

The De Ordine Palatii of Hincmar of Rheims

A Translation and Commentary

A Thesis

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INTRODUCTION

The De Ordine Palatii¹ is just one of the many works² that flowed from the skillful pen of Hincmar, archbishop of Rheims; a man of many interests, proficient in history, canon law, theology, and hagiography. This work evinces all these proficiencies.

This letter of Hincmar was first published³ by Jean Buys, Johannes Busaeus, a Jesuit, in 1602 at Mainz in his volume entitled Hincmari Rhemensis archiepiscopi...epistolae, pp. 16-42. He based his edition on the manuscript of Speyer, a document of which we know little. This opuscle of Hincmar has appeared in editions by Duchesne, Recueil des historiens de France (Paris, 1636) II, p. 486sq.; by Sirmond, Hincmari opera (Paris, 1645) II, p. 201sq.; by Drümel, Geschichtsmässige Abhandlungen von dem Gross-Seneschall und Erz-Seneschall des Frankischen und Teutschen Reiches etc. (Nürnberg, 1731); by Maurice Prou, Hincmar, De Ordine Palatii (Bibliothèque de l'école des hautes études, no. 58, Paris, 1885); by Victor Krause, Monumenta Germaniae Historica, Leges (Hanover, 1897), Sectio II, t. II, p. 517sq.; and by others: Bouquet, Recueil des historiens des Gaules IX, p. 263sq.; Walter, Corpus iuris

Germanici III, p. 76lsqq.; and Migne, Patrologia Latina, Vol. CXXV, cols. 993-1008, based on Sirmond's work.⁵

Partial translations have been made into French by Guizot⁶ and Le Huerou.⁷ Maurice Prou, whose edition was mentioned above, has published a complete translation into French.

The edition that will be used in this work is that of Krause in the MGH. It is the latest edition known to this writer and a critical text of the editions of Busaeus and Prou.

To introduce this work it is not necessary to give a complete biography of Hincmar⁸ but only to mention those things which are pertinent to the text.⁹

Charles the Bald and Hincmar of Rheims seemed to have had difficulties over the extent of each other's power. Charles had overridden Hincmar in the dispute over the clerics ordained by Ebo in 867,¹⁰ but by 869 Hincmar crowned Charles with the crown of Lorraine and there was peace between them once again. However, a major conflict came in 876 when Charles had the pope delegate the archbishop of Sens as the primate of France so that Hincmar's power would be lessened. Hincmar, to maintain his position among the bishops, held that it was the bishops' right to elect whomever they chose as head of their country's Church. Hincmar thought of the Church of France as being independent from Roman authority.¹¹ It was at this time that the

archbishop of Rheims wrote his life of St. Remigius in an attempt to prove the primacy of Rheims over the other sees and churches of France.¹² Despite Hincmar's efforts, Charles' wish was carried out in the end.

Before he left for Italy, a trip from which he would never return, Charles showed his continued confidence in Hincmar by choosing him as one of the executors of his will.

After Charles' death, several nobles revolted against his son, Louis II, the Stammerer, because of alleged unfair distribution of honores. The young king sought the counsel of Hincmar who soon reestablished harmony between the king and the nobles. On the eighth of December, 877, Hincmar crowned Louis at Compiègne. Hincmar seems to have played a minor role in the reign, since the direction of affairs was placed in the hands of the Abbot Hugh.

Louis III and Carloman succeeded their father, Louis the Stammerer after his death in 879. Louis the younger of Saxony tried to capture their inheritance, but Hugh maintained their positions as rightful heirs by bargaining with him for a portion of the kingdom. The brothers were consecrated at Ferrières by Ansegise, the archbishop whom Charles had had placed as primate of France. Carloman received Burgundy and Aquitaine and their marches as his kingdom. Hincmar, wishing

archbishop of Rheims wrote his life of St. Remigius in an attempt to prove the primacy of Rheims over the other sees and churches of France.¹² Despite Hincmar's efforts, Charles' wish was carried out in the end.

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Louis the Stammerer died on the tenth of April, 879. He left two sons, Louis III and Carloman. Louis the Younger of Saxony tried to capture their inheritance, but Hugh maintained their positions as rightful heirs by bargaining with him for a portion of the kingdom. The brothers were consecrated at Ferrières by Ansegise, the archbishop whom Charles had had placed as primate of France. Carloman received Burgundy and Aquitaine and their marches as his kingdom. Hincmar, wishing

perhaps to gain some influence with the new kings, had favored their accession to the throne. Hincmar never gained anything from Louis III, however, except vain promises and marks of ingratitude.¹³ Louis III did not reign long, for he died the fifth of August, 882 of a freak accident.¹⁴ Hincmar considered it a just punishment from heaven.¹⁵

Carloman was then left as the sole ruler of the Western Kingdom and sole defender of the kingdom against the Normans. Here it was that Hincmar returned once more. The Abbot Hugh was the head of the government; as archchaplain he had the direction of the clergy; as Duke of France, he was in charge of all the military. But the aristocracy became more and more estranged from the king. It was important then to reestablish the harmony that had existed between the royalty and the aristocracy at the beginning of the century. Hincmar was called upon to retrace the way back for the restoration of the State. He, at that time, was the only person capable of such a task. He had known contemporaries of Charlemagne and had personally frequented the palace during Louis the Pious' reign and at the time of the greatest prosperity of the empire.¹⁵ He had taken part in the government of Charles the Bald. He was a faithful servant of the Carolingian family and always had at heart the interests of the kingdom.

In writing his De Ordine, he did not wish to institute anything new but rather only to bring to the attention of his contemporaries the idea of a palace as it had existed in earlier times.¹⁷ He based this opusculum on a similar work by the Abbot Adalhard entitled De Ordine Palatii.¹⁸ The first eleven chapters and last chapter are definitely Hincmar's, but the originality of the material contained between these two sections is doubtful. These chapters of Hincmar's are very important, for in them he insists on the character of the royalty and of its obligation to submit itself to the Church. He speaks of the ecclesiastical liberties and of the canonical elections -- all of the later days of Hincmar's life. Starting with chapter twelve he retraces the years to tell of the old functions of the officers of the palace. In these chapters Hincmar adds to what Adalhard had said. The archbishop represents all the institutions contemporary to Adalhard as very old by using the imperfect tense. Hincmar elaborates on the apocrisarius and gives this archchaplain more tradition and powers than he really had.¹⁹ This was probably done to win Hugh over to his side. His references to the baptism of Clovis by St. Remigius²⁰ and of the counselors keeping secrets and their nobleness and trustworthiness²¹ are mentioned and used perhaps to alleviate his present situation²² and the problems of the empire.²³ The

De Ordine, therefore, gives insights into the times around both 814 and 882 A.D. It also elucidates Hincmar's political views which he expressed in other treatises.²⁴

At the Council of St. Macra held at Fismes on the second of April, 881, Hincmar had brought to Louis III's attention what he should be doing and his mode of action as a king.²⁵

After completing this work, forced by the Norman invaders pressing at the gates of Rheims, Hincmar fled to Epernay where he issued another work of this same nature drawn from Hincmar's earlier De regis persona et regio ministerio, the canons of St. Macra, and the De Ordine Palatii. He died a little afterwards at the end of 882.²⁶

Hincmar died before the realization of his plan to recapture the spirit of Charlemagne's court. He had attempted too late to rally the aristocracy to the royalty. The Normans arrived at the heart of France. The factions multiplied. The nobles sought only to maintain their independence and to further enhance their domain. Carloman tried to follow Hincmar's directions, but the circumstances would not allow him to profit from them.

In this work is contained a last glimpse of the French Carolingian dynasty. After this the kingdom came to be ruled

by the clergy's authority.

Admonitio Hincmari Remorum archiepiscopi
ad episcopos et ad regem Karolomannum per capitula.

Hincmarus episcopus ac plebis Dei famulus.

Cap. 1. Pro aetatis et sacri ordinis antiquitate
posteriores tempore, boni et sapientes viri, rogatis exequi-
tatem meam, ut, qui negotiis ecclesiasticis et palatinis,
quando in amplitudine et unitate regni prospere agebantur,
interfui et consilia doctrinamque illorum, qui sanctam eccle-
siam in sanctitate et justitia rexerunt, sed et quorum magis-
terio traditionem maiorum suorum didici, post obitum etiam
domni Hludowici imperatoris in eorum obsequio, qui pro fili-
orum eius, tunc temporis regum nostrorum, concordia sategerunt,
pro modulo meo frequentibus itineribus, verbis et scriptis
laboravi, ad institutionem istius juvenis et moderni regis
nostri et ad reerectionem honoris et pacis ecclesiae ac regni
ordinem ecclesiasticum et dispositionem domus regiae in sacro
palatio, sicut audivi et vidi, demonstrem; quatenus in novitate
sua ea doctrina imbuatur, ut in regimine regni Deo placere et
in hoc saeculo feliciter regnare et de praesenti regno ad

aeternum valeat pervenire. Experimento quippe cognoscimus, quia vas novum, quo prius sapore et odore imbutum fuerit, illud in posterum diu retinebit, sicut et quidam sapiens dicit:

'Quo semel est imbuta recens servabit odorem
Testa diu.'

Et legimus, quomodo Alexander in pueritia sua habuit baiulum nomine Leonidem, citatis moribus et incomposito incessu notabilem, quae puer, quasi lac adulterinum sugens, ab eo sumpsit. Unde in adulta aetate sapiens et rex fortis se ipsum reprehendebat et vitare volebat, sed, ut legitur, cum omnia regna vicerit, in hoc se ipsum vincere non potuit.

Cap. 2. Intellegat igitur dominus rex, ad quod officium est proventus, et obaudiat commonitionem atque comminationem regum regis dicentis ei cum aliis regibus: 'Et nunc reges', inquit, 'intellegite: erudimini, qui iudicatis terram. Servite Domino in timore et exultate ei cum tremore. Apprehendite disciplinam ne, quando irascatur Dominus, et pereatis de via justa'; sicut multos hanc commonitionem et comminationem neglegentes perisse legimus, audivimus, et etiam nostro tempore scimus. Obaudiat etiam sanctam scripturam sibi praecipientem: 'Diligite justitiam, qui iudicatis terram. Sentite de Domino in bonitate, et in simplicitate cordis quaerite illum; quia in malivolam animam non introibit sapientia nec habitabit in

corpore subdito peccatis.'

Cap. 3 Ego autem et pro imposito ministerio et pro bona et rationabili vestra jussione aggrediar exequi, quod rogatis, non meo sensu neque verbis meis, sed, ut praemisi, maiorum traditione attendens dicentem Dominum ad prophetam: 'Tu autem audiens nuntiabis eis ex me'. 'Ex me', inquit, et non ex te, quia, sicut ipse dicit, 'qui a semetipso loquitur, gloriam propriam quaerit.' Sancta scriptura in omni ordine et professione unicuique administratori praecipit, ut intellegat cuncta, quae ait; quoniam, si intellegit, administratio quam gerit, unde exordium caepit, sollicitius satagit, ut de administrationis talento sibi credito rationem redditurus.' Omnes enim astabimus ante tribunal Christi, ut referat unusquisque, quae per corpus gessit, sive bonum, sive malum.' Non audiat a justo iudice, quod Dominus in evangelio servo malo et pigro responsurum se fatetur, sed audire mereatur: 'Euge! serve bone et fidelis; quia super pauca fuisti fidelis, supra multa te constituam; intra in gaudium domini tui.'

Cap. 4 Legimus in sancta scriptura veteris testamenti, quia David rex simul et propheta praefigurans dominum nostrum Jesum Christum, qui solus rex simul et sacerdos fieri potuit, duos in sacerdotibus ordines constituit, in summis videlicet pontificibus et in minoris ordinis sacerdotibus, qui nunc

presbyteratus funguntur officio; ea videlicet provisione, ut, dum quilibet pontificum vita decederet, quicumque sacerdotum optimus putaretur, ei in pontificatum succederet. Et in novo testamento dominus noster Jesus Christus de multitudine discipulorum suorum, sicut in evangelio legimus, 'duodecim elegit, quos et apostolos nominavit.' Horum in ecclesia locum tenent episcopi, sicut sacra scriptura et catholici doctores ostendunt. 'Designavit etiam et alios LXXII', qui sub duodecim apostolis figuram presbyterorum, id est secundi ordinis sacerdotum, praemonstraverunt; ut decedentibus episcopis de his secundi et inferioris ordinis sacerdotibus secundum sacros canones spiritu Dei conditos et totius mundi reverentia consecratos ad summi sacerdotii apicem loco decessorum episcoporum provehantur, sicut sacra scriptura actuum apostolorum patenter ostendit dicente Petro ad confratres suos, quando Judas, 'qui connumeratus fuerat in ordine apostolorum et sortitus sortem ministerii apostolatus', abiit in locum suum: 'Oportet,' inquit, 'ex his viris, qui nobiscum congregati sunt in omni tempore, quo intravit et exivit inter nos dominus Jesus, testem resurrectionis eius nobiscum fieri unum ex istis.' Et venit electio divina super 'Mathiam, qui annumeratus est cum undecim apostolis.'

Cap. 5 Et in sacra regum historia legimus, quia

principes sacerdotum, quando sacra unctione reges in regnum sacrabant, coronam significantem victoriam ponentes super capita eorum legem in manum eius dabant, ut scirent, qualiter se ipsos regere et pravos corrigere et bonos in viam rectam deberent dirigere. Unde, sicut beatus papa Gelasius ad Anastasium imperatorem ex sacris scripturis demonstrat et in his, quae nuper apud martyrium Sanctae Macrae in synodo gesta sunt, continetur, 'duo sunt, quibus principaliter' unacum specialiter cuiusque curae subiectis 'mundus hic regitur: auctoritas sacra pontificum et regalis potestas'; in quibus personis, sicut ordinum sunt divisa vocabula, ita sunt et divisa in unoquoque ordine ac professione ordinationum officia. Diligenter igitur quisque debet in ordine et professione sua, quo nomine censetur, attendere et magnopere providere, ne a nomine discordet officio. 'Primum namque,' ut beatus Cyprianus dicit, 'ab episcopo, quid sui nominis dignitas teneat, inquiratur: quoniam episcopus, cum Graecum nomen sit, speculator interpretatur. Quare vero speculator ponitur, et quid a speculatore requiratur, Dominus ipse denudat, cum sub Ezechielis prophetae persona episcopo officii sui rationem denunciatur ita inquit: "Speculatorem dedi te domui Israel"'. Speculatoris officium est, ut commisso sibi populo exemplo et verbo, qualiter vivere debeat, incessanter annuntiet; sicut

de Christo, qui sequi se, id est imitari, praecipit, scriptum est: 'Quae caepit Jesus facere et docere.' Et sic vitam ac mores sibi commissorum speculetur attendere et, postquam attenderit, sermone, si poterit, et actu corrigere et, si non poterit, juxta evangelicam regulam scelerum operarios debet declinare.

Cap. 6. Et rex 'in semet ipso nominis sui dignitatem custodire debet: nomen enim regis intellectualiter hoc retinet, ut subiectis omnibus rectoris officium procuret. Sed qualiter alios corrigere poterit, qui proprios mores, ne iniqui sint, non corrigit? "Quoniam justitia regis exaltatur solium" et veritate solidantur gubernacula populorum.' Quae vero sit justitia regis idem beatus Cyprianus in nono abusionis gradu sufficientissime monstrat.

