



# Power and Patronage in Early Medieval Italy

Local Society, Italian Politics  
and the Abbey of Farfa,  
*c.*700–900

Marios Costambeys

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## POWER AND PATRONAGE IN EARLY MEDIEVAL ITALY

Founded around the beginning of the eighth century in the Sabine hills north of Rome, the abbey of Farfa was for centuries a barometer of social and political change in central Italy. Conventionally, the region's history in the early Middle Ages revolves around the rise of the papacy as a secular political power. But Farfa's avoidance of domination by the pope throughout its early medieval history, despite one pope's involvement in its early establishment, reveals that papal aggrandizement had strict limits. Other parties - local elites, as well as Lombard and then Carolingian rulers - were often more important in structuring power in the region. Many were also patrons of Farfa, and this book, the first detailed study of the abbey in the early Middle Ages, reveals how a major ecclesiastical institution operated in early medieval politics, as a conduit for others' interests and as a player in its own right.

MARIOS COSTAMBEYS is Lecturer in History in the School of History at the University of Liverpool.

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*Local Society, Italian Politics and the Abbey  
of Farfa, c.700–900*

MARIOS COSTAMBEYS



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## NOTE ON CHARTER EDITIONS

I have consistently preferred the editions of charters given in the *Codice Diplomatico Longobardo* (*CDL*) series up to the point where these finish (774 for vols. I–III and IV/2, 788/9 for vols. IV/I and V). For charters after those dates preserved in the Farfa tradition, the best editions are still those in Giorgi and Balzani's *Regesto di Farfa* (*RF*). Preference for the consistency offered by the *CDL* editions means that, for the handful of original pre-800 Italian charters dealt with here, I have not cited the most recent and comprehensive edition and facsimile, in the *Chartae Latinae Antiquiores* series (*ChLA*, vols. XXIII–XL). The latter includes full concordances with earlier editions, however.

## ABBREVIATIONS

- AHR* *American Historical Review*  
*Aistulf* *Leges Aistulfi*  
*ARF* *Annales Regni Francorum*, ed. F. Kurze, MGH SRG (Hanover, 1895)  
*BM* *Regesta Imperii, I. Die Regesten des Kaiserreichs unter den Karolingern 751–918*, ed. J. F. Böhmer, rev. E. Mühlbacher et al., 2nd edn (Innsbruck, 1908)  
*CC* *Codex epistolaris Carolinus*, ed. W. Gundlach, MGH Epp. III (Hanover, 1892), pp. 469–567  
*CCM* *Corpus Consuetudinum Monasticarum* (Sigeburg, 1963–)  
*CCSL* *Corpus Christianorum, Series Latina* (Turnhout, 1952–)  
*CDA* *Codex diplomaticus Amiatinus. Urkundenbuch der Abtei S. Salvatore am Montamiata von den Anfängen bis zum Regierungsantritt Papst Innozenz III (736–1198)*, ed. W. Kurze, 4 vols. (Tübingen, 1974–1982)  
*CDL* *Codice diplomatico longobardo*, cited by volume and document number:  
    vol. I, ed. L. Schiaparelli, *Fonti per la storia d'Italia* 62 (Rome, 1929)  
    vol. II, ed. L. Schiaparelli, *Fonti per la storia d'Italia* 63 (Rome, 1933)  
    vol. III, ed. C. Brühl, *Fonti per la storia d'Italia* 64 (Rome, 1973)  
    vol. IV/1, ed. C. Brühl, *Fonti per la storia d'Italia* 65 (Rome, 1981)  
    vol. IV/2, ed. H. Zielinski, *Fonti per la storia d'Italia* 65/2 (Rome, 2003)  
    vol. V, ed. H. Zielinski, *Fonti per la storia d'Italia* 66 (Rome, 1986)

## List of abbreviations

CF	<i>Il Chronicon Farfense di Gregorio di Catino</i> , ed. U. Balzani, 2 vols., <i>Fonti per la storia d'Italia</i> 33 (Rome, 1903)
ChLA	<i>Chartae Latinae Antiquiores. Facsimile Editions of Latin Charters prior to the Ninth Century</i> , ed. A. Bruckner and R. Marichal; vols. 1– (Olten and Lausanne, 1954–), cited by volume and number
CISAM	Centro italiano di studi sull'alto medioevo
CSEL	<i>Corpus Scriptorum Ecclesiasticorum Latinorum</i> , 95 vols. (Vienna, 1866–)
CTh	<i>Theodosiani Libri XVI cum Constitutionibus Sirmondianis</i> , ed. T. Mommsen and P. M. Meyer, 2nd edn (Berlin, 1954)
CV	<i>Chronicon Vulturmense</i> , ed. V. Federici, 3 vols., <i>Fonti per la storia d'Italia</i> 58–60 (Rome, 1925–38)
DA	<i>Deutsches Archiv für Erforschung des Mittelalters</i>
D Karl	<i>Die Urkunden Ludwigs des Deutschen, Karlmanns und Ludwigs des Jüngeren</i> , ed. P. Kehr, <i>MGH Diplomata regum et imperatorum Germaniae</i> II (Berlin, 1888–93)
D L II	<i>Die Urkunden Ludwigs II.</i> , ed. K. Wanner, <i>MGH Dipl. Kar. IV</i> (Munich, 1994)
D Loth I	<i>Die Urkunden Lothars I. und Lothars II.</i> , ed. T. Schieffer, <i>MGH Dipl. Kar. III</i> (Berlin and Zurich, 1966)
EHR	<i>English Historical Review</i>
EME	<i>Early Medieval Europe</i>
ER	<i>Edictus Rothari</i> , ed. F. Beyerle, <i>Leges Langobardorum 643–866</i> , Germanenrechte, Neue Folge, Westgermanisches Recht, 2nd edn (Witzenhausen, 1962), pp. 16–94
FMS	<i>Frühmittelalterliche Studien</i>
Grimuald	<i>Leges Grimualdi</i>
HL	Paul the Deacon, <i>Historia Langobardorum</i> , ed. L. Bethmann and G. Waitz, <i>MGH SRL</i> (Hanover, 1878), pp. 12–187
HZ	<i>Historische Zeitschrift</i>
ICUR	G. B. De Rossi, A. Silvagni, et al., <i>Inscriptiones christianae Urbis Romae septimo saeculo antiquiores. Noua series</i> (Vatican City, 1922–)
IGM	Istituto Geografico Militare
Jaffé, RP	P. Jaffé ed., <i>Regesta Pontificum Romanorum</i> , vol. 1, 2nd edn (Graz, 1956)
JMH	<i>Journal of Medieval History</i>
LF	<i>Il 'Liber Floriger' di Gregorio di Catino</i> , ed. M. T. Maggi Bei, <i>Miscellanea della Società romana di storia patria</i> 26 (Rome, 1984)
Liutprand	<i>Leges Liutprandi</i>

*List of abbreviations*

- LL *Liber Largitorius vel Notarii Monasterii Pharpensis*, ed. G. Zucchetti, 2 vols., *Regesta Chartarum Italiae* 11, 17 (Rome, 1913, 1932)
- LP *Le Liber Pontificalis. Texte, introduction et commentaire*, ed. L. Duchesne, 2nd edn, 3 vols. (Paris, 1955–7)
- Manaresi C. Manaresi ed., *I placiti del regnum Italiae*, 3 vols. (Rome, 1955–60), vol. 1
- MGH Monumenta Germaniae Historica:
- Capit. Capitularia regum Francorum, eds. A. Boretius and V. Krause, MGH Leges sectio III, 2 vols. (Hanover, 1883–97)
- Conc. Concilia aevi Karolini, ed. A. Werminghoff, 2 vols., MGH LL, sectio III, vol. II, pts. 1–2 (Hanover and Leipzig, 1906, 1908)
- Dipl. Diplomata (Hanover and Berlin, 1872–)
- Dipl. Kar. Diplomata Karolinorum, vol. I, ed. E. Mühlbacher (Hanover, 1906); vol. III, ed. T. Schieffer (Berlin and Zurich, 1966)
- Epp. Epistolae III–VIII (Epistolae Merovingici et Karolini aevi) (Hanover, 1892–1939)
- LL Legum in quarto
- SRG Scriptorum rerum Germanicarum in usum scholarum separatim editi (Hanover, 1871–)
- SRG NS Scriptorum rerum Germanicarum, nova series (Hanover, 1922–)
- SRL Scriptorum rerum Langobardicarum et Italicarum saec. VI–IX, ed. G. Waitz (Hanover, 1878)
- SS Scriptorum (32 vols., Hanover, 1826–1934)
- SRM Scriptorum Rerum Merovingicarum, ed. B. Krusch, and W. Levison, 7 vols. (Hanover, 1885–1920)
- MIÖG *Mitteilungen des Instituts für Österreichische Geschichtsforschung*
- NCMH II R. McKitterick ed., *The New Cambridge Medieval History*, vol. II, c.700–c.900 (Cambridge, 1995)
- NCMH III T. Reuter ed., *The New Cambridge Medieval History*, vol. III, c.900–1024 (Cambridge, 1999).
- PBSR *Papers of the British School at Rome*
- PL *Patrologia Cursus Completus, Series Latina*, ed. J.-P. Migne, 221 vols. (Paris, 1841–66).
- QFIAB *Quellen und Forschungen aus italienischen Archiven und Bibliotheken.*

## *List of abbreviations*

Ratchis	<i>Leges Ratchis</i>
Reg. Ep.	<i>Sancti Gregorii Magni Opera. Registrum Epistolarum</i> , ed. D. Norberg, 2 vols., Corpus Christianorum, Series Latina 140, 140 A (Turnhout, 1982)
RF	Gregory of Catino, <i>Regestum Farfense</i> , ed. I. Giorgi and U. Balzani, <i>Il Regesto di Farfa</i> , 5 vols. (Rome, 1879–1914)
Rothari	<i>Edictus Rothari</i>
Tjäder, <i>PItal.</i>	<i>Die nichtliterarischen Papyri Italiens aus der Zeit 445–700</i> , ed. J.-O. Tjäder, 3 vols. (Lund and Stockholm, 1955–82), cited with volume and document number
TRHS	<i>Transactions of the Royal Historical Society</i>



Map 1 Italy in the eighth century



Map 2 The Sabina

## Chapter 1

# INTRODUCTION

### FARFA AND THE POLITICS OF MONASTICISM IN EARLY MEDIEVAL ITALY

The same apostolic lord not only recognized that he himself had no lordship over the rights of that monastery, except consecration, but also reinvested Leo, who was advocate of our party and of the same monastery, with all the properties located both in the Sabine territory and in Romania, which the power of the predecessors of the same Pope Paschal had unjustly taken away from the same monastery through their orders.<sup>1</sup>

The diploma from which this quotation is taken, issued by Emperor Lothar I in December 840, was not the first attempt by a Carolingian emperor to settle matters between the abbey of Farfa and the papacy in the monastery's favour; it was not even Lothar's first attempt.<sup>2</sup> The repeated efforts of Farfa's abbots to stave off the threat of papal domination by appeal to the greatest secular power in the region do not simply indicate the feature of the abbey most often emphasized by the historiography – that is, its imperial affiliation.<sup>3</sup> The fact that those efforts had to be repeated – that the issue of the control of the abbey and (perhaps especially) its patrimony had to be continually revisited – also highlights quite how precarious was the situation in which the abbey found itself for most of the first four hundred years of its existence. It was precarious, but also influential. If Farfa courted the support of secular powers, it was itself courted: gifts of land and privileges of all kinds flowed to the monastery not just from Italy's rulers, but from the propertied of all social levels. This

<sup>1</sup> RF II 282bis (= CF I, pp. 199–206 at 199–200; D Loth I 51): privilege of the Emperor Lothar, issued 15 Dec. 840, at Chagny, near Chalons.

<sup>2</sup> RF II 127, 128 (both a.775), 273 (a.801), 173 (a.803), 216, 217 (both a.815), 236 (a.818), 242, 248 (both a.820) and 272 (a.820); the latter issued jointly by Louis the Pious and Lothar.

<sup>3</sup> Evident simply in the titles of prominent works on the abbey: I. Schuster, *L'imperiale abbazia di Farfa* (Rome, 1921); C. McClendon, *The Imperial Abbey of Farfa* (New Haven, CT, 1987).

book will investigate why this was the case, and what impact this extensive patronage had – on Farfa, on its immediate region and on Italy as a whole.

Patronage put the abbey among the great monasteries of early medieval Europe – the ‘multinational corporations’ of their era – and it is a standard saw that they should be accorded a prominent place in early medieval history. Nonetheless, despite significant attention to these institutions over decades, recent work focusing largely on the Frankish kingdom raises issues about how we can recapture the way monastic communities integrated with the societies from which they sprang.<sup>4</sup> At the same time, the importance has also been recognized of the Italian monasteries of a similar size and wealth to those identified as influential north of the Alps. Many of those questions that have recently been asked of north European monasticism have yet to be posed in Italy. One task of this book, then, is to examine the former concerns through the prism of the latter, and specifically through the example of Farfa. A second aim arises from this choice of focus, for Farfa’s particular geographical position allows us to trace the development of a monastery in relation to the lay society around it, and to connect it with a problem of ‘global’ geo-politics. Because Farfa sits in the Sabina, on the edge of the hinterland of the city of Rome, it constantly felt the stresses involved in the continual struggle to define the city’s political status.

The securely historical foundation of Farfa took place between 680 and c.700, the work of Thomas, a monk from Maurienne in Provence.<sup>5</sup> Although there is no evidence of Thomas’s personal background, we know something of the state of Christianity in the area from which he hailed at around this time, because the will survives of Abbo, who by 726 was rector of the region encompassing Maurienne and Susa (now on the French and Italian sides of the Mont-Cenis Alpine border respectively), and perhaps later also *patricius* of Provence. On 30 January 726 Abbo issued the foundation charter of the monastery of Novalesa, which he had built on and from his own property. Of this splendid charter, which still survives, two things are especially relevant to the early history of Farfa. First, Abbo enjoined that the abbot and monks should live ‘according to the evangelical norm and the rule of the lord Benedict and the institutes of

<sup>4</sup> See for example M. Innes, *State and Society in the Early Middle Ages. The Middle Rhine Valley, 400–1000* (Cambridge, 2000); J. Nightingale, *Monasteries and patrons in the Gorze reform: Lotharingia, c.850–1000* (Oxford, 2001); H. Hummer, *Politics and Power in Early Medieval Europe. Alsace and the Frankish Realm, 600–1000* (Cambridge, 2006).

<sup>5</sup> Stated first in the so-called *Constructio monasterii Farfensis*: ‘Fuit namque in Gallia vir vite venerabilis, Thomas nomine, ut alii ferunt Maurigena exortus provincia’, *CF* 1, p. 3; for reservations on this source’s reliability, see below, pp. 13–14.

## Introduction

the early orthodox fathers'.<sup>6</sup> A concern for the Rule of St Benedict is, at this date, quite precocious but, as we shall see, it was probably shared at Farfa in its early years.<sup>7</sup> Secondly, Abbo, through his capacity as *rector* of the region (a secular position, in this context), granted his foundation freedom from the control of the local bishop. This attention to the monastery's independence, frequently echoed by the words and actions of Farfa's abbots in its first two centuries, should not be seen as having been diluted by the proviso in Abbo's testament of 739 that Bishop Walchunus (presumably bishop of Maurienne)<sup>8</sup> should take authority over the community after the founder's death. As Patrick Geary has pointed out, Abbo was seeking someone closely connected to himself on a personal level to replace him as 'secular' overseer and protector of the monastery. Later in the eighth century, the Carolingian kings would confirm Novalesa's independence of the bishop, and take over the role of its secular protector themselves.<sup>9</sup>

It will be evident from what follows that Farfa too was concerned both to secure its freedom from local bishops and to develop and exploit a relationship with the Carolingian kings. As with adherence to the Rule of St Benedict, however, these parallels between Novalesa and Farfa cannot be ascribed directly to Thomas. They become apparent in the Farfa evidence only some years after his abbacy. Nor are Novalesa and Farfa alone in attaching importance to such things as episcopal immunity and the Rule of St Benedict: these were two strands in a new fabric of monasticism that was being woven in the late seventh and earlier eighth century in a number of different parts of Europe. It may be significant for Farfa, nevertheless, that its founder's place of origin suggests that he may have been influenced by this development.<sup>10</sup> The foundation of Farfa

<sup>6</sup> '... ut secundum evangelica normam et regola domno Benedicto seu priscorum patrum orthodoxorum instetuta in ipso loco debiant conversare quietem et pro nos vel stabilitatem regno Francorum seo cumto populo Christi bapntismate perfoso Domni misericordia iugiter exorare'. *Monumenta Novaliciensia Vetustiora*, ed. C. Cipolla (Rome, 1898), vol. 1, no. 1, pp. 7–13, at p. 9. The original is Torino, Archivio di Stato, Archivio di corte, Museo storico, I scat. 1, no. 1 (= *ChLA* XLVII 1463). Though, somewhat surprisingly, its authenticity was challenged in the 1950s, it was convincingly vindicated by G. Tabacco, 'Dalla Novalesa a San Michele della Chiusa', in *Monasteri in Alta Italia dopo le invasioni saracene e magiare* (sec. IX–X) (Turin, 1966), pp. 479–526, at pp. 481–4.

<sup>7</sup> On the nature and use of the Rule of St Benedict in this period, see G. Moyses, 'Monachisme et réglementation monastique en Gaule avant Benoît d'Aniane', in *Sous la règle de St Benoît: structures monastiques et sociétés en France du moyen âge à l'époque moderne* (Geneva and Paris, 1982), pp. 3–19, and C. Leyser, *Authority and Asceticism from Augustine to Gregory the Great* (Oxford, 2000), pp. 101–30.

<sup>8</sup> See Cipolla's sensible comments: *Monumenta Novaliciensia Vetustiora*, vol. 1, p. 7, n. 1.

<sup>9</sup> P. Geary, *Aristocracy in Provence. The Rhône Basin at the Dawn of the Carolingian Age* (Stuttgart, 1985), pp. 124–5.

<sup>10</sup> For immunity, see B. Rosenwein, *Negotiating Space. Power, Restraint and Privileges of Immunity in Early Medieval Europe* (Manchester, 1999).

was, in an Italian context, an exceptional event, but it did not happen in a vacuum.

Farfa shared one other general feature with Novalesa: it stood on, or very near, a political frontier. The spot where Thomas was to found Farfa was at that time in the debatable region between the Lombard duchy of Spoleto and the *ducatus* around the city of Rome ruled over, whether directly or indirectly, by the eastern Roman emperor in Constantinople. Abbo's Novalesa perched on the very edge of Frankish territory, just a few miles from the fortified *clusae* – the passes over the Maritime Alps – at Susa, in the valley of the Dora Riparia, which marked the entrance into the Lombard kingdom of northern Italy.<sup>11</sup> Thomas must have come from Maurienne into Italy through the pass that led across the Mont Cenis gap down to this border post. Later, this was to be the route that Charlemagne's army took when it came to conquer the Lombard kingdom in 773.<sup>12</sup> In being located in such politically sensitive areas, Farfa and Novalesa were not alone among the monasteries founded in late seventh- and eighth-century Italy: Nonantola, San Salvatore on Monte Amiata, Monte Cassino and San Vincenzo al Volturno can all be said to occupy similarly liminal positions on or near the borders of political territories (as indeed can Bobbio, founded much earlier in 613). All were also founded with the support of a king or duke. Bobbio, the earliest foundation among them, was established in the Ligurian mountains at a time when these formed the barrier between Byzantine Liguria and the Lombard hinterland.<sup>13</sup> Nonantola was close to the debatable territory between the Lombard kingdom and the Byzantine exarchate of Ravenna.<sup>14</sup> Three monasteries ringed the Roman *ducatus*: Monte Amiata in southern Tuscany, Farfa in the Sabina, and Monte Cassino, overlooking the Via Appia that led from the city to the south.<sup>15</sup> The locations of these monasteries were to prove of great political importance.

