

9. *The Third Volume of the French Academie* (London, 1601), p. 64.

10. The remainder of La Primaudaye's paragraph, though too long to read aloud, is well worth quoting in a note:

For it is certaine that the ancient fathers could not conveniently have represented one thing by other figures, but that they had first learned the secret amitie and affinitie of all nature. Otherwise there could be no reason, why they should represent this thing by this forme, and that by that, rather then otherwise. But having the knowledge of the universall world, and of every part thereof, and being inspired with the same spirit, that not onely knoweth all things, but did also make all things: they have oftentimes, and very fitly figured the natures of the one world, by that which they knew to be correspondent thereto in the others. Wherefore the same knowledge, and the grace of the same spirit is requisite for those, who would understand, and directly interpret such significations and allegoricall meanings (*ibid.*, p. 67).

11. *Ibid.*, p. 68.

12. *Eliz. Critical Essays*, I, 172.

13. I.e., our planet, earth.

14. In the essay on Cowley, quoted here from *The Works of Samuel Johnson*, ed. Arthur Murray (12 vols.; London, 1816), IX, 20.

The Treaties of the Carolingians

François L. Ganshof

Professor Emeritus, University of Ghent, Belgium

I intend to investigate how the Carolingians managed to conclude their treaties. Let us first of all start with a definition. I think we can give the word treaty the following one: an agreement between states, peoples, tribes, or rulers.

The treaties about which we will be concerned were concluded by the rulers of the *Regnum Francorum*, belonging to the Carolingian dynasty, between 751 and 887.¹ They were very numerous. To study them, we have but few immediate sources at our disposal: some full texts and a few fragments of agreements concluded between Carolingian rulers, after the death of Louis the Pious in 840, when the unity of the Frankish monarchy had ceased to exist. With the exception of these documents, we can only have recourse to narrative sources, especially to the so-called Royal Annals, to the Annals of Saint-Bertin, the Annals of Fulda, the Annals of Xanten, the Annals of Saint-Vaast,² and also, in a lesser extent, to the *Vita Karoli* of Einhard and the biographies of Louis the Pious by Thegan and by the so-called "Astronomer" as well as to the *Historiae* of Nithard.³ Such information as can be gathered from these narratives is occasionally inaccurate and often inexplicit.

Let us begin by setting apart a certain number of treaties which were basically nothing more than simple acts of submission pronounced vocally to a victor, this not having been preceded by any negotiations worth mentioning.

We naturally know several of these for the Saxons; when vanquished by Charlemagne,⁴ one or the other fraction of this population submitted to the king of the Franks. The chieftains

of these tribes promised to be faithful and to submit, and sometimes bound themselves to pay tribute, even reinforcing their promises by an oath; they delivered hostages which fully secured their submission.⁵ As their promises nevertheless were often transgressed, it happened that the hostages were abandoned to the conqueror.⁶ The act of submission itself might have been expressed by a gesture of the hands.⁷

A great number of such acts of submission to Charlemagne or to Louis the Pious and more often to their successors, the kings of *Francia Orientalis*, were accomplished in the name of Slav populations by their chieftains. These acts were regularly followed by new upheavals and these again by renewed submissions—the mention of which in the sources is repeated with tedious regularity. As to the main features of these acts of submission, they are generally the same as those of the Saxon tribes.⁸ It may be noted that for the chieftains of certain Slav populations, a gesture of the right hand appears also to have meant submission; maybe in expectation of a parallel gesture by the victor attesting the restoration of peace.⁹ Vassalage having found its way from *Francia Orientalis* to the neighboring Slav populations, toward the end of the period considered here, Moravian and Slovenian chieftains confirmed the re-establishment of their subjection—indeed purely formal—by becoming vassals of the Germanic king.¹⁰

The Avar chieftains also accomplished similar acts of submission.¹¹ These seem to present distinctive features similar to those of the Slavs.¹²

In the northwest of the *Regnum Francorum*, the Breton chieftains have rendered their submission in a way not very different from what we have met so far. They had rebelled against the Carolingian monarchs whose subjects they theoretically were, but Frankish military operations had suppressed the rebellions successfully. The surrender of the Breton chieftains was expressed by a gesture of the hands¹³ accompanied by oaths and by the delivery of hostages.¹⁴ No other features may be detected before about 846.¹⁵

Things were no different with the Basques or Gascons, the inhabitants of sub-Pyrenean and Pyrenean regions.¹⁶

The acts of submission which have just been mentioned created, confirmed, or modified legal connections between the Carolingian monarchs on the one hand and non-Frankish peoples, tribes, or rulers on the other. On this ground it is necessary to recall them. However, these were one-sided acts, accomplished by the representatives of these peoples, these tribes, these rulers. The Carolingian monarchs only accepted these unilateral acts of submission and occasionally drew as a consequence of them the restoration of peace. These acts were not agreements and therefore cannot be considered as regular treaties.

We will at present pass on to genuine treaties, in which both parties, namely a Carolingian ruler and another party, pledged themselves to one another to perform definite engagements. I believe that among these treaties one should distinguish agreements of various kinds.

First, there are those treaties concluded by the Carolingians with states, peoples, tribes, or rulers, either foreign or imperfectly submitted to Frankish authority. Among these contracting parties, some made use of writing for acts of this kind, whereas others did not.

The following group of treaties are those to which we have already pointed: they were concluded between Carolingian rulers; here we must draw a line between the agreements resulting in a partition and the others.

Finally, we have the agreements concluded between Carolingian rulers and the Norman pirates, later the Norman invaders, or, in other terms, with the Vikings.

The main features peculiar to these various types of agreements compel me to choose one treaty or in certain cases two treaties to illustrate each one of these groups occasionally, as necessary, referring to other treaties of the same type. I mean to keep to this plan except as to what concerns the treaties with the Vikings.

I will begin with the treaties concluded by the Carolingians with states, peoples, tribes, or rulers using little or no writing. Here we meet with the Danes.¹⁷ Denmark was then a rather incoherent kingdom; supreme power was contested by various families, backed themselves by their own dependents.¹⁸ Charlemagne wisely held aloof from those disputes and civil wars, whereas Louis the Pious was imprudent enough to allow himself to be mixed up with them. However, since the time of Charlemagne, conflicts with the Frankish realm had been caused by incidents along the border in the south of Jutland, where the Danish territory bordered on Saxony which had been conquered by the Franks. Denmark was also a close neighbor to the country of the Abodrites, a Slav population, then a faithful ally of the Carolingian emperor. There were also raids of the Danish fleets against Frisia for which Charlemagne and his successors, rightly or wrongly, held the kings to be responsible.

More than once, in the time of Charlemagne and of Louis the Pious, the Danish kings took the initiative in negotiations that resulted in agreements which were supposed to create a state of lasting peace; however, new incidents never failed to occur. A stroke of luck has given us better information about the treaty of 811 than what we know about the others. This is the one we will now consider.

The new king of Denmark, Hemming, was desirous to put a stop to the tenseness of relations which had existed between his uncle and predecessor Godfried and the Emperor Charlemagne.¹⁹ As early as 810 he declared his peaceful intentions; a Danish envoy and Charlemagne agreed to conclude peace. However, the final conclusion was to take place on the border. It was a hard winter which made all ways of approach impassable. There was all the same a meeting involving perhaps one or two envoys of each party who concluded a truce until springtime. They reinforced their engagements by an oath of a peculiar kind. It was not a solemn oath, but rather one that was sworn on their weapons, in this case, I suppose, on the sword.²⁰

When spring had made the roads less difficult, the negotiations took place on the border, at the river Eider. Each party

was represented by twelve men of high rank; the names of most of them are known to us. On the Frankish side they were counts, members of the Empire's high aristocracy (*Reichsaristokratie*), led by count Wala, a cousin of the emperor and at that time his trusted advisor; among the Danish *primores*, there were two brothers of the king. Negotiations took place no doubt about boundaries, lines of communication, and various incidents, and peace was concluded: *pax confirmatur*. No text tells us how. Nevertheless, we know that oaths were taken which gave more force to the reciprocal promises; the representatives of each party pledged their honor according to their own peculiar rules:²¹ the Danes were pagan; the Franks evidently had to swear on a *res sacra*, a relic, a Gospel-book, etc.; no other oath would have been considered valid.

It appears likely that Charlemagne, in the course of the next sitting of the diet—the Empire's general assembly—held at Aachen, made a statement corroborating the peace which had been settled. In November, near Aachen, the emperor received an embassy from Hemming bringing him presents and "making declarations of peace" (*verba pacifica*).²² That was also a kind of ratification.

A written text seems to have been entirely absent. We may however admit that a brief note about the facts, a *notitia*, deprived of any legal authority, was written down on the Frankish side; the writer of the Royal Annals has probably made use of such a document.

In 804 and in 809, similar negotiations at the frontier had been planned and even undertaken; they had not led to any positive results.²³ There were others again under Charlemagne in 813,²⁴ and under Louis the Pious in 825.²⁵ In both cases the occasion was the accession to power of new kings in Denmark; as a result of those negotiations, peace was confirmed again in a sworn statement. The agreement of 825 seems to have been confirmed by both parties at the diet held at Ingelheim in 826. In the meantime, there had been in 814, in 815, in 817, and in 822 several attempts to negotiate on the part of various Danish kings who were fighting one another. Louis

the Pious took no heed of them with the exception of Heriold who became converted to Christianity and was the most unfortunate of all the pretenders.²⁶

In 828, negotiations on the frontier took place again between the delegates of the Danish kings and those of the emperor. Although hostages had been exchanged so as to insure the safety of the representatives of both parties, a violent incident created by the Danish pretender Heriold put an end to the meeting. In spite of the excuses presented by the kings of Denmark²⁷ there was once again a state of tension.

