2005a "Representational models vs. operational models of literacy in Latin-Romance legal documents (with special reference to Latin-Portuguese texts)", in Roger WRIGHT / Peter RICKETTS, Eds: Studies in Romance languages. Dedicated to Ralph Penny, Newark: Juan de la Cuesta Monographs (Hispanic Monographs, Estudios Lingüísticos N.º 7, Homenajes N.º 24), 17-58. [capítulo]
Representational models vs. operational models of literacy in Latin-Romance legal documents (with special reference to Latin-Portuguese texts)

ANTÓNIO EMILIANO

INTRODUCTION

In order to understand the emergence of Portuguese writing in the early thirteenth century, we must bear in mind that it was preceded by a Latin-Portuguese tradition, which was based on the Late Latin Visigothic tradition, which in turn was based on the tradition of Late Antiquity, and so on, with no intervening linguistic interruption: it is crucial that we ask ourselves what this textual tradition was, how it came about, how it evolved throughout several centuries of document production, and in particular how speakers of Old Portuguese communicated in writing by means of this tradition.

What it was, in terms of textual typology, and how it came about is the object of Diplomatics, and I will not go into that in this article. How it evolved is of tremendous importance for the History of the Portuguese Language, because in my view this tradition is the origin of Portuguese writing, and its texts are the first instances of the textualization of Portuguese. Many of the things discussed here in this respect apply also to other northern Ibero-Romance linguistic areas.

This earlier tradition of writing, which can be conveniently referred to as Latin-Romance, or Latin-Portuguese, was the only available means for writing legal Old Portuguese before the thirteenth century, and although the texts look Latinate in appearance, their latinity is a highly vulgarized one.

In the early thirteenth century people did not suddenly stop writing Latin, and begin writing Old Portuguese out of the blue; rather they began systematically to write Old Portuguese in a new way. This new way of writing, which would eventually evolve into modern Portuguese orthography, attained a high degree of stabilization in the Royal Chancery by 1214, and in many
and Latinists that the relationship between the written and spoken languages in Romania was therefore unbroken for centuries, until the Carolingian reforms, headed by Alcuin of York, introduced a completely new way of pronouncing Latin and new standards of orthographic correctness. Written Latin then became largely unintelligible to monolingual native Old French speakers. In the eleventh century a similar reform, known as the Gregorian Reform (or Cluniac Reform), which, among other things, introduced Medieval Latin into Iberia, paved the way for the distinction between Latin and Ibero-Romance as separate languages.

We can use the expression “Latin-Romance,” coined by Roger Wright, to refer to the special written code of non-literary texts (documents, legal codes, proceedings of councils and synods, chronicles), before the thirteenth century: it looked like Latin, but Romance-speakers of the time must have regarded it as the written representation of a formal variety of the vernacular.

Wright actually coined the expression in Spanish, i.e. “lengua latino-romance,” to comment on the expression “nuestra lingua” used in the Chronica Adefonsi Imperatoris from the twelfth century:

Me parece que con la frase nostra lingua se refiere el autor a lo que concebimos nosotros como dos lenguas pero que él concebía como una lengua, la lengua latino-romance. (Wright 1992:883)

“Lengua latino-romance” in Wright’s phrase refers to the written representation of an Ibero-Romance vernacular by means of the traditional Latinate spelling, at a time where no Romance spelling system was available. The Portuguese historian Rui de Azevedo used the expression “latino-português,” as an adjective referring to the oldest known original document in Portuguese territory (Azevedo 1932). It seems to mean simply “a Latin document written in Portugal.” The Spanish latinist Maurilio Pérez González adopted the expression and attributed it to Wright in his article about the Diploma Silonis regis (Pérez González 1993a), but gave it a slightly different meaning, and I am not sure that Wright would subscribe to this use of his expression:

... una lengua que está a punto de perder su identidad en beneficio de las diferentes lenguas romances provenientes de ella misma. (Pérez González 1993a:126),

and

Así pues, la lengua que se manifiesta en el diploma del rey Silo por medio de la pluma de un amanuense que no poseía un elevado nivel de educación lingüística, es decir, poco influido por la tradición escolar, no es latina ni romance, sino latino-romance. Y pensamos que dicha lengua sería comprendida tanto por los eruditos como por los iletrados; es decir,
In discussing Latin-Portuguese documents we need now to use concepts such as discourse community, textual interpretability, pragmatic competence, scripto-linguistic competence, graphemic structure, lexical access, graphophonemic transcodification vs grapho-semantic transcodification, graphemic polymorphism and variation, and other concepts taken from research areas such as sociolinguistics, pragmatics, text linguistics, discourse analysis, psycholinguistics, scriptology, graphemics, cultural anthropology, social anthropology, etc.