<sup>11</sup> On the *clusae*, see G. Tangl, 'Die Passvorschrift des Königs Ratchis', *QFLAB* 38 (1958), pp. 1–66 and K. Schmid, 'Zur Ablösung der Langobardenherrschaft durch den Franken', *QFLAB* 52 (1972), pp. 1–36.

<sup>12</sup> On the details of that campaign, see S. Abel and B. Simson, *Jahrbücher des fränkischen Reiches unter Karl dem Grossen*, Bd. 1 (Leipzig, 1888), pp. 141–8.

<sup>13</sup> See C. G. Mor, 'La fondazione di Bobbio nel quadro del diritto pubblico ed ecclesiastico longobardo', in *San Colombano e la sua opera in Italia* (Bobbio, 1953), pp. 76–7 and G. Hauptfeld, 'Sur langobardischen Eroberung Italiens. Das Heer und die Bischöfe', *MIÖG* 91 (1983), pp. 37–94, at p. 93.

<sup>14</sup> K. Schmid, 'Anselm von Nonantola. *Olim dux militum – nunc dux monachorum*', *QFLAB* 47 (1967), pp. 1–122, at pp. 15–20.

<sup>15</sup> For Monte Amiata, see W. Kurze and M. Ascheri eds., *L'Amiata nel medioevo* (Rome, 1991); for Farfa, Schuster, *L'imperiale abbazia* and T. F. X. Noble, *The Republic of St Peter. The Birth of the Papal State, 680–825* (Philadelphia, 1984), pp. 157–9; for Monte Cassino, M. Del Treppo, 'Longobardi, franchi e papato in due secoli di storia vulturinese', *Archivio storico per le province napoletane* n. s., 34 (1953–4), pp. 37–59.

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San Vincenzo al Volturno occupied a key position on the frontier between the duchies of Spoleto and Benevento.<sup>16</sup>

Given these facts, scholars have long recognized that in endowing these monasteries rulers were helping to establish institutions that had the potential to maintain and administer tracts of otherwise sparsely populated land as bulwarks on the fringes of their territories. Their association with these monasteries, therefore, allowed rulers to stake a claim to areas that were marginal, both geographically and politically.<sup>17</sup> Yet frontiers were not simply barriers: at least potentially, they were areas of interaction between different polities, different groups of landholders. Richard Hodges has stressed this aspect of San Vincenzo's position, and the archaeological discoveries there have revealed that it had an economic dimension too: it was partly through its role as an entrepôt that San Vincenzo was a forum for negotiation between the Carolingians and the dukes of Benevento.<sup>18</sup> It is not clear, however, that the choice of such locations was deliberate: that the potential in a monastery's location was recognized from the outset by its founder. The monastic ideal of creating havens of retreat from the secular world may seem sufficient explanation of the foundation of the eighth-century houses at some distance from centres of lay power. It may equally be important that they were distant from episcopal power. Nevertheless, it is the case that the choice of a monastery's location had more usually been dictated by the property interests of its lay benefactors. These could not be bypassed by avoiding population centres. As the example of the 'Columbanian' monasteries in Francia shows, foundation in the countryside did not necessarily imply removal from secular influence.<sup>19</sup> That influence may primarily have been motivated more by considerations of landholding than by direct political imperatives. The large tracts of land that formed monastic *terrae* were more likely to exist in economically marginal areas. Add to that the spiritual mystique associated with certain out-of-the-way places, and the now little-appreciated need to evangelize in the

<sup>16</sup> See R. Hodges, J. Moreland and H. Patterson, 'San Vincenzo al Volturno, the kingdom of Benevento and the Carolingians', in C. Malone and S. Stoddart eds., *Papers in Italian Archaeology 4. Classical and Medieval Archaeology*, BAR International Series 246 (Oxford, 1985), pp. 279–80.

<sup>17</sup> For northern European examples, see R. McKitterick, 'England and the Continent', in *NCMH II*, pp. 64–84, at pp. 67–70.

<sup>18</sup> R. Hodges, 'In the shadow of Pirenne: San Vincenzo al Volturno and the revival of Mediterranean commerce', in R. Francovich and G. Noyé eds., *La storia dell'alto medioevo italiano (VI–X secolo) alla luce d'archeologia* (Florence, 1994), pp. 109–33, at pp. 120–4. Recognizing the significance of San Vincenzo's location that Hodges points out in no way implies acceptance of the other suggestions put forward in this highly original paper.

<sup>19</sup> See I. Wood, *The Merovingian Kingdoms, 450–751* (London, 1994), p. 195 for the foundation of Luxeuil and, more generally, pp. 184–9 and 191–4.

countryside, and we may have sufficient explanation for the foundation of monasteries there.<sup>20</sup> The notion that ruler-benefactors had a clear appreciation of the geo-political importance of rural monasteries when they first endowed them perhaps benefits too much from hindsight. Nevertheless, discussion of the problem highlights some of the issues involved in explaining not only the fact of these new foundations, but their location. The significance of the location of these abbeys can be explained in two apparently contrasting ways. It could be, and has been, said that political topography dictated that monasteries should be founded in these political frontier zones.<sup>21</sup> On the other hand, it could also be argued that these abbeys themselves, by dint of the nature of their land-holding, and the legal status, both secular and ecclesiastical, that they enjoyed, actually contributed to defining or reconfiguring political boundaries. That these two explanations need not, in fact, be mutually exclusive will already be obvious. It is one of the goals of this book to explore further the political and social geography of such monasteries through the principal example of Farfa.

Both location and success direct the choice of Farfa. In the size and eminence that it had attained by the ninth century – attested by the privileges issued in its favour by the Carolingian emperors – it was apparently rivalled only by Nonantola.<sup>22</sup> But its sources are far more extensive than those for the latter, as we shall see. In the second half of the eighth century, Farfa was the point at which four powers met. Our earliest documents for its foundation show that it provided a unique opportunity for co-operation between the popes and the dukes of Spoleto.<sup>23</sup> As it attracted donations from ever further afield, the abbey also became a crucial meeting point for landholders from the duchy of Spoleto and from the Lombard kingdom.<sup>24</sup> The advent of Carolingian power into northern Italy in 774 reconfigured the balance of power between the popes, the dukes of Spoleto and Benevento, and the Frankish king.<sup>25</sup> Farfa was, I shall argue, pivotal in these relationships. Not only its presence, but its very existence, tells us something about the modalities of power in this period.

<sup>20</sup> For the significance of rural monasteries as centres of evangelization in Francia, see *ibid.*, p. 191.

<sup>21</sup> On Farfa, F. Felten, 'Zur Geschichte der Klöster Farfa und San Vincenzo al Voltumo im achten Jahrhundert', *QFLAB* 62 (1982), pp. 1–58, at pp. 15–20. In general, see Schmid, 'Zur Ablösung der Langobardenherrschaft', esp. pp. 25–30.

<sup>22</sup> As avowed by Abbot Hugh of Farfa himself in *Destructio monasterii Farfensis*, written at the end of the tenth century: 'in toto regno Italico non inveniebatur simile illi monasterio in cunctis bonis, excepto monasterio quod vocatur Nonantule' (*CF* I, p. 31).

<sup>23</sup> *RF* II, nos. 1 and 2, pp. 22–4; *CF* I, p. 136.

<sup>24</sup> For donations from Tuscan landholders, see *RF* II, no. 146.

<sup>25</sup> For a full analysis, see below, pp. 278–352.

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Thomas of Maurienne himself seems to have taken the route across the frontier for a very different reason from that of the Frankish armies that periodically used it. If we can trust the report of our earliest (but still much later) sources (see below), it was on his return from a pilgrimage to the Holy Land that Thomas came to Farfa. The story as told by Farfa's great high medieval historian, Gregory of Catino, has Thomas embarking on a pilgrimage to the Holy Land, and in the church of the Holy Sepulchre in Jerusalem having a vision of the Virgin Mary, who instructed him to return to Italy and to reopen an abandoned basilica dedicated in her name. With divine guidance and accompanied by a small group of followers, Thomas arrived in the Sabina and discovered the ruins of an ancient sanctuary, where he established his monastery.<sup>26</sup> Gregory's tale stands in a long tradition of narratives of monastic foundation, and several elements of it are topoi: Thomas was inspired by a saintly vision, he was a pilgrim, he founded his monastery in a deserted place far from habitation.<sup>27</sup> Yet in laying out his story, Gregory was not simply following monastic or hagiographical convention. Pilgrimage to Rome was established and relatively popular by the eighth century.<sup>28</sup> That pilgrims could and did also visit the Holy Land in this period is evident from other contemporary sources. Notable among these are two insular texts. In his *De Locis Sanctis*, Adomnán, the abbot of Iona (*d.* 704), reported the journey of the otherwise unknown Frankish bishop Arculf to the Holy Land, which must have taken place shortly before 683 × 688.<sup>29</sup> Forty years later (723–9) the Anglo-Saxon Willibald (*d.* c.786) journeyed first to Rome, and thence to the Holy Land, returning via Constantinople and Sicily to Monte Cassino, whence he was plucked by Boniface in 741 to be bishop of Eichstätt. His travels are related by Hugeburc, a nun of the double

<sup>26</sup> *CF* 1, pp. 5–6.

<sup>27</sup> The topos of monastic isolation is evident in Jonas, *Vita Columbani Abbatis Discipulorumque Eius*, ed. B. Krusch, MGH SRM IV (Hanover, 1902), pp. 64–108, Bk. 1, ch. 10: see the comments by Wood, *Merovingian Kingdoms*, p. 195. Similarly, Fulda is said to have been founded in a 'horrendum desertum': Eigil, *Vita Sturmi*, MGH SS II (Hanover, 1829), pp. 365–77; that this is not strictly accurate has been shown by Chris Wickham, 'European forests in the early middle ages: landscape and land clearance', *L'ambiente vegetale nell'alto medioevo*, Settimane di Studio del CISAM 37 (Spoleto, 1989), pp. 479–545, at pp. 481–3.

<sup>28</sup> See P. Llewellyn, *Rome in the Dark Ages* (London, 1971; repr. 1993), pp. 173–98, and B. Lançon, *Rome in Late Antiquity*, trans. A. Nevill and M. Humphries (Edinburgh, 2000; French publ. 1995), pp. 159–60.

<sup>29</sup> See Adomnán, *De Locis Sanctis*, ed. and trans. D. Meehan and L. Bieler, *Scriptores Latini Hiberniae* 3 (Dublin, 1958) and Adomnán of Iona, *Life of St Columba*, ed. and trans. R. Sharpe (Harmondsworth, 1995), pp. 54–5 and n. 424. The most likely candidate for identity with 'Arculf' is Arnulf/Arulf, bishop of Châlons-sur-Marne c.682–88, see L. Duchesne, *Fastes épiscopaux de l'ancienne Gaule*, vol. III (Paris, 1915), p. 97 and Adomnán, *De Locis Sanctis*, ed. Meehan and Bieler, pp. 6–9.

monastery of Heidenheim, in her *Hodoeporicon*, written c.780.<sup>30</sup> These sources testify that the path to the Holy Land was relatively well trodden at the turn of the eighth century and, crucially, that that path led through central Italy. Remote as it may have been, in relative terms, the Monte Acuziano was not far distant from the Via Salaria that linked Rome with the Pentapolis. It is not inconceivable that Thomas had already travelled down this road. The evidence for habitation of the surrounding area – the Sabina – at this time, drawn from Farfa's own documents, reveals that, although it cannot be described as populous by early medieval standards, it was not quite the 'desert' that Gregory depicted. Many of the early donations to the abbey constitute land already parcelled out into cultivated farms.<sup>31</sup> Gregory may, in fact, have derived his image of Farfa in its early years from the description of the foundation of San Vincenzo al Volturno by the latter's eighth-century abbot, Ambrosius Autpert. He ascribed to Thomas of Maurienne a speech directing San Vincenzo's founders, who were three monks of Farfa, to a spot in the wilderness: 'In which place is situated the oratory dedicated to Christ's martyr Vincent, and on each side of the river is a thick forest which serves as a habitation for wild beasts and a hiding-place for robbers.'<sup>32</sup> The tradition at San Vincenzo, therefore, placed the site of the monastery in a *silva densissima*: in fact, San Vincenzo was founded on the site of a former villa in a settled landscape.<sup>33</sup>

As at San Vincenzo, so at Farfa, later tradition has the monks reoccupying an earlier Christian site. Thomas of Maurienne is said to have established his monastery in an abandoned late antique basilica, reputedly the remains of a monastery built by the obscure St Laurence of Syria.<sup>34</sup> Laurence defies attempts to identify him securely. He was certainly not the famous third-century Roman martyr of that name, to whom, inter alia, the Roman basilica of San Lorenzo fuori-le-mura was dedicated. Farfa's great high medieval historian, Gregory of Catino, thought that his monastery's Laurence was a Sabine bishop of the sixth century, an opinion apparently based on no more evidence than is now available. The recent attempt to identify him with a sixth-century bishop at 'Forum

<sup>30</sup> Hugelburc of Heidenheim, *Hodoeporicon*, ed. O Holder-Egger, MGH SS xv/1 (Hanover, 1887), pp. 80–117. For comment, see W. Levison, *England and the Continent in the Eighth Century* (Oxford, 1946), pp. 39–43 and McKitterick, 'England and the Continent', pp. 78–9. For Hugelburc's identity, Levison, *England and the Continent*, p. 294 and n. 3.

<sup>31</sup> For a full analysis, see below, pp. 184–207.

<sup>32</sup> *Vita Padonis, Tasonis et Tatonis Vulturmensium*, ed. G. Waitz, MGH SRL (Hanover, 1878), p. 550.

<sup>33</sup> *Chronicon Vulturmense*, ed. V. Federici, 3 vols., *Fonti per la storia d'Italia* 58–60 (Rome, 1925–38), vol. 1 (Rome, 1925), p. 111. For this, and other instances of the same idea, see Wickham, 'European forests', p. 482.

<sup>34</sup> *CF* 1, 121–132 and *LF*, pp. 3–44.

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Novum' (modern Vescovio) is equally incapable of proof.<sup>35</sup> On the available evidence, not only the identity but even the existence of Laurence must be questioned. The existence of the late antique church is less doubtful, but still difficult to establish. Excavations to the west of the present church by the British School at Rome between 1978 and 1985 uncovered a late antique phase of occupation, but no structures beyond a walled enclosure.<sup>36</sup> Traces of a church, however, are most likely to be found under the present church, where no excavation has been possible. It is at least clear that the terrace on which the abbey church now stands was created in the late antique period. It is also clear that legends linking this site with a St Laurence were current when Thomas of Maurienne arrived there. In the papal privilege granted to the abbey in 705, Pope John VII recorded that a monastery had been built there by a Bishop Laurence.<sup>37</sup> All that we can say for certain, therefore, is that Farfa was a recognized cult site by the time Thomas arrived there, albeit one that had fallen into disuse.

The terrace on which the abbey stands is on the north slope of the hill now called Monte San Martino, but then known as Monte Acuziano.<sup>38</sup> This rises above the left bank of the stream Riana, which flows into the Farfa river just to the north-west of the monastery. The Farfa itself joins the Tiber about 7 kilometres to the west. The quality of these swift-flowing waters had been recognized since antiquity.<sup>39</sup> The surrounding banks were as fertile in the nineteenth century as they had been in the first.<sup>40</sup> English travellers in the nineteenth century also noted that the slopes of the hill were heavily wooded, as they apparently were in the early middle ages, and still are to some extent today. Lower down on either side of the Riana and Farfa vines and olives have been cultivated at

<sup>35</sup> P. di Manzano and T. Leggio, *La diocesi di Cures Sabini* (Fara in Sabina, 1980), p. 14. At least one of the authors has since tempered this view: T. Leggio, *Da Cures Sabini all'Abbazia di Farfa. Trasformazioni del paesaggio tra Tevere, Corese e Farfa dall'età romana al medioevo* (Passo Corese, 1992), pp. 54–6.

<sup>36</sup> O. Gilkes and J. Mitchell, 'The early medieval church at Farfa: orientation and chronology', *Archeologia Medievale* 22 (1995), pp. 343–364, at p. 347.

<sup>37</sup> *RF* II, 2.

<sup>38</sup> See L. Branciani, 'Il monte S. Martino in Sabina: siti archeologici e storia', in P. Lombardozi ed., *Eremitismo a Farfa: origine e storia. Per una ricostruzione archeologico-ambientale del complesso eremitico del Monte S. Martino in Sabina*, Quaderni della Biblioteca 3 (Farfa, 2000), pp. 31–133; and R. Ring, 'The lands of Farfa: studies in Lombard and Carolingian Italy', PhD dissertation, University of Wisconsin, 1972, p. 9 and nn. 1–2.

<sup>39</sup> Virgil, *Aeneid* VII, 715: 'Qui Tiberim Fabarimque bibunt' (those who drink from the Tiber and the Farfarus).

<sup>40</sup> For the state of the abbey and surrounding countryside in the nineteenth century, see A. C. Hare and St. C. Baddeley, *Days near Rome* (London, 1907), pp. 178–81; compare Ovid, *Metamorphoses* XIV, 30: 'opacae Farfarus umbrae' (the deeply shaded Farfarus).

least since our records begin.<sup>41</sup> It is the Farfa river which gives the abbey its modern name. In eighth-century documents, the abbey appears, in its most elaborate form, as ‘monasterium sanctae Dei genetricis semperque virginis Mariae, quod fundatum est in territorio civitatis . . . Reatinae in fundo Acutiano’.<sup>42</sup> (Sometimes the territory is named as that of the Sabina rather than that of Rieti.) In general *fundus* was a term for a landed estate common in both late Roman and early medieval documents. The ‘fundus Acutianus’ seems to have been a relatively large coherent block of land. Some, if not most, of this, however, was not included in any initial endowment – any *terra* – that the abbey may have received: Farfa later acquired from Duke Lupo a church and lands ‘in casale Acutiano’.<sup>43</sup> Unlike the *terrae* of San Vincenzo al Volturno and Monte Cassino, acquired in the same period, the extent of Farfa’s endowment remains obscure. Gregory of Catino reported that Faroald’s initial endowment constituted eleven *curtes*, totalling 11,000 *modia* of land, but he admitted that their whereabouts were now unknown.<sup>44</sup> Lupo’s grant suggests that Farfa may not have been blessed with such a massive initial endowment as the other two abbeys.<sup>45</sup> It may have come to possess the core of land around it through not one but a series of conscious decisions made by landowners in the eighth century.

Explaining the rise of the abbey to the position of pre-eminent landowner in the Sabina will be a central concern of what follows. Here it suffices to say that the establishment of the material resources for Farfa’s success was an achievement of Lombard landowners that mostly took place before the Frankish conquest of the Lombard kingdom in 774 (though Farfa received not inconsiderable lands from Hildebrand, duke of Spoleto from the time of the Frankish conquest until 788/9; a Lombard allied, for the most part, with the Franks). As we shall see, the abbey’s relationship with the Carolingian family of Frankish kings was crucial both for the maintenance of its position and for the political situation of the region as a whole. That relationship must have rested in part on the reputation that Farfa had already established, one that was fully

<sup>41</sup> Hare and Baddeley, *Days near Rome*, p. 181.    <sup>42</sup> CDL IV/1 5 (746).

<sup>43</sup> CDL IV/1 14 (761) is the record of a judgement establishing the validity of an earlier grant by Duke Lupo (r. 745–51).

<sup>44</sup> *CF* 1, pp. 135–6; and see E. Migliario, *Strutture della proprietà agraria in Sabina dall’età imperiale all’alto medioevo* (Florence, 1988), p. 39 and Migliario, *Uomini, Terre e Strade. Aspetti dell’Italia centroappenninica fra antichità e alto medioevo* (Bari, 1995), pp. 28–9 with n. 9. Faroald’s other major donation recorded in the *Chronicon* (though not in the *Regestum*) was in the Reatino, some miles north of the abbey: *CF* 1, pp. 139–40.