When negotiations were resumed once more, they seem to have given up the meetings on the border. It was at Thionville, on the Moselle, in 831, and at Chalon-sur-Saône in 839, each time in the frame of an assembly, that Louis the Pious received embassies of the Danish rulers and that the agreements of peace were renewed; in 839, envoys of the Frankish emperor even proceeded later on to the court of Horick the Danish king in order to receive or most likely to exchange oaths that were meant to confirm the agreements and to insure an everlasting peace.²⁸ Much later, in 873, it was at Burstädt, near Worms, on the Rhine, that the envoys of the Danish king Sigfried concluded an agreement with Louis the German and it was at Metz, on the Moselle, that the envoys of Halbdani, Sigfried's brother, did the same. Those agreements aimed at guaranteeing their respective frontiers and at insuring freedom of trade and free traffic to the merchants of both realms. The representatives of the Danish kings swore on their swords that the kings would never show themselves hostile to Louis the German, and they begged him to adopt their lords as his sons. It was decided that delegates of both parties should meet on the Eider, which still was the border between the Danish and the Frankish kingdoms, and that they should confirm the treaty and settle the boundaries on the spot. And so things were done.²⁹

The Carolingian kings had also concluded treaties with Danish chieftains, who, after having lived as Vikings, had managed to settle in a more or less remote corner of the *Regnum Francorum* and to act there as lords. So did Rorik who

governed an important part of Frisia since 850. He submitted to Lothair I and II, but we do not know under what circumstances nor how things happened.³⁰

Let us now turn to the treaties of the Carolingians with states, populations, or rulers to whom the use of writing was common practice.

We have thought it best not to include here a study on treaties between the Carolingians and the Holy See. The magnitude of the subject and the peculiar characteristics of the negotiations undertaken and of the agreements concluded have led us to keep this research in store for another publication.

We will also set aside, but only for a short time, the other great powers, namely Byzantium, the Caliphate of Bagdad, and the emirate of Cordova.

We encounter a certain number of treaties concluded by Pepin III with the duke of Aquitaine³¹ or with the king of the Lombards,³² by Charlemagne with the duke of Bavaria,³³ by Charlemagne, Louis the Pious, and Lothair I with the Lombard dukes of Benevento,³⁴ by Charlemagne and Louis the Pious with local potentates of Moslem Spain,³⁵ and by Charles the Bald with Breton chieftains.³⁶ For the king of the Lombards it is known that there was a written document,³⁷ for the dukes of Benevento it is almost certain, considering the importance of written texts in their form of government.³⁸ In all other cases the standard of civilization allows a conjecture, but no more.

The agreements concluded by the Carolingians with these peoples or with their rulers had mostly been preceded by negotiations, which often did put an end to a conflict. As a rule those agreements were reinforced by oaths³⁹ confirming obligations of faithfulness or of nonaggression toward the Carolingians. Hostages were very frequently promised and delivered to them⁴⁰ and it happened that tributes had to be paid to them.⁴¹ In the case of the duke of Bavaria, Tassilo III, and in the case of the Breton chieftains after 846, the co-contractors of the Carolingian monarchs were obliged to become their vassals or to

renew the bonds of vassalage if they already existed, but had been violated.⁴²

The treaties with Byzantium, with the emir of Cordova, or indeed even with the Caliph of Bagdad deserve to be studied more thoroughly.

It is known that in Byzantium, the imperial coronation of Charlemagne had been considered a usurpation which had created tension in their relations.⁴³ Nevertheless, contacts were established. In 802, the Empress Irene sent an ambassador entrusted to endeavor to conclude peace with Charlemagne whereas the Frankish emperor in his turn sent an embassy to Constantinople with the same purpose.⁴⁴ The Basileus Nikephoros who had dethroned Irene and succeeded her received the embassy and in return sent one to the western monarch. In 803, Charlemagne delivered to those Byzantine ambassadors before they left him, a written scheme of a treaty meant to secure peace, as well as a personal letter; both documents were intended to be submitted to the Basileus Nikephoros.⁴⁵

We know nothing of their contents, but it is very likely that the scheme of a treaty implied the acknowledgement of the fact that henceforth two Roman empires⁴⁶ coexisted. That was asking too much from the sole legitimate emperor, that of Byzantium. He gave no answer and tension grew into an armed conflict.⁴⁷ Nikephoros, who had a very difficult time in the East, gave way under the Frankish pressure⁴⁸ and, in 810, he sent the "spatarios" Arsafios to carry messages, both written and verbal, to Pippin, King of Italy and son of the Western Emperor. Pippin being deceased, it was his father who received Arsafios at Aachen.⁴⁹ In a letter to the Emperor Nikephoros that has been preserved, Charlemagne declared that the messages of the Basileus were agreeable to him because they were inspired by the wish to conclude a lasting peace. He added that they were in accordance with what he himself had expected and wished for since the dispatch of his letter of 803. We are ignorant of the exact contents of these messages but they provided the possibility of peace.⁵⁰

What occurred was a preliminary and temporary agreement

on principles, between the opposing parties, just as we have seen one concluded in 810 between Charlemagne and the King of Denmark. There are other examples of this way of acting.

The preliminary agreement must have dealt with the recognition of the imperial title and with the surrender by the Frankish emperor of those territories which he had occupied in Venetia.⁵¹ At the beginning of 811 Arsafios was able to regain Constantinople. Charlemagne, in his turn, also sent three ambassadors, Haito, bishop of Basel, Hugh, count of Tours, and the Lombard Aio, bearers of the above mentioned letter for the Basileus.⁵² Charlemagne knew now what should appear in the treaty and his ambassadors could give Nikephoros all necessary information and the guarantees which he needed to play his part in the conclusion of peace.

In 812, the Frankish ambassadors returned from Constantinople, accompanied by three Byzantine ambassadors, Michel, Metropolitan of Philadelphia, the "protospatarios" Arsafios, and the "protospatarios" Theognostos, appointed by Michel I Rangabé, son and successor of Nikephoros.⁵³

With their arrival in Aachen the final phase of the conclusion of the treaty began.⁵⁴ Its first act took place in the still existing glorious Palatine Chapel. After the ambassadors of the Basileus had made their offering of presents to Charlemagne,⁵⁵ they received from him the authentic copy of the treaty (*scriptum pacti, foederis* or *pacti conscriptio, pacti descriptio*) intended for their master,⁵⁶ after it had previously been deposited on the high altar.⁵⁷ We are ignorant of its form, except for one point: it had been subscribed by the emperor (by a stroke in the monogram); it also bore the subscriptions of bishops and high placed laymen.⁵⁸ We are also ignorant of the contents of this copy of the treaty; but certain indications allow us to believe that Charlemagne acknowledged the fact that there were henceforth an oriental empire and an occidental empire in peace with one another and that he pledged himself not to contest the authority of the Basileus concerning territories subject to him.⁵⁹ There may even have been a disposition ex-

plicitly pertaining to Venetia which the Western emperor renounced on condition that a tribute should be paid to him.⁶⁰

We may admit that this engagement was necessary for the Byzantine ambassadors to recognize, in the name of the Basileus, Charlemagne as an emperor. They did so—in accordance with the rites in use at Byzantium—pronouncing in the honor of Charlemagne, in the Greek language, the “lauds” in which he was given the titles “imperator” and “basileus” (ἡμπεράτωρ and βασιλεύς).⁶¹

It is possible that both parties confirmed their engagements by an oath or that they got their agreement confirmed in that way by a proxy; this however is doubtful.⁶²

Other points concerning both parties may also, on that occasion, have been subject to a settlement,⁶³ after which the Byzantine ambassadors proceeded on their way home. Passing through Rome, they received, in St. Peters Church, very likely from the hands of Pope Leo III, a second copy of the treaty bearing his subscription.⁶⁴

Although the performance of this ceremony had been a legal act of capital importance and although it had constituted an essential element toward the re-establishment of peace, it did not constitute the final conclusion of the treaty.

For this treaty to be perfectly concluded, one thing was still missing: the delivery to Charlemagne of the *foederis conscriptio*, of the *pacti descriptio*, that means the authentic copy of the treaty which was intended for him. In the spring of 813, Charlemagne addressed an embassy to Michel I. It was composed of Amalarius, Bishop of Trier, and of Peter, Abbot of Nonantola.⁶⁵ They were bearers of a letter from the occidental emperor to the oriental emperor, which we possess; in this exceptional occasion, the words *Romanum gubernans imperium* had been omitted in the imperial title so as not to hurt the feelings of the Basileus.⁶⁶ Charlemagne expressed his satisfaction about the results obtained; but he asked that, according to an agreement (*convenientia*) he had made with the Byzantine ambassadors, a copy of the treaty, set up for his sake and drafted in Greek, bearing the subscription of the emperor, of members of the

high clergy, of patricians and other personalities of high rank, be previously deposited on the altar and then presented by the Basileus to his ambassadors.⁶⁷

One will notice the strict parallelism between the ceremonial of the delivery in Aachen and in Constantinople and between the form of both instruments.⁶⁸ The content of the copy given to the Frankish ambassadors could not be identical, but it had to be parallel to that of the copy given to the Byzantine ambassadors. Each of both copies had indeed to include that which would interest its addressee, that is to say engagements taken toward himself by his contracting partner.

The wish expressed by Charlemagne was of course granted. However, Byzantine ambassadors, the “spatarios” Christopher and the deacon Gregory, accompanied the Frankish ambassadors on their return journey; it is to Louis the Pious, who had just succeeded his father, that they handed over the *descriptio et confirmatio pacti et foederis* which the new oriental emperor, Leo V, the Armenian, addressed to him.⁶⁹ It was the final act which created the treaty: henceforth there was a *foedus firmissimum* between the Carolingian and the Byzantine emperors.

Subsequently, in 814 and 815, Louis the Pious and Leo V again exchanged acts of confirmation of the treaty as well as declarations of friendship. In 824 and in 827, Michel II sent embassies to Louis the Pious to confirm the treaty, but although they were well received, there is no trace of an exchange of documents.⁷⁰ In 839, ambassadors of the Emperor Theophilos brought to Louis the Pious presents and a letter from their master confirming the treaty and assuring the western emperor of his friendship; the letter of Louis which they brought back to Constantinople must have contained a parallel confirmation and parallel assurances.⁷¹ These successive confirmations do not imply that the treaty of 812-14 would have had only a temporary authority: confirmations were supplementary guarantees which at that time one thought it useful to take and to renew.