It is also time to move on from a nineteenth-century perspective on these texts. Throughout the nineteenth and twentieth centuries Latin-Portuguese documents had the status of historical sources or records. Only seldom, and then in a biased way, were they seen as linguistic sources or records. Even the romanists, who saw in the vulgarized spellings the emergence or interference of the Romance vernaculars, could not help looking at the texts as a whole as corrupt and decadent.

2. REPRESENTATIONAL MODELS VS. OPERATIONAL MODELS
IN THE LATIN-ROMANCE WRITTEN TRADITION
The interpretation of medieval literacy-related phenomena requires an adequate framework, which must rely on anthropological, cultural, linguistic and graphemic data.

First and foremost, it is crucial to keep in mind that reading and writing are not universal categories; on the contrary, they are manifestations of local knowledge, and as such, reading and writing are culturally conditioned practices and activities—they are not the same phenomena across different cultures. Therefore every text in every culture is based on a set of expectations shared by the textual community concerning what a text is and how it should look (or sound, if it was read aloud); every text must fit into an accepted model or genre of textual production; and medieval notarial texts were no exception. Their structure and their language fitted into what the textual community of the time considered adequate and expected to find. If we bear this in mind, we can avoid making anachronistic statements about the correctness of these texts, and avoid any perspective—linguistic, stylistic or cultural—that resorts to a handicapped view of medieval scribes and medieval documents; our aim should be to explain how a writing system worked for centuries for the people who used it. This means that we need to grasp the actual patterns of textual production that were learnt and used by medieval scribes, instead of applying our own conceptions of Latinity, correctness, grammar, style, composition, logic, literacy, etc.

Literacy, as many anthropologists and some linguists know, is not a universal category: there is no such thing as an autonomous or absolute concept of literacy. Literacy practices cannot be isolated from other practices of a given culture. Medieval literacy was not modern literacy. So we need to make the effort to integrate medieval literacy in the set of beliefs, knowledges, prejudices,
determines both the actual language usage and the attitudes towards language in the community), it has been found that there is not always an absolute coincidence between the judgments that speakers are able to make about their language use and the reality of their linguistic production. The distinction between what speakers and writers say that they say or write (or say that ought to be said or ought to be written) and what they actually say or write is an important aspect of the attitudes towards language in a complex community, and is one distinction that has important consequences for the overall evaluation of the patterns of language variation and change in any given community, as much modern sociolinguistic research of the Labovian type has shown.

This type of distinction is well known to anthropologists and sociologists, to whom the mythical or ideological—or simply, conceptual—framework of many daily aspects of community life and community structures is viewed as distinct from the pragmatic and concrete dimension of actual practice and behaviour. Many examples could be given from many types of societies, such as the conceptualization of territoriality or of time cycles, the boundaries of social mobility, the regulation of kinship and marriage systems, the internal stratification of the communities, the elaboration and content of genealogical narratives transmitted orally, cosmogonic or epic narratives transmitted both orally and in writing; or even—in modern urban western societies—the self-evaluation of individuals in polls regarding aspects such as political and social stability, consumer habits, economic status, voting intentions in national elections, attitudes towards language, feelings of urban safety, rights of citizenship, xenophobia, etc. In all these aspects what the subjects may report that they do, or are, or intend to do, or should be done, can sometimes be quite startlingly different from what is recorded by an external observer. Pre-election polls or stock-market predictions are perhaps the best example of such a distinction between conceptualization and behaviour: in many instances the results predicted by pollsters and analysts are proved wrong.

This notion that there is always a mismatch between implicit models (incorporated, inherited or imposed) and explicit practices is particularly important for the study of literacy acquisition and practice in different communities, cultures and periods.

What I am suggesting is that it is useful to adopt a uniformitarian perspective and apply certain types of knowledge or information that can be acquired by observing and analysing modern language communities to the study of language communities of the past.

***

The introduction and implementation of the Gregorian Reform in the Iberian Peninsula, especially after the Council of Burgos in 1080, had important consequences for the development of Hispanic written traditions (cf. Wright
cultural reality; in other words, the Reform narrowed in some sense the gap between the models of scribal production and the grammatical and rhetorical models of the past, contained in the artes grammaticae, the auctoritates, the Scriptures and the liturgy.

This adjustment brought about two developments which appear to be contradictory in nature:

1. on the one hand, the level of traditional correctness in the latinity of legal documents seems to have increased as regards some scriptoria and scribes;
2. on the other hand, the Reform seems to have heightened the graphophonemic awareness of many scribes, and as a result, many documents from the twelfth century show a high degree of vernacularization and de-latinization (which indeed paved the way for the emergence of Romance scriptae in the early thirteenth century).

Throughout the Middle Ages scribes, clergy and monks in general had access to the old Latin grammatical tradition: they were taught to read and write according to that tradition, and they had books written in Latin. Models of correct Latinity (“old” Latinity) were available at all times to people who wrote documents. The people who wrote documents also copied books. So we may ask ourselves why there was this noticeable difference between the linguistic models and the scribes’ practices before 1080.

