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# MEDITERRANEAN NEPOTISM, AVUNCULATE KINSHIP, SIBLINGS AND MATRIMONY : FUNCTION AND ROLE IN RELIGIOUS AND PUBLIC AFFAIRS (3<sup>RD</sup>-18<sup>TH</sup> CENTURIES)

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## « Mediterranean Nepotism, Avunculate Kinship, Siblings and Matrimony : Function and Role in Religious and Public Affairs (3rd-18th Centuries) »

« Matrilinearity » and « Matriarcal » issues have been largely deconstructed when structural studies and kinship anthropology revealed a larger and wider range of systems than expected. Those systems turned out to be generally undifferentiated and non-exclusive in terms of gender though retaining some kinds of ambilinearised values and functions. Families — considered as groups — were articulated decisively around married pairs, understood as the embodiment of marriage bonds in contractual terms. More recently, epistemological issues — informed by current gender and postcolonial studies — have underlined how these two ideas about female descent proceed from a kind of conceptual mirror effect connected to assumptions about « male domination » and European economic and cultural supremacy. With these observations in mind, the female matrix of descent, reified *ab origine* as a transfer, emerges to have been a kind of chimera built by projecting a romantic « primitivism », and thereby creating a retrospective illusion.

Nevertheless, beyond the invention and debates around such concepts, the historical phenomena of nepotism and avunculate transfer have largely been observed through ancient and modern societies, and often were closely linked with marital economy and householding. Due to the collateral and material consequences of conjugal alliances, nepotism, along with avunculate and sibling relationships, shaped the special and peculiar partnership tied between nephew and uncle. These relationships yielded shared bounds and the conception of rights determined by specific behaviors and special inheritance patterns which steered a middle course between customary and juridical rule. As far as sources allow us to report on such phenomena, this issue still needs to be clarified. This mode of kinship, which was generated in parallel to the *cognatio*, played a critical role in the life and display of social and institutional positions by allowing families to secure partnerships and alliances.

Nepotism is based on the *cognatio*, the Latin definition of which does not refer to an exclusively female dynamic. In fact, the *cognatio* refers to agnatic kinship notwithstanding gender, and thus the relation between the uncle and the nephew, aside from direct inheritance, became the most likely natural mode of transmission for legacies within the third-degree perimeter of kinship. The avunculate relationship offsets the effects of patrilineality and the strict verticality of agnatic inheritance in the regular rights of succession for private estates. In such a way, sibling and « adelfic » kinship is promoted and remains a critical addition to paternal dynastic lineage. These avuncular relationships — observable in prosopographical studies —, govern diagonal legacies of honors and titles related to religious and public functions between relatives. These particular legacies, even if they depended on biological kinship, sponsored a distinct value system. This system was very different from patrilineal inheritance with its emphasis on transmitting virility and manly strength. Instead, it was founded on *pietas* as a central and celebrated value, which should govern household and family with negotiated mutual bounds. The transfers and maintenance of symbolic capital of the whole and extensive kinship group celebrated both families' significance in civic status and social veneration.

At the core of Mediterranean societies, and various forms of social organization and civic or communitarian political formations, as well as religious or commercial groups, evidence of such phenomena are frequently observed. Many diverse cases prove to be ruled by seemingly convergent principles and uses. Considering these cases in a new framework disturbs clear-cut notions like « private » and « public » domains, because nepotism has a strong tendency to influence families' legacies and household economies by offering extended constellations of allied kinship networks through the enjoyment of socialized benefits and other usufruct under inalienable rights. Such *beneficia* commanded the way *honores* and offices were rewarded and circulated across allied families. These uses are very common practices and promote a mechanism of endogamic reproduction by increasing concentration of privileges into an elite circle. Thus, sibling and avunculate relationships, supported by the whole group's solidarity, have always guaranteed the resiliency and agility of family enterprises. This phenomenon can be observed in practice though a wide social spectrum among all these societies. In spite of the great demonstration by Reinhard about *pietas* worship at the Roman *curia* at the end of the Middle Ages and during the first Renaissance, or more recently the rediscovery by the Italian and European meridional medievalists of the way ecclesiastical functions circulated within patrician dynasties and families from the medieval communes of Italy, nepotism and avunculate kinship have not been discussed as connected phenomena, neither have they been well described, even if these notions were apparently two sides of a same reality.



The word « nepotism » is a polemical neologism created at the very beginning of classical times. The word functioned both as a manifesto and a lampoon that denounced the endogamic routines of papal governance. Since then, the term has been used across a wide range of disciplines and it has acquired multiple meanings. For example, management studies relies on the term to analyze the administration of human resources by public institutions and private companies. In natural sciences or ethology — inspired by neo-evolutionist sociobiological trends — nepotism refers to obvious displays of « inclusive fitness ». As a result of wide-ranging uses of the term, nepotism today is used to speak broadly about the promotion of relatives and the preferential treatment based on kinship ties. Specialists insist on the fact that nepotism influences all kinds of collective organizations and many parameters of social life. Nepotism is also perceived as an ensemble of social practices that block social development.

Avunculate appears as a more exclusive and narrow term compared to nepotism. It was originally used by French social theorists and English ethnologists who worked on central African societies. The concept focuses on maternal kinship relationships, identifying a « social father, » who is also the « mother's brother ». The task of this « social father » is to substitute or add to the roles and functions of the biological and/or legal father of the children. This « avunculus » maintains a privileged relation with his « nephew, » and forms part of an ensemble of obligations related to social representation as well as to forms of inheritance of high-value belongings and public offices.

This project investigates the interrelations between these two concepts (nepotism and avunculate) as well as the practices they both encompassed. It tests the possibility of considering nepotism as one single phenomenon that operated across Mediterranean societies from Late Antiquity to the Present. Through an impressionistic approach, this project relies on a series of case studies that permits the drawing comparisons between different mechanisms of economies of inheritance. It analyzes how possessions and inheritance were affected by specific matrimonial alliances. From a general and anthropological standpoint, past and present economies of inheritance affect all kind of resources, including material goods to which symbolic values and memories are associated. This project considers how educational and cultural capitals became part of economies of inheritance, and it interrogates the relativity of sexual constructs and generative production in the social mechanisms of inheritance. This study demonstrates how families across several Mediterranean societies bolstered nepotistic relationships through negotiations and contracts related to dowries. It distinguishes legal theories concerning the « réserve usufructières » from practices of inheritance and possession, arguing that such practices gave way to the creation of reiterative traditions of inheritance known for being inalienable. Such traditions fostered the creation of « communs » that benefited the mother and the children. These traditions also secured a « mutualized » protection among allied families, reinforcing their extended bonds of kinship. This concludes by analyzing how undifferentiated « mutualization » of goods and resources, beyond the protection of the mother and the children, impacted the social and civic foundations of Mediterranean societies via the creation and conservation of sites of memories and unique practices associated with public service that was supposed to secure the general interest of communities affected by nepotism.

## « Le népotisme, la relation avunculaire, les relations adelphiques et le mariage méditerranéens : fonction et rôle dans les affaires publiques et religieuses (III<sup>ème</sup>-XVIII<sup>ème</sup> siècles) »

Les deux notions de « matrilinéarité » et « matriarcat » ont été largement déconstruites. Elles furent d'abord débordées par les approches structuralistes de l'anthropologie de la parenté et par le vaste inventaire diversifié et nuancé des systèmes décrits, en général plus indifférenciés qu'exclusifs en matière de genre quoiqu'entretenant toutefois des valences ambilinéaires. L'articulation fondamentale des groupes familiaux entre eux se joue autour du couple et de son lit, de la concrétisation contractuelle de l'union. Elle le furent ensuite plus récemment d'un point de vue épistémologique par les études de genre et post-coloniales qui ont démontré combien elles étaient des notions « miroir » de la domination masculine et de l'hégémonie culturelle et économique européenne. Ainsi cette matrice féminine fantasmée, réifiée par transfert *ab origine*, était pour grande part la chimère et projection d'un « primitivisme » romantique occidental, une illusion rétrospective.

Pourtant, derrière cette passade conceptuelle, le népotisme et l'avunculat sont deux phénomènes assez communément observables dans les sociétés anciennes et modernes particulièrement en lien avec l'économie matrimoniale. Conséquence collatérale du couple et de l'alliance, le népotisme comme l'avunculat et les relations adelphiques, se manifestent principalement par un rapport singulier entre l'oncle et le neveu, un lien cultivé et affiché, entretenu par ceux-ci et soutenu par un système d'obligation et de droits réciproques, de comportements et de transmissions réglées, relevant tout autant de pratiques et coutumes que d'une norme juridique positivement énoncée qui resterait encore à préciser. Or cette relation privilégiée au sein de la parenté, fruit de la *cognatio*, agissant à la faveur et en renfort de la contraction d'alliances entre les groupes familiaux, tient un rôle prépondérant et décisif dans la mutualisation des intérêts respectifs des groupes alliés au sein du jeu institutionnel et social des communautés.

En effet, en se basant sur la définition stricte de la *cognatio* latine, largement indifférenciée bien plus que trop strictement maternelle ou féminine, englobant ainsi les agnats et ce faisant dépassant toute considération de genre dichotomique, le rapport oncle/neveu demeure naturellement, hors de la descendance directe, l'issue successorale la plus potentielle et et pour cela la plus actives dans les sociétés anciennes dans le périmètre du troisième degré de consanguinité d'*ego*. Il permet, par son caractère oblique et horizontal de pondérer au sein de la parenté les effets d'une « patrilinéarité » dominante et de la verticalité stricte de l'héritage agnatique et des règles de la transmission du patrimoine familial privé qui le définissent. Elle promeut ainsi une parenté adelphique décisivement complémentaire à celle dite dynastique. Ainsi cette relation privilégiée, particulièrement émergente dans les prosopographies, guide et accompagne la dévolution diagonale et collatérale d'honneurs, de titres et de la possession de bénéfices et fonctions publics et religieux réputés pourtant par nature inaliénables. L'alimentation de ces dévolutions, bien que repoussées sur la parenté biologique, soutient par ailleurs tout un système de valeurs très différent de celui caractérisant la transmission de la puissance virile et héréditaire. En se reposant sur la *pietas* familiale et l'observation d'obligations mutuelles, elle assure la transmission et l'instruction du capital symbolique au sein du groupe des parents, et contribue ainsi à la célébration sociale de la famille étendue et de la relation de parenté au sein de la Cité.

Au sein des sociétés méditerranéennes, à diverses échelles et dans divers aspects de leurs organisations sociales, politiques publiques et communautaires, mais aussi commerciales et religieuses, le phénomène se manifeste et se laisse observer communément selon des principes et modalités qui semblent relativement convergents. Celles-ci brouillent néanmoins relativement les frontières trop arrêtées du « privé » et du « public » par une propension à faire entrer discrètement au sein d'une économie successorale matrimoniale étendue des familles alliées la jouissance pourtant dénuée de propriété de biens « socialisés » et réputés inaliénables. C'est évidemment par là qu'elle contingente la jouissance des *honores* comme la circulation des charges, jouant ainsi un rôle fondamental dans l'organisation et le fonctionnement de nombreuses communautés, à l'interface entre société et familles. Si ces usages et cette pratique participent et confortent *a priori* un mécanisme de reproduction endogamique par accumulation chez les classes possédantes et au sein de l'élite, il semble aussi avoir garanti aux entreprises familiales une forme de résilience et souplesse appuyée sur la solidarité du groupe et s'observe pour cela dans un

beaucoup plus large spectre social. Malgré la magistrale description du culte de la *pietas* familiale par Reinhard au sein de la curie apostolique romaine de la fin du Moyen Âge et de la première Renaissance, ou encore la redécouverte plus récente des mécanismes de la transmission des charges ecclésiastiques par les médiévistes italiens au sein des dynasties patriciennes des cités de l'Italie communale, les fondements juridiques et les assises normatives du népotisme et de l'avunculat n'ont guère été traités en tant que telles dans la littérature scientifique et pour tout dire perçus et décrits convenablement, alors que ces deux notions sembleraient constituer les deux facettes d'une même réalité.