<sup>45</sup> See C. Wickham, ‘The *terra* of San Vincenzo al Volturno in the 8th to 12th centuries: the historical framework’, in R. Hodges and J. Mitchell eds., *San Vincenzo al Volturno. The Archaeology, Art and Territory of an Early Medieval Monastery*, BAR Int. Series 252 (1985), pp. 227–58, esp. pp. 227–31.

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appreciated in Francia, as is evident in the desire of Alcuin, the Northumbrian who became the great court scholar of Charlemagne, to attach himself to the *familiaritas* of Farfa – that is, to the community of those bound in prayer to the abbey.<sup>46</sup> It is that reputation that makes Farfa a useful litmus test of the state of monasticism in the eighth and ninth centuries. In particular it allows us to ask which of the developments that we can trace in the nexus between monasteries and lay society depended on the direct influence of the Carolingian rulers, and which can be explained through autonomous, organic or local processes.

### SOURCES: GREGORY OF CATINO

We owe most of our information about eighth-century Farfa to the pen of Gregory of Catino, a monk of the abbey who was one of the most accomplished monastic historians of his age.<sup>47</sup> Gregory was born into the comital family of Catino, a town some six and a half kilometres north of Farfa.<sup>48</sup> With his elder brother, he was entrusted to the monastery as a child oblate by his father Dono.<sup>49</sup> He was educated in the monastery's school that had been founded by Abbot Hugh (*d.* 1039), himself the chronicler of the abbey's late ninth-, tenth- and early eleventh-century history. Gregory remained at Farfa for the rest of his life, dying a few years after 1130.<sup>50</sup> The turbulent events that Hugh recorded had, by the late eleventh century, left the abbey's rights to its estates in considerable confusion. In 1092, Gregory proposed a major rearrangement of Farfa's archives, and was commissioned by Abbot Berard II to undertake the

<sup>46</sup> Alcuin, *Epistolae* 91, written 794 × 796, ed. E. Dümmler, MGH Epp. iv/1 (Berlin, 1895), p. 135: 'Saepius vestrae sanctitatis audiens famam, et ideo me vestrae familiaritati adiungere desideravi.' (Hearing often the fame of your holiness, I therefore desired to join myself to your *familiaritas*.) For *familiaritas*, see B. Rosenwein, *To Be the Neighbor of Saint Peter. The Social Meaning of Cluny's Property, 909–1049* (Ithaca, 1989).

<sup>47</sup> For full details on Gregory of Catino, see now the excellent summary by Susan Boynton, *Shaping a Monastic Identity. Liturgy and History at the Imperial Abbey of Farfa, 1000–1125* (Ithaca and London, 2006), pp. 18–36; the best earlier treatments are: U. Balzani, *Early Chroniclers of Europe, Italy* (London, 1883), pp. 149–59; H. Zielinski, *Studien zu den spoletinischen 'Privaturkunden' des 8. Jahrhunderts und ihrer Überlieferung im Regestum farfense*, Bibliothek des Deutschen historischen Instituts in Rom 39 (Tübingen, 1972), pp. 25–9; T. Kölzer, 'Codex libertatis. Überlegungen zur Funktion des "Regestum Farfense" und anderer Klosterchartulare', in *Il ducato di Spoleto*, Atti del IX congresso internazionale di studi sull'alto medioevo (Spoleto, 1983), pp. 609–53, at pp. 612–13; McClendon, *Imperial Abbey of Farfa*, pp. 1–5.

<sup>48</sup> *RF* II, pp. 20–1 for his origin, *CF* I, p. 121 for his date of birth (also in *LF* prologue).

<sup>49</sup> Documents recording the possessions of Gregory's family are *RF* IV, nos. 949–74; see further P. Toubert, *Les structures du Latium médiéval. Le Latium méridional et la Sabine du IXe à la fin du XIIe siècle*, 2 vols. (Rome, 1973), vol. II pp. 1295–6.

<sup>50</sup> Zielinski, *Studien*, p. 26, n. 5. Schuster's suggestion that he died in 1133 appears to have been pure guesswork: *L'imperiale abbazia*, p. 226.

work. He began on 19 April 1092, copying the charters in the archives down to his own time, though omitting leases, which he was to treat in a separate work.<sup>51</sup> The resulting collection he entitled *Liber gemniagraphus sive cleronomialis ecclesiae pharphensis*.<sup>52</sup> It is usually referred to as the *Regestum Farfense*.<sup>53</sup> The survival of copies of three charters in Gregory's hand bound into the beginning of the manuscript of the *Chronicon Farfense* indicates that Gregory made a first attempt at such a collection, the so-called 'Prae-Regestum'. This seems to have been quickly abandoned by its author in favour of a fuller collection of the texts in Farfa's archive.<sup>54</sup> Political problems at the abbey forced Gregory to interrupt his work for some time. Nevertheless, he managed to copy most of the relevant documents up to and including 1099, the year of the death of the tyrannical Abbot Berard II. In 1125, the work was taken up again by his nephew Todinus. Todinus added some seventy folios to the *Regestum*, including both contemporary documents and some older texts which Gregory had missed.

While the *Regestum Farfense* documented the abbey's title to its lands, Gregory also saw a need for a more narrative treatment of the abbey's history.<sup>55</sup> Around 1107, he embarked on writing an untitled work, known today as the *Chronicon Farfense*, which he completed in about 1119.<sup>56</sup> This was not a straightforward history in the modern sense of the word, but it set the tone for the writing of monastic history in Italy in the twelfth century.<sup>57</sup> Part register, part chronicle, it offers a history of the monastery from its foundation by St Laurence, punctuated by some of the more important documents from Farfa's archive, which Gregory had either included in the *Regestum*, or was to include in the work he began around 1103, the *Liber Largitorius*. He also included much material from

<sup>51</sup> *RF* II, pp. 6–7 and v, pp. 160–1. See also Zielinski, *Studien*, pp. 29–30.

<sup>52</sup> Gregory indicated that by *gemniagraphus*, he meant *memoria descriptionis terrarum*, by *cleronomialem* the 'heredity' of the Farfa church, see *RF* II, p. 7.

<sup>53</sup> The work is preserved in the Vatican library in two volumes: Biblioteca Apostolica Vaticana, MS lat. 8487 I–II; for a full description, see *RF* I, pp. xxxix–xlvi. The only edition is that given in this volume's list of abbreviations as *RF*, by Ignazio Giorgi and Count Ugo Balzani, published between 1879 and 1914.

<sup>54</sup> See Zielinski, *Studien*, pp. 103–9.

<sup>55</sup> On the intention behind the *RF* and *CF*, see Kölzer, 'Codex Libertatis', pp. 614–18.

<sup>56</sup> Extant as Rome, Biblioteca Nazionale, MS Farf. 1. Edited by Balzani and listed under *CF* in the list of abbreviations.

<sup>57</sup> Works which are indebted to the *Chronicon Farfense*, directly or indirectly, include the *Chronicon Vultumense* (ed. V. Federici, 3 vols., *Fonti per la storia d'Italia* 58–60 (Rome, 1925–38)), the *Chronicon Novalicense* (ed. G. Alessio, *Cronaca di Novalica* (Turin, 1982)), and Leo Marsicanus's chronicle of Monte Cassino (ed. H. Hoffmann, *Chronica monasterii Casinensis*, MGH SS xxxiv (Hanover, 1980)). In general, see Kölzer, 'Codex libertatis', esp. pp. 624–5.

the two earlier narratives of the abbey's history, the *Constructio* and *Destructio Farfensis*.

The inclusion of large numbers of documents in the *Chronicon* reveals that the prime imperative behind Gregory's work was to defend the abbey's property by shaping its archival and historical memory. This is further evident in Gregory's two other works, the *Liber Largitorius vel Notarius Monasterii Pharphensis* and the *Liber Floriger Chartarum Coenobii Pharphensis*.<sup>58</sup> The *Liber Largitorius* (called by Gregory the *Liber Notarius Sive Emphyteuticus*), written between about 1103 and 1107, contains all those documents through which the abbey issued long leases on its lands, thus complementing the *Regestum*, which authenticated the abbey's fixed possessions, with a register of its temporary contracts.<sup>59</sup> Both the *Regestum* and the *Liber Largitorius* are works of immense size and detail, reflecting the enormous extent of Farfa's landholdings by the twelfth century.<sup>60</sup> Gregory was aware that this made them difficult for the abbey's agents, who were his primary readership, to use as quick and easy points of reference when they were called upon to demonstrate the validity of Farfa's title to particular lands or revenues. When in his seventies, in the 1130s, therefore, he compiled the *Liber Floriger*, a topographical index to all the documents included in his previous works. This offered the reader two levels of reference to the churches and the estates of the abbey.<sup>61</sup> As such, it is chiefly testimony to the priorities of Farfa's estate administrators in the twelfth century. The historian of these properties in earlier centuries is better served by the indexes of the modern editions by Giorgi and Balzani, Zucchetti and, for the eighth-century charters, Brühl and Zielinski.<sup>62</sup>

Gregory was not, however, the first writer to attempt a record of Farfa's history. Among his most important sources were the *Libellus Constructionis Farfensis* and the *Destructio Monasterii Farfensis*.<sup>63</sup> The former has generally been identified with a work that recounts the history of the abbey from its foundation by Thomas of Maurienne to the death of Abbot Hildericus in 857, but survives only in part, in an eleventh-century lectionary from

<sup>58</sup> Extant as Rome, Biblioteca Nazionale, MSS Farfense 2 and 3 respectively. The *Liber Largitorius* has been edited by G. Zucchetti, in the series *Regesta Chartarum Italiae* nos. 11 and 17, and appears under *LL* in the list of abbreviations. The *Liber Floriger*, edited by Maria Teresa Maggi Bei, appears under *LF* in the list of abbreviations.

<sup>59</sup> For the date of writing, see Zielinski, *Studien*, pp. 27–8.

<sup>60</sup> The extent of Farfa's lands by 1118 is traced by Toubert, *Les structures du Latium médiéval*, p. 904.

<sup>61</sup> Consulting the *Liber Floriger* is not always straightforward, however: see the comments of Maria Teresa Maggi Bei, *LF*, pp. xiv–xv.

<sup>62</sup> The editions of Brühl and Zielinski are *CDL* iv/1 and *CDL* v: see list of abbreviations.

<sup>63</sup> The 'Constructio' and the 'Destructio' were included by Balzani in the first volume of his edition of the *Chronicon Farfense*: *CF* 1, pp. 1–23 and 27–51 respectively.

Farfa.<sup>64</sup> This text's accurate recording of the epitaph of Abbot Sichardus (c.830–42), a large portion of which was rediscovered in 1959, may not be sufficient grounds to consider the whole work reliable, but does at least show that the writer was a competent copier.<sup>65</sup> He also used Ambrosius Autpert's *Vita* of the founders of San Vincenzo, written probably in the 770s, but this provided only meagre information on Farfa. In so far as it is possible, the broad outlines of its story can be confirmed by comparison with documents extant in the *Regestum*. In matters of detail, however, we have no good grounds for trusting its narrative, and there is a strong case for thinking that this work is not the late ninth-century *Libellus Constructionis* that both Gregory and Hugh of Farfa used, but a later, eleventh-century composition.<sup>66</sup>

The *Destructio*'s narrative falls mainly outside the chronological boundaries of this work, and can be briefly dealt with, taking up the story from 857. It is a highly personal work written by Abbot Hugh (998–1039), constituting part of his design to reform the abbey along Cluniac lines. In 897 or 898 Farfa, like San Vincenzo before it, was sacked by the Saracens. The monks were dispersed for some years. After their return, according to Hugh, their life was decadent and corrupt. In the second quarter of the tenth century the *princeps* of Rome, Alberic II, instigated an attempt to reform the abbey, and called in Odo of Cluny. The attempt failed, however, with the poisoning of Alberic's appointee as abbot, Dagobert, in 952. Hugh evoked this tale of Farfa's degeneracy in order to set the context for the reforms that he sought to put into place after 998, by which time Farfa was securely under the control of the Ottonian emperors.<sup>67</sup> It is difficult to comment on the rigour of Farfa's monastic observance in the tenth century for want of any evidence beyond Hugh's subjective account. In its activities as a landlord, the abbey was far from lax, taking a leading role in the reorganization of agriculture and settlement that is generally known as *incastellamento*.<sup>68</sup>

The only other written source directly related to Farfa and relevant to the eighth century is a liturgical one. Farfa's abbot between c.761 and 769 was Alan, a native of Aquitaine and a famous scholar, who, according to Gregory of Catino, spent much of his abbacy in seclusion beside an oratory of St Martin on the summit of Monte Acuziano. Alan composed

<sup>64</sup> Rome, Biblioteca Nazionale, MS Farfense 32. <sup>65</sup> See McClendon, *Imperial Abbey of Farfa*, p. 2.

<sup>66</sup> U. Longo, 'Agiografia e identità monastica a Farfa tra XI e XII secolo', *Cristianesimo nella storia* 21 (2000), pp. 311–41, makes an extensive case for an eleventh-century date for the text MS Farfense 32.

<sup>67</sup> For brief synopses, see M. E. Stroll, *The Medieval Abbey of Farfa. Target of Papal and Imperial Ambitions* (Leiden, 1997), pp. 25–6, and Balzani, *Early Chroniclers of Europe: Italy*, pp. 109–11.

<sup>68</sup> Amply demonstrated by Toubert, *Les structures du Latium médiéval*, pp. 303–549 and 960–1038. See also C. Wickham, *Early Medieval Italy* (London, 1981), pp. 163–7.

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one of the most successful homiliaries of the late eighth and early ninth centuries.<sup>69</sup> The usefulness of this text lies not only in its evidence for liturgical practices at Farfà in the later eighth century. If, as I have argued elsewhere, some of the eighth-century charters in Farfà's archive carry traces of contemporary liturgies in their proems, Alan's homiliary offers a useful point of comparison.<sup>70</sup> Other liturgical sources associated with the abbey, principally the *Consuetudines Farfenses*, date from a later period and have no relevance for this study.<sup>71</sup>

### *Assessing Gregory of Catino*

Modern historians have raised two fundamental questions about the work of Gregory of Catino: was he a reliable copyist? And, what motives governed his work? The two questions are of course related, since his approach to copying may have been affected by his basic motivations. But the more technical question of his approach to the act of cartulary-making can be tackled first.

In the prologue to the *Regestum Farfense*, written by John Grammaticus in the name of Abbot Berard II, the principles supposed to underlie the compilation and edition of the abbey's documents are outlined: 'Quae veraciter elucubrando nichil eis omnino addidimus, vel minuímus, nec mutavimus, sed corruptis partibus rhetorice emendatis, eo respectu quo scripta erant, ea legaliter transtulimus per manus confratris nostri . . . Gregorii . . .'<sup>72</sup> This appears to mean that in the copying of the texts, only grammatical mistakes were to be corrected. Nothing of substance was to be added, subtracted or changed. In his preface, Gregory of Catino echoes Berard's wishes.<sup>73</sup>

He seems to have meant what he said. While the *Regestum Farfense* was the first and most influential of the great cartulary enterprises of eleventh- to twelfth-century Italy,<sup>74</sup> it was also among the most accurate. That is to

<sup>69</sup> R. Étaix, 'Le prologue du sermonaire d'Alain de Farfà', *Scriptorium* 18 (1964), pp. 3–10; R. Grégoire, *Homéliaires liturgiques médiévaux: Analyse des manuscrits*, Biblioteca degli Studi Medievali 22 (Spoleto, 1980), pp. 127–220. For a brief synopsis, see F. Brunhölzl, *Histoire de la littérature latine du moyen âge* (Louvain, 1990), pp. 253–4.

<sup>70</sup> M. Costambeys, 'Piety, property and power in eighth-century central Italy', PhD thesis, University of Cambridge, 1998, ch. 2.

<sup>71</sup> See McClendon, *Imperial Abbey of Farfà*, pp. 3–4. <sup>72</sup> RF II, p. 20.

<sup>73</sup> RF II, p. 6: 'Itaque, sicuti michi a praedicto abbate et reliquis iussum est religiosus senioribus, nichil ex respectu chartarum ex his, quae uidi, minui, nichilque in rerum translatione adauxi, sed uti tunc cum scriberem oculis perspexi, et respectu capere ueraci potui, rescribere studui, praeter uerborum prolixas, inutilesque reciprocationes, et transactas quorundam obligationes uidelicet, ne plurimis partium corruptionibus, diu fatigatus, et in scribendo longius immeratus, uolumen efficerem tardius, et fastidiosum, ineptumque ad perscrutandum, et immensum.'

<sup>74</sup> See Balzani, *Early Chroniclers of Europe: Italy*, pp. 151–2 and Zielinski, *Studien*, pp. 5–6.

say that, in contrast to some of his apparent emulators, Gregory seems to have copied faithfully the original texts of those charters which he included in his collection. He himself admitted that he altered what he saw as vulgarisms in grammar and orthography,<sup>75</sup> but the wording of the formulae he left intact. Surveying the diplomatic of the *Regestum*'s charters, we can see a degree of variation that indicates neither a consistent controlling programme on the part of the copyist nor, on the other hand, complete haphazardness or incompetence; what it shows, quite demonstrably, are the minor variations in practice we would expect between one contemporary charter scribe and another, and, in appropriate parts of the charter, the imprint of the wishes of the author/issuer. Hence, for instance, the consistent use by individual scribes of a single rogation or subscription formula;<sup>76</sup> or the more haphazard inclusion of the *arenga* in donation charters, indicating above all the concerns of individual issuers.<sup>77</sup>

Yet Gregory's working methods, and their reliability, were the subject of an acrimonious dispute between the German diplomaticists who, in the 1960s and 1970s, were responsible for excellent modern editions of some of the eighth-century Italian charters. In the, perhaps disproportionate, vehemence with which each side attacked the other, their argument bears the traditional hallmarks of the stereotypical academic dispute. Nevertheless, this dispute is of some importance for a study which depends so heavily on the working methods of one high medieval monk.

The dispute began in 1973 when Wilhelm Kurze attacked Herbert Zielinski's study of the eighth-century Spoletan charters, which had appeared in the previous year.<sup>78</sup> Zielinski had allowed that Gregory had altered the texts in front of him to the extent of correcting grammatical errors and adding or subtracting a word or two, as well as sometimes shortening subscription formulae, as we shall see. He demonstrated the level of Gregory's intervention in painstaking detail in his study.<sup>79</sup> Kurze, however, besides attributing to Gregory incisive interventions in the formulary of the diplomas, went as far as to conclude that it was not possible to write a diplomatic of the dukes of the eighth century, nor of the charters of that era, because all depend on Gregory.<sup>80</sup> In his edition of

<sup>75</sup> *RF* II, pp. 6 and 20. <sup>76</sup> Zielinski, *Studien*, pp. 199–203.

<sup>77</sup> Costambeys, 'Piety, property and power in eighth-century central Italy', pp. 97–191; see below, pp. 38–48.

<sup>78</sup> W. Kurze, 'Zur Kopiertätigkeit Gregors von Catino', *QFIAB* 53 (1973), pp. 407–56.

<sup>79</sup> Zielinski, *Studien*, pp. 29–32.