This discrepancy between models and practices corresponds to a distinction made in cultural anthropology between representational models and operational models, which means that what a culture does and what it thinks it does, can be, and often are, from the point of view of an external observer, different things. In the 60’s the American sociolinguist William Labov detected this type of discrepancy between what informants thought they said and what they actually said, especially regarding sociolinguistic variables associated with social prestige (Labov 1966).

What a culture thinks it does results from a representational model of their world, something that can be more or less articulate and can be even verbalized, and is framed by (or enshrined in) a vision of their past. This can be phrased as “we act the way we were taught to act” or “we do this the same way our forefathers or ancestors did.” On the other hand, what a culture really does is based on implicit models which guide behaviour in certain situations and settings, and which are not necessarily conscious; i.e. they cannot or need not be verbalized (Holland and Quinn 1987:5-6).

This distinction between norms and actions is what the Finnish linguist Esa Itkonen aptly calls a distinction between “ought” (i.e. what ought to be done) and “is” (what is actually done) (Itkonen 1983: 55-56, 177-78). Itkonen, in a lengthy and fundamental discussion of the notion of causality in Linguistics,
and for X to learn a norm means for X to learn to do *himself* that which is right, and which he (intuitively) *knows* to be right. By contrast, we can never ‘learn’ the physical, nothing-but-observable reality in the same way, simply because the physical reality (unlike our representation of it) contains no norms. Thus we ultimately come to see that the *age-old distinction between ‘agent’s knowledge’ and ‘observer’s knowledge’ lies at the core of the distinction between normative-non empirical and spatiotemporal-empirical*. (Itkonen 1983:60; my emphasis)

And also, in a previous work:

[... ] our knowledge of events and regularities is observer’s (or ‘outsider’s’) knowledge, whereas our knowledge of actions and rules is agent’s (or ‘insider’s’) knowledge. [...] The basis for the peculiar nature of agent’s knowledge can be seen in the fact that, [...], *man’s relation to his actions is not empirical, but conceptual*. (Itkonen 1978:193-94; my emphasis)

When a culture declares “we act the way we were taught” what they actually do may be noticeably different from the behaviour they think they are replicating, because they perceive their actions in terms of a conceptual representation of those actions. An outside observer can detect the difference, but someone belonging to the culture, who is completely attuned to the culture’s historical development, and has agent’s knowledge of the inner workings of his culture, will not be able to notice any changes or differences: medieval scribal models of correctness belonged to a representational level of medieval culture, and had an ideological dimension, whereas the actual practices tended to meet the contemporary demands for communicative realism, and did not correspond isomorphically to the inherited models or norms.

In other words, to a medieval scribe who wrote legal documents each document was the result (or the embodiment) of an action which was carried out according to a set of internalized rules, models and norms. A medieval scribe had agent’s knowledge of the texts *qua* language acts. This operational knowledge did not necessarily coincide with the traditional norms that were inherited from the Late Antiquity, although these norms, belonging to a representational or conceptual level of medieval literacy, were still regarded as valid and authoritative.

To a modern philologist or linguist looking at the same documents many centuries after they were written, with the intention of studying them as textual and linguistic artefacts of a long gone culture and society, the texts are “simply” events. Therefore the philologist’s and linguist’s knowledge of medieval documents can only be outsider’s, observer’s knowledge. Since this knowledge of medieval texts is empirical, a modern scholar is in a position to detect discrepancies between the norms that were in place at the time the documents
graphic innovations).

Given the importance of this perspective outlined by Goody and Watt, and bearing in mind the proviso that medieval Ibero-Romance societies were not illiterate but societies with restricted literacy, some of Goody and Watt’s statements could be slightly re-phrased in order to fit perfectly the homeostatic development of notarial Latin. Such an exercise in explicit plagiarism is worth undertaking, since it does shed light on the process by which some elements and structures of the Latin tradition were gradually discarded or changed from within in the notarial language:

1. One of the most important results of this homeostatic tendency is that the individual has little perception of the past except in terms of the present. (319)

could be re-written as: One of the most important results of this homeostatic tendency of medieval writing is that the individual scribe or reader/hearer had little perception of the linguistic past (Latin) except in terms of the linguistic present (Romance).

2. The elements in the cultural heritage which cease to have a contemporary relevance tend to be soon forgotten or transformed; and as the individuals of each generation acquire their vocabulary, their genealogies, and their myths, they are unaware that various words, proper-names and stories have dropped out, or that others have changed their meanings or been replaced. (319)

could be re-written as: The graphemic elements in the scribal heritage which cease to have a contemporary relevance for writing notarial documents tend to be soon forgotten or re-interpreted; and as the scribes of each generation acquire their vocabulary, their grammar, their scribal competence, and their scribal models, they are unaware that various words, structures and constructions have dropped out of their texts, or that others have changed their meanings or been replaced.