After the treaties concluded with Byzantium, we must say

a few words about the treaties concluded with the Omayyades, emirs of Cordova, the supreme authority in Moslem Spain.⁷²

Part of the northeast of Spain, with the important city of Barcelona, had been conquered by the armies of Charlemagne.⁷³ During his reign and the reign of his successors, military expeditions ordered by the Emir of Cordova tried vainly to get these territories back again into Moslem Spain. But there were also truces and attempts to conclude peace. In 810, Charlemagne received an embassy from the Emir al-Hakam I and, following a proceeding which we have seen applied before, they most likely concluded a preliminary agreement on fundamental questions.⁷⁴ In 812, at Aachen, after negotiations with a new embassy of Cordova, this time the parties concluded a truce of three years.⁷⁵

In 815, Louis the Pious refused to renew it, probably after a raid directed by a cousin of the Emir against the so-called "marca hispanica."⁷⁶ In 817, Abd al-Rahman, in the name of his father the Emir al-Hakam I, sent a new embassy which seems to have been equally unsuccessful: the Moslem ambassadors, received by the emperor at Compiègne, had to wait during three months in Aachen for a decision of Louis the Pious, and then they simply were dismissed.⁷⁷ Abd al-Rahman II, when himself Emir of Cordova, tried once more to establish lasting peace by a treaty with his neighbors of *Francia Occidentalis*: ambassadors, charged with this mission (*pacis petendae foederisque firmandi gratia*) were received with honor by Charles the Bald in Reims in 847 and dismissed with equal honors however without, as it appears, any understanding having been found possible.⁷⁸

Sixteen years later, matters changed. Charles the Bald, in the autumn of the year 863, received at Verberie, on the Oise, an ambassador of the Emir Muhammad I, bringing presents to him, as well as a most friendly letter, proposing the conclusion of a treaty of peace. He was welcomed with benevolence and invited to reside in Senlis at the expense of the Treasury. Charles the Bald received him with great honors in an audience granted when he took leave, at Compiègne on the 1st of July,

864. He offered him presents and Frankish ambassadors were to accompany him and offer presents to his master.⁷⁹ Most probably they also were commissioned to present the Emir with a copy intended for him of an agreement concluded with his ambassador, or to negotiate and, if possible, to make a treaty with the Emir himself. It seems, in fact, that one should admit that either at Compiègne or at Cordova some sort of agreement was reached as to a long truce or to a pact of nonaggression.⁸⁰

The Frankish ambassadors did not come back from Cordova to Compiègne until the autumn of 865, bringing, on behalf of the Emir, magnificent gifts for Charles the Bald: there were camels loaded with beds and tents, precious pieces of cloth and of silk, and rich perfumes.⁸¹ The importance of the gifts makes it most likely that the ambassadors also were able to hand the king a copy personally dedicated to him of the treaty between himself and the ruler of Moslem Spain.

It is well known that Charlemagne, like his father Pepin III, kept up relations with the Abbassid Caliph of Bagdad. On several occasions he sent embassies to the great Harun al-Rasjid, and they negotiated with him; Charlemagne himself received ambassadors coming from Bagdad. The purpose of these negotiations, or at least one of the purposes, was the state of the Christians of Palestine, of their monasteries, hospitals, or other foundations and of the pilgrims on their way to the Holy Land.⁸² These negotiations appear to have been effective; but nothing proves that they resulted in the conclusion of a treaty. Most probably, in 807, after such negotiations had been carried on in an atmosphere of good will, the Caliph had the courtesyness to give the Holy Sepulchre to the Western Emperor—a donation which was well understood to be purely honorary.⁸³ The texts do not allow us to believe that this was anything more than a gracious unilateral deed of the Moslem monarch: we find no element suggesting that an agreement on the subject may have been reached.⁸⁴

The same thing happened again when Charlemagne endeavored to appease the Moslem potentates of Northern Africa with respect to the Christians of these regions and probably

also the traveling pilgrims. Perhaps no treaty was concluded, but some results were reached.⁸⁵

In 831, at Thionville, negotiations led by an embassy of the Caliph of Bagdad, Abdallah al-Mamun, with Louis the Pious appear to have succeeded; they ended indeed in the concluding of a treaty creating or restoring peaceful relations.⁸⁶

We know nothing about the way in which treaties with the Caliph of Bagdad or the North African emirs may have been concluded.

We can now pass on to agreements concluded between Frankish emperors and kings, heads of states which were in fact independent since the death of the Emperor Louis the Pious in 840. The series opens with the alliance concluded by his two younger sons, Louis the German and Charles the Bald as well as by their armies, against their eldest brother, the Emperor Lothair I, at Strasbourg in 842.⁸⁷ Agreements of that kind became more numerous and took a number of characteristic features, as the result of conferences which the Frankish emperor and kings held together from time to time, after 844.⁸⁸

Those *conloquia* or *conventus* were meant to maintain or to restore between the brothers (Lothair I, Louis the German, and Charles the Bald) the bonds of brotherhood and affection (*fraternitatis et caritatis iura*);⁸⁹ later on the sons of Lothair—the emperor Louis II, Lothair II, and Charles—the sons of Louis the German—Carloman, Louis the Younger, Charles—and the son and grandsons of Charles the Bald—Louis the Stammerer, Louis III, and Carloman—were parties in similar meetings and in the agreements which followed them.⁹⁰ One may maintain that after the invasion of *Francia Occidentalis* by Louis the German in 858, the rule of brotherhood (*fraternitas*) had ended. The subsequent assemblies and agreements had a different spirit.

The agreements which we are now considering had been prepared by representatives of the aristocracy as well as by the rulers and their nearest advisers, some agreements even being submitted to the approval of the *populus*, which means in fact

a greater number of members of the aristocracy, present and under arms. The result is that most of these agreements of which part or the whole of the text has been preserved differ appreciably in their structure from the agreements with foreign powers. However, as the contracting parties were the Frankish rulers, we have to include these treaties in our study.

The treaty which I have chosen as an example is the second treaty of Meersen, concluded in that Carolingian "palace," near Maastricht, on the Meuse, by Lothair I, Louis the German, and Charles the Bald in 851.⁹¹ The text has been preserved, but without the protocol. However we have an introduction to the text (*inscriptio*) which I believe to be old and perhaps contemporary. It says, and the text of the agreement confirms it, that the kings have drawn up these arrangements after having consulted the important ecclesiastics and high placed laymen, and that they pledged themselves to maintain these arrangements between themselves and toward their *fideles*, that is in fact toward the aristocracies of the different kingdoms.⁹² This is confirmed by the *Annales Bertiniani*.⁹³

The proper text consists in eight articles.⁹⁴ The first five include the arrangements which the contracting partners promise to observe towards one another: renunciation of all hostile actions; to abstain from all intrigues and conspiracies; reciprocal aid *et consilio et auxilio*;⁹⁵ precautions and, in case of need, action against the "errants" guilty of reprehensible acts; collective action against criminals, excommunicated people, culprits of kidnapping or incest, originating from one of these kingdoms and refugees in another. The next three articles contain arrangements that the three rulers have agreed to promulgate. And so in that capacity they are integral parts of the agreement. But they might just as well have appeared in capitularies if these rulers had published any. These articles were inserted in the interest of the Church or of the secular aristocracy and they were very likely inspired by the "great" ecclesiastics or laymen who took part in the deliberations. They concern the respect which the rulers owe to the rights of their *fideles*, and the assistance due by these to their ruler *vero*

consilio et sincero auxilio; the respect for the decisions and the interests of the Church; the measures to be taken against those who wilfully will be ignorant of those dispositions or who will fight them. The authentic copies of the act containing these articles bore the subscriptions of the emperor and of the two kings in the form of monograms.⁹⁶

Emperor and kings proceeded later to the notification of the *populus* as to what they had decided with the advice and consent of their *fideles*. Each one set about it using his own personal formula for his *adnuntiatio*.⁹⁷ Lothair, with little else, was content to proclaim the unanimity of the three brothers. Louis and Charles promised to maintain in the future this unanimity, as well as the promises they had made; Charles alone explicitly notified his audience of one disposition: that which concerned the rights of the *fideles* and the assistance due by them to the king; it was for his *fideles* and for himself that this had the greatest importance.⁹⁸

All treaties concluded between Carolingians from 842 to 880 have many common features. However neither before, nor during, nor after the regime of the *fraternitas* have they been prepared exactly in the same way, had exactly the same form, or comprised exactly the same elements. It has happened for instance that before the negotiations proper took place, preliminary negotiations were led by itinerant envoys (*missi discurrentes*).⁹⁹ Some treaties were emphasized with oaths.¹⁰⁰ Nearly all of them have *adnuntiationes*. Some of these are rather lengthy; in one case it is said that they had been pronounced in vernacular, which probably has happened more than once; in two cases the word *adnuntiatio* has been omitted.¹⁰¹ At the *conventus* of Koblenz in 860 the engagements of the emperor and the kings were guaranteed by important ecclesiastics and by lay *optimates* of the three "dominations."¹⁰² I merely point out such differences.

On the other hand, I wish to draw attention to the peculiar features proper to those treaties which produced a partition; the most important, but not the only ones were the treaty of Verdun in 843 and the treaty of Meerssen in 870;¹⁰³ whereas

the first divided the whole empire, the second divided the kingdom of Lothair II, roughly between the Rhine on the East, the Scheldt and the middle course of the Meuse on the West. In both cases and after many conflicts, discussions, and negotiations, the immediate result was a *descriptio*, that is to say in this case a statement of the abbey, chapters, counties, and royal estates which existed in the territories to be divided.¹⁰⁴ It was indeed important that each party interested in the partition receive an equivalent share of these elements so as to assure him personal revenues of similar importance and possibilities to reward his followers with more or less equivalent values.

