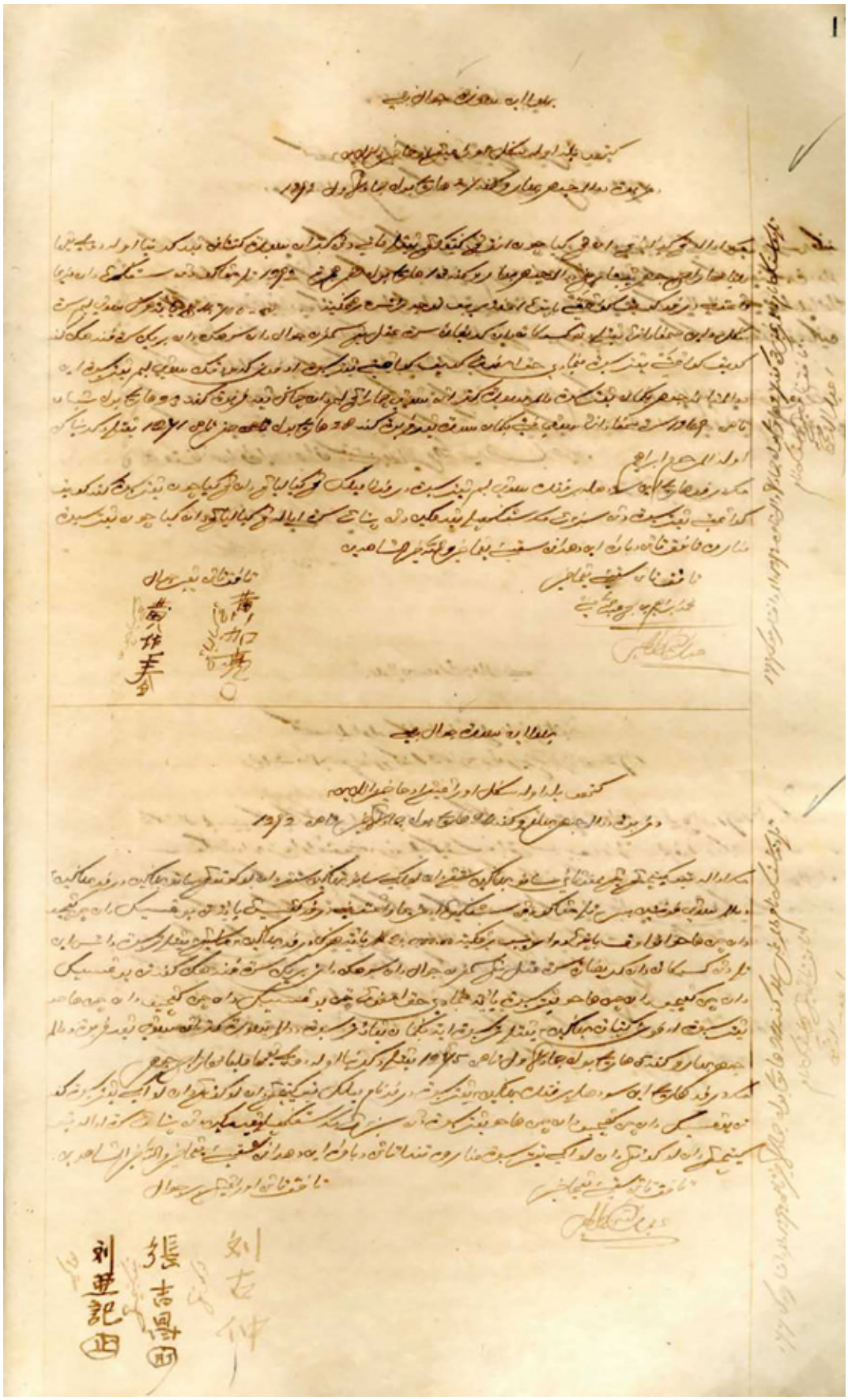

Fig. 3: Copy of a *surat sungai* with the signature of Chinese witnesses, in Chinese characters. *Surat-surat jual beli, surat-surat kongsi, surat-surat pajak dan surat-surat perjanjian hutang*, 1284–1301 H (1861–1882 CE). Johor, National Archives (ANM-J), J/SUK 13.

presents', an archaic formula found in the printed forms for land grants in the Straits Settlements.[31] It came directly from the Latin *Noverint universi per presentes*, used since the medieval period in bonds and other legal instruments written in English.[32] As for the final Arabic formula in pawning agreements, one can only infer the identity of the originators who decided on the linguistic form of the *surat sungai*, and on the characteristics which had to be borrowed and adapted. The different actors mentioned in the next part – the *temenggong*, their lawyers, or man of trust – could all have fulfilled this role in selecting and incorporating British-derived phrasing.[33]

The writing and copying of the *surat sungai*, for archiving purposes, originated in different traditions. While the language remained Malay, and the script Jawi, they borrowed heavily from the British legal culture through elements of language and phrasing such as those used on indenture printed forms. By doing so, the Temenggong adapted their administration to the conditions of nineteenth-century Johor, where multiple transactions needed to be recorded under new terms. The creation of original Malay legal documents in Johor was also an answer to the socio-political situation, which required the Temenggong to demonstrate signs of 'civilization', understood exclusively from a British perspective,[34] while at the same time he had to assert his power as Malay ruler over the other local chieftains.

4. The office of the Temenggong as the institutional originator

The debate on civilization was a major one in the colonial context of the time. Johor was surrounded by states and settlements under British administration: Singapore to the south, and Malacca and the protected states of Negri Sembilan and Pahang to the north. It therefore constantly needed to demonstrate its capacity to rule on its own, and the adoption of a British-inspired bureaucracy is to be read in that light, as part of the strategy to avoid the imposition of a British resident on Johor affairs.[35]

The Temenggong, as an institution, can be credited with the progressive adaptation of European administrative usage. The earliest example of *sungai surat* kept in the archives is the copy of a certificate allowing the opening of a plantation (*surat keterangan*), dated 1260 H / 1844 CE, the text of which is given below.[36] It was issued by Temenggong Daeng Ibrahim (1810–1862) to a Chinese named Lau Lib Keng who wanted to establish a plantation with twenty-five men on the river Sekudai. The agreement provided a tax exemption (*tidak diambil dia punya cukai*) for the first three years, which corresponded to the usage (*adat*) established by the British in Singapore:

> Tarikh kepada tahun 1260 dan kepada dua puluh enam hari 26 bulan Ramadan hari Khamis jam pukul 8 delapan siang dan kepada masa ketika itulah kita Ungku Temenggong Seri Maharaja memberi surat tanda keterangan kepada orang Cina yang hendak berkebun di dalam tanah Johor Sungai Skudai yaitu namanya Cina Lau Lib Keng orangnya 25 orang banyaknya dan perjanjian Cina itu dengan Ungku Temenggong tiga tahun lamanya tiada ambil dia punya cukai lepas daripada tiga tahun tiada boleh […] Cina itu mesti bayar bagaimana adat yang di

[31] See *Selling of land in district in Permatang Pauh*, Penang, 20 September 1875 (Kuala Lumpur, ANM-KL, 2007/0019391) and *Straits Settlements – Statutory Land Grant. Dokumen penjualan tanah Ali bin Abdullah di Lot 238 Daerah Tranquerah Melaka bertarikh 4 Februari 1897* (Kuala Lumpur, ANM-KL, 2010/0001714).

[32] Beal 2008.

[33] The characteristics of the *surat sungai* clearly appear to have been selected, and the genre of document created, when one compares them with similar documents in other Malay states. To our knowledge, Kedah is one of the few other places under Malay administration that maintained records of documents similar to *surat pajak* in Johor. Named *surat kecil* ('the short letter'), they granted authorization to exploit mines or gave monopolies on alcohol or rice trade, including to Chinese settlers. Valid for a three-year period, these licences mentioned the total amount to pay for the whole dur-ation, the corresponding amount per month or alternatively the desired payment every five or six months. They differed not only in their composition, but also in their form. They bore no signature, mentioned no witness, and ended simply with the Malay word *tamat* ('end'), which was the traditional way to end a literary work in Malay. See *Surat putus dan geran tanah*, 1216–1218 H (Alor Setar, ANM-K, S 303); S*urat menyurat Sultan Abdul Hamid*, vol. 9, 1318 H (1900 CE) (Alor Setar, ANM-K).

[34] Andaya and Andaya 2001, 154. See also Koh 2014 for a full range of the strategies employed by the Johor elites to enhance their status.

[35] Established in 1874 through the Pangkor treaty, the residential system introduced British officials as adviser to the Sultan. Started in Perak, it spread to Selangor, Negri Sembilan, and Pahang.

[36] See Fig. 4. Coope mentioned an earlier *surat sungai* dated 1245 H / 1833 CE but, as noted by Trocki, the date must have been misread and it is prob-ably the same document as the one dealt with here and dated 1260 H / 1844 CE, Coope 1936; Trocki 1979, 101–102, 247. Before 1890, the Malay nu-meral 5 was not rendered by the circular form ٥ (as in Arabic), which was used for the numeral zero, Gallop 2015, 96–97. Due to the handwriting, it is also possible that Coope mistook the Arabic 6 (٦) for a 4 (٤). It should be noted that the translation published in Trocki 1975, 11, 21 mistakenly reproduced the date 1265 H, instead of 1260 H for the oldest surviving *surat sungai*, see note 16 for the reading of the date. The correct year is however given in Trocki's later publication, Trocki 1979.

> dalam Singapura dibuat oleh Kompeni begitulah yang diturut oleh Ungku Temenggong kepada segala orang Cina yang berkebun dalam tanah Johor adanya.[37]
>
> The date is the year 1260, and on the twenty-sixth day 26, in the month of Ramadan, and the day of Khamis [Thursday] at eight 8 in the morning, we, Ungku Temenggong Seri Maharaja gave a certificate to the Chinese who wanted to cultivate in the land of Johor Sungai Sekudai, his Chinese name was Lau Lib Keng and he was with twenty-five people and according to the agreement of this Chinese man with Ungku Temenggong no tax can be taken for three years, after three years it is not possible […] the Chinese man will have to pay as it is the custom in Singapore as made by the [East India] Company and that was followed by Ungku Temenggong with all the Chinese who farmed in Johor lands.

Temenggong Daeng Ibrahim, the second *temenggong* of Singapore-Johor, took over the office following his father, Temenggong Abdul Rahman (1755–1825), who had been instrumental in the establishment of the British in Singapore before being evicted from his position and seeing his influence greatly reduced.[38] At his father's death in 1825, Ibrahim was fifteen, and he was recognized as *temenggong* only eight years later, in 1833. Suffering from a deficit of legitimacy in the succession context (he was the second son), he was also perceived negatively by the British. Governor Samuel George Bonham (1803–1863) described him as being 'idle and completely illiterate' and not higher 'on the scale of Civilisation than the meanest of his followers',[39] which were all considered as pirates.

Temenggong Ibrahim endeavored to secure the position lost by his family, firstly by gaining the appreciation of the British. He collaborated to suppress piracy and, following successful results, was officially recognized as Temenggong of Johor in 1841. This event established him as leader of the Malay community in Singapore and acknowledged his rule on Johor territory.[40] A treaty in 1855 confirmed the territorial basis of the Temenggong family and recognized it as independent. However, the new status was far from being accepted and 'rajahs of the peninsula, […] refused to acknowledge the Temenggong – because, in point of hereditary rank, he [was] beneath many of them.'[41]

When Abu Bakar took up office as the third *temenggong* of Singapore-Johor, he inherited the task only half-accomplished by his father: to enhance the status of the dynasty and maintain financial security.[42] Abu Bakar had received an education by a Protestant missionary in Singapore, Reverend Benjamin Peach Keasberry (1811–1875),[43] and was fluent and literate in Malay and English. He was the first *temenggong* to have been born and raised fully in Singapore, in close contact with the British culture. This heritage explained his ability to navigate different cultures with apparent ease, a talent he would put forward during his many travels to Europe and East Asia.[44] But as a Malay ruler, it was still essential to be recognized by the Riau-Lingga sultanate.[45] He therefore enquired, in 1869, whether the Temenggong family could assume a royal title. Having received a positive answer, albeit with the interdiction to use the title of Sultan or Yamtuan, he wrote to the British asking for permission to be called Maharaja, which was subsequently granted.[46]

While the figure of Abu Bakar remained closely related to the institution for the period in which the *surat sungai* came to be used more widely, and is credited as an originator for 'working out the procedure to be employed for issuing

[37] *Surat keterangan membuka kebun Johor* 1260–1360 (1844–1944), Johor Bahru, ANM-J, J/SUK 13, letter n°1. See Fig. 4.
This transliteration is based on the one kindly provided by Carl Trocki, who generously offered me access to his notes and copies of material from the Johor archives. I thank Lew Siew Boon for having provided me with the scanned images.

[38] Kwa 2006, 11, 17–18; Suppiah 2006, 37–43.

[39] Straits Settlements Records, R3, 23 April 1835 cited in Suppiah 2006, 47.

[40] Suppiah 2006, 48–49.

[41] Cameron 1865, 137 cited in Trocki 1979, 120.

[42] His father had worked with British merchants and commercial firms to trade the newly discovered *gutta percha*, latex from a tree that was the only substance capable of properly isolating underwater cables, and enjoyed a comfortable fortune. But the participation of the Temenggong family in a conflict with neighboring Malay States had considerably exhausted that fortune, Suppiah 2006, 50–55.

[43] While there is no evidence of Keasberry being an originator of the *surat sungai*, an indirect influence remains possible. His printing activities may have put Abu Bakar in contact with forms from an early time.

[44] He was the first Malay ruler to visit Europe, to which he travelled in 1866, 1878, from 1885 to 1886, from 1889 to 1891, 1893 and 1895. He also visited India from 1875 to 1876 and made a brief stop at Ceylon on his return from England in 1878. In 1881, he visited Java and then in 1883, Hong Kong, Japan, and China.

[45] The sultanate of Riau-Lingga, with its dependencies of Johor and Pahang, traced its line of authority back to the earlier Malay kingdom of Malacca (*c.*1400–1511), and before that to the mythical place of Bukit Siguntang. Its legitimacy therefore comes from its genealogy that traces a long history. The year 1824, which corresponds to the Treaty of London between the British and the Dutch, is often given as its starting date, and 1911 as its ending date, when the sultan was exiled to Singapore, but its history extends far beyond those dates. On the complex history of Riau-Lingga and Johor, see Matheson 1986; and Trocki 1979, 1–39.

[46] Kwa 2006, 19–20.

summons and warrants, etc.'[47], his brother Ungku Abdul Rahman (*c.*1815–1876) also played an important role. He was indeed the second man of the state and served as a Regent during the *temenggong*'s absence. His knowledge and role in state affairs were therefore significant. It is very likely that, in 1863, he had been given the responsibility over the *surat sungai*, which bore his signature until 1876, the year of his death.[48] His personal role in the composition of the documents remains unclear, however, which is why, besides Abu Bakar, I chose to designate as originators the office of the Temenggong, rather than other individuals. There was indeed an active process of reflection to create original Malay legal documents from Johor, since the time of Abu Bakar's father. It is well known that Daeng Ibrahim and his son entrusted the lawyers Simons and Napier[49] with their affairs. Acting as advisers on legal matters, they may have provided expertise related to the borrowing and translation of English contracts. Originators versed in the technicalities of British law must have played a role, but ultimately other hands, who were part of the new bureaucratic apparatus, were the ones who actually wrote the *surat sungai*.

5. Aligning legal system and written practices: the multiplication of originators

Among the most known originators was Muhammad Salleh bin Perang (1841–1915), who occupied the position of Dato Bentara Luar in Johor from 1841 to 1915. His main task was to plan the development of Johor and, to that purpose, he was in charge of opening new settlements and dealing with both Malay and Chinese headmen, to whom he issued *surat sungai*. Born in Singapore, like Abu Bakar, he was the seventh generation serving the rulers of Johor.[50] He started to work as a clerk at the age of fifteen for the minister (*menteri besar*) of Temenggong Ibrahim before entering the service of Abu Bakar, then heir apparent. When Johor started to be developed and the capital Iskandar Puteri was founded, he moved there and was tasked with handling correspondence, supervising the farming revenue, and issuing the *surat sungai*. He had four assistants, one of whom was specifically in charge of the contracts and authorization issued to the *kangchu*.[51]

Having studied in a Koranic school for two years at a younger age, then in Malay and English at Reverend Keasberry's school, Muhammad Salleh bin Perang learnt Malay letters under Abdullah bin Abdul al Kadir (1796–1854), also known as Munsyi ('teacher') Abdullah, and proved to be particularly gifted.[52] His ability in language led him to study not only Chinese but also painting, under a teacher named Chia Ah Sen,[53] from 1861 onwards. After two years, he was able to read and write in Teochew,[54] an ability he used to navigate different writing traditions without the service of interpreters or other scribes.[55] Yet, despite his role and linguistic skills, he did not influence the form of the *surat sungai* as one might assume. The *surat sungai* bears absolutely no sign of influence from Chinese written culture. Equally surprisingly, his training in land-surveying with a tea planter, a certain Mr. Langley,[56] and a British administrator, Sir Henry McCallum (1852–1919), did not interfere with the form of those legal documents, for no mention of either land measurement or surface areas appears in the *surat sungai*. In those documents, the area concerned was identified only by the name of the nearby river. The fact that the land deed excluded available information (measurements, sketch, mention of bordering lands) that was deemed important for at least one party, could mean that the Malay conception of a territory, for which the river was essential in the spatial organization of a state, remained more important than the accuracy of land surveys. The absence of numerical elements and drawings should therefore be considered as a conscious choice rather than a lack, and from that point of view should also be seen as one of the defining characteristics of that type of Malay land deed.[57]

[47] Sweeney 1980, 85.

[48] Trocki 1979, 148.

[49] Turnbull 1964, 174.

[50] Sweeney 1980, 73.

[51] Sweeney 1980, 51–52.

[52] Sweeney 1980, 76–77. The fact that he studied under the Malay language teacher, scribe, and writer Munsyi Abdullah may certainly have nurtured his talent. In this respect, it is interesting to note that he had the same teacher as Sir Stamford Raffles, whose role in the founding of Singapore was crucial. Munsyi Abdullah was definitely aware of British administrative and legal language, being himself in the service of British officials. However, the question of a possible linguistic transmission through the renowned Malay teacher remains difficult to assess.

[53] It should be noted that the rendering of the name is highly speculative, as Jawi does not always mark vowels.

[54] Sweeney 1980, 52, 79–82.

[55] Sweeney 1980, 86–87.

[56] The Straits Settlements Directory mentions, for the year 1882, two residents named Walter and J. Langley, tea planters. No further information is known about them. Sweeney 1980, 54, n. 13.

[57] For a beautiful example of a land lease signed and sealed by Temenggong Abu Bakar, bearing a scale sketch with precise measurements, see *Surat perjanjian menyewakan Tanah Bukit Kurnia, Telok Belanga, kepada Syed Hussin bin Mohamad Alhabshi 20.5.1862*, Johor Bahru, ANM-J, S 13.

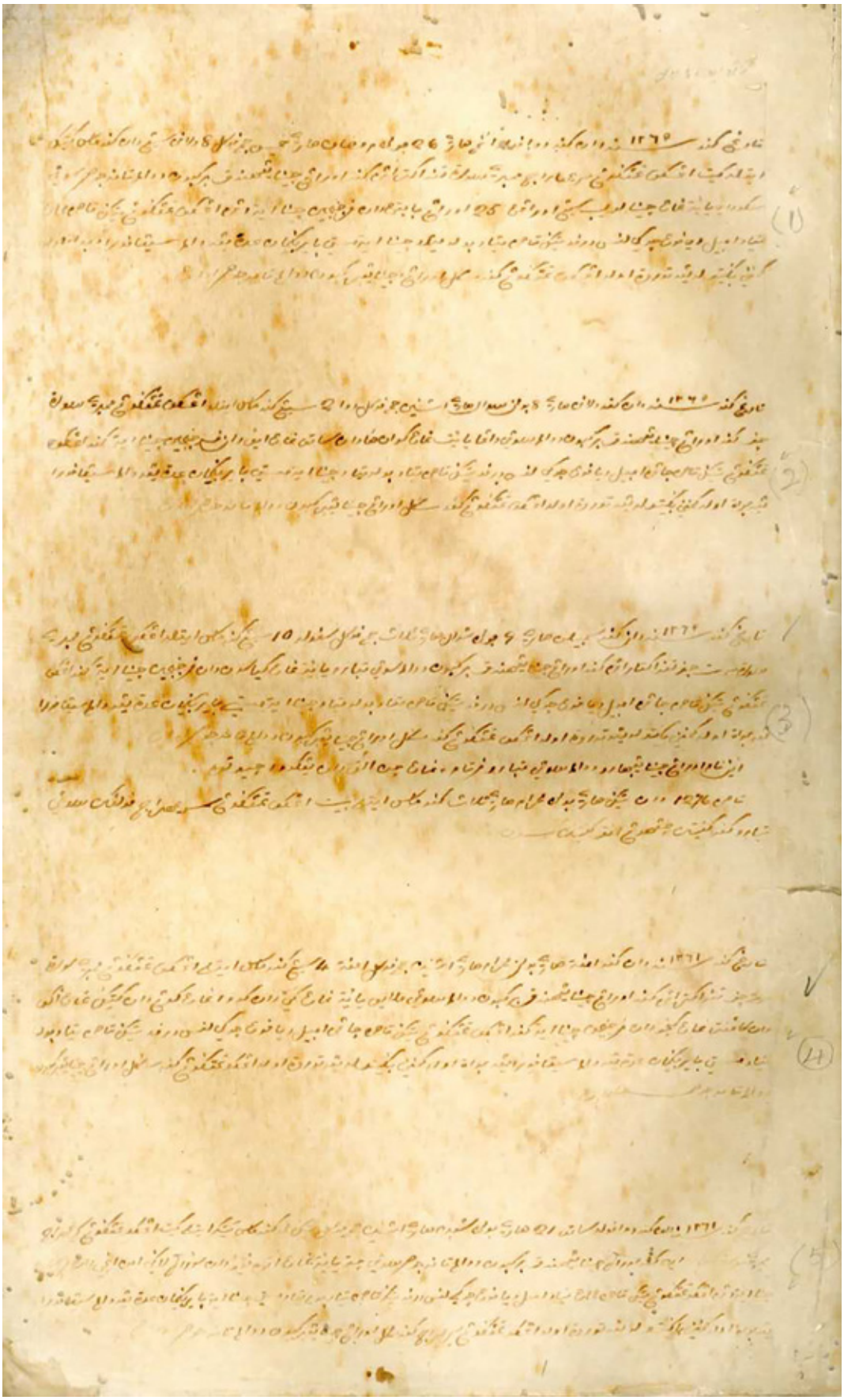

Fig. 4: Copy of the earliest *surat sungai* known, dated 1260 H (1844 CE). *Surat keterangan membuka kebun*, 1260–1360 H (1844–1944 CE). Johor, National Archives (ANM-J), J/SUK 13, letter n°1.

While Muhammad Salleh did not intervene in the content or composition of the *surat sungai*, his hand has been identified in the *surat sungai* record, together with many others. Clerk-scribes whose names often appeared in the margin, along with the number attributed to the document and the date of the copy, were indeed numerous (Fig 2). Those marks left by clerks became another feature of the *surat sungai*, and can be considered as the latest stage in the process determining its final form. The fact that they were recopied in records, and started to be archived, enhanced their status. Their value to legitimate claims could hardly be contested once they entered the administrative records of the modern state of Johor. Clerk-scribes in charge of recording the deeds were therefore, at their level, among the originators of *surat sungai*. The importance of that compiling and recording process appeared in 1865, when Abu Bakar enacted rules regarding the registration of land records and the fee to pay for it, as well as the different fees for the writing of land deeds by scribes. The fact that a year later the administrative capital was moved from Telok Blangah, in Singapore, to Tanjung Puteri, in Johor, is certainly no coincidence. With a mature system of *surat sungai*, relying on a new form of Malay land deeds, and associated documents (such as pawning agreements), Johor could continue to open land and even to do so at a faster pace as the land and its administration were brought close together, away from Singapore.

6. Conclusion

Through the *surat sungai*, the *temenggong* of Singapore-Johor showed their ability to implement land tenure through their own system (right of use, and rights on products), and to have it recognized as legally valid by all the parties, including the British colonial power. In the same period, the *temenggong* of Johor used other types of contract to lease land and transfer rights over its products when deals were made in Singapore under British law.[58] Some were written in English, others in Malay using the Latin script, and some were even printed forms with only a few items filled in. While they were all legally valid, and probably authoritative before a court of law in case of dispute, the specific form and formulation of the *surat sungai* as a type of Malay land deed typical of Johor gave it a particular status.

It supported a system relying almost exclusively on Chinese capital and coolies, but did not have in its content or form any particular Chinese features. It borrowed elements of language from British contract law, while very few Europeans took part in the Kangchu system, and found its Malay 'voice' by selecting – incorporating and excluding – the elements deemed essential to land tenure in Singapore.

Abu Bakar was responsible for the creation of Johor land administration. The rules and regulations that led to the formalization of the registration process were his doing. But it was the Temenggong, as an institution, that was at the origin of the *surat sungai*, for it created the administrative and bureaucratic system that allowed its production and the maintenance of its validity over time.

