

Aristocratic land ownership. Land ownership between the centre and the hinterland as represented in the language of notarial deeds

by Anna Rapetti

The system of land ownership between the ninth and tenth centuries was significantly influenced by a series of environmental and cultural factors mediated by the customs of those notaries tasked with certifying and registering property deeds. The language used in notarial deeds to describe real estate in the areas of Venice and Milan will be analysed here in order to reconstruct the forms that the organisation of landed property took, together with the agrarian landscape of the time, and to ascertain what resources were actually available and utilised during that historical period. In doing so, evidence will be offered of the many similarities between properties, deriving from the notaries' ability to define land organisation in a similar manner through their use of a standardised language of property ownership.

Middle Ages; ninth-tenth centuries; Milan; Venice; land ownership; notarial language; landed property organisation.

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Abbreviations

- ChLA², LIX = *Chartae Latinae Antiquiores. Facsimile-edition of the Latin Charters*, 2nd series, ed. G. Cavallo, G. Nicolaj, part LIX, Italy XXXI, Verona 1, publ. F. Santoni, Dietikon-Zürich 2001.
- ChLA², LX = *Chartae Latinae Antiquiores. Facsimile-edition of the Latin Charters*, 2nd series, ed. G. Cavallo, G. Nicolaj, part LX, Italy XXXII, Verona 2, publ. F. Santoni, Dietikon-Zürich 2002.
- ChLA², XCIV = *Chartae Latinae Antiquiores. Facsimile-edition of the Latin Charters*, 2nd series, ed. G. Cavallo, G. Nicolaj, part XCIV, Italy LXVI, Milano 1, publ. M. Modesti, Dietikon-Zürich 2015.
- ChLA², XCV = *Chartae Latinae Antiquiores. Facsimile-edition of the Latin Charters*, 2nd series, ed. G. Cavallo, G. Nicolaj, part XCV, Italy LXVII, Milano 2, publ. A. Zuffrano, Dietikon-Zürich 2016.
- MGH, DD Lo I / Lo II = *Die Urkunden Lothars I. und Lothars II.*, ed. T. Schieffer, Berlin-Zürich 1966, pp. 1-365 (MGH, Diplomata Karolinorum, 3).
- MGH, DD Lu II = *Die Urkunden Ludwigs II.*, ed. K. Wanner, München 1994 (MGH, Diplomata Karolinorum, 4).

1. Recording land and property

On the 3rd of March 856, Pietro II, the abbot of the monastery of Saint Ambrose in Milan, took possession of a number of properties donated to the abbey by Gunzo, the archdeacon of the Milanese church. The properties, consisting of three peasant farms (*casae*) run by three different men, and four plots of land (*camporas*), all situated in the village (*in vico*) and on the associated farmland (*in vico et fundo*) of a location south of Milan called Gnignano, were situated some twenty kilometres from the monastery. The description given of the property in question is rather sketchy. However, the taking of possession – the *vestitura* – took the form of a series of symbolic and ritual, but also extremely concrete, gestures. The new owner went from one room to another of the houses, touched the columns and walls of said rooms, and raised a few roof tiles before replacing them. Finally, the abbot and his men went to the fields and had them ploughed, the document states – evidently just a few furrows were ploughed¹. These a few lines which, while not offering any real description of the properties in question, nevertheless underscored the importance of describing the actual moment in which possession of the properties was publicly and lawfully transferred from one owner to another². The document was the manifestation of the new owner's rights as

¹ «Introivit in casa et curte illa, quas laborat Teoderissius, et compreinsit, iusta cartula, vestitura per furca de cassina (...). Deinde ambolaverunt ad casa illa, quas lavorat Petornace (...). Insuper eciam nominative ambulaverunt super camporas illas in dicto vico, uno qui nominatur ad Albaro, alio ad Runcore, tertio ibique ad Runcore, quarto ad Aquamaria; et exinde, ut supra, vestitura compreinsit et inde vestitus fuit, et eciam fecit ibi arare et in suprascriptas casas discopersit et copersit»: ChLA², XCV, n. 9, pp. 41-45 (856 III 3). With regard to this and other *memoratoria* documents to be found in the same archives, see Ansani, *Pratiche documentarie*, pp. 101-102.

² With regard to the symbolic value of harvesting the land in relation to ownership of that land, see Wickham, *Legge, pratiche*, pp. 447 sgg.

claimed before the men of the village of Gnignano; and this ownership claim was in fact based on the tangible nature of the fields, houses and other property concerned.

My analysis starts from the belief that the way of organising landed property in the ninth and tenth centuries depended on a series of cultural and environmental factors, part of which were mediated by the culture of those notaries who drew up and registered property deeds; and this question is even more interesting if one considers that possession also lay at the basis of political and social power, as we all know. I am interested in studying the material characteristics, and more broadly speaking the environmental aspects, of land ownership, by considering it to be a natural phenomenon as well as a series of practices, economic decisions and forms of allocation of the associated resources, which are essentially of a cultural nature and thus liable to change from one place to another and over the course of time. Through an analysis of the language used by notaries to describe the properties exchanging hands, it is possible to reconstruct the actual ways in which landed property was organised, together with the agricultural landscape of certain areas of the country, and to establish which resources were actually available and utilised at the time. By applying this comparative analytical approach to a small number of Venetian and Milanese documents, I am going to analyse the similarities, in terms of their form and composition, between real-estate assets situated in the Venetian lagoon area and in the Po Plain, and show that these similarities were not at all random, but rather the result of the capacity of the notaries of the time to establish, for their clients' benefit, forms of real estate that were basically similar, through their use of a substantially standardised language of land ownership. The notaries in question, in their descriptions of the properties they were dealing with, did not simply depict the reality but rather they created and moulded it. In the Milan and Venice areas furthermore, they created such real estate in a rather similar fashion, and in doing so established a common semantics of spatial recognition.