<sup>80</sup> Kurze's conclusions were accepted uncritically by H. H. Kaminsky, 'Neufunde zur Diplomatik der beneventanischen charta', *Archiv für Diplomatik* 19 (1973), pp. 1–28, even though Zielinski prepared a swift response, and all the scholars involved were contemporaries in the same institution. The atmosphere in the Deutsches Historisches Institut in Rome in the early to mid-1970s can only be guessed at.

the Spoletan ducal diplomas, published in 1981, Carlrichard Brühl called this conclusion 'at once both surprising and absurd'.<sup>81</sup> At the annual congress of the Centro italiano di studi sull'alto medioevo the following year, he savaged Kurze's interpretation.<sup>82</sup> Though intemperate, his arguments appear conclusive. Kurze's claim that the 'Prae-Regestum' represents the remains of a much longer register that Gregory replaced with the *Regestum* is disproved by the codicology of the two surviving folia bound into the *Chronicon* manuscript. Gregory had evidently originally tried to copy only the royal and ducal diplomas, but had quickly abandoned this attempt in favour of a much fuller project.<sup>83</sup> Kurze's objection that a serious study of the diplomatic of the charters in the *Regestum* is not possible can be countered by comparing the royal and ducal diplomas in the *Regestum* with those extant elsewhere.<sup>84</sup> By the time Brühl's refutation had been published, other scholars were already demonstrating how the *Regestum* could be used to gain a better understanding of early medieval monastic history.<sup>85</sup>

In part, however, that understanding requires that allowance be made for the fundamental reasons behind Gregory's writings. One clue to these has been seen in the collection of excerpts from canon law that Gregory compiled between 1099 and 1103 to introduce the Register, known as the *Collectio Farfensis* or *Collectio Canonum*.<sup>86</sup> Unusually, we might almost say pointedly for such a collection at this date, the *Collectio Canonum* omits any canon relating to the themes dearest to the reform papacy of the later eleventh century, such as the morality of the clergy and the papacy's own

<sup>81</sup> CDL IV/1, p. vii.

<sup>82</sup> C. R. Brühl, 'Überlegungen zur Diplomatik der spoletinischen Herzogsurkunde', in *Il ducato di Spoleto*, Atti del IX congresso internazionale di studi sull'alto medioevo (Spoleto, 1983), pp. 231–49.

<sup>83</sup> See further Kölzer, '*Codex libertatis*', p. 617.

<sup>84</sup> Brühl, 'Überlegungen', pp. 243–7, offers convincing detailed retorts to several of Kurze's importunings of Gregory: it is true, for example, that the *datationes* of two of the royal charters in the *Regestum* – CDL III 23 and 35 – are unusual, but Kurze failed to recognize that they in fact followed ducal practice on this clause, and this borrowing of Spoletan practice could just as well have been by eighth-century royal scribes as by Gregory: Spoletan formulae may have been introduced when diplomas dealt with Spoleto. More straightforwardly, the *conclusio* of one of the *Regestum*'s royal diplomas (CDL III 14), which Kurze identified as an aberration of Gregory, finds an obvious parallel in a diploma for Bobbio (CDL III 22). The fact that Kurze uncritically accepts as genuine the ducal diploma extant in the work of one of the most notorious forgers of the high middle ages – the *Registrum* of Petrus Diaconus – only strengthens Brühl's argument. Even though the document is, in fact, genuine in this case, it was certainly careless of Gregory not to question it at all. For a concise version of Brühl's criticisms, see CDL IV/1, pp. vi–vii.

<sup>85</sup> E.g. Felten, 'Zur Geschichte', who explicitly accepts Gregory's reliability: pp. 4–5.

<sup>86</sup> The first of these titles is that preferred by L. Kéry, *Canonical Collections of the Early Middle Ages (c.400–1140). A Bibliographical Guide to the Manuscripts and Literature* (Washington, D.C., 1998), pp. 264–5; the second is that of the standard edition: *Collectio Canonum Regesto Farfensi Inserta*, ed. T. Kölzer, Monumenta iuris canonici, ser. B, Corpus Collectionum, vol. v (Vatican City, 1982).

supremacy over the church. Half of the included canons concern the property of the church. How can this selection be explained? Theo Kölzer argued that it was not a response to papal ambitions in the period, but was intended for the consumption of the monks within the community. It was a general affirmation of Farfa's property rights, not aimed at any party in particular.<sup>87</sup> Susan Boynton, on the other hand, believes that Gregory had some very specific threats in mind when he was writing.<sup>88</sup> The period when he was writing the *Regestum*, from 1092 to 1099, was a time of upheaval and uncertainty at the abbey. In the ten years after the death of Abbot Berard I in 1089 the abbey witnessed the failure of the abbacy of his immediate successor, the imposition by the emperor of the reckless and divisive Berard II, and the short-lived abbacy of another incompetent, Oddo.<sup>89</sup> The powers surrounding the abbey could and did intervene in its affairs, chief among them the anti-pope Clement III. Gregory, Boynton argues, was writing to defend Farfa's patrimony against the specific threat to it from irresponsible abbots and from the pope. This is certainly the more convincing scenario. Gregory was keen to include a series of documents that contributed to his argument against dominion over Farfa by the papacy. But this did not lead him to exclude other documents that might, in the right hands, harm his case: the privilege issued by Pope John VII on Farfa's foundation, and a bull of Pope Stephen IV which we shall discuss in chapter 8, are prominent examples of papal influence over Farfa's affairs that Gregory did include. *In toto*, Gregory's writings worked on a number of different levels. The most important of these was certainly the abbey's current situation at the end of the eleventh century, a situation resolved by the Concordat of Worms of 1122 between Emperor Henry V and Pope Calixtus II, in which, though it did not explicitly mention any monastery, the emperor effectively surrendered imperial control over Farfa as part of a much wider-ranging deal to end the Investiture Controversy.<sup>90</sup> But the earlier documents included by Gregory speak of a historian's concern to shape a long-term image of the abbey, as an institution that had mediated power between the political players in central Italy for centuries. What is more, Gregory could make a good case that those political players were essentially the same *c.* 1100 as they had been three or four centuries previously. To understand the mental tools he brought to bear on this task, it is necessary to see his work in the context of the production of the

<sup>87</sup> Kölzer, 'Codex Libertatis', pp. 643–7. <sup>88</sup> Boynton, *Shaping a Monastic Identity*, pp. 21–36.

<sup>89</sup> For a brief summary of events, see McClendon, *Imperial Abbey of Farfa*, pp. 12–13.

<sup>90</sup> On the Concordat of Worms, see I. S. Robinson, *The Papacy, 1073–1198* (Cambridge, 1990), pp. 398–521; on its impact on Farfa, Stroll, *The Medieval Abbey of Farfa*, pp. 240–76.

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documents that were his sources, and the processes of preservation that such sources underwent, processes in which Gregory played such an important part.

### THE PRODUCTION AND USE OF DOCUMENTS IN EARLY MIEVEAL ITALY

The reliability of the charters in the *Regestum Farfense* is therefore less of a problem than their selectivity.<sup>91</sup> An immediate question to confront is: what proportion do the charters transcribed into the *Regestum* represent of the totality of those that had once resided, or had ever resided, in the abbey's archive? It is certainly not comprehensive: there is no extant record of the acquisition of a number of properties listed in the various ninth-century imperial confirmations of the abbey's patrimony,<sup>92</sup> and many of the charters that are included refer to other documents that are not.<sup>93</sup> Although Gregory himself stated that some of the documents in the archive had become illegible, this situation was not simply a question of selection on his part.<sup>94</sup> Farfa and its archive had been through a number of vicissitudes in the long centuries between its foundation and the moment when Gregory sat down to write, not least the complete abandonment of the abbey in 897 in the face (apparently) of Saracen attack. While some of Farfa's monks and treasures went to Rome, and others to Rieti, the abbey's books and archive were taken by Abbot Peter to the church of S. Hippolytus near Fermo in Marche. From there they were soon moved to the nearby *castellum* of S. Vittoria on Monte Matenano.<sup>95</sup> They were not returned to Farfa until c.930 at the earliest, but there had certainly been losses in the meantime.<sup>96</sup>

The problem, then, is not that Gregory of Catino was an untrustworthy copyist (as we have seen, he was not), but whether the *Regestum Farfense* is an absolutely trustworthy record of the abbey's transactions over the centuries between c.700 and c.1100. Even at this stage, we can say that it is not: the *RF* bears selective witness to Farfa's archive. According to Gregory, that selection was not his work: he copied what he had. It would be futile to speculate who else may have made decisions about

<sup>91</sup> On the creation of cartularies in general, see P. Geary, *Phantoms of Remembrance. Memory and Oblivion at the End of the First Millennium* (Princeton, 1994).

<sup>92</sup> Imperial confirmations are e.g. *RF* II 282a, 300.

<sup>93</sup> E.g. *RF* II 59, 73, 98, 125, 153. See further R. Ring, 'The lands of Farfa', PhD thesis, University of Wisconsin, 1972, p. 4.

<sup>94</sup> *RF* II, pp. 6–7.

<sup>95</sup> Hugh of Farfa, *Destructio Monasterii Farfensis*, in *Chronicon Farfense* vol. 1, ed. U. Balzani (Rome, 1903), pp. 31–2.

<sup>96</sup> *Ibid.*, pp. 35–6.

what to excise from the abbey's archive and what to retain. In addition to 'background loss', there must have been moments of deliberate selection. The flight from the Saracens was almost certainly important, but it was probably not the only one. Farfa's long history makes it likely that there were others.

Whether the current profile of the archive is the result of one moment of selection or many may be an irresolvable problem, but beneath lies a possibly more approachable question: was selection essentially haphazard, or can we discern a pattern or patterns in the profile of the surviving charters? One useful way to approach this problem is to try to distinguish between documents produced by and for ecclesiastical institutions, and those that were drawn up between two non-ecclesiastical parties. Gregory of Catino was a monk, compiling his works for other monks. Yet Farfa had had dealings with the laity throughout its existence. Recent work allows us to recognize that often this meant that 'lay' documents would find their way into ecclesiastical archives.<sup>97</sup> The question for us is what Gregory's inclusion or omission of such charters reveals about his purposes and methods.

We should begin by trying to define the 'lay' document, and we can do so by drawing an equation between the document and the transaction that it embodies. Thus we can distinguish charters embodying a transaction in which both parties were professed clerics (whether priests, deacons, monks, etc.); those in which the enacting party (the issuer of the charter) was a lay person but the other party (the addressee) was a cleric; and those in which *both* the issuer *and* the recipient/addressee were laymen or women. Distinct from these, we might suggest, are dispute records. We need to search, then, for those documents in which both the issuer and the addressee were lay people: figures for lay issuers addressing clerics or ecclesiastical institutions will be included here only for comparative purposes. Furthermore, we should exclude from our definition of the 'lay person' the ruler, whether duke, king, emperor or (obviously) pope. In fact, before 774 this means the Lombard king and, in the case of Farfa, the duke of Spoleto. Documents issued by these rulers are quite distinct in their diplomatic from those issued by non-royal people, and were published separately from the latter in their modern editions.<sup>98</sup>

<sup>97</sup> See W. Brown, 'When documents are destroyed or lost: lay people and archives in the early middle ages', *Early Medieval Europe* 11/4 (2002), pp. 337–60.

<sup>98</sup> Lombard kings: *CDL* III; those for Farfa are nos. 14, 15, 23, 28, 35 and 43. Dukes of Spoleto: *CDL* IV/1 – all twenty-two of the genuine extant ducal diplomas dating before 774 are drawn from the *Regestum Farfense* (nos. 1–20 and 22–3).

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Applying the classification above to the *Regestum Farfense*'s record up to 774, we can see that of the total of sixty-three charters, forty-three had lay issuers, none had lay issuers and recipients, and four were dispute records, leaving sixteen documents that were issued by clerics.

If, then, we search for documents which may have been (at some point in their history) used and retained by lay people, we draw a blank. We can therefore state with some confidence that when Gregory of Catino rummaged through the shelves of Farfa's archive at the end of the eleventh century, he found no documents from the Lombard period issued by and to lay people. Here, then, is a 'pattern' which may tell us something about the business of selecting documents for, retaining them in, and excising them from, Farfa's archive. In addition, of course, it may tell us something about the lay documents that the Farfa monks encountered, individually or in collections, in the course of their administrative work.

Drawing comparisons with those archives that survive in their originals from eighth-century Italian monasteries, we immediately confront a complication. It should be said straight away that to find *no* lay documents at all from an entire region of early medieval Italy across a (relatively) extended period is unusual. Lombard Italy was emphatically not a place where the laity were unfamiliar with writing (nor, to be fair, has it ever really been portrayed as such).<sup>99</sup>

Nevertheless, for our purposes it is still worth highlighting a couple of features of the Italian evidence. First, Italians were not (ever) solely or even mostly dependent on clerics for their writing. In fact, in the duchy of Spoleto as in the rest of Italy, there was a relatively substantial group of men (probably the majority of charter scribes) who did not profess a clerical title, who wrote charters with consistent frequency, and who may even have made their living from this activity. This has been widely recognized for at least two centuries, largely because some have sought in such men the origins of the precocious emergence in Italy of the professional lawyer.<sup>100</sup>

Lay people were therefore heavily involved in the production of documents. But how did they use them, and keep them? There are two specific points to make here. The first is that charters were retained by lay people. One reason for this – and one that we can access most easily – was

<sup>99</sup> The high degree of familiarity with the written word throughout Lombard Italy is made very evident by N. Everett, *Literacy in Lombard Italy* (Cambridge, 2003).

<sup>100</sup> N. Everett, 'Scribes and charters in Lombard Italy', *Studi medievali* 3rd ser., 41 (2000), pp. 39–83, at pp. 42–55 offers a very lucid portrayal of these men in the more chronologically limited context of eighth-century Italy. See also Costambeys, 'Piety, property and power', pp. 97–117.

that they provided a form of proof of title to property. As such, they were displayed in court proceedings. There are numerous examples of this (not just from Farfa), and they help us to investigate the role in disputing of documents, in comparison with other forms of proof, quite closely. This will be attempted in chapter 3. For our purposes here, we can mention two examples transmitted in the *Regestum Farfense* that may be taken as fairly typical. The first records an inquest of 747 in which we find a certain Theodicius, the *conductor* (administrator) of a fiscal estate, producing a diploma issued in his favour by Duke Lupo, granting him freedom (*libertas*) of his person and property, including a farm in the *gualdus* ‘ad Sanctum Iacinthum’. This latter had, however, been given in its entirety to Farfa by King Ratchis (a grant confirmed by Duke Lupo) in a diploma dated a year earlier than Theodicius’s document. Theodicius therefore had to pay a render from his farm to the monastery.<sup>101</sup> Secondly, the *RF* includes a dispute record of 750 which refers to two documents issued by a certain Claudianus, one in favour of Farfa, the other issued to his brothers and nephews, both concerning the same estate. As we shall see on examining this case in detail below, when the judges read the charter that the brothers and nephews claimed Claudianus had made in their favour, it was found to be fraudulent (*fraudulenta*), because ‘they had neither a proper notary nor witnesses’.<sup>102</sup>

The crucial points to emerge from these two pieces of evidence are therefore: first, that these lay people had retained documents relating to their property (or property that they claimed); secondly, that in both cases these documents failed to provide adequate proof of ownership because they were trumped by documents held by the abbey; thirdly, that the latter documents were preferred because of their precise diplomatic (the date clause in one case, the notarial subscription and eschatocol in the other); and finally, that we know about these lay documents *because* they failed in their essential purpose: Farfa retained the records of their victories, *notitiae iudicati*, which themselves nullified the lay documents.

The pattern of evidence from other ecclesiastical archives in which original documents survive (that is, that were not ‘cartularized’) is very different from that of the *Regestum Farfense*. It is natural to focus on two of the most extensive for this period: the charters in the Archivio arcivescovile in Lucca,<sup>103</sup> and the charters from the archive of the monastery of

<sup>101</sup> *CDL* v 8.

<sup>102</sup> *CDL* IV/1 12: ‘nec notarium verum habebant nec testimonia’. See below, pp. 110–20.

<sup>103</sup> See, in brief, C. Wickham, *The Mountains and the City* (Oxford, 1988), pp. ix–xi. Those non-royal documents dated earlier than 774 are all published in *CDL* vols. 1 and II.

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Table 1.1 'Lay' documents in Lucca and Monte Amiata collections

	Lucca	Monte Amiata
Total charters to 774	149	21
Charters with lay issuers	67	2
Charters with lay issuers and recipients	11	16
Dispute records, etc.	5	0

San Salvatore on Monte Amiata, now in the Archivio di Stato in Siena.<sup>104</sup> If we classify these according to the same categories as those applied to the Farfa material, the pattern – and contrast – is quite evident (see Table 1.1).

In other words, more than 7 per cent of Lucca's pre-774 charters are what I have defined as 'lay documents'. Most strikingly, more than 76 per cent of Monte Amiata's fall into the same category.

In collections of surviving original charters, therefore, lay documents are a significant presence. Yet, these collections are ecclesiastical archives, like Farfa's (and were such from an early date). If lay documents did pass into ecclesiastical archives in these cases, it is not an unreasonable assumption that they also did so in Farfa's case. Discrepancies between the survivals in Lucca and Monte Amiata and those copied into the *Regestum Farfense* therefore help to show how the latter collection was arrived at, as well as, of course, telling us something about the relationship between lay documents and ecclesiastical archives in the former cases.

How, then, to interpret the profiles of the Lucca and Monte Amiata collections? This is really two questions. First, how do the transactions that the charters embody relate to their preservation? And secondly, how does their subject matter, including the identity of their issuers and recipients, relate to their preservation?

As to types of transaction, the Lucca and Monte Amiata collections attest to a thriving market in land among the laity, which was routinely administered in writing. The figures here are straightforward. Of the eleven pre-774 lay documents from Lucca, seven are sales and one an exchange of property (two are essentially testamentary acts and one is a record that will be discussed shortly). For Monte Amiata, of the sixteen lay documents, ten are sales, the rest essentially leases (mostly in the form of promissory undertakings: that is, *promissiones* rather than *libelli*). So land sales predominate. But it is a document from Lucca that looks most anomalous. It suggests that this predominance might itself attest to

<sup>104</sup> And edited by W. Kurze, *CDA*.

selection on someone's part: *CDL* 70 is the record of a mother's *morgincap* (a 'morning gift') made by the father for the benefit of his sons. This is such a mundane document (and the list of the mother's goods – clothing, etc. – is so mundane) as to suggest that it is not the document itself that is anomalous, but its inclusion in Lucca's archive. In general, what were preserved at Lucca (and even more so at Monte Amiata) were *only* documents or bodies of documents about land transactions.

The absence of donations might be seen as the result of selection on the part of the ecclesiastical archivists. But it is hard to see why they should exclude a category of document that constituted quite as good a proof of ownership as any other. This may, instead, simply be an indication that gifts of land between lay people were not very common in early medieval Italy – a conclusion which, it should be noted, goes against the grain of current thinking about gifts and the 'gift economy' in the early medieval West.<sup>105</sup>

The figures therefore indicate a straightforward reason why documents were retained both by lay people and subsequently by ecclesiastical institutions: they recorded the ownership history of landed property. As suggested above, such records were only or mostly useful when and if that ownership was disputed. They were essentially public documents, in the sense that they had no intrinsic value. There was no point in hoarding them: quite the reverse – they were created in order to be displayed. All that was important was to keep them secure.

To turn to these documents' issuers and their recipients, what has been said so far suggests that ecclesiastical institutions archived the documents relating to properties as and when they acquired them. We can see this quite clearly in cases from both the Lucca and Monte Amiata collections. From Lucca we have charters revealing that between 742 and 752 a certain Crispinus bought land in several places, including twice from laymen at Pescia near Lucca.<sup>106</sup> With these he established the church of San Martino in Lunata, the future of which he provided for in 764: after the deaths of himself and his immediate heirs, it was to pass to the bishop of Lucca.<sup>107</sup> Similarly, the Monte Amiata archive includes charters of 765 and 791 by which a certain Walcari obtained from other laymen lands at Marano (near Sovana, Southern Tuscany).<sup>108</sup> These, evidently, he attached to the church that he had founded there, half of the substance of which in 793 he gave to Monte Amiata.<sup>109</sup>

<sup>105</sup> See John Moreland, 'Concepts of the early medieval economy', in I. L. Hansen and C. Wickham eds., *The Long Eighth Century* (Leiden, 2000), pp. 1–34.