Le « népotisme » est un néologisme polémique *ad hoc* du tout premier âge classique, intitulé d'un pamphlet brocardant l'endogamie romaine au sein du siège de Saint-Pierre. Le mot et l'idée ont fait long feu et de façon extensive. Le terme rapidement puis largement consacré s'est disséminé dans les sciences avec des fortunes diverses. Ainsi, l'observe-t-on encore tout récemment massivement fleurir au sein de la théorie et du droit des ressources humaines des entreprises et de l'administration. Le « népotisme », à l'inspiration des sciences naturelles et de l'éthologie, passe même depuis pour la sociobiologie néo-évolutionniste comme la principale manifestation de l'*inclusive fitness*. Ce faisant, son acception fut dès lors très élargie, et s'entend depuis par l'idée de promotion différentielle des proches parents, un favoritisme de parentèle, au l'œuvre dans les organisations collectives et communautaires et au sein de la vie sociale, publique et professionnelle en général, généralement brocardé comme un facteur de retard de développement de celle-ci.

La seconde notion d'avunculat qui se veut un peu plus positivement restrictive et exclusive, a été formulée par la théorie savante de l'éthologie franco-britannique d'après l'étude des sociétés d'Afrique centrale d'abord. Elle propose sur la base d'une différenciation de la parenté maternelle, d'isoler au sein de la fratrie de la mère un « père social » : le « mother's brother ». Celui-ci se substituant ou complétant les rôles et fonction du père biologique et légal pour les enfants du lit. Cet *avunculus* en entretenant un rapport privilégié avec un neveu, est soumis généralement à des obligations quant à la représentation sociale et la surface publique de la famille, ainsi que pour ce faire des formes de transmission successorale de biens de prestiges ou de fonctions symboliques.

Il faut donc aller voir comment derrière ces deux notions et thèmes, dont l'histoire propre et l'utilisation savante paradoxalement ont contribué à pulvériser excessivement les approches, il y n'aurait qu'un seul et même phénomène, observable sur tout le pourtour méditerranéen et courant tout long d'un très long Moyen Âge, de l'Antiquité Tardive à la Modernité. De façon nécessairement impressionniste, plusieurs études de cas historiques permettront d'esquisser des comparaisons et de mieux caractériser le phénomène. Pour ce faire l'étude s'attachera tout particulièrement aux mécanismes de l'économie successorale au sein des familles et notamment à mieux cerner la nature spécifique des biens affectés aux contractions d'alliances matrimoniales. Mais cette « économie » sera entendue au sens général et anthropologique de l'ensemble des richesses, biens matériels comme valeurs symboliques, mémoire et transmission éducative du capital culturel, voire aussi d'un jeu de relativisation de l'assignation sexuelle comme de la génération productive. L'étude postule donc que l'on puisse mieux caractériser au sein de ces différentes sociétés méditerranéennes la façon dont les familles alimentent par la constitution et la négociation des dots et douaires la substance même de ces rapports népotiques ou avunculaires. Pour cela, par comparatisme, nous reviendrons sur la technique juridique de la réserve usufructière et sur les dispositifs juridiques strictement assimilables, distinguant droit théorique et possession pratique de la chose, donnant lieu à des « traditions » souvent répétitives et viagères de biens réputés inaliénables, permettant ainsi la constitution de « communs » au profit et droit de la mère et des enfants du lit, protection « mutualisée » ayant obligé et accordé les familles alliées amenées ainsi à « faire société ». Nous essaierons enfin de saisir comment tendanciellement cette mutualisation inter-gener et indifférenciée par le biais cognatique, au-delà des seules protections de la mère et les fils du lit et de la stricte gestion de l'économie successorale familiale, se traduit le plus souvent dans la vie sociale et civique par la fondation et l'entretien de lieux mémoriels ou l'investissement dans des pratiques d'évergétismes, le plus souvent associés à des missions de délégations de service public et/ou participant à des missions d'intérêt général pour les communautés concernées.

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- Pope Sixtus IV<sup>th</sup> granting the curator office of the *Bibliotheca Vaticana* to Platina, painted *in fresco* by Molozzo de Forii in 1477. Initially decorating a wall of the former Vatican's library reading hall, the paint have been removed from now for remaining in the *Pinacoteca Vaticana* (Inv. 40270). The pope is seating with four of his nephews standing around him, two ecclesiastical ones, and two other young and noble laypersons.



Associated researcher at the CIHAM (UMR 5648, Histoire, Archéologie, Littératures des mondes chrétiens et musulmans médiévaux, CNRS, Lyon 2 University, EHESS, ENS Lyon, Avignon University, Lyon 3 University) and lecturer in medieval period at the universities Jean Monnet of Saint-Etienne (UJM) and Jean Moulin of Lyon (Lyon 3).

After conducting research on the medieval pilgrim-badge trade at the Marian shrine of the cathedral of Puy en Velay in the South of France, Jean Berger completed a PhD dedicated to the documentation of the martyrial shrine of Saint-Julian of Brioude in Auvergne. From Late Antiquity to the central middle ages, this place, previously known as the burial of the Gallic emperor Avitus in the middle of the V<sup>th</sup> century, remained one of the most important funeral basilica of the Dukes of Aquitaine. This close link with power led to the production of continuous and diverse documentation throughout the Middle Ages. The comparison of sources concerning the military saint Julian of Brioude and his veneration casts an original light on an ancient institution. In the heart of the rural *vicus* of Brioude, the community of the basilica was placed early under the royal *tuitio* of the Merovingian sovereigns, where it functioned in the manner of a small *senatus*. The monumental *Grand Cartulaire* or *Liber de Honoribus* reflects how properties across the region were pledged to Saint Julian in Carolingian times and during the early reigns of the Capetians. The omnipresence of the clause of lifetime usufruct characterises the Carolingian and late-Carolingian charters of Brioude during the High Middle Ages. After payment of a quitrent, this measure allowed the younger sons of aristocratic families to succeed one another—from uncle to nephew—as canons, and thus to reiterate endlessly the symbolic *traditio* of the ownership of property to the patron saint, while still guaranteeing the effective enjoyment of its rents for the families. This usufruct, a technique proper to vernacular provincial Roman law, is an arrangement specific to the *res maternae*, that is to say, to goods which were at the mother's disposal but intended for her children collectively. This origin of ecclesiastical rights, in the form of eminent domain or of a largely delegated *dominium*, was thus based on the pledging of a woman's dowries—circulating and negotiated between the aristocratic families during their alliances through marriage—to the church of the Patron Saint. Such was the routine administration of these territories on the borders of the Auvergne, where Fisc and the Church were closely linked under the majesty of the King and the Patron Saint. The fortunes of the worship and the patronage of Julian leads us to reconsider the impact of the large-scale, competitive installation of newly established monastic orders in these territories, and thus to assess the way in which they accompanied the process of « Feudalism ».

After two grants for this PhD and some historical publications connected with different fields of research, Jean Berger plans to use interdisciplinary approaches to extend observations and conclusions. Enlarging the focus of the research to include interdisciplinary aims, and also to extend it to longer time periods. By crossing historical and anthropological approaches to kinship, this wide-ranging study reveals some blind spots and some misunderstandings about the mixed ambilinear and undifferentiated system of the *cognatio*. The proposition is to observe with more accuracy a phenomenon which seemingly functioned across the whole Mediterranean cultural area, but still remaining largely ignored up until this point.

### **[fig. n°1-Presentation's page]**

Thanks everybody and thanks to the CMRS and Claire as its acting director for inviting me. I am delighted to share with you the most recent fruits of my research and some ideas that I was able to develop here at SLU with all of you during this past month.

### **[fig. n°2-Molozo de Forii]**

« Mediterranean Nepotism, Avunculate Kinship, Siblings and Matrimony : Function and Role in Religious and Public Affairs (3rd-18th Centuries) »

### **[fig. n° 3-outlines]**

This presentation is about « nepotism, avunculate kinship and siblings », and their role into church and state systems that functioned across both the late antique, medieval, and modern periods. I would like to show how nepotism is a direct consequence of the exchange of women between families, and by doing so to prove the necessity for historians to study further the importance of such exchanges within ancient societies, especially when it comes to analyze systems of inheritance.

### **[fig n°4-Avitus\_coinage+Julien]**

I- From the particular to the general : remarks about the Brioude's charters

This work proceeds from some postulates of my former thesis work about the juridical technique of usufruct among carolingian charters and diplomatics sources.

a) gift/*donatio* with clause of *retentio usufructus*

My thesis was a monograph study on the Brioude chapter's archives. Brioude is today a small town located in Auvergne. However at the end of the Western Roman Empire, because of the Holy martyr Julian of Brioude's grave, it became an important place. Julian is one of the most famous and iconic Gallic saints, with Martin and Maurice. It was probably no coincidence, that in 455, the only Gallic Emperor, Avitus, native of Auvergne, chose this place to be his burial.

### **[Fig. n° 5-map\_of\_Aquitania\_Principdom]**

A few centuries later, the Carolingian dukes of Aquitaine, Charlemagne's nephews and cousins, called the « Wilhemids » established Brioude as a center of their estates. For example, one family member, William the Pious was abbot of Brioude and later created Cluny based on the patrimony of his sister. Up to now, Saint-Julien de Brioude remains the largest romanesque church of Auvergne.

### **[Fig. n° 6\_Ghuilemides]**

Apart from the *Liber de passione Juliani* composed at the end of the VI<sup>th</sup> century by the bishop Gregory of Tours, also native of Auvergne, no textual documents have been conserved until the IX<sup>th</sup> century. From that time, an important cartulary remains containing more than 500 charters. Most of these charters are precious because they are dated from the X<sup>th</sup> century.

The overwhelming majority of those charters are donations to the church of Saint-Julian, and of special significance is the fact that the gifts are endowed with a special clause, the *retentio*

*usufructus*, « reservation of the usufruct », that is the right for the donor to keep the estate for his use but with a lifetime enjoyment, even if he no longer owns the property of the estate.

This kind of donation is paradoxal because the donor keeps with him the estate that he gives to the Church. My question here is what did « giving » mean in this situation.

This question is relevant when one observes that the same aristocratic family is reiterating the same donation of the same estate across generations and while its members continue to benefit from a lifetime usufruct. In practice, uncles and nephews, who were all canons of Brioude, were succeeding each other, from one generation to another. As far as we could observe it, « nepotism » was conditioning the recruitment of canons.

So usufruct functioned as a form of land tenure as the charters and the title of the XI<sup>th</sup> century cartulary confirm. The title refers to the term honor « *Liber de honoribus sancto Juliano collatis* » (meaning the « Book of honors conferred to saint Julian »). In the charters, the *usufructus* is also often replaced by the word *beneficium*.

Theoretically, estates given to the saint and his church by the families became unalienable. This is the common characteristic of the *res religiosa* or *publica* : as « honors » they cannot be given away, be sold or transferred upon another. Seemingly, the Brioude cartulary and its charters reveal a system, in which aristocratic families retained the enjoyment and the benefit of these unalienable « honors ».

The act of giving is essentially an endless, symbolic and regular repetition of the *traditio*/trading gesture for the benefit of the saint's *Majestas* by a family and its relatives. These donations are less about generosity and benevolence of the donors than about a social display. Clearly, it's a way for securing these families positions in society by associating their estates with the reputation of Church. Thus these usufructs allowed *honores* and *beneficia* to stay and circulate within the same families, again and again.

So, let's go back on the history of the usufruct from Late Antiquity to the early medieval ages to provide us with a better comprehension of this system.

### [Fig. 7-Res]

b) From late Antiquity to early Medieval Ages : usufructus a “dominium without aliendi licentia” (Ernst Levy)

Usufruct was a sophisticated technic of the Roman law and it was based on simple ideas :

First, usufructus comes from the distinction between *proprietas*/property and *possessio*/possession, between theoretical and real ownership. So the *Res*, the thing, could be divided between an *anima*, which is given to someone with a stronger connection to the property, and a *corpus*, which is given to others who are enjoying a more practical and material benefit. The usufructus implies relationship between two partners sharing rights.