Other people, known or anonymous, participated at their level in the creative process of Malay land deeds. These were lawyers, who allowed a particular legal phrasing to emerge in Malay; witnesses, whose presence and written names, on the *surat sungai*, validated the deal; and copyist-scribes, who put their names in records and enhanced the authoritative status of those documents.

Presented as such, one can see the chain of originators as a top-down production process, with ideas and orders from the head of state and his advisers, down to the practical realization at the very end of the chain of command. The reality was however less linear. For instance, we do not know whether Abu Bakar or his brother Ungku Abdul Rahman were the ones who wrote the *surat sungai* in the first place, before it was recopied in records. If not, the scribe must have acted relatively early in the creative process, co-creating the *surat sungai* at the time of its writing, with the witnesses and the different parties who all signed and thus validated the document. Finally, the identification of Muhammad Salleh's hand in the *surat sungai* records tends also to suggest that until the very last stage, the process was overviewed and that the originators did not always intervene when they might have been expected to, given their rank or status.

[58] See *Surat perjanjian almarhom Temenggong Abu Bakar dengan Tuan F.G. Jarvis berkenaan Tanah Kampong Baru, Telok Belanga*, 1.9.1862, Johor Bahru, ANM-J, S 14, written in English and strictly following the British indenture model, and *Surat perjanjian menyewakan Tanah Bukit Kurnia, Telok Belanga, kepada Syed Hussin bin Mohamad Alhabshi* 20.5.1862, Johor Bahru, ANM-J, S 13, written in Malay using Jawi script but following another model, tentatively characterized as hybrid (with an enumeration of articles), and a scale drawing of the land plot. Both concern land plots located in Singapore and owned by the Temenggong family.

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Fig. 1: Public Domain, British Library. Image extracted from page 134 of volume 1 of *A Historical Geography of the British Colonies*, by Charles P. Lucas, Oxford University Press 1888. Original held and digitised by the British Library, <https://www.flickr.com/photos/britishlibrary/11194908213> (last accessed on 20 March 2024).

Figs 2–4: © Johor, National Archives of Malaysia.

Article

The Scribe, the Speaker, and the Political Body: Parliamentary Minutes and their Originators in Nineteenth-century Germany

Hannah Boeddeker | Hamburg

1. Introduction

The written artefacts this paper deals with are the so-called *Stenographische Berichte*, meaning the official and verbatim minutes of German parliamentary debates in the nineteenth and early twentieth century. These minutes had various functions. First, they made parliamentary deliberations transparent and accessible to the public, and as such provided a mechanism to hold members of parliament accountable to the electorate.[1] Secondly, they could serve as a tool for the interpretation of the law[2], and lastly, historians, political scientists, and legal scholars used them as source material.[3] Even journalists used the records as a basis for their articles – especially if they did not have a correspondent in parliament. For all of these functions, it was crucial that the protocols be perceived as reliable renditions of the oral proceedings. Their credibility derived from the fact that they were official documents and therefore endowed with authority, and they promised a complete and authentic account of the debates. These two characteristics gave the minutes their special status and made them originals.

It was important for the parliaments that the record be an original in the sense of being perceived as a written artefact possessing authority. The records acquired that status of an original through their originators. In this paper I argue that the production of records involved three different types of originators: the scribes – meaning specifically the shorthand writers –; the speaker – meaning the member of parliament –; and the political body that sanctioned the protocols – meaning the parliament. All of these originators were indispensable in order to achieve the ideal of a record of the proceedings that was regarded as verbatim and official, and therefore credible. The case of parliamentary records is particularly interesting as it fragments different aspects of originator-ship across various institutions. This case has the particularity of showing how the different originators struggled to agree on what the right measure of authenticity was and who determined it. In other words, the originators were not simply in chronological order but sometimes in conflicting roles.

Before I analyse the three different roles of originators, I would like to give a short overview of the production of the records, which was a rather complex process. Generally – albeit with some exceptions –, the production proceeded as follows. Shorthand writers attended the session in the plenary hall and recorded the speeches verbatim in stenography, including all interjections such as heckling, clapping, or laughing. Because this writing practice required a high level of concentration and was quite exhausting, up to ten stenographers attended each session and rotated through shifts lasting no longer than ten to thirty minutes at a time. At a later stage, the stenographers dictated the content of their shorthand notes to a clerk or secretary who produced a more legible manuscript in longhand or typescript. The first version, the shorthand notation, became obsolete afterwards. The longhand transcript of each speech was then handed to the relevant speaker. The parliamentarians were allowed to correct the document within reason, and had to authorise the transcript before it was finally printed and published.[4] In other words, the production of records included not only different types of written artefacts – such as shorthand notes, longhand manuscripts and prints – but also various writing practices – such as shorthand, dictating, revising, correcting, signing, and printing.

[1] In the nineteenth and early twentieth century, the public had access to parliamentary debates via newspaper articles, the minutes of sessions, or as visitors in the gallery; Bösch 2022, 236.

[2] Boeddeker 2023, 204–205.

[3] Huber 1951, 205.

[4] Burkardt 2003, 469–506.

2. The scribe

The most efficient way to render the spoken word in nineteenth-century Germany – before audio recording – was shorthand. The promise of stenography as a cultural technique was the creation of verbatim records of oral proceedings. In stenographic writing systems, one sign could represent not only a letter but also a syllable, a common cluster of consonants or even a whole word, and vocals were symbolised by super- and subscript.[5] All these abbreviations were designed so that scribes could write very swiftly, making shorthand a necessary tool to produce a truly verbatim record (see as an example Fig.1). Parliamentary shorthand writers worked with the most radically abbreviated version of shorthand, the so-called *Kammerschrift*.[6] Sometimes, only the shorthand symbol for the prefix of a word would be noted down (such as the German prefix 'Ab' for *Abgeordneter*, 'parliamentarian'). Because shorthand was a highly complex writing practice, the fidelity of the records depended on the abilities and performance of the scribes, which were consequently a source of constant concern at the time.

While most minute-takers in the nineteenth and twentieth centuries had to show basic abilities, parliamentary shorthand writers were expected to meet an especially high standard.[7] They had to be university-educated, physically fit and – in accordance with the norms of the time – male. The requirement of academic education was based on the fact that scribes had to understand the content of the debates in order to record them adequately:

> Ferner muss dem Parlamentspraktiker ein grosser Umfang des Wissens innewohnen und, je weiter sich der Kreis seines Wissens erstreckt, desto vorzüglicher werden seine Leistungen sich erweisen. Er muss Sprachkenntnisse [...] besitzen. Er darf in Philosophie, Geschichte, Nationalökonomie, Statistik, Geographie, Rechtswissenschaft nicht unbewandert sein, kurz und gut, es muss ihm ein mehr als blos enzyklopädisches Wissen innewohnen.[8]
>
> Furthermore, the parliamentary shorthand writer must have a wide range of knowledge and the wider the circle of his knowledge, the more excellent his performance will prove to be. He must have a knowledge of languages [...]. He must not be unversed in philosophy, history, national economy, statistics, geography, jurisprudence, in short, he must have more than just encyclopaedic knowledge.[9]

Insisting on an academic education thus served as a strategy to guarantee a reliable protocol, in addition to other criteria such as the mastery of shorthand writing, the acoustics of the plenary hall, or the ideal writing tools. In a broader sense, most parliamentary stenographers saw their profession as a scientific one and their activity as decidedly intellectual. Recording the debates was, in their opinion, not a mechanical or manual process, but rather a cognitive one.

In addition to academic education, physical fitness was portrayed as a relevant precondition for becoming a parliamentary stenographer. Noting down the speeches in the plenary hall was physically exhausting and required a stable physical condition. Like academic education, the performance of the stenographer's body was a safeguard to guarantee the fidelity of the protocols:

> Um als Parlamentsstenograph mit Erfolg thätig zu sein, muss derselbe, ganz abgesehen von der grössten technischen Handfertigkeit, zunächst einen gesunden und grossen Anstrengungen vollkommen gewachsenen Körper besitzen.[10]
>
> In order to be successful as a parliamentary stenographer, he must, quite apart from the greatest technical skill, first of all have a healthy body that is fully capable of great effort.

These ideas of physical strength were embedded in the mechanical and physiological scientific understanding of the body that prevailed in the nineteenth century, the most prominent metaphor for which was the body as a thermodynamic machine.[11] Yet even fit bodies could collapse: sick notes due to neurasthenia, a clinical diagnosis of exhaustion, can be found, dating primarily from the 1880s onwards.[12] This was related not only to the fact that

[5] Zimmermann 1897, 64–67.

[6] e.g.Conn 1861.

[7] Niehaus and Schmidt-Hannisa 2005, 11–12.

[8] Zeibig 1891, 5–6.

[9] All translations by the author.

[10] Zeibig 1891, 5.

[11] Rabinbach 1998, 294.

[12] BArch R 3903/1640, bl. 2.

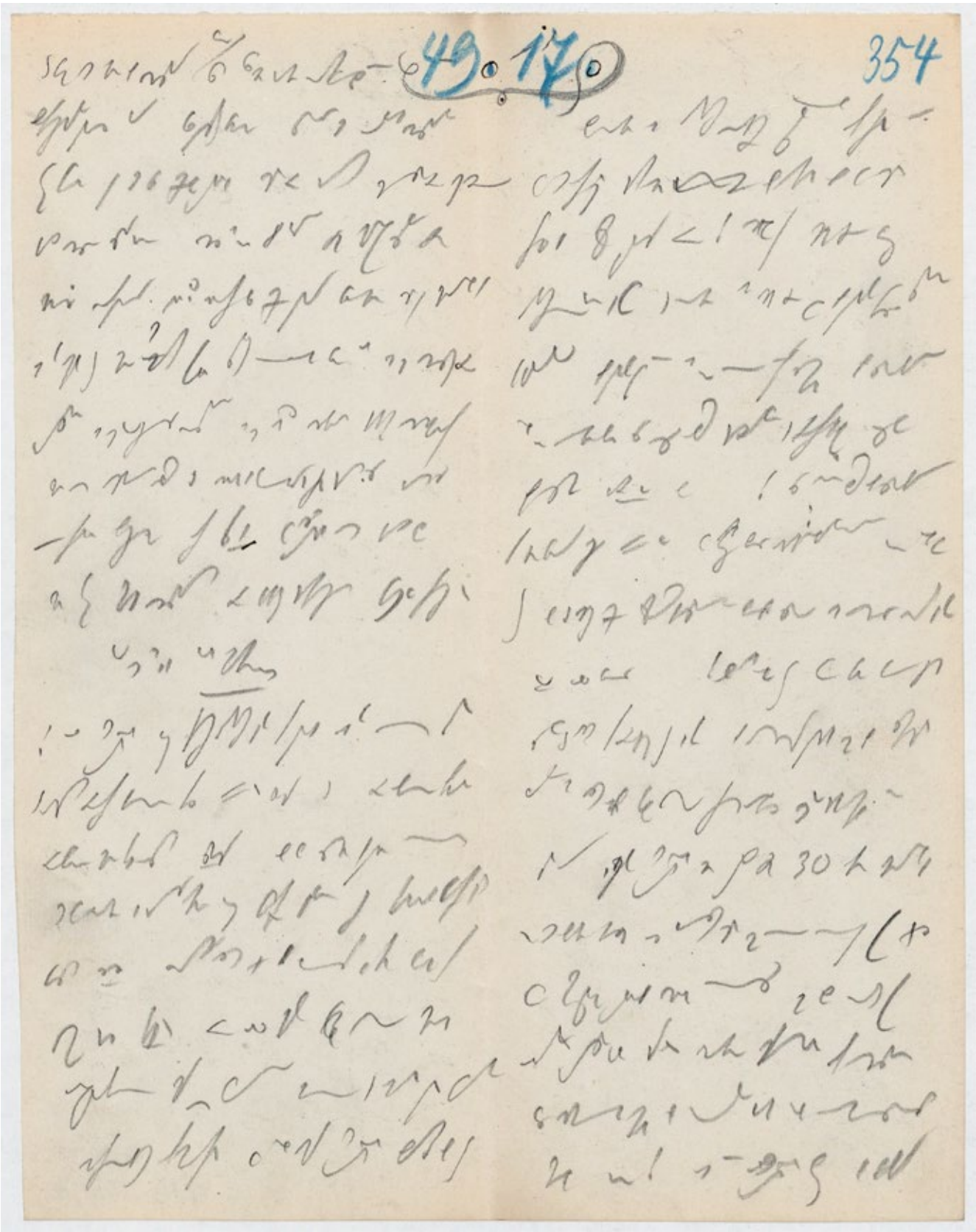


Fig. 1: A shorthand note from the Reichstag in 1882, Dresden, Sächsische Landesbibliothek – Staats- und Universitätsbibliothek Dresden (SLUB), Stenografische Sammlung, Q. Slg.10,1,1.

neurasthenia developed into a fashionable diagnosis, but more specifically to the way parliaments functioned in the late nineteenth century. As sessions became longer and new commissions and committees were established, all of which needed to be recorded by the stenographers, their workload increased.[13]

While physical fitness was considered an essential professional requirement, the discourse also implied that the parliamentary stenographer's body was a masculine one. In the nineteenth century, academic education and physical performance were linked by the fact that both were male categories, and gender had an identity-forming effect on stenographers. According to these discourses, only men were capable of neutral, non-emotionally guided transcription. Objectivity as an unconditional prerequisite for an authentic transcript was thus a genuinely masculine quality.[14]

The first original – the shorthand note – became obsolete after it was transcribed into longhand by clerks or secretaries, since shorthand was not readable for most people. The longhand manuscript was revised and corrected to create a comprehensible text in written language without filler words or stutters. First, the stenographers revised the texts. Afterwards, and more importantly, the parliamentarians revised and corrected their speeches, because the so-called *Rednerkorrekturrecht* guaranteed them the right to do so and thereby to authorise them before they were printed.

3. The speaker

The *Rednerkorrekturrecht* was not uncontroversial at the time. Publicists and political opponents criticised the speakers for practising 'censorship'.[15] As a riposte, the parliamentarians justified this practice on two grounds. First, shorthand was error-prone as a technique for recording technique oral proceedings, as uncounted slips of the pen occurred.[16] For example, in 1948 in Frankfurt, the Bavarian MP Johann Eisenmann complained in the National Assembly:

> Ich habe mich darauf verlassen, daß wirklich stenographiert werde [...] Ich habe dies (sein Protokoll nachlesen) im Beisein Wigards's, Biedermann's und Hassel's (drei Stenographen) gethan und Dinge gefunden, die ich gar nicht gesagt. [...] Ich habe die Erfahrung gemacht, dass selbst redlich Stenographen gräulichen Unsinn zur Welt gebracht haben.[17]
>
> I relied on the fact that shorthand notes were really taken [...] I did this [i.e. read his protocol] in the presence of Wigard, Biedermann and Hassel and found things that I did not say at all. [...] I have had the experience that even honest stenographers have produced atrocious nonsense.

Second, the parliamentarians insisted that they had a right to authorise the record of their own speech before the minutes became official. When Prussian prime minister Otto von Bismarck accused members of the stenographic office of having leaked the transcripts of his speeches to the press before he could authorize them in 1867, he stated:

> Bei den politischen Inconvenienzen, welche derartige entstellte, mit dem Anschein der Authentizität versehene Publikationen von Reden eines auswärtigen Ministers zur Folge haben, kann ich solche unbefugte Disposition über die amtliche Aufzeichnung meiner Auslassungen fernerhin nicht dulden.[18]
>
> In view of the political inconvenience which such distorted publications of speeches by a foreign minister, provided with the appearance of authenticity, entail, I cannot further tolerate such unauthorised disposition of the official record of my omissions.

Although Bismarck's position is certainly extreme, this example illustrates how the parliamentarians wanted to control the official version of their own speeches.

The extent to which they actually revised them and changed the content is hard to determine. Normative sources often show a rather generous interpretation of the *Rednerkorekturrecht*. An article from the parliamentary commissioner of the Prussian House of Representatives, Gottlieb Heinrich Freiherr von Zedlitz und Neukirch from 1907, for instance, assumed that as spoken language was to be converted into written language, there were likely to be extensive changes. Furthermore, the maxim always had to be the importance of rendering what the parliamentarian

[13] Gjuričová and Schulz 2012, 14.

[14] Gardey 2019, 57.

[15] Robolsky 1887, 120–122.

[16] Burkhardt 2003, 499.

[17] Zeibig 1900, 73.

[18] GStAPK, I. HA Rep. 77 Ministerium des Inneren Tit. 533 Nr. 4, fol. 12.

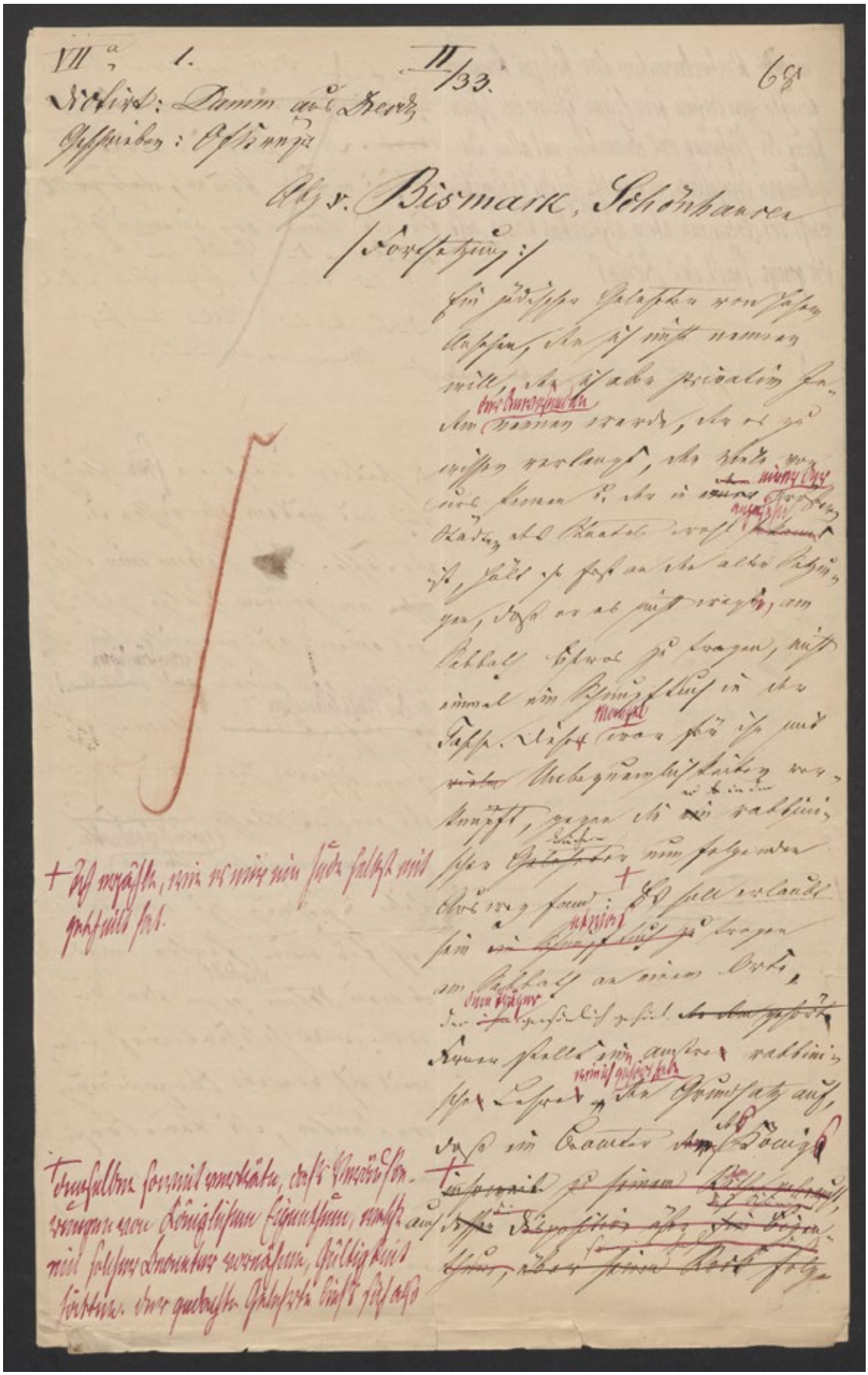


Fig. 2: Otto von Bismarck's correction of his speech at the first united assembly of Prussia in 1847, GStAPK I. HA Rep. 92 Zinkeisen Nr. 46.

intended to express with his speech – even if this intention did not correspond to what was actually said. That might be the case if, for example, *während der Rede für den Gedanken ein zutreffender, Mißverständnisse ausschließender Ausdruck nicht gefunden wurde*.[19]

The extent to which speakers were allowed to revise their speeches was defined, among other factors, by the intention. They were allowed to correct their speech in accordance with what their intended political message had been.

When it came to use of the records for the interpretation of the law or as a historical source, it was especially important that the political statement come through in the text. If the faint rhetoric of a speaker impeded the intended message, the Rednerkorrekturrecht was a chance to adjust the text accordingly. The speakers, as the elected representatives of the people, were the originators of the political thought and the argument of a speech, and the records were supposed to be true to what was actually meant in a speech – more than to what was *said*.

All in all, the speakers had immense control over what became the official record, and therefore used the Rednerkorrekturrecht as an instrument of control of political communication in their favour. Fig. 2 shows the copious revision of then member of parliament Otto von Bismarck at the first United Assembly of Prussia in 1847. However, this might have been caused by the particular political circumstances: it was the first time that representatives from all Prussian provinces came together – and that a complete record of a Prussian assembly was published.[20]

4. The political body: Parliament as the originator of the printed version

After authorisation by the speakers, the protocols were printed and published as the official records of the proceedings. Official publications – e.g. corpus juris, statistics, gazettes – were (and are) usually issued by a public body.[21] However, in the case of the minutes, the parliaments were not the editor (*Herausgeber*) from the beginning. In the early days of constitutionalism, before 1848, it was the monarchic government, and not the parliaments, who edited the protocols.[22] Only after 1848 did the political body of the parliaments became the originator of the printed protocol in the legal sense. Hence, the status of the originator of protocols was a sign of the increasing political powers of parliaments during the nineteenth century, from 1848 onwards. Because the minutes were published as an official transcript of the proceedings, the parliaments were considered to hold authority.

In those prints, all traces of the production have vanished. In the final version of the records, the presentation of the content appears to be homogeneous (see Fig. 3). As described above, the production of the shorthand protocol left behind several manuscripts that had resulted from various writing practices and originators, and featured distinctive visual layouts and graphic items, including the speakers' signatures, the marks with the number of the session, the date, the shorthand writer's shift, and sometimes also the name of the shorthand writer and the clerk.[23] Furthermore, in the longhand manuscripts there were the revisions by the shorthand writers and the speakers' corrections. That all those layers of writing are invisible in the final artefact is due above all to the type of medium: traces of writing and corrections are hard to maintain in prints. I would nevertheless argue that the homogeneous appearance of the print also had a political advantage: ambiguity turned into unambiguity and was supposed thereby to strengthen the credibility of the protocols. Therefore, the editor could also be seen as the originator, since parliament played a role in the authentication process.

Even though no traces of the production process are visible in the final print, knowledge about the process was however not lost. On the contrary, contemporaries knew about the insufficiencies of shorthand and about the speakers' revisions, and they instrumentalized this knowledge to their own benefit. Members of parliament used the protocols as proof of what had been said earlier in the debates – and even read out loud the uncorrected transcript as evidence in the debates.[24] They aimed to defend their credibility against inappropriate, unjustified – alleged or real – accusations by their parliamentary opponents. The probative value of printed protocols could always be challenged and contested by the accusation that the minutes had been substantially revised or manipulated during their correction by the speaker. This accusation was so serious because it directly attacked the integrity as a core political value of parliamentarians.

[19] 'If the speaker did not find an appropriate expression for the idea, one that would exclude misunderstandings during the speech', von Zedlitz-Neukirch 1900, 185.