<sup>106</sup> *CDL* I 80, 88, 102 and 106 (the latter two not 'lay documents'). <sup>107</sup> *CDL* II 179.

<sup>108</sup> *CDA* I 12 (a.765) and *CDA* I 39 (a.791): the former was a purchase, the latter an exchange.

<sup>109</sup> *CDA* I 42.

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In both these cases, the 'lay' documents passed through a limited series of fairly clear contexts, from production in an entirely lay environment, through an *Eigenkirche*, to a monastery. The creation of a collection of documents (whether we might call this an archive or not is a matter of debate) was here, then, part of the process of consolidating property around a single focus, an *Eigenkirche*.

It may be interesting to compare these cases with another, evident in documents in the Monte Amiata collection. These relate to property at 'Agello' (modern Gello, in the valley of the Orcia, quite close to Monte Amiata). Four charters record sales of land at 'Agello' between different sets of laymen in the period 750 to 786.<sup>110</sup> In 814 and 827 Monte Amiata itself bought land from laymen in the same place. Only one of these looks to have been related to the previous purchasers.<sup>111</sup> In other words, the abbey seems to have received not a single body of documents but a haphazard scatter of charters, some of which may have passed through several hands before reaching it. The time period here is also interesting, as Monte Amiata did not receive property at 'Agello' until much more than thirty years after some of the documents relating to it were issued, and therefore long after the owners would have had to prove the property's legitimate acquisition – after thirty years they just had to prove that they had owned it for that long.<sup>112</sup> We can only speculate as to the precise reasons for the retention of such documents. Initially it is surely likely that these documents were brought into Monte Amiata's archive because the proprietary context was such that they might still be called upon to bolster rights of ownership. But they must soon have become obsolete, and their further retention is an interesting testimony to the archival culture at such institutions. Perhaps it was simply that *any* document relating to important estates (and 'Agello' certainly became that) was regarded as worth keeping.

What we have arrived at so far is an impression of variety. On the one hand, some documents became attached to estates, may be held to have constituted an estate 'archive', and were certainly transmitted with that estate. On the other, some documents – perhaps those which related less to the estate than to the transaction, and therefore to the personal relationship behind it – remained with transacting parties and were transmitted haphazardly, if at all. It is therefore very difficult

<sup>110</sup> CDA 17, 9, 10 and 33.   <sup>111</sup> CDA 174 and 101.

<sup>112</sup> On the 'thirty-year' rule see Grimald 4; Liutprand 54; C. Wickham, 'Land disputes and their social framework in Lombard and Carolingian Italy, 700–900', in Wickham, *Land and Power. Studies in Italian and European Social History, 400–1200* (London, 1994), pp. 229–56, at pp. 234–5 with n. 7 and, classically, E. Levy, *West Roman Vulgar Law. The Law of Property* (Philadelphia, 1951), pp. 176–90.

to draw simple distinctions between purely 'lay' and purely 'ecclesiastical' collections.

This point is underlined if we consider the example of Ghittia, a nun who was the recipient (some time in Desiderius's reign) of a collection of more than a hundred documents, only the list of which survives, giving, in most cases, the names of the issuers and recipients of each.<sup>113</sup> Some of these were wholly 'lay' documents (that is, neither party was given a clerical title); others related directly to the church of S. Pietro ai Sette Pini near Pisa. This is certainly an 'archive', therefore, but neither wholly lay nor entirely ecclesiastical. It comes down to us, however, because the references to the Pisan church led to its preservation in the episcopal archive of that city. This example serves to reiterate that many archives can be described as neither lay nor ecclesiastical. It also emphasizes the importance of *Eigenkirchen* in the transmission of documents, especially those produced initially in an entirely lay context.

In the case of Farfa, it seems clear that someone deliberately sifted collections of documents relating to specific properties, rejecting some and retaining others. There may have been several reasons for this. One is that it was done in order to preserve a claim to lands that may not have been in Farfa's actual possession, but which it had an aspiration to own. (This was, in fact, an extremely important motive in the case of Farfa, many of the lands of which were contested with, in particular, the papacy. It is the likely explanation for those lands that were listed in one or more of the various royal/imperial confirmation diplomas issued in the abbey's favour, but for which we have no other record of the abbey's acquisition.) A second reason may have been to enhance the collective memory of the monastery, for example, by preserving records of transactions with patrons who, or concerning properties which, were deemed especially significant for the abbey. It may have been this that, for instance, prompted the preservation of various dispute records. I mentioned those associated with the church of S. Michael/S. Angelo in Rieti. Finally, documents may have been destroyed, on the other hand, simply because of an immediate need for parchment.<sup>114</sup>

<sup>113</sup> *CDL* II 295. See Everett, 'Scribes and charters', p. 39.

<sup>114</sup> See the example offered by Kurze (of charters just past their thirty-year 'sell by' date palimpsested to provide folios for a theological treatise): W. Kurze, *Lo storico e i fondi diplomatici medievali. Problemi di metodo – analisi storiche*, in Kurze, *Monasteri e nobiltà nel senese e nella Toscana medievale. Studi diplomatici, archeologici, genealogici, giuridici e sociali* (Siena 1989), pp. 1–22, at pp. 9–10. On destruction of documents, see Brown, 'When documents are destroyed or lost', and A. Sennis, "'Omnia tollit aetas et cuncta tollit oblivio". Ricordi smarriti e memorie costruite nei monasteri altomedievali', *Bullettino dell'Istituto Storico Italiano per il Medioevo e Archivio Muratoriano* 106/1 (2004), pp. 93–135.

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These conclusions relate essentially to the issue of archival practice. This has positive and negative sides. Explaining why certain documents were preserved also raises the questions not only of why others were not, but of *which* others were not: to what extent are the survivals typical, either in the identities/roles of the parties concerned (for example, whether they were lay or clerical) or in the types of legal actions or rights with which they deal? For Italy, answers to the first set of questions – about the reasons for preservation or destruction – relate directly to the issue of lay versus ecclesiastical practice because, as elsewhere, all our surviving documents were transmitted through ecclesiastical milieux. Explaining this survival from the period of ‘cartularization’ onwards is pretty straightforward: only particular places – and it is worth reiterating that they constitute only a small minority even of ecclesiastical institutions – had sufficient longevity and security to preserve documents down to the modern era. Before cartularization, the issue is whether depositing documents in institutions like these was normal, typical or general. To break the problem down, the questions are: where were documents stored or archived? By what procedures were they so preserved? Were they moved around? And, do the answers to any of these questions change over time?

We shall return to all of these questions below. At this point it is simply worth reiterating that they all relate to the *archival* aspect of documentary practice. What they take for granted is that the use of documents at all was, in Italy, widespread and mundane, and that it encompassed both lay and clerical actors. In other words, the answer to the question ‘how typical are the documents that survive in either type or content?’ is that they constitute the battered (if still, in relative terms, impressive) remains of a once grand edifice, an imposing pile of documents produced by and for laymen just as much as clerics and concerning not only land transactions (the subject of the vast majority of our survivals) but also inventories, wedding gifts, obligations, manumissions, investitures and, in short, a huge range of legal and quasi-legal activities. The best indication of this diversity is the survival in Italy of forms of single-sheet document that did not conform to the relatively narrow diplomatic of the form usually termed *c(h)art(ul)a*. Diplomaticists generally distinguish between a more rigid *c(h)art(ul)a* and the looser *breve* or *notitia* (or, occasionally, *memoratorium*). In fact, ‘form’ is hardly the best word to describe the latter, since it could encompass absolutely every type of action other than those treated in *c(h)art(ul)ae*, and conforms to absolutely no strict diplomatic textual rules at all. A *breve* was simply any form of text on a single sheet that was not a *c(h)art(ul)a*. The subjects covered by these documents are of such variety and ordinariness that the survivals simply must (there can be no other explanation) represent the vestiges of an originally massive, daily

outpouring of writing. Moreover, this output involved people with clerical designations and those without in ways so intricate that any distinction between the two – any perceived difference in rights or practice between the ‘clerical’ and the ‘non-clerical’ – is of only limited value. To be sure, ecclesiastical institutions did have statuses and rights that were unique to them – they did not, for example, die, or have heirs, and only they could be the recipients of *pro anima* donations – but the manner in which they conducted their business was, when it was in writing, no different from that of laymen. The examples given here are fairly clear indications of the ubiquity and inclusiveness of the use of documents in early medieval Italy. Every point that Adam Kosto has noted regarding the lay use and preservation of documents in Catalonia can be made with much the same force for Italy.<sup>115</sup> In other words, we can state with some confidence that the fact that the vast majority of our documents were preserved by particular church institutions is because of those institutions’ peculiar ability to preserve, not because of any peculiar capacity for writing that they – or ecclesiastical institutions generally – originally possessed.

These comments, then, address the issue of the creation of documents, as opposed to their preservation and loss. In the context of Farfa, it is useful to look at an overall picture of document creation in Italy. Documents survive in numbers from around the beginning of the eighth century, though there are a number of survivals from before that date, especially from Ravenna. It has been argued that the use of documents for the kinds of transactions covered by those that survive became routine in Italy from the second quarter of the eighth century.<sup>116</sup> That is, in fact, the latest possible date. As soon as we get documents, we can see that there were professional scribes, many of whom were laymen, who made a living from writing documents. It remains unclear the extent to which they were in any way an organized profession.<sup>117</sup> The traditional view that on either side of this period (that is, in the late Roman era on the one hand, and from the tenth century on the other) the occupation of scribe was one with public recognition, if not organization, encourages the notion that many in the intervening period were also formally organized in some way. But this view overestimates the degree to which the state controlled or held to account scribes in the earlier period. If we take a

<sup>115</sup> A. Kosto, ‘Laymen, clerics, and documentary practices in the early middle ages: the example of Catalonia’, *Speculum* 80 (2005), pp. 44–74.

<sup>116</sup> F. Bougard, *La justice dans le royaume d’Italie de la fin du VIII<sup>e</sup> siècle au début du XI<sup>e</sup> siècle* (Rome, 1995), p. 70.

<sup>117</sup> There is evidence that by the ninth century some scribes at least were paid for their writing: MGH Capit. II, no. 201, c. 13 (capitulary of Lothar, a.832).

more negative view of state oversight, there is no need to suppose any routine public recognition for scribes in the eighth and ninth centuries. For them, the drawing of the *notarius* into a system of public validation of documents, which was certainly already happening (in some parts of Italy) in the later ninth century, was a new phenomenon, not one based on Roman precedents.<sup>118</sup> Thus there was a flexible situation in the eighth century in which many different people could write documents. In the kind of proprietorial culture that existed in eighth-century Italy, familiarity with the language and formulae of charters must have been widespread. Though we shall see that charter formulary was to some extent regionalized, this was very likely a product of the continuing *civitas*-focus of document redaction in Italy, which meant that the tradition of charter-writing was passed down within the *civitas* community. To produce a document, therefore, simply required one or more interested parties, and a scribe, who would usually be working at a *civitas*-centre.<sup>119</sup>

Looking for the stages of document redaction again indicates a flexible situation. Most seem to have been written out in one sitting, in the presence of witnesses. Scribes were generally very good at allowing space for witness subscriptions, and the sheer number of the latter that are autograph (or at the very least have autograph *signa*) shows that the witnesses were very likely present when they were written. Conceivably, on the other hand, the scribe could have brought the main body of the charter already complete to an assembly at which the witness subscriptions were added. There are also a few cases of dorsal notes giving the essentials of a transaction, indicating some prior consultation between the transacting parties and the scribe. Nonetheless, the essential point is that the redaction of the document was part of a physical, partly oral, procedure in which the transaction was in some sense 'made public'. The situation regarding *brevia* could be even less formal, since such documents did not necessarily require witnesses.

How did this situation change after the transition to Carolingian rule? As hinted above, the standard narrative emphasizes, as the major aspect of change in this period, the quest for greater legal validity for documents, and, as a consequence, the gradual insinuation of the state (or at least, of

<sup>118</sup> For these two views, compare P. Delogu, *An Introduction to Medieval History* (1994; Eng. trans. London, 2002), pp. 174–5, with Everett, *Literacy*, pp. 199–210. The latter gives plentiful references, to which I would add A. Pratesi, 'Appunti per una storia dell'evoluzione del notariato', in Pratesi, *Tra carte e notai* (Rome, 1992), pp. 521–35.

<sup>119</sup> Of Farfa's non-ducal/royal charters to 787, sixty-one (59 per cent) were written in the local *civitas*-centre of Rieti and a further four at the ducal *civitas* of Spoleto, twenty at Farfa itself, and nineteen at settlements below the level of the *civitas*: Zielinski, *Studien*, p. 206, n. 386. These figures are not untypical.

the ‘public’) into the process of redaction. This view envisages a fairly linear development in which a growing concern for the secure validation of activities or transactions led to the incorporation of a number of formal, public elements in the process of redaction, and ultimately to the formalization and public validation of the occupation of scribe (or, more narrowly, of notary – *notarius*) itself. This linear progression necessarily means that at its starting point in the Lombard period recourse to writing can be seen as relatively ineffective. Thus Paolo Delogu has written: ‘in Lombard Italy . . . private acts were not publicly valid, even when written in the presence of witnesses’.<sup>120</sup> But if documents had no legal validity – if, in particular, they had no validity in court – then what was the point of drawing them up in the first place? It seems more likely that in reality ‘private’ written documents had sufficient validity to be invoked as means of proof in formal judicial hearings,<sup>121</sup> although this depends to some extent on what one means by ‘publicly valid’. In any case, the *breve* lacked even those elements of formal enactment that the *c(h)art(ul)a* had – including witness subscriptions – yet the term encompasses documents that were regularly advanced as proofs in court, not least the abbreviated records of court hearings themselves.<sup>122</sup> On the other hand, there may have been reasons for writing documents other than a relatively narrow concern for legal validity. Just as much as preserving written records, producing them was a necessary element in the construction of memory, and such memories were useful not only as guarantees of property or other rights. In short, documents were produced *in order that* they be preserved: not only so that they might be brought forward when property rights were challenged, but as blocks of past history with which identities could be built in the present.

Some evidence has been interpreted as revealing the growing formalization of the act of redaction, its gradual entry firmly into the sphere of the public, and the increasing control over it of the ruler.<sup>123</sup> Historians have pointed to the proclamation of transactions or agreements before judges or formal judicial hearings, resulting in either a fully fledged *placitum*–charter recording a *Scheinprozeß* or a document signed by a judge. They have noted the appointment of notaries by, or their attachment to, the king or a royal official, and the restriction of the activities of such notaries to particular administrative districts. It is also the case that

<sup>120</sup> Delogu, *An Introduction*, p. 175.

<sup>121</sup> For examples see below, pp. 110–31 and Wickham, ‘Land disputes’.

<sup>122</sup> E.g. Manaresi, *I placiti del regnum Italiae*, vol. 1, nos. 8, 16, 27, etc.

<sup>123</sup> I draw here principally on Bougard, *La justice*, pp. 66–76; see the summary in Delogu, *An Introduction*, pp. 175–6.

kings and emperors issued diplomas confirming, often, whole lists of 'private' documents: those that survive all concern the property acquisitions of monasteries.<sup>124</sup> Moreover, there was a gradual, and to some degree deliberate, laicization of the occupation of notary. From the last quarter of the ninth century, several of these developments gradually converged until 'public' notaries were often also judges, and therefore validated documents which they had themselves written, though the notion of a notary with *fides publica*, and therefore the redundancy of the formal witness subscription, had to wait until an even later period.<sup>125</sup>

In much of the previous historiography, therefore, the focus of attention when considering the production of documents has been the redactor and his relationship with the formal apparatus of the law. This focus has a very long pedigree, and is a good example of the tendency to write history backwards: that is, we know that the roles of notary and lawyer eventually merged in northern and central Italy, with influential consequences, and the concern has consistently been to trace the roots of this institution. Many of the developments just mentioned (such as the laicization of the notary) were first adumbrated in Carolingian capitularies, and historians have been able to trace these measures working through in the charter evidence. But only up to a point. It is worth noting François Bougard's observation: 'nothing has really changed [in the Carolingian period] in relation to the Lombard era: what gives the act force and validity is above all its redaction "in public". The adjective *publicus*, when it qualifies the scribe or the charter, most often has no other meaning than "not secret" . . .'<sup>126</sup> It was not, therefore, that notaries acquired a new 'public' character that they had not possessed before. However closely some became attached to rulers or their officials, and whatever the other strictures imposed on their occupation, the briefest rummage through the documents reveals that many were doing the same things in much the same ways as they had been before 774.<sup>127</sup>

There are two approaches to the evidence noted above. The first is, as just mentioned, to emphasize that it is not the whole story: judicial hearings and judges did not become the standard media for redacting

<sup>124</sup> The (potentially interesting) history of the confirmation charter has yet to be written, as far as I know.

<sup>125</sup> Bougard, *La justice*, pp. 281–95.

<sup>126</sup> Bougard, *La justice*, p. 69: 'rien n'a vraiment changé par rapport à l'époque lombarde: ce qui donne à l'acte force et validité, c'est avant tout sa rédaction "en public". L'adjectif *publicus*, lorsqu'il qualifie le scribe ou la charte, n'a le plus souvent pas d'autre signification que "non occulte" . . .'

<sup>127</sup> There was a change in formulary, to some extent, under Frankish influence, after about 810: Bougard, *La justice*, pp. 133–8.

charters; most scribes do not appear to have been attached to particular officials;<sup>128</sup> the majority of professional scribes had always operated in one *civitas*. Tables 1.2–1.6 below simply reinforce these points. The second is to follow Bougard's prompting and re-examine the significance of the role of rulers, their officials and their legislation for the act of writing documents. Historians have tended to credit them with the intention to improve the legal validity of documents, and thereby to draw such documents more securely into a newly robust system of public law. It is certainly true that the judicial structure in which documents were required to 'perform' became more elaborate under the Carolingians. The introduction of the *scabini* is only the best-known example of this. But for at least the first three generations after 774 there is no real sign that documents themselves became any *better* guarantees of rights than they had been before: partly because, as we have seen, they already were quite effective.

The point is that documents were never expected to work as the sole guarantors of rights. When cases came to court, they were only one of a number of interlocking, mutually reinforcing proofs that could be advanced, and this continued to be the case in the Carolingian period. Moves towards greater standardization of documents from the second half of the ninth century as scribal training became more formal and regular may have had the paradoxical effect of allowing more room for other, oral, means of guaranteeing rights. It is not so much that ninth-century documents were any better at guaranteeing those rights than their eighth-century or 'Lombard' predecessors, but that they tried to do so differently. There were – there always had been – different levels or grades of validity or security that the kinds of activities documented in charters could enjoy. Validity was provided by the wording itself, by the subscriptions of witnesses and by that imperceptible link between those subscriptions and the words, deeds and presence of the witnesses themselves, both at the moment of redaction and afterwards. Greater validity still accrued from what happened to the document after its redaction: if it was presented to and acknowledged by a judicial assembly, or a ruler, for instance.

For the specifics of document redaction at Farfa, we should examine the places at which the documents were produced, and the identities of those who wrote them (see Tables 1.2–1.4). These tables reveal three

<sup>128</sup> The 'ex dictato' formula which may be one indication of this remained uncommon: see L. Schiaparelli, 'Dictare, ex dictato, ex dicto, dictator', *Archivio storico italiano* 7th ser., 21 (1934), pp. 21–37.