### [Fig. n° 8-Levy]

In his 1951 book « *West roman vulgar law* », Ernst Levy focused on the usufruct in order to talk about how roman law changed at the end of the Western Empire. Today, we do not refer to no « vulgar » roman law but to « provincial » roman law, since we consider the ways such law gradually evolved within specific provinces that were under the influence of local customs and jurisprudence practices.

Ernst LÉVY proved that the distinction between *possessio* and *proprietas* was replaced in practice by an opposition between *dominium*/full property and *usufructus*.

Increased references to usufruct simplified the *ius in re aliena*, the easement rights. Usufruct became nearly similar to *dominium* but without contemplating the *aliendi licentia*, the right to transfer, sell or give.

The second point about usufruct's reservation is that the transfer of the good, the « *traditio* », is always considered fully accomplished even if one retains the practical enjoyment of the good. In accordance with the law the usufruct is considered as an « obligation », and it's impossible for the owners to create an obligation on their own thing. So the donor and the former owner need to totally relinquish the thing. In Roman law, obligations are not all about the land tenure, but more about contracting relationship between parties. By promoting interpersonal relationships and mutual bonds, the medieval usufructs were perpetuating the spirit of the roman law. This is the symbolic role and also decisive function of the *traditio*, endlessly asserting and accomplishing the symbolic ownership of the saints of the Church to which the *donatio* was attributed, while in practice the good remained in the hands of the local elites.

The third point, is that usufruct was originally *ad tempus*, meaning that it was given for a limited time. During Late Antiquity, usufruct was systematically applicable for a life time period. This was somehow logical because when it happens that the beneficiary is not a physical person — for example in our case, the church —, the donor, obviously won't be able to survive the recipient. By all accounts, observation of life time usufruct's reservation in the Roman provincial law during Late Antiquity is an indication of the increase of donation to a legal person instead of a physical one.

### c) Dowers and dowries and circulation of unalienable properties

The legal basis of the medieval usufruct must be contextualized. For example ; if we take into the germanic law codes produced during the early middle ages, especially the so-called Wisigothic and Burgundian ones, we see that they retained roman laws that they judged to be the most useful. These selected laws are mainly dedicated to marriage (*nuptiae*) and they often deal with the *res maternae*, which is essentially concerned with dower, which what the groom brought to the marriage, and dowry, what the bride brought to the marriage.

In these laws the way the usufruct's is used is simple : the property of the dower and the dowry itself go to the children. The parents just conserve the usufruct of the property associated with the dowry. In case of the husband's death this matrimonial reserve protects the widow and the children from the paternal branch of the dead father.

By providing dower and dowry, marriage provided a key moment to negotiate usufruct between the two allied families. Dowry was given by the bride's family, and betrothed to the engaged boy at the time of the engagement (*sponsialium*). Later, during the wedding, the groom and his family give the dower to the couple via a *donatio nuptialis* or *condonatio*. Both the *donatio* and the *condonatio* included an usufruct's reservation.

Nevertheless, dower and dowry are not a simple exchanges between families. The dower and the dowry guaranteed to the children access to the whole property. All of that depended on the couple's fertility and its ability to procreate, as well as to carry on collective investments. In this view, the church to which the estate was given, participated as a third part. The Church contributed to keep the dower and the dowry together as well as it remained at the disposition of the children. As a space of ritualised unavailability, the church constituted a secure repository for them.

### [fig. n° 9-Godelier\_Enigme\_du\_Don]

So going back to my initial question, which was also formulated by the French anthropologist, Maurice Godelier, « what did giving mean ? » When trying to answer such a question, it becomes clear that usufruct reservation functioned as a prerequisite for Nepotism. In practice, the usufruct fostered avunculate and sibling relationships. Thus usufruct, as a land tenure of the *dower and the dowry* was convenient when it came to circulating unalienable properties

within aristocratic system of inheritance always in conjunction with the church operating as a third party. By doing so, aristocratic families were maintaining a collective control over their own « social reproduction », were preserving their common interest and benefiting from the reputation of the church with which they estates were connected.

II- « État de l'art » (State of the art) : *Cognatio* and undifferentiated « devolution »

a) Matrilineality spread in nepotism, avunculate and sibling

### **[fig. n° 10- Bachofen]**

Moving away from Johan Jacob Bachofen's interpretations on « Matrilineality » and « Matriarcal » issues and connecting with modern anthropology and kinship studies, I argue that such systems of inheritance were undifferentiated and non-exclusive in terms of gender. These systems relied heavily on “ambilinearised” values and functions, meaning that both the matrilineal and patrilineal lines of inheritance were interconnected.

### **[Fig. n° 11- Covers]**

For example, the alleged “matrilinear” populations described by colonial anthropologists before World War II, are today conceived as more “ambiarcal” than “matriarcal.” Medieval historian, Zrinka Stalhujlak argued in her 2012 provocative essay entitled “Pornographical Archeology” that our vision of so-called patriarchal primitive and medieval societies has been influenced by 19<sup>th</sup> century romantic visions. It is now time to revise such a vision and analyze the non-exclusive linearity of kinship. Moving away from this model requires us to propose a new model, but which one?

### **[fig. n°12- Goody >”Household”]**

Recent anthropological studies have focused more on “household” units or “domestic group” variations, defined as “kinship atom” by Claude Levi-Strauss. These studies consider families as “Household” which are articulated around a contractual relation between husband and wife.

Scholars such as John Goody's have focused on the succession implications of kinship and the material exchanges between the domestic sphere and the productive sphere. By doing so, Goody reminds us the importance of historical development and variations while he takes his distances with overarching structural analysis.

Perceived through a critical and historical lens, the dower and the dowry became key elements for studying kinship. Medievalists have been leading the way on research dedicated to kinship. However, terms such as “household”, more than the latin word *familia*, still remain ambiguous in medieval studies. The term of household is often too narrowly limited to the idea of the private sphere. Nevertheless, medieval and modern nepotisms or avunculate relationships transcended both private and public spheres. In consequence, historians must keep in mind how public and private affairs overlapped.

### **[Fig. n°13- Leti]**

Departing from this conceptual standpoint, one realizes that « Nepotism » has been mainly used as a polemical neologism since the beginning of XVII<sup>th</sup> century, when the polymath, Gregory Leti attacked papal governance. Since then, this “neologism” has acquired multiple meanings across a wide range of disciplines. For example, in natural sciences or ethology nepotism refers to obvious

displays of « inclusive fitness ». Once imported into human and social sciences by neo-evolutionist and sociobiological trends, we find other problematic use of this neologism. In the last decades, some scholars referred to “nepotism” when claiming to have found a natural and biological background to socio-economic inequalities or ethnics or racial discrimination, thus forging a new kind of dangerous “eugenicism”. From a management studies perspective, the use of the term “nepotism” speaks broadly about the “promotion of relatives and their preferential treatment based on kinship ties”. So, now “nepotism” mostly refers to an ensemble of social practices that blocks social development and cripples collective organizations.

#### [fig. n° 14- Radcliff-Brown\_Avunculate]

For its part, the concept of “Avunculate” has a more limited meaning and history. After Alfred Radcliffe-Brown’s anthropological studies on social structures and his description of the “Mother’s brother” function, the term “avunculate” has been used by scholars to refer to the existence of a function of « social father » often given to a paternal or a maternal uncle. In some cases the “avunculate” is added to or completely replace the biological and legal father of the children. This « avunculus » maintains a privileged relation with his « nephew ». The avunculus bolsters the social display of the family as well as secure the inheritance of high-value and symbolic belongings and public offices among this same family.

Building on these considerations, would it be possible to posit the idea of the existence across Mediterranean societies since the roman Antiquity of a single legal concept in charge of regulating kinship relation? I propose to explore the concept of *Cognatio* as a possible answer to this question.

c) Much ado about kinship : rediscovering the *Cognatio*

#### [Fig. n° 15-papers]

Many recent historical articles have been dedicated to “nepotism” and “avunculate”. Both concepts are both analyzed through ancient and modern societies, from late Antiquity to the late early-modern period, especially in places such as Italy, Germany, England, Spain...and almost everywhere else in Europe and all around the Mediterranean.

#### [Fig. n° 16-Rheinhardt]

“Nepotism” and “avunculate” form part of a value system which is very different from patrilineal inheritance. As the historian and sociologist Wolfgang Reinhard showed, *nepotismus* was based on *pietas* as one of its central values. *Pietas* was the duty to act properly toward both ancestors and current kin. Inherited from antique cultures and based on mutual bounds within the family, *Pietas* functioned as an “ideal type” that sustained society and household governance.

In his work, Reinhard presents nepotism as the result of overwhelming aristocratic domination upon society, especially in Rome, but also across Christianity. In his view nepotism increased when the church decided to establish celibate vows within its ranks. For Reinhard, this moment transformed nepotism into a “constant” practice since the Late Antiquity to the end of the Modern period.

Reinhard’s work didn’t account for the succession implications of nepotism, nor did his work underline the legal status of the goods transmitted between avunculate nephews and the maintenance of “symbolic capital”.

#### [Fig. n°17-Sandro\_Caroccio]

Aside from Rheinar's works, few syntheses have been written on nepotism. The medievalist, Sandro Carocci, described the way ecclesiastical functions circulated within patrician dynasties and families from the medieval communes of Italy along the XIII<sup>th</sup> and XIV<sup>th</sup> centuries. The medievalist, Julia Barrow has conducted research on medieval english priesthood, focusing on what she calls the "uncle-nephew paradigm". Departing from these works, it is now necessary to consider nepotism, avunculate and sibling relationships together in the historical analysis.

### [Fig. n° 18-Stemma\_cognitionum]

In my view, the concepts of nepotism and avunculate proceed from the latin term *cognatio*. *Cognatio* does not refer to an exclusively female nor male dynamic when it comes to explain systems of inheritance. In fact, the *cognatio* refers to agnatic kinship, but also, and notwithstanding gender, it refers to all the mother's kin and all the parents-in-law.

One legal adage says that "*mater semper certa*" ("the mother is always certain"). On the contrary "*pater est semper incertus*" (« the father is always uncertain »). The married woman and potential mother is the true foundation of both particular household and social relationships between families. The outstanding sovereignty of the father, the *Pater familias*, over the household is consequently totally determined by a previous and necessary contract of marriage brought by the bride to her husband.

Within the *cognatio*, and aside from direct inheritance by the agnats of private estates and aside from the horizontal community of children, the relation between the uncle/aunt and their nephews and nieces appears to be the most likely natural mode of transmission of offices and benefits within the third-degree perimeter of kinship.

This cognatic system of "devolution" of unalienable goods and usufructs between family members offsets the vertical patrilineality and exclusive agnatic inheritance of *patrimonium*. In such a way, avunculate and sibling relationships reinforced diagonal legacies for public and religious honors beside paternal and dynastic "lineage".

So... "nepotism", when considered simultaneously with avunculate and sibling relationships, appears as a direct consequence of conjugal alliances. Such approach invites me to consider the existence of "matrimonium" next to the sole existence of "patrimonium".

### III- Some perspectives

These remarks invite us to consider cognatic devolution systems connected to aristocratic, church, and public institutions.

a) Aristocratic strategies : between law and practices, norms and behaviour

An overview about the marriage topic in canon laws over the early medieval ages shows a long "wait-and see attitude" by the church. Until the middle of the IX<sup>th</sup> century marriage remained solely as a contract. It fell within the exclusive competence of the roman civil law.

### [Fig. n°19 : Corbet]

However, and instead of positive laws, some prohibitions regarding marriage existed, such as for example, celibate vows, the necessity of chastity for priesthood, and the promotion of monogamy as well as the condemnation of concubinage. Moreover, during the IX<sup>th</sup> century, bishops hardly discussed incest prohibitions between *consanguinei*. As a doctrinal result, the perimeter of incest practices was extended from the third degree to the seven degree or more. In addition, incest was extended to all the *consanguinei* who could be remembered.