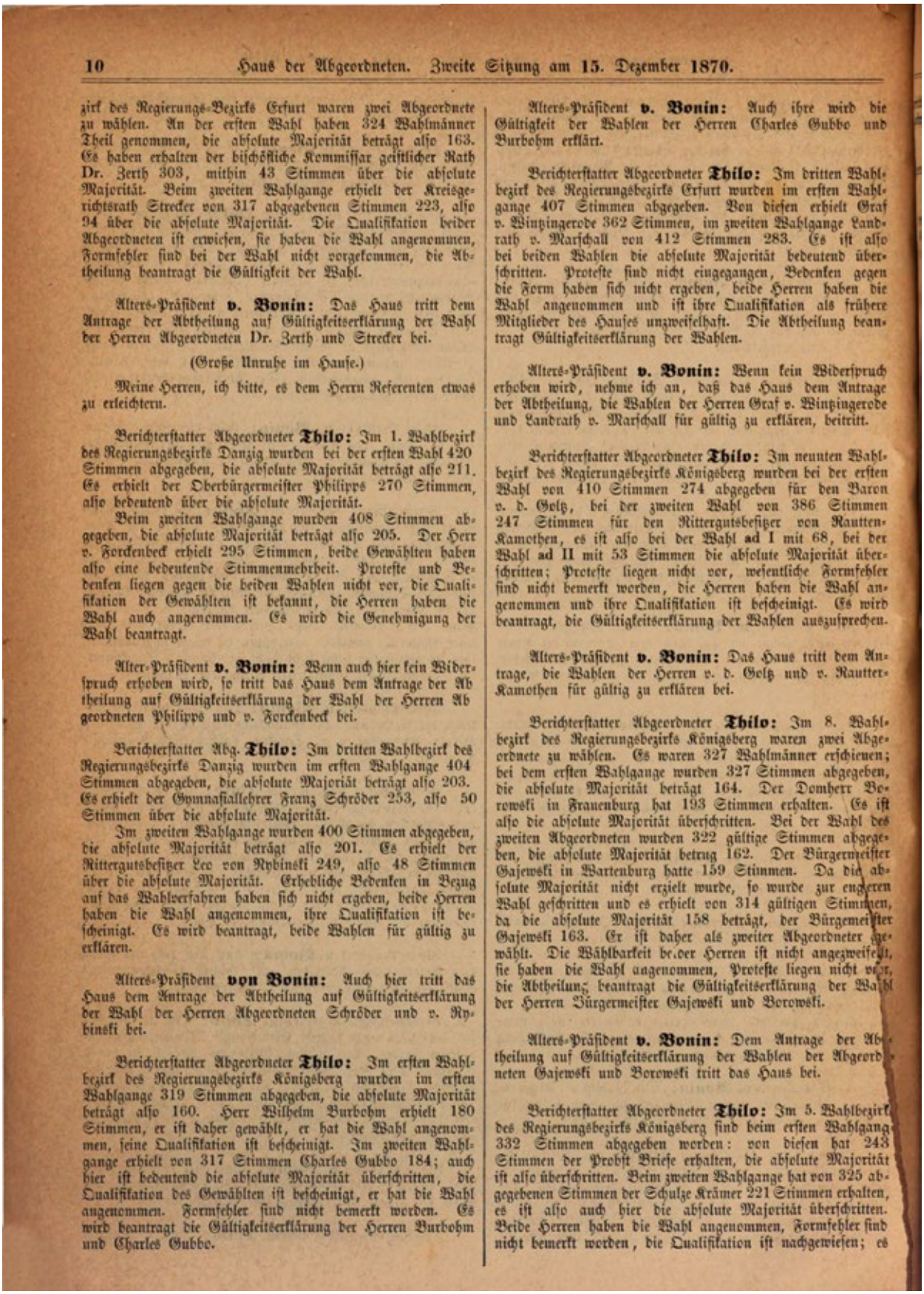
[20] Obenaus 1984, 763.

[21] Maier 2016.

[22] Biefang 2009, 68.

[23] Boeddeker 2023, 116–118.

[24] *Stenographische Berichte über die Verhandlungen des Deutschen Reichstags*, vol. 41, 99.



10 Haus der Abgeordneten. Zweite Sitzung am 15. Dezember 1870.

zirk des Regierungs-Bezirks Erfurt waren zwei Abgeordnete zu wählen. An der ersten Wahl haben 324 Wahlmänner Theil genommen, die absolute Majorität beträgt also 163. Es haben erhalten der bischöfliche Kommissar geistlicher Rath Dr. Zerth 303, mithin 43 Stimmen über die absolute Majorität. Beim zweiten Wahlgange erhielt der Kreisgerichtsrath Strecker von 317 abgegebenen Stimmen 223, also 94 über die absolute Majorität. Die Qualifikation beider Abgeordneten ist erwiesen, sie haben die Wahl angenommen, Formfehler sind bei der Wahl nicht vorgekommen, die Abtheilung beantragt die Gültigkeit der Wahl.

Alters-Präsident **v. Bonin:** Das Haus tritt dem Antrage der Abtheilung auf Gültigkeitserklärung der Wahl der Herren Abgeordneten Dr. Zerth und Strecker bei.

(Große Unruhe im Hause.)

Meine Herren, ich bitte, es dem Herrn Referenten etwas zu erleichtern.

Berichterstatter Abgeordneter **Thilo:** Im 1. Wahlbezirk des Regierungsbezirks Danzig wurden bei der ersten Wahl 420 Stimmen abgegeben, die absolute Majorität beträgt also 211. Es erhielt der Oberbürgermeister Philipps 270 Stimmen, also bedeutend über die absolute Majorität.

Beim zweiten Wahlgange wurden 408 Stimmen abgegeben, die absolute Majorität beträgt also 205. Der Herr v. Forckenbeck erhielt 295 Stimmen, beide Gewählten haben also eine bedeutende Stimmenmehrheit. Proteste und Bedenken liegen gegen die beiden Wahlen nicht vor, die Qualifikation der Gewählten ist bekannt, die Herren haben die Wahl auch angenommen. Es wird die Genehmigung der Wahl beantragt.

Alter-Präsident **v. Bonin:** Wenn auch hier kein Widerspruch erhoben wird, so tritt das Haus dem Antrage der Abtheilung auf Gültigkeitserklärung der Wahl der Herren Abgeordneten Philipps und v. Forckenbeck bei.

Berichterstatter Abg. **Thilo:** Im dritten Wahlbezirk des Regierungsbezirks Danzig wurden im ersten Wahlgange 404 Stimmen abgegeben, die absolute Majorität beträgt also 203. Es erhielt der Gymnasiallehrer Franz Schröder 253, also 50 Stimmen über die absolute Majorität.

Im zweiten Wahlgange wurden 400 Stimmen abgegeben, die absolute Majorität beträgt also 201. Es erhielt der Rittergutsbesitzer Leo von Rybinski 249, also 48 Stimmen über die absolute Majorität. Erhebliche Bedenken in Bezug auf das Wahlverfahren haben sich nicht ergeben, beide Herren haben die Wahl angenommen, ihre Qualifikation ist bescheinigt. Es wird beantragt, beide Wahlen für gültig zu erklären.

Alters-Präsident **von Bonin:** Auch hier tritt das Haus dem Antrage der Abtheilung auf Gültigkeitserklärung der Wahl der Herren Abgeordneten Schröder und v. Rybinski bei.

Berichterstatter Abgeordneter **Thilo:** Im ersten Wahlbezirk des Regierungsbezirks Königsberg wurden im ersten Wahlgange 319 Stimmen abgegeben, die absolute Majorität beträgt also 160. Herr Wilhelm Burbohm erhielt 180 Stimmen, er ist daher gewählt, er hat die Wahl angenommen, seine Qualifikation ist bescheinigt. Im zweiten Wahlgange erhielt von 317 Stimmen Charles Gubbo 184; auch hier ist bedeutend die absolute Majorität überschritten, die Qualifikation des Gewählten ist bescheinigt, er hat die Wahl angenommen. Formfehler sind nicht bemerkt worden. Es wird beantragt die Gültigkeitserklärung der Herren Burbohm und Charles Gubbo.

Alters-Präsident **v. Bonin:** Auch ihre wird die Gültigkeit der Wahlen der Herren Charles Gubbo und Burbohm erklärt.

Berichterstatter Abgeordneter **Thilo:** Im dritten Wahlbezirk des Regierungsbezirks Erfurt wurden im ersten Wahlgange 407 Stimmen abgegeben. Von diesen erhielt Graf v. Winzingerode 362 Stimmen, im zweiten Wahlgange Landrath v. Marschall von 412 Stimmen 283. Es ist also bei beiden Wahlen die absolute Majorität bedeutend überschritten. Proteste sind nicht eingegangen, Bedenken gegen die Form haben sich nicht ergeben, beide Herren haben die Wahl angenommen und ist ihre Qualifikation als frühere Mitglieder des Hauses unzweifelhaft. Die Abtheilung beantragt Gültigkeitserklärung der Wahlen.

Alters-Präsident **v. Bonin:** Wenn kein Widerspruch erhoben wird, nehme ich an, daß das Haus dem Antrage der Abtheilung, die Wahlen der Herren Graf v. Winzingerode und Landrath v. Marschall für gültig zu erklären, beitritt.

Berichterstatter Abgeordneter **Thilo:** Im neunten Wahlbezirk des Regierungsbezirks Königsberg wurden bei der ersten Wahl von 410 Stimmen 274 abgegeben für den Baron v. d. Goltz, bei der zweiten Wahl von 386 Stimmen 247 Stimmen für den Rittergutsbesitzer von Rautten-Kamothen, es ist also bei der Wahl **ad I** mit 68, bei der Wahl **ad II** mit 53 Stimmen die absolute Majorität überschritten; Proteste liegen nicht vor, wesentliche Formfehler sind nicht bemerkt worden, die Herren haben die Wahl angenommen und ihre Qualifikation ist bescheinigt. Es wird beantragt, die Gültigkeitserklärung der Wahlen auszusprechen.

Alters-Präsident **v. Bonin:** Das Haus tritt dem Antrage, die Wahlen der Herren v. d. Goltz und v. Rautter-Kamothen für gültig zu erklären bei.

Berichterstatter Abgeordneter **Thilo:** Im 8. Wahlbezirk des Regierungsbezirks Königsberg waren zwei Abgeordnete zu wählen. Es waren 327 Wahlmänner erschienen; bei dem ersten Wahlgange wurden 327 Stimmen abgegeben, die absolute Majorität beträgt 164. Der Domherr Borowski in Frauenburg hat 193 Stimmen erhalten. Es ist also die absolute Majorität überschritten. Bei der Wahl des zweiten Abgeordneten wurden 322 gültige Stimmen abgegeben, die absolute Majorität betrug 162. Der Bürgermeister Gajewski in Wartenburg hatte 159 Stimmen. Da die absolute Majorität nicht erzielt wurde, so wurde zur engeren Wahl geschritten und es erhielt von 314 gültigen Stimmen, da die absolute Majorität 158 beträgt, der Bürgermeister Gajewski 163. Er ist daher als zweiter Abgeordneter gewählt. Die Wählbarkeit beider Herren ist nicht angezweifelt, sie haben die Wahl angenommen, Proteste liegen nicht vor, die Abtheilung beantragt die Gültigkeitserklärung der Wahl der Herren Bürgermeister Gajewski und Borowski.

Alters-Präsident **v. Bonin:** Dem Antrage der Abtheilung auf Gültigkeitserklärung der Wahlen der Abgeordneten Gajewski und Borowski tritt das Haus bei.

Berichterstatter Abgeordneter **Thilo:** Im 5. Wahlbezirk des Regierungsbezirks Königsberg sind beim ersten Wahlgang 332 Stimmen abgegeben worden: von diesen hat 243 Stimmen der Probst Briese erhalten, die absolute Majorität ist also überschritten. Beim zweiten Wahlgange hat von 325 abgegebenen Stimmen der Schulze Krämer 221 Stimmen erhalten, es ist also auch hier die absolute Majorität überschritten. Beide Herren haben die Wahl angenommen, Formfehler sind nicht bemerkt worden, die Qualifikation ist nachgewiesen; es

Fig. 3: A page from the published minutes of a Prussian parliamentary session from 1870, Preußen, Haus der Abgeordneten: *Stenographische Berichte über die Verhandlungen des Preußischen Hauses der Abgeordneten*, 1870/71, München, Bayerische Staatsbibliothek, 4 J.publ.g. 1142 hf,A,2-1870/71, p. 10, <Urn:nbn:de:bvb:12-bsb10814563-5>.

4. Conclusion

The *Stenographische Berichte* of nineteenth-century German parliaments were produced by means of a collaborative effort. All originators – the scribe, the speaker, and the parliamentary body – contributed through their person, position, or ability to producing ultimately complete and official minutes. In the case of the stenographer, it was his mastery of stenography that made verbatim recording possible. The shorthand writers, for their part, used numerous strategies to guarantee that no mistakes were made. In the case of the speaker, the step of authorising his own words was important, so that the parliamentarians would recognise the minutes as the official record of the proceedings. Finally, the fact that parliament issued the protocols was crucial for their effectiveness. The *Stenographische Berichte* of nineteenth-century German parliaments were published as verbatim and official records. Both of those attributions were political values in the sense that minutes became a tool for parliaments to procure 'power over the political reality'.[25]

The roles of the originators reveal how contemporaries negotiated the right degree of authenticity. The final minutes had to be complete, but not necessarily word-for-word and by no means phonetic. The stenographers were theoretically able to record the debates more accurately, but they subordinated themselves to the ideal that the text should be intelligible and in written language, and even did the revisions themselves. The speakers' attitude to the ideal of authenticity varied according to whether they were defending the *Rednerkorrekturrecht* or whether they wanted to attack the credibility of an opponent by accusing him of falsifying their speech. Such disputes did not however harm the status of the record, for as the various parties shared the common interest of producing a final document that was considered an original, the published version was deemed to be authoritative.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

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GStAPK, I. HA Rep. 92 Zinkeisen Nr. 46 = Berlin, Geheimes Staatsarchiv Preußischer Kulturbesitz, I. HA Rep. 92 Zinkeisen Nr. 46.

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Article

James Last's *Instrumentals Forever* – Autographs of Popular Music and the Network of Originators

Janine Droese and Knut Holtsträter | Hamburg and Freiburg

1. Popular music and musical notation

In 1982, Philip Tagg postulated that 'popular music, unlike art music, is [...] stored and distributed in non-written form'.[1] This credo has influenced the culture of popular music research since the founding days of the discipline. In the meantime, however, the perspectives on the production and distribution of popular music have broadened and diversified by integrating scholarly methods from older sister disciplines such as music philology and music history. Written artefacts from the realms of popular music are slowly moving into the focus of scholarly research and are thus being acknowledged and examined in the same ways as similar kinds of manuscripts that originated in Western art music.[2]

In addition, an increasing number of estates of twentieth-century popular music artists, particularly from the 'boomer' generation, are being archived by institutions[3], thus making popular-music manuscripts accessible for scholarly research. This also applies to the artistic estate of James Last, who passed away 2015. It has been held at the Centre for Popular Culture and Music (ZPKM) in Freiburg since 2022[4] and includes business and personal documents, Last's record collection (containing his own records as well as those of others), his working library (containing prints of his own and other people's music), as well as autograph scores of his compositions and arrangements[5] – including that of the studio album *Instrumentals Forever* (1966)[6], which will be the focus of this contribution – and parts written by copyists.

Our following observations are based on all music manuscripts of *Instrumentals Forever* that have been handed down to us. Furthermore, we will also use business documents and autobiographical sources to illustrate the

[1] Tagg 1982, 41.

[2] See Muir 2010 for early blues and Holtsträter 2024 for mainstream rock and pop music. There is, of course, a plethora of research on popular resp. folk music of the nineteenth century and earlier times, which focuses on musical or text manuscripts in relation to processes of oral tradition and musical and cultural lore. Jazz, in a very similar way, has been stylised as a kind of music that does not rely on or is even reluctant to writing. However, it seems that the scholarly discussion is a little more advanced in this case. See, for an overview, Huck 2021, esp. 990–994.

[3] See in addition to numerous artistic estates in libraries in the USA and, for example, the Academy of Motion Picture Arts and Sciences or estates in the Popular Music Archive of the University of Liverpool, also the German archives and museums gathered in the Archivnetzwerk Pop <https://www.archivnetzwerk-pop.de> as well as the Komponistenarchiv Hellerau, Leipzig.

[4] The estate was donated to the ZPKM by James Last's community of heirs (Christine, his widow, and Ron and Caterina, his children with his first wife Waltraud) in the summer of 2022. It is now implemented as 'James Last Archiv'. Simon Obert noted already in 2014 that, with the increasing availability of sources, 'the relevance of source-based pop music research will increase' (Obert 2014, 218). He makes clear that he understands source-based pop music research ('quellenfundierte Popmusikforschung') to mean above all text-critical research and ultimately has historical-critical music editions in mind. He noted that text-critical procedures would have to be adapted to make them applicable to sonic sources (ibid.). Thus, it is unclear to which extent he views manuscripts (here, quite conventional ones such as autographs or manuscript copies) as sources that are available to pop-music research on a noteworthy scale. His approach might thus head in the direction of a definition of popular music that is strongly aimed at music in mass media, as advocated by Ralf von Appen, Nils Grosch and Martin Pfleiderer in the introduction to the anthology in which Obert's contribution was published (von Appen, Grosch and Pfleiderer 2014). However, this view of popular music tends to be that of a domestic consumer, omitting the everyday working life consisting of stage and studio performances as well as all kinds of music-making outside the professional recording studio. In fact, the predominant perspective in research (due to lack of sources or ignorance) is that composing occurs spontaneously while playing and recording on audio media (as, for example, in US rock 'n' roll and English beat, the genres that are assumed to have given 'birth' to pop music in the narrower sense). See also the remarks by Sallis 2015, 3–4.

[5] The estate consists of some 200 removal boxes. Most of these boxes contain records and audio tapes. Autograph scores can be found in 36 boxes while seven boxes contain business related papers.

[6] Stereo-LP 184 059 Polydor, West Germany 1966. In addition to the stereo version on which our analysis is based, there is also a much rarer mono pressing with the catalogue number 84059. Further media releases and reissues will be discussed in the following. Nonetheless, we want to stress that the CD-album *Instrumentals Forever*, catalogue number 557 969-2, which was released in 1998, is not identical with the 1966 album discussed here. The cover resembles that of the album of 1966 – only the logo seems to be slightly different and the model's face behind the tuba is changed. But a closer look reveals that this CD is a re-issue of the LP compilation from 1982 named *Instrumental* [sic] *Forever*, which combines works of different decades. Obviously, somebody at Polydor mixed up the albums from 1966 and 1982. Last's autograph scores are located in archive boxes 1 to 70 (original numbering), which are in removal boxes 101 to 136 of the James Last Archiv, ZPKM, University of Freiburg; the score of *Instrumentals Forevers* is in archive box 19, removal box 110.

album's production process, thus highlighting the network of originators involved in the production. This network is highly heterogeneous: it includes both musicians and family members, the composers of the arranged originals as well as the employees of the production companies. The focus of our investigation is on the autograph score, which reveals traces of, or references to, these diverse originators.[7] Concerning the artistic process, the manuscript score is – as are the scores of the other albums – an original: on the one hand, it bears the composer's authentic handwriting and, on the other, it is the authoritative source, which serves as the reference for all actions until the record is made. It can be seen as the starting point of the working process, but it also serves as a guiding reference within it and as the endpoint of the production, which undoubtedly aimed at the recording in the studio. All changes made during the recording process in the studio are transferred to it.

However, before we discuss the album and its manuscripts in more detail, we will give a brief biographical sketch of James Last, whose music until now has received almost no attention from researchers.

2. James Last

James Last was born as Hans Last in Bremen in 1929.[8] After a short but in-depth education in classical music in his youth, he switched to dance music and jazz after the end of World War II. He soon became a renowned bassist and sought-after studio and dance orchestra musician in his native city, working for the newly established Radio Bremen among others. Within a very short time, his activities as a band leader and as an arranger (for example, for Helmut Zacharias, Caterina Valente, Freddy Quinn, and Wencke Myhre) and later as a composer made him one of the world's most influential and successful entertainment musicians. Records from his album series such as *Sing mit* (*Sing along*, 1973) and *Non Stop Dancing* (series, 1965–1985) found their way into a vast majority of German households, as is evidenced by the high sales figures. Those who did not own a record by him probably perceived his music via TV shows, TV series, and as jingles or interludes on the radio, where it was also very present. Last celebrated his greatest successes in the late 1960s and 1970s;[9] with about 80 million records sold and 200 Golden Records awarded to him, he was one of the most successful bandleaders of the second half of the twentieth century.

James Last, like any successful artist, was surrounded by a large number of collaborators and institutions, and thus involved in obligations, agreements and decision-making processes that were intended to structure and facilitate his working life, but did, of course, also influence his work. In his autobiography, he describes bi-weekly meetings with two executives from Polydor, Werner Klose (Marketing) and Ossi Drechsler (Artist and Repertoire):

> Every two weeks I would meet privately with Werner Klose and Ossi Drechsler for a brainstorming session to discuss new plans and current projects. It was always important to us never to put an idea, no matter how good, into practice according to conventional patterns – there always had to be something unusual and creative. The title of the album, individual songs, the cover – something had to be there to trigger discussion in the press or among fans, otherwise the album would never make the top. Sometimes the ideas for a new production came from Wer-

[7] Last only began to work with music notation software in the 1990s, all scores of the earlier times, as far as they are transmitted and we were able to access them, are autograph manuscripts.

[8] Biographical information on James Last is available in a variety of sources – not least in his autobiographies and their various versions (1975, 2006a and 2015) as well as in Willox 1976 and Elson 1982. Since Last's daughter Caterina translated his 2006 autobiography into English (i.e. Last 2006b), the German and English versions are equally authorised; we quote from both in the following. As was common for LPs at the time, there is a biographical sketch on the record cover. It is unclear who wrote these liner notes – a German and an English version of the text are found in the estate without reference to an author, each typewritten on a separate sheet of paper with Polydor letterhead (box 706, 'Polydor / Dtsch. Grammophon Ges. / Inl. und Ausl.'; the German version is dated 'März 1966', the word 'Information' is added to the top of the page). The text is headed 'Biographie / Hans Last ohne Rast / Immer auf der Spur neuer Ideen' ('Biography / Hans Last without rest / Always tracing new ideas'); for biographical information including an excerpt discography see Holtsträter 2023. A (very short) article on James Last was also included in the supplementary volume of the Riemann Musiklexikon in 1975 (Anon. 1975, 19). Carl Dahlhaus had apparently tried to get James Last to provide the information for the article himself. Within the correspondence, we find two undated letters from Carl Dahlhaus to Last. Both of them – the first a request and the second a reminder – were accompanied by a form issued by the publishing house Schott, in which biographical data is to be filled in as well as a list of works. In the reminder, Dahlhaus asks for the sheet to be sent in by 20 June 1969, and notes that, if the reply was not delivered in time, they would feel 'obliged to draft an article on the basis of other documents, which may be incorrect' ('veranlaßt einen Artikel anhand anderer Unterlagen, die fehlerhaft sein können, abzufassen'). The two blank questionnaires surviving in the estate, as well as the sparse information in the article, indicate that Last never responded. (Folder 'Div./Korrespondenz A-Z/Agenturen' under 'R', in box 706, James Last Archive, ZPKM, University of Freiburg.) This information was adopted and slightly updated for the paperback edition of the Riemann Musiklexikon (Anon., 1998a and 1998b).

[9] As a breakdown of sales revenue from Deutsche Grammophon, Polydor's parent company, shows (in archive box 'Polydor / GL', in box 703, James Last Archive, ZPKM, University of Freiburg), sales figures plummeted in the mid-1980s.

> ner or Ossi, and sometimes from me. A regular bazaar of ideas would develop, something like this: Werner wanted an LP with marching music, but that wasn't quite my taste, so we'd trade. I'd say, 'OK, you'll get your marching music if I get a modern choir LP.'[10]

While Last describes a fruitful collaboration, in which his own opinion was usually considered important, he reports anecdotally that his artist name, 'James' – instead of 'Hans' – was created by Polydor without him even having any knowledge of this. He describes that he and his wife Waltraud were about to go to the *Deutsche Schlager-Festspiele* at Baden-Baden in 1965:

> We were just getting into the car when the postman came running towards us, waving a cardboard box containing the first *Non Stop Dancing* record, hot off the pressing plant. Naturally, we could hardly contain ourselves: Waltraud tore open the package, pulled out the LP – and gaped at me in amazement. 'Look, they've put "James Last" on it. Why? Your name is Hans, they all know that, so why have they put James?' I had no idea. When we got back, I asked Polydor and their answer was, 'the music is so international, James simply sounds better'. The funny thing is, today all my English fans call me Hansi, but in Germany I am still James.[11]

It is not uncommon for popular artists to have their stage names suggested or given to them by others. But in this case Last is presented with a *fait accompli*, his possible wish to change the name again would have caused costs and would have put him in an unfavourable position with his record label at this early stage of his career.[12] Thus, Polydor – and especially Drechsler and Klose – were also originators, albeit not of the manuscript, but of the persona 'James Last'.[13]

3. *Instrumentals Forever* as an album record

To understand the manuscripts for *Instrumentals Forever*, and especially the relation of Last's arrangement to the original songs, it is necessary to first look at the finished product, i.e. the studio production. The album *Instrumentals Forever*[14], which was released in 1966, was intended to introduce Last to an international, namely the British, market. In his autobiography, Last states:

> Right from the beginning I also produced albums aimed at the international market. *That's Life* or *Instrumentals Forever* were primarily intended to make me known in the English-speaking world. My breakthrough in Britain came when Polydor started a huge advertising campaign there. After an initial knock-back from Polydor in London, who feared this 'kraut' music would leave the British public cold, the company brought out a compilation called *This is James Last* and sold it at a rock-bottom price. The album promptly shot into the charts and was an enormous hit, catapulting me to fame there.[15]

[10] Last 2006b, 67–68. We use here, and in the following, the translation by Caterina Last (Last 2006a). Nonetheless, because there are sometimes a few differences in wording and meaning, we give the text of the updated German re-issue in the footnotes: 'Gemeinsam mit Werner Klose und Ossi Drechsler trafen wir uns alle 14 Tage im kleinen Kreis zu einer Art Brainstorming, bei dem über neue Pläne und laufende Projekte diskutiert wurde. Wichtig war uns immer: Eine noch so gute Idee darf nicht nach herkömmlichen Strickmustern umgesetzt werden, sondern es muss immer Bruchstellen geben. Der Titel des Albums, einzelne Songs, das Cover – irgendetwas muss Diskussionen in der Presse oder bei den Fans auslösen, sonst landet ein Album nie an der Spitze. Manchmal kamen die Ideen zu neuen Produktionen von Werner oder Ossi, manchmal von mir. Es entwickelte sich ein regelrechter Ideenbazar, etwa so: Klose wollte eine LP mit Marschmusik haben, das war aber nicht ganz nach meinem Geschmack. Also tauschten wir. Ich sagte: "Okay, du bekommst deine Marschmusik, aber dafür bekomme ich eine moderne Chor-LP."' Last 2015, 99.