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Table 1.2 *Places of redaction of charters in the  
Regestum Farfense, 788–840*

	No.	%
Rieti	47	34
Sabina	11	8
Farfa	5	3
Sub-total	63	45
Royal/imperial palaces	22	16
Tuscany including Viterbo	19	14
Spoletto	7	5
Rome	4	3
Other Italian	4	3
Unknown	19	14
Total	138	100

Table 1.3 *Scribes of charters in the Regestum Farfense, 788–840*

Opteramus	notarius	31
Royal/imperial scribes	–	21
Unknown	–	15
Hisemundus	notarius	11
Constantinus	notarius	9
Iohannes	notarius	5
Benedictus	notarius	5
Lampertus (Viterbo)	diaconus et notarius	4
Allo (Viterbo)	presbiter et notarius	3
Donatus	notarius	3
Autelmus	notarius	2
Christophorus	scriiniarius	2
Giso	notarius	2
Grauso	notarius	2
Liminosus (Viterbo)	clericus et notarius	2
Martinus (Spoletto)	notarius	2
Occinius (Viterbo)	presbiter et notarius	2
Paulus	notarius	2
Others (one each)	–	16

main features. First, document redaction in the Sabina remained – if it did not increasingly concentrate – in the hands of laymen. In this part of Italy (although the pattern seems to be the same everywhere), there is no sign of the development noted in some other parts of Europe, where monks were responsible for the redaction of the majority of documents in their

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Table 1.4 *Scribes of charters issued in Rieti, Sabina and Farfa*

Opteramus	30
Constantinus	9
Hisemundus	8
Autelmus	2
Donatus	2
Iohannes	2
Others (one each)	10
Total	63

monastery's locality.<sup>129</sup> Secondly, the *civitas*-capital of Rieti remained the most important centre for document redaction. A city like Rieti had just a handful of professional scribes who dominated business: the careers of Opteramus (785–822), Constantinus (786–831) and Hisemundus (789–820) overlapped, and were also remarkably long.<sup>130</sup>

To return to the issue of the preservation of documents and how this developed in the ninth century, we can see that dossiers continued to pass into ecclesiastical institutions after the transfer to those institutions of one or other of the properties concerned at least until the end of the ninth century: François Bougard has cited examples from the 860s–870s (both from Casauria) and from the 880s (from Piacenza).<sup>131</sup> The mechanics of preservation by lay people are, however, obscure. There is no way of telling whether the role of the *gesta municipalia* – even if that role was as important as has often been assumed – was taken over by monasteries or other ecclesiastical institutions.<sup>132</sup> The evidence suggests rather that a scribe would pass his handiwork to the interested parties, and that they then tucked it away wherever was most convenient. The single instance of a charter issuer requesting that his document be kept in the local church does not seem to me sufficient proof of any general move to the routine preservation of all documents in ecclesiastical institutions.<sup>133</sup> Furthermore, the utility of preserving these documents, by either laymen or clerics, was limited by the thirty-year rule: in theory, all that was required to secure possession of a property was a document demonstrating that possession for

<sup>129</sup> As argued convincingly for St Gall by Rosamond McKitterick, *Carolingians and the Written Word*, pp. 124–6.

<sup>130</sup> See also Zielinski, *Studien*, pp. 136–7. <sup>131</sup> Bougard, *La justice*, pp. 73–4 and 168–9.

<sup>132</sup> For doubts on the continuity of the *gesta municipalia*, which I share, see Everett, *Literacy*, pp. 229–30.

<sup>133</sup> *CDL* II 149; Everett, *Literacy*, pp. 232–3.

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thirty or more years.<sup>134</sup> All earlier documents concerning that property – and most later ones – were superfluous.

We can ask, finally, what role documents played in the self-consciousness of an institution such as Farfa. Were documents treated as symbols of social and cultural identity, or as aide-memoires for the guardians of memory? In the case of Farfa, as we have seen, there are signs of a persistent consciousness that some documents were more significant than others, and this was not simply a matter of whether they would stand up in court. To take only the most obvious example, Farfa kept the confirmation diplomas of successive emperors and kings of Italy, even though each successive ruler's diploma only reiterated, and therefore made redundant, that of his predecessor. What was the point of keeping a confirmation charter of Charlemagne if you had one, referring to the same properties, from Otto III?<sup>135</sup> Was it simply that rights improved through sheer weight of documentation? The answer, partly, is that Otto was presented with this pile of diplomas in order that their provisions could be renewed: they were kept so that they could be shown to him. But surely what impressed Otto quite as much as the extent of the abbey's properties was the sheer longevity both of its identity as an institution and of its association with every single one of his predecessors.

### *The role of the scribe in document production*

To what extent was the content of the charter dictated by the scribe? This question is fundamental to any attempt to write a social history, let alone one concerned with mentalities, from charters. Only if we can liberate phrases or passages from the diplomatic lexicon and place them in the mouths of those who legally performed transactions can we call these passages *their* words, and use them to describe *their* motivations. Even where this is possible, it would be wrong to see the issuer's involvement in the charter as anything other than a circular process. Their own words were themselves learnt: drawn from the culture of land transaction and legal administration with which all landholders must have been familiar. Nevertheless, the existence of a plethora of whispered authorial voices should not deter us from examining as best we can the role of the scribe.<sup>136</sup>

Donald Bullough suggested in 1971 that from the early decades of the eighth century diplomas were produced in a ducal writing-office which

<sup>134</sup> On the thirty-year rule, see above, n. 112.

<sup>135</sup> *RF* III 413, issued in 996, not coincidentally the year of Otto's imperial coronation.

<sup>136</sup> In general, see now N. Everett, 'Scribes and charters in Lombard Italy', *Studi medievali* 3rd ser., 41 (2000), pp. 39–83.

might have been a proving-ground for numbers of scribes in Spoleto itself.<sup>137</sup> The most continuously attested scribe in ducal employ eventually gained his reward for his service. From 776–7, Dagarius appears in diplomas with the title *castaldius (sic)*.<sup>138</sup> His last appearance in 781 coincides with a decisive change in the production of diplomas. From that point, Duke Hildebrand, and his Frankish-sponsored successors in the ninth century, again used freelance scribes on a casual basis. The ducal writing-office, such as it was, ceased to exist.

Dagarius emerges clearly as the key figure. The very existence of a writing-office coincides with his career. In fact, all that this may mean is that Dagarius (with perhaps one or two others) was employed full time as a ducal notary in that era. Simultaneously, some documents were retained in a sort of register or archive at Spoleto. To credit this arrangement with the title ‘writing-office’, as Bullough did, is perhaps to stretch the evidence too far. There is no reason, for instance, why the title *referendarius*, itself only attested between 745 and 751, need imply the existence of some kind of chancery, as has been generally recognized for the Merovingian kingdom.<sup>139</sup> As it appears in the surviving evidence, it is, after all, no more than a title, with no necessary or consistent implication of a particular function. Bullough’s study clearly confirms one fact upon which all commentators agree: that there were professional notaries in the duchy at least from the time of the earliest survivals. For Bullough, the initiative for the choice of formulae and vocabulary in the ducal diplomas – and, by extension, in the non-ducal charters which they wrote – rested solely with this small band of ducal notaries. This part of his work addresses his most important theme: in his words, ‘what can and cannot be legitimately inferred from changes in diplomatic forms’.<sup>140</sup> We return here to the question of how far the scribe was responsible for the words he wrote – in short, of authorship. It is very tempting to assume that this group alone determined the form of what they produced. Certainly, although probably members of the political ‘elite’, they nevertheless acted independently of it, in terms of the impact of political events. Bullough showed that diplomatic forms did not

<sup>137</sup> D. Bullough, ‘The writing-office of the dukes of Spoleto in the eighth century’, in D. Bullough and R. L. Storey eds., *The Study of Medieval Records* (Oxford, 1971), pp. 1–22, arguing against P. Toubert, ‘Recherches de diplomatique et d’histoire lombardes’, *Journal des Savants*, an. ccc (Jan.–Mar. 1965), pp. 171–203; see also C. R. Brühl, ‘Chronologie und Urkunden der Herzöge von Spoleto im 8. Jahrhundert’, *QFLAB* 51 (1971), pp. 1–92, at pp. 19–20 and n. 111.

<sup>138</sup> *CDL* IV/1 26.

<sup>139</sup> For the classic statement, see G. Tessier, *Diplomatique royale française* (Paris, 1962), pp. 49–53 and see now W. Goffart and D. Ganz, ‘Charters in French collections prior to 800’, *Speculum* 65 (1990), pp. 901–32, at p. 917.

<sup>140</sup> Bullough, ‘The writing-office’, p. 5.

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change with shifts in the political current.<sup>141</sup> If changes of ruler did not affect the appearance of ducal diplomas, how much less did they condition the form of non-ducal charters? Once again, we have the clear implication that the form of diplomatic – whether ducal or not – was a *cultural* issue, and reflects a culture that did not respect political boundaries, nor change abruptly with the rise and fall of dukes and kings. Importantly, it was also not socially exclusive.

Bullough's picture of a small class of professional or semi-professional notaries responsible not only for ducal but for most surviving charters was accepted by the most painstaking student of the Spoletan charters, Herbert Zielinski. However, while Bullough's picture of the scribes of charters both ducal and private was defined only by what they did and what they called themselves, Zielinski identified as responsible for the bulk of the survivals from the duchy a group of scribes who were 'officially' sanctioned in some way. For Zielinski, there was a formal distinction between (in English) 'scribes' and 'notaries'. The former he called *Gelegenheitsschreiber*, casual scribes; in other words, literate people who just happened to write one or two charters. In order to show the higher status of those who, largely by dint of their self-appellations, he deemed to have been professional notaries, he drew on the evidence of *Leges Ratchisi*, c. 8. This law decreed that if charters of sale were written by *scrivae publicae* and had suitable witnesses, the buyer need not give an oath in order to prove that he had paid the full price. Zielinski's interpretation of *scrivae publicae* as a formal group of officials is unconvincing. There is no indication that this law envisaged a class of professional, legally sanctioned notaries. The notoriously difficult word *publica* here need not imply any formal office, but could simply mean that the law applied to charters written 'in public': that is, in the presence of witnesses, as the immediately subsequent phrase suggests. While the formal distinction between scribes and notaries is therefore a false one, the idea of casual scribes is nonetheless attractive, since it correctly discerns that any literate person could write a charter, and therefore that the literate administrative culture of the charter scribe was open to all who had the means (whether material or intellectual).

Some recent historiography, then, is still not quite free from the ideas that literacy was something intrinsically elitist and that scribes had a formal status in the administrative hierarchy. This is not the place to survey every aspect of the arguments surrounding the production of charters. It will suffice here to say that recent work on literacy in other areas and at other times confirms the attitude taken here: that there were different levels of

<sup>141</sup> *Ibid.*, p. 21: 'the correlation between political change and changes in diplomatic forms were [sic] not always what one might expect'.

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literacy and of understanding of the written word, and that, given their availability, it was very difficult to *prevent* the spread of understanding of some forms of written text.<sup>142</sup>

### *Authorial voice in the Farfa charters: the arenga*

Even within a broad and inclusive administrative culture, scribes may still have had the controlling, authorial hand in deciding the formulae and vocabulary of charters. Yet the effect of their training in administrative writing, especially if dependent on formularies as it was in contemporary Rome,<sup>143</sup> is likely to have been a preference for uniform responses – single, repeated formulae – to similar situations. It follows that the greater the variety of formulae used by each scribe, the less likely it is that he was the sole author of the formulae. This can be tested by studying, in relation to the scribes who wrote them, the appearance of a clause whose incidence was only intermittent in the surviving charters: the *arenga*.

The notion of a literate administrative culture open to the participation of all landholders is perhaps especially important for an understanding of the *arenga*. It was in that clause that literate culture met religious culture, which had itself always had a special propensity to display literacy through liturgical manuscripts, funeral monuments, church decoration and so on. In the historical record up to the eighth century that literate display had comprised many genres: scripture itself, exegesis, liturgy, hagiography, epigraphy, canon law, homilies, poetry. Until *c.*700, however, Christianity had made little impact on western European charter narrative, with the exception of the anodyne phrase *pro remedio animae meae* and its analogues. The *arenga* remained a generally secular formula until the first survivals from Italy used it as a vehicle for religious expression. As a result, we can identify no direct model on which the scribes of northern and central Italy might have drawn for inspiration for their pious *arengae*. The writing of charters in Italy may have continued throughout the seventh century – as noted above, the argument for continuity is certainly stronger than that against. This fact in itself suggests that the various formulae used in the charters which do survive from the eighth century were indigenous creations that had developed organically within a literate culture.

It is necessary first to distinguish the different forms of *arenga* that were used. For reasons of space analysis here will be confined to the pre-789

<sup>142</sup> Anthropological, sociological and social-historical studies of literacy now abound, and the key texts are usefully drawn together in McKitterick, *Carolingians and the Written Word*, pp. 1–6, nn. 1, 2, 6 and 8.

<sup>143</sup> See below, n. 145.

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charters; twenty-five of these include an *arenga*, of which twelve different types are used. These are best shown in tabular form (Table 1.5).

The non-duc al Spoletan charters in the Farfa collection were written by thirty-two different scribes. Eleven of these employed *arengae*, though nine of these eleven used only one *arenga* type. However, since five of these nine only wrote one or two survivals, they can hardly be considered to be statistically significant. This leaves us with six scribes who wrote a relatively substantial number of charters, some of which included an *arenga* (Table 1.6).

The inclusion of this table only serves to demonstrate the very limited value of such statistics in a study of this kind. The paucity of the figures is a reflection more of the paucity of the surviving evidence than of the infrequency of recourse to the *arenga*. Since only three scribes wrote more than two *arengae* – Stephanus and the two Gudiperts – comparisons between them can hardly be used to make general observations about the scribes' use of different *arenga* forms. The example of the two Gudiperts (who were not necessarily related) does show that scribes could employ more than one form. Whether they did so on their own initiative or on the instructions of the issuer (or of someone else) will remain unclear until the content of each transaction has been compared with the words of each *arenga*. Even then, of course, final proof is lacking. But the nature of administrative culture will at least be clearer – in particular whether it could adapt to the needs of each moment. It is noticeable from Table 1.6, however, that one scribe, Stephanus, wrote the same *arenga* form every time he included one. Such uniformity may have been determined by Stephanus himself, but it may equally reflect the particular expectations placed upon him by those for whom he wrote. But this uniformity is limited only to his choice of *arenga*. When it came to choosing whether to include an *arenga* at all, he was far less consistent. He only ever did so in *cartae donationis*, and then in only five of the thirteen which he wrote. In addition, like his fellow Spoletan scribes, he never used the *arenga* for the most obvious other action with a direct religious motivation – the *offerio*. So there is inconsistency in his inclusion of the *arenga* if not in his choice of *arenga* form when he did decide (or was told) to include it. It is unlikely that this inconsistency was simply a whim on his part. Charters were important documents – not least for the people who issued them! It follows that their wording – in every detail – was also important and, as we have seen, incorrect wording on the part of the scribe may have been interpreted as forgery, for which there was a severe penalty.<sup>144</sup> Stephanus

<sup>144</sup> Rothari 243; Liutprand 91.

Table 1.5 *Types of arenga in the non-ducal Spoletan charters, 718–87*

Type of arenga	CDL v no.	Date	Place of redaction	Type	Scribe
<b>A:</b> <i>Quotiens aliqua inter partes bono ordine conveniunt, oportet scripture testimonio roborari, ne in posterum propter longinquitatem dierum aut annorum spatia oblivione ducta aliqua nascatur intentio.</i>	1	Jan. 718	Ge	vend.	Arichis
	2	Nov. 720	Ri	vend./don.	Arichis
	10	May 757	SI	don.	Pardo
	32	July 761	Ri	comm.	Gudipert the elder
	3	Dec. 739	Ri	don.	Baruncio
	11	Dec. 748	Sp	don.	Landemarius
<b>B:</b> <i>Quisquis suorum facinorum et delictorum pertractans et metu gehennae eterna incendia pertimescens eterni regni beatitudinem concipiscit, oportet eum sue salutis tractare remedium, quatinus hic vita perfruat bona et illic regnet cum Christo.</i>	24	Mar. 757	Ri	don.	Gudipert the elder
	49	Dec. 767	Fa	don.	Gudipert the elder
	56	May 770	Ri	don.	Andreas
	6	Nov. 745	Ri	trad.	Gudipert the elder
<b>C:</b> <i>Quisquis sana mente facinorum ac delictorum pertractans profunda et eterni regni beatitudinem desiderat, metum gehennae et incendia ignis expavescens, oportet eum sue salutis tractare remedium, quatinus in hac vita feliciter vivere debeat et in eterna vita cum Christo regnare valeat. Qua de re ego . . . considerantes humane fragilitatis et seculi huius excessum, quia omnes, qui in hoc mundo sumus, morti iugiter subiacemus iuxta testimonium prophetae ubi dicit: 'Quis est homo, qui vivit et non videbit mortem?' (Ps. 88:49)</i>	7	Feb. 746	Ri	don.	Donatus
	12	July 749	Ri	don.	G(a)udipert the elder
<b>D:</b> <i>Laudabilis misericors omnipotens Deus, qui dedit remedium hoc mundanda peccata; sicut rogam extingui latex, sic helimosina purgat peccata. (Eccles. 3:33; Tob. 12:9)</i>	26	Sept. 757	Ri	don.	Gudipert the elder
	30	Mar. 761	'?'	don.	Raginfrid
<b>E:</b> <i>Illia sunt semper donationis iure firmissima, que prona (= plena) et spontanea voluntate conferuntur.</i>	49	Dec. 767	Ri	don.	Gudipert the elder

<b>G:</b> . . . scilicet cogitantibus nobis eterna ultrius gehennam, quae peccatores consumptura erit, nec non et mercedem illam, quae iustos recompensabit, quam Dominus promisit, ut, qui in hoc seculo sua studuerit pro Deo largire, centuplum ab eo recipiat in futuro: . . . (cf. Matt. 19:29)	46	Apr. 766	Ri	don.	Andreas
<b>H:</b> Humana fragilitas semper debet de mortis repentine casibus cogitare, ut sanus mente et animo vicens de suis facultatibus valeat sibi proficua disponere, ut securus ambulet, ne eum comprehendant tenebrae. (John 1:5)	52	May 768	Ri	test.	Theuferius
<b>I:</b> Humana fragilitas semper debet de mortis repentine casibus cogitare, ut sanus corpore et mente disponat, que pro salute anime sue cognoscit utilia, ut preparat sibi longum viaticum, ut in refrigerio permaneat semper, ne arguente divina iussione mentis suae desideria non valeat explicare, sed dum in hac vita est, sic disponat, ut securus ambulet, ne eum comprehendant tenebre. (John 1:5)	55 66 67 76 77 82	Mar. 770 Apr. 776 Apr. 776 Oct. 777 Nov. 777 May 778	Ri Ri Ri Ri Ri Ri	test. don. don. don. don. don.	Stephanus Stephanus Stephanus Stephanus Stephanus Gudipert the younger Theuferius
<b>J:</b> Humana fragilitas semper debet de mortis repentine casibus cogitare, ut voluntatis suae dispositionem sanus corpore et mente componat, ne urgente divina iussione sua non valeat desideria explicare.	100	Dec. 786	Ri Ri	don. don.	Gudipert the younger
<b>K:</b> . . . considerantes simulque expavescentes voracitatem ignis et fragilitatem seculi, ideo petraetarimus, ut de terrenis facultatibus nostros mercemur celestia regna. (II Kings 22)	101	Dec. 786			Gudipert the younger

Notes: PPlace; Ri = Rieti; Fa = Farfa; Sp = Spoleto; Ge = 'Germanicana'; SI = 'Sanctus Iacinthus'.  
Type of transaction: don. = donatio; vend. = venditio; trad. = traditio; comm. = commutatio; test. = testamentum.