The documents I used – concerning both the Venice area and the Milan hinterland – in the main come from the monasteries in those areas, and are thus of a fairly similar nature. These two areas of Northern Italy, however, differ substantially in terms of the numbers of property deeds available: those documents suitable for the type of analysis I intend to conduct are fewer than ten in number in the case of Venice, whereas the Milan area documents are considerably more numerous³. This notwithstanding, the comparison of two

³ In order to mitigate this numerical imbalance, I extended the timescale to include the early tenth century, thus going well beyond the limits of Lothar's reign, and made a selection, on a geographical basis, from the otherwise excessive number of property deeds from the Milan area. These latter documents, the great majority of which come from the archives of the monastery of Saint Ambrose in Milan, have recently been the subject of Balzaretti's extensive study entitled *The land of Saint Ambrose*. This fact renders them particularly valuable also from my viewpoint. As regards the Venetian documents I have chosen to analyse, their most recent edition is to be found in *Documenti veneziani*, < <http://saame.it/fonte/documenti-veneziani/> >.

very different areas is pertinent by virtue of the chronological coincidence of the phenomena under examination, of the relatively homogeneous character of the geographical areas in question, and of both areas' abundance of water which required constant monitoring and control⁴. Lastly, it is also pertinent, by virtue of the fact that, not only did many landowners in Ducal Venice between the ninth and tenth centuries generate the majority of their wealth from the neighbouring countryside, but also that this presence of landed property meant that they were firmly established among the network of political relationships of the Kingdom, meaning that they shared other interests, as well as those of property ownership⁵. This network formed a homogeneous environment also in terms of that particular aspect I am concerned with here, as I shall try to show.

In both geographical areas, possessing land “as aristocrats” was probably not very different from possessing land “as wealthy people”: not all of the individuals who appear in the documents I have analysed may be classified as “aristocrats” as such⁶; however, given the correlation between landed wealth and socio-political prestige, they nevertheless all belonged to the governing classes of those societies they were part of, that is, they were all members of the groups shaping the political and economic landscape of the time. The monastic institutions, which are key to my research, were also part and parcel of that same world. Thus it would seem appropriate to consider landed property and the manner of organising it also as a means of socio-political consolidation and growth, or indeed decline. Land played an integral role in the shaping of the aristocracy and the socio-political elites of the ninth and tenth centuries.

A fundamental aspect of this research is the vocabulary used in the aforementioned documents: terms such as *curtis*, *sors*, *res territorie* and *casa massaricia*, not only represented, but largely created (in the strict sense of the word) structures and administrative forms, and guided a series of real economic, environmental and political processes. The vocabulary of land ownership tends not to include generic terms or formulas, particularly when it refers to effectively available natural resources such as river water⁷. On the

⁴ For an example of the application of the comparative method to the history of the landscape, see Curtis, Campopiano, *Medieval land reclamation*.

⁵ These interests became of such significance that they were to persist for centuries. For example, the monastery of Sant'Ilario continued to purchase property on the Venetian mainland up until the 14th century, when the monastic community had in fact already moved to the city of Venice: see Bolzonella, *Oltre i confini del dogado*, pp. 164-167.

⁶ Albertoni, Fauliri, Sernagiotto, *Introduction*, in this same volume.

⁷ On the question of the importance to be attributed to these lists of appurtenances, scholars tend to disagree: there are those who interpret them in literal terms, including Squatriti in *Water and society*, p. 85, according to whom the specification *cum usibus aquarum* is anything but a standard expression, since no other explanation could be found for its appearance and subsequent diffusion than that of a genuine, widespread interest in owning land that could in fact be irrigated. Also according to Schweinekörper, *Cum aquis aquarumque decursibus* (p. 24), the expressions used to describe appurtenances contained concrete elements that are not only

contrary, the different forms of possession are based on, and reflected in, the descriptive practice adopted by the notaries of the time, who must have been fully aware of the structuring impact of the words they chose to use. Of course, we must not forget that the methods adopted in landed property transactions to describe and identify the location of such landed properties, were the result of a dialectic between local customs and notarial practices on the one hand, and the perception of the organisation of space on the other. However, it was the very dynamic, polyvalent nature of such descriptive methods that proved to be particularly fruitful. In fact, the enumeration of everything that could be found on a plot of land – though not necessarily present at the time of the transaction – was adapted to the observable reality, and moulded to fit the existing or developing landscape. The notary described, with the aid of a specific formulary, potential reality⁸: this explains the creative role of the notary's language, since the said formulary was one of the instruments by means of which reality was represented⁹. This very same notarial vocabulary became an economic language shared by different geographical areas, and as such it facilitated business between land owners, regardless of their inevitable, and at times significant, differences.

While land constituted the basis of power, the quantity of land owned was not the only thing that counted. Indeed, the manner in which land was possessed could determine the fortunes or the political demise of institutions, families and individuals: between the ninth and eleventh centuries, it became increasingly clear that the political standing of competing aristocratic families was not only a question of the quantity of land they possessed, but also of the distribution and the consistency of the assets they controlled. In fact, «being wealthy did not necessarily equate with being politically powerful, since it was necessary to be rich in a stable manner within a given, not excessively scattered, political – and I may add, also geographical – space»¹⁰. From this viewpoint, establishing the shape, boundaries, structure and hierarchical ranking of the lands possessed, through their description and localisation, and more specifically by means of the terms used by the notaries registering the property deeds, was not only economically important, but it also had political significance in that it could serve to establish the foundations of a centre of local power. In other words, this was the clearest outcome of the perception, the construction and the representation that those groups and powers could produce of their own economic and political sphere of action. The landowners' expansionary ambitions could thus be reflected

of interest from a history of law perspective, but also in terms of the social and economic history of those areas.