### [Fig n° 20 : Legendre]

All of this influenced the computational system of kinship degree based on a previous roman pattern to a new canonical one. This shift was based on different uses of the *Stemmata cognationis*, formerly used for organizing inheritance and “devolution” distracted from their primary function. The stemmata were then used instead to define the perimeter of the incest prohibition.

John Goody assumed that the church had used prohibition of incest to control the circulation of goods within aristocratic families. This assumption is partially right because there was not a strong consensus among clerics on this topic before the council of Worms (868). Moreover, most of the church’s authoritative clerics were themselves aristocrats and were not playing against their own interest. If this prohibition was about power and political issues, it was rather less a struggle between aristocracy and church than the opportunity to promote among this same aristocracy an inner circle which was able to keep and produce the most extended memory of their kin relationship.

During the 9<sup>th</sup> century, between France, Italy and Germany, competition for hypergamic and widely exogamic marriages among *reicharistokratie* could be observed.

### [Fig. n° 21\_Schéma\_Engleberga]

#### b) The “cognatic capital”

To conclude, I will use a case study to illustrate how the “devolution” of maternal goods fed entanglements between nepotism, avunculate and sibling relationship. With this particular case, instead of insisting on uncle/nephew nepotistic relationships, we will focus more on nieces and aunt, relationships, in order to underline the pivotal role of women in relation to nepotism.

Queen Angelberga, spouse of Louis II<sup>nd</sup> of Italy, is known through charters that were granted to her and to the abbey of San Salvator and Giulia in Lombardia during the second part of the IX<sup>th</sup> century. Around Angelberga and around this abbey, the abbess Gisela the younger, the Queen’s daughter, succeeded her paternal aunt, known as Gisela the older. After the death of her daughter, Gisela the younger, queen Angelberga reserved for herself the usufruct of the abbey. Then, she inserted in the charter a clause that allowed her to transmit the usufruct of the abby to her other daughter, who was the sister of the the abbess Gisela the Younger. This is the most perfect illustration of the mechanism of “devolution” using usufruct and *res materna* to establish inalienable property between cross cognatic kin women.

Beside her outstanding queenship, and according to genealogical evidence, Queen Angelberga, spouse of Louis II<sup>nd</sup> of Italy, was also the step-daughter of her husband’s paternal uncle. Despite this genealogical overlaps between kins of a same family, there was no real infringement of cosanguine prohibitions. In fact, Angleberga’s ascendancy brought her closer to the imperial inheritance of the two successive marriages of Louis the Pious. Queen Angelberga was the grand-daughter in law of Ermengarde of Hesbaye, first spouse of the emperor Louis the Pious. Because of her aunt, Queen Angelberga was also the niece of Judith of Bavaria, who herself was the second spouse of emperor Louis the Pious.

Historian Cristina La Rocca acknowledge the central political role played by Angelberga at the end of the IX<sup>th</sup> century. It is fundamental to review the queen’s genealogy to understand why all the rival families that wanted to obtain the Italian and Imperial Crown attempted to marry the queen’s descendants while trying to obtain her matrimony.

This case concludes and illustrates why “nepotism, avunculate, and sibling relations” were reinforced by the end of the carolingian ages. During this period, aristocratic families promoted and extended their own patrimony and matrimony through their cognatic network by taking advantage and transcending incest prohibition.

## CONCLUSION:

Beyond strict and romantic definitions of nepotism and avunculate, it is now time to account for the historical, central, and pivotal role of women in ancient societies. Medievalists and early-modernists have the tools and the capacity to question genealogical constructions which have been established from the exclusive point of view of sole male inheritance.

By considering the circulation of unalienable goods supported by matrimonial exchanges among provincial notabilities, and by associating both clerics or administrators with their benefactress families, will contribute to forge a new legal notion, based on the symbiosis between *fiscus* and *ecclesia*, and which will allow us to balance more accurately the two old ideas of *res sacra* and *publica* into one main idea, the *res communis*, that functioned as a powerful and common social denominator across Mediterranean societies from Late Antiquity to the modern era.



« Mediterranean Nepotism,  
Avunculate Kinship,  
Siblings and Matrimony :  
Function and Role in Religious and Public  
Affairs (3rd-18th Centuries) »

Jean BERGER

Short term NEH fellowship SLU visiting scholar,  
Lecturer at the Université Jean Monnet, Saint-Etienne,  
CIHAM associated researcher.



Pope Sixt IV<sup>th</sup> granting the curator office of the *Bibliotheca Vaticana* to Platina, painted *in fresco* by Molozzo de Forii in 1477.

Intially decorating a wall of the former Vatican's library reading hall in Roma, the paint have been removed from now for remaining in the *Pinacoteca Vaticana* (Inv. 40270).

The pope is seating with four of his nephews standing around him, two ecclesiastical ones, and two other young and noble laypersons.

## Introduction

### I- A brief itinerary of research. From the particular to the general

- a) gift/*donatio* with clause of *retentio usufructus*
- b) From late Antiquity to early Medieval Ages : usufructus a “dominium without aliendi licentia” (Ernst Levy)
- c) Dowers and dowries and circulation of unalienable properties

### II- « État de l’art » (state of the art) : Cognatio and undifferentiated « devolution »

- a) Matrilineality spread in nepotism, avunculate and sibling
- b) Much ado about kinship : rediscovering the *Cognatio*

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- a) Law and practices, norms and behaviour
- b) The “cognatic capital”

## Conclusion



I- From the particular to the general : remarks about the Brioude's charters

a) gift/*donatio* with clause of *retentio usufructus*

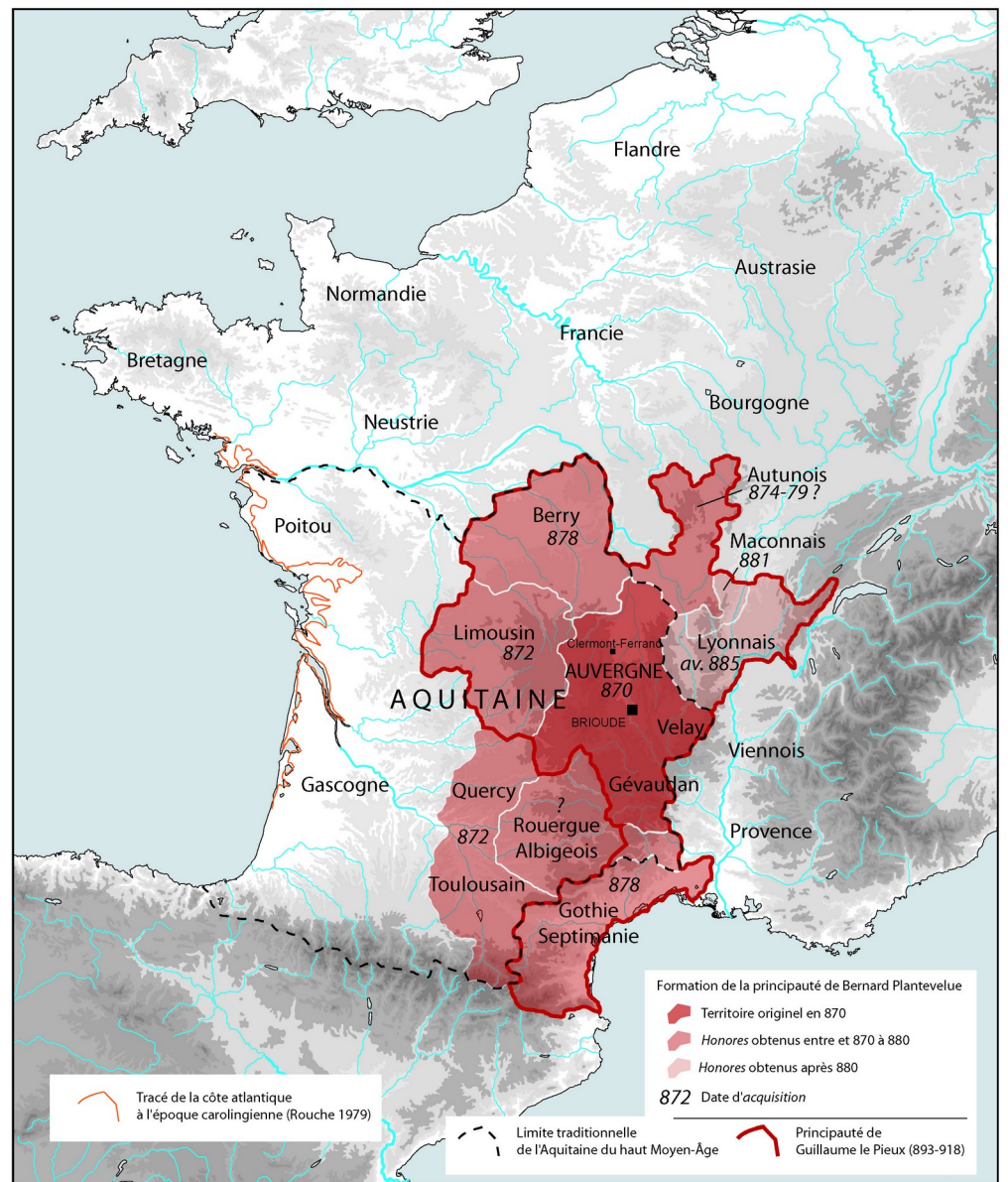


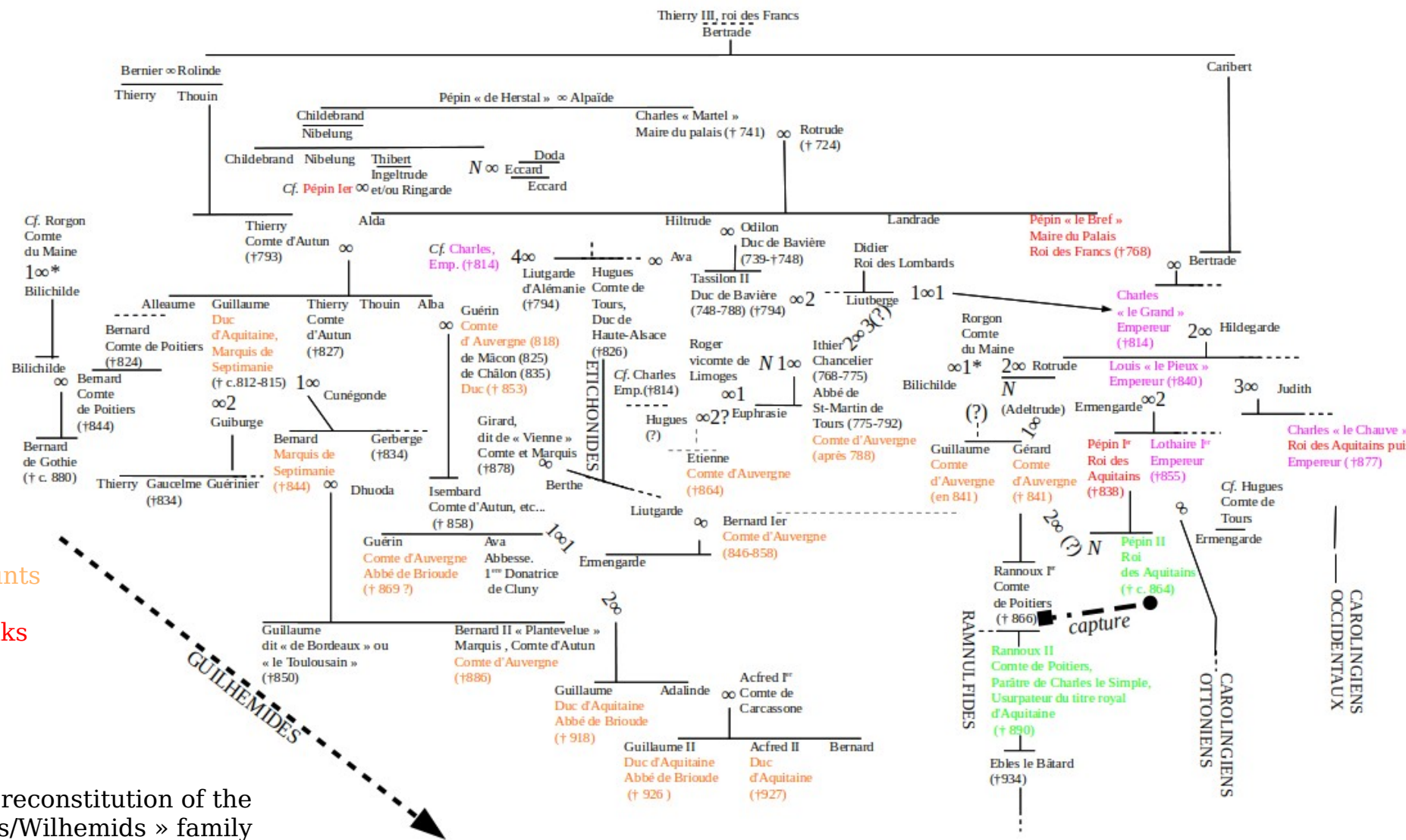
*Solidus* and *tremissis*  
from the gallic  
emperor  
*Avitus* († 455)



The Auvergne and Brioude, center of the Aquitanian principedom of the « Wilhelmids » at the beginning of the X<sup>th</sup> century

© R. Lauranson-Rosaz





Auvergne counts

Kings of Franks

Emperor

Usurpator

Genealogical reconstitution of the « Guilhemides/Wilhemids » family compared to the carolingian one.