It is on the bases of such *descriptiones* that Lothair, Louis the German, and Charles the Bald in 843, Louis the German and Charles the Bald in 870 proceeded to divide the territories over which they had disputed. The text of the treaty of Verdun has not been preserved; as to the treaty of Meerssen, we have only the fraction of the statute containing the composition of the two lots.¹⁰⁵

The three brothers who had in 843 concluded the treaty of Verdun confirmed their engagements by oaths. The sources do not allow us to assert that the same formalities were observed for the treaty of Meerssen; indeed, the parties had already pledged themselves under oath to proceed to the partition.¹⁰⁶

We now have to say a few words about agreements concluded by some Carolingian rulers with the Normans who devastated *Francia Occidentalis* and later *Lotharingia*.¹⁰⁷ These agreements were entirely different from the treaties which were concluded with the kings of Denmark;¹⁰⁸ the Norman adventurers were independent of the kings, at least in fact. The most important of these agreements were concluded in 845, in 866, and in 877, by King Charles the Bald and in 886 by the Emperor Charles the Fat; they bought, at a very high price, the Normans' departure from certain parts of *Francia Occidentalis*.¹⁰⁹ Perhaps¹¹⁰ there were similar cases of buying

them off in 853 and in 882.¹¹¹ In 877 and 884, high personalities of the kingdom¹¹² operated a similar buying off.

Only twice could Charles the Bald conclude with the Normans treaties of another kind: in 860 and 861, he engaged as his mercenaries at a very high price the Normans who were infesting the basin of the Somme, so that they should fight other Normans fixed in the islands of the Seine. In 873, thanks to a military success, Charles the Bald compelled the Normans, besieged in Angers, to evacuate their position.¹¹³ In 862, Robert the Strong, Count of Anjou, had been able to enlist Normans, who had just left the Seine, in order to fight as his allies against Solomon, Duke of Brittany.¹¹⁴

In Lotharingia, Lothair II, in 864, engaged a Norman band as mercenaries at a great cost; in 882, the Emperor Charles the Fat paid a heavy sum for the withdrawal of the "Great Norman Army" from the entrenched camp of Asselt on the Meuse.¹¹⁵

Little is known about the way these treaties were concluded and especially about the form in which the parties committed themselves to it. But we do know that a considerable amount of precious metal, as a rule silver, had to be paid to the invaders within a fixed period; we quote a series of examples: 7,000 pounds of silver in 845, 3,000 and 5,000 pounds of silver in 860-61, 6,000 pounds of silver in 862,¹¹⁶ 4,000 pounds of silver in 866, 5,000 pounds of silver in 877, more than 2,000 pounds of silver in 882,¹¹⁷ 12,000 pounds of silver in 884, and 700 pounds of silver in 886. In 860 and in 877, it was specified how the weighing must be done, and, in 866 and 884, the weighing had to be done with Norman weights, which could make the total amount still higher.

Sometimes, deliveries in gold,¹¹⁸ in kind,¹¹⁹ and even in 882 and in 886, a whole region to be ransacked¹²⁰ came to be added to the precious metal. The concluding of such treaties was preceded by long negotiations and were sometimes accompanied by an exchange of hostages.¹²¹ There is no question of any writing: everything was verbal, including the settlement of the agreement. But the setting up of notices on the Frankish side is probable; such notices may well have also been the

source of what the Annals report as to the way in which the kings taxed their subjects to pay their tributes to the Normans.

In this short account I cannot systematically find out and analyze all the common features to be found in Carolingian treaties.

In conclusion I wish to point out certain features which seem to have been rather common. Among these is the fact that a first phase of negotiations frequently, though not always, led as we have seen to a preliminary and temporary agreement; a second phase would later result in the concluding of the treaty. Another fact is the length of this second phase which would sometimes last for months or even years. Another characteristic is related to the negotiators: when the negotiation took place in *Francia*, the Frankish ruler or, as the case may be, the Frankish rulers played their own personal part, which was important. One must not underestimate the part played by the king's advisors and indeed, occasionally also by aristocratic "pressure groups."

When the negotiations had to do with distant foreign powers (Byzantium, Cordova) the ambassadors must have been allowed a certain liberty of action for concluding the treaty once the basic decision of the first phase was established. The use, by either part, of *missi discurrentes*, that is to say itinerant ambassadors,¹²² or even of messengers at the disposal of the ambassadors, could indeed only be possible for "close" negotiations (for example in 870 between Charles the Bald at Aachen and Louis the German at Regensburg). Finally, as to what concerns the treaties proper, at least those which had been put down in writing, it must be remembered that one had not yet reached the single unique text, produced in as many copies as there are parties; one very likely made use of parallel but distinct texts for each of the parties.¹²³

Perhaps these few general statements might be accepted as the result of our research.

NOTES

1. That means since the accession to the throne of Pepin III as a king until the overthrow of Emperor Charles III the Fat. For the Merovingian period, see my article, "Les traités des rois mérovingiens," *Tijdschrift voor Rechtsgeschiedenis. Revue d'histoire du droit*, XXXII (1964); it completes my study, "Merovingisches Gesandtschaftswesen" in *Aus Geschichte und Landeskunde. Forschungen und Darstellungen Franz Steinbach gewidmet* (Bonn, 1960). Likewise for the Carolingian period, the present article completes my study: "Les relations extérieures de la monarchie franque sous les premiers souverains carolingiens," *Annali di Storia del Diritto*, V-VI (1961-62, published in 1964).
2. F. Kurze (ed.), *Annales Regni Francorum* (Scriptores Rerum Germanicarum in usum Scholarum [Hanover, 1895]); F. Grat, J. Vieliard, S. Clemencet, L. Levillain (eds.), *Annales de Saint-Bertin* ("Société de l'histoire de France" [Paris, 1964]); F. Kurze (ed.), *Annales Fuldenses* (Script. Rer. Germ. [Hanover, 1891]); B. von Simson (ed.), *Annales Xantenses et Annales Vedastini* (Script. Rer. Germ. [Hanover, 1909]).
3. Einhard, *Vita Karoli*, ed. O. Holder-Egger (Script. Rer. Germ. [Hanover, 1911]); Thegan, *Vita Hludowici imperatoris*, ed. G. H. Pertz (MG., SS. II) pp. 585-604; Anonymous (the so-called Astronomer), *Vita Hludowici imperatoris* (MG., SS. II) pp. 604-48; Nithard, *Historiarum libri IIII*, ed. E. Müller (Script. Rer. Germ. [Hanover, 1907]).
4. We will limit ourselves to those acts of submission which are described or at least explicitly mentioned in the texts. This remark applies to the Saxons and to all the other populations who happen to be mentioned in this paragraph.
5. *Ann. R. Franc.*, reign of Pepin III, a°758; reign of Charlemagne, a^{is} 772, 775, 776, 777 (1st text), 779, 782, 785, 794, 795, 797 (1st text), p. 16-17, 34-35, 40-43, 46-47, 48, 54-55, 62-65, 70-71, 96-97, 100; *Annales Laureshamenses*, ed. G. H. Pertz (MG., SS. I), p. 37, a° 797; *Ann. R. Franc.*, a°798 (1st text), p. 104.
6. *Ann. R. Franc.* (1st text), a°776 (events of 775), p. 44: the Saxons had "omnes obsides suos dulgos et sacramenta rupta."
7. *Ann. R. Franc.* (1st text), a°776, p. 46: the Saxons "reddiderunt patriam per wadium omnes manibus eorum . . . et sub dicione domni Caroli regis et Francorum subdiderunt." *Ibid.*, a°777, p. 48: the Saxons "secundum morem illorum omnem ingenuitatem et alodem manibus dulgtum fecerunt. . . ."
8. Reign of Charlemagne: *Ann. R. Franc.*, a^{is} 789 (Wilzes) pp. 86-87; *Annales Mettenses priores*, ed. B. von Simson (Hanover, 1905), a°803, p. 90; *Chronicon Moissiacense*, ed. G. H. Pertz, rev. ed. (MG. SS. II), a°806, p. 258 (Sorbes), a°812, p. 259 (Wilzes). Reign of Louis the Pious: *Ann. R. Franc.*, a^{is} 816 (Sorbes), 820 (Slavs of Carniola & of Carinthia), pp. 143-44, 153; *Ann. Bert.*, a° 839 (Sorbes called Colodiques), p. 35. Reign of Louis the German: *Ann. Bert.*, a°844 (Abodrites), p. 48; *Annales Xantenses* (see above n. 2), a°845 (Abodrites), p. 14; *Annales Fuldenses*, a^{is} 848 (Tchechs), 856 ("Daleminzier"), 862 (Abodrites), 864 (Moraves), 869 (Tchechs), 874 (Sorbes and "Susler"; Moraves), 877 (Linons and "Susler"), 884 (Moraves and Slovenes), p. 37, 47, 56, 62, 69, 81, 82-83, 89-90, 113.
9. *Chronicon Moissiacense*, a° 812 (see n. 8): Sed et illi Wilti dextras dererunt et obsides obtulerunt et promiserunt se dare partibus imperatoris Karoli. *Annales Fuldenses*, a°869 (see n. 8): Behemi dextras sibi a Carlomanno dari petunt et accipiunt.
10. *Annales Fuldenses* (Continuatio Ratisbonensis), a°884, p. 113: . . . Zwent-

baldus dux . . . homo, sicut mos est, per manus imperatoris efficitur, contestatus illi fidelitatem iuramento et usque dum Karolus vixisset, numquam in regnum suum hostili exercitu esset venturus. Postea veniente Brazlavoni duce, qui in id tempus regnum inter Dravo et Savo flumine tenuit suique milicie subditus adiungitur. . . .