[11] Last 2006b, 44–45, and Last 2015, 69–70: 'Waltraud und ich wollten wenig später nach Baden-Baden zu den deutschen Schlagerfestspielen fahren. Wir stiegen gerade ins Auto ein, da kam uns der Briefträger entgegengelaufen und winkte uns mit einem Pappkarton zu, in dem die erste druckfrische *Non Stop Dancing*-Scheibe steckte. Wir waren natürlich beide enorm neugierig auf die Platte: Waltraud riss die Verpackung auf, holte die LP heraus – und sah mich völlig verwirrt an. "Du, da steht 'James Last' drauf. Wieso das denn, du heißt doch Hans, das wissen doch alle, wieso denn nun James!?" Ich hatte keine Ahnung. Nach unserer Rückkehr fragte ich bei Polydor an, und die Antwort lautete: "Die Musik ist so international, James klingt da einfach besser." Der Witz ist: Heute sagen die englischen Fans alle Hansi zu mir, in Deutschland hingegen bin ich nach wie vor James.'

[12] In fact, Last let everyone call him Hans or Hansi and, as his life documents in the archives show, did not use the registration of an artist's name as was possible in Germany.

[13] The name 'James Last' is closely connected to a wordmark logo, which is not only used for Last's records, but, e.g., also on the front cover of his autobiographies. The Japanese album release of *Instrumentals Forever* is titled *Hans Last and His Orchestra: Mood Music Forever* (Polydor SLPM 1334); the cover depicts a romantic couple on the banks of the Seine in Paris with the Eiffel Tower on the horizon. Naming him 'Hans Last' in this context might be an admission to the language skills of the Japanese audience at the time.

[14] Contract of Deutsche Grammophon with Hans Last of 22 August 1966 for 'LP. "Instrumentals Forever"'(contract form with typoscript and handwritten entries [3 pages], the revenue share is regulated on p. 2). Archive box 'Polydor / GL', in box 703, James Last Archive, ZPKM, University of Freiburg.

[15] Last 2006b, 61–62, as well as Last 2015, 91: 'Von Anfang an produzierte ich auch Alben eigens für den internationalen Markt: *That's Life* oder *Instrumentals For Ever* sollten mir vor allem im englischen Sprachraum Bekanntheit verschaffen. Der Durchbruch in Großbritannien gelang, als Polydor eine große Werbeaktion in England startete: Unter dem Titel *This is James Last* brachte die Firma eine Compilation zum Dumpingpreis auf den Markt, was meinen Bekanntheitsgrad auf der Insel schlagartig

The song selection of *Instrumentals Forever* covers a large variety of musical styles and genres. With his arrangements as well as with his production style in the studio, Last brings this heterogeneous basis together within the genre of easy listening.[16] This genre is characterised by very high production standards and engineering standards according to audio 'high fidelity'.[17] Furthermore, and in consequence, it uses the possibilities of stereophony, which was becoming popular in the home audio consumer markets at the time. However, there are features that unite the pieces selected for the album from the beginning: they were either instrumental pieces from the start (e.g. *Patricia* or *Anna*) or at least well known as film music and/or in an instrumental version. The song *Moon River*, for example, was composed by Henry Mancini for the film *Breakfast at Tiffany's* (directed by Blake Edwards, Paramount USA 1961), where it is used in an instrumental and a vocal version respectively.[18] *The 'In' Crowd* was first recorded by Dobie Gray in 1964 in Motown style, but then transformed into a soul-jazz number by the Ramsey Lewis Trio in 1965. In addition, all songs selected for the album were internationally well known; thus, Polydor and Last could count on them being known to the envisaged listeners.[19]

It is noticeable, however, that Last also made use of music that had already been arranged and recorded in the past by well-known bandleaders of the easy listening era, such as the US-Americans Billy Vaughn and Les Baxter, or the German Bert Kaempfert. The song *April in Portugal* is an example. It originated as a fado by Raul Ferrão, but was soon recorded in many other versions, of which more than one charted – among them the version that Les Baxter recorded with his orchestra. It seems that Last was seeking a direct confrontation with the arrangement style and studio sound of these famous bands. This means that not only the composers of the melodies are potential additional originators, but also that some arrangers and interpreters of earlier versions can have the same status.

The total length of the album is around 36 minutes, and the length of the twelve tracks ranges from around 2:20 to 3:50 minutes, with most tracks being in the 3-minute range. The following table lists the tracks of *Instrumentals Forever*, and gives information on the composer, year of composition and original genre. It also provides some information on the recording history and context – but, due to the limited space, these insights are by no means exhaustive.

Instrumentals Forever was not as successful as other albums of Last that were released in the same year, such as *Trumpet à gogo* (LP, Polydor: 249 040) or *Ännchen von Tharau bittet zum Tanz* (LP, Polydor 249 028). The album had no entry into the German or English LP charts, but some tracks from the album reached a larger English audience via the LP compilation *This Is James Last*, which was released in 1966 and spent a total of 18 weeks in *New Musicals Express's* charts 'Britain's Top 15 LPs', peaking at number seven.[20]

vervielfachte. Trotz anfänglicher Ablehnung von Polydor England – man befürchtete, dass diese "Krautmusik" das englische Publikum kalt lassen werde – schlug das Album gewaltig ein und landete prompt in den Charts.' The compilation (Polydor, Stereo 104 678, England [1966]), was priced at 12 shillings and 8 pence (around 10 euros today) and contains two tracks from *Instrumentals Forever*: *Delicado* and *Sail Along Silv'ry Moon*.

[16] On easy listening as a category in music radio programming and for the hit charts, see, e.g., Hyatt 1999, xx. Easy listening with its numerous and often nameless musicians and instrumental medleys was, in terms of copyright, a vast market for secondary profit and was also a very important workplace for most dance orchestras. James Last's so-called 'Happy Sound', which is a sub-category of easy listening, is probably the reason for his huge popularity and success.

[17] High fidelity or Hi-fi can be reduced to three main features: low noise, high dynamics and a wide frequency range. In Germany, the DIN NORM 45500 standardised high fidelity in 1966. Concerning the development of hifi and stereo culture in society, Germany followed the USA one or two years later and held the leading position in Europe.

[18] Dubowsky 2021, 1–37, 167 193, has already described an especially close relationship between easy listening and film music, with a focus on Henry Mancini, among others.

[19] It was important to Last or his partners at Polydor that the arranged titles are well known on the target market, which is particularly evident on albums where Last adapts repertoire from a particular national or folk music tradition, e.g. albums for Japan, Holland, Ireland, Scotland, Spain, Italy, etc. (Last 2006b, 62, and Last 2015, 91–92).

[20] See Ehnert 1988, 68–70, who evaluated the charts of the German music business magazine *Musikmarkt*; see also Ehnert 1987, 74, who refers to the charts of the English magazine *New Musical Express*. A search at www.worldradiohistory.org on 30 May 2023 did not reveal any chart entries for the album in the relevant English music magazines such as *Melody Maker* or *Music Week*. However, this finding has little significance for the actual sales figures because the album charts of these magazines tend to cover other genres such as beat, jazz and vocal pop. In *Record Mirror* of 15 April 1967, there is an advertisement for *This Is James Last*, which also mentions *Instrumentals Forever*.

Table 1: List of all tracks of *Instrumentals Forever*

Track	Title (spelling of the labels of the German pressing)[21]	Composed by (Lyrics by)	Year, genre origins	Context
A1	*Moon River*	Henry Mancini (Johnny Mercer)	1961, film music, ballad	Music for the film *Breakfast at Tiffany's*
A2	*Telstar*	Joe Meek	1962, beat	Recorded by The Tornados
A3	*Canadian Sunset*	Eddie Heywood (Norman Gimbel)	1956, easy listening	Recorded by Heywood and Hugo Winterhalter (instrumental) and by Andy Williams (vocal, both 1956)
A4	*Patricia*	Perez Prado	1958, dance music	Dance music
A5	*Moonglow and Picnic*	Will Hudson (Irving Mills and Eddie Delange)	1956, film music	Actually *Moonglow and Theme From 'Picnic'*, Music for the film Picnic (1955), recorded by Esther Philips (vocal, 1965)
A6	*Anna*	Roman Vatro (Armando Trovajoli)	1963, film music, dance music	Recorded by The Spotnicks
B1	*Theme from A Summer Place*	Max Steiner	1959, film music	Music for the film *A Summer Place*, recorded by Percy Faith (instrumental, 1960) and Cliff Richard (vocal, 1965, lyrics: Mack Discant), among others
B2	*The 'In' Crowd*	Billy Page (incl. lyrics)	1964, Motown	Dobie Gray (vocal, 1964) and Ramsey Lewis Trio (instrumental, 1965)
B3	*April in Portugal*	Raul Ferrão (José Galhardo)	1947	First composed as a fado with Portuguese lyrics, it was recorded multiple times in 1953 and held several charts positions in that year, e.g. in the version of Les Baxter and his orchestra. More recent releases by Bing Crosby (vocal) and Don Costa (instrumental, both 1961)
B4	*Moulin Rouge*	Georges Auric (William Engvick)	1952, film music, ballad	Actually *The Song from Moulin Rouge (Where Is Your Heart)*, recorded by Percy Faith (1953, with singer Felicia Sanders) and Connie Francis (1961)
B5	*Sail Along Silv'ry Moon*	Percy Wenrich (Harry Tobias)	1937, classic pop	(also 'Silvery') Hit for Bing Crosby (1937), recorded by Billy Vaughn (1957) and Martin Denny (1964), among others
B6	*Delicado*	Waldir Azevedo (Jack Lawrence)	1951, easy listening / Latin	Hit for Percy Faith (instrumental) and Dinah Shore (vocal, both 1952)

[21] *Instrumentals Forever*, Polydor 184059, Stereo-LP, Germany 1966. The spelling of the song titles on the covers and labels of the German and the English pressing are slightly different, but the order of the tracks is identical. The album was also distributed as Mono-LP, 84059 and as (Stereo-) compact cassette, Polydor 914 506, as well as 8-track-cartridge, Polydor P-8-184 059. On the compact cassette, however, the last tracks of each side are exchanged. The order on the 8-track-cartridge which was produced for Canada, is the following (in relation to the LP): A1, B2, B5, A2, A3, B3, A4, A5, B4, A6, B1, B6. These adjustments were presumably made to match the lengths of the tracks to the technical needs of the medium. As an information sheet from Polydor in Last's business documents explains, this was necessary for error-free, automated production in the copying plant. In addition to these immediately or timely released media formats, there are also numerous other re-releases of the album on LP, MC and CD in later years. For example, the release on compact cassette, *Instrumentals Forever, Folge 1* [sic!] (Karussell 829 591-4, Germany [presumably 1990s]) features the order of the 1966 LP release.

4. *Instrumentals Forever* in its musical manuscripts

The autograph score of *Instrumentals Forever* reflects this diversity of originators in that it is organised in twelve individual booklets, each containing the arrangement of one song (see Fig. 1). These booklets are made of several bifolii of commercial music paper (Star Nr. 11, 28 staves), which are connected with transparent adhesive tape.[22] The outermost bifolio is used as the cover; it is not pasted to the others, but loosely placed around them. Last designed fol. 1r of each booklet as a title page (see, e.g., Fig. 2, showing the title page of *Telstar*), and the musical notation usually begins on fol. 1^{v}. The pages have an autograph pagination, which includes only those pages with notation on them and thus starts with '1' on fol. 1^{v}. To form a unit, the twelve booklets are joined by a large sheet of blank paper that was placed around the stack. On this paper, somebody noted the name of the album, the release year and the booklets/tracks that the compilation contains – strangely in this case 'A 1–6, B 1–7, kpl'. Since we did not find any other evidence that, at some time, a seventh arrangement had been planned for the B-side of the record, the 'B 7' probably never existed, and this note must be deemed erroneous. We are not sure who added these wrapper papers at which time, they could have been added directly after the production was made but could also have been made years later as part of a cleanup and sorting process.

Usually, the complete instrumentation is only noted at the beginning of the arrangement, i.e. before the first stave of each part on page 1 (fol. 1^{v}). A short version of the instrument names and similar information is found on each verso page. The score is written in pencil, but Last used a blue felt-tip pen for the title pages. Since the rehearsal letters in the score are also drawn in blue felt-tip pen, it can be assumed that Last added this layer of writing after the score had been written.

The title pages are all structured alike: a number is noted at the centre of the top of the page, which seems to stand for the originally planned sequence of the pieces within the album (in Fig. 2, the '1' thus indicates that *Telstar* had been planned as the first track on the A-side of the LP). Below, Last notes the title of the arrangement – which is, at the same time, of course (one of) the title(s) of the arranged song, and underlines it. For each title, he provides information on the originator of the original music (in the case of *Telstar*/Fig. 2: 'Musik: Joe Meek') and on himself as the composer, and thus originator of the arrangement ('Arr: Hans Last') .[23]

For nearly all titles, Last flanks this information with details of the respectively responsible record label and, if applicable, publisher (which, in the case of arrangements of protected works, also takes care of the copyrights).[24] In the case of *Telstar*, to name but one example, Last notes 'Radio Tele Music', a publishing house that still exists[25] and was obviously authorised to administer the copyrights for Meek in Germany. Thus, the score provides a condensed overview of all relevant information regarding the legal aspect of the music.[26]

Nearly all of the scores of *Instrumentals forever* show traces of at least three further layers of scribal activity. On the one hand, they received a new numbering on the title pages, which was added in red felt-tip pen. This numbering, which relates to the actual order of the pieces on the A- and B-side of the record, is only missing on the title page of *Canadian Sunset* (A3), and was probably written by Last himself.[27] The same red felt-tip pen was used to note 'Instrumentals Forever 1966' on the first booklet of the

[22] What we describe here seems to be valid not only for the scores of *Instrumentals Forever*, but also to document Last's usual way of writing and organising his sheet music.

[23] It is striking that he always uses 'Hans' here, never 'James'. Exceptions are *Moonglow and Picnic*, *Moulin Rouge* and *Sail Along*, *Silv'ry Moon* – on the title pages to these parts of the score, Last is missing as the arranger's name.

[24] Once again, with the exceptions of *Moulin Rouge* and, in addition, *The 'In' Crowd*.

[25] It is part of Meisel Music, Berlin.

[26] In the case of arrangements of unprotected works, the scores documenting the work are also important as regards the publication (in print) and the copyright registration. We thank Dr. Wolfgang Staniček, Bosworth Wien, for his information on the workflow and the written artefacts that emerge from it. On the strong connection between musical manuscripts and questions of copyright in jazz music in the US, see Chevan 1997 who based his observations on the copyright deposits of Louis Armstrong.

[27] In the case of *Anna*, no red numbering had been added, but the pre-existing blue '6' had been provided with an 'A' in pencil. The position of the song on the sides of the album was important information for the final editing of the tapes onto a stereo master tape, because this master tape was then used to cut the record master at Polydor's pressing plant. With the master tape, Last and his team of producers completely handed over control to the following production line; subsequent mistakes on the recording (regarding sequence, recording or mix) could only be rectified with additional effort and considerable financial loss. Although Last would receive test pressings of the record with which he could check the title sequence another time, this phase was only for correcting errors related to the cut or the pressing. We only want to mention that the James Last archive includes 28 boxes of reel-to-reel tapes spanning five decades from the 1950s to the 1990s with all possible combinations of digital and analogue multitrack studio tapes, live recordings and listening copies. The large number of boxes is somewhat put into perspective when you consider that all audio recordings related to music productions over the 50 years were copied to tape, and even listening copies contained only a few minutes of music. So far, we have only been able to find a few complete stereo master tapes.

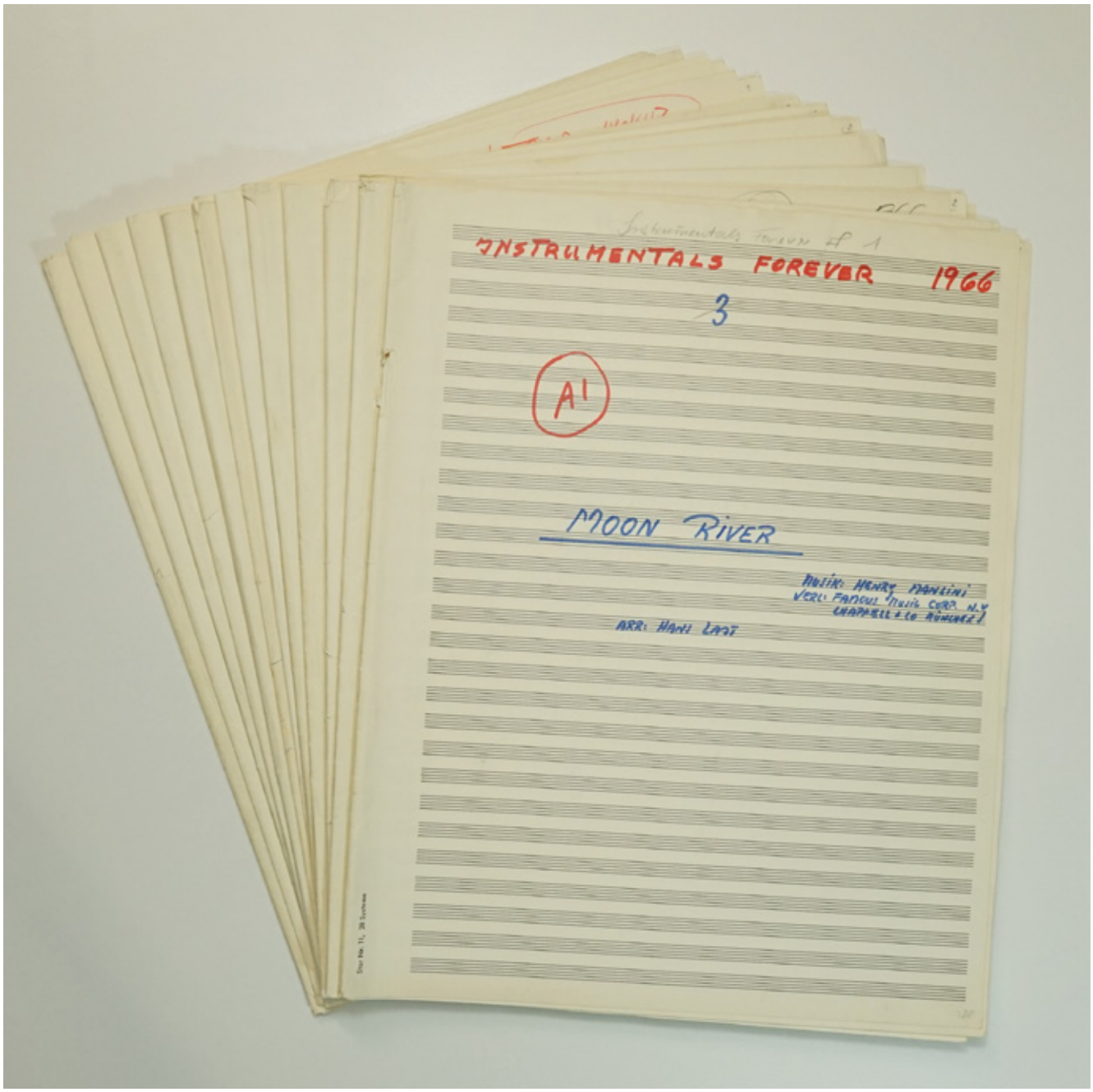

Fig. 1: Convoluted autograph scores for the album production 'Instrumentals forever', archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

compilation, which is the score of *Moon River*, as the booklets are sorted in the sequence the pieces appear in the album. Thus, the numbering and the addition of the title to the first booklet might have been added in one go. A second layer, in red coloured pencil, seems to be connected to notes made by Last during the recording process in the studio. These additions are mainly either typical conductor's notes or notes for the sound engineer. As regards the first group, Last, for example, highlights the decrescendo of m. 38–40 (p. 7) of the score of *Moon River* by noting an additional red decrescendo in the eighth stave, which is not assigned to an instrument in this score (see Fig. 3). And in m. 20 (p. 4) of the score, he marks the beginning of a rising chromatic scale in the violins, which is the introduction to their presentation of the main theme of the music, with a red arrow (see Fig. 4).[28] In very few cases, these kinds of notes are also made in black coloured pencil. One example consists of two large '2/4', which Last used to mark the change of time signature between measures 12 and 13 in *Delicado* (see Fig. 5). To the second group we count notes as the 'Blende' ('fade') on p. 11 of *The 'In' Crowd* (see Fig. 6)[29], or the 'Raus' and 'Rein' ('out' and 'in') added to the rhythm section on the pages 9 and 10 of the score of *April in Portugal* (see Fig. 7), which were probably made either in collaboration with or for the sound engineer Peter Klemt, and aim at the technical part of the production.

A third layer has been added systematically to the title pages of the booklets. Above the first stave, an unknown hand has written 'Instrumentals Forever' and the count of the respective piece (i.e. A 1, A 2, etc.) in pencil (see Figs 1 and 2).

The title pages have sometimes received additional pencil notes in Last's hand: for example, on *Canadian Sunset* and *Moonglow and Picnic* he noted 'Tromp.' (for trumpet) and on *Patricia* 'Bongos', obviously indicating the most crucial part for the arrangement.[30]

An entry on p. 1 of the score of *Moon River* remains puzzling. It is written in a red coloured pencil that is slightly darker than the one used for the other notes made in the studio. The instrument names in the prefix to the string section for the second recording are underlined with this pencil, and above them the following is also noted in red: 'in rot' ('in red') (see Fig. 8). Does the note indicate a coloured mark on the tape used to record this second layer?[31] Or is it some kind of information for the copyist who wrote the parts? In this context, it might be notable that the colour used here might be the same that is used for highlights in the 'Direction' parts that probably existed for all arrangements. Unfortunately, to the best of our knowledge, the 'Direction' part of *Moon River* has not been preserved in the estate.

Nevertheless, the overall impression of the scores is that they are very 'clean': the musical text is written very clearly and shows, as a whole, very few corrections. In this respect, these scores can also be described as fair copies because of their status within the compositional process. However, it is questionable to what extent these fair copies (in German: *Reinschriften*) were preceded by other writing phases which would have resulted in sketches or drafts.[32] On the one hand, what we have found in the estate speaks against the existence of such earlier versions. So far, we have not come across many musical manuscripts in the various parts of the estate resembling the status of a sketch, as we know it, for example, from Ludwig van Beethoven or Arnold Schönberg and normally expect in composers' estates − neither as a re-used insert, scratch paper or the like.[33] Only two of the more than 200 boxes in the estate contain mixed manuscripts, sketches and ideas[34]. Also, these boxes mainly contain letters from other artists in which their authors make suggestions or express requests. Only very few of the manuscripts found there are particell-like sketches. This finding is remarkable insofar as Last, who used his materials until the end of his

[28] The scoring is interesting here because a second recording of the strings added later takes up this chromatic scale in the violins and repeats it in the following bar, starting a diminished fourth higher on g^1 instead of $d\ sharp^1$, before joining in in the presentation of the main melody, which they then accompany in the lower third.

[29] It is also interesting in this passage that Last has notated the horn part in concert pitch in an empty system above the actual horn system, which is noted in transposed form.

[30] The '(Rolf)' on the title page of *Telstar* (Fig. 2) might, besides its being written with the blue felt-tip pen, have a similar function: it might point to the drummer Rolf Ahrens, who could have been foreseen for the drums part which is fundamental for this piece. It is not totally clear to us in all cases why a certain part is indicated and others not.

[31] For more information on the recording practice, see below.

[32] The English technical term 'fair copy' is misleading in this context, for Last did not carry out any copyist's work (from his own sketches) in the preparation of the score, but simply wrote in the 'clean', so the German (and untranslatable) term 'Reinschrift' is more appropriate here.

[33] See also Friedemann Sallis' very general and also very traditional definition of 'sketch' or 'Skizze', because it is embedded into the emphatic 'Werkbegriff' or 'concept of work': 'Musical sketches are objects that composers produce as they create their work, Sallis 2015, 1. In this context, the 'work' is usually the last version of a composition in manuscript or the first printing.

[34] Boxes 136 and 137, in the numbering of the Last family.