⁸ As Feller, *Décrire la terre*, p. 491 points out: «Le notaire décrit, à l'aide du formulaire, une réalité potentielle».

⁹ *Ibidem*, p. 492: «Le formulaire simplifie le réel mais il permet encore d'y accéder, parce qu'il est l'un des actes par lesquels se construit sa représentation».

¹⁰ Provero, *Gli spazi politici*, p. 244.

in the organisation of property, which was «the first means of establishing a relational network» and testified «directly and faithfully to the political horizons» of the landowners¹¹. In the ninth and tenth centuries, recording and describing land equated with the more complex purpose of declaring a right held or aspired to: it could certainly not be considered a value-free, insignificant act. Unsurprisingly, disputes over ownership were also based on the rituality of specific gestures that became legally binding through the expressive significance of notarial deeds. Within the context of a dispute between the monastery and a landowner from Cologno, the Abbot Pietro and the lawyer Giordano together declared, in January 865, that the man in question «contra lege et malo ordine introivit in res nostras in eodem loco et fundo Colonia, iusta fluvio Lambri, et inibi arbores monasterii nostri iniuste taliavit et terra nostri monasterii aravit, et inde nos desvestivit»¹². The fact that someone had chopped down trees and ploughed the soil was enough to bring into question the legitimacy of the rights of ownership of that land, and to lead to the perpetrator of such actions being brought before the judge. In this context, what appears to emerge is the increasingly close correlation between the capacity to describe the land and to indicate tangible signs of its occupation, which were deemed as characterising that land, and the rights to use that same land. A person could not claim possession of a piece of land if incapable of indicating it in the field using a specific language designed for such a purpose.

The use of the same descriptive terms and expressions thus enables us to postulate that the landed properties at the time were shaped in rather similar ways, and took on forms that conformed to models of a basically comparable nature. Between the centre and the periphery, between Milan, the mainland and Venice, a standardised, largely shared stock of terms characterised the organisation and management of landed property in a similar manner in the ninth and tenth centuries.

2. *Landowners in the Venetian Lagoon and the Po Plain*

It should come as no surprise to find that the relationship between the Venetians and the inhabitants of the *Regnum* began from when the city was founded at the beginning of the ninth century¹³, and that the first Venetian landowners acquired their properties within the political and economic boundaries of the *Regnum*. They included, for example, the female monastery of San Zaccaria, owner of lands in the areas around Padua and

¹¹ *Ibidem*, p. 243.

¹² ChLA², XCIV, n. 29, pp. 115-121 (865 I, Milan).

¹³ Various recent studies have revealed the close-knit network linking Venice, the *regnum* and the Adriatic area. Such studies include: *Three empires*, ed. West-Harling; *The age of affirmation*, ed. Gasparri, Gelichi; West-Harling, *Rome, Ravenna and Venice*.

Verona¹⁴. This land ownership strategy was consolidated during the course of the ninth century by a series of agreements between the Carolingian rulers and the Venetians, that also provided for a form of imperial protection of those properties situated on the mainland¹⁵. Others chose to settle in that area of uncertain confines to be found on the edge of the Venetian lagoon. The first to do so was the monastery of Sant'Ilario¹⁶, which received lands in the peri-lagoon area, a belt of freshwater wetlands separating the mainland to the south-west from the lagoon itself¹⁷. Another was the monastery of Santo Stefano in Altino, which boasted an agricultural organisation similar to that of the manorial systems prevalent in the neighbouring mainland regions influenced by the Franks¹⁸. The properties located in these borderlands are nearly always framed by that lexical-descriptive system covering the broadest range of agricultural units, starting with the commonest terms adopted, namely *res territorie*, *res*, *case massaricie* and *sortes*. Those Venetians possessing property on the mainland, whether in the immediate area next to the lagoon or further away from the coast, quickly mastered the terminology of land ownership used in those borderlands and trading regions. This terminology was comprehensible to those with whom they wished to stipulate property deals, namely the landowners on the mainland. Theirs was a shared vocabulary, a common language, that utilised the same forms and clauses employed to describe the landed properties situated within the *Regnum*, and this ended up giving Venetian land ownership in the ninth and tenth centuries a similar administrative form and structure to that found on the mainland.

In 839, the Emperor Lothar made a gift to the abbey of Sant'Ilario of the *curticella* of *Pladanum*, together with its appurtenances as fully listed, and «cum suis circumdatis lateribus»¹⁹. The places mentioned in the deed, although no longer existing, were located in that peri-lagoon belt (“gronda

¹⁴ In regard to the female monastery of San Zaccaria, founded in the early ninth century, see Rapetti, *Uscire dal chiostro*. A number of recent studies are collected in the work «*In centro et oculis urbis nostre*», to which reference should be made also for the limited earlier bibliography. Of these studies, the work by Modzelewski entitled *Le vicende della «pars dominica»* offers an important account of the history of the convent's ownership of landed property.

¹⁵ Gasparri, *The government*, pp. 89-91.

¹⁶ In the year 819, the monastic community left its original home on the island of San Servolo, and thanks to a generous donation from the duke Agnellus Particiacus, it settled in an area near present-day Mira, on the edge of the lagoon: see Rapetti, *Il doge e i suoi monaci*; Corrò, Moine, Primon, *Setting the scene*.

¹⁷ Moine, Corrò, Primon, *Paesaggi artificiali*, p. 59.

¹⁸ The most recent edition is to be found at < <https://saame.it/fonte/documenti-veneziani-venezia-7/> >.