CAROLINGIENS  
OCCIDENTAUX

CAROLINGIENS

RAMNUL FIDES

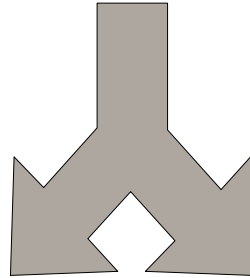
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GUILHEMIDES

b) From late Antiquity to early Medieval Ages : usufructus a “dominium without aliendi licentia” (Ernst Levy)

One of the key demonstrations of Levy's *West Roman Vulgar Law* :

Res =  
Possessio + Proprietas

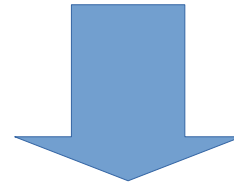


dominium /////  
usufructus



Ernst LEVY, *West Roman Vulgar Law: The Law of Property* (Memoirs of the American Philosophical Society, vol. 29). Philadelphia: American Philosophical Society, 1951.

PROPRIETAS // POSSESSIO



DOMINIUM // USUFRUCTUS

USUFRUCTUS + RESERVATIO  
≈

DOMINIUM without ALIENDI LICENTIA

c) Dowers and dowries and circulation of unalienable properties

**Maurice Godelier**

*L'énigme  
du don*

 **Fayard**

Maurice GODELIER, *L'Énigme  
du don*, Fayard, Paris 1996.c

ID., *The Enigma of the Gift*,  
trans. by Nora SCOTT,  
Chicago, The University of  
Chicago Press, 1999.

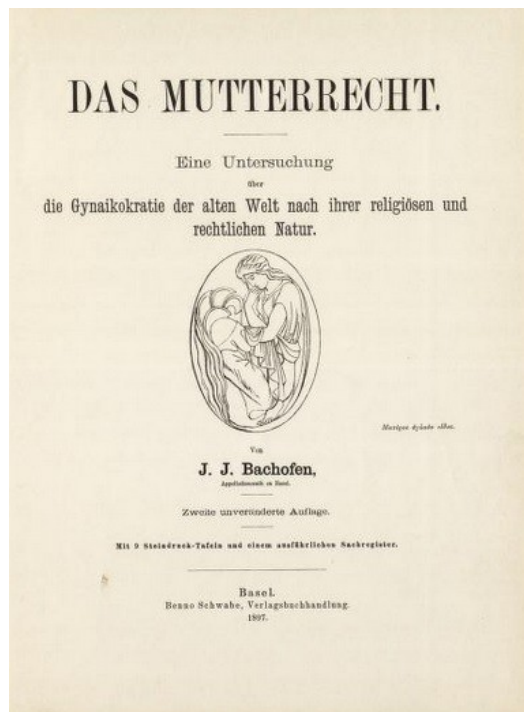
The Enigma of  
the Gift



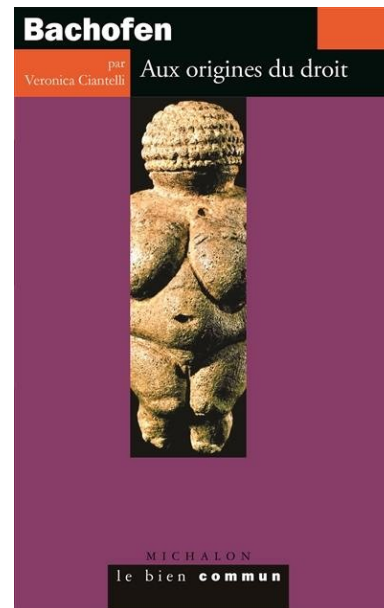
MAURICE GODELIER

## II- « État de l'art » (State of the art): Cognatio and undifferentiated « devolution »

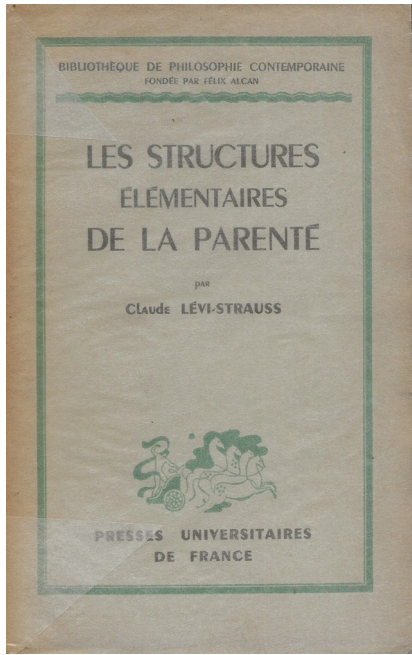
### a) Matrilineality spread in nepotism, avunculate and sibling



Johan Jakob BACHOFEN, *Das Mutterrecht: eine Untersuchung über die Gynaikokratie der alten Welt nach ihrer religiösen und rechtlichen Natur.* Stuttgart, Verlag von Kraiss und Hoffmann, 1861.

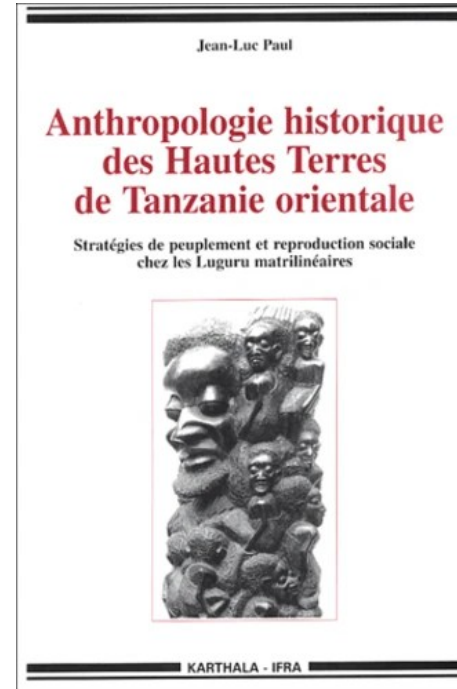
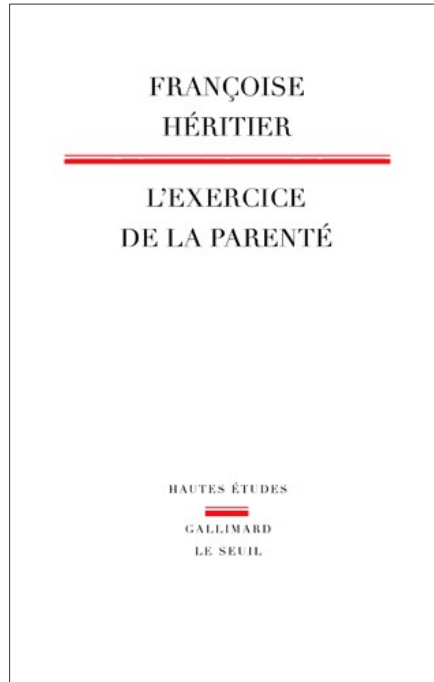


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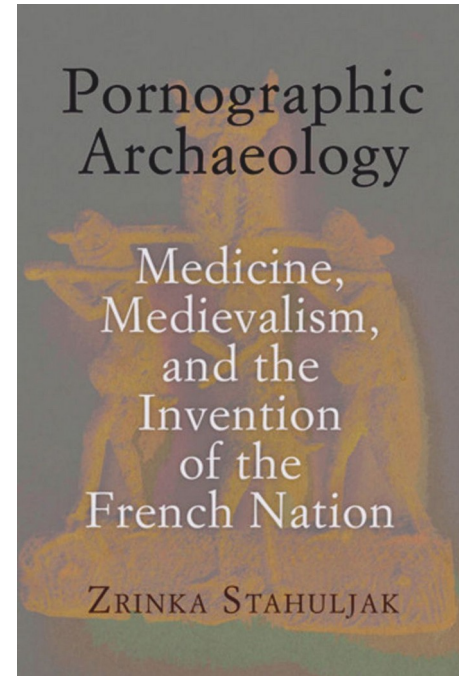
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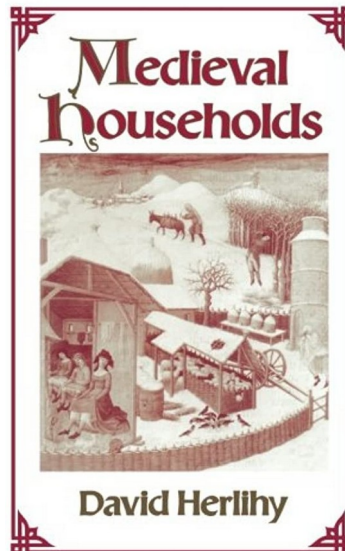
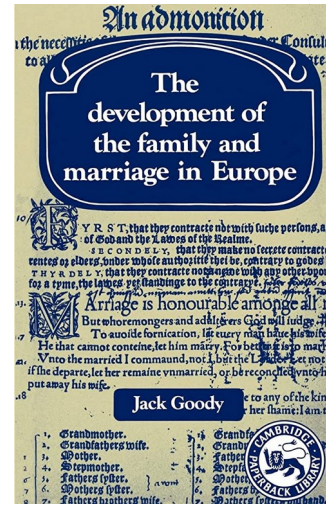


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*Pornographic Archaeology, Medicine, Medievalism, and the Invention of the French Nation*, Philadelphia, University of Pennsylvania Press, 2013.