Cap. 7. Habet quippe ordo sacerdotalis leges divinitus promulgatas, qualiter quisque ad culmen regiminis, videlicet episcopatus, venire debeat, atque ad hoc recte perveniens qualiter vivat, et bene vivens qualiter doceat, et recte docens infirmitatem suam quotidie quanta consideratione cognoscat, qualiter etiam ministros sibi subpositos regere debeat, quam pura etiam intentione sacros ecclesiasticos ordines dispensare et qua discretionem ligare vel solvere subditos debeat. De quibus legibus in eisdem scriptum est ita: 'Nulli sacerdoti

suos liceat canones ignorare nec quicquam facere, quod patrum possit regulis obviare.' Quia non minus in sanctarum traditionum delinquitur sanctiones, quam in ipsius Domini iniuriam prosilitur. Quod tale est, quia, ut sacra monstrat auctoritas, cognata sunt schisma et haeresis, ac, si aliis verbis dicatur, non minus schismaticus delinquit, cum praevaricatione sanctarum regularum per contemptum se ab unitate sanctae ecclesiae, quae corpus Christi est, dividit, quam haereticus, qui de Deo, capite videlicet ipsius ecclesiae, male sentit.

Cap. 8 Et sicut dictum est de legibus ecclesiasticis, quod 'nulli sacerdoti suos liceat canones ignorare nec quicquam facere, quod patrum possit regulis obviare', ita legibus sacris decretum est, ut 'leges nescire nulli liceat aut quae sunt statuta contemnere'. Cum enim dicitur: 'Nulli liceat leges nescire vel quae sunt statuta contemnere', nulla persona in quocunque ordine mundano excipitur, quae hac sententia non constringatur. Habent enim reges et reipublicae ministri leges, quibus in quacunque provincia degentes regere debent, habent capitula christianorum regum ac progenitorum suorum, quae generali consensu fidelium suorum tenere legaliter promulgaverunt. De quibus beatus Augustinus dicit, quia, 'licet homines de his judicent, cum eas instituunt, tamen, cum fuerint

institutae atque firmatae, non licebit iudicibus de ipsis iudicare, sed secundum ipsas.'

Cap. 9 Multo minus autem regi vel cuilibet in quocunque ordine contra leges divinas licet agere per contemptum. Unde principi terrae magnopere providendum atque cavendum est, ne in his Deus offendatur, per quos religio christiana consistere debet et caeteri ab offensione salvari. Et ideo, qui res ecclesiasticas divino iudicio tuendas et defensandas suscepit, consensu eius, electione cleri ac plebis et approbatione episcoporum provinciae quisque ad ecclesiasticum regimen absque ulla venalitate provehi debet, quia, sicut Dominus in evangelio dicit, 'qui non intrat per ostium in ovile ovium, sed ascendit aliunde, ille fur est et latro'; ecclesiasticis regulis sine difficultate omnimodis debet favere, si non vult regem regum offendere. Et sicut episcopi ac rex providere debent, ut nullius rei intuitu eligatur episcopus, nisi Dei solius, id est non pro aliquo munere dationis nec pro aliquo obsequio humano vel propinquitate consanguinitatis seu amicitia vel servitio temporali aut aliqua occasione, quae contraria esse possit veritati aut divinae auctoritati, ita rex custodire debet, sicut sanctus Augustinus demonstrat, ne muneribus vel blanditiis cuiusquam scelerati pelliciatur et adulationibus decipiatur nec quibuscunque propinquitatis

necessitudinibus coniunctis contra Deum sanctamque ecclesiam atque rempublicam perverse agentibus affectu carnali parcat, dicente Dei spiritu per David prophetam: 'Nonne eos, qui oderunt te, Deus, oderam, et super inimicos tuos tabescebam? Perfecto odio oderam illos; inimici facti sunt mihi. Inimicos enim Dei perfecto odio odisse, est ad quod facti sunt diligere et quod faciunt increpare, mores pravorum premere, vitae prodesse.'

Cap. 10 Tales etiam comites et sub se iudices constituere debet, qui avaritiam oderint et iustitiam diligant et sub hac conditione suam administrationem peragant et sub se huiusmodi ministeriales substituant. Et quicumque in omni ordine et professione in dominatione constituuntur et domini appellantur, sicut sanctus Cyprianus in sexto abusionis gradu demonstrat, dominationis virtutem auctore et cooperatore Domino teneant; 'quia nihil proficit dominandi habere potestatem, si dominus ipse non habeat et virtutis rigorem. Sed hic virtutis rigor non tam exteriori fortitudine, quae et ipsa saecularibus dominis necessaria est, indiget, quam animi interiori fortitudine, bonis moribus exerceri debet. Saepe enim dominandi per animi negligentiam perditur fortitudo. Tria ergo necessaria hos, qui dominantur, habere oportet, terrorem scilicet et ordinationem et amorem. Nisi enim ametur dominus

pariter et metuatur, ordinatio minime constare illius potest. Per beneficia ergo et affabilitatem procuret, ut diligatur, et per iustas vindicatas non propriae iniuriae, sed legis Dei studeat, ut metuatur. Propterea quoque, dum multi pendent in eo, ipse Deo adhaerere debet, qui illum in ducatum constituit, qui ad portanda multorum onera ipsum veluti fortiolem solidavit. Paxillus enim, nisi bene forte firmetur et alicui fortiori adhaereat, omne, quod in eo pendet, cito labitur, et ipse solutus a rigore suae firmitatis cum oneribus ad terram delabitur: sic et princeps, nisi suo conditori pertinaciter adhaeserit, et ipse et omne, quod continet, cito deperit'; et 'sciat, quod, sicut in principatu hominum primus constitutus est, ita quoscunque peccatores sub se in praesenti habuit, nisi se et illos correxerit, supra se modo implacabili in illa futura poena habebit.'

Cap. 11 In memoratis namque gestis apud martyrium Sanctae Macrae et de his, quae ad sanctae ecclesiae ac rectorum ipsius honorem et vigorem, et de his, quae ad regis et regni soliditatem atque curam pertinent, necnon et de domus regiae dispositione ex catholicorum secundum sanctarum scripturarum tramitem promulgationibus atque ex christianorum regum constitutionibus per capitula breviter ac salubriter, si teneantur et exequantur, collecta continentur. Verumtamen quia

Samaritanus, verus videlicet custos humani generis, stabulario, id est pontificali ordini, cuius curae vulneratum quemque commiserat ad sanandum, dans duos denarios, vetus scilicet ac novum testamentum, dixit: 'Quod supererogaveris, ego, cum rediero, reddam tibi', eisdem gestis, velut ex supererogatione, quae praemissa sunt in hoc opusculo, et quae sequentur, adicere studeo.

Cap. 12 Adalhardum senem et sapientem domni Caroli magni imperatoris propinquum et monasterii Corbeiae abbatem, inter primos consiliarios primum, in adolescentia mea vidi. Cuius libellum De ordine palatii legi et scripsi, in quo inter caetera continetur duabus principaliter divisionibus totius regni statum constare anteposito semper et upique omnipotentis Dei iudicio: primam videlicet divisionem esse dicens, qua assidue et indeficienter regis palatium regebatur et ordinabatur; alteram vero, qua totius regni status secundum suam qualitatem studiosissime providendo servabatur.

Cap. 13 In prima igitur dispositione regis palatium in ornamento totius palatii ita ordinatum erat. Anteposito ergo rege et regina cum nobilissima prole sua, tam in spiritalibus quam et in secularibus atque corporalibus rebus per hos ministros omni tempore gubernabatur: videlicet per apocrisiarum, id est responsalem negotiorum ecclesiasticorum; cuius

ministerium ex eo tempore sumpsit exordium, quando Constantinus magnus imperator christianus effectus propter amorem et honorem sanctorum apostolorum Petri et Pauli, quorum doctrina ac ministerio ad Christi gratiam baptismatis sacramenti pervenit, locum et sedem suam, urbem scilicet Romanam, papae Silvestro edicto privilegii tradidit et sedem suam in civitate sua, quae antea Byzantium vocabatur, nominis sui civitatem ampliando aedificavit; et sic responsales tam Romanae sedis, quam et aliarum praecipuarum sedium in palatio pro ecclesiasticis negotiis excubabant.

Cap. 14 Aliquando per episcopos, aliquando vero per diaconos apostolica sedes hoc officio fungebatur. Quo officio beatus Gregorius in diaconi ordine functus fuit; et ex aliis praecipuis sedibus per diaconos id officium exequabatur, sicut sacri canones jubent. Et in his cisalpinis regionibus, postquam Hludowicus praedicatione beati Remigii ad Christum conversus et ab ipso cum tribus millibus Francorum in vigilia sancti paschae baptizatus extitit, per successiones regum sancti episcopi ex suis sedibus et tempore competenti palatium visitantes vicissim hanc administrationem disposuerunt. A tempore vero Pippini et Caroli interdum per presbyteros, interdum per episcopos, regia voluntate atque episcopali consensu per diaconos vel presbyteros, magis quam per episcopos hoc

officium executum extitit; quia episcopi continuas vigilias supra gregem suum debent assidue exemplo et verbo vigilare et non diutius secundum sacros canones a suis abesse parochiis.

Cap. 15 Neque juxta decreta ex sacris canonibus promulgata beati Gregorii praetoria, quae nunc regia et usitatus palatia nominantur, debent inutiliter observare, ne incurrant judicium, ut contra placita canonum sibi in ordinatione sua tradita facientes ipsi sibi honore privent ecclesiastico. Et, ut de licitis exempla ponamus et de illicitis usurpatis non taceamus, tempore Pippini et Caroli hoc ministerium consensu episcoporum per Fulradum presbyterum, tempore etiam Caroli per Engelramnum et Hildiboldum episcopos, tempore denique Hludowici per Hilduinum presbyterum et post eum per Fulconem item presbyterum, deinde per Drogonem episcopum extitit hoc ministerium executum.

Cap. 16 Apocrisiarius autem, quem nostrates capellanum vel palatii custodem appellant, omnem clerum palatii sub cura et dispositione sua regebat. Cui sociabatur summus cancellarius, qui a secretis olim appellabatur; erantque illi subiecti prudentes et intelligentes ac fideles viri, qui praecepta regia absque immoderata cupiditatis venalitate scriberent et secreta illis fideliter custodirent. Post eos vero sacrum

palatium per hos ministros disponebatur: per camerarium videlicet et comitem palatii, senescalcum, buticularium, comitem stabuli, mansionarium, ventores principales quatuor, falconarium unum.

Cap. 17 Et quamvis sub ipsis aut ex latere eorum alii ministeriales fuissent, et ostiarius, saccellarius, dispensator, scapoardus, vel quorumcunque ex eis juniores aut decani fuissent vel etiam alii ex latere, sicut bersarii, veltrarii, beberarii, vel si qui adhuc supererant: verumtamen, quamvis et ipsi singuli juxta suam qualitatem ad hoc intenti essent, non tamen ad eos, sicut ad caeteros principaliter, ut subter insertum est, totius regni confaederatio (pertinebat, sed) in maioribus vel minoribus singulis quibusque quotidianis necessitatibus occurrentibus cum palatio conglutinabantur. Sed nec ipsi superiores omnes aequaliter propter ministeriorum diversitatem, qualitatem vel convenientiam prodesse poterant, cum tamen nullus se propter fidei servandam veritatem regis et regni, ut praedictum est, subtrahere potuisset vel etiam voluisset. De quorum personis vel ministeriis, quanquam plura sint, quae dicantur, haec tamen praecipue habebantur.

Cap. 18 Imprimis ut juxta cuiuscunque ministerii qualitatem vel quantitatem minister nobili corde et corpore, constans, rationabilis, discretus et sobrius eligeretur; sed

nec illa sollicitudo deerat, ut, si fieri potuisset, sicut hoc regnum Deo auctore ex pluribus regionibus constat, ex diversis etiam eisdem regionibus aut in primo aut in secundo aut etiam in quolibet loco idem ministri eligerentur, qualiter familiares quaeque regiones palatium adire possent, dum suae genealogiae vel regionis consortes in palatio locum tenere cognoscerent.

Cap. 19 His ita breviter de eligendis et constituendis ministris praedictis nunc ad eorundem ministrorum et ministrationem ordinem, qualiter currebant, veniendum est. Nam quamvis praefati ministri unusquisque de suo ministerio non sub alio vel per alium, nisi per se ipsum solum regem, vel quantum ad reginam vel gloriosam prolem regis respiciebant, caput ponerent, non tamen omnes aequaliter de caeteris rebus vel caeterorum necessitatibus regem adibant, sed mensura sua quisque contentus erat et, ubi vel ubi ratio poscebat, solatium alterius requirebat. E quibus praecipue duo, id est apocrisiarius, qui vocatur apud nos capellanus vel palatii custos, de omnibus negotiis ecclesiasticis vel ministris ecclesiae, et comes palatii de omnibus saecularibus causis vel judiciis suscipiendi curam instanter habebant, ut nec ecclesiastici nec saeculares prius domnum regem absque eorum consultu inquietare necesse haberent, quousque illi praeviderent, si necessitas esset, ut causa ante regem merito venire deberet; si vero secreta esset causa, quam

prius congrueret regi, quam cuiquam alteri dicere, eundem dicendi locum eidem ipsi praepararent introducto prius rege, ut hoc iuxta modum personae vel honorabiliter vel patienter vel etiam misericorditer susciperet.

Cap. 20 Apocrisiarius quidem de omni ecclesiastica religione vel ordine necnon etiam de canonicae vel monasticae altercatione, seu quaecunque palatium adibant pro ecclesiasticis necessitatibus, sollicitudinem haberet, et ea tantummodo de externis regem adirent, quae sine illo plenius definiri non potuissent. Caeterum ut non solum de his, quae ad eos specialiter de omni ornamento vel officio ecclesiastico infra palatium agenda pertinebant, verum quoque et omnem consolationem spiritalem sive consilium totius palatii quicumque quaereret apud eum, ut necesse erat, fideliter inveniret, et qui non quaereret, et tamen ipse apud aliquem necessarium esse sentiret, juxta personae qualitatem et a perverso sensu vel opere retrahere et ad viam salutis convertere studeret. Et caetera spiritualia, quaecunque palatio tam ab assidue conversantibus quamque et a supervenientibus sive secundum Deum, sive secundum seculum ut providerentur et praeviderentur erant necessaria, quae enumerare longum est, ad eius specialiter curam pertinebant; non ita, ut aliter ullus sive palatinus, sive externus superveniens sapientia et vera devotione per Dei gratiam

illuminatus tale aliquid minime ageret, sed maxime consuetudo erat, ut aut cum eodem apocrisario pariter, aut certe per eius consilium, quod erat agendum, ageret, ne forte quid minus utile aut indignum regi subriperet.

Cap. 21 Comitibus autem palatii inter caetera paene innumerabilia in hoc maxime sollicitudo erat, ut omnes contentiones legales, quae alibi sortae propter aequitatis iudicium palatium aggrediebantur, iuste ac rationabiliter determinaret seu perverse iudicata ad aequitatis tramitem reduceret, ut et coram Deo propter iustitiam et coram hominibus propter legum observationem cunctis placeret. Si quid vero tale esset, quod leges mundanae hoc in suis definitionibus statutum non haberent aut secundum gentilium consuetudinem crudelius sancitum esset, quam christianitatis rectitudo vel sancta auctoritas merito non consentiret, hoc ad regis moderationem perduceretur, ut ipse cum his, qui utramque legem nossent et Dei magis, quam humanarum legum statuta metuerent, ita decerneret, ita statueret, ut, ubi utrumque servari posset, utrumque servaretur, sin autem, lex saeculi merito comprimeretur, iustitia Dei conservaretur.

Cap. 22 De honestate vero palatii seu specialiter ornamento regali necnon et de donis annuis militum, absque cibo et potu vel equis, ad reginam praecipue et sub ipsa ad

camerarium pertinebat; et secundum cuiusque rei qualitatem ipsorum sollicitudo erat, ut tempore congruo semper futura prospicerent, ne quid, dum opus esset, ullatenus opportuno tempore defuisset. De donis vero diversarum legationum ad camerarium aspiciebat, nisi forte iubente rege tale aliquid esset, quod reginae ad tractandum cum ipso congrueret. Haec autem omnia et his similia eo intendebant, ut ab omni sollicitudine domestica vel palatina, in quantum rationabiliter et honeste esse poterat, domnus rex omnipotenti Deo spem suam insinenter committens ad totius regni statum ordinandum vel conservandum animum semper suum promptum haberet.