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Table 1.6 Scribes of *arengae* in the non-ducial Spoletan charters, 718–87

Scribe	No. of pious donations, etc.	No. of <i>arengae</i>	No. of different forms
Gudipert the elder	7	6	4/5 (A, B, C, E, F)
Gudipert the younger	5	3	3 (I, K, L)
Raginfrid	5	1	1
Stephanus	19	5	1
Theuferius	5	2	1
Andreas	3	1	1

would not have written an *arenga* without good reason, either because he felt it was appropriate in a particular case, or because the issuer asked him to.

Since scribes were, in some senses at least, professionals, they cannot have had prior knowledge of the details of transactions which we see in every charter. This kind of information must have come from the issuers themselves. It is easy enough to ascribe to issuers the words of the *dispositio*: the nature of a property, its location and extent.<sup>145</sup> Yet administrative culture intrudes even here, with the pertinence clause and other apparently formulaic phrases. Scribes will have had a role in suggesting appropriate clauses for inclusion, of course. The existence of an administrative culture implies the existence of an attitude that certain phrases were appropriate for charters: *omnia et in omnibus res meas*,<sup>146</sup> *uolo ut firmum et instauile [= stabile] permaneat*,<sup>147</sup> *quidquid iuro mei in eodem loco pertinet*,<sup>148</sup> were phrases of legal necessity which any written legal culture needed to develop. Thus, even in those parts of the charter which depended upon the issuer's words, a sense of appropriateness governed what was finally written. It was a sense, however, which had to be shared by scribe and issuer, and indeed by all participants in a transaction.

This sense that certain phrases or forms of words were appropriate for charters meant that the circumstances of each transaction would determine what was included in its document. *Cartae venditionis* did not talk of

<sup>145</sup> There is no evidence for formularies in use in Lombard Italy at this date; the Roman *Liber Diurnus* probably came north only later, and no Lombard charter displays any particular familiarity with its formulae: *Liber Diurnus Romanorum Pontificum*, ed. H. Foerster (Berne, 1958) and see T. F. X. Noble, 'Literacy and the papal government in late antiquity and the early middle ages' in R. McKitterick ed., *The Uses of Literacy in Early Medieval Europe* (Cambridge, 1990), pp. 82–108, at pp. 95–6.

<sup>146</sup> E.g. CDL II 171.    <sup>147</sup> E.g. CDL II 178.    <sup>148</sup> E.g. CDL II 231.

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matters after the death of the issuer,<sup>149</sup> nor did *cartae donationis* mention an agreement between the parties, even if one had actually taken place.<sup>150</sup> Dispositive clauses had to reflect the circumstances of the transaction accurately if they were to stand up in court.<sup>151</sup> But they had to be appropriate within an administrative culture which dictated that a donation charter should take one form, a charter of sale another, recognizably different. Both law and the expectations of the administratively literate ensured that a difference in the type of transaction was not represented simply by *dono* for *vendo*.

The sheer variety of the *arengae* in the extant record suggests that these too were dispositive clauses, in the sense that they had to fit the circumstances of the transactions that they introduced. It was for this reason, above all, that they came to be included only in offerings to holy places. We may therefore envisage that the *arengae* would have been subject to the same influences in the same context as other dispositive clauses. That is, they would have been composed at the point of redaction by all those with an interest in the charter's content: scribe, issuer and, conceivably, beneficiary. In the Sabina, the relatively small number of extant forms suggests that the administrative culture there had developed a limited vocabulary of clauses from which participants chose the most apt for their own transaction. These forms were perpetuated only by repetition, and presumably were originally generated within the administrative and religious culture of the region.

What were the origins of the concepts and language contained in the *arengae*? In order to answer this question, it is necessary to be clear that while, as we have seen, a strong continuity from late Roman to early medieval practice can be demonstrated for most of the diplomatic of the eighth-century charters, the specifically religious language of the *arenga* is, for Italy, an innovation that post-dates the early seventh century. That such language survives from seventh-century Francia in examples with monastic associations only reinforces the point that the inception of such language in Italian diplomatic has to be associated with the spread of a new (and, in some senses, more 'Frankish') style of monasticism.

The obvious superficial similarities between the Frankish and the Lombard *arengae* might lead us to conclude that the latter derived directly from the former. That this was not the case can be shown from a comparison of the use of the Bible in *arengae*. There is not space here to enumerate the biblical quotations in all the eighth-century Frankish

<sup>149</sup> Unlike e.g. *CDL* II 203, a Pistoiese endowment of 767: '*post obitum meum*'.

<sup>150</sup> *CDL* II 187 (*CDA* 14): '*quod inter nobis bono animo convenit*'.

<sup>151</sup> Wickham, 'Land disputes', p. 114: 'the wording of charters mattered'.

charters, but the survivals from Wissembourg provide a suitable base of comparison.<sup>152</sup> The *arengae* of these include twelve biblical quotations.<sup>153</sup> The charters of the Lombard kingdom, on the other hand, include thirty-two.<sup>154</sup> Only one is common to both.<sup>155</sup> Moreover, the Lombard scribes show a preference for gospel texts that is almost wholly absent from the Wissembourg charters. Turning to the Sabina, we find five biblical verses in the non-ducal charters from Farfa.<sup>156</sup> With one exception, these are different from those from Wissembourg. It is tempting to conclude that the exception, a quotation from Ecclesiasticus, may be important here, indicating a Frankish influence over the Sabine notaries that was absent in the Lombard kingdom. There are, however, no obvious media through which this form could have migrated from Francia to the Sabina. The only point of direct contact between the two was Farfa, but the scribe in this case was a lay Reatine notary, not a monk.<sup>157</sup> The quotation seems rather to have been part of the lexicon of Spoletan diplomatic, since it also appears in a ducal diploma of 751.<sup>158</sup> The Spoletan notarial tradition may have been perfectly capable of generating such forms internally: although the number of appropriate quotations was extensive, it was, ultimately, limited. Nevertheless, the most obvious source of Spoletan diplomatic was the Lombard kingdom. One quotation is shared by non-ducal charters from the Sabina, their counterparts from the kingdom, and by a Spoletan ducal diploma.<sup>159</sup> The only other ducal diploma with an *arenga* shares another biblical quotation with non-royal charters from the kingdom.<sup>160</sup> If we take the biblical quotations as paradigmatic of the transmission of *arenga* forms generally, there seem to be no direct borrowings from Francia among the Lombard forms. The language of Lombard *arengae* was developed under Lombard initiative, in Lombard milieu.

If the language of the Lombard *arengae* was specific to them, the concepts underlying it permeated the entire western church. Mature patristic theology, as represented in the work of Salvian of Marseille,

<sup>152</sup> See *Traditiones Wizenburgenses*, ed. K. Glöckner and A. Doll, *Arbeiten der historischen Kommission für den Volkstaat Hessen* (Darmstadt, 1979), p. 84.

<sup>153</sup> Gen. 15:6; Eccles. 3:33; Prov. 13:8; Ps. 69:2, 121:7, 123:8; Is. 55:1; Mk. 13:31; Luke 6:38, 11:41; II Cor. 9:7; I Tim. 6:7. Note that the wording of Gen. 15:6 is very similar to Ps. 105:31 and Ps. 111:7.

<sup>154</sup> Gen. 47:16; Num. 5:6; Eccles. 24:6; Prov. 15:13; Ps. 61:11, 77:24; Is. 45:22; Ez. 36:9; Matt. 6:19–20, 7:7, 16:26, 18:20, 19:21, 19:29, 20:6–9, 25:10, 25:23, 25:34; Luke 2:14, 11:9, 11:41, 12:33, 16:9, 18:30, 19:8, 21:7; I Cor. 3:11, 7:31–2, 7:38; II Cor. 6:18; I John 2:15; Rev. 21:2.

<sup>155</sup> Luke 11:41: 'facite elemosinam, et omnia munda sunt uobis' (*CDL* 1 48 has 'facite elymosina et fiunt in uobis omnia mundi'). It also appears in charters from Echternach, e.g. C. Wampach, *Geschichte der Grundherrschaft Echternach im Frühmittelalter*, 1.2 *Quellenband* (Luxemburg, 1929), no. 15.

<sup>156</sup> Ps. 88:49; II Kings 22; Eccles. 3:33; Matt. 19:29; John 1:5.

<sup>157</sup> The *notarius* in question was Donatus, see Zielinski, *Studien*, pp. 98 and 130.

<sup>158</sup> *CDL* IV/1 13. <sup>159</sup> Matt. 19:29. See *CDL* V 26, 30 and 49; *CDL* 1 599, 2 234 and *CDL* IV/1 13.

<sup>160</sup> Luke 16:9. Compare *CDL* IV/1 23 and *CDL* 1 30, 2 178.

saw *pro anima* donations to the church essentially as alms, which therefore fulfilled the New Testament precepts to charity, as well as those to renunciation.<sup>161</sup> In expressing this view, Salvian was elaborating on the thoughts of a number of the earlier Church Fathers, not least Augustine: ‘the superfluities of the rich are the necessities of the poor’.<sup>162</sup> These basic ideas on the proper disposal of material wealth were widely current by the fifth century, as, for example, a sermon of Pope Leo the Great demonstrates.<sup>163</sup> There can be little doubt that works like these constitute the ultimate origins of the kinds of sentiments which we find in the Lombard *arengae*. How, then, were such concepts transmitted from fourth- and fifth-century theological works into eighth-century charters?

Recent work indicates that patristic writers often borrowed the language of appropriate contemporary prayers when discussing particular theological issues. Thus Nathalie Henry has shown that, in their discussion of the consecration of virgins, both Jerome and Ambrose seem to have drawn on the same liturgical material that was the source for the passages on the consecration of virgins in the so-called ‘Leonine Sacramentary’.<sup>164</sup> That there was a symbiosis between theology and liturgy is perhaps self-evident. Nevertheless, an explicit demonstration that this symbiosis extended to the detailed wording of particular liturgical formulae has significance for the attempt to determine the sources of similar concepts and language in charters. The written texts that most resemble *arengae* in their content and tone were those read out in church. Can we, therefore, seek the roots of the *arengae* in the liturgy of eighth-century Lombard Italy?

The hypothesis that the Lombard *arengae* derived in part from the liturgy must remain highly speculative, since no liturgical texts can be certainly attributed to Lombard Italy. The evidence allows us only to sketch the probable liturgical influences on the Lombard regions, and to point to textual parallels that are suggestive, but by no means conclusive. Any survey of the liturgical evidence from pre-Carolingian Italy must

<sup>161</sup> Salvian, *Ad Ecclesiam*, Bk. 1, c. 2, ed. and trans. J. F. O’Sullivan (Washington, D.C., 1947), p. 272, which is a gloss on Matt. 6:19–21, quoted in a number of the Lombard charters (e.g. *CDL* 130 and II 178); Salvian elaborates on his comments in Bk. 1, c. 5 (pp. 278–9).

<sup>162</sup> Augustine, *Enarrationes in Psalmos*, 147, 12, *PL* xxxvi (Paris, 1861).

<sup>163</sup> Leo I, *Sermones*, *PL* lIv–lvi 41.3. See also Maximus of Turin, *Sermones* 22 A, 4, *CCSL* xxiii, p. 89.

<sup>164</sup> N. Henry, ‘The Song of Songs and virginity in the fourth century’, PhD dissertation, University of Cambridge, 1998. I am immensely grateful to Dr Henry for allowing me to share her thoughts on liturgical matters. Compare Jerome, *Epistolae* 22.1, *CSEL* 54, p. 145; 107.7, *CSEL* 55, p. 298; 130.2, *CSEL* 56, p. 177; Ambrose, *De Institutione Virginis* 5, *Biblioteca Ambrosiana* 14/2, p. 112; and *Sacramentarium Veronense*, ed. L. C. Mohlberg et al., *Rerum ecclesiasticarum documenta*, Series major, Fontes 1 (Rome, 1956), nos. 283 and 1104, pp. 37 and 138–9. All these passages draw on Song of Songs 1:4.

begin with the collection of *libelli missarum* in Verona, Biblioteca capitolare 85, a manuscript of the first quarter of the seventh century commonly, but misleadingly, known as the 'Leonine Sacramentary'.<sup>165</sup> This was compiled between 558/60 and 590 from formularies the majority of which seem to have originated in the papal archives in the Lateran. Many of the Verona manuscript's formularies continued to circulate individually both north and south of the Alps throughout the eighth and ninth centuries.<sup>166</sup> Of crucial significance for this study are the time and place of the manuscript's composition. The manuscript can be dated quite securely to the first quarter of the seventh century. Its place of composition was certainly not Rome, and can probably be identified as Verona itself.<sup>167</sup> If this is correct, then the Verona manuscript constitutes a further testament to the continued existence of scriptoria after the Lombard conquest, and suggests the kind of environment in which late Roman literate forms may have been transmitted. More specifically, it shows that liturgical formulae from Rome were being circulated in Lombard Italy. This is an important point, since no liturgical manuscript written in the Lombard regions of Italy survives after the Verona collection, until the late eighth century.<sup>168</sup> Since, however, Roman liturgical formulae may have continued to circulate in Lombard Italy, it is worth also considering the sacramentaries which, although they survive in manuscripts of Frankish provenance or ninth-century date, may preserve the increasingly systematized liturgies of mid- to late seventh-century Rome. These are the so-called 'Old Gelasian Sacramentary' (Vatican City, Biblioteca Apostolica, reg. lat. 316 + Paris, BN lat. 7193, ff. 41–56), the Gregorian-type sacramentary known as the *Hadrianum* (the earliest pure and complete transcription is Cambrai, Bibliothèque municipale 164, ff. 35<sup>v</sup>–203), and the Sacramentary of Padua (Padua, Biblioteca capitolare, D. 47, ff. 11<sup>r</sup>–100<sup>r</sup>).<sup>169</sup>

<sup>165</sup> *Sacramentarium Veronense*, and see C. Vogel, *Medieval Liturgy. An Introduction to the Sources*, trans. W. G. Storey and N. K. Rasmussen (Washington, DC, 1986), pp. 38–46.

<sup>166</sup> See Vogel, *Medieval Liturgy*, p. 41 and n. 122. I prefer this explanation to that of A. Chavasse, *Le sacramentaire gélasiien* (Tournai-Paris, 1958), pp. 687–90, who posits the existence of a complete pre-Gregorian/pre-Gelasian sacramentary. For literature confounding Chavasse's hypothesis, see Y. Hen, 'The liturgy of St Willibrord', *Anglo-Saxon England* 26 (1998), pp. 41–62, at p. 49, n. 45.

<sup>167</sup> Vogel, *Medieval Liturgy*, p. 38.

<sup>168</sup> Probably the earliest surviving post-Verona liturgical manuscripts from Lombard, or formerly Lombard, Italy, are the Angelica Palimpsest (Rome, Biblioteca Angelica, F. A. 1408) and the Budapest Fragment (Budapest, Nationalmuseum, 441), both of which pre-date 800, but may well post-date 774: see Vogel, *Medieval Liturgy*, pp. 72–3.

<sup>169</sup> For details and bibliography, see *ibid.*, pp. 64–70, 80–85 and 92–97; and now Y. Hen, *The Royal Patronage of Liturgy in Frankish Gaul*, HBS Subsidia III (London, 2001), pp. 29–31 and 59–60.

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A comparison between the extant liturgies and the Lombard *arengae* rests, therefore, not on any established connection between them, but simply on the congruence of the theological topoi that they convey. In general, this congruence is obvious: *arengae*, like prayers, were invocations to God. Establishing specific similarities, however, is a monumental task well beyond the scope of this study. All that can be attempted here is a search for a few of the formulations from the *arengae* in the extant liturgies. Such an exercise reveals a few parallels in vocabulary. The notion of a hundred-fold reward, for example, occurs in a number of *arengae*, not only in direct quotations of the biblical verse whence it derives, but in other formulations.<sup>170</sup> Thus, an oblation charter of 767 from Pistoia has: ‘ut pro his temporalibus rerum nobis omnipotens Dominus centuplum restituere dignetur’.<sup>171</sup> We can compare this with the only occurrence of the concept in the Verona collection, in a prayer for the feast of St Clement: ‘Cui tu, Domine, secundum promissionem filii tui tam in praesenti saeculo quam futuro centupli muneris praemia repensasti’.<sup>172</sup> The conceptions of a hundred-fold reward are identical, the language entirely different. Similarly, when we turn to the notion of human frailty (*humana fragilitas*), which appears in a number of the Sabine *arengae* (though none from the kingdom), we find the same diversity of wording. A charter of exchange of 745 has: ‘ego . . . considerantes humanae fragilitatis et seculi huius excessum, quia omnes, qui in hoc mundo sumus, morti iugiter subiacemus iuxta testimonium prophetae ubi dicit: “Quis est homo, qui vivit et non videbit mortem?”’<sup>173</sup> This compares, for example, with a prayer in the Verona collection, ‘in ieiunio’: ‘Da ueniam peccatis, et cor eius ab iniquitate custodi, ut quia humane fragilitas incessabiliter meretur offensam, interuenientibus sanctis tuis indulgentia lapsis continuata subueniat’.<sup>174</sup>

The Old Gelasian Sacramentary and the *Hadrianum* demonstrate that the concept was elaborated in seventh- and eighth-century Rome. The former, for example, includes: ‘Concede credente, misericors Deus, saluum nobis de Christi passione remedium, et humanae fragilitatis praeritae culpaes laqueos aeternae suffragio plebs absoluat.’<sup>175</sup>

The latter has, in the liturgy for the twelfth Sunday after Pentecost: ‘Respice domine quaesumus nostram propitium seruitutem, ut quod

<sup>170</sup> Direct paraphrases of Matt. 19:29 (‘Et omnes qui reliquit domum uel fratres aut sorores aut patrem aut matrem . . . nomen meum, centuplum accipiet et uitam aeternam possidebit’) are in *CDL* II 234, *CDL* IV/1 13 and *CDL* V 26, 30, 46 and 49.

<sup>171</sup> *CDL* II 206. <sup>172</sup> *Sacramentarium Veronense*, no. 1190, p. 151.

<sup>173</sup> *CDL* V 6. <sup>174</sup> *Sacramentarium Veronense*, no. 356, p. 48.

<sup>175</sup> *Liber Sacramentorum Romanae Ecclesiae Ordinis Anni Circuli (Sacramentarium Gelasianum)*, ed. L. C. Mohlberg, *Rerum ecclesiasticarum documenta, Series maior, Fontes* 4 (Rome, 1960), no. 350, p. 55.

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offerimus, sit tibi munus acceptum, sit nostrae fragilitatis subsidium.<sup>176</sup> Since the specific phrase *humana fragilitas* does not occur in the Bible, it must have been generated within the developing theology of the western church. It had, in fact, widespread currency, appearing in as early a non-liturgical source as the testament of Abbot Aridius of Limoges of 572.<sup>177</sup> Among the *arengae* of the early Echternach charters, we find the formula: 'Semper humana fragilitas casus inevitabiles debet pendere . . .'<sup>178</sup> This is similar in tone to that which introduces a number of the Sabine *arengae*: 'Humana fragilitas semper debet de mortis repentine casibus cogitare . . .'<sup>179</sup>

These examples reveal that the Lombard and Sabine scribes were working within a conceptual framework that spread across the Latin West, and pre-dated their time of writing by at least a century. It also shows that the specific wordings of their *arengae* were very much their own formulations. They were not slavish copiers of exemplars, but, in their own way, inventive writers.

Moreover, their words may well have been heard, or read, as part of the public ritual of property transfer. This was a forum in which accepted justifications for pious giving could be aired. In every region, however, the mentality of pious giving, that of formalism in legal language, and that which balanced oral and written, existed in different combinations. As we shall see in the next section, the precise mode of expression should not obscure the very evident spiritual flavour of many of the transactions embodied in our charters. They are of course valuable as evidence for social and economic relations; but they are not just that.<sup>180</sup>

### APPROACHES TO MONASTIC PATRONAGE IN EARLY MEDIEVAL EUROPE

There is quite a strong dichotomy between the two ends of the spectrum of explanation of ecclesiastical patronage in the early middle ages. There are, of course, many shades of interpretation along that spectrum, but it can be argued that current historiography tends to collect around one pole or the other. On the one hand, gifts to the church – which, we should remember, constitute a high proportion of our total evidence for the period – have been read on the level of spirituality, as examples of what

<sup>176</sup> *Le sacramentaire grégorien*, vol. 1, ed. J. Deshusses, Spicilegium Friburgense 16 (Fribourg, 1979), no. 1163, p. 398, no. 616 in the Sacramentary of Padua.