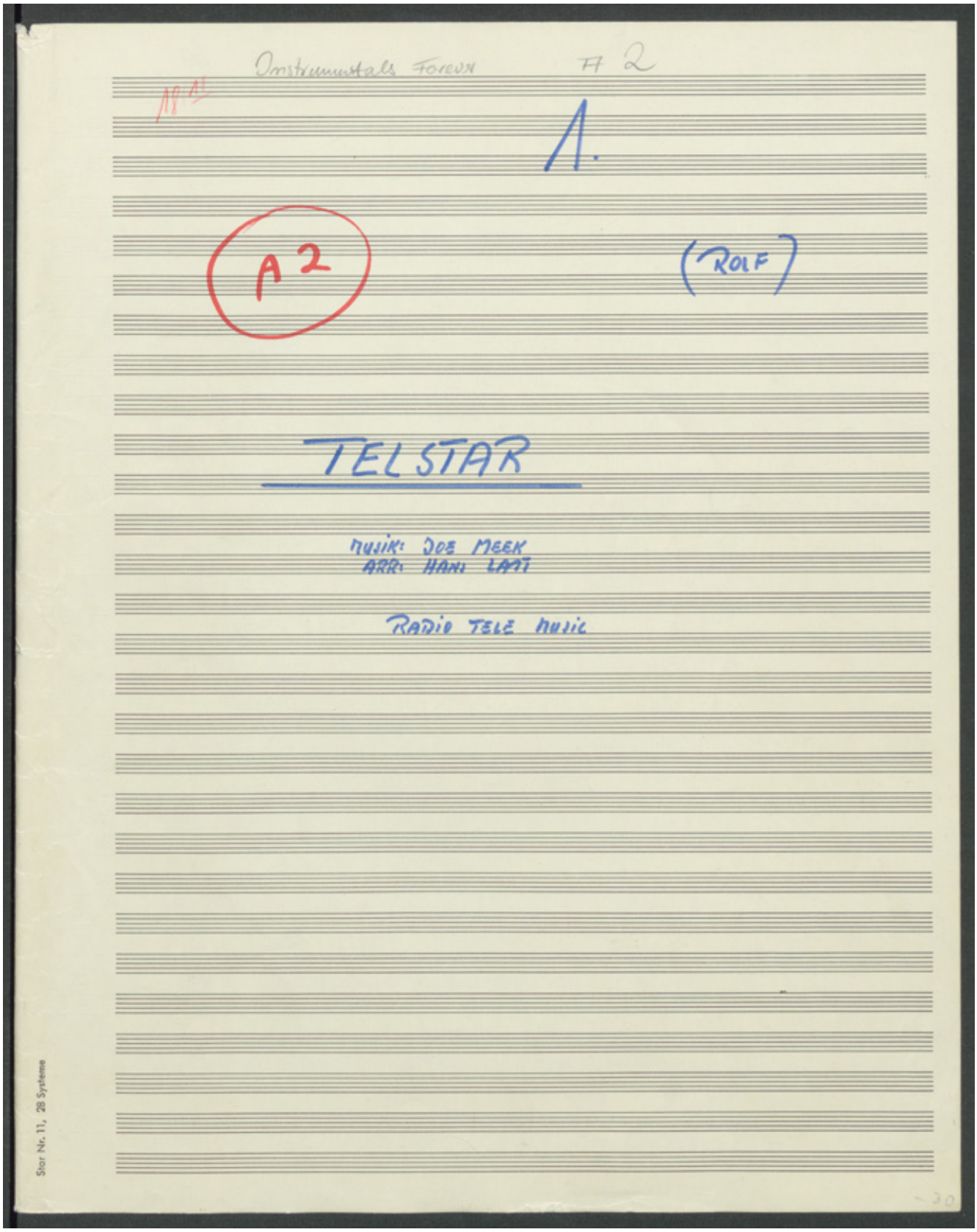

Fig. 2: 'Telstar', score, title page, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

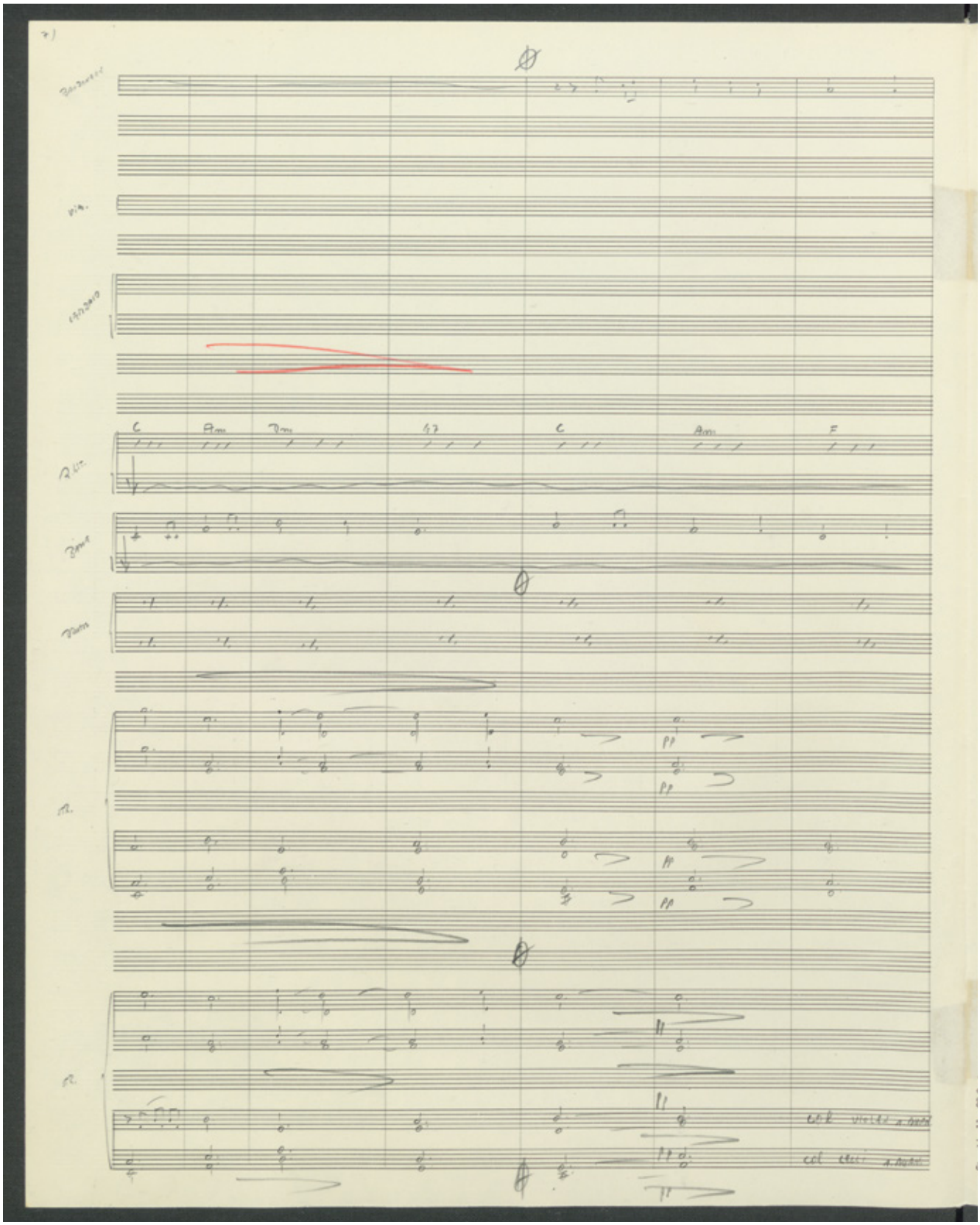

Fig. 3: 'Moon River', score, p. 7, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

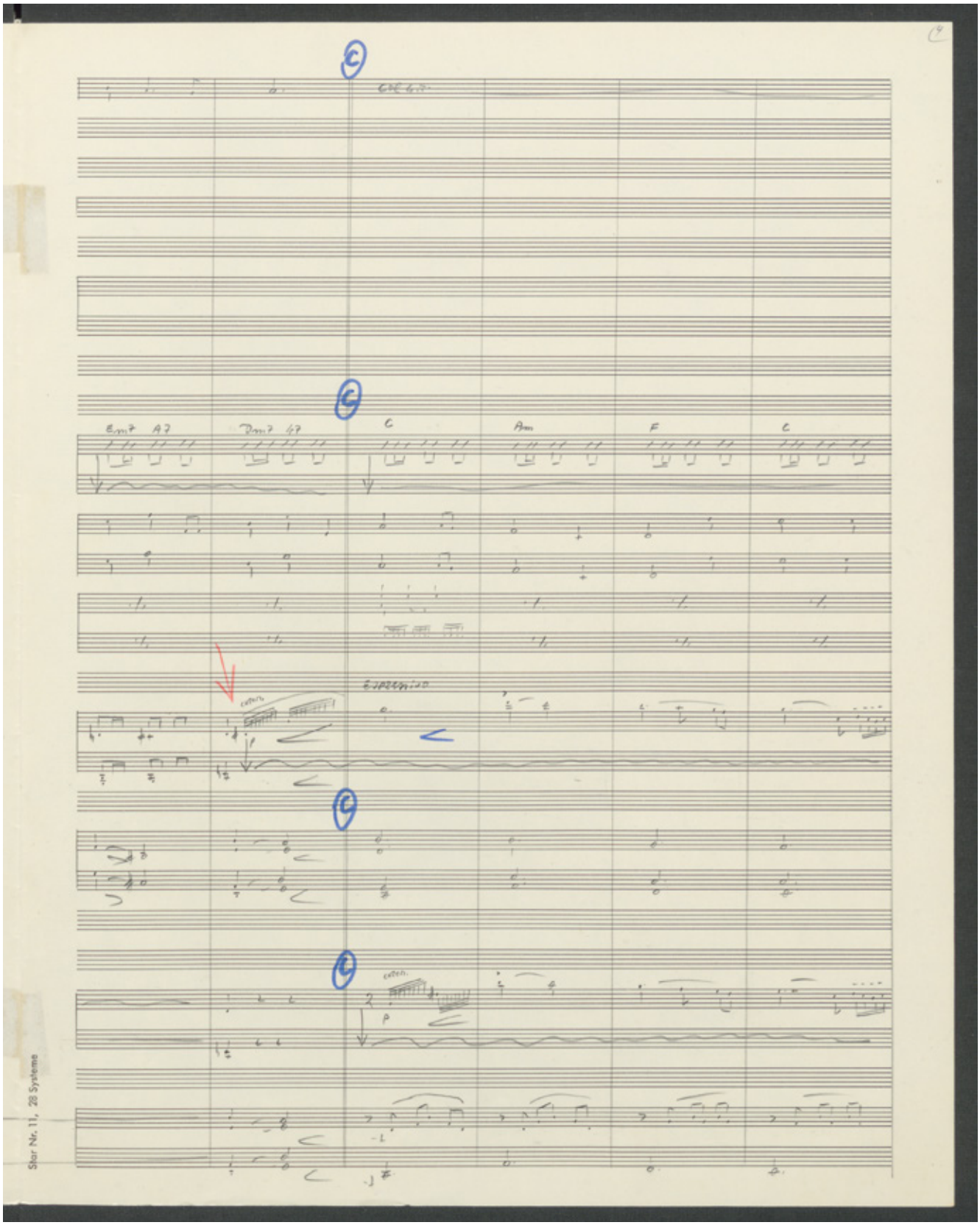

Fig. 4: 'Moon River', score, p. 4, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

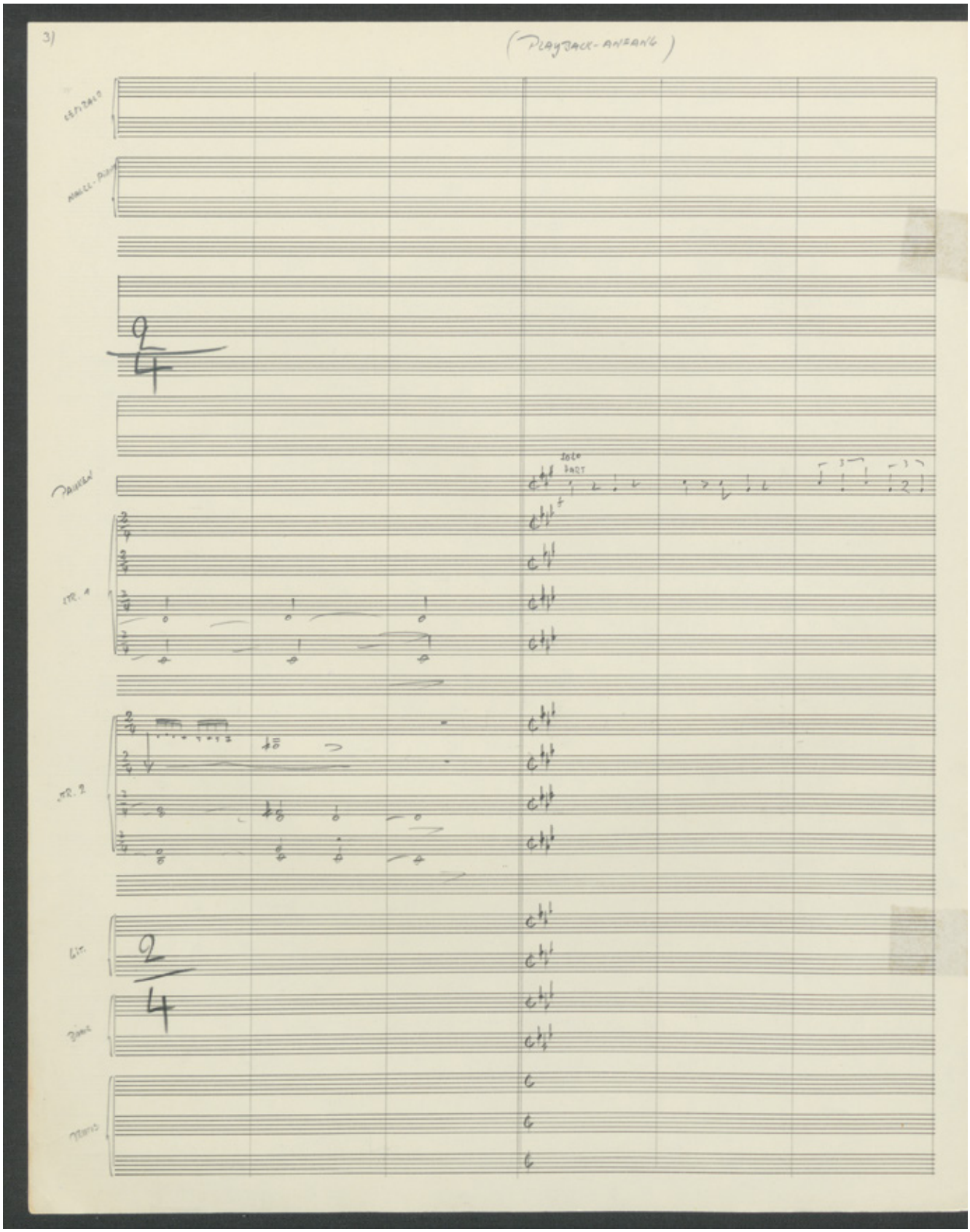

Fig. 5: 'Delicado', score, p. 3, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

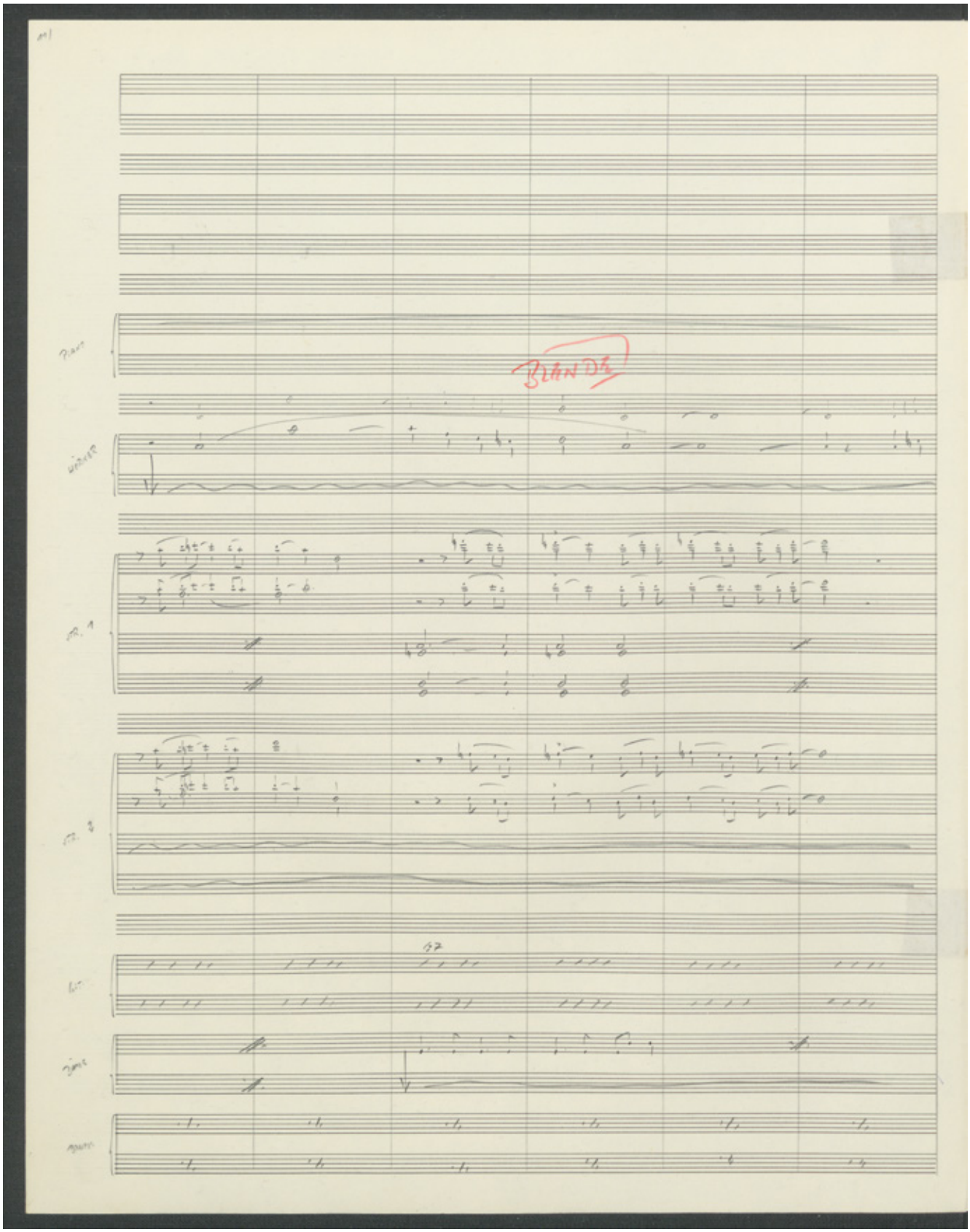

Fig. 6: 'The "In" Crowd', score, p. 11, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

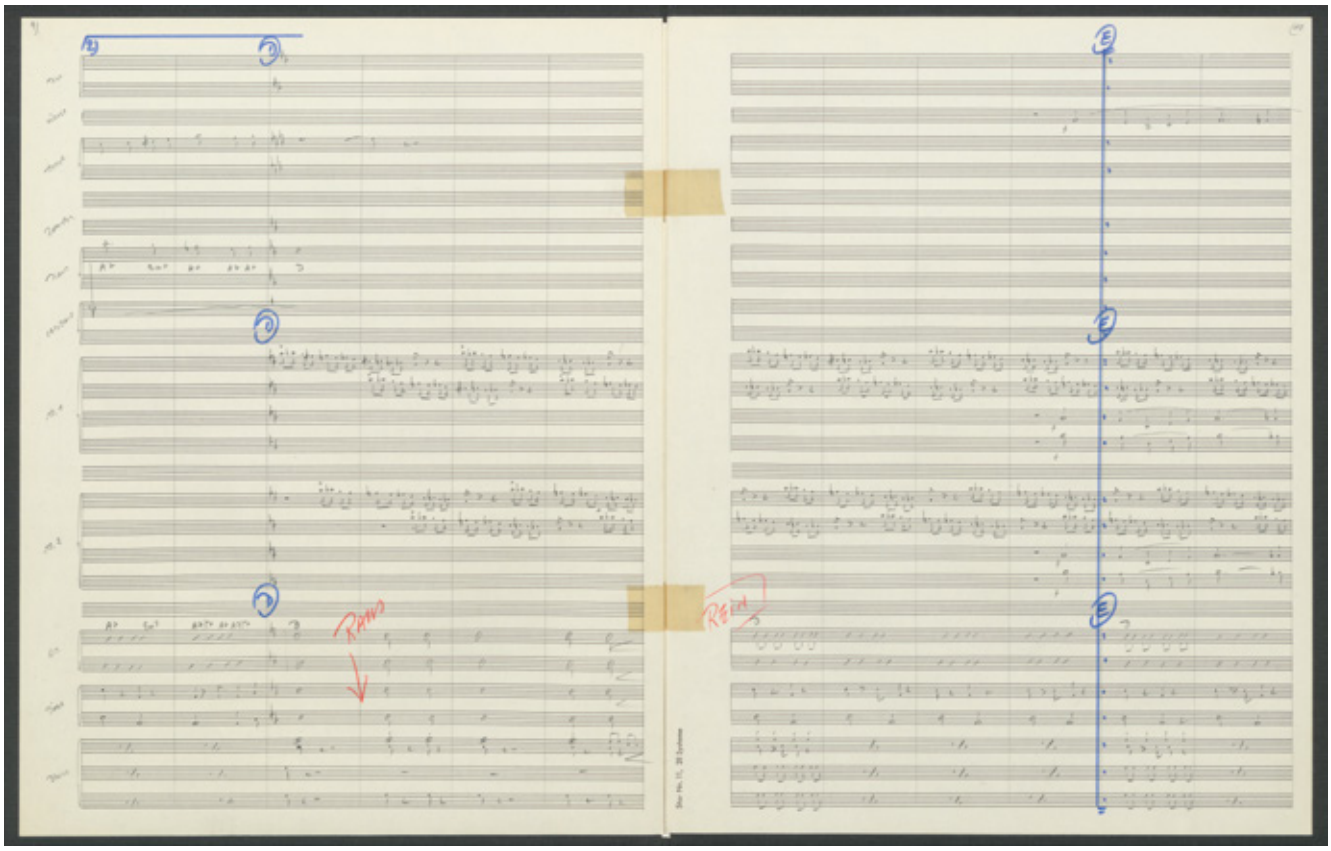

Fig. 7: 'April in Portugal', score, pp 9–10, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

life, obviously did not purge his papers for posterity.[35] One possible explanation for this complete lack of sketch material might be that Last did not need this kind of preliminary work but was able to write the scores in one go. This assumption would be confirmed by Last himself and his colleagues, family and co-workers, of whom we have statements that writing music impromptu and flawlessly was one of Last's skills benefitting him as an arranger and also as a composer. Comedian, musician and composer Olli Dittrich, a friend of Last's, reported in an interview: 'I once saw how he wrote music. Just like we write a letter by hand'.[36] Another possible explanation could be that Last used to dispose of this kind of material as soon as it had become obsolete upon completing the score. This second possible explanation – which, however, does not invalidate the first one because Last's working schedule still remains impressive – is supported by the finding of a sketch in the score of *Sail along Silv'ry Moon* that will be discussed in more detail below (see Fig. 9).[37]

A first, integral function of the score is that it serves the copyist as a template for transcribing the parts. Therefore, the 'cleanliness' of the score as a manuscript was also an important prerequisite for the flawless copying of the parts for the studio musicians, which a 'Herr Zucker' probably carried out at the time.[38] Furthermore, there is some evidence that autograph scores were sent to partners for rehearsal (they were probably photocopies): on 10 June 2015, one day after Last's death, the *Bergedorfer Zeitung* published an article portraying the collaboration between James Last and the Bergedorfer Kammerchor. This article, written

[35] See Sallis' comments on the 'survival of musical sketches' in various composers of Western art Music (Sallis 2015, 43–46).

[36] 'Ich habe einmal gesehen, wie der notiert. Also so, wie wir mit der Hand 'nen Brief schreiben.' The citation comes from minute 1 and 10 seconds from the film documentary *James Last: Mit Happy Music um die Welt* by Thomas Macho (Macho 2019).

[37] It should be noted that Last never tired of emphasising that writing music was a time-consuming and physically demanding work for him. See Holtsträter 2024, 181–184.

[38] The trombone player Detlef Surmann, who was responsible for copying the parts of Last's arrangements for many years, only joined the band in 1967. Ron Last remembers, in a phone call (2 May 2023), that, as a child, he was often in the car when the scores were brought to the copyist and informed us about the name he remembers in this respect. 'Herr Zucker' is probably the composer Hans Zucker, who lived in Bergkoppelweg 30 in Hamburg Fuhlsbüttel in the 1960s.