11. *Ann. R. Franc.*, a°796, pp. 98-101; *Ann. Mett. pr.* (see n. 8), a°803, p. 90; *Ann. R. Franc.*, a^{is} 805, 811, pp. 119-20, 135.
12. J. Déer, "Karl der Grosse und der Untergang des Awarenreiches," in *Karl der Grosse*, ed. W. Braunsfels et al. (Düsseldorf, 1965), I, 764-71, rightly insists upon these acts of submission. However, I believe that in the words "manibus imperatoris se contradidit" by which the *Ann. Mett. pr.* indicate the submission of the Tudun to Charlemagne in 803, one must not necessarily understand the commendation into vassality (Déer, *op. cit.*, p. 771); there is indeed no question of an oath of fealty.
13. Astronomer, c. 30, p. 623, a°825: . . . tota cum eo Britannia victa succubuit et manus dedit, ad quascunque conditiones imperator vellet denuo servitura.
14. Reign of Charlemagne and of Louis the Pious: *Ann. R. Franc.*, a^{is} 786, 799, 818, pp. 72-73, 108-9, 148; Astronomer (see n. 3), c. 30, p. 623, a°818; Ermoldus Nigellus, *In honorem Hludowici*, ed. E. Faral (Paris, 1932), III, v. 1748-51, a°818; *Ann. R. Franc.*, a^{is} 824, 825, 826, pp. 164-65, 167, 169; Astronomer, c. 39, pp. 628-29, a°825. Reign of Charles the Bald: *Ann. Bert.*, a°837, p. 22.
15. See below, n. 36 and 42.
16. Reign of Charlemagne: Astronomer, c. 2, pp. 607-8 (allusion to 769), c. 5, p. 609, a°790; c. 18, pp. 615-16, a°813 (Louis the Pious as King of Aquitaine). Reign of Louis the Pious: *Ann. R. Franc.*, a° 816, p. 144. Reign of Charles the Bald: *Chronicon Fontanellense*, a°850, ed. Dom J. Laporte ("Mélanges publiés par la Société de l'histoire de Normandie"), XV, 1951, p. 83.
17. The so-called treaties with other populations, unwritten or hardly making use of writing, were really, as we have seen, plain acts of submission.
18. General orientation in the works of L. Musset, *Les peuples scandinaves au moyen âge* (Paris, 1951), pp. 61-63, and *Les invasions. Le second assaut contre l'Europe chrétienne* (Paris, 1965), pp. 8-11, 18-27, 107-46, 206-68. The most important work as far as the facts are concerned seems to be V. La Cour, "Danmarks ældste Konger," in K. Fabricius, *Danmarks Konger* (Copenhagen, 1944).
19. In 804, King Godfried, with his army, took position at Schleswig, but did not attack; *Ann. R. Franc.*, h.a°, p. 118. In 808, Godfried, allied to the Linons, the "Smeldinger" and the Wilzes, attacked the Abodrites, allies of Charlemagne, then got a line of fortifications built in order to obstruct the south of Jutland against the Franks, *ibid.*, h.a°, pp. 125-26. To face Danish attacks, Charlemagne got a fortified outwork to be built at Itzehoe, on the Stoer, a tributary stream of the lower Elbe, *ibid.*, h.a°, pp. 129-30. A Danish fleet having devastated Frisia and the news spreading that King Godfried had assembled an army to invade Saxony, in 810, Charlemagne took position with his troops on the Aller, tributary of the low Weser; but since Godfried had been murdered by one of his armed retainers, the attack did not take place; *ibid.*, h.a°, p. 131.
20. *Ann. R. Franc.*, a°810, p. 133: Godofrido Danorum rege mortuo Hemmingus, filius fratris eius, in regnum successit ac pacem cum imperatore fecit. *Ibid.*, a°811, p. 134: Conducta inter imperatorem et Hemmingum Danorum

regem pax, propter hiemis asperitatem, quae inter partes commeandi viam clauderat, in armis tantum iurata servatur. . . .

21. *Ann. R. Franc.*, a°811, p. 134 (follows immediately the last words of the preceding note): . . . donec redeunte veris temperie et apertis viis, quae inmanitate frigoris clausae fuerunt, congregientibus ex utraque parte utriusque gentis, Francorum scilicet et Danorum, XII primoribus super fluvium Egidoram in loco qui vocatur . . . [name omitted], datis vicissim secundum ritum ac morem suum sacramentis pax confirmatur. Primores autem de parte Francorum hii fuere: . . . [eleven names]; de parte vero Danorum inprimis fratres Hemmingi, . . . [two names] deinde ceteri honorabiles inter suos viri . . . [seven names]. . . . One will notice that the envoys, both Danish and Frankish of whom the name is mentioned, are less than twelve in number.

22. *Ann. R. Franc.*, a°811, p. 134 (follows immediately the preceding note): Imperator vero pace cum Hemmingo firmata et placito generali secundum consuetudinem Aquis habito. . . . *Ibid.*, h.a°, p. 135; Charlemagne came back from Boulogne-sur-Mer and reached Aachen in November: Obviarunt et venienti legati Hemmingi regis, Aowin et Hebba, munera regis et verba pacifica deferentes. . . .

23. *Ann. R. Franc.*, h.a°, pp. 118-19, 128.

24. *Ann. R. Franc.*, a°812, p. 137: Harioldus et Reginfridus reges Danorum missa ad imperatorem legatione pacem petunt et fratrem suum Hemmingum sibi remitti rogant. *Ibid.*, a°813, p. 138: Missi sunt . . . quidam Francorum et Saxonum primores trans Albim fluvium ad confinia Nordmannorum, qui pacem cum eis secundum petitionem regum illorum facerent et fratrem eorum redderent. Quibus cum pari numero nam XVI erant de primatibus Danorum in loco deputato occurrissent, iuramentis utrimque factis pax confirmata et regum frater eis redditus est.

25. *Ann. R. Franc.*, a°825, p. 168: at the assembly held in Aachen . . . etiam et filiorum Godefridi de Nordmannia legatos audivit ac pacem, quam ibidem sibi dari petebant, cum eis in marca eorum mense octobrio confirmari iussit. *Ibid.*, a°826, p. 169: at the assembly of Ingelheim Danish envoys appeared again: . . . legati quoque filiorum Godofridi regis Danorum, pacis ac foederis causa directi.

26. *Ann. R. Franc.*, a°814, 815, pp. 141, 142; Thegan, *Vita Hludowici*, a°815, c. 14 p. 593; *Ann. R. Franc.*, a°817, 819, 821, 822, 823, 826, 827, pp. 145 & 147, 152, 156-57, 159, 162-63, 169-70, 173.

27. *Ann. R. Franc.*, a°828, p. 175: Interea cum in confinibus Nordmannorum tam de foedere inter illos et Francos confirmando quam de Herioldi rebus tractandum esset et ad hoc totius pene Saxoniae comites simul cum markionibus illo convenissent. . . . Then comes the relation of the incident and of its consequences. The Danish kings are the filii Godofridi.

28. *Ann. Bert.*, a°831, p. 4: . . . Necnon missi Danorum eadem [=pacem] exorantes venerunt et, foedere firmato, ad propria repedarunt. *Ibid.*, a°839, pp. 34-35: . . . Direxit et Horicus missos ad imperatorem, quendam uidelicet cuius consiliis prae cunctis fidere et omnia agere uidebatur, et cum eo nepotem suum, munera gentilitia deferentes, pacis amicitiaeque artius stabiliusque gratia confirmandae. Quibus hilariter susceptis atque muneratis . . . and farther: Sed et legati imperatoris ad Horich pacis gratia directi receptis sacramentis, indissolubilem pepigerunt.

29. *Ann. Fuld.*, a°873, pp. 78-79: . . . Venerunt quoque illuc [=to Bürstadt] Sigifridi Danorum regis legati pacis faciendae gratia in terminis inter illos et Saxones positus et ut negotiatores utriusque regni invicem transeuntes et mer-

cimonia deferentes emerent et venderent pacifice; quae omnia rex ex sua parte rata fore promisit. . . . [In Metz] Halbdeni frater Sigifridi regis etiam suos ad eum nuntios misit eadem postulans, quae frater suus postulaverat; videlicet ut rex legatos suos ad fluvium nomine Egidoram, qui illos et Saxones dirimit, mitteret et illi eisdem occurrentes pacem ex utraque parte omni tempore stabilem confirmarent. Obtulerunt quoque idem nuntii gladium regi pro munere aureum habentem capulum, obnix flagitantes ut rex dominos suos, supradictos scilicet reges, in loco filiorum habere dignaretur, et illi eum quasi patrem venerari vellent cunctis diebus vitae suae. Iurabant etiam iuxta ritum gentis suae per arma sua, quod nullus deinceps de regno dominorum suorum regnum regis inquietare aut alicui in illo laesionem inferre deberet; quae omnia rex gratanter accepit et postulata se facturum esse spopondit.

30. *Ann. Fuld.*, a°873, p. 78.

31. Pepin and Duke Waifarius. *Ann. R. Franc.*, a°760 (2d text), p. 9.

32. Pepin and King Aistulfus. *Ann. R. Franc.*, a°755, 756 (both texts), pp. 12, 15.

33. Charlemagne and Duke Tassilo III before his dismissal in 788. *Ann. R. Franc.*, 781, 787, pp. 58-59, 74-79.

34. Charlemagne and Duke Arichis, *Ann. R. Franc.*, a°787 (1st text; 2nd text: a°786), pp. 73-75, and later Charlemagne and Duke Grimoald II, *ibid.*, a°812, p. 137, Paschasius Radbertus, *Vita Adalhardi*, c. 29, ed. G. H. Pertz (MG., SS. II), p. 527 (Adalhard, cousin of the emperor, was his representative); cf. O. Bertolini, "Carlomagno e Benevento," in *Karl der Grosse* (see above, n. 12), I, 668-71. Louis the Pious and Grimoald II, *Ann. R. Franc.*, a°814, p. 141. Lothair I and Duke Sikonolf, *Ann. Bert.*, a°844, p. 46.