¹⁹ The list includes «capella in honore Sancti Petri constructa et decimis ad se pertinentibus, et massariis vel terris seu vineis atque silvis, pratis, pascuis, campis acervis, fluminibus, rivis molendinis, portubus, ripatibus, negotiis, tholoneis, cum omnibus quoque ad ipsum dictum portum vel curticellam pertinentibus, cum suis circumdatis lateribus». It should be noted that the *circumdatis latera*, that is, the confines of the property, are constituted by a similar number of water courses, as specified in the subsequent lines: see MGH, DD Lo I / Lo II, n. 1, pp. 119-122 (839 V 9, Pavia).

lagunare”) of land situated between the city of Venice and the *Regnum*, where Sant’Ilario’s estate was first extended. The document in question appears rather suspect, however, and is perhaps a forgery produced in the early fourteenth century during a dispute between the monastery and the Venice Comune, when the latter challenged the monastery’s ownership of that area. The monks responded by claiming that they had enjoyed possession of the land, unchallenged (in their view), for many years²⁰. Even though the document is devoid of evidentiary worth, and was perhaps not even produced during the hearing, it is nevertheless interesting to note that, in fourteenth century Venice, a ninth century Venetian estate was described in those terms, using the descriptive model characteristic of the ancient estates to be found on the mainland; a model deemed sufficiently plausible as to be submitted to the court. The boundaries system used in this deed is that of the centralised structure type: the settlement, known as the *curticella*, represented the centre, and would define the limits of the surrounding area. The *circumdata latera* were the physical boundaries of that area, but they were not precisely identified on the ground. This made it possible to avoid what was probably the difficult enumeration of the plots of land within the property complex described in the formula: this enumeration could have been counterproductive in a legal dispute. Instead, the focus was placed on the «centralising power» assigned by local customs to certain material elements²¹; in this particular case, the small *curtis* and the chapel.

The geomorphological characteristics and hydrography of the two geographical areas in question played a significant part in the processes shaping land ownership within those areas. A line of springs running from west to east divides the Po Plain into two different pedological areas: the first area, lying to the north of that line, consists mainly of highly-permeable soils, and is characterised by an ancient, rather close-knit series of settlements; while the second area, to the south of the line, is one of rather impermeable sub-soil strata, where the presence of landed properties remained rather scant until well into the twelfth century. At present, as in the ninth century, the centre and hinterland of Milan straddle this spring line²². Both the Venetians and the Milanese enjoyed a close, at times turbulent, relationship with the numerous watercourses, springs and, in the case of Venice, also the salty waters of the lagoon, which formed an integral part of the productive environment and a fundamental resource for the inhabitants of that area. The importance of this vital resource, both in itself and as a source of gainful employed by

²⁰ Sopracasa, *Sui falsi del monastero*, pp. 129-131; in the author’s view, the local area references and place names themselves, traceable to the twelfth century at the very earliest, appear to suggest that the document in question is a forgery. See also Moine, Corrà, Primon, *Paesaggi artificiali*, pp. 62-64.

²¹ See Lagazzi, *Segni sulla terra*, pp. 22-23.

²² In regard to these aspects, see Rapetti, *La terra degli uomini*, pp. 27-28. For any analysis of the hydrological structure of the Venice area, see Corrà, Moine, Primon, *Paesaggi artificiali a Venezia*.

the local population for other purposes, is clear from the somewhat troubled hydrographic developments in the Venetian area immediately outside the city, which are, however, not easily reconstructed. The instability of Venice's watercourses had a negative impact on the consolidation of the names of small places (microtoponyms) and points of reference, and resulted in constant, at times substantial, conflict owing to the difficulty of establishing boundaries once and for all. In that situation, several large landowners in the Venice area also utilised and organised the saltwater wetlands, which still dotted the peri-lagoon belt, using methods developed over the course of centuries, to fish, gather aquatic plants and "cultivate salt"²³.

Between 803 and 875, the Milanese monastery of Saint Ambrose extended its own landholdings, both in the plains surrounding the city and in the area towards the mountains. At this point, I would like to examine the documents available concerning certain villages²⁴ situated in Milan's hinterland²⁵, where there is clear evidence of the ancient presence of ecclesiastic landowners from Milan and of lay landowners who, on the contrary, were not inhabitants of the city. Their presence both above and below the spring line enables us to make a reasonable comparison with those areas possessing the same pedological characteristics, where in the ninth and tenth centuries Venetians acquired both land and water, as we shall see.

The documents from the monastery of Saint Ambrose classify the villages in question as *locus et fundus*, *vicus*, *vicus et fundus*, terms that are also used alternatively for the same places, without there appearing to be any significant difference between the terms. Carpiano is classified as a *vicus*, Gnignano – nowadays a district of Carpiano – is referred to as a *locus et fundus* and also as a *vicus*; Cologno Monzese is a *vicus et fundus*²⁶. These terms indicated actual villages, that is, stable settlements generally of a compact nature, surrounded by a clearly delineated area, with their various appurtenances, a detailed network of small places, public and local roads, and fairly stable borders. The localisation of properties within this organisational framework followed dissimilar criteria; houses were named after

²³ Minotto, *Lavorare l'acqua e la terra*; Minotto, *Raccontare, disegnare, incidere*; Squatriti, *Water and society*, p. 74.

²⁴ These villages are: Cologno Monzese, situated on the high plain, and Gnignano and Carpiano in the lowlands. For a classical study of the holdings of Saint Ambrose in Cologno see Rossetti, *Società e istituzioni*. Also see the important work by Balzaretti, *The Lands of Saint Ambrose*.

²⁵ Balzaretti, *The Lands of Saint Ambrose*, p. 482, with regard to the analysis by Horden and Purcell, in their work *The corrupting sea*, concerning the concept of *dispersed hinterland*, argues that the same analytical categories may be applied to the Milanese case: «so should hinterland be thought of as a complex set of short distances and definite places». This clearly shows the need to reconsider the historians' belief that those areas, sometimes a considerable distance away, were totally dependent on the city for their requirements, through long-distance trading with that city.