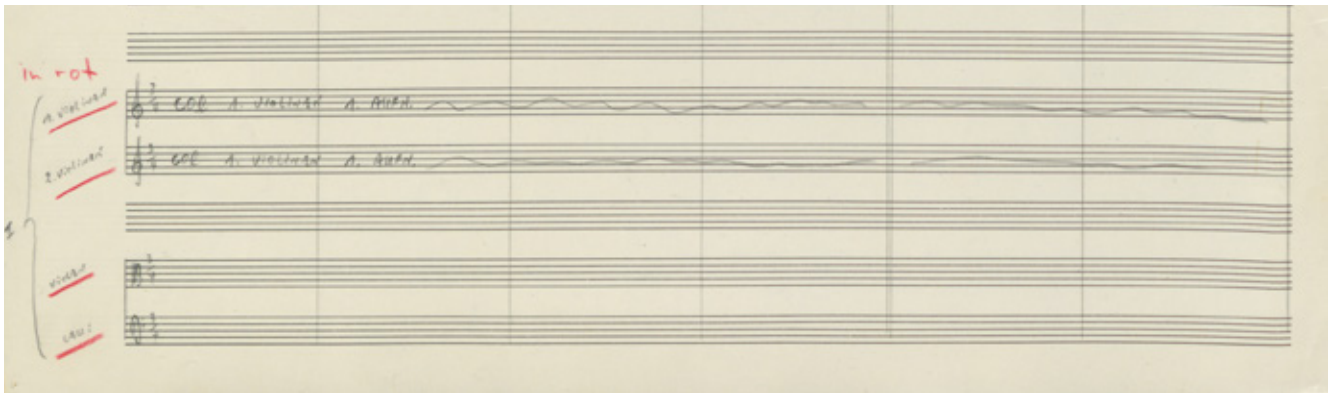

Fig. 8: 'Moon River', score, p. 1, first measures of second string section, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

by Gerrit Pfennig and Thomas Heyen, is mainly based on information given to them by Hellmut Wormsbächer, the former conductor of the choir, and closes with a quote from him regarding Last's scores: 'Hansis Tod kam viel zu früh. Ich hätte von ihm so gerne noch eine Original-Partitur in seiner Handschrift bekommen. Die waren herausragend.'[39]

The score to *Sail Along Silv'ry Moon* evidently shows that it was important to Last to provide his partners with scores that met his high standards. Page 9 of the score is a sketch, as far as we see totally unrelated to the piece itself (see Fig. 9). As the score, it is written in pencil, but in a much sloppier handwriting. The music is notated in groupings of two staves each, with a treble clef in the upper and a bass clef in the lower stave. Here, the bar lines, which in the scores are always drawn very accurately through all staves of the score, are placed very loosely between the staves, and corrections are made by just crossing out the notes. The visual organisation of the writing on the page does not seem very elaborate. Notation in the lower stave is only found in the first group of two staves. The lower stave is empty in all other stave-groupings. But in one line, chord symbols are written below the upper part. Last has crossed out the whole page and has drawn two arrows from the left to the right margin, with their tips pointing right – one in the upper half, one in the lower half of the page, thus indicating that this page had to be skipped. He used the blue felt-tip pen for the arrows, and above the arrow in the upper half he wrote: 'Verzeihung!!!!' ('Sorry').

Thus, it was certainly unintended that the sketch found its way into the booklet. It is noted on the last page of the second double leaf (if the bifolio used for the cover is not counted). Last may simply have accidentally grabbed a double sheet that already had writing on the back when he needed another bifolio for the score. He probably only realised the oversight when he had already written on two or three pages and replacing the paper would have caused a severe loss of time.

As already mentioned, the autograph manuscript served as an exemplar for the copyist, who produced the parts. On the one hand, Last invested a great deal of effort in making the score legible and unambiguous, but, on the other hand, there is a whole series of notations that in a way makes the copyist another originator of the piece. This is mainly due to Last's habit to use abbreviated notation in many places. This does not only apply to the traditional and frequently used 'colla parte' notation. Furthermore, we have instructions as signs for the unchanged repetition of bars in some of the scores. Or we find groups of measures that Last has numbered consecutively. These numbers (or sometimes letters) are then repeated elsewhere over empty measures to indicate to the copyist that he should once again notate the music of the measures designated in this manner (see, e.g., Fig. 10, which shows two pages of the score of *Patricia* in which Last made use of this kind of abbreviated notation. Here, someone else – probably the copyist – added 'wie in C' ('as in C'), to relate to the part from which the music is to be taken.) Unfortunately, within the materials of *Instrumentals Forever*, only one of the orchestral parts has survived, which is the '1st Drums' part of *Canadian Sunset*. What has been handed down in a larger number is, besides the scores, the so-called 'Direktionsstimme' ('direction part'). A 'Direktionsstimme' is a part extracted for the sound

[39] Pfennig and Heyen 2015 ('Hansi's death came much too early. I would have loved to have received one more original score from him in his handwriting. They were outstanding.'). Translation by the authors.

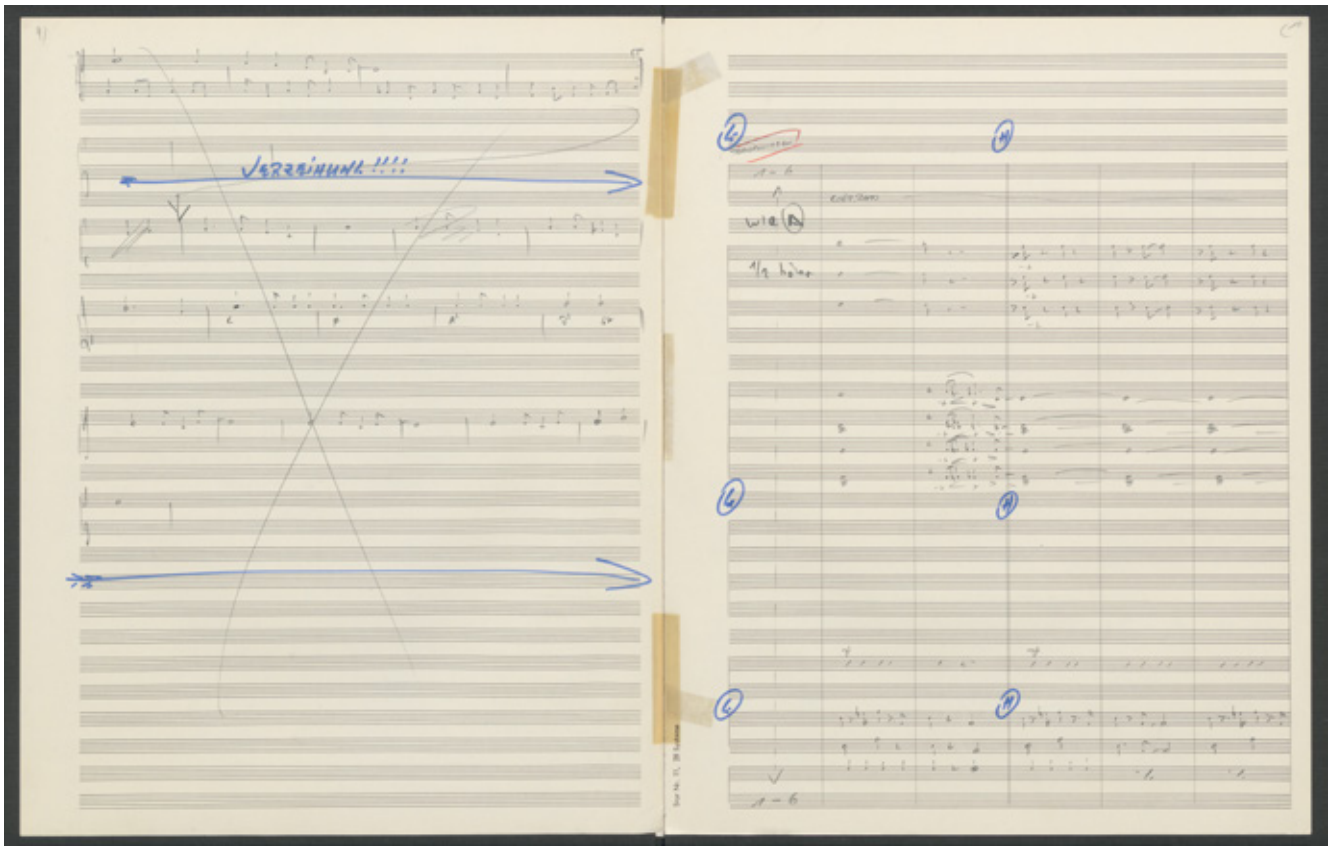

Fig. 9: 'Sail Along Silv'ry Moon', score, pp 9–10, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

engineer who played an important role in the recording process.[40] These direction parts are preserved from three pieces, *Canadian Sunset* (headed 'Direction', see Fig. 11), *Moulin Rouge* and *Sail Along, Silv'ry Moon*. They look very similar to a conventional lead sheet: they have notation of the main melody, but important information on when the orchestra's other parts set in are also added with details of instrumentation, so that the engineer, when recording and re-listening to the tapes, was able to locate the musical events in the composition by reading the 'Direktionsstimme'. The rehearsal letters helped him communicate with the musicians in the recording room about specific musical passages.

Thus, another crucial function of the scores, as well as of the parts, was that they were obviously intended for the recording process in the studio, including the technical process of recording. Above, we have described later additions that are obviously directed to the sound engineers or the recording process, but there are also many of them in the pencil-written original layer of writing. These are instructions such as 'Fade Out' at the end of *Telstar*, which are also reminders for Last himself (see Fig. 12). Seeing this note, in combination with the 'Bis' on the top of the page while conducting his orchestra in the studio, he knew that he had to have his musicians repeat the last bars sufficiently often to produce enough tape material for the sound engineer to create a good fade-out section to finish the piece. It is not recorded how often the bars had to be repeated; presumably Last and his production team drew on their experience. The double notation of the strings section is another feature of the score obviously pointing to the production in the studio and highlighting the role of the production team as originators. It is found in all scores for this album (see, for example, Fig. 13). They are designated 'Erste Aufnahme' ('first take') and 'Zweite Aufnahme' ('second take').[41] Last had only one group of string players; the second group of parts for the strings was recorded separately and added to the existing recording as overdub.[42]

[40] In addition to Klemt as production manager, Willox (1976, p. 93) also counts Dieter Queeren as assistant sound engineer in the recording room for the early 1970s. 'Direction' can be understood as a German word, as both variants 'ct' and 'kt' were in use at the time. Sound engineer Peter Klemt, who was the recording engineer for the studio productions of Bert Kaempfert, James Last and other orchestra leaders signed to Polydor, was instrumental in shaping the sound of German-produced easy listening of the 1960s and 1970s; see Last 2006b, 292 resp. Last 2015, 379.

[41] See, e.g., the score of *Moon River*, p. 3.

[42] The indications 'L' (for 'links', 'left') and 'R' (for 'rechts', 'right') that are connected to the instruments names in the scores prescribe the placement of the thus labelled instrument, which was important because the re-

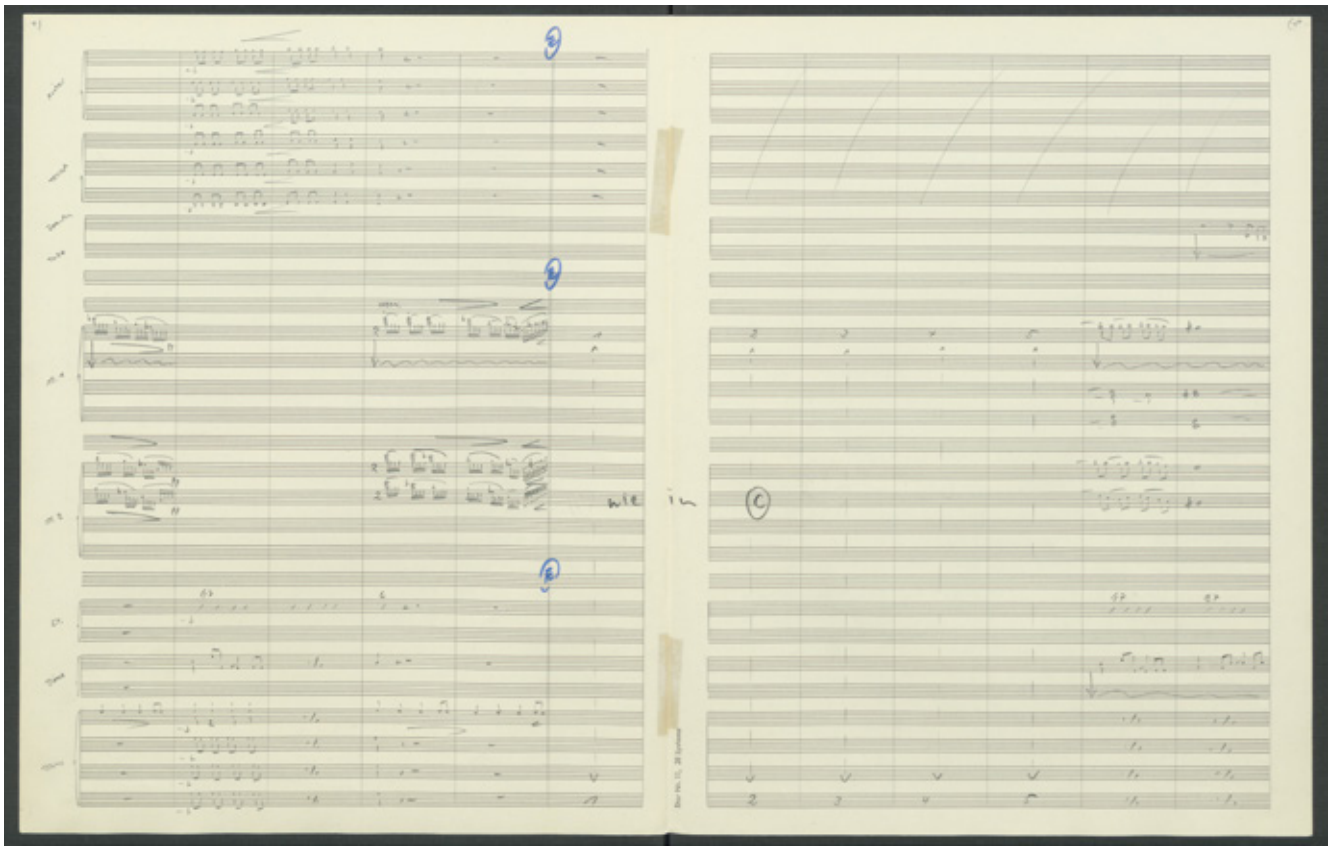

Fig. 10: 'Patricia', score, pp 7–8, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

Given the fact that Last used to record the strings twice to achieve the typical sound of his arrangements, and that he also often relied on an unusual instrumentation (e.g., four trombones in *Telstar*), he was surely aware that he could not simply adapt this album to the core line-up of his band on a touring stage or a live television-studio situation. This might explain why our initial cursory review of the boxes which contain the parts of his live and touring band did not yield any parts for *Instrumentals Forever*.[43] Based mainly on parts from tours which took place in the 1970s and later, we could see that in many cases Last did reuse the sheet music that had been prepared for the studio recording. This is indicated by numbering such as 'A1' or 'B4', which refers to the tracklisting on the record but does not make sense in the context of a tour.[44]

While the aspects described above identify those involved in the technical part of the production as further originators, other notational characteristics convey that the musicians also significantly and decisively contributed to the music's ultimate shape. Last sometimes left considerable lacunae for them, with numerous prescriptions as 'solo', 'fill in' or, even, in the drums part of *Moon River*, 'double time ad lib' (see Fig. 14). This shows that Last actively involved the musicians, usually experienced members of his orchestra. In some scores – although not in any of the scores of *Instrumentals Forever* – Last even connected the names of specific instrumentalists to some of the staves, thus designating specific parts to specific people. It seems that he counted on their personal and musical abilities and idiosyncrasies to achieve a certain musical result.[45] Directly naming the performing musicians

cording was made with one stereo microphone which was placed centrally in the studio; see Last 2006b, 57–58, and Last 2015, 86.

[43] There are 24 boxes ('Musikermappen', nos 201–224) with parts of his live and touring bands from the 1980s up to 2015.

[44] In these 'Musikermappen' there are hardly any lesser-known pop pieces from the 1960s, it seems that Last had avoided this repertoire in stage performances and on tour in the 1980s and 1990s and played the songs the audience knew then. But there was still a solid core of 'evergreens' in his live sets of the 1970s and in later times: titles from the Beatles and a small selection of hits from German (film) Schlager, English Beat and American Soul. However, it must be noted that the generational changes in the band may have corrupted the documentation in the estate. There are hardly any parts that were used by the musicians of the first generation of the band.

[45] See, e.g., the score of track 'A1' in *Hammond à gogo II*, p. 1 (box 110, archive box 19), where the parts of the Hammond Organ received the additions 'Grube' and 'Hausmann', referring to Harry Grube and Hermann Hausmann. See also Last 2015, 74 (Last 2006b, 49–50), on his longtime co-musician Günter Platzeck and his strengths and weaknesses.

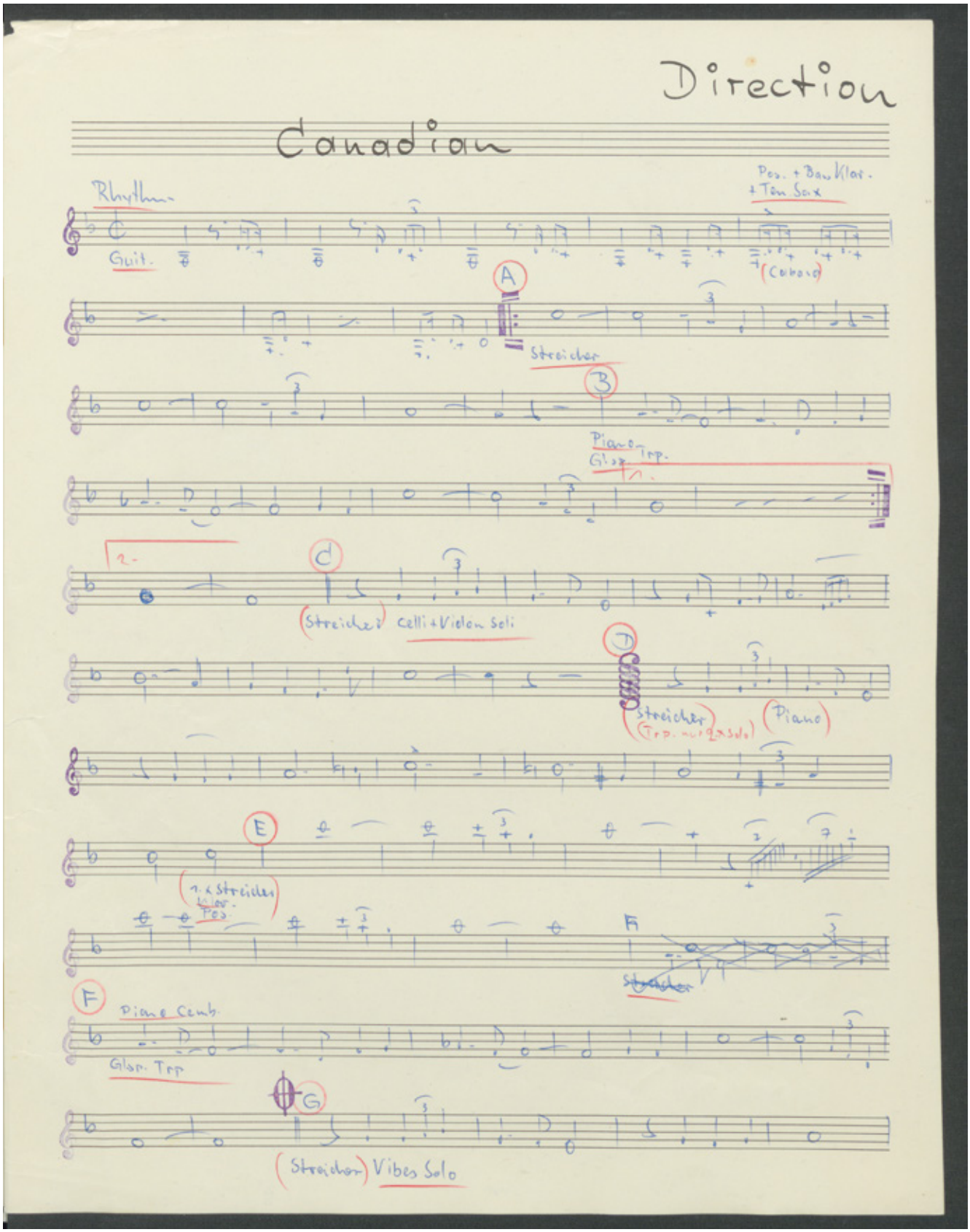

Fig. 11: 'Canadian Sunset', direction part (Direktionsstimme), p. 1, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

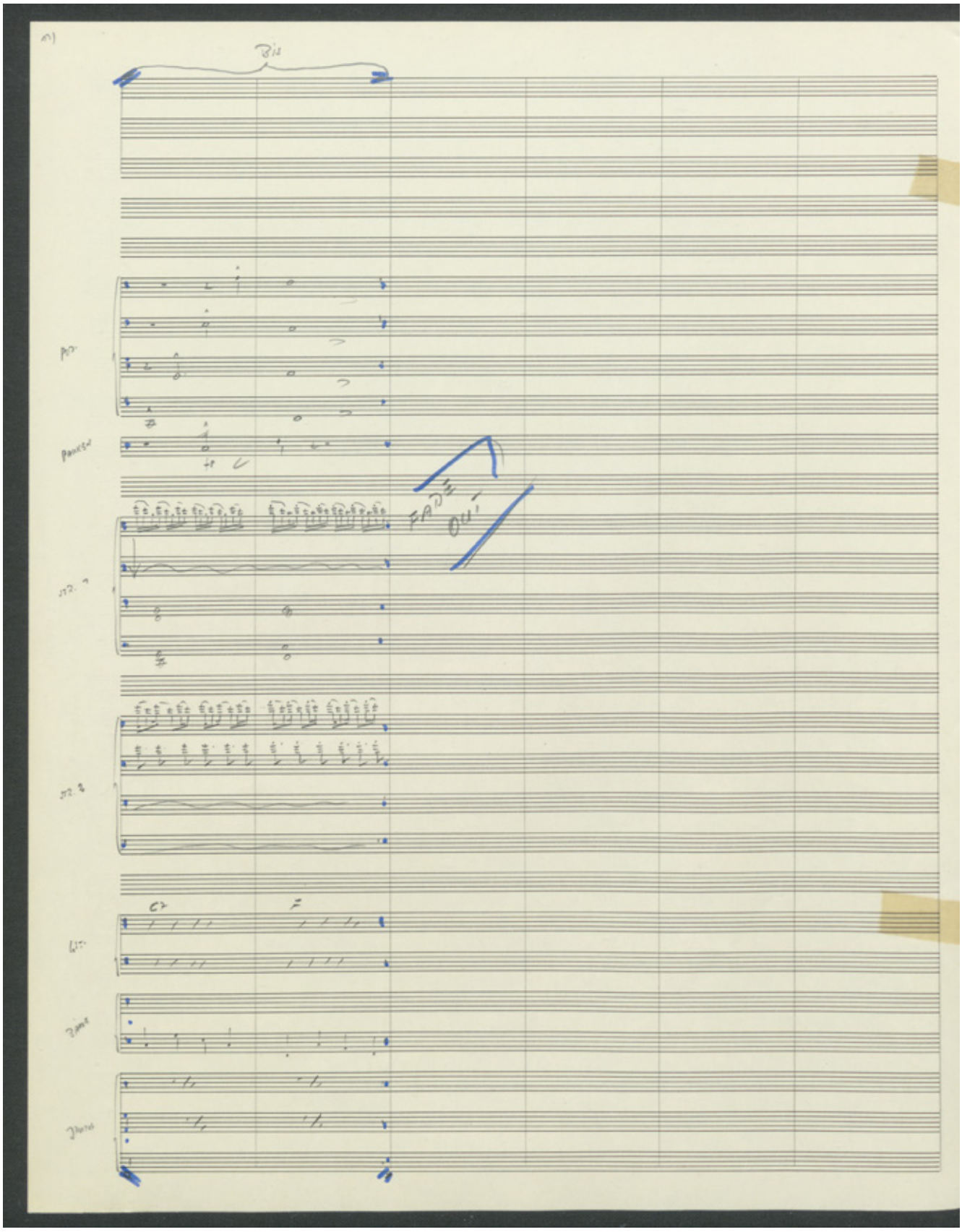

Fig. 12: 'Telstar', score, p. 13, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

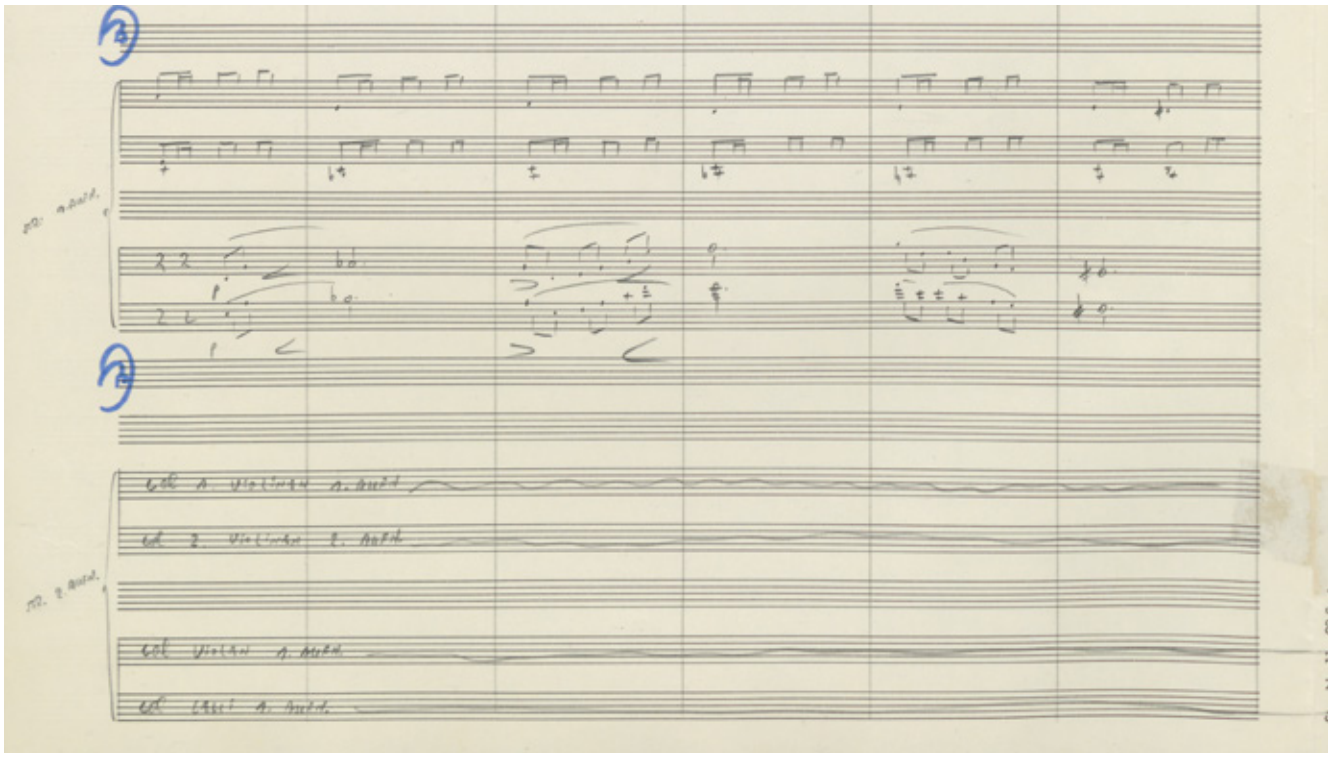

Fig. 13: 'Moon River', score, p. 3, string section, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

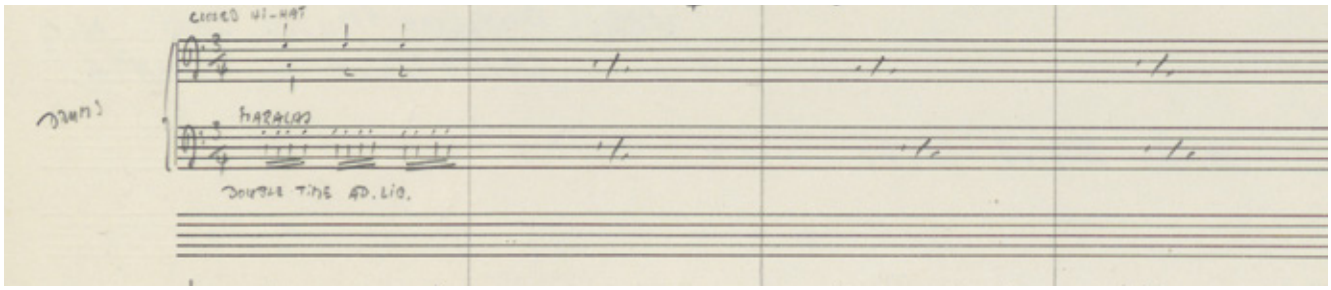

Fig. 14: 'Moon River', score, p. 1, drums, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

in the score and in the part material, and, in doing so, demanding a certain 'sound' and certain ways of playing by individual musicians, can also be found in Ferde Grofé's 'blue' arrangement of George Gershwin's Rhapsody in Blue for George Whiteman's orchestra[46]. It can also certainly be traced in other arrangements in the field of big band swing and jazz.