35. Charlemagne (and Louis the Pious, King of Aquitaine, after 781) on one side and on the other side, the wali of Barcelona or Saragossa, *Ann. R. Franc.*, a°777 (chiefly the second text), pp. 48-51; the local chieftains of Gerona (perhaps Christians), a°785, *Chron. Moissiac.* (M.G. SS. I), p. 297; the wali of Huesca, shortly after 790, Astronomer, c. 5, p. 609; the wali of Barcelona, *Ann. R. Franc.*, a°797, pp. 100-101; the wali of Huesca, *ibid.*, a°799, pp. 108-9; the wali of Saragossa and of Huesca, *ibid.*, a°809, p. 130. On these agreements of which we miss the details and which had but a limited range of influence, see P. Wolff, "L'Aquitaine et ses marches," in *Karl der Grosse* (see above, n. 12), I, 270-81.

36. These treaties were concluded after defeats had been suffered by Charles the Bald; they contain territorial and other clauses favorable to the Breton chieftains and less important provisos in favor of the king of *Francia Occidentalis*. Treaties with Duke Nominoë, *Ann. Bert.* a°846, p. 52; with King Erispoë, *ibid.*, 851 & 856, p. 63-64 et 72; with King Salomon, *ibid.*, 863, 864, and 867, pp. 96, 113, 136-37; with Vuigo, son of the latter, *ibid.*, 873, p. 193. See our chapter XXI, "Les royaumes francs et l'empire du traité de Verdun à la déposition de Charles le Gros," in F. Lot, C. Pfister, F. L. Ganshof, *Les destinées de l'empire de 395 à 888* (2nd ed.; Paris, 1940-41), pp. 540, 541, 543, 547, 551.

37. *Liber Pontificalis*. Vita Stephani II, 248 (XXXVII) and 252 (XLVI), ed. L. Duchesne, I, (Paris, 1955, reprint of the edition of 1886), I, 451 and 453.

38. It is at least the impression given by a quick examination of the collections containing charters of the dukes and private charters issued in the eighth and ninth centuries. On the charters of the dukes see R. Poupardin, "Etude sur la diplomatie des princes lombards de Capoue, de Bénévent et de

Salerno," *Mélanges d'archéologie et d'histoire*, 21 (Ecole Française de Rome, 1901).

39. Lombards; Benevento 787 (in terminis); Bavaria; Brittany.

40. Aquitains; Lombards; Benevento 787 (in terminis) 814 (probably); Bavaria.

41. Benevento; Brittany 863 and 864.

42. Bavaria 787, Brittany: 851 Erispoë; 863 Salomon; 873 Vuigo.

43. Concerning the conflict, its various phases and the negotiations which it involved, it may be enough to refer to P. Classen, "Karl der Grosse, das Papsttum und Byzanz," in *Karl der Grosse. Lebenswerk und Nachleben*, ed. W. Braunsfels et al. (Düsseldorf, 1965), I, 594-98, 600-604; F. Dölger, "Europas Gestaltung im Spiegel der fränkisch-byzantinischen Auseinandersetzung des 9. Jahrhunderts," in the collected studies of this scholar, *Byzanz und die europäische Staatenwelt* (Ettal, 1953), pp. 323-27; R. Fölz, *Le couronnement impérial de Charlemagne* (Paris, 1962), pp. 193-96, 202-5; G. Ostrogorsky, *Geschichte des byzantinischen Staates* (2nd ed.; Munich, 1952), pp. 150-51, 160-61. See also my study cited above n. 1, *in fine*, pp. 47-50.

We will not look into the negotiations carried out previously by Charlemagne with Byzantium and in particular not into those which took place in 786 and 798: indeed, they did not lead to the concluding of any treaty.

44. *Ann. R. Franc.*, a°802, p. 117.

45. *Ann. R. Franc.*, a°803, p. 118.

46. Considering that the general agreement on principles reached in 810 implied the acknowledgment of the imperial title of Charlemagne and that he himself declared at the time that the agreement was in accordance with what he had hoped for since 803. See above, p. 30 and n. 50. Classen, *op. cit.*, p. 598, sees things in the same way.

47. This armed conflict took place in the Adriatic, in Dalmatia and Venetia. Classen, *op. cit.* p. 601, thinks that the only cause of it was the contest for supreme authority on Venetia. We, on the contrary, think that it was caused both by this rivalry and by "the problem of the two emperors" (the "Zweikaiser Problem" of Ohnsorge). The fighting was moreover interrupted by a truce concluded at the end of 807 or in the beginning of 808; it was probably renewed, but ended in 809: *Ann. R. Franc.*, a^{is} 807 and 809, pp. 124 and 127.

48. Especially after two Byzantine defeats in the Adriatic: the failure of the attempted landing at Comacchio in 809 followed by vain endeavors by the commander of the fleet to conclude peace with Pepin, king of Italy, and still more the conquest of Venetia, including the isles of the Laguna, by Pepin, king of Italy. The attacks of Pepin against Dalmatia remained useless *Ann. R. Franc.*, a^{is} 809 and 810, pp. 127 and 130; see also the *De administrando imperio* of Constantine Porphyrogenetos, c. 28 ed. G. Moravcsik and R. J. H. Jenkins (Budapest, 1949), pp. 118 ff. (= ed. Bekker [Bonn, 1840]), p. 124.

49. *Ann. R. Franc.*, a°810, p. 132: . . . duasque legationes de diversis terrarum partibus, unam de Constantinopoli, alteram de Corduba, pacis faciendae causa adventare narratur. p. 133: . . . Imperator Aquasgrani veniens mense Octimbrio memoratas legationes audivit pacemque cum Niciforo imperatore et cum Abulaz rege Hispaniae fecit. Nam Niciforo Venetiam reddidit. . . .

50. The letter has been edited by E. Dümmler, *Epistolae variorum Caroli Magno regnante scriptae*, nr. 32 (MG. [in-4°], *Epistolae*, IV, 546-48). At the end of this letter, Charlemagne announced to Nicephoros the sending of his own ambassadors with the aim of promptly leading new negotiations. The tone

of the letter is cordial, but it contains nothing concerning the clauses of the agreement to be concluded.

51. Imperial title: the acknowledgment of the imperial title of Charlemagne in 812 was of course a consequence of the general agreement on principles that was reached in 810 or early in 811. Venetia: see above, n. 48 and 49.

52. *Ann. R. Franc.*, a°811, p. 133. The annalist explicitly mentions the fact that the Frankish ambassadors were sent to the East "pacis confirmandae gratia."

53. *Ann. R. Franc.*, a°812, p. 136: Niciforus imperator . . . moritur. Et Michahel gener eius imperator factus legatos domni imperatoris Karoli, qui ad Niciforum missi fuerunt, in Constantinopoli suscepit et absolvit. Cum quibus et suos legatos direxit, Michahelem scilicet episcopum et Arsafium atque Theognostum protospatharios, et per eos pacem a Niciforo inceptam confirmavit.

54. See the last sentence of the text quoted in the preceding note.

55. This is only mentioned in the *Annales Xantenses*, a°812, ed. B. von Simson (Hanover, 1909), p. 4: cum honorificis vel imperialibus muneribus. The fact is in accordance with the custom of the time; see our article cited above, n. 1 *in fine*, pp. 37-39.

56. *Ann. R. Franc.*, a°812, p. 136, after the passage reproduced in n. 53: Nam Aquisgrani, ubi ad imperatorem venerunt, scriptum pacti ab eo in ecclesia suscipientes. . . . Both other expressions referring to this instrument figured in the letter addressed in that year by Charlemagne to the Eastern emperor; see further, n. 58.

57. In his letter to the Byzantine emperor (see n. 58), Charlemagne begs that the copy of the treaty designed for him should be deposited on the altar beforehand (see further, n. 58 and n. 67); given the parallel between the ceremonies of Aachen and of Byzantium, one must admit that *in ecclesia* in the Annals (see n. 56) implies the depositing on the altar.

58. Letter of Charlemagne to Michel I, a°813, *Epistolae variorum*, n°37 (MG [in-4°], *Epistolae*, IV, pp. 555-56): . . . suscipiendo a nobis pacti conscriptionem, tam nostra propria quam et sacerdotum et procerum nostrorum subscriptione firmatam . . . illa, quam nos fecimus et tibi misimus, pacti descriptio.

59. That is what the beginning of the letter previously recalled allows us to believe. The *intitulatio* and the *inscriptio* give the same imperial title to Charles and to Michel (*imperator et augustus*). Further Charles congratulates himself on having reached that: . . . diu quaesitam et semper desideratam pacem inter orientale atque occidentale imperium stabilire . . . dignatus est. He also declared that in this respect "quicquid de hoc ex nostra parte faciendum fuit, fecimus," and he adds: "vosque similiter de vestra parte facere velle non dubitamus. . . ." See on the significance of the treaty: B. Paradisi, *Storia del diritto internazionale nel medio evo. L'età di transizione* (2nd ed.; Naples, 1956), pp. 145-48.

60. The giving up of Venetia had already been made the subject of the general preliminary agreement of 810 (see above, n. 49); it would be extremely surprising that Byzantium should not have claimed the insertion of a clause in the treaty. The tribute is mentioned by Constantine Porphyrogenetos, *De administrando imperio*, *loc. cit.* (See above, n. 48).

61. *Ann. R. Franc.*, a°812, p. 136, after the passage reproduced in n. 56: . . . more suo, id est Greca lingua, laudes ei dixerunt, imperatorem eum et basileum appellantes. According to the Roman tradition, these lauds were considered as having constitutive power; H. Kantorowicz, *Laudes Regiae* (Berkeley and Los Angeles, 1946), p. 77, n. 38.

62. It is only attested by a source of the end of the ninth century and of

mediocre authority, the Poeta Saxo, *Annales de gestis Caroli Magni imperatoris* IV, vers 293-94, ed. P. von Winterfeld (MG. [in-4°]), *Poetae*, IV, 53: Foedus et inter se fidei pacisque tenendae Iurando partes firmarunt protinus ambe.