²⁶ For example *in vico Carpiano*: ChLA², XCIV, n. 8, pp. 38-41 (812 IV, Carpiano); for Gnignano, *in loco et fundo Noniano*: ChLA², XCIV, n. 13, pp. 58-60 (824 I 21, Pavia), but also *in vico Villa Noniano*, ChLA², XCIV, n. 16, pp. 68-70 (832 VI, Milan); for Cologno Monzese *vicus et fundus*: ChLA², XCV, n. 21, pp. 82-84 (862 III 2, Saint Ambrose Monastery, Milan).

the tenants²⁷, whereas fields were identified by the boundaries created by microtoponyms, in an area that was evidently already fairly well structured in the ninth century.

3. *A developing agrarian landscape*

In the Venetian documents, there appears to be a less pressing need to identify the exact location of those landed properties being passed down through the generations, even though such a need existed nevertheless. Obviously the different «historical system of documentation» characteristic of early medieval Italy²⁸, counted in this regard, but so did the specific features of a clearly less dense, more fluid network of settlements, that was definitely not as well-established as that of the area around the city of Milan at that time. The large estate donated by the Doge Agnello Particiaco to the abbey of Sant'Ilario in the year 819, as confirmed by the Doge's son Giustiniano ten years later²⁹, was delimited precisely by the rivers and streams surrounding it, which constituted its boundaries³⁰. Very little was written about what was actually contained within those boundaries, which were soon to become extremely unstable, as the monks were to discover in the centuries thereafter. The reason for this was that the watercourses developed in an irregular fashion, often wandering from their existing paths or turning into marshes. This does not mean, however, that the area in question was totally devoid of administrative organisation. In 819, the founding nucleus resulted as centring on a religious building – a chapel «in honore Beati Yllarii Confessoris Christi

²⁷ As shown, for example, in the document dated 856 mentioned in note 1: ChLA², XCV, n. 9, pp. 41-45 (856 III 3). Lagazzi, *Segni sulla terra*, p. 25, called these place names «boundary marks of a centralised character, centres from which a specific, legally recognised boundary radiates».

²⁸ On the nature of the Venetian documents, see Santoni, *Il documento privato*, pp. 79-83.

²⁹ A digital version of both documents is available at: < <https://saame.it/fonte/documenti-veneziani-veneziana-2/> > e < <https://saame.it/fonte/documenti-veneziani-veneziana-4/> >. The evidence from the year 829 is briefly analysed by Santoni in *Il documento privato*, p. 79, which identifies the distinctive feature of Venetian documents from the Carolingian period as being the use of the Ancient Roman *breviarium*, «which lists the *res* included in the conspicuous donation to the monastery and that closely recalls the model adopted in late antiquity»: «a list of corresponding items», represented here by the list of plots of land.

³⁰ «Concessa igitur predicta capella Beati Yllarii Confessoris Christi cum suis territoriis, finibus ac terminibus, cum omnibus appendenciis vel adiacentiis suis, quod est super totum circumdatis lateribus. Id est a flumine qui dicitur Clarino percurrente usque in canale qui dicitur Gambararia et inde in fossa qui dicitur Ruga ac deinde in canale de Luva percurrente in Seuco et usque in palutibus aquis salsis. Similiter a predicto flumine Clarino descendente a locum ubi dicitur Aurilia et Finalibus descendente per canale qui dicitur Avisia perexiente in supradicto flumine Hune ac deinde percurrente usque in pallutibus similiter tribus millibus aquis salsis»: see < <https://saame.it/fonte/documenti-veneziani-veneziana-4/> >. The 1,200 libra of business investment and the 120 libra of silver granted by Giustiniano to the monasteries of San Zaccaria and Sant'Ilario, according to Horden and Purcell (in *The corrupting sea*, p. 167) represent the first clear sign of the wealth that Venice had already accumulated by the beginning of the ninth century thanks to its trading of grain, salt and slaves in exchange for products from the Orient.

super flumine qui dicitur Une (...) cum suis territoriis, finibus ac terminibus, cum omnibus appendenciis vel adiacentiis suis, quod est super totum circumdatis lateribus»³¹. Ten years later, alongside the chapel «cum suis territoriis», another well-organised arrangement was donated to the monastery, consisting of fifteen *massarici*, some of which were clearly located adjacent to one another. These agricultural nuclei, each of which was classified as a «locus cum suis terminibus», were situated in seven separate places, each with its own name. This source also provides further invaluable information concerning the fifteen *massarici cum suis terminibus*, which were in turn encircled by a series of watercourses constituting the borders of the property as a whole: «Hec prenominitis locis cum suis terminibus hac circunda in lateribus, hoc est (...) ab uno laterio qui dicitur Cleusca, alio latere pluvega qui dicitur Mamoniga, tercio latere pluvega qui dicitur Tarvisiana, quarto latere Plank percorente»³².

Thus the property as such was of a compact form, carefully located in an area part of which at least was at the time sparsely populated and devoid of any human settlement or significant landholding; a property circumscribed by a series of carefully listed rivers which, while following a rather moving course, nevertheless had become an integral part of the local area to the extent that the names of rivers together with certain place names containing a reference to water, are still identifiable today (Caltana, Stornapietra, the Pionca and Volpino rivers). The use of natural features to delimit land in a fairly accurate manner would seem to point to a desire to rationalise the natural environment, and this reflects a desire to order natural spaces and their respective utilisation in a hierarchical manner. Giving names to borders was already, in itself, a way of lending a clear form and hierarchical function to the space within those borders; and this internal organisation was given by the small agricultural units, called *massaricia*³³ here as well, just like in the Milan area. Agrarian language was not being used here in an undefined or generic manner, since the *massaricia* form of agricultural organisation was not the only one present in the Venice area. In a document dating from that same 829, registered in Treviso and concerning a small group of properties – a *sors* (a plot of land) situated in the Treviso area very close to the lands of Sant’Ilario – the underlying principle of the space granted to the tenant (a certain Mengolo) was in keeping with the farming practices adopted in the neighbouring area, as the wording of the document suggests³⁴.