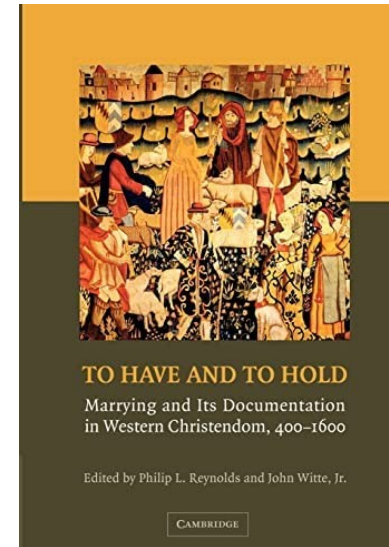


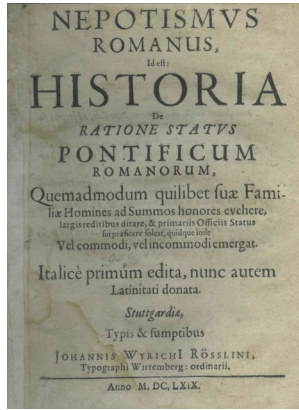
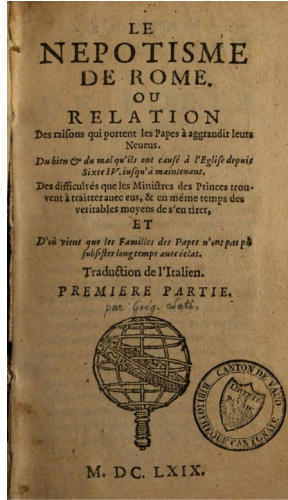
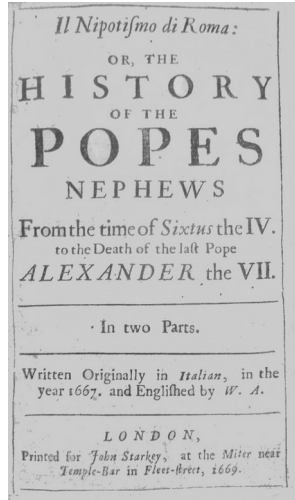
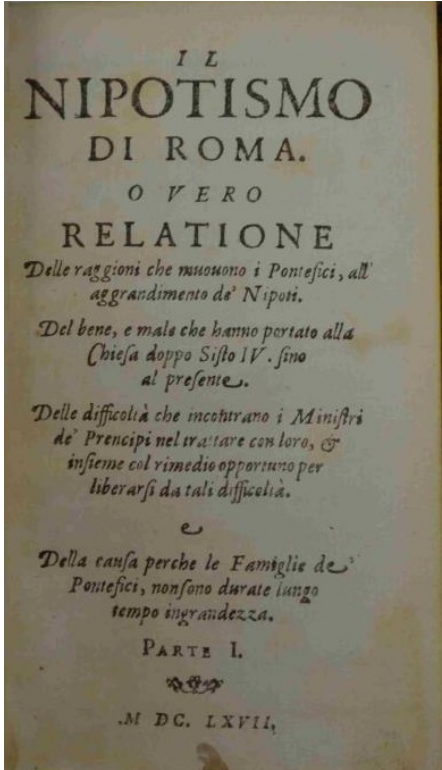
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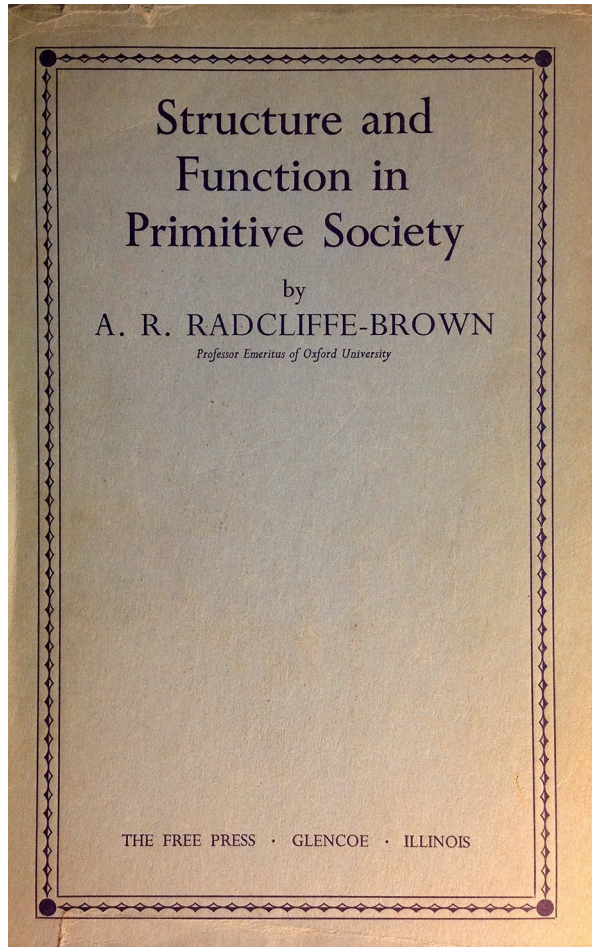
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*Structure and Function in Primitive Society*,  
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see especially « chapt. 3, The Mother's  
Brother in South Africa », p. 15-31.

# b) Much ado about kinship : rediscovering the *Cognatio*

Volker Menze  
**Episcopal Nepotism in the Latin Empire (c. 350–450)**

## 1 Introduction

The nineteenth century epistolary is elected fellow of the Royal for her extensive travel reports her *A Lady's Life in the Rocky*, slowly the Far East as well as from her trip to the Ottoman *Etica and Kurdistan*. In one of the evidence of the Holy Apostolic As (today: Hakkâri):

To realize what this house is like the medieval barons of England ruler of the *Syriacs* of the pl mountains of Central Anatolia Government. He appoints the a hereditary, and possesses eccl has been of the family of Shih

The only about circumstances

My sincere thanks go to Carmen for the conference "Typical Networks boundaries" to go also to Madalina Toa (Leure, and to Rudolf Henrich (M takes,

1 Victor Hugo, *Zachary Bogatz*, 2<sup>o</sup> e 2 Letter 29; Goethe, Oct. 27, 1808; stas, Vol. 2 (London: John Murray, 1  
2 JOSEF SYL  
Munich 1

EBOS Publishing : eBook Collection (E AR: 01855) : Carmen Agota Cvetkov, F

**NEPOTISM E PODER NA ARQUIDIOCESE DE BRAGA (1245-1374)**

MARIA ANTONIETA MOREIRA DA COSTA

**CARDINAL DECIO AZZOLINO AND THE PROBLEM OF PAPAL NEPOTISM**

## 1. Introdução

As análises ao núcleo documental das Gavetas do cabido bracense no período cronológico compreendido entre 1245-1278, a nossa atenção foi despertada pelo razoável número de efiges ligadas aos nos testamentos dos arcebispos e dos cônegos superiores a eles ligados.<sup>1</sup> Cruzando a informação obtida com a de dois outros trabalhos realizados sobre esta instituição,<sup>2</sup> apercebemo-nos do estabelecimento de redes de solidariedade, quer de parentes quer clientelares, e, por conseguinte, da possibilidade da existência de nepotismo entre os efectivos da catedral bracarense, numa época histórica da diocese que se estende por mais de um século e que vai de 1245 a 1374. Ao longo de arcebispos como os de D. João Egas (1245-1255), D. Martinho Geraldês (1256-1271), D. Martinho Pires de Oliveira (1295-1313), D. João Martins de Soalhães (1313-1325), D. Gonçalo Pereira (1326-1349) e D. Guilherme de La Garde (1349-1361) apareceram com uma regular notoriedade grupos de cooperação, que englobam não só

<sup>1</sup> Mestre em História e Cultura Medievais.  
<sup>2</sup> Esta investigação teve por base a elaboração da nossa tese de mestrado. Maria

## NEPOS DOMINI EPISCOPI

NIÈRE DE RANIERI II UBERTINI ENTRE REZZO ET VOLTERRA (1254-1273)\*

me ecclésiastique figure e s'avec pour l'histori ées. Celui-ci peut être déf la visant «à favoriser et à oncrétisant, surtout, dan us proches». Grâce à la i partie au milieu des a ; en mieux mesuré la ec s' ecclésiastiques à constr des voies de la solidari x, permettant aux procl u sein de l'institution eccl ées et non matérielles) p ions de Sandro Carocci en é par les papes et les ca a été l'aspect le plus étu

IBS: ACMF = FLORENCE, ARC SA = AREZZO, ARCHIVES DU SCE, ARCHIVES DE L'ÉTAT; DV = VOLTERRA, ARCHIVES IRA, BIBLIOTHÈQUE GUARANA XIE, voir EMMANUELE REPETTI ZINA, Florence, 1833-1843. SOCI, *Nepotismi di curia e mol edeo DE VICENTIS* (éd.), *La m mondo ecclesiastico* (I libri 94 et p. 117. ZGANI, *Vescovi, capitoli e strah gio GHIPTOLLI e Giovanni Chiesa e il potere politico dal 1*

11, pp. 99-116.  
Sandro CAROCCI, *Il nepotismo nel Medio nobili* (La corte dei papi.), Rome, 1999; id.,

MARIE-LOUISE RODÉN

## UNTERSUCHUNG

## Nepotismus

Der Funktionswandel einer papsgehielichen Konstanten

Von Wolfgang Reinhard

Die Tradition der Geschichtswissenschaft verlangt vom Historiker, seine seiner Gegenstände aufzuheben, weil Verstehen des Ursprungs gleich Verstehen des Wesens sein soll.<sup>1</sup> Doch wird die Richtigkeit dieses satzes von den Ergebnissen der Forschung keineswegs generell bestet. Wenn sich nämlich die Historiker nicht darüber einig sind, mit welch Papp denn nun ein Phänomen wie der päpstliche Nepotismus eigentlich hebt, dann zeigt dies m. E. nur, daß in diesem Falle der genetische Ar zu einer falschen Fragestellung führt. Gewiß, auf eine präzise geteilte, rationale Detailfrage wie diese „Wann war der sogenannte Kardinal eine Verfassungsinstitution der römischen Kirche, insbesondere als K spondenzpartner der päpstlichen Diplomaten?“ ist eine ebenso präzise dagegen verifizierbare oder falsifizierbare Antwort möglich: „Nach gegenwärtigen Forschungsstand von 1538 bis 1692.“<sup>2</sup> Auf die allger Frage hingegen „Wann finden wir Verwandte des jeweiligen Papstes als hilfen und Nutznießer der Herrschaft in dessen Umgebung?“ ist nur d

## BISHOPS, NEPOTISM, AND SOCIAL MOBILITY IN CENTRAL AND NORTHERN ITALY IN THE FOURTEENTH CENTURY

Stefano G. Magni

**NEPOTISMO Y PATRONAZGO ECLESIASTICO EN LA GALICIA MODERNA: EL CABILDO CATEDRALICIO DE SANTIAGO DE COMPOSTELA**

FOR

ARTURO IGLESIAS ORTEGA  
Archivo Catedralicio de Santiago de Compostela  
bulasma@gmail.com/modern@cafealiciasanmiguel.es

## RESUMEN

Desde una metodología que combina el uso de la prosopografía, el análisis de redes y la estadística, se ha tratado de demostrar, por una parte, la poderosa proyección de algunos arzobispos compostelanos del siglo xv sobre su cabildo catedralicio mediante la introducción en el mismo de parientes y allegados; y, por otra, el papel determinante del nepotismo capital en la sucesión de los prebendados capitulares.

**PALABRAS CLAVE:** Cabildo, nepotismo, patronazgo, prosopografía, redes.

**ECCLÉSIASTICAL NEPOTISM AND PATRONAGE IN MODERN GALICIA: THE CATHEDRAL CHAPTER OF SANTIAGO DE COMPOSTELA**

## ABSTRACT

From a methodology that combines the use of prosopography, network analysis and statistics, this article shows, on the one hand, the powerful projection of some archbishops of Compostela on the xv<sup>th</sup>-century cathedral chapter by introducing their relatives and close ones, and, on the other, the role of clerical nepotism in the succession of the chapter prebends.

**KEY WORDS:** Chapter, nepotism, networks, patronage, prosopography.

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## INTRODUCCIÓN

Al respecto del nepotismo y patronazgo en los cabildos eclesíasticos españoles de época moderna hay que remitirse a los estados de la cuestión y estudios historiográficos que existen sobre el tema, especialmente el visual o catedralicio, destacando el más reciente de Antonio J. Díaz, que revisa el contenido de los anteriores e incluso ofrece una amplia panorámica de la historiografía internacional.<sup>1</sup>

<sup>1</sup> Siguió utilizándose: ACS (Archivo Catedralicio de Santiago), ADV (Archivo de la Universidad), ADE (Archivo de la Secretaría de la Universidad), A. C. Rodríguez, A. J.