Cap. 23 Ad tres autem ministeriales: senescalcum, buticularium et comitem stabuli, secundum uniuscuiusque ministerii qualitatem vel quantitatem pertinebat, ut cum communi consensu de suo quisque ministerio admonendi non essent segnes, ut, quantocius esse potuisset, omnes actores regis praescirent, ubi vel ubi rex illo vel illo tempore tanto vel tanto spacio manere debuisset, propter adductionem vel praeparationem; ne forte tarde scientes, dum inopportuno tempore vel cum nimia festinatione exigeretur, familia regalis per negligentiam sine necessitate opprimeretur. Quae videlicet cura quanquam ad buticularium vel ad comitem stabuli pertineret, maxima tamen cura ad senescalcum respiciebat, eo quod omnia caetera praeter

potus vel victus caballorum ad eundem senescalcum respiceret. Inter quos etiam et mansionarius intererat, super cuius ministerium incumbibat, sicut et nomen eius indicat, ut in hoc maxime sollicitudo eius intenta esset, ut tam supradicti actores, quamque et susceptores, quo tempore ad eos illo vel illo in loco rex venturus esset, propter mansionum praeparationem, ut oportuno tempore praescire potuissent; ne aut inditarde scientes propter afflictionem familiae importuno tempore peccatum aut hi propter non condignam susceptionem, ac si bene noluissent, cum certe non volendo, sed non valendo, offensionem incurrerent.

Cap. 24 Similiter quoque quatuor venatores et quintus falconarius cum eadem unanimitate secundum temporis qualitatem admonere studebant, qualiter ea, quae ad singulorum ministeriorum curam pertinebant, ut opportuno tempore et non tarde considerarentur, quando tanti vel quando tanti, quando toti et quando nulli aut in palatio retinerentur aut more solito foris nutriendi usque ad tempus mitterentur aut tempore congruo per denominata loca venandi causa pariter et nutriendi disponerentur. Sed et hoc et illud, id est et intra et extra palatium, ita semper cum mensura et ratione ordinaretur, ut, quantum prodesset, esset, et quantum non prodesset, non esset, quia in ipsis ministeriis non sic facile certus numerus aut hominum aut canum

aut avium diffiniri potest: ideo in ipsorum arbitrio manebat, quanti et quales essent.

Cap. 25 Sensus autem in his omnibus talis erat, ut nunquam palatio tales vel tanti decessent ministri propter has praecipue inter caeteras necessitates vel honestates. Primo, ut sive generaliter maioribus, sive specialiter vel singulariter quibusque minoribus recedentibus omni tempore et multitudine congrua, sine qua rationabiliter et honeste esse non posset, semper esset ornatum palatium et consiliariis condignis nunquam destitutum fuisset; et ut qualiscunque legatio sive speculandi, sive etiam suadendi gratia veniret, qualiter omnes quidem honeste suscipi potuissent. Deinde primus consilii rectitudinem, secundus misericordiae et benignitatis consolationem, tertius vero versutiae seu temeritatis sermo referret medicinam; et ut ex quacumque parte totius regni quicumque desolatus, orbatus, alieno aere oppressus, iniuste calumnia cuiusque suffocatus seu caetera his similia, quae nunc enumerare perlongum est, maxime tamen de viduis et orphanis tam seniorum quamque et mediocrium uniuscuiusque secundum suam indigentiam vel qualitatem, dominorum vero misericordiam et pietatem semper ad manum haberet, per quem singuli ad pias aures principis perferre potuissent.

Cap. 26 Similiter, qui propter diutinum servitium

digni erant, ut remunerari debuissent, et locus talis occurrebat, ubi ex praedictis indigentibus nemo sine mensura destitueretur; similiter secundum eorum qualitatem ad memoriam principum revocarentur non tam ipsis urgentibus, quam eorum, de quibus supra dictum est, fidem et debitum exigentibus; ut in eis id fieret primo, propter quod cum justitia et misericordia Deo placerent, deinde in militia remanentibus certissimam fideliter servandi fidem et constantiam ministrarent, deinde ut etiam longe positus per totius regni ambitum laetitiam et gaudium demonstrarent. Et si aliquis ex ministerialibus vel consiliariis decedebat, loco eius congruus et utilis restituebatur.

Cap. 27 Et ut illa multitudo, quae in palatio semper esse debet, indeficienter persistere posset, his tribus ordinibus fovebatur. Uno videlicet, ut absque ministeriis expediti milites, anteposita dominorum benignitate et sollicitudine, qua nunc victu, nunc vestitu, nunc auro, nunc argento, modo equis vel caeteris ornamentis interdum specialiter, aliquando prout tempus, ratio et ordo condignam potestatem administrabat, saepius porrectis, in eo tamen indeficientem consolationem necnon ad regale obsequium inflammatum animum ardentius semper habebant: quod illos praefati capitanei ministeriales certatim de die in diem, nunc istos, nunc illos ad mansiones suas

vocabant et non tam gulae voracitate, quam verae familiaritatis seu dilectionis amore, prout cuique possibile erat, impendere studebant; sicque fiebat, ut rarus quisque infra hebdomadam remaneret, qui non ab aliquo pro huiusmodi studio convocaretur.

Cap. 28 Alter ordo per singula ministeria discipulis congruebat, qui magistro suosinguli adhaerentes et honorificabant et honorificabantur locisque singuli suis, prout oportunitas occurrebat, ut a domino videndo vel alloquendo consolarentur. Tertius ordo item erat tam maiorum quam minorum in pueris vel vasallis, quos unusquisque, prout gubernare et sustentare absque peccato, rapina videlicet vel furto, poterat, studiose habere procurabant. In quibus, scilicet denominatis ordinibus, absque his, qui semper eundo et redeundo palatium frequentabant, erat delectabile, quod interdum et necessitati, si repente ingrueret, semper sufficerent; et tamen semper, ut dictum est, maior pars illius propter superius commemoratas benignitates cum iucunditate et hilaritate prompta et alacri mente persisterent.

Cap. 29 Secunda divisio est, qua totius regni status, sicuti semper et ubicumque, omnipotentis Dei iudicio, quantum ad humanam rationem pertinebat, conservari videbatur, haec est. Consuetudo autem tunc temporis talis erat, ut non saepius, sed bis in anno placita duo tenerentur: unum, quando ordinabatur

status totius regni ad anni vertentis spacium; quod ordinatum nullus eventus rerum, nisi summa necessitas, quae similiter toto regno incumbibat, mutabatur. In quo placito generalitas universorum maiorum, tam clericorum quam laicorum, conveniebat: seniores propter consilium ordinandum, minores propter idem consilium suscipiendum et interdum pariter tractandum et non ex potestate, sed ex proprio mentis intellectu vel sententia confirmandum; caeterum autem propter dona generaliter danda.

Cap. 30 Aliud placitum cum senioribus tantum et praecipuis consiliariis habebatur, in quo iam futuri anni status tractari incipiebatur, si forte talia aliqua se praemonstrabant, pro quibus necesse erat praemeditando ordinare, si quid mox transacto anno priore incumberet, pro quo anticipando aliquid statuere aut providere necessitas esset; verbi gratia: si inter marchisos in qualibet regni parte ad aliud tempus dextrae datae fuissent, quid mox post dextras exactas agendum esset, utrum renovandae an finiendae essent; iuxta, caeterarum partium imminentibus rixa et pace, ut secundum id, quod tunc temporis ratio poscebat, si ex una parte hinc aut inde vel facienda vel toleranda inquietudo necessario incumbibat, ex aliis partibus tranquillitas ordinaretur. Et cum ita per eorundem seniorum consilium, quid futuri temporis actio vel ordo agendi posceret, a longe considerarent, et cum inventum

esset, sub silentio idem inventum consilium ita funditus ab omnibus alienis incognitum usque ad aliud iterum secundum generale placitum, ac si inventum vel a nullo tractatum esset, maneret: ut, si forte tale aliquid aut infra aut extra regnum ordinandum esset, quod praescientia quorundam aut destruere aut certe inutile reddere aut per aliquam diversam astutiam laboriosius faciendum convertere voluisset, hoc nullatenus facere potuisset; in ipso autem placito, si quid ita exigeret vel propter satisfactionem caeterorum seniorum vel propter non solum mitigandum, verum etiam accendendum animum populorum, ac si ita prius exinde praecogitatum nihil fuisset, ita nunc a novo consilio et consensu illorum et inveniretur et cum magnatibus ordo Domino duce perficeretur; ita autem anno priore terminato praefato modo ordinaretur et de secundo.

Cap. 31 Consiliarii autem, quantum possibile erat, tam clerici quam laici tales eligebantur, qui primo secundum suam quisque qualitatem vel ministerius Deum timerent, deinde talem fidem haberent, ut excepta vita aeterna nihil regi et regno praeponerent, non amicos, non inimicos, non parentes, non munera dantes, non blandientes, non exasperantes, non sophisticæ vel versute aut secundum sapientiam solummodo huius saeculi, quæ inimica est Deo, sapientes, sed illam sapientiam et intelligentiam scientes, qua illos, qui in supradicta

humana astutia fiduciam suam habuissent, pleniter per iustam et rectam sapientiam non solum reprimere, sed funditus opprimere potuissent. Electi autem consilarii una cum rege hoc inter se principaliter constitutum habebant, ut, quicquid inter se familiariter locuti fuissent tam de statu regni quamque et de speciali cuiuslibet persona, nullus sine consensu ipsorum cuilibet domestico suo vel cuicunque alteri prodere debuisset secundum hoc, quod res eadem sive die sive duobus sive amplius seu annum vel etiam in perpetuo caelari vel sub silentio manere necesse fuisset; quia saepe in tali tractatu de qualibet persona talis interdum propter communem utilitatem agendam vel cavendam sermo procedit, qui ab eo cognitus aut valde turbat aut, quod magis est, in desperationem trahit vel, quod gravissimum est, in infidelitatem convertit et ab omni profectu, quem fortasse multipliciter exercere potuit, inutilem reddit, cum tamen nihil ei obsesset, si eundem sermonem minime sciret. Quale de homine uno, tale de duobus, tale de centum, tale de maiori numero vel etiam de progenie una vel tota qualibet simul provincia, si magna cautela non fuerit, fieri poterit.

Cap. 32 Apocrisiarius autem, id est capellanus vel palatii custos, et camerarius semper intererant, et idcirco cum summo studio tales eligebantur aut electi instruebantur, qui merito interesse potuissent. Sed et de caeteris ministeri-

alibus, qui talem se ostendebat, ut ad hoc vel praesens vel futurus nunc discendo, postmodum vero consiliando loco eorundem honorifice substitui potuisset, cum summa intentione mentis intendendo singulis, quae agebantur, interesse iuebatur salvans credita, discens incognita, retinens ordinata et constituta: ut, si forte tale aliquid extra aut infra regnum oriretur aut insperatum et ideo non praemeditatum nunciaretur, rarius tamen necesse esset, ut consilium altius tractaretur, et tamen tempus aptum non esset, in quo praefati consiliarii convocarentur, ipsi palatini per misericordiam Dei ex eorum assidua familiaritate tam in publicis consiliis quamque ex domestica in hac parte allocutione, responsione et consultatione studium haberent, prout tunc rei vel temporis qualitas exigebat, aut consilium pleniter dare, quid fieret, aut certe, quomodo ad praefinita tempora cum consilio et absque ullo detrimento res eadem expectari vel sustentari potuisset. Haec de maioribus.

Cap. 33 De minoribus vero vel proprie palatinis, ita ut diximus, non generaliter ad regnum pertinentibus, sed specialiter ad personas quasque respicientibus, quae specialiter palatio imminebant, cum eis dominus rerum ita inconfuse ordinare potuisset, ut exinde non solum detrimentum ullum oriretur, verum etiam ortum aut imminens utiliter aut mitigari aut funditus extinguere aut etiam evelli potuisset. Si vero talis esset causa,

ut velocitati immineret et tamen aliquatenus usque ad generale placitum quoquo pacto sustentari vel sine peccato aut sine contumelia potuisset, ipsi modum eiusdem sustentationis ex praedicto maiori usu consilium dandi scirent et sapientiam priorum imitati placite Deo et utiliter regno interim dare potuissent. Praefatorum autem consiliariorum intentio, quando ad palatium convocabantur, in hoc praecipue vigeat, ut non speciales vel singulares quascunque vel quorumcumque causas, sed nec etiam illorum, qui pro contentionibus rerum aut legum veniebant, ordinarent, quousque illa, quae generaliter ad salutem vel statum regis et regni pertinebant, Domino miserante ordinata habuissent; et tunc demum, si forte tale aliquid domno rege praecipiente reservandum erat, quod sine eorum certa consideratione determinari a comite palatii vel a caeteris, quibus congruebant, non potuisset.

Cap. 34 Procere vero praedicti sive in hoc, sive in illo praefato placito, quin et primi senatores regni, ne quasi sine causa convocari viderentur, mox auctoritate regia per denominata et ordinata capitula, quae vel ab ipso per inspirationem Dei inventa vel undique sibi nuntiata post eorum abscessum precipue fuerant, eis ad conferendum vel ad considerandum patefacta sunt. Quibus susceptis interdum die uno, interdum biduo, interdum etiam triduo vel amplius, prout rerum

pondus expetebat, accepto ex praedictis domesticis palatii missis intercurrentibus quaeque sibi videbantur interrogantes responsumque recipientes, tam diu ita nullo extraneo appropinquante, donec res singulae ad effectum perductae gloriosi principis auditui in sacris eius obtutibus exponerentur et quicquid data a Deo sapientia eius eligeret omnes sequerentur. Ecce sicut de uno, ita de duobus, vel quotquot essent, capitulis agebatur, quousque omnia Deo miserante illius temporis necessaria expolirentur.

Cap. 35 Interim vero, quo haec in regis absentia agebantur, ipse princeps reliquae multitudini in suscipiendis muneribus, salutandis proceribus, confabulando rarius visis, compatiendo senioribus, congaudendo iunioribus et caetera his similia tam in spiritalibus quamque et in secularibus occupatus erat; ita tamen, ut, quotienscunque segregatorum voluntas esset, ad eos veniret, similiter quoque, quanto spatio voluissent, cum eis consisteret; et cum omni familiaritate, qualiter singula reperta habuissent, referebant, quantaque mutua hinc et inde altercatione vel disputatione seu amica contentione decertassent, apertius recitabant. Sed nec illud praetermittendum, quomodo, si tempus serenum erat, extra, sin autem, intra diversa loca distincta erant, ubi et hi abundanter segregati semotim et caetera multitudo separatim residere potuissent, prius tamen

ceterae inferiores personae interesse minime potuissent. Quae utraque tamen seniorum susceptacula sic in duobus divisa erant, ut primo omnes episcopi, abbates vel huiusmodi honorificentiores clerici absque ulla laicorum commixtione congregarentur; similiter comites vel huiusmodi principes sibimet honorificabiliter a caetera multitudine primo mane segregarentur, quousque tempus, sive praesente sive absente rege, occurreret; et tunc praedicti seniores more solito clerici ad suam, laici vero ad suam constitutam curiam subselliis similiter honorificabiliter praeparatis convocarentur. Qui cum separati a caeteris essent, in eorum manebat potestate, quando simul vel quando separati residerent, prout eos tractandae causae qualitas docebat, sive de spiritalibus, sive de saecularibus seu etiam commixtis. Similiter, si propter quamlibet noscendi vel investigandi causam quemcunque convocare voluissent, et re comperta discederet, in eorum voluntate manebat. Haec interim de his, quae eis a rege ad tractandum proponebantur.