3. The content of the cultural tradition grows continually, and in so far as it affects any particular individual he becomes a palimpsest composed of layers of beliefs and attitudes belonging to different stages in historical time (340)

could be re-written as: The content of the scribal tradition grows continually, and in so far as it affects any particular text it becomes a palimpsest composed of layers of spelling conventions and scribal practices belonging to different stages in the history of the written tradition.
documents was Latin—Latin being simply a convenient label for written language in general.

What happened in the late eleventh century was not the sudden restoration of Latin as Menéndez Pidal thought, but merely a profound, and gradual, readjustment of the practices to the models, especially at the levels of spelling and (less so) morpho-syntax, a readjustment which would lead in time to a split between the written and the spoken languages (what Michel Banniard calls "la rupture de la communication verticale," Banniard 1992, passim). When Romance orthographies emerged in the early thirteenth century in Iberia a new conception of the relationship between written language and spoken language must have already been in place: so the conceptual distinction between Latin and Romance was first a distinction between written and oral modes of language, and only much later a full distinction between two separate languages.

We can say that the distinction between Latin and Romance as separate entities occurred at the representational level, changing the representational models, and conceptually separating de facto distinct but co-existing operational models, by assigning them to different languages—Medieval Latin and Romance—which explains why in the late twelfth and thirteenth centuries there was a need for new spelling systems for the Ibero-Romance languages; these were now perceived as different entities from Latin, and required their own special spelling systems.

As for the ancient trends of orthographical vulgarization, present in the earliest known charters; they were simply internal aspects of the homeostatic development of the Latin tradition, and so they affected the operational models but not the representational models of literacy. That is, they never did, and probably never could, bring about a conceptual distinction between Latin and Romance.

***

Post-Reform documents are indeed different from those of the earlier stages of document production, both in spelling and grammar. Nevertheless the fact remains that the improvement in the "correctness" of notarial documents never attained the levels of medieval scholastic or Renaissance Latin, and even the changes that happened took a long time to become generalized; and most of all (an issue which is outside the scope of this article), the vernacularization of the Latin tradition did not cease, i.e. documents continued to be written in a highly romanized way even after the Reform; probably, indeed, because of the Reform. This may seem paradoxical, but we must note that the Reform brought about a greater graphemic awareness, and so the notion that written Latin and spoken Romance were in fact different linguistic systems made possible the piecemeal development of autonomous Romance scriptae.
copies contained in the cartulary known as the Liber Fidei. This important cartulary was written between 1221 and 1254, and is formed by the combination of two pre-existing libri testamentorum (which did not survive) into a single bound volume. No attempts were made to harmonize the contents of the two libri testamentorum; so the documents were not sorted out before being included in the cartulary, and some were repeated. The Liber Fidei contains many notarial documents from the tenth and eleventh centuries, as well as some texts from the previous centuries. For a very few of the documents copied into the Liber Fidei we have the original charters, preserved today mostly in Braga (and some in Lisbon). Each document in the Liber Fidei is thus a copy of a copy, and we have no way of determining how many copying stages intervened between the original and the cartulary version, because we do not know whether the Liber Fidei is itself the copy of another cartulary which already contained the two libri testamentorum. So the copies in the Liber Fidei are second, third or fourth generation copies.

Comparing the few extant Braga originals with their copies in the Liber Fidei leads one to the conclusion that the copyists regarded the language of the originals as normal or acceptable, or else they would have corrected them extensively; cartularies were not made for scholarly research, they were compiled and written for very practical purposes, which means that the copies of the documents needed to be clearly understood and accepted by any party for whom these records were of importance.

1). The first example is taken from a long and solemn charter from 1025 (witnessed and confirmed by the King and Queen of León, court dignitaries, noblemen, bishops and abbots). Probably because of its solemnity and of its public nature the language does not show the overall "vulgarization" which is normal in private notarial documents from the tenth and early eleventh centuries. The document is a carta de agnição, a judicial document concerning a dispute about jurisdiction rights over Braga and its outcome. In view of the enormous political importance of the text, it is reasonable to suppose that the task of writing it down was handed to an experienced scribe: this means that the charter could well reflect the scriptotlinguistic patterns of the previous century, because the scribe would not have been a young person but rather a mature and seasoned notary.