³¹ < <https://saame.it/fonte/documenti-veneziani-venezia-2/> >.

³² < <https://saame.it/fonte/documenti-veneziani-venezia-4/> >.

³³ See Lagazzi, *Segni sulla terra*, pp. 20-21.

³⁴ The land rented to the tenant farmers is described as follows: «idest sorte et cespito uno in suprscipto vigo Tercio qui pertinet ad casa beato Sancto Martino (...) cum arialeis, curtis, urtis, vineis, teris aratoriciis, pratis, selvis, pascois et palutibus». The tenant farmer received a «potestatem laborandi et inibi casa edificandi et eam ad colto tenendi et ipsas vites bene colendi et cultificandi sicut aliorum qui in circoito bene colida sunt»; see ChLA², LIX, n. 6, pp. 37-39

The ninth and tenth century Venetian sources, like their Milanese equivalents, often employed the expression *case massaricie* to indicate a specific form of agrarian organization. There is evidence of this in the aforementioned document from the year 829, which mentions specific farm undertakings, each organised around the dwelling that also served as the focal point for the management of the farm itself, that is, of the plots of land spread over the farming area. No specific mention is made of either the location or size of these plots, or of the *massarici* as a whole, probably because they were easily identifiable in what was perhaps a recently developed farming area. In fact, the tone of the document would seem to suggest the existence of farming settlements resulting from a general, organised operation involving the cultivation of that area. Without a doubt, the listing of the various categories of farmland pertaining to each of the *massarici* (vegetable gardens, vineyards, arable land, woodland, pastures etc.) is a good example of the potential reality that the notary, by choosing such terms and expressions rather than others³⁵, helped to bring into existence. They were descriptive formularies, but ones that reflected the reality that the notary saw, or believed could emerge³⁶. Other *case massaricie* can be found in a noted document considered to be Venetian even though registered in Verona, namely the will of the Marquis Milone dating from the year 914³⁷. This donation was the first act of a long, at times complicated, process that led to the monastery of San Zaccaria in Rialto gaining control over the *curtes* of Petriolo and of *Cona*, situated in the Monselice area. These were traditional manorial properties complete with their own fortifications, chapels and oratories, one or two administrative units (*domo-coltili* – that is, those parts of the property managed directly by the owner) and the *pars massaricia*, consisting of *casali cum casis et rebus*. The long list of the settlements' appurtenances is of a summary rather than formulary nature, as is apparent from the specificity of some of the items mentioned, first and foremost the olive groves³⁸. It is interesting to note that in the transfer of the property to a Venetian owner, no significant change is visible in the

(829 VI, Treviso). The monastery of San Teonisto at Casier near Treviso, which owned the land in question, was a donation from Lothar I to the Veronese monastery of San Zeno, as revealed by Louis II's deed of confirmation dated August 853: MGH, DD Lu II, n. 13, p. 88-91 (853 VIII 24, *curte Auriola*).

³⁵ «de rebus proprietatis mee quod habere et ad meis manibus detinere visus sum prope se invicem coherente quod sunt inter totum massaricias quindecim. Primo loco fundo qui dicitur Bursino cum casis, curtis, ortis, vineis, teris, silvis et pascuis ad se pertinentibus prope loco qui dicitur Stornapetra. Secundo loco qui dicitur Cautana cum casis, curtis, ortis, terris, silvis et pascuis ad se pertinentibus. Tercio loco qui vocatur Storpetho, capite firmante in Cautenella cum casis, curtis, ortis, terris, vineis, silvis et pascuis ad se pertinentibus». Note that no mention is made of the *usus aquarum*, which evidently were not part of the appurtenances (< <https://saame.it/fonte/documenti-veneziani-venezia-4/> >).

³⁶ See note 8 above.

³⁷ The latest edition can be found at < <https://saame.it/fonte/documenti-veneziani-venezia-8/> >.

³⁸ The *sedimina* were characterised by «curtes, ortos et viridarios suos, cum olivetas et pomiferas supra se abentis» (< <https://saame.it/fonte/documenti-veneziani-venezia-8/> >).

organisation of this farm³⁹, or of the other important estate situated at Ronco all'Adige⁴⁰.

In the year 954, another major Venetian monastery – Santa Trinità di Brondolo, situated in the parish of Chioggia – received «curtem unam domucultilem (...) in loco et fundo Bagnolo» comprising two chapels, the manor house «et cum casis massariciis et omnibus rebus pertinentibus»⁴¹. The large *curtis*, comprising one hundred *case massaricie* run by *liberi homines*, and a further twenty-five entrusted to *servi casati*, was enclosed within what appears to have been a circle of natural elements such as rivers and streams, marshes, ditches, banks and roads, which together created a complex network of microtoponyms. Actual boundary markers also existed, in the form of wooden blocks, boundary stones, and an old tower (*turris Vetus*) built and probably used to complete and consolidate the property's boundaries⁴².

Of course, there were admittedly certain differences between the two cases, some of a substantial nature. For example, the documents from Saint Ambrose, whilst containing summary lists of *res territorie*, also offered extremely detailed descriptions of the properties in question. In the case of the *case massaricie* (manors) being sold, the name of the tenant was often indicated, and on occasion even the boundaries of the individual plots of land constituting the manors in question. The degree of detail was proportionate to the greater human presence in the countryside around Milan compared to that in the area of Venice⁴³. In fact, in those areas characterised by a high density of

³⁹ Of course, the Petriolo estate experienced exactly the same changes that were to lead to the disappearance of the manorial undertakings. On this question, see Rapetti, *Dalla curtis al dominatus loci*.