Cap. 36 Secunda autem ratio regis erat interrogatio, quid unusquisque ex illa parte regni, qua veniebat, dignum relatu vel retractatu secum afferret, quia et hoc eis non solum permissum, verum etiam arctius commissum erat, ut hoc unusquisque studiosissime, usque dum reverteretur, tam infra, quam extra regnum perquireret, si quid tale non solum a propriis vel

extraneis, verum etiam, sicut ab amicis, ita et ab inimicis investigaret, intermissa interim nec magnopere, unde sciret, investigata persona: si populus in qualibet regni parte, regione seu angula turbatus, quae causa turbationis esset, si murmur populi obstreperet vel tale aliquid inaequale resonaret, unde generale consilium tractare aliquid necessarium esset, et caetera his similia; extra vero, si aliqua gens subdita rebellare vel rebellata subdere, si necdum tacta insidias regni moliri vel tale aliquid oriri voluisset. In his vero omnibus quaecumque cuilibet periculo imminerent, illud praecipue quaerebatur, cuius rei occasione talia vel talia orirentur.

Cap. 37 Post illa, quae in synodo apud martyrium Sactae Macrae de maiorum constitutionibus collecta et regi Hludowico nuper defuncto fuere directa haec de ordine palatii et dispositione regni vobis ad institutionem istius regis nostri ac ministrorum eius regnique provisorum, sicut scriptis et verbis seniorum didici et ipse adhuc in adolescentia mea vidi, devote iussioni vestrae obediens obtuli. Personas autem hominum et mores ac qualitates illorum, per quos, si aliqua sunt collapsa, restituantur, vestra sollertia providebit; quoniam de his, quos tempore domni Hludowici imperatoris vidi palatii procuratores et regni praefectos, neminem scio esse superstitem; scio tamen de illorum nobilitate natos pro patribus filios,

licet illorum mores ac qualitates ignorem. Ipsi vero procurent, ut non sint moribus ac virtute atque pro aetatis quantitate vel temporis qualitate sapientia et studiis bonis degeneres; quatenus merito patrum loca et officia suppleant et se in ipsa suppletionem caute custodiant, 'ne', ut sanctus Gregorius dicit, 'in culmine honoris positi usu gloriae permutentur', sicut Saul, qui prius in electione honoris extitit humilis, postea reprobari meruit propter elationem tumoris.

A word of salutary advice from Archbishop Hincmar of Rheims to the bishops and King Carloman.

Hincmar bishop and servant of the people of God

Ch. 1 You, wise and able men, have asked such an unworthy person as myself because of the length of my days²⁷ and because of my sacred orders,²⁸ that I, who have taken part in the affairs of both the Church and State both of which flourished when this kingdom was unified; I, who have heard the deliberations and teachings not only of those who have administered Holy Church in sanctity and justice but also of those who have established the prosperity and solidarity of the kingdom in earlier times, under whose direction I have learned the instructions of their predecessors; I, who even after the death of the Lord Emperor Louis,²⁹ worked as was my duty by numerous trips, speeches, and writings in behalf of those³⁰ who maintained harmony for the emperor's sons, at that time, our kings; that I, might advise you on the instruction of our new and youthful king³¹ and on the re-establishment of honor and peace in the Church

and the kingdom, the ecclesiastical order, and the orderly arrangement of the royal home in the holy palace, as I have once heard and saw it to be, so that imbued by drinking in these doctrines in the newness of his nobility, the new king may be able to please God in his rule of the kingdom, to rule with happiness in this world, and to pass from the present kingdom to an eternal one. Certainly we know by experience that a new vase retains for a long time the taste and odor of that with which it was first filled, as a wise man once said:

Quo semel est inbuta recens servabit odorem
Testa diu.³²

And we read,³³ how Alexander in his youth had a tutor by the name of Leonid, a man known for his lax habits and disorderly conduct. As a child sucking unhealthy milk, the boy assimilated his master's bad traits. Later on when Alexander had grown up and was a wise and a brave king, he reproved himself and wanted to rid himself of these habits, but, so it is told, although he had conquered all the kingdoms, he could not conquer himself.

Ch. 2 Let the king understand then the nature of the office to which he has been raised and let him pay heed to the admonition and threat of the King of kings speaking to him as well as to other kings: "And³⁴ now, kings, understand," he says;

"Be as students, you who judge the earth. Serve the Lord in fear and rejoice in His presence, trembling. Take for yourselves His teaching, so that the Lord may never become angry, and so that you may not stray from the path of justice;" as we have read of, heard of, and, even in our own times, know of³⁵ those many who have forgotten this warning and have perished. Let him also pay heed to the command of Holy Scripture: "Love³⁶ justice, you who judge the earth. Think of God with goodness, and seek Him in the sincerity of your heart; for wisdom will not enter into a deceitful soul nor will it dwell in a body subdued by sin.

Ch. 3 Because of the duties of my office³⁷ and because of your proper and reasonable request, I will set about accomplishing what you ask, not using my own thoughts and words, but as I have said before, in the tradition of our predecessors, listening to the Lord saying to the prophet: "You³⁸ will relate to them what you have hear from me." "From me" he says, and not from yourself, because as He Himself says, "Whoever³⁹ speaks by himself, is seeking his own glory." Holy Scriptures command every order and profession and every administrator to know everything which it says; because if he knows the source of the administration which he carries out, he is more solicitous that he will render an account for the talent⁴⁰ of administration

handed to him, "For we all will stand before the tribunal of Christ,⁴¹ so that everyone will report those things he has done while living, whether good or bad."⁴² May he not hear from the Just Judge, what the Lord in the Gospel says will be said to the wicked and lazy servant, but may he deservedly hear, "Well⁴³ done, good and faithful servant, because you were trustworthy with a few things, I will place you over many; enter into the joy of your lord."

Ch. 4 We read⁴⁴ in the Old Testament that David, who was simultaneously king and prophet, foreshadowing Our Lord Jesus Christ, the One who alone could become simultaneously both king and priest, established two orders among the priest, the high priests or pontiffs and lesser priests who now serve the function of the ordinary priests. And the provision was made that if a pontiff would die, whoever was considered to be the most worthy of the priests would succeed him in his bishopric.⁴⁵ In the New Testament, Our Lord from His numerous disciples, as we read in the Gospel "chose⁴⁶ twelve, whom He called Apostles." The bishop holds the place of these in the Church, as both Sacred Scripture and the Catholic doctors⁴⁷ show us. "He⁴⁸ designated another seventy-two" under the twelve apostles and these foreshadowed our priests of today, that is, the second order of the priesthood; so according to the sacred canons⁴⁹

inspired by the Holy Spirit and consecrated by the respect of the whole world, when the bishops die, those to replace the deceased bishops should be brought forth to the apex of the priesthood from the priests of the second and lower order. As is clearly shown in the Acts of the Apostles when Judas,"who⁵⁰ had been numbered and had been allotted his share of the apostolic ministry," had vacated his place, Peter said to his confreres, "From⁵¹ among these men who have been with us throughout the time Our Lord Jesus passed among us, one of them must be made a witness of His resurrection with us." And the divine choice fell upon "Matthias,⁵² who was numbered with the other eleven apostles."

Ch. 5 We read⁵³ in the Book of Kings⁵⁴ that the chief priests, after they had annointed a king into his kingdom with the holy oil, setting a crown signifying victory upon his head, they would place the book of the Law into his hands, so that the king might know that he had the duty to rule himself, as well as to correct the wicked, and direct the good on the way of righteousness. As Blessed Pope Gelasius⁵⁵ pointed out to the Emperor Anastatius by Sacred Scripture and as it is contained in the proceedings of the synod recently held at the tomb of St. Macra,⁵⁶ there are two powers⁵⁷ who rule this world in general, each one having his own particular care, the holy

authority of the pontiffs and the power of the king; among which persons, just as their titles of office are different, so in each office and profession the duties are different.⁵⁸ Everyone according to his own office and profession, by whatever name he is known, must work at it diligently, and take great precautions, lest he separate the title from its duties. "First it must be considered by the bishop," as blessed Cyprian says,⁵⁹ "what the title given to his position means, because bishop (episcopus) a Greek word, means an observer or overseer." Why there is an overseer and what are his duties, God Himself makes evident when He in the person of the prophet Ezechiel explains to the bishop the nature of the office, saying "I⁶⁰ have placed you as an overseer over the house of Israel." It is the duty of the overseer to continually show the people entrusted to him how to live by his words and example; as it is written of Christ whom he is commanded to follow,⁶¹ and to imitate: "Those⁶² things Jesus began to do and teach." And so he should oversee the life and customs of those entrusted to him, to pay close attention, and after he has watched them, to correct them by his words and actions if he can, and if he cannot, he must dismiss those who do evil, according to the law of the Gospel.⁶³

Ch. 6 And the king "must safeguard the dignity of his title

in his actions; for the name king means one who is a guide to his subjects."⁶⁴ But who can correct the morals of others unless he first brings his own under his power, lest they be wicked. "For⁶⁵ it is by the righteousness of the king that the throne is exalted" and by truth that the governments of the people are stabilized. Blessed Cyprian explains rather well what the righteousness of the king entails in the ninth degree of his Treatise on the false use of words.⁶⁶

Ch. 7 The ecclesiastical order has certain laws promulgated by divine inspiration, such as who might attain to the peak of authority namely the episcopate, and how one might achieve it, also how he might live, and live well, and how he might teach, and by teaching well grow to know his own weaknesses by much daily introspection, how he might govern those ministers placed under his care, and with what purity of intention he should confer the sacred ecclesiastical orders, and with what discretion he should bind and absolve the faithful. In the same laws it is written of the same men, "No⁶⁷ priest is allowed to be oblivious of these canons nor to do anything, that could be contrary to these decrees of the Fathers." For it is no less a sin to offend the sanctions of sacred tradition than to attack the Lord Himself. In such a way it is, as holy authority shows, that heresy and schism are related.⁶⁸ So it might be said in

other words, the schismatic sins no less, when he by disobedience to the sacred decrees cuts himself off from the unity of Holy Church, which is the body of Christ, through contempt, than the heretic, who derogates God who is the head of His Church.

Ch. 8 As has been said concerning the laws of the Church that "no priest is allowed to be oblivious of the canons, nor to do anything which is contrary to the decrees of the Fathers," likewise it has been decreed in the sacred laws⁶⁹ that "no one is allowed not to know these laws or to ridicule their decisions." Since it says, "No one is allowed not to know the laws or to ridicule their decisions," no person is excepted, no matter what his station among the laity, there is nobody who is not bound by this statement. Kings and ministers of State have laws by which they govern those living in every province; they have capitularies⁷⁰ from Christian kings and their ancestors, which were promulgated with the general agreement of the nobles, and which the people legally must hold. Blessed Augustine spoke of these laws saying that, "Man⁷¹ can criticize the laws while they are being drawn up, but when these laws have been established and ratified, judges are not allowed to judge on the laws, but only according to them."

Ch. 9 Much less is it allowed a king or anyone, no matter what his station to act in contempt of the divine laws. The

princes of the earth should also watch with much care lest they offend God, in the person of those through whom the Christian religion must be formed and which preserve others from offense. And also because the king has taken it upon himself to safeguard and defend the affairs of the Church, it is by his consent, the choice of the clergy and people, and by the approval of the bishops of the province, that anyone comes to the episcopal dignity⁷² without chicanery, because as the Lord says in the Gospels, "whoever⁷³ does not enter through the gate into the sheepfold, but by another way, is a thief and a robber." The king must diligently defer to the ecclesiastical regulations in every way, if he does not want to offend the King of kings. And the bishops and the king must take precautions that no bishop be chosen by a prior transaction unless it be God's, in other words, the bishop should not be chosen because of any gifts, human requests, nor familial ties, friendship, temporal service, nor anything else which could be contrary to truth or divine authority; so the king must watch as St. Augustine points out, lest he be enticed by gifts and flatteries of the wicked, and be deceived by praises;⁷⁴ let him not spare anyone who acts perversely against God, the Holy Church, and the Republic⁷⁵ because of any ties of kinship or because of any carnal affection. As the Holy Spirit spoke

through the prophet David saying, "Do⁷⁶ I not hate those who hate you, O God; am I not inflamed with hate over your enemies? With a perfect hatred I hate them; they are my enemies." "To hate the enemies of God with a perfect hatred is to love that for which they were made and to chide what they do, to suppress the practices of the wicked, and to be of advantage for everlasting life."⁷⁷

Ch. 10 The king must establish counts⁷⁸ and, below them, judges,⁷⁹ who hate avarice and love justice, who with these qualities perform their duties, and place under themselves ministers⁸⁰ with the same attributes. Those who are in a position of authority, no matter what their rank or profession, and who are called by the title of "Lord", as St. Cyprian shows in his sixth step in the Treatis of Abuses,⁸¹ hold the governing power with the author and co-operator of the power, the Lord, "because it is worthless to have the power of governing if the lord himself does not have the strength of his power. But this strength should lack neither exterior fortitude, which is necessary for lords of the world, nor the interior fortitude of the soul, which must be developed through meritorious acts. Often the power of ruling is lost through the person's neglecting his soul. There are three things necessary for those who are lords to have, namely fear, control, and love. Unless the

lord is loved as much as he is feared, his control cannot endure long. As he distributes his benefices and kindness, so he is loved, and as he takes care that just punishments are pronounced for crimes against not himself but the law of God, so he is feared. For the very reason that many people depend upon him, he must adhere to God, who has established him as a leader, and who has given him the extra strength to carry the burdens of many. Just as a stake unless it is solidly strengthened and unless it is fixed to something stronger than itself, will let slip quickly everything depending on it, and if itself loosened from its firmness will slide to the ground with its burdens, so also the prince will fall with all those depending on him unless he has affixed himself to his Creator; and let him know, that since he has been established as the first among men, that unless he corrects both himself and all those sinners who are at present in his charge, he will have an unpardonable penalty in the future."

Ch.11 In the recorded proceedings of the council held at the tomb of St. Macra, there is contained in capitularies, both succinct and useful, if one respect and follow them, the decrees of our orthodox⁸² predecessors in the tradition of the Sacred Writings as well as the ordinances of Christian kings

concerning those things which pertain to the honor and strength of Holy Church and her rulers,⁸³ and concerning those things which pertain to the care and solidarity of the king and state⁸⁴ as well as the organization of the royal household.⁸⁵ So just as the Good Samaritan, the symbolic guardian of mankind, giving two denarii, that is the Old and the New Testaments, to the inn-keeper, who represents the order of bishops, said, "Whatever⁸⁶ you ask over and above this, when I return, I will give it to you," to these proceedings that which is over and above, I earnestly add those things which have already been written in this work and those which will follow.

Ch. 12 In my youth I knew Adalhard,⁸⁷ a man both old⁸⁸ and wise,⁸⁹ a kinsman of the Lord Emperor Charlemagne, the Abbot of Corbie,⁹⁰ and the first among the chief advisors to the emperor. I have both read and copied his opusculum, De Ordine Palatii,⁹¹ in which among other things it is said that the government of the whole kingdom consist of two main divisions -- the judgement of God, of course, superceding both at all time and everywhere; he says that the first is that by which the palace of the king is assiduously and constantly ruled and ordered; the other being that by which the government of the whole kingdom, according to its needs and with earnest care, is preserved.