Thus, we can conclude that the scores are at the centre of the production: they have a normative and a documentative function alike. Their format, with the many booklets, is closely connected with the fact that the music consists of arrangements of songs of different origin. The originators of these songs as well as Last as the originator of the arrangements are named on the title pages, which furthermore point to other relevant actors (especially publishers and record labels). Looking at the notation and at the layers of writing which were added later, it becomes very clear that the score equally addresses the orchestra and its conductor and the sound engineer. At the same time, it is also oriented towards the copyist, whose skills Last relied on when he notated the music with many abbreviations. The way the booklets are made, as well as the sketch which has, probably accidentally, found its way into one of the scores, are suitable to give an insight into Last's way of working, in the way he conceived and notated music as well as in the way he

[46] See Keikutt 2011, 273. It is noticeable that here, as in Last's case, the names of the interpreters appear in connection with innovative arrangement techniques and thus innovative instrumentation.

involved other people, and took them and their needs into account. In the next chapter, the question of the relationship between the originators of the songs and Last as the arranger will be looked at in more detail. Using the arrangement of *Telstar* as an example, it will be discussed which aspects of Joe Meek's music Last preserved and how he transferred them into his own music.

5. Last's arrangement of Joe Meek's *Telstar*

There has hardly been any scholarly engagement with Last's musical approach.[47] Therefore, we want to have a closer look at his arrangement of *Telstar* to show how he dealt with the pre-existing music. This allows a better insight into the relationship between the originators of the arranged music and James Last as the originator of the arrangement, and the ways in which Last appropriated the music of others, in this case, Joe Meek. Many decisions that Last made in advance of writing the score are not documented as such. For example, Last only uses the distinctive first part of Meek's composition for his arrangement, namely the insistent synthesizer melody which evokes a hymn. The contrasting section functions formally as a bridge in the original and its melody and sound are dominated by the electric guitar, but here it is omitted. Thus, Last reduced the original song form to a series form, which in turn led to a number of other possible compositional choices.

The main melody, performed by the synthesizer in Joe Meek's (and The Tornados') original production[48] is oversaturated and the midrange is emphasised to the point of distortion, and all musical events in the mix ultimately seem very direct and, for listeners back then, very compressed and intrusive. Last's version places the main melody in a new instrumental part in each of the four repetitions. The first time the melody is played by piccolo, flute and Hammond organ. It is only accompanied by the drums and, only once for a very brief moment, by an ascending figure in the strings that had already been heard in the intro and may symbolise the launch of the telecommunication satellite referenced in the composition's name.[49] Immediately afterwards, the strings join the flutes and the organ in the second statement of the melody. The third repetition is dominated by the strings, which are accompanied by a distinctive rhythmic figure played by the trombones. In the fourth and final repetition, the trombones combine with the violas and cellos of both string sections and take over the melody in unison. They are mainly accompanied by the doubled violins which repeat arpeggio-motifs in semiquavers in groups of 3-3-2 throughout the time, giving the music a very restless character.

In addition to the variation in accompaniment, dynamics and timbre, Last also uses the progression through the keys to maintain the listener's attention. He starts in B-flat major, and then proceeds, before the third statement of the melody, to D-flat major, and for the next repetition to F-flat major. The key ranges describe an upward movement by thirds; here, the three key levels B, D and F can be combined into a B major triad. In his autobiography, Last describes that key changes in dance music are an important means of achieving variety.[50] He learned from his father Louis, a recreational musician, that ascending by thirds is particularly effective.[51] It is most probably not coincidental that the chosen key is always one that can be played comfortably by the instrument(s) which take over the melody in the respective section.

The piece is held together, as already done by Meek, by the continuous rhythm of the drums, which is heard throughout the song without any interruption.[52] Last also takes over the intro, which is characterised by a high noise

[47] Böhle and Hoeldke 1996 is an exception, mentioning Last's style of arrangement several times.

[48] Joe Meek, *Telstar* and Geoffrey Goddard, *Jungle Fever*, Single, 7", 45 RPM, Decca 45-F 11494, UK August 1962.

[49] An instruction in the score of Last's Beatles-Medley 'Sie liebt dich / I Want to hold your hand / I should have known better' for the first *Non-Stop Dancing* record (1965, archive box 12 in box 106, James Last Archive, ZPKM, University of Freiburg) shows that Meek's *Telstar* was an important point of reference for Last, even before he started to work on the arrangement for *Instrumentals Forever*. In the last measure on p. 8, Last adds the word '(Telstar)' to the organ part, probably to instruct the organist about the sound that he should produce. And, indeed, the sound of the organ, as it is found in the studio recording (Polydor Stereo 237 447) resembles the sound of the synthesizer in *Telstar*.

[50] In ballads from the 1970s to the 1990s, and especially in the rock and soul-influenced power ballads, the key change or direct modulation up a whole or semitone is part of the common compositional repertoire to generate increased attention at the end of a song and to present the singer with new challenges. See Metzer 2012, 445 446 and Metzer 2017, 140 142. As Michael Buchler observes in the songs of Frank Loesser, these modulations do not necessarily have to end in dramatic climaxes: 'Direct modulations tend to be aurally apparent, even to casual listeners, and yet these modulations by third, fourth, or larger intervals rarely carry any dramatic weight. We hear the modulation, we just do not generally sense that it transmits any extramusical meaning, and neither do we particularly care that the original key will not likely return.' Buchler 2008, 37.

[51] Last 2006b, 4: 'He had perfect pitch, too, and he was the first person to teach me tricks that I could use later – when arranging music, for instance. "When you change key, you have to go up a minor third…"' See also 2015, 19: 'Erstaunlicherweise hatte mein Vater ein absolutes Gehör – und er war der Erste, der mir Tricks beibrachte, die ich später beim Arrangieren gebrauchen konnte: "Beim Tonartenwechsel muss du eine kleine Terz hochgehen…"').

[52] In Meek's *Telstar*, this part is not restricted to the A-sections, but also underlies the contrasting B-sections.

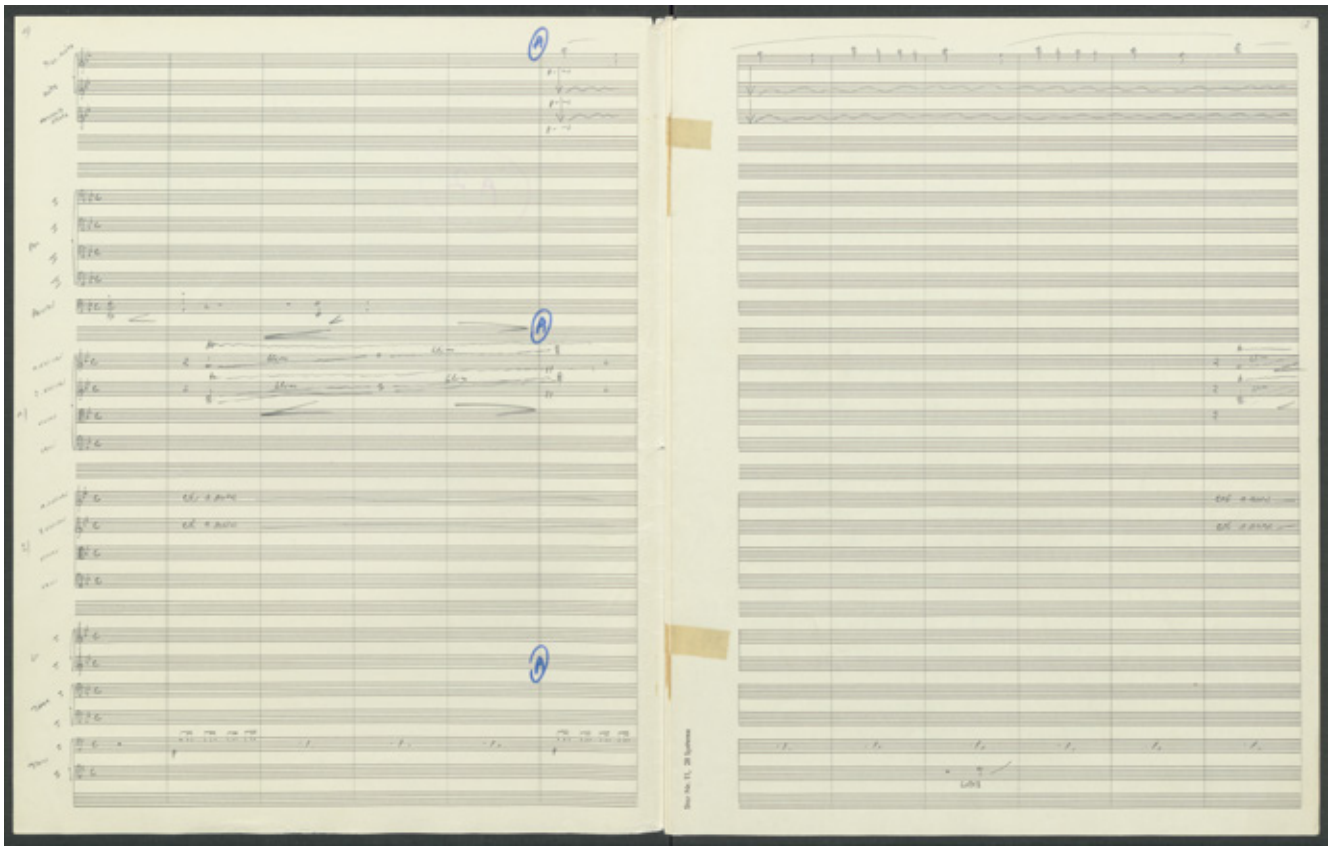

Fig. 15: 'Telstar', score, pp 1–2, archive box 19 in box 110, James Last Archiv, ZPKM, University of Freiburg. With kind permission by the Last family.

component that makes the launch of the rocket apparent. But while the sound has a more technical appearance in Meek's original and is produced by using a modern synthesizer, Last uses the kettledrums and the string section for a similar effect. (See Fig. 15, which shows the first few bars of Last's arrangement of *Telstar*.) Last's arrangement of *Telstar* thus takes similar sonic premises as a starting point but uses the more conventional instrumentation of the studio orchestra to emulate the unusual sound effects of Meek's production.

Nevertheless, there is one more difference between the two kinds of music: in contrast to Meek, Last used the factually existing room of the studio to create an aural perception of space ('Tiefenstaffelung'). To this end, he used means such as the distance of the instruments from the stereo microphone, creating an illusion of distance and depth for the listeners.[53]

Meek's musical engagement with the satellite seems to be dominated by the technical aspects of aerospace. In contrast, Last emphasises the poetic aspects more strongly. It seems that he wants to evoke in the listener an idea of the calmness, vastness and emptiness of space. This change of perspective seems to turn the grandiose ride in a hell machine into an intricate flight manoeuvre in a beautiful space observed from a distance.

6. Conclusion: Originators in and outside the manuscript sphere

Arrangements of already published and recorded music – and thus arrangements as we find on the studio album discussed here – have a difficult status in music research. Often, they are not regarded as actual, original compositions, and are therefore not deemed worthy of investigation. These doubts regarding the originality of the music and the status of the composition are not only found on the level of aesthetic evaluation but are also reflected in the legal sphere. If arrangements were based on protected melodies, Last could not register them with a copyright collective. Thus, he was usually not remunerated when they were used,[54] and the

[53] About the use of the room set-up of the instruments in the studio and the reverb effects at that time see Last 1975, 110, and more general, Last 2015, 85–88.

[54] In the case of titles for which the term of copyright has expired or did not even exist in the first place, it was also possible to legally register the arrangement; see Last 2015, 66. This is also documented by several business correspondence in the estate, in which unclear copyright issues are discussed and Polydor admonishes Last not to arrange any protected works: for example, in the business letters there is a letter from Gottfried Claus, of

scores of arrangements of copyright-protected works only exist as manuscripts and were usually not printed.

However, Last also earned money with these arrangements in the form of a revenue share per sold copy ('Umsatzbeteiligung').[55] This deal was certainly risky when he signed the contract, but ultimately turned out to be very profitable when his albums became very successful. *Instrumentals Forever*, with its focus on well-known (and copyright protected) instrumental works or instrumental versions, was certainly intended as an investment in the future. Last was able to leave his 'sonic business card' with this album, especially the pieces that had already been interpreted as instrumentals by other famous bandleaders were certainly heard with great attention by the professional audience and representatives of the music industry.

As described above, writing down the details on composers, publishing houses and recording companies of the used songs on the title pages of the arrangements points to this legal situation.[56] They were necessary at that time insofar as the copyrights for all original works were still valid. Although the composers of the works used by Last were of course not directly involved in the production of the album, it can be assumed that arrangements, especially successful ones, were usually approved by the authors of the songs: it is usually predictable and desirable for the authors to have their works licensed. To sum up, we can thus state that the creators of the songs that Last arranged are a very important group of originators for *Instrumentals Forever* (of course, this is true for other albums as well). They are credited as originators on the booklets of the score and each of these booklets is connected to at least one representative of this group. Where Last arranged music that already had a longer reception history at the time, we can assume that the listeners perceived these melodies as being connected to (and the music partially shaped by) other actors than the composer such as interpreters and arrangers. Except for Last himself, these originators are the most important group in the context of the arrangements. However, once they had granted permission of use, they surrendered any influence on the process of arranging, and thus on the final aesthetic result.

In addition to the persons mentioned by name in the manuscripts, there are others that also had a decisive influence on the creative process. Sometimes, they were even responsible as initiators for the fact that these scores exist at all. It can be assumed that, in line with the industrial processes of producing a studio album, employees of James Last's label Polydor played a significant role. As set out above, the idea for *Instrumentals Forever* was to establish James Last on the English-speaking market. It was developed in collaboration with Polydor employees at least, and the same can be assumed for the album's title. For example, Polydor established the 'à gogo' series in 1965, which was designed to present Last with a smaller ensemble and a main instrument that changed per album. However, Last was initially sceptical because the choice fell on the Hammond organ, and Last himself documents that the name for the album had not been his idea at all: 'So an astute advertising fellow came up with the name *Hammond à gogo*, a sort of brand name that we kept up for a whole "à gogo" series.'[57] We also know from other people who had the initial idea for the respective album: Last, for example, reports how Harald Vock, the head of entertainment of NDR, suggested to him at a meal in the canteen to make a record of the *Threepenny*

the copyright department of DDG (dated 20 January 1977) to Inge Schierholz (department A&R of DGG and Last's direct contact to DGG) that no more music of Maurice Ravel is to be used and copyright should be cleared in pre-production. See archive box 'Polydor GL' in box 703, James Last Archiv, ZPKM, University of Freiburg.

[55] Contract between Deutsche Grammophon and Hans Last (see n. 14). The revenue share for records which were delivered to West Germany and West Berlin was 7 % of the wholesale price ('Grossistenpreises') (i.e. half of the retail price), when delivered abroad 2% of the German retail price. At the beginning of the collaboration with the DGG, the numbers were a little lower.

[56] We just want to note that the case of medleys is even more complicated because the length of the music that was used as a basis was relevant for the payments that had to be made to GEMA (Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte). In the business correspondence, there is a letter of 12 December 1969 which the Deutsche Grammophon sent to Last, informing him of the following: 'Ab sofort gelten als Fragmente nur noch Titel mit einer Spieldauer bis zu 1 Minute '45 Sekunden. Alle Titel, die diese Zeit überschreiten, gelten als volle Werke für die GEMA-Abrechnung. Wenn also auf einer LP-Seite, die 14 Fragmente enthält, auch nur ein Titel länger als 1 Minute '45 Sekunden ist, müssen wir überhöhte Lizenzen zahlen. Unsere Geschäftsleitung hat uns deshalb strikt untersagt, Potpourri-Produktionen, bei denen nicht alle Titel innerhalb der o.g. genannten Zeit liegen, abzunehmen. Wir müssen Ihnen also solche Produktionen zur Kürzung der Titel noch einmal zurücksenden.' ('From now on, only titles with a playing time of up to 1 minute 45 seconds are considered fragments. All titles that exceed this time are considered full works for GEMA billing. So, if on an LP side containing 14 fragments even one title is longer than 1 minute 45 seconds, we have to pay excessive royalties. Our management has therefore strictly forbidden to accept potpourri productions where not all titles are within the above-mentioned time. We must therefore send such productions back to you again for shortening of the titles.') Letter with Deutsche Grammophon letter head, enclosed with a page 'DG Aufnahmeplanung und -abrechnung' ('11/69'), in: archive box 'Polydor / GL', in box 703, James Last Archiv, ZPKM, University of Freiburg.

[57] Last 2006b, 48, and Last 2015, 73: 'So kam ein findiger Werbemann auf den Namen *Hammond à gogo*, eine Art Markenzeichen, das wir gleich für die ganze 'à gogo'-Serie beibehielten.'

Opera.[58] Further, he mentions that his wife Waltraud initiated the title (and, nota bene, the musical style) for the first album of the 'Classics up to date' series[59]. Among this group of originators, which are primarily generators of ideas, Ossi Drechsler and Werner Klose can be ascribed a special status, as has been shown above as well. We can assume that they contributed or were closely involved in developing many ideas – certainly also ideas impacting *Instrumentals Forever* – on an album and its subject, on the choice of special songs for an arrangement, on the sequence of tracks on a LP etc. Klose was also responsible for the album covers.[60] In addition to Waltraud, Last also mentions his children as a source of ideas and inspiration, and that his son, Ron, even worked with him, especially as a musician and producer, in later times. Furthermore, some of the correspondence in the estate shows that colleagues quite often approached Last with ideas. All in all, however, it is nearly impossible to know in detail who can be counted into this group and to establish how large his or her influence was.

Those who were involved in the production in the studio can be deemed another group of originators: the musicians and the sound engineers; in particular, for example, the keyboarder Günter Platzek and the sound engineer Peter Klemt. While Last gave his musicians the space to express themselves, to bring in their own personal ideas and style, Klemt was significantly involved in the record's sound, thus also leaving his personal mark on the record. These originators probably did not leave any traces in the score in the sense that they had added notes. However, the score is made for them, and thus there are, as has been shown, many instances in which the score received its materiality and visual organisation due to the needs of this group's members. The same holds true for the copyist, who might have left his handwriting in some instances (with black coloured pencil, especially in the passages where no notation is found, but only a reference to another passage that has to be repeated).

Only as a side note it should be mentioned that Last extended the circle of originators even further on other albums. For example, for the production of the *Non Stop Dancing* albums, certainly one of James Last's extremely successful and most idiosyncratic album series, running from 1965 to 1985, extra guests (family, friends, acquaintances as well as musicians) invited to studio parties were used as producers of the background party sounds in addition to a choir. This is how Last describes the scenario:

> We served bread rolls, beer and schnapps to loosen people up, and then Peter Klemt, the sound engineer put on the tape – and the party took off. The choir sang along with everything, and my guests sang, clapped and danced.[61]

The vocal phrases that were recorded can actually be found in the respective scores. (In the course of the 1970s, however, the party noises increasingly recede into the background as Last worked with an ensemble of professional, English-speaking pop singers).[62]

Last's embeddedness in a network of colleagues, friends and family is thus productive for the creation of his music on different levels. The multitude of influences, through which his music is shaped, is certainly not unique to Last. What might be unique is the very visibility of these influences. This is surely due to the fact that Last does not try to present himself as an original genius at all, but openly names where others had good ideas that he used. He was probably able to act in such a way because he was an entertainment musician. Therefore, he operated in a segment where creative originality is not the only essential feature, but where a high degree of professionalism and perfection were considered similarly important. However, what seems typical for Last to us is his remarkably distinctive openness: the openness to absorb the influences and ideas brought to him on the one hand; and, on the other, the openness to report on his network and the role everybody in this network plays in how he creates his music.

[58] Last 2006b, 52, and Last 2015, 79.

[59] Last 2006b, 56, and Last 2015, 84.

[60] Last 2006b, 66, and Last 2015, 97.

[61] Last 2006b, 44, and Last 2015, 68: 'Es gab belegte Brötchen, Bier und Schnaps, um die Leute lockerer zu machen, dann legte Peter Klemt, der Toningenieur, das Band ein – und die Party ging los. Der Chor sang noch einmal alles mit, und meine "Gäste" sangen, klatschten und tanzten.' See also the photos in Willox 1976, page following 96, among which is a press photograph of the recording session with the choir (from the German weekly boulevard magazine *Stern*), as well as an anecdotal report of Roy Hollingworth from the magazine *Melody Maker*, where he recounts the amounts of alcoholic beverages and the procedures of the session; see Willox 1976, 148–150. At that time, this kind of media coverage would have to be intended to have an impact on the star persona of Last as a 'party king' ('Partykönig'). However, for Last, this setting also seemed to be important in a musical way, because it produced a very specific sound quality or soundscape which can be described as indeterminable, unpredictable, loose or chaotic, but also as joyful and free-minded. Last was inspired by the Saturday afternoons of his early childhood time when he listened to live music shows on Radio Kopenhagen with his father and when he encountered the same soundscape in these broadcasts; Last 2006b, 43, and Last 2015, 67.

[62] These are not the only instances in which Last worked with recorded material produced by other people that were not musicians.

Acknowledgements

Our thanks go, first of all, to Christine Last, Caterina Last and Ron Last. Without them granting us access to the estate of James Last and allowing us to publish our findings and reproductions of the sources, this article would have never come to light. Moreover, they provided valuable information about their father and husband. Wolfgang Staniček (Musikverlag Bosworth, Wien) shared his knowledge on the manuscripts and documents in the estate, but also on publishing houses and their history as well as common workflows and legal aspects relevant for the making and using of popular music. Without his generous support and his patient answers to ever new questions, many aspects and documents would have remained cryptic. We are very grateful for his support.

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg, and at the Zentrum für Populäre Kultur und Musik, University of Freiburg.

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Figs 1–15: Zentrum für Populäre Kultur und Musik, Albert-Ludwigs-Universität Freiburg.