63. Theophanes, AM 6304, ed. C. de Boor (Leipzig, 1883), I, 494, tells us that Michel I, ἀπέστειλε δὲ καὶ πρὸς Κάρουλον βασιλέα τῶν Φράγγων περί ἐφ' ἑρῆνης καὶ συναλλαγῆς εἰς Θεοφύλακτον, τὸν υἱὸν αὐτοῦ. If Anastase ed. de Boor, quoted above, II, 332, has translated rightly συναλλαγῆς by *contractu nuptiarum*, it should have concerned the preparation of a marriage between the Byzantine emperor's son, no doubt with a daughter of Charlemagne. But the word means normally "agreement" in general; if such is the meaning of the context, the Byzantine chronicler only reports that Michel I desired to associate his presumed heir to the throne with the agreement between himself and Charlemagne. See F. Dölger, *Regesten der Kaiserurkunden des oströmischen Reiches* (Munich, 1924), I, n° 385.

64. *Ann. R. Franc.*, a° 812, p. 136.

65. *Ibid.*, a° 813, p. 137.

66. In the *intitulatio* of the letter, Charlemagne wears the title Karolus divina largiente gratia imperator et augustus idemque rex Francorum et Langobardorum.

The exceptional character of the omission of the Roman title, is proved by the fact that the *Romanum gubernans imperium* subsisted in the *intitulatio* of the diplomas of Charlemagne.

67. Letter, n° 37 (see above, n. 58): . . . ita et memorati legati nostri foederis conscriptionem tuam et sacerdotum patriciorumque ac procerum tuorum subscriptionibus roboratam, a sacrosancto altari tuae manus porrectione suscipiant; et Deo iter illorum properante, ad nos deferant . . . and later: Quapropter rogamus dilectam et gloriosam fraternitatem tuam, ut si tibi illa, quam nos fecimus et tibi misimus, pacti descriptio placuerit, similem illi-Grecis litteris conscriptam et eo modo quo superius diximus roboratam -missis nostris memoratis dare digneris. . . .

68. Classen, *op. cit.*, pp. 602-3, has rightly emphasized this parallelism.

69. *Ann. R. Franc.*, a° 813, p. 137. The purpose of the Frankish mission is mentioned as follows: propter pacem cum Michaele imperatore confirmandam. *Ibid.*, a° 814, p. 140: . . . Inter quas praecipua fuit legatio de Constantinopoli directa. Further the annalist reports the return of the Frankish ambassadors and the arrival of the Byzantine embassy and he concludes: et per eos descriptionem et confirmationem pacti ac foederis misit.

70. *Ann. R. Franc.*, a° 814, p. 141; ob renovandam secum amicitiam et praedictum pactum confirmandum; a° 815, p. 143: descriptionem pacti, quam Leo imperator eis dederat, retulerunt. Once again two different documents. *Ibid.*, a° 824, 827, pp. 165, 174.

71. *Annales Bertiniani*, a° 839, pp. 30-31.

72. For the treaties concluded with the local potentates of Moslem Spain, subordinated, at least in law, to the emirs, see above, n. 35.

73. This territory was later called *marca hispanica*; the legal accuracy of the expression has been questioned by R. d'Abadal i de Vinyals, "Nota sobre la locucion Marca hispanica," in *Boletín de la Real Academia de Buenas Letras de Barcelona*, XXVII (1957-58).

74. *Ann. R. Franc.*, a° 810, p. 133 (see above n. 49): Imperator Aquasgrani veniens mense Octimbrío . . . legationes audivit pacemque . . . cum Abulaz, rege Hispaniae fecit . . . Haimricum comitem olim a Sarracenis captum Abulaz

remittente recepit. . . . The restitution of a prisoner—a Frankish count—was a token of good will inspiring the confidence necessary for further negotiations.

75. *Ibid.*, a° 812, p. 137: Pax cum Abulaz rege Sarracenorum facta; *Chronicon Moissiacense*, revised text (MG., SS. II), p. 259: Eodem anno Abulaz, rex Sarracenorum ex Espania . . . missus suos direxit, postulans pacem facere cum eo, quam . . . imperator denegare noluit; sed fecit pacem cum ipso per tres annos.

Arab sources also point out that "peace" or rather that truce, but in a very confused chronological frame; E. Levy-Provençal, *Histoire de l'Espagne musulmane* (2nd ed.; Paris & Leiden, 1950), I, 181-84.

76. *Ann. R. Franc.*, a° 815, p. 143: Pax, quae cum Abulaz rege Sarracenorum facta et per triennium servata erat, velut inutilis rupta et contra eum iterum bellum susceptum est. We must note that *inutilis* does not mean "useless" but "harmful," "unfavorable." On the raid by the Sarrasines, see Levy-Provençal, *op. cit.*, p. 185; same remark about the chronology as in n. 75.

77. *Ann. R. Franc.*, a° 817, p. 145.

78. *Annales Bertiniani*, a° 847, p. 53: Legati Abdirrahman regis Sarracenorum a Corduba Hispaniae ad Karolum pacis petendae foederisque firmandi gratia veniunt, quos apud Remorum Durocortorum decenter et suscepit et absolvit. Levy-Provençal, *op. cit.*, p. 212, n. 1 and p. 213, states wrongly that a truce was concluded: there was nothing of the kind.

79. *Ibid.*, a° 863, p. 104: . . . legatum Mahomoth regis Sarracenorum cum magnis et multis muneribus ac litteris de pace et foedere amicali loquentibus solemniter suscepit, quem cum honore et debito salvamento ac subsidio necessario in Silvanectis civitate oportuno tempus, quo remitti honorifice ad regem suum opperiri disposuit. A° 864, p. 114: Missum Mohometh regis Sarracenorum, qui ante hiemem ad se venerat, muneratum cum plurimis et maximis donis per suos missos ad eundem regem satis honorifice remittit.

80. The Arab sources mention the good relations between Muhammad I and Charles the Bald; this allows us to believe, like Levy-Provençal, pp. 282-83, that an agreement was concluded between them.

81. *Annales Bertiniani*, a° 865, p. 124: Karolus missos suos, quos praecedenti anno Cordubam ad Mahomet direxerat, cum multis donis, camelis videlicet lecta et papilionis gestantibus, et cum diversi generis pannis et multis odoramentis in Compendio recipit.

82. Our study on *Les relations extérieures de la monarchie franque* (See above, n. 1), pp. 12-13 and n. 40 and 41, pp. 28-29 and n. 114-19.

83. I share the opinion of A. Kleinclausz, *La légende du protectorat de Charlemagne sur la Terre Sainte* (Syria, 1927) and *Charlemagne* (Paris, 1934), pp. 340-45. E. Joranson, "The alleged Frankish protectorate in Palestine," *American Historical Review*, XXXII (1927), though extremely learned, seems to be slightly hypercritical in his conclusions.

84. Einhard, *Vita Karoli*, c. 16, p. 19: Ac proinde . . . cum legati eius . . . ad eum venissent et ei domini sui voluntatem indicassent, non solum quae petebantur fieri permisit, sed etiam sacrum illum et salutarem locum, ut illius potestati adscriberetur, concessit.

85. *Ibid.*, c. 27, p. 31. *Ann. R. Franc.*, a° 801, p. 116.

86. Astronomer, c. 46, p. 634: In quo loco tres legati Sarracenorum a transmarinis venerunt, quorum duo Sarraceni, unus christianus fuit, adferentes suae grandia munera patriae, odorum scilicet diversa genera et pannorum; qui pace petita et accepta remissi sunt. *Annales Bertiniani*, a° 831, p. 4: ibique ad eum legati Almiralmumminin de Perside venientes pacem petierunt, qua mox impetrata reversi sunt. *Annales Xantenses*, a° 831, p. 8: Legati Sar-

racenorum venerunt ad imperatorem pacem confirmandam et cum pace reversi sunt. See my article cited n. 82, p. 29.

87. Nithard, *Historiae* (see above, n. 3), III, c. 5, pp. 35-37.

88. These conferences have been the subject of studies among which some are comparatively old, but have kept their full value: E. Dümmler, *Geschichte des ostfränkischen Reiches*, 3 vols. (2nd ed.; Leipzig, 1887-88); R. Parisot, *Le royaume de Lorraine sous les Carolingiens* (Paris, 1899); J. Calmette, *La diplomatie carolingienne du traité de Verdun à la mort de Charles le Chauve* (Paris, 1901); F. Lot and L. Halphen, *Le règne de Charles le Chauve*, I (Paris, 1909); J. Calmette, *L'effondrement d'un empire et la naissance d'une Europe* (Paris, 1941); L. Halphen, *Charlemagne et l'empire carolingien* (2nd ed.; Paris, 1949). H. Mitteis, *Politische Verträge im Mittelalter, Zeitschrift der Savigny Stiftung für Rechtsgeschichte, Germanistische Abteilung* (1950), pp. 115-16 (and in *Die Rechtsidee in der Geschichte* [Weimar, 1957], p. 595).

89. In my opinion, the best study on the *fraternitas* is that of Halphen, *op. cit.*, pp. 323-51; see also Paradisi, *op. cit.*, pp. 232-39. The passage quoted in our text comes from Prudentius, bishop of Troyes, *Annales Bertiniani*, a°844, p. 48.