Ch. 13 In the first division the palace of the king was ordered as follows for an example to every palace. With the king and queen with their noble offspring ruling above all, the palace is always governed in matters both spiritual as well as and secular corporeal by the following ministers. The first of these is the archchaplain⁹² who is the one responsible for the business of the Church. His ministry took its beginning from the time when the Emperor Constantine the Great, having become a Christian, to show his love and devotion to the holy apostles Peter and Paul, by whose teachings and assistance he had come to the grace of the Baptism of Christ, by an edict gave up his city and capitol to Pope Sylvester's care and built his new capitol in his town previously called Byzantium, which, after he embellished it, was called by his name; and then at the palace from the See of Rome and the other principle sees there was a man who attended to the business of the Church.⁹³

Ch. 14 Sometimes the Apostolic See was represented in this position by bishops and sometimes by deacons. It was in this position that Blessed Gregory served as a deacon;⁹⁴ and in many other principle Sees, this job of representation was carried out by deacons as the sacred canons⁹⁵ prescribe. And in the Swiss-Alpine regions, it was after Clovis had been converted to Christ by the preaching of Blessed Remigius, who

baptized both Clovis⁹⁶ and three thousand Franks⁹⁷ on the Vigil of Easter,⁹⁸ that this office came into these regions; through a succession of kings the holy bishops leaving their sees in an opportune time, would visit the palace, taking turns performing this function. From the time of Pepin and Charles Martel this office was executed⁹⁹ sometimes through priests and sometimes through bishops, finally with the consent of the king and with the agreement of the bishops, this office came to be administered more by deacons¹⁰⁰ or priests rather than by bishops, for the bishops must assiduously keep a constant watch over their flock by word and example, and according to the sacred canons, not be absent from their dioceses very long.¹⁰¹

Ch. 15 In accordance with the decrees of the sacred canons promulgated by Blessed Gregory,¹⁰² the bishops who are called the royal or more commonly the palace bishops, must not seem to be useless, lest they incur judgement upon themselves, and they, by working against the canons which were entrusted to them at their ordination,¹⁰³ will deprive themselves of their place of honor in the Church. And so to give some examples of how the office has been permitted and of its continued use, this ministry was executed in the time of Pepin and Charles Martel by the priest Fulrad¹⁰⁴ with the agreement of the

bishops, in the time of Charlemagne by the bishops, Engelramn¹⁰⁵ and Hildebold,¹⁰⁶ and next in the time of Louis the Pious by Hilduin,¹⁰⁷ a priest, and after him by Fulcon,¹⁰⁸ also a priest, and then by the bishop, Drago.¹⁰⁹

Ch. 16 The archchaplain whom we now call the chaplain¹¹⁰ or the guardian of the palace has under his care and direction all the clerics of the palace. To him was associated the High Chancellor,¹¹¹ who was once called a secretis;¹¹² to him were subject those prudent and wise subjects, and trustworthy men,¹¹³ who wrote out the royal commands, men above bribery and the love of money, and who kept faithfully the secrets entrusted to them. After these the sacred palace functioned through these ministers: the chamberlain,¹¹⁴ the count palatine,¹¹⁵ the steward, the bottler, the stablemaster, the lodge-master,¹¹⁶ four chief hunters, and one falconer.¹¹⁷

Ch. 17 And there were other ministers under these or beside them, such as the bailiff,¹¹⁸ the treasurer,¹¹⁹ the store-keeper,¹²⁰ the guardian of utensils,¹²¹ and whoever were subordinate to these, the juniores or decani;¹²² also on the same level as these, the gamewarden¹²³, the master of the hounds,¹²⁴ the beaver huntsman,¹²⁵ and still others. So each one had a function in the palace according to his ability, though the general unity of the whole kingdom did not pertain

to them as it did to those who were directly responsible for unity, as will be shown below, but they worked together in meeting each and every daily need which arose. These major officers themselves, because of the differences of their functions, their ability, and their circumstance, were not all equally useful, although none, as was said before, could or would even wish to withdraw himself from the service of the king, because of his fidelity to preserve the king and the kingdom. There are many things which could be said about the persons and offices of these men, here are, however, the most important.

Ch. 18 Firstly, according to the nature and importance of each office, the person chosen to fill it was a man noble of heart and body, faithful, intelligent, discrete, and prudent; and moreover, since this kingdom through Divine Providence consists of many regions, as much as possible, there was an attempt made to select ministers from these regions for the first or second or whatever rank there was, so that as members of the household, every region would be present at the palace, and persons of their lineage and region would know that they were represented at the palace.

Ch. 19 Having said a few words about the choosing and the appointing of the officers of the palace, now the hierarchy of

the ministers and their positions must be discussed. Each one of the officers that has been mentioned was the head of his department, not working under anyone or through anyone, unless through his own accord he referred to the king, alone, or in some cases the queen or the king's noble offspring. Not all, however, had equally the right to see the king about other matters or the needs of others, but each one was satisfied in his capacity, and wherever and whenever reason demanded it, he sought the help of another officer.¹²⁶ Two of the officers above all had the immediate management of all matters in their jurisdiction; the archchaplain, who is now called the chaplain or guardian of the palace, received all matter concerning ecclesiastical business or ministers of the Church, and the count palatine¹²⁷ received all secular causes and judgements, so that neither ecclesiastics nor laymen needed to disturb the king without first consulting one of these two, and until these saw fit, if it was necessary, worthily to bring the cause before the king. And if the cause might be a secret one and the king must hear of it before any other, these same two set up a place to speak privately for the petitioner, and then the king was led in first, so that he might receive the person according to his cause, either with honor, with patience, or with mercy.

Ch. 20 The archchaplain¹²⁸ was concerned with all that pertained to religion and the ecclesiastical order as well as the difficulties of the canons and the monks, or whatever else came to the palace from the Church for help; and he also was careful that only those things coming from outside the palace be presented to the king that could not be taken care of completely without him. The archchaplain had concern of other things and not only of those things which dealt with his particular duties and functions in the palace. Throughout the whole palace, whoever sought spiritual consolation or guidance from him would faithfully receive it; and those who did not seek it from him, but to whom he felt it was necessary to be given, according to the nature of that person, he strove to draw them away from their wicked way of thinking or wicked enterprise and turn them to the path of salvation. And all other things of a spiritual nature, too numerous to mention, arising from those who happened to come to the palace, whether these things were of God or of the world, necessary things that needed to be provided for and to be taken care of, these all especially were the cares of the archchaplain. It was not every person of the palace or visitor, though he might have been illumined through the grace of God with wisdom and true devotion, who took his problem to the

king, but as was the general custom, he either acted with the archchaplain or at least consulted with him, as to what should be done, so that something useless and unworthy would not be presented to the king.

Ch. 21 Though he had innumerable others, the main concern of the count palatine was to solve justly and wisely all legal disputes, which having arisen elsewhere had been brought to the palace for an impartial judgement;¹²⁹ and to correct any judgements that were unjust, so that all may be pleased: God because of justice and men because the law had been observed. If there was anything that secular laws¹³⁰ had not established in their decisions, or something which had become lawful by consent of the people,¹³¹ but was crueller than Christian rights and holy authority would agree with; these things he had to present to the authority of the king, so that with those who knew the laws and who feared the law of God more than the statutes of human laws, the king so considered, so ratified that wherever both¹³² could exist side by side, they would do so, but if not, however, the law of the world rightly should be suppressed and the justice of God conserved.

Ch. 22 The propriety of the palace in particular, the regal pomp, and the reception of the annual gifts¹³³ of the vassals¹³⁴ except for the food and drink or the horses, first of all fell

within the domain of the queen¹³⁵ and under her, the chamberlain.¹³⁶ According to the circumstances it was the task of these two, that they always provided for the future, so that nothing would be lacking when there was a need for it. The chamberlain was in charge of receiving the gifts from the different ambassadors,¹³⁷ unless perhaps the king commanded that it would be more suitable if the queen undertook the task with him. The queen and the chamberlain took care of these duties and others like them, so that, freed from every domestic and palatial care as much as he could reasonably and respectably be, the lord king, placing his trust unfailingly in Almighty God, might have his soul ever ready to order and conserve the entire kingdom.

Ch. 23 Among three of the ministers, the steward,¹³⁸ the bottler,¹³⁹ and the stablemaster,¹⁴⁰ as it pertained to the nature and importance of each office, there was a common agreement that none of them would be slow to inform the others, as much as possible, as to all the actions of the king that they happened to know beforehand, such as where he was going to stay, when he would arrive, and for how long he intended to remain; so that they might bring and prepare all that was necessary; lest knowing too late, in an inopportune time and in great haste, something might be demanded, and the royal house-

hold¹⁴¹ would suffer without necessity because of negligence. Though this concern pertained to both the bottler and the stablemaster, it was especially the care of the steward, because he was in charge of everything except the food for the horses and drink. Among these household officers was also included the lodgemaster, on whom fell the task as his name indicates, and it was his main task, that, just as the people mentioned above, he would inform those who were to receive the king¹⁴² in plenty of time as to what time and where the king would come, so that the lodgings could be prepared; lest by their knowing too late, they sin by having caused the royal household trouble by lack of time; or because of an unworthy reception; as if they did not wish the members of the household, they incur upon themselves an offense, although not wishing the situation, but just not being able to take care of it.

Ch. 24 Likewise there were also four hunters¹⁴³ and a fifth, a falconer,¹⁴⁴ who also co-operated in advising each other of the circumstances of the situation, so that they might not perform at the wrong time or too late, those things which pertained to their individual offices, such as when should most, all, or none of the hunters be kept at the palace, or as was the custom, when should they be sent out to forage for food, or when was the time suitable that they be dispersed in

predetermined locations for the sake of a hunt and of getting food. These officers placed their men inside the palace or out in the forest according to their good sense and reason, so that as many hunters as there would be a need for would be there, and as many as they did not need would not be there; for in these offices a certain number of men, dogs,¹⁴⁵ or birds could not be easily determined. Also it remained in their discretion as to how many and which men, dogs, and birds to use.

Ch. 25 It should be taken into account in all these affairs that officers of quality and in quantity should not be found wanting to take over these matters about to be treated besides their other necessary and proper tasks.¹⁴⁶ First of all it was the task of the principle officers either en masse, or in particular, or the task of certain individuals that when the lesser officers left, there always would be a sufficient number (which reason and dignity would call for) so that the palace always would be in order and good advice would never be lacking and so that whenever any delegation came either to greet the king or to make their submission to him, all could be received properly. There should be one to give good counsel, another for consolation by mercy and kindness, and yet a third for a word to cure craftiness or rashness; and from

every part of the kingdom the desolate, the bereft, the oppressed by bad weather, the one suffering calumnies unjustly, or whoever was suffering like problems, too many to enumerate, especially, however, the widows and orphaned, the great as well as the common folk according to their need and condition, all had the mercy and piety of the chief officers available, through whose aid each one's problems could be brought to the kind ears of the prince.

Ch. 26 When an occasion arose where none of the aforementioned needy were left without their proper share, then those people who were worthy because of their long service¹⁴⁸ would be rewarded; each one according to his merits would be recalled by the king; not by their asking for this, but by expecting it because of the trustworthiness and indebtedness of those officers who were mentioned. This was done for them first to please God with justice and mercy; then to procure the complete faith and constance of those remaining trustworthy in service; and finally to show joy and happiness to those living afar throughout the whole kingdom. And if any of the ministers or counselors should die, one both competent and useful took his place.

Ch. 27 And so that that multitude, which always must be in the palace could persist indefinitely, it was supported by

three orders.¹⁴⁹ One was the royal servants¹⁵⁰ free from any particular duty, who because of the kindness and care of the officials were fed, clothed, kept in gold, silver, and horses, and presented with some special gift from time to time, as the time, purpose, or rank of the servant warranted; more often however for servants who stayed longer. In this service these servants had an unfailing consolation and a heart always burning to do the will of the king; for this reason, the aforementioned head officials eagerly called them from day to day, some this day some the next to their homes, and the servants were eager to present themselves not so much because of greedy desires, but rather because of true friendship and affection; so it was a rare instance that anyone remained a week, and not be called to be given something for zeal of this kind.

Ch. 28 The second order concerned the young people learning through individual services at the palace, and who attaching themselves to their master both honored him and were respected in return, so that each according to his position and as the opportunity arose, found support in his master's watching and encouraging him. The third order consisted of the servants¹⁵¹ of both the great and small, whom anyone could govern and sustain as long as they took special care to keep them from sin, that is, from looting and theft. It was pleasant that among

those, that is the designated stations, not counting those who would come and go around the palace, that whenever something might come up suddenly, there was always a sufficient number to handle the situation, and, as was said, most of them because of the kindnesses mentioned above, pleasantly and cheerfully stayed on and were both prompt and attentive.

Ch. 29 The second division of government was concerned with conserving the order throughout the whole kingdom, as much as it was within man's power, since the judgement of the Almighty God supercedes every other power. The common practice of the time was to hold meetings,¹⁵² not often, but twice a year.¹⁵³ It was at these meetings that the state of the kingdom was arranged for the rest of the present year,¹⁵⁴ and no event could change this order of things, unless it was such a great necessity that it would affect the whole kingdom. In these assemblies were gathered all the important people of the kingdom both clerical and lay;¹⁵⁵ the more notable were there to give counsel; the lesser to receive counsel and sometimes to make decisions themselves, and to strengthen not their power, but their own individual intelligence and convictions. Anyone else was present there usually to give his annual gift.¹⁵⁶

Ch. 30 Another meeting was held among the more notable of the nobles and the chief counselors, in which the affairs of

the coming year were begun to be decided upon, so that by chance those things for which there was a need to order in advance, might be seen, and so that whatever needed immediate attention as the year came to a close, by anticipating it, it might be settled or provided for: for example, if a treaty had been made between the marquis¹⁵⁷ of a certain part of the kingdom at one time, what would happen after the treaty had expired, would they renew it or end it; at the same time if strife or peace were equally possible in other parts of the kingdom, so according to that, the situation demanded at the time, if unrest was being made or tolerated in one part here or there, tranquility must be maintained in the rest of the parts. And after they had considered for a long time what action for the future or the order of action demanded, and once it was found, the plan that evolved remained secret,¹⁵⁸ therefore entirely unknown to outsiders until the second general meeting, so it could not be discovered or treated by anyone; so that if anything by chance might be arranged either within or out of the kingdom, and by foreknowledge of it someone would wish to destroy it, or to render it useless, or through some ruse to make it difficult to complete, he could not possible do it. In the general assembly, if anything should be demanded to satisfy the rest of the nobles or to

soothe or incense the spirit of the people, it would be solved by the new plan or consent of these as well as with the great, as if it had never been considered before, and the enterprise with God's help would be completed. And after the first year had ended they would consider the affairs of the next in the same way.

Ch. 31 The counselors were chosen,¹⁵⁸ as much as possible, as many laymen as clerics, who first of all according to their quality or position showed fear of God, and for which reason they had such loyalty, that, the eternal life being excepted, they placed nothing above the king and the kingdom, neither friends, enemies, parents, those giving them gifts, flatterers, those troubling them, nor were they those who were wise in deceit or cunning, nor according to the wisdom of the world, which is the enemy of God, but they possessed that wisdom and knowledge by which they could not only repress but further, completely confound those who place their trust in that human cleverness mentioned above by just and righteous wisdom. The chosen counselors and the king had an agreement among themselves, that whatever they spoke of confidentially among themselves concerning the state of the kingdom or about the special character of anyone, neither of them could repeat it to his servant or to anyone else for this reason, because it

might be necessary that these things be hidden, or remain secret for a day or two or more, a year or forever. Because often in such a discussion something is said about the character of some one either for causing or advising the common good, and when that person is recognized by it, he either is greatly disturbed, or more so, falls into despair, or what is the worst, turns to infidelity, and renders useless every endeavor with which he could have perhaps done much. And as it could happen with one man, if great care is not taken, so it could happen with two, a hundred, or more, or even an entire family or likewise a province.