Fig. 1: View of Trisha Brown's loft with drawings Untitled (New York), 2001, Charcoal on paper, 102 x 120 inches (259.1 x 30 4.8 cm) (wall, left); Untitled (New York), 2001, 102 x 120 inches (259.1 x 304.8 cm) (floor); and Burt Barr's Double Feature, 2000, Lithograph, 53.5 x 38.75 inches (135.9 x 98.4 cm) (wall, right), New York, December 2001. Photography by Burt Barr. Screenshot of the website of the Trisha Brown Dance Company, 5 June 2024 <https://trishabrowncompany.org/archive/about-the-trisha-brown-archive.html>.

Article

Written Artefacts in Performance, Writing as Performance: Origination and Dissemination

Franz Anton Cramer | Berlin

1. Introduction

Although dance and choreography are widely conceived of as an essentially body- and time-based art form, in cultural contexts of pervasive literacy they make use of writing in numerous ways, for different purposes, and to varying degrees. In fact, writing practices have been shown to be a constitutive part of dance making in Western modernity.[1] This makes an analysis of written artefacts in the field of performing arts a key concern both in understanding individual choreographic artefacts and in the historiography of dance at large.

Writing occurs at various levels and stages of conception, creation, and presentation of performance-based artworks. In general terms, it can have the function of preparing a performance (e.g. scores), of being part of the performance (as this article will explain), or of testifying to the pastness of performance (e.g. in archival contexts).

Written artefacts are thus produced in preparing the conceptual set-up or in applying for funding. Writing also happens as part and parcel of the performance itself, as an embodied action that may or may not have semiotic meaning. And writing is used for the purpose of documenting, remembering or archiving performance events and choreographic artefacts. These writings are shaped as part of the embodiment of the events and artefacts, and at the same time represent the practice, making it transferable to other viewing contexts and across time.

The question of how corporeality and orality of dance cultures relate to scriptural cultures is pertinent in both literate and non-literate ecosystems of dance and performance making.[2] It concerns the actual writing practices and skills employed by the relevant actors, as well as the representation of choreographic processes such as movements, thoughts, ideas, developments, and fixations, via idiosyncratic writing rather than via standardised notation. When investigating choreographic manuscripts of the last decades, we are dealing with a pragmatic understanding of scripturality: one that shows less elaborate features than those of more traditional manuscript cultures, yet that also – through its conundrum of idiosyncratic and conventionalised writing – affords insight into the functionality and the valorisation of writing within artistic processes.

As far as writing as part of performance is concerned, the written artefacts sometimes vanish, for instance when writing happens on the dancers' / performers' bodies, or on elements of the stage that are washed off after the show or discarded with the stage set. In other cases, written artefacts produced during the performance are detached from their theatrical context and, once the live situation is over, are treated as objects in their own right, either in archival settings or, as this article investigates, in museal surroundings. In both cases they testify both to their originators and to their circumstances and processes of coming about.

In the last decades, artists of various fields have produced numerous examples of artistic action involving writing as a key element. A comprehensive list of examples would be long and would notably include, among others: Carolee Schneemann, Trisha Brown, William Forsythe, Martin Nachbar, Antonia Baehr, deufert&plischke and Jérôme Bel.[3] In all cases, whether stemming from dance / choreography or performance and visual art, the entanglement of writing, performing, embodying and creating written artefacts has specific features with regards to style, aesthetics and dissemination.

[1] For further reading see Louppe 1994; Arns et al. 2004; Klementz 2002; Brandstetter et al. 2010; Bénichou 2015; Bouteloup and Malivel 2015; Plokhova and Portyannikova 2020; Forster 2021; Jeschke 2023.

[2] Leibovici 2014.

[3] Klein and Cramer 2024; Wortelkamp 2021. In more general terms and referring to visual and performance art, the phenomenon has been categorized as 'gesturing bodies', Warr and Jones 2000, 70–91, 201–215.

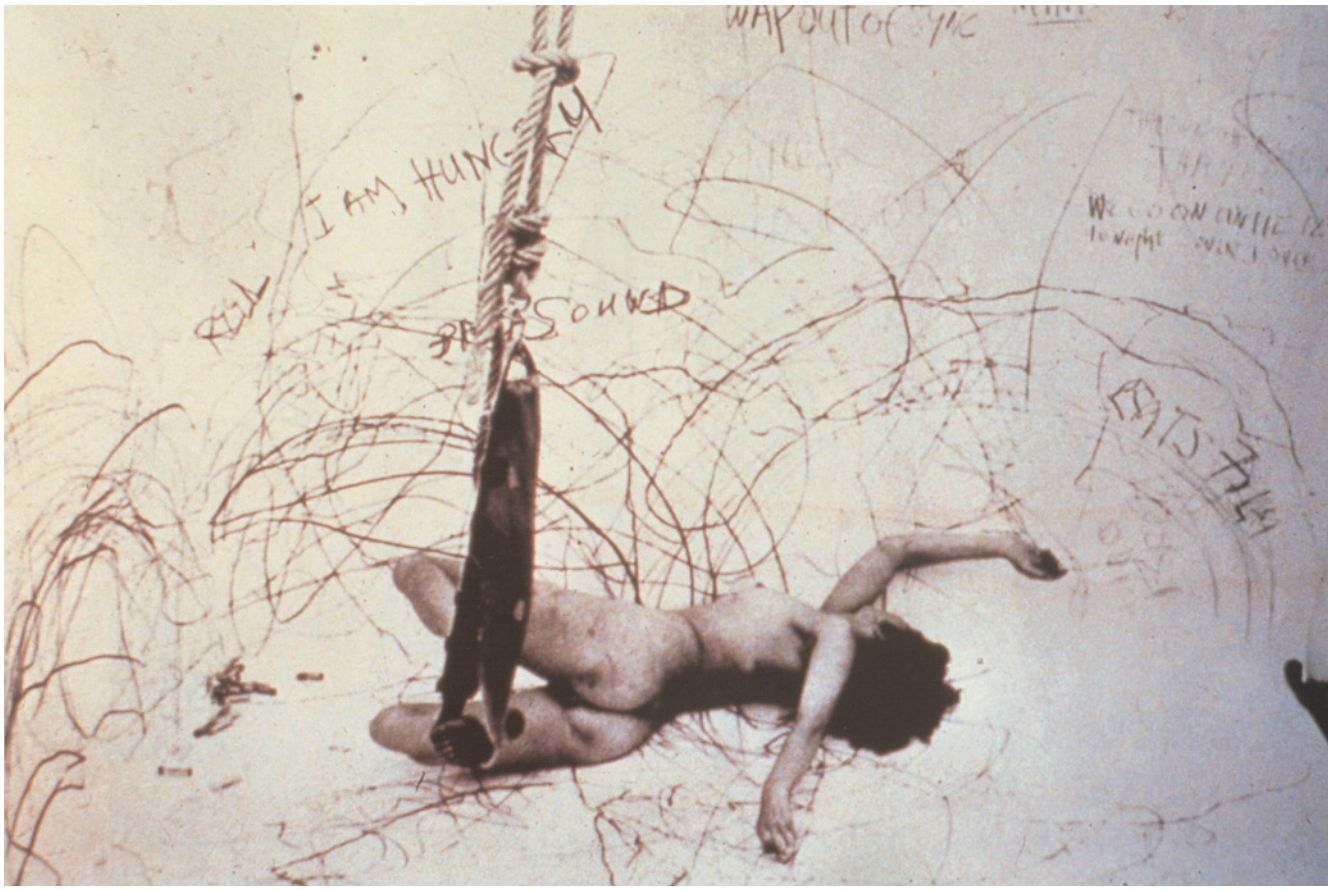

Fig. 2: Carolee Schneemann, *Up to and Including Her Limits*, performance, June 1976, Studiogalerie Berlin.

When investigating the formation of written artefacts and trying to understand their status as an original – in other words, when identifying what traces of interaction left by what actants have informed a specific written artefact to be considered an original – it seems obvious that the institutional, social and economic frameworks of the art form have a major role to play. Public theatres, independent venues, galleries, and museums have different forms and ways of communicating with the public and of dealing with the objectal qualities of a written artefact. And whether an artistic project is funded by the public sector or not is decisive for the possibility of its realisation and distribution, and thus its visibility and recognition. All of these factors are relevant indicators of the market value attributed to the works as a whole, and also to the value, appreciation and circulation of the written artefacts produced within the artistic process.

Two cases shall serve as examples to discuss the strategies and mechanisms at work here. They are from different artistic and aesthetic contexts and times:

1. Carolee Schneemann, *Up to and Including Her Limits* (first performed 1973).
2. William Forsythe and Kendall Thomas, *Human Writes* (first performed 2005).

2. Schneemann

Throughout her artistic career, visual and performance artist Carolee Schneemann (1936–2019) worked on the interface between painting, writing, drawing, inscribing, performing, and exhibiting. She is essentially known in the field of visual arts, even though her practice leant heavily on physical aspects and somatics, as well as performance.[4] In *Up to and Including Her Limits* (1973), she was hanging in a tree surgeon's harness attached to the ceiling by a rope. The floor and the adjacent walls were covered with large sheets of paper. While swinging back and forth and abandoning herself to the forces of gravity, pendulum, and her own weight, the artist traced marks on the paper – handwritten strokes and dashes, mostly round and haphazard, but at times also written in recognizable letters (see Fig. 2).

[4] McPherson 1979.

Fig. 3: Carolee Schneemann, *Up to and Including Her Limits* (1973 to 1976), installation, 2012, Museum of Modern Art, New York, object number 520.2012.a-j.

This performance was iterated nine times between 1973 and 1976, and its material conditions changed over the years and according to the circumstances. The artist was sometimes naked, sometimes clothed. She presented the work mostly in public spaces (usually museums and art galleries) but also sometimes at her studio. She nevertheless consistently created written artefacts that were produced by her own hands as she performed.

In subsequent years, Schneemann stopped performing herself and instead made an installation work out of the initial project. Thus, the initial performance was transformed into a material work of art that was bound to the museal context (see Fig. 3). In 2012, the Museum of Modern Art (MoMA) in New York City acquired this piece of installation art and the written artefacts that belonged to it. On its website, MoMA presents *Up to and Including Her Limits* in the following terms:

> As *Up to and Including Her Limits* evolved, the artist wanted to capture and sustain the ephemeral work. This installation incorporates the harness and drawings from a performance at The Kitchen art space in New York in 1976, which are illuminated by a square of light emanating from a film projector, an element in several incarnations of the work. This glowing light and the performance documentation displayed on stacked video monitors stand in for the artist's body, which is now absent from the work.[5]

For this installation, Schneemann combined various utensils she used in the performance context, such as the harness and the sheets of paper she wrote on. To give an idea of the live action *Up to and Including Her Limits* originally consisted of, she added film documentation from performances.

[5] MoMA, 'Carolee Schneemann, Up to and Including Her Limits, 1973–76' <https://www.moma.org/collection/works/156834> (accessed on 19 March 2024).

Fig. 4: William Forsythe and Kendall Thomas, *Human Writes*, performance view, 2010, Radialsystem, Berlin.

The installation has also been exhibited, for instance, in Salzburg's Museum der Moderne in 2015.[6] It is obvious that this move towards an objectal quality linked to appreciation of the work as art, independent of the physical presence of its originator, is based on the artefacts produced in the live situation of the performance. Through this direct link to the originating gesture of the performative inscription of a prepared surface, and the fact of having it symbolise the performer's physicality – somewhat in the way religious relics stand in for the presence of the holy figure –, Schneemann is understood to be present via, among other objects, the inscribed surface, that is, the written artefact produced in the course of one particular performance. By way of the mechanisms of the art market, Schneemann's writings have been detached from her physical presence and visually presented as emanating directly from the artist. They are originals because the museal setting highlights their singularity and relevance, distinguishing the inscribed surface of the performance paper from a mere scribbling or ephemeral doodle, an accidental by-product of the 'real performance' that has disappeared materially.

3. Forsythe / Thomas

A quite different example is the so-called 'performance installation' *Human Writes*, by choreographer William Forsythe (born 1949) and law professor Kendall Thomas.[7] First iterated in 2005 by the dancers of The Forsythe Company at the Schauspielhaus Zürich, it was subsequently performed in Dresden, Frankfurt, Brussels, Istanbul, Berlin, Geneva and Stockholm, up until 2012.

Playing with the homophony of 'right', as in law, and 'write', as in script, the project focused on the Universal Declaration of Human Rights adopted in 1948 by the UNO in the wake of World War II. *Human Writes* instantiated and artistically made visible the complex idea of Universal Human Rights by way of a live situation in which performers, assisted by members of the audience, tried to write down the

[6] Breitwieser 2015, 228–239.

[7] Kendall Thomas has been the Nash Professor of Law since 1984 and co-founder and director of the Center for the Study of Law and Culture at Columbia University, New York.

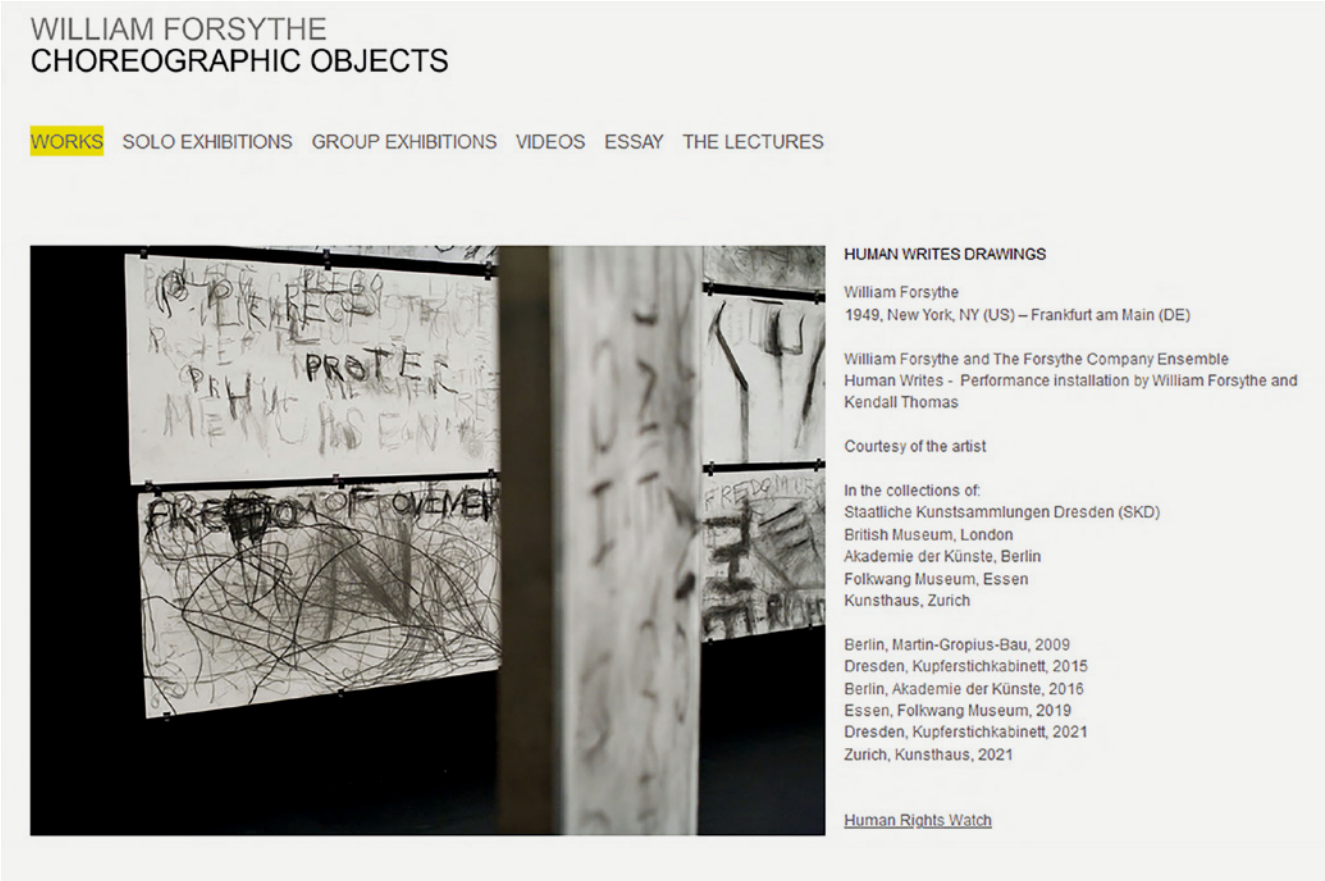

Fig. 5: 'Human Writes Drawings 2005–2010', Screenshot from the website of William Forsythe.

articles of said declaration in various situations of constraint: blindfolded, with bound limbs, behind their back, etc. (see Fig. 4). They did so on a varying number of tables distributed in the respective performance spaces.

The tables were covered with large sheets of solid paper. On them, articles of the Declaration of Human Rights[8] had been written down with pencil beforehand as thin and barely visible matrixes, as it were. The project consisted in the continuous act of over-writing – or writing over – these pre-written words, which thus served as blueprints to the acts of writing that the participants were to perform. Gerald Siegmund described the scene as follows:

> The task the dancers have to perform together with the audience is to bring those thin and barely visible lines into existence. Pieces of charcoal and ropes may be used to spell out the letters. But nobody is allowed to do it directly. A set of rules stipulates that contact with the paper can only be indirect. The coal is thrown at the tables to mark the letters with dots. It is tied to a rope held by two people across the table and […] bounced up and down. Dancers stand with their backs to the tables, while the tables are moved […] as if they were the writing instrument.[9]

Here is how the project is described on the website of William Forsythe:

> In 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. Over 50 years later, in a joint project with Professor Kendall Thomas, The Forsythe Company focuses on the act of inscribing basic rules for both the individual and society. 'Human Writes' is a performative installation that reflects the history of human rights and the continuing obstacles to their full implementation.[10]

[8] Articles 19 (Right to Freedom of Opinion and Expression), 22 (Right to Social Security) and 26 (Right to Education) for the Zurich version. Other articles were included, based on the personal choice of participating dancers.

[9] Siegmund 2011, 33.

[10] William Forsythe, 'Human Writes' <https://www.williamforsythe.com/installations.html?&no_cache= 1&detail=1&uid=16> (accessed on 18 April 2024).

As a writing project, *Human Writes* produces written artefacts above all. These highly idiosyncratic artefacts, striking the note of impossibility, failure and futility in their embodied realisation, testify first and foremost to the material arduousness of both writing and justice. 'Human Rights is dirty work' commented Kendall Thomas in a talk[11]. Many press reviews as well as scholarly accounts also insist on this dirtiness and the fact that at the end of the performance, dancers and audience alike are sullied by traces of charcoal, graphite, and exhaustion.[12]

The written artefacts thus generated during the performance, and as one of the performance's main topics, were subsequently detached from the enactment and its immediate liveness, to become art objects circulating on their own behalf,[13] both in the museum and on the art market. As Thomas recounted in the above-quoted interview, after each performance William Forsythe would select a small number of manuscripts that to him seemed of an aesthetic quality, and would keep them (see Fig. 5).[14] Under the title *Human Writes Drawings* they have since turned into a museal exhibition without any live performative elements.[15]

4. Concepting, Scripting, Originating

The labour and arduousness of writing are inscribed and fixed, imprinted in the artefacts whose value is inferred from their artistic context, namely the performance reality. However, in contrast to Schneemann, whose celebrity as an author reverberates as it were directly from the installation version of *Up to and Including Her Limits*, the material originators of the *Human Writes* objects are generally not mentioned by name. They are documented as participants in the respective performances, but in the version that circulates in the museum, authorship – and thus origination – is often granted solely to William Forsythe. Thus, the Museum Folkwang in Essen, Germany, stated in a press release in 2019:

> Mit den 'Human Writes Drawings' gelingt es Forsythe, seine choreografische Auseinandersetzung mit den Menschenrechten in das Genre Zeichnung zu übertragen. Eine Auswahl dieser großformatigen Papierarbeiten wird im Frühsommer in der neuen Sammlungspräsentation zu sehen sein.[16]
>
> With the 'Human Rights Drawings' Forsythe succeeds in translating his choreographic investigation of human rights in the genre of drawing. A selection of these large-format works on paper will be on display in the new collection presentation from early summer. (Own translation)

Strikingly, in this press release not only are the dancers, as scribes of the exhibited objects, totally eclipsed and replaced by William Forsythe as the originator, but even Kendall Thomas, co-author of the entire project, is completely overlooked. Even though, on the artist's own website, credit for the museum version is given both to Forsythe and to Thomas, as well as to 'the dancers' (omitting, though, the audience participants),[17] we can nevertheless claim that the dancers in particular have become the anonymous scribes of the originals conceived of by the authorial initiator. This cleavage between, on the one hand the actual (corporeal, embodied, manual) materialisation and, on the other the intellectual, spiritual or mental conception, is clearly an issue in *Human Writes*.

This sheds light on the question of authorship and the role a choreographer, as opposed to a performer, continues to have in the early twenty-first century. It is an issue that curator Claire Bishop labelled 'delegated performance'.[18] Her essay, with the same title, examines the practice employed by well-known performance artists such as Marina Abramović to deliver their performance work in iterations realised not by themselves but by (more often than not poorly paid) performers who receive little or no credit at all, even though their labour is sometimes quite heavy and arduous.

It is important to note, though, that the eclipse of both the performers and the co-author by the disseminating institutions

[11] Thomas and Franko 2010, 7.

[12] Huschka 2010 and Siegmund 2012 and 2011. In the accompanying publication to an exhibition held in 2018 at the Boston Institute for Contemporary Art, the entry for *Human Writes* was: 'Performance, oilstick, graphite, and charcoal on paper', Neri and Respini 2018, 85.

[13] It is, however, one of William Forsythe's artistic concerns to uncouple the notion of choreography and embodiment. He asks: '[I]s it possible for choreography to generate autonomous expressions of its principles, a choreographic object, without the body?', Forsythe 2011, 90.

[14] Thomas 2010, 9.

[15] See, e.g., Museum Folkwang, Essen, 2019, <https://www.museum-folkwang.de/de/ausstellung/william-forsythe-2019-im-museum-folkwang> (accessed on 18 April 2024). As Kendall Thomas pointed out, revenues from the sale of these works were donated to human rights associations, Thomas 2010, 9.

[16] Museum Folkwang (ed.), 'Der Mensch im Mittelpunkt – William Forsythe realisiert vier Arbeiten im Museum Folkwang', 5 February 2019, <https://www.essen.de/meldungen/pressemeldung_1286294.de.html> (accessed on 18 April 2024).

[17] The credit is: 'William Forsythe and The Forsythe Company Ensemble / Human Writes – Performance installation by William Forsythe and Kendall Thomas / Courtesy of the artist'.

[18] Bishop 2012.

is in contrast to Forsythe's own stance, as he has always been keen on collaborative work structures and has in the past often called his choreographies 'collaborations' between himself and the members of his company.[19] However, the authenticating entity, in this case the art market, turns these collectively produced artefacts into originals by attributing them with single and totalising authorship for the sake of commercialisation.

5. Conclusion

In the examples presented, we can argue whether it is actually writing that we see, or rather some embodied practice that resembles scripting by way of gestural and material analogies (writing support, writing instrument, human movement, use of letters and signs). Yet the issue is not so much about written content as about the physical act of handling a writing utensil, of leaving traces on prepared surfaces, and thus of testifying to the artistic set-up from which the artefacts emerged. What comes to the fore, then, is the role of the individuals executing the writing and drawing gestures, along with the role of the author, indeed the originator of the entire project, and, last but not least, the authentication procedures that give the artefacts produced a specific value, symbolic status, and commercial as well as aesthetic visibility.

Artefacts produced in performance and as part of performance testify to the ambiguous and often blurred role 'the originator' has in contemporary artistic practices involving gestures of writing, as the one who realises a written artefact, or as the one who injects it with 'originality' in larger systems of dissemination.

Acknowledgements

The research for this paper was funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) as part of Germany's Excellence Strategy – EXC 2176 'Understanding Written Artefacts: Material, Interaction and Transmission in Manuscript Cultures', project no. 390893796. The research was conducted within the scope of the Centre for the Study of Manuscript Cultures (CSMC) at Universität Hamburg.

[19] 'Forsythe has sought to break down the traditional hierarchy between choreographer and dancer. Programme notes [...] have credited the choreography to the dancers and himself. He has often referred to the Ballett Frankfurt as choreographic ensemble.', Spier 2011b, 102.

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Fig. 4: Photography by Dominik Mentzos.

Fig. 5: © William Forsythe <https://www.williamforsythe.com/installations.html?&detail=1&uid=17> (accessed on 18 April 2024); Photography by Alain Roux.

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INDEX OF WRITTEN ARTEFACTS

The index includes all written artefacts discussed in this book, such as archival documents and manuscripts, cast bronze baptismal fonts and drawings made as part of a performance. All written artefacts are listed under the city name of the present holding institution, followed by the name of the institution (in the original language) and the collection (if any). Written artefacts with a common or established name used in the book are also listed accordingly (e.g. Godescalc Gospel Lectionary, *Heike nôkyô* and *Human Writes Drawings*). Manuscripts that are referred to with RISM sigla in this book are equally listed under these sigla, as are other manuscript referred to with common abbreviations. Page numbers with an asterisk refer to illustrations.

ISSN 1867–9617

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