En ellos se destacan las aportaciones al respecto de dicha temática de las tesis y <sup>o</sup> especial las de Antonio C. Antonio J. Díaz sobre el el cardenal. Fuera de es las publicaciones sobre el tema de los cabildos ca patronazgo arzobispal en



## NEPOTISM, FAMILY, AND MERIT: THE CHURCH OF ENGLAND IN THE EIGHTEENTH CENTURY

William T. Gibson

**ABSTRACT:** *The debate on nepotism in the eighteenth century has more fully in the last five than in the preceding fifty years. Within a professions nepotism was difficult to distinguish from the hereditary recruitment into the Church, the law, and the army. The debate on the Church has produced contrasting views, one regarding nepotism of the corruption and abuse that dogged the Church after 1711 suggesting that nepotism not only served a specific function, as it did Italy, but was accorded moral legitimacy by contemporaries. The an that nepotism took its place within the structure of patronage which recommendation of deserving clergy to the purveyors of patron nomination of men of talent from the universities to the household*

The debate on nepotism in the eighteenth century has developed last five than in the preceding fifty years. Within the emergent prof difficult to distinguish from the hereditary nature of the

## Job descriptions, nepotism, and part-time work: the minstrels and trumpeters of the court of Edward IV of England (1461–83)<sup>1</sup>

HELEN MARSH JEFFRIES\*

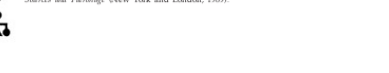
**ABSTRACT** *The role of the minstrels of the English court has been relatively neglected compared to the attention devoted to the Chapel Royal, and the importance of the reign of Edward IV has been long overlooked. The minstrels descended from court life, and we have no modern comparison that might help us to understand their role. The fact that they did not have a prescribed set of daily rituals to perform, as the chapel did, also complicates discussion. Study of the instrumentalists employed by Edward IV reveals information about working practices that can illuminate our view not only of them, but also of the late royal household. It also helps to clarify the difference between King's Minstrels' and King's Trumpeters', a distinction that has been hitherto ignored.*

The reign of Edward IV occurred in the middle of the period of English history referred to as 'The Wars of the Roses'. Edward (r. 1461–83) represented the House of York in opposition to the Lancastrian Henry VI (r. 1422–63) and his predecessors Henry IV and Henry V. Edward IV's reign began when he seized the throne after the Battle of St Albans in 1461, but it was interrupted by the 'Redeption' of Henry VI in 1470. It resumed after the defeat of the Lancastrians at Barnet and Tewkesbury in 1471. Although his reign was marked by considerable turbulence, Edward IV died peacefully of natural causes. It is in this context of warring dynasties and rivalries for power that the minstrels and trumpeters of Edward IV's court must be considered.

Many music historians have studied the royal household chapel and several have touched on the reign of Edward IV, although compared to surrounding periods it has been neglected.<sup>2</sup> The king's minstrels, are almost never considered,

\* Helen.Marsh.Jeffries@hotmail.com, www.members.socf.com/musicalmystica  
<sup>1</sup> This article is based on a paper presented at the Medieval and Renaissance Music Conference in Bristol, July 2002.  
<sup>2</sup> For example, and in alphabetical order by author: David Baldwin, *The Chapel Royal: Ancient and Modern* (London, 1966); John Caldwell, *The Oxford History of English Music: The Beginning to 1715* (Ibford, 1991); 174–206; Ronald Ströhm, *The Rise of European Music: 1300–1500* (Cambridge, 1995), 5–64; Andrew Wathey, *Music in the Royal and Noble Households in late Medieval England: Studies in Sources and Patronage* (New York and London, 1998).

165



**Nepotismo, clientelismo y fidelidad. De Floridablanca a Godoy (1789-1798)**

*Nepotism, political customs and loyalty. From Floridablanca to Godoy (1789-1798)*

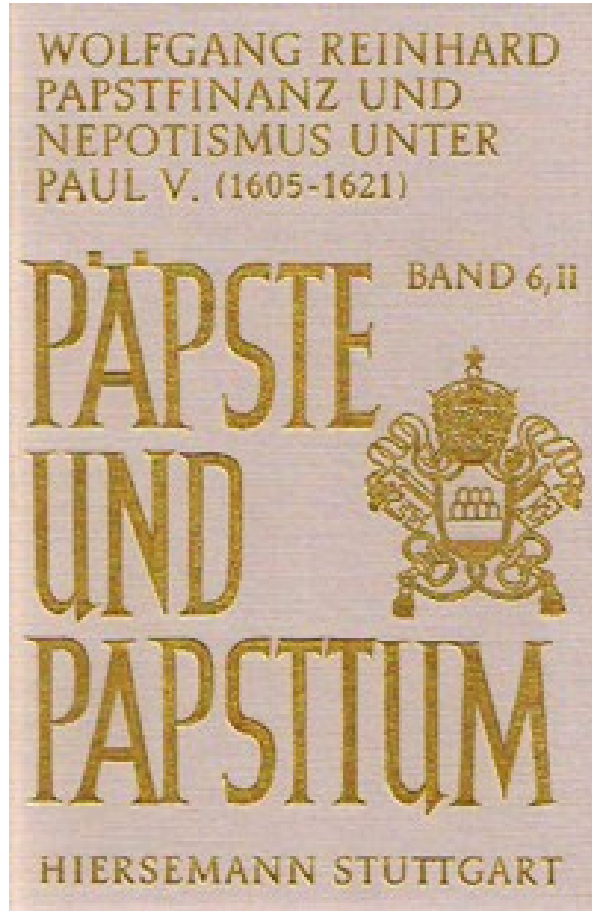
FRANCISCO ANDÚJAR CASTILLO  
Universidad de Almería

## RESUMEN

Durante el reinado de Carlos IV, y en especial durante el período en que todo el poder estuvo en manos de Godoy, la arbitrariedad en las decisiones políticas provocó incontentamiento entre los principales actores sociales de la monarquía. El poder absoluto del monarca se transfirió hacia otros espacios en los que el protagonismo estuvo en los primeros ministros, que beneficiaron a sus paisanos, clientelas y parentelas, y que tuvieron una influencia decisiva sobre las principales instituciones de la monarquía al valerse para el nombramiento de agentes del rey de una excepcional vía ejecutiva sustentada en la arbitrariedad y el nepotismo. A la deslegitimación del sistema político contribuyó un modo de nombrar a los principales cargos de gobierno que subvertía el orden tradicional de la monarquía vigente hasta entonces. Godoy logró acumular un extraordinario poder, y so capa de transformar las vías institucionales de la monarquía, buscó ante todo su lucro personal y contar con una extensa clientela política deudora de sus favores que le posibilitara su perpetuación en el poder. A tal fin ejerció un férreo control sobre los principales cargos de la hacienda, de justicia y de la milicia.

**Palabras clave:** Carlos IV. Conde de Floridablanca. Godoy. Crisis de la monarquía. Clientelismo. Elites. Nepotismo. Redes de poder.

Wolfgang REINHARD, *Papstfinanz und Nepotismus unter Paul V (1605-1621). Studien und Quellen zur Struktur und zu quantitativen Aspekten des päpstlichen Herrschaftssystems*, 2 vols., Stuttgart, Hiersemann, 1974, (Papst und Papsttum, 6, 1 and 2).



« [...]der Strukturwandel der spätantiken Gesellschaft hin zum Mittelalter die aristokratische Familienherrschaft zum dominierenden System erhob und der Nepotismus damit in seiner Herrschaftsfunktion geradezu von ausschlaggebender Bedeutung wurde »

Wolfgang REINHARD, « Nepotismus. Der Funktionswandel einer papstgeschichtlichen Konstanten », in *Zeitschrift für Kirchengeschichte* Bd. 86, 1975, p. 145-185.

Fr. trad : Wolfgang REINHARD, « Le népotisme. Fonctions et avatars d'une constante de l'histoire pontificale », in ID., *Papauté, Confessions, modernité*, Paris, 1998 (Édition des Hautes Études en Science Sociale), p. 69-98

## UNTERSUCHUNGEN

### Nepotismus

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Die Tradition der Geschichtswissenschaft verlangt vom Historiker, die Genese seiner Gegenstände aufzuhellen, weil Verstehen des Ursprungs zugleich Verstehen des Wesens sein soll.<sup>1</sup> Doch wird die Richtigkeit dieses Ansatzes von den Ergebnissen der Forschung keineswegs generell bestätigt. Wenn sich nämlich die Historiker nicht darüber einig sind, mit welchem Papst denn nun ein Phänomen wie der päpstliche Nepotismus eigentlich anhebt,<sup>2</sup> dann zeigt dies m. E. nur, daß in diesem Falle der genetische Ansatz zu einer falschen Fragestellung führt. Gewiß, auf eine präzise gestellte, operationale Detailfrage wie diese „Wann war der sogenannte Kardinalnepot eine Verfassungsinstitution der römischen Kirche, insbesondere als Korrespondenzpartner der päpstlichen Diplomaten?“ ist eine ebenso präzise und deswegen verifizierbare oder falsifizierbare Antwort möglich: „Nach dem gegenwärtigen Forschungsstand von 1538 bis 1692“.<sup>3</sup> Auf die allgemeine Frage hingegen „Wann finden wir Verwandte des jeweiligen Papstes als Gehilfen und Nutznießer der Herrschaft in dessen Umgebung?“ ist nur die in ihrer Allgemeinheit nichtssagende Antwort möglich: „Schon immer!“ Die Apologeten haben also höchstens im Geschmack geirrt, wenn sie noch im 19.

Besondere Abkürzungen: Arch. Arcis = Engelsburgarchiv. – Arm. = Armadio. – AS = Archivio di Stato. – AV = Archivio Segreto Vaticano. – Barb. lat. = Barberinianus latinus. – CT = Concilium Tridentinum. – fol. = Folio. – Misc. Arm. = Miscellanea Armadio. – Octob. lat. = Ottobonianus latinus. – Reg. Suppl. = Supplikenregister. – Reg. Vat. = Vatikanregister. – Sec. Brev. = Brevensekretariat. – Urb. lat. = Urbinas latinus. – Vat. lat. = Vaticanus latinus.

<sup>1</sup> Vgl. Joachim u. Orlinde Radkau, *Praxis der Geschichtswissenschaft, Die Desorientiertheit des historischen Interesses*, Düsseldorf 1972 (Konzepte der Sozialwissenschaft 3), S. 45–53, 143, 148.

<sup>2</sup> Vgl. z. B. W. Felten, *Nepotismus*, in: *Wetzer und Welte's Kirchenlexikon*, Bd. 9, 2. Aufl., Freiburg 1895, S. 121. – Joseph Grisar, *Päpstliche Finanzen, Kirchenrecht und Nepotismus unter Urban VIII.*, in: *Miscellanea Historiae Pontificiae*, Bd. 7, Rom 1943, S. 241. – *Lexikon für Theologie und Kirche*, Bd. 7, 1. Aufl., Freiburg 1937, S. 487, und 2. Aufl., Freiburg 1962, S. 878. – *Enciclopedia cattolica*, Bd. 8, Città del Vaticano 1952, S. 1762 f. – August Franzen, *Kleine Kirchengeschichte*, Freiburg 1965, S. 238.

<sup>3</sup> Vgl. u. Anmerkungen 152 u. 155.

Zusdr. f. K. G.

1

# La corte dei papi

Sandro Carocci

## Il nepotismo nel medioevo



Papi, cardinali e famiglie nobili

viella

Sandro CAROCCI, *Il nepotismo nel medioevo : papi, cardinali e famiglie nobili*, Roma, Viella (La Corte dei papi, 4), 1999.

Sandro CAROCCI, Amedeo De VINCENTIIS (dirs.), *La mobilità sociale nel Medioevo italiano*, vol. 3, *Il mondo ecclesiastico (secoli XII-XV)*, Roma, Viella, 2017.