This document survives in two versions:

[A] Arquivo Distrital de Braga, Gaveta de Braga, n.º 67, the original, in cursive Visigothic script
[B] Arquivo Distrital de Braga, Liber Fidei (Liber Testamentorum I), doc. 22, ff. 12v-15r

One of the characteristics of the old Latin-Portuguese notarial tradition was
The percentages are calculated like this: the letter B for example has a combined total of 231 occurrences in the two texts. Version [A] has 62 occurrences of intervocalic B (=26.84% of 231) and [B] has 67 occurrences (=29.00% of 231). The values plotted in Graph 2 for intervocalic C and G are only before A/O/U (i.e. velar C and G), of intervocalic T only before vowel letter followed by consonant letter (to avoid the interference of TI plus vowel), and of intervocalic P with the exception of the lemma *episcopus*. All cases with intervening R after the consonant letter were also considered, since in the groups *muta cum liquida* the Latin obstruents also underwent voicing.

The pattern seems to be clear: an increase in the copy of intervocalic T and velar C, a decrease in the copy of intervocalic D and velar G. P shows only a slight increase in the copy.

As to B the results are inconclusive due to the fact that in version [A], U was used in many instances in place of B to represent the fricative /v/ from Latin /b/, and there are also reverse spellings of B for U, and in 13 instances version
If we look at the actual variants we get a clearer picture of the spelling reformatting that occurred in version [B], which is clearly dominated by a desire for the avoidance of non-etymological intervocalic G:

**Variants with substitution of T and velar C**
**in the copy for D and velar G in the original**

<table>
<thead>
<tr>
<th>[A]</th>
<th>[B]</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>bragala</td>
<td>bracara</td>
<td>2</td>
</tr>
<tr>
<td>bragalense</td>
<td>bracarense</td>
<td>1</td>
</tr>
<tr>
<td>bragalensem</td>
<td>bracarensem</td>
<td>1</td>
</tr>
<tr>
<td>digant</td>
<td>dicant</td>
<td>1</td>
</tr>
<tr>
<td>edifiqait</td>
<td>edificait</td>
<td>1</td>
</tr>
<tr>
<td>eglesiaro</td>
<td>ecclesiario</td>
<td>1</td>
</tr>
<tr>
<td>eglesiaro</td>
<td>ecclesiario</td>
<td>1</td>
</tr>
<tr>
<td>godiga</td>
<td>gotica</td>
<td>1</td>
</tr>
<tr>
<td>godiga</td>
<td>gotica</td>
<td>1</td>
</tr>
<tr>
<td>idem</td>
<td>item</td>
<td>4</td>
</tr>
<tr>
<td>iudigabit</td>
<td>iudicait</td>
<td>1</td>
</tr>
<tr>
<td>iudigantes</td>
<td>iudicantes</td>
<td>1</td>
</tr>
<tr>
<td>iudigauernut</td>
<td>iudicauernut</td>
<td>1</td>
</tr>
<tr>
<td>iudigum</td>
<td>iudicum</td>
<td>1</td>
</tr>
<tr>
<td>leouegodo</td>
<td>leouegoto</td>
<td>1</td>
</tr>
<tr>
<td>pacifigam</td>
<td>pacificam</td>
<td>1</td>
</tr>
<tr>
<td>progu</td>
<td>procul</td>
<td>1</td>
</tr>
<tr>
<td>sagramento</td>
<td>sacramento</td>
<td>1</td>
</tr>
<tr>
<td>sigut</td>
<td>sicut</td>
<td>8</td>
</tr>
<tr>
<td>testifigamus</td>
<td>testificamus</td>
<td>2</td>
</tr>
<tr>
<td>testifigandi</td>
<td>testificandi</td>
<td>1</td>
</tr>
<tr>
<td>traugant</td>
<td>traucant</td>
<td>1</td>
</tr>
</tbody>
</table>

**Table 1**

All the hypercorrect spellings in the original involving deviation from the Latin norm were eliminated in the copy:
DEVIANT FORMS NOT CORRECTED IN THE COPY

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A &amp; B</td>
<td></td>
</tr>
<tr>
<td>didagu</td>
<td>3</td>
</tr>
<tr>
<td>fromarigu</td>
<td>1</td>
</tr>
<tr>
<td>fromarigus</td>
<td>1</td>
</tr>
<tr>
<td>godiga</td>
<td>1</td>
</tr>
<tr>
<td>godiga</td>
<td>1</td>
</tr>
<tr>
<td>honorigo</td>
<td>1</td>
</tr>
<tr>
<td>honorigus</td>
<td>1</td>
</tr>
<tr>
<td>portugalense</td>
<td>1</td>
</tr>
<tr>
<td>semedipsos</td>
<td>1</td>
</tr>
<tr>
<td>ueridigas</td>
<td>1</td>
</tr>
</tbody>
</table>

TABLE 6

Out of a total of 2185 words in the Liber Fidei version of the text, only 42 words show spelling changes related to the voicing of obstruents, almost all corrected according to the norm. This is due to the fact that, at the start, the original was not a highly vulgarized text with respect to obstruent voicing. The copyist(s) did not feel the need to be thorough in his (their) corrections: this is particularly interesting in the context of the restoration of latinity that the Cluniac reform supposedly brought to medieval Spain and Portugal.