⁴⁰ On 10th July 955, Milone, the Count of Verona, gifted Ronco manor and castle to the monastery: ASVe, San Zaccaria, folder 28, n. 2; a recent edition can be found at < <https://saame.it/fonte/documenti-veneziani-venezia-16/> >. With regard to the matter of the Ronco all'Adige lands and the reorganisation process implemented in the late twelfth century, see Rapetti, *Us-cire dal chiostro*.

⁴¹ «Curt[is] que vocatur Bagnolo, cum capella Sancte Marie et Sancti Michaelis Archangeli, cum mansione mea domnicale et cum casis, masariciis et omnibus rebus ad se pertinentibus, cum molendinis, piscationibus et cum venationibus et cum toloneis et cum silvis et paludibus, cum papulo et pasculo, herbatico et glandatico et cum omni utriusque sexus ad easdem cortem pertinentibus, quod sunt masaricias centum de liberis hominibus et viginti quinque de nostris propriis servis»: *Ss.Trinità e S. Michele Arcangelo*, pp. 14-22 (954 January 30, Merlara); the most recent edition can be found at < <https://saame.it/fonte/documenti-veneziani-venezia-15/> >. There are no complete studies of this monastery, the first records of which date back to the eighth century. Nevertheless, see the short work by Naccari, *Un'antica presenza benedettina*, and above all, Bolzonella, *Oltre i confini*, p. 32 regarding the deed of 954.

⁴² Bagnoli di Sopra, in the province of Padua, is situated about thirty kilometres from Chioggia: see < <http://saame.it/fonte/documenti-veneziani-venezia-15/> >, note 3.

⁴³ Naturally the Milanese documents too are characterised by a great many variants, for which a different, additional explanation may be given to the one I am offering. Balzaretto, in *The Lands of Saint Ambrose*, p. 192, appears to link the degree of detail of the descriptions of landed properties to the importance of the contracting parties: with regard to the exchange of a few plots of land in the Carpiano area, in the year 823, stipulated between a local landowner and Ernest, vassus of Lothar I, the author observes that «although the amount of land is small, the names of the owners who bounded it are all recorded».

properties and the considerable fragmentation of land ownership, it was obviously more important to indicate precisely the boundaries and dimensions of the properties being sold. Using this parameter, what emerges is that the Milan area was much more densely populated, and had been populated for longer, than the countryside around Venice. Evidence of this is provided by the density of small places dotting around the Milanese hinterland, and also by the statements given by the owners of properties: for example, in an exchange of property in the area of Cologno Monzese stipulated in 865 between Saint Ambrose and a local landowner, Gaidulfo of Cologno, each of the nine plots exchanged are indicated not only by the position of the property, but also by all boundaries, the sizes of the individual plots and their overall dimensions⁴⁴. In this context, the setting out of the boundaries delimiting the individual plots of land appears to be a means of consolidating the ownership of the land. Through this complicated localisation of the properties in question, the land area was “declared”; and this act was to assume the even more complex significance of a declaration of a right, that is, the right to utilise the resources of the land. I believe that viewing things from this perspective would explain why the boundaries of two small fields situated in Grignano, donated in the year 824 to the goldsmith Arifuso, were described in such a precise manner⁴⁵.

The high number of landowners, the substantial fragmentation of the land, and the growing complexity of the rural landscape, were all reflected in the constant, detailed activity of land re-parcelling, which was specifically designed to mitigate said fragmentation and which resulted in an increasingly close-knit network of social and economic relations between the citizens of the town and country dwellers. Another example is that of the small-scale exchange of property stipulated by a certain Giovanni *qui et vocatur Bavo* of Gninano with Saint Ambrose in December 856, obtaining just two plots of land as a result; one of these two plots, however, was surrounded on three sides by other land that he already owned⁴⁶.

4. *Rivers and other waters between town and country*

Water was of vital importance to landowners: its relative abundance in the countryside around both Milan and Venice, together with the tendency to flood of lands with only a slight slope, such as the ones in question here, called

⁴⁴ ChLA², XCV, n. 31, pp. 12-17 (865 IX-866 IV, Cologno).

⁴⁵ ChLA², XCIV, n. 13, pp. 58-60 (824 I 21, Pavia). To get an idea of the complexity of land ownership in this case, suffice it to say that around the two bell-towers there were a number of vineyards belonging to Arifusus, two or three public roads, a notary's lands, and the lands of two religious establishments.

⁴⁶ ChLA², XCV, n. 11, pp. 49-51 (865 XII 1, Saint Ambrose Monastery, Milan): «ad invicem recepit Iohannes de predicto Petrone abbate (...) duas petzias (...) in suprascripto vico et fundo Iunniano: prima petzia casella et curticella cum pumario et prato seu campo insimul se tenente (...) de tribus partibus Iohanni, da quarta tenente in via publica».

for a genuine system of water management in these areas. The governance of surface waters through the building of canals, enabled the water to be used both for irrigational and milling purposes. It also permitted any potential flooding of land to be kept in check; such flooding was particularly frequent in the Venetian peri-lagoon belt (“gronda”)⁴⁷, although not unknown in the Milan hinterland as well; and last but not least, it provided access to markets by means of river navigation. All of this information clearly emerges from both the Milanese and Venetian documents. The monasteries were constantly searching for access to nearby rivers in order to ensure the irrigation of their farmland, to organise the transport of goods, and to carry out milling operations about which we have little information, but which must have been of key economic importance in virtue of the presence of two towns whose demand for produce was growing.