# La mobilità sociale nel Medioevo italiano



3. Il mondo ecclesiastico (secoli XII-XV)

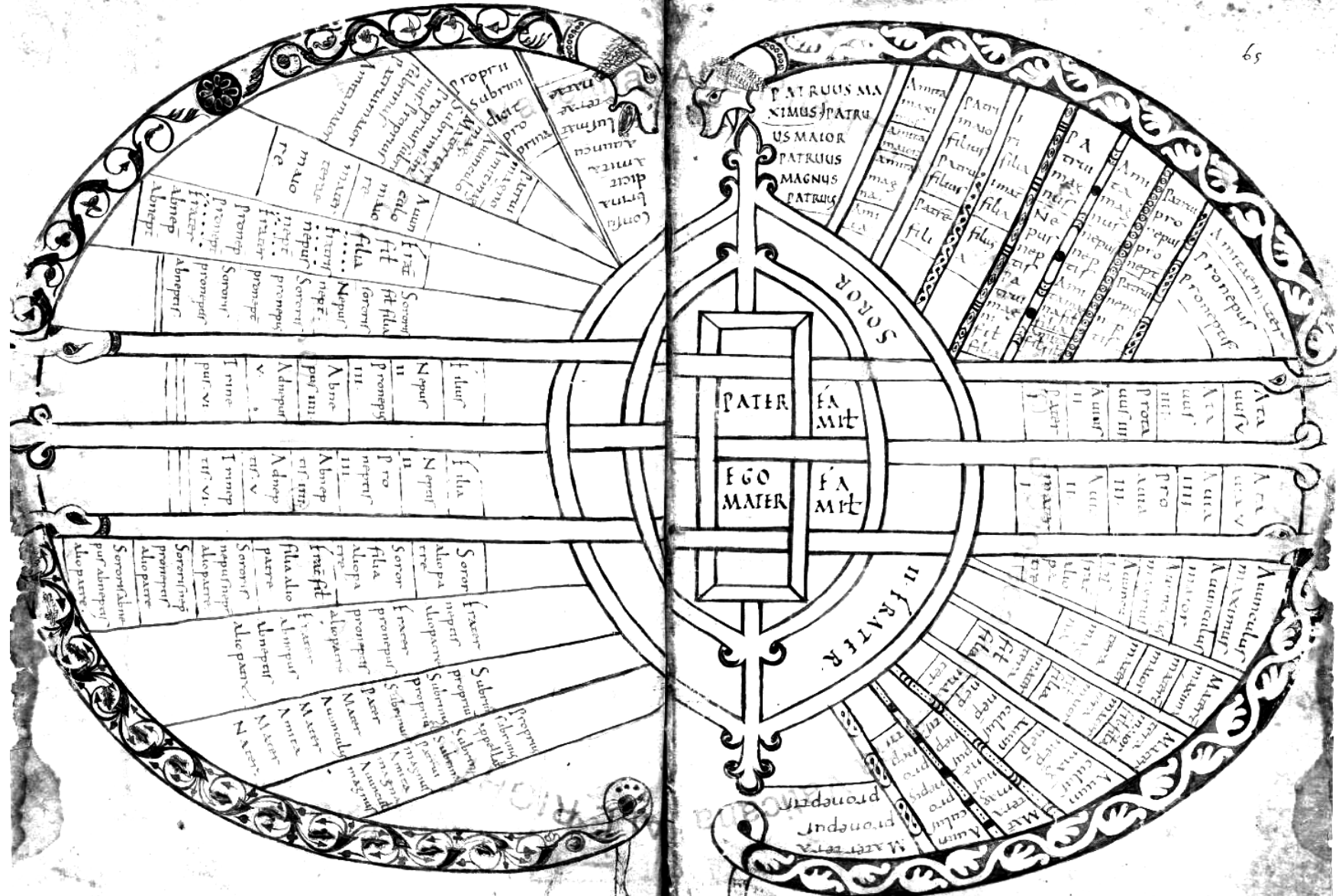
a cura di Sandro Carocci e Amedeo De Vincentiis

viella

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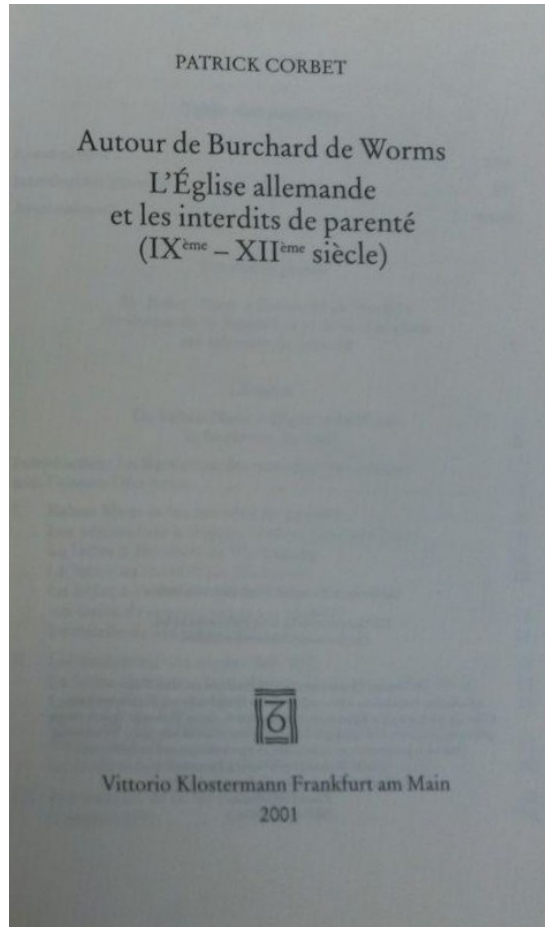
Bib. Apost. Vat., ms. Reg. lat. 1023. *Etymologiae Isidori Hispaliensis et Lex romana Visigothorum*, 3/4 IX<sup>th</sup> c., Gaul or northern Italy. (Bischoff, Reims ?)

(H. SCHADT, *Die Darstellung...*, p. 33 and sq., "Type 2").



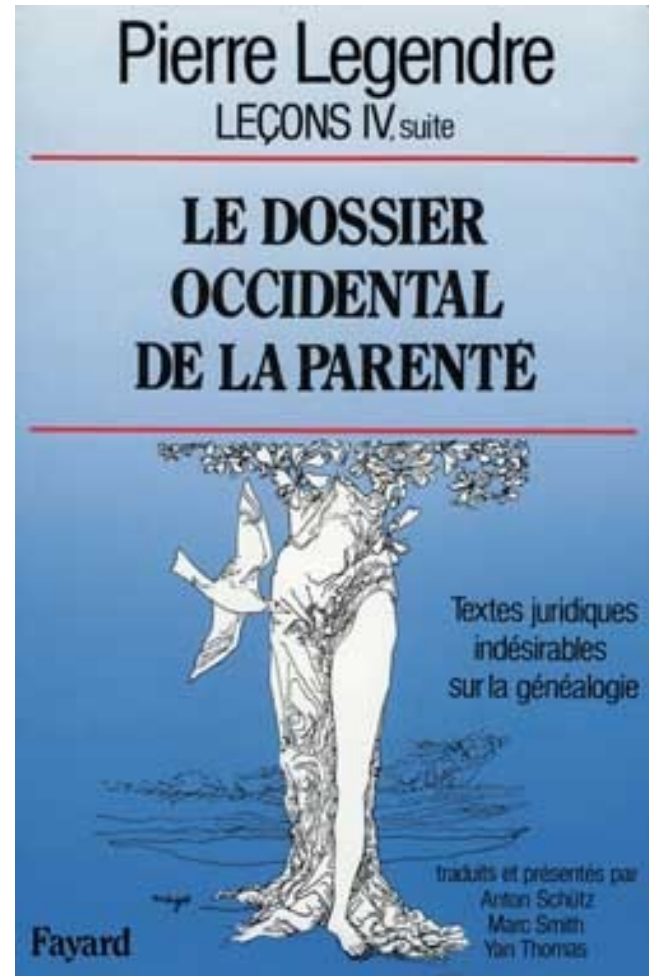
### III- Some new perspectives

a) Aristocratic strategies : between law and practices, norms and behaviour



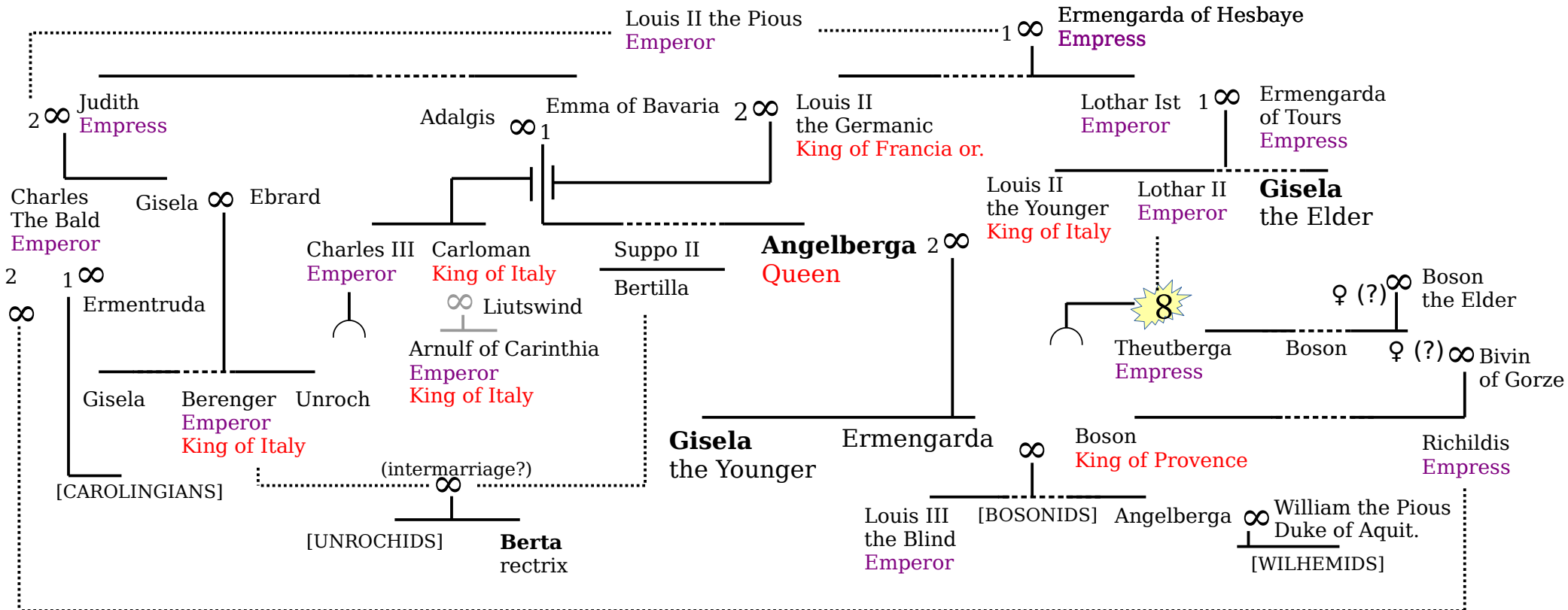
Patrick CORBET, *Autour de Burchard de Worms. L'Église allemande et les interdits de parenté (IX<sup>e</sup>-XII<sup>e</sup> siècle)*. Francfort-sur-le-Main, Klostermann (coll. « Ius Commune Sonderheft », n° 142, 2001).

Yan THOMAS , « Le traité des degrés du jurisconsulte Paul. Édition, traduction et commentaire », in Pierre LEGENDRE (dir.), *Leçons IV, suite. Le dossier occidental de la parenté. Textes juridiques indésirables sur la généalogie, traduits et présentés par Anton Schutz, Marc Smith, Yan Thomas, précédés d'un avant -propos et d'un éloge de Mayo par Pierre Legendre*, Paris, Fayard, 1988,p. 27-119.



# b) The "cognatic capital"

# Cognatic Transfers around the Queen Angelberga



∞ : first rank marriages

∞ : concubinage

∞ : graphical issue to link married couple

| : direct descentance

--- : shortened siblings

8 : *Divortium Lotharii*

∩ : carolingian shutdown

[NAME] : dynasty

**Name** : reatrix of S. Salvatoria di Brescia

Empress/Emperor

Queen/King