2). The second example is also taken from the 1025 Charter and concerns morphosyntax.

The prepositions AD and PER required the accusative case in their governed complements. In Iberian Latin-Romance documents the absence of the case ending -M in governed pronouns, nouns and adjectives is very common. For singular items, beside the occasional "correct" forms in -M, we find in most instances a general unmarked case-less singular form (ending in -A, -E ~ -l, or -O ~ -U), similar both to the Latin ablative form and to the uninflated Romance form; for plural items we find in most instances the unmarked case-less forms in -AS, -ES and -OS, which come directly from the Latin plural accusative, and hence look grammatically correct in the texts. In some cases we find nominative singular, and also genitive singular and ablative plural forms. The 1025 Charter is no exception to this general picture.

I give all occurrences of AD and PER with nominal and pronominal complements:
CASE ENDINGS WITH THE PREPOSITION PER IN THE 1025 CHARTER

[A]
per alphetena
per conditionem
per epistolam
per hanc setentias
per ligauilem placitum
per manu ipsi sagioni
per multis temporibus
per sagioni annagia uermudiz
per scripturas
per se senator gundiario
per semedipos
per suis terminis et agyacentiis suis
per suos colmellos et scripturas
firmatatis
per uerifice ordine
per unasqueque sedes

[B]
per alphetena
per conditionem
per epistolam
post hanc setentiam
per ligabilem placitum
per manu ipsi sagione
per multis temporibus
per sagioni annaya
per scripturas
per se [...] gundiario
per semedipos
per suis terminis et aiacentiis suis
per suos colmellos et scripturas
firmatatis
per uerifice ordine annaya
per unasqueque sedes

TABLE 8

The correct Latin singular -M forms are rare in both versions, and only in two instances did the copy correct the original (a prestinaθ seruituteθ replaced by ad pristinam seruitutem, and per epistolamθ replaced by per epistolam). All the other forms were left untouched. In one noteworthy case the copyist had the opportunity to give a correct Latin solution, because he replaced the original text with something completely different (with the probable intention of making the context clearer): he replaced ad iudicem with ad ipseθ eytaθ fortuniz. He failed to add the case-ending to ipse and to the proper name eyta. I give the full context:

[A] pro id roboraberunt placitum ut in IIIo [...] gissent ad lex sub unus de amborum partibus ad iudicem que preelectus erat de ipse rex magnus et quod illis prebuisset eis accepissent

[B] pro id roborauerunt placitum ut in IIIo die pergissent ad lex sub unus ad ipse eyta fortuniz qui preelectus erat de ipse rex magnus et quod illos ordinasset eis accepissent
would expect in Notarial Latin something like:

\begin{verbatim}
a petitione de tardenato
 de parte de tardenato
 manu de comite petro uimaranici
 manu de ipso sagione
\end{verbatim}

or in old-fashioned Latin:

\begin{verbatim}
a petitione tardenati
 ex parte tardenati
 manu comitis petri uimaranici
 manu ipsius sagionis
\end{verbatim}

4). A fourth and final example from the morphosyntax of the 1025 Charter. The
preposition \textit{de} in Latin-Romance documents, besides being used in different
syntactic contexts from those of the original Latin preposition, governed noun
phrases whose elements usually had the general unmarked form. There are also
instances of the correct use of ablative plural forms after \textit{de}. Instances abound,
however, of nouns and pronouns with other case endings. I give just the most
deviant examples from the 1025 Charter.

\textbf{CASE ENDINGS WITH PREPOSITION \textit{DE} IN THE 1025 CHARTER}

\begin{verbatim}
[A]  de aepiscoporum successorum uestrorum
de amborum partibus
 de amborum partibus
 de domni pelagii aepiscopo
 de durio
 de ipsam sedem
 de ipsam sedem
 de ipsam sedem
 de ipse extirpe
 de ipse rex
 de ipse rex magnus
 de ipsi omites
 de ipsius arba
 de ipsius auui que
 de ipsius sedis
 de istius presentes

[B]  de aepiscoporum successorum uestrorum
 de amborum partibus
 de amborum partibus
 de domni pelagii episcopi
 de durio
 de ipsam sedem
 de ipsam sedem
 de ipsam sedem
 de ipse stirpe
 de ipse rex
 de ipse rex magnus
 de ipsi homines
 de ipsius arba
 de ipsius auui qui
 de ipsius sedis
 de istius presentes
\end{verbatim}
The idea that these Latin-Romance morphosyntactic patterns would have seemed strange or unacceptable for someone trained in Medieval Latin grammar is probably not well founded. After all, both the eleventh-century original scribe and the thirteenth-century copyist knew their grammar, and neither of them had any problems writing these things in such an important and solemn document. For both men, the original scribe and the last copyist, the consistent restoration of Latinity seemed unnecessary or, more accurately, irrelevant.