Ch. 32 The archchaplain,¹⁶⁰ that is the chaplain or guardian of the palace, and the chamberlain¹⁶¹ were always intervening, and either with this in mind such men were chosen with great care, or those who were chosen were taught how they could take part in interventions properly. But also from the other ministers,¹⁶² should one now or in the future show himself to be one who by listening at present and afterwards giving counsel, could be justifiably placed in a counseling position, and by paying close attention to what is happening, he might be commanded to participate in the discussions, by being able to keep a secret, to learn unknown facts, and to observe what had been ordered and established. So that if, something might

by chance come up either inside or outside the kingdom or some unexpected and likewise unthought of event might be announced, sometimes it would be necessary that the decision of higher officials be given, but there was not enough time to call the chief counselors, these palace officials through the mercy of God and because of their continued familiarity in giving advice to the public as well as because of their habit of speaking, responding, and giving advice in domestic affairs, should, depending on the nature of the problem, and the time, have an opinion on either deciding what should be done or at least as to how it could be put off and held in check without any detrimental effects for a determined amount of time. These things were the business of the more important.

Ch. 33 Through the duties of the less important or more properly the palatial functionaries, these as was said were not usually concerned with the affairs of the whole kingdom, but rather they were subservient in particular to those persons who had a special task watching over the palace; the king with his counselors could order them so unconfusedly, that no disorder could arise which he could not bend into something useful, smoothed out, or snuffed out completely and made to disappear. And if the problem would be such that it need quick consideration and it could be held without fault or abuse until

the meeting of the general assembly, these knew how to hold this off from their giving advice in the greater problems mentioned above, and imitating the wisdom of the chief counselors, they could be pleasing to God and of use to the kingdom at the same time. The attention of the chief counselors, when they were called together at the palace, thrived especially in this that they did not occupy themselves with ordering special or individual causes of any kind or of anybody or of those who came to the palace for the contesting of affairs or laws,¹⁶³ until they had, with the help of God, set in order those things which pertained generally to the safety or the state of the king and the kingdom. And then if anything which by chance had been reserved by order of the lord king, which could not be determined by the careful consideration of the count palatine and by the others who had jurisdiction over them, would next be ordered.

Ch. 34 So that higher functionaries that are to be spoken of, and the first among the nobles,¹⁶⁴ in both meetings, might not seem to have been called for nothing, soon after their arrival with the authority of the king, they conferred upon and considered those matters which were laid out in predetermined and ordered capitularies, which had been found through the inspiration of God by the king or had been suggested to

him since the time they last left.¹⁶⁵ When the capitularies had been received, they were considered for one, two, three or more days, depending on the importance of the affairs; meanwhile through the palatial domestic officers being sent back and forth as messengers, they asked questions of the king and they received answers from him, so that no outsider might approach the nobles, until each affair having been completed had been announced to the illustrious prince and laid out for his sacred regard. And whatever the wisdom given him by God chose, that was what all would follow. And so they proceeded for one, two, or how many capitularies they had until, by the grace of God, all the necessities of the time had been solved.

Ch. 35 However, if these transactions took place without the king, he occupied himself with the remaining multitude in receiving gifts,¹⁶⁶ greeting the nobles, by speaking with those he rarely saw, showing compassion to old men, rejoicing with the young, and things like this of either a spiritual or secular nature. And however often those who had separated themselves would want him he would come to them, and likewise as long as they wished he would stay with them; and with complete familiarity, they would tell him all they had solved and they would freely mention to him whatever they had contested

in mutual exchanges, in debates, disputes or friendly contentions. It should not be forgotten that if the weather was nice they met outside, but if not, there were different places inside where both the number of nobles who had been called and had been confidentially separated, and the rest of the people¹⁶⁷ could reside separately, so that other persons of inferior rank could not enter into the discussions. In both cases these gatherings of dignitaries were divided into two groups so that all the bishops, abbots, or more honorable clerics of rank might gather without any commingling of the laity; the others did the same, the counts and the nobles according to their rank, were separated from the multitude early in the morning, until the time when they met to deliberate in the presence or absence of the king. Then the dignitaries were called together into the meeting room, as was the custom, the clerics to their constituted side, and the laity to theirs, and they, in both cases sat according to their rank in places prepared for them beforehand. When they had been so separated from the others, it was in their power, as to how long they kept apart, depending on the nature of the affair they were treating; spiritual, secular, or a combination of both. Likewise it was in their power to come together if they wished to become better acquainted with or further investigate a

certain case, no matter what it was, and when the problem was solved, to separate if they wished. These are about the affairs which the king proposed to them to decide.

Ch. 36 The second right of the king was to ask everyone what noteworthy news they had brought¹⁶⁸ from the part of the kingdom from which they had come; because not only did the king permit the nobles but expressly enjoined it upon them that before they returned they all should search within and without the kingdom, so they might find out news not only from their countrymen or strangers but from both friends and enemies; from these reports the king knew without very much personally entering into the inquire: if a people were disturbed in a certain part, region, or corner of the country, what the cause of this might be; again, if the murmuring of the people was growing louder or some other such weakness cried out, whether it would be necessary that the general counsel decide upon the situation; and such things as this: and concerning needs outside the kingdom, if any subdued nation wanted to revolt or one which had revolted wished to subjugate itself; if a nation not yet conquered wished to attack; or some such things might arise, it was such things as these that he wanted to know. In all situations in which some danger was present he particularly wanted to know the cause of it.

Ch. 37 In addition to those things concerning the decisions of our ancestors collected in the synod at the tomb of St. Macra and which were to be directed to our recently departed king, Louis,¹⁶⁹ I devoutly, obedient to your command, offer these things concerning the order of the palace and the organization of the kingdom to you for the instruction of our king as well as his ministers and those governing the kingdom, just as I have learned it from the writings and tongues of my predecessors and as I have seen in practice in my youth. It is your ingenuity along which will provide the character of men as well as their customs and qualities which will restore any institutions which have fallen, for of all those whom I have seen in the time of the Emperor Louis, who were in charge of the palace and of the kingdom, I do not know of any of them still living today. I know, however, that these men left sons of their noble blood to replace them, but I do not know anything of the habits or quality of these men. These should especially take care that they not be inferior in morals nor in virtue nor in wisdom and in knowledge expected of those of their age and time; so that they may worthily fill the positions and offices of their fathers, and having done so, carefully may they watch "lest", as St. Gregory says,¹⁷⁰ "having been placed at the summit of honor, they by ambition be changed," as

happened to Saul, who was a humble man at the time of his elevation, but who later had to be reproached because of the swelling of his pride.

FOOTNOTES

INTRODUCTION

¹The De Ordine Palatii, also known as Ad proceres regni, pro institutione Carlomani regis, is a letter addressed by Hincmar to the bishops and nobles of the kingdom for the instruction and direction of King Carloman. Carloman was the son of Louis II, the Fat. In 880 Carloman and his brother, Louis III, had divided the kingdom of their deceased father. Louis died in 882 and Carloman had just recently become king of his brother's kingdom. See below.

²His writings are contained in two volumes in the Migne series, vols. CXXV-CXXVI. "Scripsit praeterea plura, ad quae nos enumeranda sufficere non putamus." [Flodoard, "Historia Remensis Ecclesiae," Monumenta Germaniae Historica, Scriptores, eds. J. Heller and G. Waitz (New York: Anton Hiersemann-Kraus Reprint Corporation, 1963), t. XIII, p. 554].

³The information on the different editions has been taken from the introductions to this work in the Monumenta Germaniae Historica [Hincmar, "De Ordine Palatii," MGH, Leges, ed. Victor Krause (Hanover: Impensis Bibliopolii Hohniani, 1897), sectio II, t. II, p. 517] and Maurice Prou's edition [Maurice Prou, Hincmar, De Ordine Palatii (Bibliothèque de l'école des hautes études, No. 58; Paris: F. Viewig, Libraire-editeur, 1884)].

⁴In the MGH edition's introduction, it incorrectly reads "fasc. 85".

⁵See Prou, pp. vi-vii, for more details on some of these editions.

⁶Chapters 29-36 have been translated by Guizot in his Essais sur l'histoire de France. [12^e éd. (Paris: Didier et cie, 1872) (1^e éd. Paris: Colin, 1886).]

⁷Fragments of chapters 19, 30, 32, 17, 20, 23, 25, and 28 and chapters 33, 16, 21, and 27 in their entirety appear in l'Histoire des institutions carolingiennes.

⁸The apparently best biography of Hincmar was published by Noorden [Hincmar Erzbischof von Rheims (Bonn, 1863, in 8^o)] .

⁹What follows in this introduction is a condensation of Prou's introduction based on data from Noorden.

¹⁰Hincmar had been elected archbishop of Rheims after Archbishop Ebo had vacated the See of Rheims. Ebo had been deposed in 835 by the Council of Thionville for his breaking of an oath of fidelity to Louis the Pious. Ebo had been affiliated with Lothair II. After Louis' death and during the period Lothar's stepmother, Judith, Louis' second wife, was trying to install her son, Charles, as king (c. 840-845), Ebo had illegally administered the See of Rheims. During this time he ordained several canons to the priesthood. The dispute referred to here is over the validity of the ordinations of these canons. Hincmar ruled at the Council of Soissons in the eighth year of his episcopate that these canons had not gone through the proper steps of ordination and therefore were invalid. He then re-ordained them.

For more precise details on the disposition of Ebo, see Flodoard, op., cit., l. II, ch. 20, pp. 471-474; on Hincmar's election and ordination and Ebo's seeking reinstallation, see Flodoard, Ibid., l. III, chs. 1 and 2, pp. 474-476; and on the canons at the Council of Soissons, see Flodoard, Ibid., l. III, ch. 11, pp. 484-488.

¹¹Hincmar wanted to establish a Frankish Church, and he fought constantly to establish unity in the Church of France. When a pope once threatened to come to France and excommunicate the bishops, the Archbishop is quoted as saying, "Si excommunicaturus venerit, excommunicatus abibit" [Francois Pierre Guizot, General History of Civilization in Europe, ed. George Wells Knight (New York: D. Appleton and Company, 1896), p. 180]. Nor did he believe that the bishops and churches should be subservient to the kings as vassals [J.M. Wallace-Hadrill, The Long-Haired Kings (New York: Barnes & Noble, 1962), p. 17]. Stands such as these made Hincmar "the greatest power in France" at that time [Helen Waddell, The Wandering Scholars (Garden City, N.Y.: Doubleday & Company, Inc., 1961), p. 56].

¹²This work, the Vita S. Remigii [Patrologiae Latinae Cursus Completus, ed. J.P. Migne (221 volumes; Paris: J.P. Migne, 1841-1860), Vol. CXXV, col. 1129sqq.] was written in the same style as the Gesta Dagoberti regis (Wallace-Hadrill, op. cit.,

p. 101). The Vita is, for the most part, historical, but Hincmar at times lets his ulterior motive shine through the facts [H. Netzer, "Hincmar," Dictionnaire de Theologie Catholique, ed. Emile Amann (Paris: Librairie Letouzey et Ané, 1925), Vol. 62, col. 2485].

¹³See Prou, op. cit., pp. xiii-xvi, for further details and elucidation of the nature of the relationship between Louis III and Hincmar.

¹⁴According to the Annales of St. Vaast, Louis III "quia juvenis erat, quamdam puellam filiam cuiusdam Germundi, insecutus est; illa in domo paterna fugiens, rex equo sedens joco eam insecutus, scapulas superliminare et pectus sella equi attrivit, eumque valide confregit." From which blow he sickened and died ["Annales Vedastini," MGH, Scriptores, ed. G.H. Pertz (New York: Anton Hiersemann-Kraus Reprint Corporation, 1963), t. I, p. 520]. At this time he was fighting the invading Normans.

¹⁵cf. De Ordine, chapter 2.

¹⁶cf. Ibid., chapter 1.

¹⁷cf. Ibid., chapter 1.

¹⁸This work is now lost. Adalhard was a counselor and intimate at the court of Charlemagne. The work is discussed in Chapter 12 of Hincmar's De Ordine and more on Adalhard can be found in notes 87-90.

¹⁹cf. Ibid., chapters 13-18.

²⁰cf. Ibid., chapter 14.

²¹cf. Ibid., chapter 20.

²²As was mentioned above Hincmar's power and position at this late stage of his career was beginning to dwindle somewhat.

²³The empire at this time was being invaded by the Normans besides being disrupted by internal disputes.

²⁴Other works of the same nature are Hincmar's De regis persona et regio ministerio (Patrol. Lat., Vol. CXXV, col. 833

sqq.), Instructio ad Ludovicum Balbum (Ibid., col. 2983sqq.) and De Institutione regia (Ibid., col. 2989sqq.). For further information on the ecclesiastical tradition concerning the powers of the royalty and the relationship of the Church to the State, see Prou, op. cit., p. xxiv.

²⁵The Council was held at the church of St. Macra in Fismes (Champagne) where that virgin-martyr is buried. St. Macra (Megra) was a girl who was born near Rhiems in the third century. In 287 she was brought before the imperial representative in Gaul, Richtiovaruo, and commanded to deny her Christianity. She refused and suffered a tortuous death.

The De Ordine Palatii in Hincmar's eyes was no more than a compliment of the canons of St. Macra (cf. De Ordine, chapter 11).

The council of St. Macra has been edited by Joannes Domincus Mansi in his Sacrorum Conciliorum nova et amplissima collectio (Graz, Austria: Akademische Druck -- U. Verlagsanstalt, 1960), Vol XVII, col. 1540sqq., a. 881, ch. 4).

²⁶"Annales Vedastini," op. cit., p. 521.

CHAPTER 1

²⁷Hincmar was born in 806.

²⁸Hincmar was consecrated Archbishop of Rheims in 845.

²⁹The Louis referred to here is Louis the Pious. He died June 20, 840. After Louis's death there was much internal trouble in the kingdom.

³⁰Though the unity of the empire was supposedly established by the Treaty of Verdun in 843, this good intention was no more than hopeful thinking of the sons of Louis the Pious. In this treaty they had agreed to unite themselves to fight the common enemy, especially the Normans, and preserve the empire of Charlemagne. But as Prou says, "l'union, fraternitas, entre les heritiers de Louis le Pieux fut plutôt désirée que réalisée."

³¹Carloman became king at the death of his brother, Louis III on August 5, 882. (cf. n. 14 supra.)

³²Horace, Epistola, l. I, ep. 2, v. 69.

³³Quintilian, De Institutionibus oratoriae, l. I ch. 1, 9. The quotation from Horace, the opening periodic sentence, and this reference indicate the classical education that Hincmar received as a youth.

CHAPTER 2

³⁴psalms 2: 10-12.

³⁵Hincmar is here referring to Lothair II and Louis III. Lothair and Hincmar were constantly against each other. Hincmar upheld Charles' stand against Lothair's divorce from Teuteberga (Hincmar, "Opusculum de divortio Lothairii regis et Tetbergae reginae," Patrol. Lat., Vol. CXXV, col. 620sqg.). It was Lothair who was behind the resurgence of the canons of Ebo (cf. n. 10). Lothair died from an epidemic which his contemporaries believed came from heaven. (cf. René Poupardin "The Carolingian Kingdoms (840-877)," The Cambridge Medieval History, ed. J. B. Bury et al. (Cambridge: Cambridge University Press, 1936), Vol. III, p. 44.) It is even more probable that Hincmar had in mind here Louis III, who allegedly died from hitting his head against a door sill as he pursued a young girl (cf. n. 14). He even possibly might be referring to the dire circumstances in which Charles the Bald died.

³⁶Wisdom 1: 1,4.

CHAPTER 3

³⁷Hincmar considered himself as especially obliged to assist in this situation because of his position as archbishop of Rheims. He once wrote, "quia Remorum episcopus primas inter primates semper et unus de primis Galliae primatibus extitit nec alium se potiorum praeter apostolicum praesulem habuit." (Flodoard, op. cit., p. 483, l. III, ch. 10, ll. 9-11.) His Vita S. Remigii also tried to back up this point (cf. n. 12). The archbishop of Rheims also had had the privilege of consecrating kings and, more so than the other bishops, had been the advisor to the king or emperor (cf. Prou, op. cit., p. 8, n. 3).