90. Here is a short account (BK = Boretius-Krause, *Capitularia*, II, n°000; AB = *Annales Bertiniani*, p. 00; AF = *Annales Fuldenses*, p. 00): 844, Thionville-Yüzt, BK 227; AB 48 (3 brothers). 847, Meerssen I, BK 204; AB 54 (id.). 851, Meerssen II, BK 205; AB 60-63 (id.). 853, Valenciennes, BK 206 (Lothair I, Charles). 854, Liège, BK 207; AB 68 (id.). 857, Saint-Quentin, BK 268; AB 74 (Charles, Lothair II). 860 Koblenz, BK 242; AB 83; AF 54-55 (Louis, Charles, Lothair II). 862, Savonnières, BK 243; AB 94-95 (id.). 865, Tusey, BK 244; AB 116-17, AF (864) 62-63 (Louis, Charles). 867, Metz, BK 245; AB 135 (Louis, Charles). 867, Frankfurt, AB 136-37 (Louis, Lothair II). 870, Aachen, BK 250; AB 171-72 (envoys of Louis and of Charles). 870, Meerssen III, BK 251; AB 171-74 (Louis and Charles). 878, Les Fourons, BK 246; AB 230-34, AF 92 (Louis the Stammerer, Louis the Younger). 879, Verdun; AB 236-38, AF 92-93 (Louis the Younger, envoys of Louis III and Carloman).

91. Boretius-Krause, *Capitularia*, II, nr. 205, pp. 72-74.

92. In two manuscripts (The Hague 1, f°24; Paris lat. 4638, f°165): Haec quae secuntur, capitula sunt anno DCCCLI incarnationis dominicae quando tres fratres reges, Hlotharius scilicet, Hludowicus et Karolus secus municipium Treiectum penes locum qui dicitur Marsna, iterum convenerunt et consultu episcoporum et ceterorum fidelium eadem capitula subscripserunt manibus propriis et inter se ac inter fideles suos perpetuo se conservaturos promiserunt. Quae capitula singulorum in populo adnuntiationes secuntur.

93. Prudentius, bishop of Troyes. A°851, p. 60: Hlotharius, Hludowicus et Karolus apud Marsnam palatium conveniunt. Vbi etiam fraterne paucis diebus morati, haec communi procerum suorum consilio atque consensu decernunt propriorumque nominum monogrammatibus confirmant.

94. Boretius-Krause, pp. 72-74, l. 11 and *Annales Bertiniani*, pp. 60-63.

95. Note the use, here and further, of this expression, called to a great future, as a definition of the obligations of vassals.

96. About these monograms of which the king was supposed to draw just one line, see: T. Schieffer, introduction to his edition of *Die Urkunden Lothars I und Lothars II* (Berlin and Zurich, 1966 [MG., in-4°, "Die Urkunden der Karolinger," III]), p. 42; G. Tessier, *Recueil des actes de Charles II le Chauve*, III (Paris, 1955), pp. 176-82, P. F. Kehr, in the introduction to his edition of

Die Urkunden Ludwigs des Deutschen (Berlin, 1934 [MG., in 4°, "Diplomata Regum Germaniae ex Stirpe Karolinorum," I]), pp. XXIX-XXX.

97. The *adnuntiationes* are to be found in three manuscripts out of four. Prudentius has found it unnecessary to reproduce them in the *Annals of Saint-Bertin*.

98. The reciprocal character of the obligations between the King and his *fideles*, which appeared in the capitulary of 843, at the end of the assembly at Coulaines (Boretius-Krause, II, nr. 254) will be found in several *adnuntiationes*. See the excellent pages of F. Lot, in Lot and Halphen, *op. cit.*, pp. 95-96.

99. *Conventus* of 844 (Thionville-Yüzt), 863 (Savonnières), 870 (Meerssen III), 879 (Verdun). See the short account in n. 90.

100. *Conventus* of Liège, Saint-Quentin, Koblenz, Metz, probably Aachen (see the short account in n. 90). No doubt this was also the case for other *conventus* about which our sources give us no clue as to this point.

101. Lengthy *adnuntiationes*: Meerssen I and II, Liège, Saint-Quentin, Koblenz, Savonnières, Tusey. Vernacular: Koblenz. Omission of the word: Liège, Tusey. See n. 90.

102. Boretius-Krause, n°242, p. 154. In 870, the decision had been taken that the partition should be made with unanimous consent of the *fideles* of both kings. *Annales Bertiniani*, a°870, p. 170 (see below n. 106).

103. Verdun. *Annales Bertiniani*, a°843, pp. 44-45. *Annales Fuldenses*, a°843, p. 34; *Annales Xantenses*, a°843, p. 13. See my article "Zur Entstehungsgeschichte und Bedeutung des Vertrages von Verdun," *Deutsches Archiv für Erforschung des Mittelalters*, XII (1956). Meerssen. *Annales Bertiniani*, a°870, pp. 171-75. See Parisot, *op. cit.*, pp. 368-78.

104. About *describere* and *descriptio*: *Annales Bertiniani*, a°842, p. 43; *Annales Fuldenses*, a°842, p. 33, a°843, p. 34; *Annales Xantenses*, a°843, p. 34. On the content of the *descriptions*: Nithard, IV, 3, p. 44. See Ganshof, *Verdun*, pp. 320-25 and O. Clavadetscher, "Das Churrätische Reichsurbar als Quelle zur Geschichte des Vertrags von Verdun," *Zeitschrift der Savigny Stiftung für Rechtsgeschichte, Germanistische Abteilung* (1953).

105. Boretius-Krause, *Capitularia*, II, n°251; *Annales Bertiniani*, a°870, pp. 172-74.

106. Verdun. *Annales Bertiniani*, a°843, p. 45: Factisque sacramentis. . . . Meerssen. AB, a°870, p. 170: . . . Quae divisio . . . ad hunc finem . . . pervenit ut in illud regnum quod inter eos secundum sacramenta prestita dividendum erat pacifice convenirent et . . . cum consensu et unanimitate communium fidelium ipsorum inuenirent, secundum sacramenta inter eos praestita illud regnum dividerent.

107. The most important work is the one by E. Joranson, *Danegeld in France* (Rock Island, 1924). See also the article of F. Lot, "Le tribut aux Normands et l'Eglise de France au IXe siècle," *Bibliothèque de l'Ecole des Chartes* (1924) and the classical work of W. Vogel, *Die Normannen und das fränkische Reich* (Heidelberg, 1906).

108. See above, pp. 26-29.

109. Charles the Bald. 845, *Annales Bertiniani* (= AB), p. 49. 866, AB, 125-26. 877, Boretius-Krause, n°280 (2 notices); AB, 213-14, *Annales Vedastini* (= AV), a°876-77, p. 41. Charles the Fat. 886, AV, 62; Abbon, *Le siège de Paris par les Normands*, ed. H. Waquet (Paris, 1942), II, v. 339, p. 90.

110. This is less certain because of the cautiousness of the annalists, but it seems likely.

111. Charles the Bald, 853, AB, 66. Louis III. 882, AB 247, AV 52.

112. 877. AB, 213-14. 884, AV, 55. In 884, the agreement was made in the name of King Carloman.

113. 860-61, AB, 82-83, 85-86. 873, AB, 194-95, Regino, *Chronicon*, ed. F. Kurze (Hanover, 1890), 2^o 873, pp. 105-7.

114. 862, AB 89.

115. 864, AB 105. 882, AB, 247-48, AV, 51-52, *Annales Fuldenses* (pars III), 98-99 (continuatio Ratisbonensis), 108-9.

116. The text of AB 89 contains only the words *in sex milibus argenti*. One generally admits that *libris* must have been understood or have disappeared in consequence of a mistake in the copy. This is most likely but not absolutely certain: *denariis* should not be radically excluded.

117. The *Annales Fuldenses*, h. 2^o in the pars III (Mainz) estimate the amount paid to the Normans at 2,412 pounds, whereas the *Continuatio Ratisbonensis* give the figure of 2,080 pounds.

118. 882 (see n. 115).

119. 861 and 864 (see n. 113 and 115).

120. 882 (see n. 115), 886 (see n. 109).

121. 862 (see n. 114), 873 (see n. 113).

122. See above n. 99, treaties between Frankish emperors and kings. See also above n. 36, the treaty of 867 between Charles the Bald and Salomon, duke or king of Brittany and n. 112, the treaty of 884 between great men of the West-frankish realm acting in the name of King Carloman and the Normans.

123. See above as to what concerns the treaties with Byzantium, p. 33 and n. 68, and with Cordova, pp. 34-35. It is likely that the same happened with the treaties between Frankish emperors and kings, though we have no safe indication except for the treaty of the Fourons of 878, Boretius-Krause, II, n° 246. The only existing copy is the one that was issued by Louis the Stam-merer and designed for Louis the Young, as shown by the "prooemium" and by c. 3 (p. 169, ll. 7-15 and 26-32); see Krause, p. 168 and Parisot, *op. cit.*, p. 430.

French Attitudes Toward Literary Criticism

W. L. Wiley

The University of North Carolina at Chapel Hill

The French are, by their very natures and as a result of long practice, a nation of critics—and, more specifically, a nation of literary critics. Literary criticism in France has through the centuries become a high art, if not a fine art. Most French writers, therefore, whether they have been concerned with prose or poetry, have managed at the same time to indulge in some form of criticism. One thinks immediately of Du Bellay, Montaigne, Boileau, Voltaire, Victor Hugo, Sainte Beuve—or, more contemporarily, of Jean-Paul Sartre. Some observers, in looking at the French, have concluded that in France the secondary writers have laid down the critical laws which the primary writers rather subserviently obeyed. This is too easy a generalization, especially when one looks at the major figures listed above. And, in the nineteenth and twentieth centuries, there has been a great variety of critical opinion and a general objection to absolutism—for examples, the *l'art pour l'art* concept, the rejection of rhyme in poetry and the pastel shadings favored by Paul Verlaine and the symbolists, the *race*, the *milieu*, and the *moment* theory of Hippolyte Taine, the *faculté maîtresse* of Jules Lemaître, the cubism of Guillaume Apollinaire, the surrealism of André Breton, and the existentialism of Sartre and his followers. Nevertheless, there is some validity in the claim that, as far as the sixteenth and seventeenth centuries are concerned—which period will be the matter of consideration for this paper—the rigors of the critical boundaries were set in many cases by the less gifted composers. In any case, it was scarcely to be expected that poets like Ron-