So what do the variants of versions [A] and [B] of the Charter of 1025 tell us about the norms taught and learnt by the [A]-scribe and by the copyists that generated [B]? Are the graphemic and morphosyntactic differences between the two witnesses so significant as to indicate a change in representational models during the time interval that separates the original text from the copy? In my view the fact that [B] tends to eliminate some written reflexes of obstructive voicing should not make us overlook the fact that [A] did not substitute intervocalic B, D, and G for P, T, and C in all possible instances. The fact that he failed to do that crucially indicates that the [A]-scribe already possessed a model of written language where some instances of intervocalic /b,d,g/ (i.e. those that resulted from the voicing of Latin /p,t,k/) ought to be written as P, T, and C (or QU). The difference between [A] and [B] in this respect is then a statistical difference in the implementation of the same spelling norm. Therefore even if we must acknowledge that [B] corrected [A] in many instances, i.e. that [B] has in general a more correct spelling than [A], we must also accept the fact that in other cases there was no need to correct, because [A] presented the traditional spellings. Also, [B] did not correct all the incorrect forms present in [A]. This seems to point to a difference in the degree of possible graphemic variation, not to a difference between radically distinct spelling models. The same applies to morphosyntax, especially in the use of case endings.

To sum up: the differences between versions [A] and [B] of the 1025 Charter regarding certain aspects of spelling and morphosyntax seem to be located at the level of the operational models, i.e. of actions, not at the level of norms.

* * *

I turn now to another document from Braga from a later date, a charter containing a deed of gift on behalf of the Archbishop and the See of Braga, dated to 1110, during the office of the French Archbishop Mauritus Burdinus (Maurice Bourdin), which survived in three versions:

[A] Arquivo Distrital de Braga, Gaveta 2.ª das Propriedades do Cabido, nº 137
<P03>
A qua propter nos famulos dei didagus cresconici et uxor mea
B cresconiz
C cresconiz

A lupagiz concedimus propter nomen domini dei nostri illi
B pelaiz
C pelaiz

A eclesie sancte marie braccarense et urbis archiepiscopo
B ecclesie bracarense
C ecclesie bracarensis

A domno mauricio atque clericis ipsius sedis hereditatem
B
C

A nostram propriam que abemus in uilla radicata subtus monte
B quam habemus radigata
C quam

A spino territorio braccarense discurrentibus aquis in rium
B bracarense ad
C bracarensi ad

A cataui et locum in quo dicunt paretas
B
C

<P04>
A et uenit nobis ipsa hereditate de patre nostro pelagio fafilaz
B hereditas meo
C hereditas

A tam de auolenga quam de ganantia siue de contramuda ipsius
B
C contramutata

A hereditatis
B
C

<P05>
A concedimus ubis ipsas hereditates ad locum predestinatam sic
B
C

A concedimus et annuimus illic loco predicto sicut scriptura
B predestinato
C
If one takes a cursory look at the original it becomes apparent that the spelling and the grammar seem more correct, more Latin-like than in private documents from the ninth to eleventh centuries. The text is strikingly different from those documents, in spelling, morphology, syntax, lexis, and formulae. The hypercorrect form braccarense (P03, twice), the place-names kataui (P03), paretes (P03), and the proper-name lupa (P03, 09) reveal the special care of the scribe in avoiding the voicing of intervocalic obstruents. The word Bracara and its derived forms were pronounced with intervocalic /g/ in Old Portuguese, and thus were often written with G: the unusual CC spelling looks as if the scribe wanted to flag the form braccarense to prevent a native lector from using the Old Portuguese pronunciation [braq'ães], and to indicate instead the Reformed Latin pronunciation [brak'arensẽ] (or [brak'arẽsẽ]). This is perfectly consistent with the Gregorian Reform's aim of restoring the correct pronunciation of Latin, which was necessary for all sorts of public reading; it could also be an indication of some insecurity on the part of a native notary trying hard not to get his spelling wrong because of the new standards of correctness. Nevertheless a few forms escaped the scribe's attention, didagus (P03, 09), contramuda (P04), and in his own signature the scribe wrote menendus diaconus notuit, i.e. with diaconus (with the contracted form dgnus) instead of diaconus (the vernacular pronunciation would have been something like[di'agõo]). The pressure of the vernacular was too strong. Judging from his name Menendus was not French, and it would have been a daunting task systematically to devoice obstruents (in writing or in reading aloud) that were voiced in his own native Portuguese tongue, especially in common words, even if he had been thoroughly trained in the new standards of
SPELLING DEVIATIONS MAINTAINED
IN THE COPIES OF THE CHARTER FROM 1110

| <P03> didagus | didagus B C (pro 'didacus') |
| <P03> illi | illi B C (pro 'illic') |
| <P03> abemus | habemus B, id. C |
| <P05> inestimabile | inestimabile B, inextimabile C |
| <P07> paciatur | paciatur B C (pro 'patiatur') |
| <P09> didagus | didagus B, didacus C |
| <P10> gunsaluus | gunsaluus B C (pro 'gundisaluus') |