³⁸Ezekiel 3:17. The MGH footnote incorrectly reads 8:17.

³⁹John 7:18.

⁴⁰Hincmar is here referring to either the parable of the unmerciful servant or the parable of the talents. Matthew 18:23sq.; 25:14sq.

⁴¹Romans 14: 10.

⁴²2 Corinthians 5:10.

⁴³Matthew 25:21.

CHAPTER 4

⁴⁴Hincmar is referring to the ordering of the tribes and men of Israel into the branches of the priesthood as given in 1 Paralipomenon 23-26.

⁴⁵"Le premier devoir du roi est de maintenir la hiérarchie ecclésiastique et d'assurer l'observation des règles canoniques touchant l'élection des évêques; les évêques doivent être pris parmi les prêtres, et parmi les prêtres du diocèse: tel est le sens du chapitre IV et des suivants (Prou, op. cit., p. 10, n. 2).

⁴⁶Luke 6:13.

⁴⁷Sts. Cyprien and Augustine as well as the synod of Paris in 829 and the meeting of bishops at Pistes in 861 had all posited this succession (cf. Prou, op. cit., p. 10, n. 4).

⁴⁸Luke 6:13.

⁴⁹It was only after a priest had proven himself that he could worthily attain to the "culmen" of the episcopate ("Concilium Sardicense Generale," Mansi, Vol. III, col. 1sq., a. 347).

⁵⁰Acts 1:17.

⁵¹Acts 1:21, 22.

⁵²Acts 1: 26.

CHAPTER 5

⁵³Hincmar paraphrases the matter in the "Consilium apud S. Marcam," Mansi, Vol. XVII, col. 538sqg., a. 881, ch. 1.

⁵⁴cf. 2 Paralipomenon 23:11; Deuteronomy 17:18.

⁵⁵"Duo quippe sunt, imperator Auguste, quibus principaliter mundus hic regitur: auctoritas sacra pontificum et regalis potestas" (Gelasius, "Epistola VIII ad Anastasium imperatorem" Patrol. Lat., Vol. LIX, col. 42). This letter is cited in l. V, cap. 167 of the capitularies of the kingdom of Franks.

⁵⁶The Council of St. Macra is a very important factor in this work. The Council was held at Fismes in the Archdiocese of Rheims on the second of April, 884. Hincmar presided. It was at this council that the bishops reminded the king of his duties towards the Church. The distinction of the two powers of Church and State was reiterated, but it was said that the king was lower in dignity than the bishops, because the bishops consecrated the kings. ("Concilium apud S. Macram" Mansi, Vol. XVII, col. 540sqg., a. 881, et passim.) The canons proceeding from this synod can be considered as the work of Hincmar. (Prou, op. cit., p. 14, n. 1.)

⁵⁷"Concilium apud S. Macram," Mansi, Vol. XVII, col 538sqg., a. 881, ch. 1.

⁵⁸Hincmar here expresses his idea of how the affairs of the Church and State should be separated. He had already stated his views in the first chapter of the Council at St. Macra, "Post incarnationem vero et resurrectionem et ascensionem eius in coelum, nec rex pontificis dignitatem, nec pontifex regiam potestatem sibi usurpare praesumsit" (Ibid.). This complete dichotomy was not always the case, and more often than not, the two authorities were interchanged. (cf. Prou, op. cit., p. 15, n. 2).

⁵⁹Cyprien, "De duodecim Abusionibus saeculi tractatus," Patrol. Lat., Vol. IV, cols. 957-958, ch. 10 and Corpus Scriptorum Ecclesiasticorum Latinorum, ed. Guinlelmus Hartel (Vindobonae: Apud Geroldi Filium Bibliopolam Academiae, 1871) Vol. III, Pars III, pp. 168-170, ch. 10.

⁶⁰Ezechiel 33:7.

⁶¹Matthew 16:24.

⁶²Acts: 1:1.

⁶³Luke 13:27.

CHAPTER 6

⁶⁴Cyprien, Patrol. Lat., col 956, ch. 9, and C.S.E.L. pp 166.

⁶⁵Proverbs 16:12.

⁶⁶"Nonus abusiois gradus est, rex iniquus" (Cyprien, op. cit., cols. 956-957, Ch. 9, and C.S.E.L., pp. 166-167).

CHAPTER 7

⁶⁷Caelestine, "Epistola universis episcopis per Apuliam et Calabriam constitutis," Mansi, Vd. IV, col. 469, a. 423, ch 1.

⁶⁸cf. Jerome, "Commentarius in epistola ad Titum," Patrol. Lat., Vol. XXVI, Col 633, ch. 3; and Augustine, "Contra Cresconium," Patrol. Lat., Vol. XLIII, cols. 471-472, ch. 7.

CHAPTER 8

⁶⁹This is an interpretation of the Theodosian Code, I, 1,2.

⁷⁰In the Carolingian Age the leges were distinguished from the capitularies. The leges differed from the capitularies by their origin, nature, and their method of application. The leges formed the law (droit) of the people. They were drawn from the customs the people followed and their formulation was entrusted to men known for their experience. The people ratified the laws by their approval. The make-up of the leges or capitula legibus addenda differed little from this.

The capitularies, capitula per se scribenda, came from royal authority, and the nobles and king alone were the ones who drew them up.

The leges applied to private rights and race. The capitularies

were public laws and dealt with the individual in as much as he was a citizen of a certain territory. (cf. Prou, op. cit., p. 20, ns. 1 and 2.)

⁷¹Augustine "De vera religione," Patrol. Lat., Vol. XXXIV, col. 148, ch. 31.

⁷²This was a procedure of election that was rarely followed. For verification of this statement and the actual method of election, see Prou, op. cit., p. 22, n. 2.

⁷³John 10:1. Hincmar had written to Louis III, "Et ideo neminem eligo, neminem recognosco. neminem recipio, nisi qui vita et moribus, et scientiae catholicae doctrina per claves Ecclesiae ad hoc episcopale ministerium accedit, et sciat et faciat quod sacrum ministerium postulat" (Hincmar, "Epistola XIX," Patrol. Lat., Vol. CXXVI, col. 116, ch. 9).

⁷⁴Here Hincmar catches the thought but not the correct wording of Augustine, "De civitate Dei," Patrol. Lat., Vol. XLI, col. 170, l. V, ch. 24.

⁷⁵Hincmar has expressed this same idea in his De Regis persona et regio ministerio [Patrol. Lat., Vol. CXXV, cols. 847-848 (ch. 21) and cols. 852-853 (ch. 29)].

⁷⁶Psalms 133:21, 22.

⁷⁷Gregory the Great, "Liber regulae pastoralis," Patrol. Lat., Vol. LXXVII, col. 91, p. III, ch. 22.

CHAPTER 10

⁷⁸The count was the chief functionary of the Carolingian Age. The counts in the frontier areas, the counts of the marches, were both heads of the military and administrators. They were comparable to the dukes of the Merovingian Age. (cf. Prou, op. cit., p. 26, n. 4.)

⁷⁹The word, judex, in the Merovingian Age meant anyone who had any function, no matter what his rank, and it was often used to refer to the count. However, in the ninth century, it was used to denote the lesser officers, the viscounts, "viguiers et centeniers". (Prou, op. cit., p. 27, n. 5.)

⁸⁰Sometimes the word ministeriales means all the royal agents, more often it refers to the personal agents chosen by the counts to perform various functions in their territories (Prou, op. cit., p. 28, n. 1).

⁸¹Throughout this chapter Hincmar almost quotes verbatim from Cyprien (op. cit., Patrol. Lat., col 953, ch. 6 and C.S.E.L. pp 160-162).

CHAPTER 11

⁸²Prou says, "Catholicorum. On doit peut-être corriger catholicorum en conciliorum" (Prou, op. cit., p. 30, n. 2).

⁸³"Concilium apud S. Macram," Mansi, Vol. XVII, col.540sq., a. 881, ch. 4.

⁸⁴Ibid., chs. 5, 6. "Admonitio ad regem et ministros reipublicae."

⁸⁵Ibid., ch. 8.

⁸⁶Luke 10:35.

CHAPTER 12

⁸⁷Adalhard was born in 753. He was the brother of Wala and the cousin of Charlemagne. When he was twenty years old, he went to the monastery of Corbie [Corbie -- SS. Pierre et Paul et St-Étienne (550 par ste Clotilde, m. 545, et Clotaire I, m. 561), reconstruit en 662 par ste Bathilde, m. 580, épouse de Clovis II, et mère de Clotaire III, m. 670, pour moines de Luxeuil, devenus ensuite Bénédictins, église consacrée en 667 par l'évêque Berthefroid, Mauristes en 1618, diocèse, etc.; entre la Somme et l'Ancre, près de leur confluent, sur la Corbie, qui se jette dans la Somme. (Cottineau, Dom L.H., Répertoire topo-bibliographique des abbayes et prieurés (Macon: Protat Frères, imprimeurs-éditeurs, 1939) Vol. I, col.868)]. Later he travelled to Monte Casino to escape the world completely. Charlemagne entrusted him with the direction of the kingdom of Italy. Adalhard fell out of favor during the reign of Louis the Pious. He died Jan. 2, 825 or 826. [cf. Paschasius Radbertus, "Vita S. Adalhardi," Acta Sanctorum ordinis

S. Benedicti, ed. Johannes Mabillon (Paris: Louis Bellaine, 1668), saec. IV, t. I, p. 306.]

⁸⁸Since Hincmar had been born in 806, he could not have known Adalhard till the latter was an old man. This Adalhard was called "senex" or "senior" to distinguish him from another Adalhard, a count palatine under Charlemagne and Louis the Pious. (cf. Einhard, "Annales," MGH, SS., ed. G.H. Pertz, t. I p. 213.)

⁸⁹Paschasius Radbertus says of his master, "Prudentia, et futura, ut de singulis praevideret quid agendum, quidve sequendum Dei consilio monstraretur" (op. cit., p. 314, ch. 16).

⁹⁰Flodoard tells us of a letter Hincmar wrote to his friend, Adalhard, "Adalardo abbati de amicitia inter ipsos, et qualis debet esse verus amicus" (op. cit., p. 535, l. III, ch. 24).

⁹¹palatium at that time meant not only the residency of the king but also the central government and those who directed it (Prou, op. cit., p. 33, n. 6).

CHAPTER 13

⁹²cf. chapters 14, 15, 16, and 20. The Greek word apocrisarius, translated into Latin, responsalis, here means the archchaplain. Hincmar seems to be the only author to use it in that sense. This was usually the term used to designate the ecclesiastical delegate. Perhaps the reason that Hincmar uses it here meaning the archchaplain is because under Charles the Bald, Drogo, bishop of Metz, the archchaplain, had been delegated Vicar of Gaul by Pope Sergius. So at that time the archchaplain was the apocrisarius. (Prou, op. cit., p. 34, n. 2.)

⁹³One does not see the term apocrisarius used before the sixth century in the time of Justinian (Prou, op. cit., p. 35, n. 3). The Novella of Justinian says that the Patriarchs are supposed to have a representative at the court to take care of their affairs and those of their bishops (Justinian, "Novellae," Corpus Iuris Civilis, ed. Rudolph Schoell (4th edition; Berlin: Apud Weidmannos, 1912), Vol. III, pp. 41-42, nov. vi, c. 2,3).

CHAPTER 14

⁹⁴Gregory was sent around 582 to Constantinople by Pope Pelagius II to combat against the heresy of the Patriarch Eutychius on the resurrection of the body. Gregory held the position of apocrisarius during his stay at the imperial palace. "Eo quoque tempore quo (Constantinopolitana) pro explendis responsis Ecclesiae ad principem ipse transmissus sum" (Gregory the Great, "Dialogorum liber," Vol. LXXVII, col. 293, l. III, ch. 32); and cf. John the Deacon, "Sancti Gregorii Magni Vita," Patrol. Lat., Vol. LXXV, col. 72, l. I, ch. 26.

⁹⁵Even before the establishment of the permanent apocrisarii, the Council of Sardica (347) had prescribed that the bishops send their petitions or those of their bishops through a deacon, who would act as an intermediary ["Concilium Sardicense Generale," Mansi, op. cit., Vol. III, cols. 11 or 25 and 34, a. 347, c. 8 or 9 (different interpretations)].

⁹⁶Hincmar had written a life of St. Remigius (cf. introduction of this work). In it he strove to establish the See of Rheims as the primatial See of France by linking its namesake with the first king and the beginnings of the empire.

⁹⁷"De exercitu vero eius baptizi sunt amplius tria millia" (Gregory of Tours, "Historia Francorum" Patrol. Lat., Vol. LXXI, col. 227, l. II, ch. 31).

⁹⁸The baptism is maintained by some to have taken place on the Vigil of Christmas.

⁹⁹Prou maintains that during this time, such an office did not exist under the Merovingians. During this period an abbas palatinus was placed at the head of the royal chapel. The duties of the apocrisarius were carried out either by the bishop of Arles, the perpetual representative of papal authority in France or more ordinarily by the special legates. (Prou, op. cit., p. 38, n. 3.)

¹⁰⁰No deacons can be found who were archchaplains in the eighth or ninth centuries (Prou, op. cit., p. 39, n. 5).

¹⁰¹The Council of Sardica (347) commanded the bishops not to be absent from their diocese more than three weeks or more literally "three Sundays" ("Concilium Sardicense Generale,"

Mansi, op. cit., Vol III, col. 28, c. 14). A council held at Rome on the fifteenth of November, 826, by Pope Eugene II, reiterated this same proclamation (Prou, op. cit., p. 39, n. 6).

CHAPTER 15

¹⁰²Hincmar here is referring to the Regula pastoralis, which Gregory had addressed to John, bishop of Ravenna (Patrol. Lat., Vol. LXXVII, col. 13). This was the manual for bishops in the ninth century. The Council of Mainz sought answers from this book when it was held in 813. The book was also used by the Councils of Rheims, Tours, and Chalons (813). (Prou, op. cit., p. 39, n. 7.)

¹⁰³It was the custom to place the canons and the Regula pastoralis between the hands of the bishops at their consecration, e.g., cf. Hincmar, "ad Laudunsesum," Patrol. Lat. Vd. CXXVI, col. 292.

¹⁰⁴Fulrad was from the territory of Alsace. He was abbot of Saint-Denis at least by 749 since Pepin addressed a letter to him in that year. He had been sent to Pope Zachary by Pepin to plead for the disposition of Childeric as king. His successful mission brought him the title of archchaplain. In 756 he took command of the Frankish army and fought for the cause of Didier, king of the Lombards. He was archchaplain under Carloman and Charlemagne. He died on the sixteenth of July, 784. "Sancti Fulradi, abbatis elogium historicum," Mabillon, saec. III, t. II, p. 334.)

¹⁰⁵Engelramn succeeded Fulrad as archchaplain. Charlemagne obtained permission for him to leave his See of Metz and come to the palace. He was abbot of Senone at the same time as he was bishop. It was he who started the famous school of chant at Metz. Paul the Deacon wrote a history of the bishops of Metz at his request. [The Religious Benedictines of the Congregation of St. Maur, Histoire Literaire de la France, ed. M. Paulin Paris, (Paris: Libraire de Victor Palme, 1866), t. IV, p. 173sq.] He died on the twenty-sixth of October, 791.

¹⁰⁶Hildebald was the Archbishop of Cologne between 782-785. He acted in the capacity of archchaplain at the synod of Frankfort (794). He died in 819. (Prou, op.cit., p.41, n.7.)