The Venetian monastery of Sant’Ilario paid constant heed to the numerous rivers that flowed through its land, and that bordered those plots donated to the monastery in 819 and 829⁴⁸. Already by that time there must have been a number of mills located along some of the rivers mentioned in the documents, as can be deduced from the Doge’s granting the monks assurances that their lands would be «quiete et libere ab omni factione publica tam de nostris molenariis quam de piscatoribus sive colonis»⁴⁹; and it is likely that the monks owned their own mills, or were shortly to build a number of them, in order to meet the needs not only of their own community, but above all of the nearby town’s population. Access to rivers was another important factor in any assessment of the overall quality and arrangement of farmlands and their material structures. In the case of the monks of Sant’Ilario, these rivers represented important routes linking the mainland to the city of Venice: freight terminals that they took advantage of using their own infrastructure. The documentary sources offer a wealth of information on the presence of river ports, two of which were situated *iuxta monasterium* (close to the monastery), and appear to be an integral part of a network of activities organised by the monks along the trade routes, including the operation of hydraulic works, the building of depots, and the provision of hospitality in their own *xenodochia* (a hospice for pilgrims). Later sources also mention the river rights, the riparian rights and the levies enjoyed by the monks⁵⁰.

Mills were built on San Zaccaria’s land from the ninth century onwards, and were donated to the monastery, as appurtenances, in 829; the *breuiarium de vineis vel territoriis vel reliquis speciebus* introducing the list of sold as-

⁴⁷ Squatriti, *Water and society*, pp. 66-79.

⁴⁸ See the text corresponding to notes 29-30 above.

⁴⁹ Document mentioned in < <https://saame.it/fonte/documenti-veneziani-veneziana-2/> >.

⁵⁰ In regard to all of this, see *Ss. Ilario e Benedetto*, pp. XIII-XIV; possession of the two river ports mentioned in the text was reported at the beginning of the twelfth century, although it may be fair to presume that such facilities dated from the tenth century (p. XIV). The monastery possessed perhaps two *xenodochia* in Treviso.

sets, included «aquimulos rotas duas quas habere visus sum de Petro tribuno genero quidem Rosaly tribuno», as well as «navigia sceu lacos ubi aquimulos hedificati fuerint una cum piscationibus et avium captionibus suis»⁵¹. In these coastal lowlands with their delicate hydrographic equilibrium, the inhabitants caught birds, fished, cut grass, and probably also felled trees and raised livestock. In other words, a rural economy can be identified in which the cultivation of cereals, livestock farming and other farming activities, together with fishing and hunting, were all an integral part of everyday life; the local economy was not limited to forestry management and livestock farming, but was capable of exploiting all available resources. Even in the absence of specific information in this regard, we may presume that within such an economy, the search for land suitable for cultivating cereals nevertheless remained of prime importance, since it was necessary to provide food for the city under construction.

The Milanese landowners were equally interested in the rivers that flowed around the city, from north to south, in particular the river Lambro: access to the latter must have been of specific economic value when it came to the purchase and sale of land⁵². In fact, it is no surprise to discover that the lands owned by Saint Ambrose near Milan, nearly all of which were between 10 and 15 kilometres from the city centre, were located in economically important areas in terms of local produce and ease of communication⁵³. A division of property deed in Cologno mentions clearly identifiable boundary markers comprising a series of ditches, one of which is classified as ancient, a number of *insulae*, a bridge over the river Lambro, and several mills⁵⁴. The Milanese monks were aware of the importance of producing cereals for the nearby city's market, and this can be correlated to their ownership of milling facilities. The frequency of issue of land certificates for arable land in villages near Milan, particularly where the monastery was either the only or the largest landowner at the time⁵⁵, confirms that it may well have had a particular interest in cereal production, which would be consistent, moreover, with what we know about the crop practices adopted by other western monasteries at that time.

⁵¹ See also < <https://saame.it/fonte/documenti-veneziani-venezia-4/> >.

⁵² Balzaretti, *The Lands of Saint Ambrose*, p. 498.

⁵³ Once again, the language of landownership helps us understand economic processes that would otherwise be difficult to identify: Balzaretti, *The Lands of Saint Ambrose*, p. 512, suggests that terms such as *curtis* and *cella*, frequently reported in this area, must be interpreted as nodes of an interconnected network.

⁵⁴ See ChLA², XCV, n. 21, pp. 82-84 (862 III 2, Saint Ambrose Monastery, Milan). It is not clear whether the *insulae* were simple sandy islets created by the diversions of the river Lambro or instead dwellings that were partly built on.

⁵⁵ Numerous terms refer to this: *terra aratoria*, *terra arabilis*, *terra apertas aratorias*, *campus*, *longoira*; see Balzaretti, *The Lands of Saint Ambrose*, p. 503.

5. *Conclusions*

In conclusion, the environmental dimension of land ownership has to be considered a natural aspect as well as the object of a series of practices, economic decisions and forms of allocation of the corresponding resources, all of which are deeply cultural in nature and thus subject to change over the course of time and in different places. Early Venetian society was, in the ninth century, part of the *Regnum Italiae*, which boasted a much larger and more complex cast of actors than that of the “little world” of the Venetian lagoon. The maritime expansion of the Duchy of Venice, which was still not exclusively focused on the Eastern Mediterranean in the ninth and tenth centuries, did not preclude the pursuit of structural ties with the landowners of the *Regnum*. These new actors needed a shared economic language, and more specifically a shared language regarding landownership, which would enable them to establish mutual relations; and this shared language was based on very similar verbal forms, adopted (and adapted) to describe land and landed property. The initial hypothesis proposed here, that it was the notaries’ language and expressions that shaped the landscape, creating it even where it did not yet exist, helps us get a better understanding of how structured Venetian land ownership evolved along the same lines as the contemporary administrative models adopted on the mainland.

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