TABLE 13

In morphosyntax there are also interesting variants. Both copyists corrected a few incorrect case-forms in the original, replacing them with the correct Latin ones:

| <P04> hereditate | hereditas B C |
| <P10> pelagio | pelagius B C |
| <P10> petro | petrus B C |

TABLE 14

But both copyists also changed correct forms in [A], replacing them with incorrect case-forms; [B] did that two times, [C] did it three:

| <P01> eternam salutem | eterna salute B, eternam salutem C |
| <P03> bracarensen | bracarensen B, bracarensi C |
| <P06> filii | filii B, filium C |
| <P07> traditore | traditore B, traditorem C |

TABLE 15

And both failed to correct some morphosyntactic "errors" of the original:
I give the text of the final paragraph in lineated collation:

LINEATED COLLATION OF THE THREE VERSIONS OF THE
1101 CHARTER — FINAL PARAGRAPH

<P08>
B postea uero ego geraldus archiepiscopus uocaui fideiusssorem et
C et ego geraldus archiepiscopus uocaui fideiusssonem et
D postea uero ego geraldus archiepiscopus uocaui fideiussores et

B intemptorem ut irent mecum ad regem quod habuissemus iudicium ante eum
C intentorem ut iorent mecum ad regem quod abuissemus iudicium ante eum
D intemptorem ut iurent mecum ad regem quod abuissemus [*****] ante eum

B et noluerunt illuc ire neque ullam iudicium facere
C et noluerunt [***] ire neque [***] iudicium facere
D et noluerunt illuc ire neque ullam iudicium facere

The written language of St Gerald is different from that of the rest of the document, which presents the usual Latin-Romance traits. St Gerald wrote pure Reformed Medieval Latin, whereas the rest of the document is unmistakeably written in Notarial Latin, albeit with a fair degree of correctness (when compared with documents from the previous centuries). This is indeed a precious document, where two traditions of writing stand side by side in the same text. St Gerald must have read the original text before he added his final remark, and he clearly raised no objections to the obvious differences between his own operational models of literacy and those of the Portuguese scribe. After all, as Archbishop, he could have proof-read the text, and could have had it re-drafted in a more “Cluniac-like” fashion, before validating it, if he had wished so.

CONCLUDING REMARKS
Notarial documents, as legal acts, had a direct impact on the lives of people. It was extremely important that the texts recorded faithfully the intentions and obligations of the parties involved. Notarial documents thus encoded communicative contents that had to be delivered and received unambiguously. Reading aloud such texts went beyond the simple recognition and processing of written symbols by mapping letters into sounds: reading aloud involved the oralization of a text written with an archaic writing system in such a way that all those people attending the reading, both literate and illiterate, understood at least the dispositive sections of the documents. This was done by recognizing
is forced to learn the standard written language. The great difference between our
culture and that of olden times is that we have acquired this peculiar and recent
notion that each word and each grammatical construction has only one
acceptable, correct, written form. Medieval scribes were freer and less concerned
with such small things. Their literacy practices (operational models) were subject
to a looser social control than that which is prevalent in modern literate
societies. Their representational models of literacy were not a fetter imposed on
them from childhood, but merely a set of guidelines, which they freely adapted
to their own communicative needs, developing their own operational models
according to the textual expectations of their communities, but without wholly
forsaking the centuries-old tradition that they had inherited from their
predecessors.  

SAÚDE, RALPH!

References

Azevedo, Rui de. 1932. “O mais antigo documento latino-português.” Arquivo Histórico
de Portugal 1, 500-02.

IVe au IXe siècle en Occident latin, Paris: Études Augustiniennes.

Journal: Human problems in British Central Africa, 5 (reference transcribed from

Cardoso, Maria Adriana. 2002. A Língua Notarial Latino-Portuguesa de Notários do
Século XI. Análise de morfo-sintácticos de documentos do Mosteiro de Pendorada

7 Itkonen associates decreased social control to linguistic change: “Each
linguistic change is characterised by the fact that the rules undergoing the change hold
only approximately: when a (rule-governed) entity A is changing into, or is being
replaced by, a (rule-governed) entity B, there is a period during which it is impossible
to say that either A or B is definitely correct or definitely incorrect. I would say that in
such cases the social control of rules has decreased. Where this happens, statistical
description of factual occurrences, that is empirical description, is in order even at the
level of grammar.” (Itkonen 1978:151). This statement, although it primarily concerns
language change, is in my view also relevant to the study of scriptolinguisitic change and
of change in literacy models and practices.

8 I would like to thank Roger Wright for his help in drafting the English version
of this article.