¹⁰⁷Hilduin, Hincmar's tutor, abbot, and guardian in his youth, this abbot of Saint-Denis succeeded Hildebold as arch-chaplain. He was the most intimate of the counselors of Louis the Pious, "Hic, inter cunctos imperii sui primates quos consilio suo adsciverat, Hilduinum abbatem....in tantum amavit et extulit, ut ei specialius quidquid secretius tractandum esset committeret, eumque archicappellanum in omni imperio suo constitueret" (Odilo, "Translation S. Sebastiani," Mabillon, saec. IV, t. I, p. 387). In 830 he took the part of Wala and was exiled. He was recalled and recovered his former abbies but not his position at the court.[cf. the letter of Louis the Pious, Johannes Mabillon, De re Diplomatica (Paris: Louis Billaine, 1681), p. 521].

¹⁰⁸We know little of Fulcon. He may possibly be the abbot of Saint-Hilaire de Poitiers. The Passion of St. Julian gives him the title of archchaplain. (Prou, op. cit., p. 4, n. 9.)

¹⁰⁹Drogo was born in 807 and became bishop of Metz in 826. He appears as archchaplain in 837. He was made Vicar of "Annales Bertiniani," MGH, SS., t. I, p. 440, a. 844). He died on Nov. 9, 855. He did not maintain his title of archchaplain to his death. He was relieved of it by 846 at the latest. (Prou, op. cit., p. 41, n. 10.)

CHAPTER 16

¹¹⁰The original capellanum was the person in charge of the chapel, capella, where the cape of St. Martin of Tours was kept. The chaplains became more numerous, and the man placed in charge of them was usually the abbot of St-Denis. The capellani did the writing. This is the origin of the chancery.

¹¹¹These offices both entailed writing important pronouncements of the king. Sometimes they were combined in one man such as, Gozlin, in the reign of Charles the Bald (Prou, op.cit., p. 43, n. 2).

¹¹²a secretis was the term that was used in the Roman Empire to denote the imperial counselors, but it never denoted the chancellor in the Frankish Empire. The king had his own private secretaries picked from his most learned and intimate counselors. His writings never went to the chancery. (Prou, op. cit., p. 45, n. 1.)

113 These men were the notaries who took down documents in the name of the chancellor. They were assisted by simple scribes. (Prou, op. cit., p. 45, n. 2.)

114 cf. chapter 22.

115 cf. chapter 21.

116 cf. chapter 23.

117 cf. chapter 24.

CHAPTER 17

118 The bailiff or ostiarius is the chief usher. He is referred to in different texts as magister ostiariorum, summus ostiarius, and sometimes scario and aedilis. In ceremonies he followed the procession of the king, his staff in his hand, while one of the subordinates went before the cortège, separating the crowd. (Prou, op. cit., p. 46, n. 2.)

119 The sacellarius, placed under the orders of the chamberlain, was the guardian of the royal treasury, which was called the sacellum in the Merovingian and Carolingian Periods. It was a term even used in the time of Justinian. (Prou, op. cit., p. 46, n. 3.)

120 The dispensator was also subordinated to the chamberlain. (Prou, op. cit., p. 47, n. 4.)

121 This comes from the German schap-ward. This officer apparently had the care of the utensils and precious table ware. (Prou, op. cit., p. 47, n. 5.)

122 The decani had charge of administering a villa or a part of a villa and were numbered among the juniores or minor functionaries. Since Hincmar distinguishes the two here, it is necessary to understand that officers of lower rank, juniores, were grouped in tens under the surveillance of decani. (Prou, op. cit., p. 47, n. 6.)

123 Bersarii can be explained by two etymologies. Firstly from bersa, which means fences or stockade, which surrounded the forests. Secondly from birsen, to pierce from arrows; in French, berser de saietes. (Prou, op. cit., p. 46, n. 7.)

124This is from veltire or viautre in Old French or veltris in Low Latin. It was a special breed of dog good for hunting bears as well as hares. (Prou, op. cit., p. 47, n. 8.)

125The beaver's fur was much sought after in the ninth century (Prou, op. cit., p. 47, n. 9).

CHAPTER 18

CHAPTER 19

126The words, mensura sua quisque contentus erat, here probably mean that each of the officers should not seek to exceed the limits of the position the king has entrusted to him and that each should restrict himself to trusting only those who were close to the king (Prou, op. cit., p. 50, n. 1).

127cf. chapters 13 and 21. During the Merovingian Age, it was the mayor of the palace who had charge of secular business. The count palatine had charge of examining the causes brought before the tribunal of the king, of directing the procedure, and of seeing the executions of sentences. In the Carolingian Age the mayor of the palace no longer existed, and the count palatine took over most of his duties. (Prou, op. cit., p. 50, n. 2.) He was a layman who knew the law thoroughly.

CHAPTER 20

128Hincmar places the archchaplain on the same level in ecclesiastical matters as the count palatine holds in secular matters. Hincmar wrote to Louis the German in 858 instructing him to have such a man in his ministry to serve the bishops who might come to the palace seeking aid, "Ut, si episcopus pro quacunque necessitate ecclesiastica ad vos direxerit, ad quem quae rationabiliter petierit obtineat, in palatio vestro, sicut comes palatii est in causis reipublicae, ministerio congruum constitutum habete" (Patrol. Lat., Vol. CXXVI, col. 14).

CHAPTER 21

129cf. n. 127. In the palace there was at that time more than one count palatine, but one probably took precedence over

the others. The king sometimes assumed these duties (cf. Prou, op. cit., p. 54, n. 1).

¹³⁰In the text of Prou it reads leges mundane, but he refers to the leges mundanae in his footnote. [cf. Prou, op. cit., p. 54 (text) and p 5. (n. 3)].

The capitularies and the leges mundanae have been distinguished from each other and from the Church laws in footnote seventy of Chapter 8.

¹³¹The laws are the so-called unwritten laws that have become common law by the code of the people. Charlemagne had retracted some of these laws and had had the rest of them written down after his conquests, "Post susceptum imperiale nomen, cum adverteret multa legibus populi sui deesse (nam Franci duas habent leges, in plurimis locis valde diversas), cogitavit quae deerant addere et discrepantia unire, prava quoque ac perperam prolata corrigere; sed de his nihil aliud ab eo factum est, nisi quod pauca capitula, et ea imperfecta legibus addidit. Omnium tamen nationum quae sub eius dominatu erant, jura quae scripta non erant, describere ac litteris mandare fecit" (Einhard, "Vita Karoli Magni," MGH, SS., t. II, col. 458, ch. 29).

¹³²Utramque legem refers to the law of the world and the law of God and the Church.

CHAPTER 22

¹³³The annual gifts were usually received at the general assemblies. (cf. chapter 19.) What had originally been a gracious act turned into a necessary duty. Prou cites several examples of where the king had expressly ordered belated gifts to be promptly sent or where he had had punished a tardy gift giver. (Prou, op. cit., pp. 56-57, n. 3.)

¹³⁴The term miles will be explained in footnote ¹⁴⁸. It suffices to call the milites, vassals, at present.

¹³⁵The capitulary de Villis supports the fact that the royal officers must obey the queen (Prou, op. cit., p. 57, n. 5).

¹³⁶Though the chamberlains of the Merovingian Age had the same position as those of the Carolingian Era, those of the former period were secondary functionaries while those of the

latter were very important. There was only one chamberlain who commanded many cubicularii in the Carolingian household. Several famous men held this position; Mainfroi, Bernard, Angelran, and Thierry. (cf. Prou, op. cit., p. 58, n. 6.)

¹³⁷ Here again we see an institutionalized custom of cordiality. A visiting ambassador would never come to see the king without bringing him a present. The ambassadors usually came during the time of the general assembly. (cf. References of Prou, op. cit., p. 58, n. 1.)

CHAPTER 23

¹³⁸ The senescalum received some of those duties of the former mayor of the palace which did not fall into the domain of the chamberlain. Certain authors think that the word senescalus (senes-schalk) is the same in Germanic as major domus. (cf. Prou, op. cit., p. 59, n. 2.) In the ninth century, in addition to the task of being in charge of the interior administration of the palace, the chamberlain himself was in charge of the royal table. Eggihard who was killed with Roland as they crossed the Pyrenees was such a man -- "regiae mensae praepositus" (Einhard, op. cit., col. 448, ch. 9). The officers of the kitchen were placed under his charge, "pistores, lanii, coci, et fartores" (Monk of St. Gall, "Gesta Karoli," MGH, SS., t. II, p. 739, l. 1, ch. 18).

¹³⁹ The bottler or butler was in charge of the cup-bearers, the pincernae. This was a position from which one could climb to higher posts. The buticularius was also known as the princeps pincernarum or magister pincernarum. (Prou, op. cit., p. 60, n. 1.)

¹⁴⁰ The stable master is probably the ancient mariscalus of the Merovingian Period. The Carolingian count of the stable, or stablemaster was in charge of the lesser officers called mariscali (Prou, op. cit., p. 61, n. 2). These two later developed into the constable and his marshals.

¹⁴¹ Familia means the entire household; anyone attached to the palace.

¹⁴² Susceptores seems to be a term peculiar to Hincmar. It denotes here those who were in charge of receiving the king or

those responsible for receiving the taxes placed on food. This was owed at the time of the visits of the king. (Prou, op. cit., p. 62, n. 1.)

CHAPTER 24

¹⁴³The hunters had charge of not only the hunts but also of providing game for the royal table. In the time of Charlemagne as the Vita Karoli Magni relates in chapter 24 (op. cit., col 456), it was the huntsmen's duty to bring to Charlemagne's table the roast which he so relished. Hunting was a pastime that was a favorite with Charlemagne and his sons (Ibid., col.453, ch. 19, and col. 455, ch. 22).

¹⁴⁴The falconer is called in other places the praelatus capis; capus means falcon (cf. Prou, op. cit., p. 63, n.3).

¹⁴⁵cf. chapter 17.

CHAPTER 26

¹⁴⁸Towards the end of the Roman Epoch, the work, militia, stood for any kind of service. Militia later came into use as the money gained for a public service. From which meaning came the connotation of miles as any man who serves the king. (Prou, op. cit., p.66, n. 2.)

CHAPTER 27

¹⁴⁹cf. chapter 33.

¹⁵⁰cf. supra n. 148.

CHAPTER 28

¹⁵¹In pueris vel vasallis. The vasalli and the pueri are both servants; the former being somewhat higher in rank than the other. The term vassus in the ninth century meant anyone who carried out a service for the king. (Prou, op. cit., p. 68, n. 3.)

CHAPTER 29

¹⁵²The annual assembly of Franks in the Merovingian Era was called the Martis Campus. When it was transferred to the month of May in 755, it became known as the Maii Campus, Campus Madius, or Mai Campus. But from 757 the terms, placitum, placitum generale, or conventus, conventus generalis were the terms the annalists used to designate these meetings. Placitum was the official term used in the capitularies and the documents. Such expressions as mallum, concilium, and generale colloquium were also used to express the idea of these assemblies. Sinodus was used usually to denote ecclesiastical meetings. (cf. Prou, op. cit., p. 71, n. 3.)

¹⁵³Under Pepin, only one annual meeting was held in the month of March, Martis Campus, and after 755 in the month of May, Maii Campus. A capitulary of Charlemagne's issued sometime between 769 and 800, prescribes that there be two meetings: one in the summer, one in the autumn. The gathering in the summer was more important, because it was then that the army came together; the gathering in the autumn was only of the nobles.

The assemblies usually met in the royal residency. Under Charlemagne the assembly had the connotation of war, and it was held in a royal palace that was strategic for the actual situation. Under Louis the Pious, Aix-la-Chapelle was usually the place of meeting. Under Charles the Bald there was a preference to meet in Western France. (cf. Prou, op. cit., p. 72, n. 1.)

¹⁵⁴Ad anni vertentis spatium has sometimes been misconstrued to mean the time of the meeting; but Prou takes it in its Biblical usage, "Hoc erit holocaustum per omnes menses qui sibi anno vertente succedunt" (Numbers 27:14), in which context it is understood to mean, "in the year that is now running its course". (Prou, op. cit. p. 73, n. 2.)

¹⁵⁵The earlier Martis Campus was a meeting of the army. However, the army also had men supplied by the abbeys and was made up of all freemen. As a consequence the gathering came to be identified with the whole people, sometimes being called populi conventus. But as the empire reached its limits and peace was established, from the beginning of Louis the Pious' reign, the assembly took on more of a political and legislative nature. The use of the word, populus, in the ninth century in reference to these assemblies can really be taken to mean the nobles. It consisted of the bishops, abbots, and

counts; and these came only after they had been invited.
(Prou, op. cit. p. 73, n. 3.)

¹⁵⁶Prou objects to former editors placing this last sentence at the beginning of the next chapter. He contends that this should logically be placed at the end of this chapter, because it would be more historically correct. Because it was at these meetings that the gifts were received. It was a custom of the later Merovingians that carried over into the Carolingians. He cites examples to establish the continuity of the practice. (Prou, op.cit. p. 75, n. 1.) Krause places this sentence at the end of Chapter 24 also.

CHAPTER 30

¹⁵⁷The marquis were the counts or dukes who were in charge of a territory which was situated on the boundaries of the empire. This was a very strategic and very important area since the marcha was a buffer against the attacks of the surrounding nations.

¹⁵⁸Keeping silence was a quality expected to be found in the counselors. cf. chapters 18 and 31.

CHAPTER 31

¹⁵⁹cf. chapters 30 and 32. The king usually conferred with his counselors before he made any important action. These counselors did not always reside at the court.

CHAPTER 32

¹⁶⁰cf. chapters 13-16 and chapter 20.

¹⁶¹cf. chapter 22.

¹⁶²cf. chapters 23 and 27.

CHAPTER 33

¹⁶³The Carolingian assemblies also had judiciary powers.

They judged cases of high treason and those crimes which dealt with the maintenance of the security of the State. (cf. Prou, op. cit., p. 84, n. 2.)

CHAPTER 34

¹⁶⁴cf. chapter 35. Senatores, that is seniores. Senatus designated the ensemble of seniores. (Prou, op. cit. p. 85, n. 3.)

¹⁶⁵Hincmar does not here distinguish between the two assemblies, just as he neglected to mention the times when the different groups met. It must be that in effect, in both meetings, it was the nobles alone who were consulted on the formulating of the capitularies. The difference in the two meetings was the matter treated. In the issuing of the capitularies, the king could act alone. But capitularies which pertained to the political organization, the more important administrative matters, the king could not promulgate without the assured support of the nobles. The nobles themselves also formulated and discussed observations and presented them to the king. The bills were also underwritten by the nobles. The capitularies were always issued in the name of the king. The bishops, abbots, and counts all received a copy of the decisions, and it was their duty to make them known to their people.

It must be kept in mind that there was a difference between the laws and the capitularies. (cf. n. 70) The people played a more considerable part in the formulation of the laws. After the law was drawn up, it was subject to the approval of the people, because the law is made by the consent of the people; a law is a contract drawn up between the king and the people. (Prou, op. cit., p. 86, n. 1.)

CHAPTER 35

¹⁶⁶cf. chapters 22 and 29.

¹⁶⁷At the Council of Mainz in 813, the nobles were divided into sections, "Convenit nobis de nostro communi collegio clericorum seu laicorum tres facere turmas, sicut et fecimus. In prima autem turma, consederunt episcopi cum quibusdam notariis....In alia vero turma consederunt abbates ac probati monachi....In tertia denique turma sederunt comites et iudices

....mundanis legibus decertantes vulgi justitias perquirentes
...." "Concilium Moguntiacum," Mansi, Vol. XIV, col. 64sqq.,
a. 813).

CHAPTER 36

¹⁶⁸These general assemblies were opportune times for the king to revitalize waning ties with the nobles and at the same time to inquire into the general condition of the State.

CHAPTER 37

¹⁶⁹cf. n. 14.

¹⁷⁰Gregory the Great, "Commentariorum in Librum I Regum," Patrol. Lat., Vol. LXXIX, col. 436, l. VI, ch. 29.

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