<sup>177</sup> *Testamentum Aredii*, ed. J.-M. Pardessus, *Diplomata, Chartae, Epistolae, Leges ad res Gallo-Francicas spectantia* 1 (Paris, 1843), no. 180, pp. 136–41: 'metuentes casus fragilitatis humanae'.

<sup>178</sup> C. Wampach, *Geschichte der Grundherrschaft Echternach im Frühmittelalter*, vol. 1.2: *Quellenband* (Luxemburg, 1929), no. 15, p. 42 of 706.

<sup>179</sup> CDL v 52, 55, 63, 66, 67, 76, 77, 82. <sup>180</sup> See further Innes, *State and Society*, pp. 31–3.

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Weber called the 'persuasive' mode of power.<sup>181</sup> According to this line of argument, the donation of property and/or privileges to the church was a means of accruing supernatural power. This locates such transactions firmly within a culture of sanctity, since the beneficiaries are generally represented as *loca sanctorum*, points of contact with saints who might grant the benefactor the counter-gift of future salvation.<sup>182</sup> The other interpretation works on the level of material political power (the Weberian 'productive' mode). By transferring property to an ecclesiastical institution, whether an episcopal church, a local chapel or a monastery, the benefactor, it is argued, established a tie of material dependence between him or herself and that institution. If a member of the benefactor's family headed the institution, then it was automatically drawn into his or her network of clients. If not, the transfer still placed on the institution and its personnel an obligation to reciprocate with material or political support. Thus could the canny patron build up a material power base which, being governed by the laws applying to ecclesiastical property, was more secure than precarious secular landholdings. This was the basis of the *Kirchen-* or *Klosterpolitik* identified as a central plank in the construction of later Merovingian, and then of Carolingian, power.<sup>183</sup> Alternatively, when such transfers were made from a less wealthy, less powerful benefactor to a more wealthy, more powerful beneficiary, they could be seen as a means of achieving the reverse: that is, by bestowing his or her land on a powerful institution (and often then leasing it back), the benefactor became a client of that institution, deserving its support and protection.<sup>184</sup>

<sup>181</sup> M. Weber, *Economy and Society. An Outline of Interpretive Sociology*, ed. and trans. G. Roth and C. Wittich (Berkeley, CA, 1978), pp. 212–16; see also C. Wickham, 'Systactic structures: social theory for historians', *Past and Present* 132 (1991), pp. 188–203, esp. p. 191.

<sup>182</sup> This view is founded on the work of Peter Brown: see especially 'The rise and function of the holy man in late antiquity', *Journal of Roman Studies* 61 (1971), pp. 80–101 (repr. in P. Brown, *Society and the Holy in Late Antiquity* (London, 1982), pp. 103–52); *Relics and Social Status in the Age of Gregory of Tours*, The Stenton Lecture 1976 (Reading, 1977) (repr. in Brown, *Society and the Holy in Late Antiquity*, pp. 222–50); and *The Cult of the Saints. Its Rise and Function in Latin Christianity* (Chicago, 1981). For recent cogent comment see P. Fouracre, 'The origins of the Carolingian attempt to regulate the cult of saints', in J. Howard-Johnston and P. A. Hayward eds., *The Cult of Saints in Late Antiquity and the Middle Ages. Essays on the Contribution of Peter Brown* (Oxford, 1999), pp. 143–66, esp. pp. 154–5.

<sup>183</sup> The classic statement of later Merovingian ecclesiastical policy is E. Ewig, 'Das Privileg des Bischofs Berthefrid von Amiens für Corbie von 664 und die Klosterpolitik der Königin Balthild', *Francia* 1 (1973), pp. 62–114 (repr. in *Spätantikes und fränkisches Gallien*, Beihefte der Francia 3, 2 vols. (Zurich and Munich, 1979), vol. II, pp. 538–83); for the Carolingians, see J. Semmler, 'Episcopi potestas und karolingische Klosterpolitik', in A. Borst ed., *Mönchtum, Episkopat und Adel zur Gründungszeit des Klosters Reichenau*, Vorträge und Forschungen 20 (Sigmaringen, 1974), pp. 305–95, and M. de Jong, 'Carolingian monasticism: the power of prayer', in *NCMH* II, pp. 622–53.

<sup>184</sup> This, for instance, is how Chris Wickham has interpreted the evidence for the diocese of Lucca in the eighth and early ninth centuries: see *The Mountains and the City*, pp. 105–11, and 'Aristocratic

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At first glance, the two interpretations may look incompatible, the envisaged end-product of each very different from the other: salvation on the one hand, political support on the other. But there is in fact no necessary contradiction between them. They share at root a strong similarity, because both are based on essentially the same vision of the culture of gift-giving – or, perhaps better, of gift exchange. Gifts are not once-and-for-all events. They provoke counter-gifts, and the form these take – whether spiritual benefit, loyalty or protection – is in one sense less significant than the fact that a durable social relationship is thereby established.<sup>185</sup> In fact, another similarity is that all gifts to monasteries envisaged an immaterial counter-gift. Property did not circulate through these transactions: in material terms, they worked in only one direction, almost always to the benefit of the church. It should be pointed out that this is why we know about them at all. The documents that embody them constituted proof of the right of one or other church or monastery to a piece of property, and were preserved as such. As we have seen, gifts from laymen to other laymen are far rarer in our evidence, and survive, on the whole, in ecclesiastical archives. More often, we have references to such transactions, so we know that patronage did not begin and end with the endowment of the church.<sup>186</sup> Patronage of the laity by the laity obviously operated on the second level identified here: patrons gave gifts to win or reward political support. In so far as the men and women who headed churches and monasteries possessed the same social attitudes as these laymen, gifts to their institutions are likely to have elicited at least this kind of support. But such gifts were also, explicitly, directed at a saint. This means that both interpretations are correct, and that gifts to the church were intended to provoke both salvific and political benefit, simultaneously. We can go further. Studies of gift exchange across early medieval western Europe indicate that in contemporary culture, since gifts were reciprocal transactions, both parties were simultaneously donors and recipients, a situation that provoked what is best characterized as a long-term, on-going discussion or negotiation.<sup>187</sup> A gift to a church or monastery should therefore be seen as provoking conversations

power in eighth-century Lombard Italy', in A. C. Murray ed., *After Rome's Fall. Narrators and Sources of Early Medieval History. Essays presented to Walter Goffart* (Toronto, 1998), pp. 153–70, esp. pp. 164–9.

<sup>185</sup> For full discussion, see now M. de Jong, *In Samuel's Image. Child Oblation in the Early Medieval West* (Leiden, Cologne and New York, 1996), pp. 275–9.

<sup>186</sup> Research in the area of the lay use of documents is on-going, but for preliminaries, see W. Brown, 'When documents are destroyed or lost'. The sixteen known gifts to the laity by Lombard kings are listed at *CDL* III 15 and pp. 267–312; see further Wickham, 'Aristocratic power', p. 156, n. 8.

<sup>187</sup> Pioneering here has been the work of Rosenwein, *To Be the Neighbor of Saint Peter*; see now also de Jong cited at n. 183 above, and Innes, *State and Society*, pp. 13–18.

between the benefactor on one side and both the saint and his living representative (or representatives, in the case of a monastic community) on the other. The latter were in a position to offer precisely the same kinds of political support, or protection, as laymen, as well as acting as intermediaries, through their prayers, between benefactor and saint.

Because the church was intrinsic to this society, gifts to it – to individual institutions, churchmen or saints – were not only legal acts of property transfer and rites of spiritual association, but social events, implicating lord, neighbour and kindred. Nor were any of these factors discrete: they operated simultaneously. There was, in short, a ‘social logic of giving to the church’ in early medieval western society.<sup>188</sup>

These insights have been won, very largely, from studies of the integration of monasteries into society north of the Alps, in the Frankish kingdom. The Italian evidence has not, on the whole, been subjected to the same level of inquiry, at least as regards the social and political role of monasticism. Farfa, like many of its contemporary abbeys, has the appearance of an institution with its own identity: as we have seen, its charters constantly refer to it as an entity, the ‘monasterium sanctae Dei genetricis semperque virginis Mariae, quod fundatum est in territorio civitatis . . . Reatinae in fundo Acutiano’. But how did such an institution fit with the society around it? What effects did patronage through pious giving have on both donor and recipient? In answering these questions we shall see how that society was articulated, the horizontal relationships between individuals and families, and the vertical ones between them and the rulers. We are closer to understanding some of these issues, and to being able to compare Italy with Francia, thanks in particular to studies of the relationship between pious gift-giving and funerary arrangements by Cristina La Rocca, showing how the relationship between the living and the dead cross-cut that between families and monasteries.<sup>189</sup> Mayke de Jong and Peter Erhart have begun the process of comparison with the north, drawing attention to the similarities in both kingdoms in the way that monasteries became in the eighth century integrated into the structures of royal power.<sup>190</sup> The suggestion that this, coupled with Charlemagne’s

<sup>188</sup> Innes, *State and Society*, pp. 17–18.

<sup>189</sup> C. La Rocca, ‘Rituali di famiglia: pratiche funerarie nell’Italia longobarda’, in F. Bougard, C. La Rocca and R. Le Jan eds., *Sauver son âme et se perpétuer. Transmission du patrimoine et mémoire au haut moyen âge* (Rome, 2005), pp. 431–57; and La Rocca, ‘Segni di distinzione. Dai corredi funerari alle donazioni *post obitum*’, in L. Paroli ed., *L’Italia centro-settentrionale in età longobarda* (Florence, 1997), pp. 31–54.

<sup>190</sup> M. de Jong and P. Erhart, ‘Monachesimo tra i longobardi e i Carolingi’, in C. Bertelli and G. P. Brogiolo eds., *Il futuro dei Longobardi. L’Italia e la costruzione dell’Europa di Carlo Magno, Saggi* (Brescia, 2000), pp. 105–28.

efforts to confirm the privileges of some Italian monasteries after 774, quickly made such houses 'staunch bastions of Carolingian power' needs to be tested with closer study: precisely this is one question that will concern us here (in chapter 8).<sup>191</sup>

The resources for such studies are, after all, as good as for anywhere in Europe in the eighth and ninth centuries. Documents in Italian monastic archives have already proved rich veins of information for those seeking to recapture the structures of local societies and to place them in their landscape. Most often, however, it is these structures, and their development, that are the focus of such studies, rather than specifically the nexus between the monastery and the local community.<sup>192</sup> Partly this is because perhaps the most influential work drawing on Italian monastic documents has been one that focused on, and has enshrined in the literature, a socio-economic model for the historical development of an Italian region. The book is Pierre Toubert's monumental (in every sense) *Les structures du Latium médiéval* of 1973, and the development in which he was most interested was that already christened *incastellamento* – a movement to concentrations of settlement, and often subsequently to their fortification, beginning in the last decades of the ninth century.<sup>193</sup> The fact that the region on which Toubert concentrated his attention was the Sabina (along with southern Lazio), and that therefore a significant proportion of his source material was provided by the charter collections of Farfa, means that it would be superfluous in this book to re-plough the ground he has already furrowed so deeply. Inevitably though, treating the two centuries before the period that Toubert examined in greatest detail will involve some comment on developments that he saw as providing the origins for *incastellamento*. It is not my aim, however, to modify or to challenge his basic thesis.<sup>194</sup> My focus will be much narrower than Toubert's, settling in particular on the triangular dynamic between monastery, local society and rulers.

Few regimes have been as closely entangled with monasticism as that of the Carolingians. Historians have come to see how their relationships with particular monasteries were crucial to their early success. They have

<sup>191</sup> M. de Jong, 'Charlemagne's church', in J. Story ed., *Charlemagne. Empire and Society* (Manchester, 2005), pp. 120–2 (quotation at p. 122).

<sup>192</sup> E.g. L. Feller, *Les Abruzzes médiévales. Territoire, économie et société en Italie centrale du IXe au XIIe siècle*, Bibliothèque des Ecoles Françaises d'Athènes et de Rome 300 (Rome, 1998); R. Balzaretti, *The Lands of Saint Ambrose. Monks and Society in Carolingian Milan* (Turnhout, 2007).

<sup>193</sup> Toubert, *Les structures du Latium médiéval*.

<sup>194</sup> An excellent up-to-date study of *incastellamento* in part of Farfa's region is É. Hubert, *L'incastellamento en Italie centrale: pouvoirs, territoire et peuplement dans la vallée du Turano au moyen âge* (Rome, 2002).

also identified the instruments through which they achieved that bond: documents granting the privileges of immunity, exemption and protection. In Francia, privileges of immunity from the interference of royal officials had been granted by kings to various ecclesiastical institutions already in the Merovingian era.<sup>195</sup> Contemporary bishops also gave up their rights to intrude into the lands and affairs of privileged monasteries. In the late seventh and early eighth century a new twist to this measure coincided with the rise to power of the Pippinid (later the Carolingian) family. Important in that rise, in fact, were documents in which monasteries were brought under Pippinid protection (*tuitio*). These proved crucial in the process by which the family bound to itself local elites in various regions.<sup>196</sup> Not that those elites themselves did not take a hand in the matter: Pippin II's grant of *tuitio* to the monastery of Echternach, for example, provoked donations from a local aristocracy not to the abbey, but to the charismatic figure who was its abbot, Willibrord. His position as the leading ecclesiastical figure in the region allowed elite families to bind themselves to a prestigious sacred institution whilst regulating, to some extent, their degree of attachment to the Pippinids.<sup>197</sup> Even when monasteries did come more firmly under the control of members of the Pippinid family, local elites closely guarded their interests in monastic resources.<sup>198</sup> Nevertheless, royal patronage was certainly worth having, generally outstripping anything available from other sources, and providing resources that could be redistributed as monastic *beneficia* – land grants in return for (usually military) services – to favoured subjects.<sup>199</sup> Ultimately, the sheer number of such privileges issued by Charlemagne reveals their importance to the working of his government.<sup>200</sup> It is partly on the basis of such documents that modern scholars have been able to argue that monasteries in the Carolingian realm were a buttress of the state; or even that the Carolingian state *depended* on monasteries, not only for some of its most educated personnel, but for integrating local elites by providing connection points which plugged them into the superstructure of Carolingian rule.

<sup>195</sup> Rosenwein, *Negotiating Space*, pp. 74–96.

<sup>196</sup> See Innes, *State and Society*, pp. 180–4, and R. Le Jan, 'Convents, violence and competition for power in seventh-century Francia', in M. de Jong, F. Theuvs and C. van Rhijn eds., *Topographies of Power in the Early Middle Ages* (Leiden, 2001), pp. 243–69.

<sup>197</sup> M. Costambeys, 'An aristocratic community on the northern Frankish frontier, 690–726', *Early Medieval Europe* 3/1 (1994), pp. 39–62.

<sup>198</sup> Innes, *State and Society*, pp. 180–222.

<sup>199</sup> P. Fouracre, *The Age of Charles Martel* (London, 2000), pp. 137–45; Rosenwein, *Negotiating Space*, pp. 100–1.

<sup>200</sup> See the list in MGH Dipl. Kar. 1, pp. 492–6.

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How this image of the role of monasticism in society fits with the situation in central Italy will be a key question running through what follows. For the present we might simply note two pieces of evidence which show how ambiguous a frontier was the Alps when it came to the operation of religious institutions. On the one hand, we have the information, contained within a report of the trial of Abbot Poto of San Vincenzo al Volturno in the duchy of Benevento (and therefore certainly outside Charlemagne's formal purview), that by 783 the monks were accustomed regularly to pray for the Carolingian family, which suggests that some kind of bond of *familiaritas* had already been established, even before we get the first genuine charters of privilege from Charlemagne for the abbey (which date from 787).<sup>201</sup> The second is a list of various monasteries that owed varying levels of prayer, service, gifts or soldiers to Louis the Pious.<sup>202</sup> Although, significantly, it was composed in 819 – that is, between the death of Bernard, king of Italy, in 818 and the appointment to that sub-kingship of Louis's son Lothar in 822 – it includes no houses south of the Alps. This suggests that a rather different relationship was envisaged between them and the emperor than was enjoyed by the royal monasteries of the north.

It is nevertheless the case that the historiographical attention that Farfa has enjoyed has stemmed in great part from the imperial affiliation first established under the Carolingians. But this attachment to the emperors has most often been seen in terms, anachronistic for our period, of the papal-imperial conflict of later centuries. This was not unnaturally one focus of the major monograph survey of the abbey's history, produced in 1921 by Ildefonso Schuster.<sup>203</sup> The author had just become commendatory abbot of Farfa by virtue of his abbacy of S. Paolo fuori le mura, and in the previous year had sought to revive monastic observance at Farfa by sending nine monks of S. Paolo to live there. This, coupled with his role as procurator general of the congregation of Monte Cassino, indicates an

<sup>201</sup> MGH Dipl. Kar. 1, no. 157 and 159 (= CV 1, no. 27 and 26 respectively). The first is a confirmation of San Vincenzo's immunity from secular exactions and freedom of abbatial election, the second a confirmation of its rights in the Valle Trita in the duchy of Spoleto, allegedly originally granted by the Lombard king Desiderius. Although they might on the face of it appear of dubious reliability because San Vincenzo lay in the duchy of Benevento, outside the bounds of Charlemagne's dominions, they were in fact issued at precisely the time – the *only* time – at which Charlemagne had genuine jurisdiction in Benevento, in the middle of 787, after the death of Arichis II and while his son and successor Grimoald III was in Charlemagne's hands: see G. West, 'Charlemagne's involvement in central and southern Italy: power and the limits of authority', *Early Medieval Europe* 8/3 (1999), pp. 341–67.

<sup>202</sup> *Notitia de Servitio Monasteriorum*, ed. P. Becker, CCM 1 (Siegburg, 1963), pp. 493–9; see further H. Wagner, 'Zur Notitia de Servitio Monasteriorum von 819', *Deutsches Archiv für Erforschung des Mittelalters* 55 (1999), pp. 417–38.

<sup>203</sup> Schuster, *L'imperiale abbazia*.

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obvious interest in the balance of Farfa's relations between the papacy and secular powers.<sup>204</sup> Some recent studies of the abbey concentrate on much the same period,<sup>205</sup> while the only book-length treatment that tackles the earlier medieval history of Farfa focuses on the (nonetheless important) question of the abbey's architectural history.<sup>206</sup> Detailed consideration of Farfa's place in the wider history of eighth- and ninth-century Italy has taken place largely in the context of excavations conducted at the abbey between 1978 and 1983, and of survey and excavation at a nearby rural site in the 1980s and early 1990s.<sup>207</sup> This is a promising subject, then, for assessing the Carolingian model of monastic practice from an Italian perspective.

### THE SABINA BETWEEN THE LOMBARDS, THE FRANKS AND THE PAPACY

In addition to affiliation with the Carolingian emperors, Farfa's situation has frequently and rightly been seen in relation to Rome. The significance of this link is obvious if we simply jump forward to the time when Gregory of Catino was writing against the background, as we have seen, of tension between papacy and emperor. Because of its geographical, and geo-political, location, Farfa was caught in the middle of perhaps the most important, and certainly the longest-unfolding, political development of the middle ages, the conflict between papacy and empire. It thus became

<sup>204</sup> There is a growing bibliography on Schuster, largely because of his ambiguous relationship with Mussolini and his beatification by Pope John Paul II in 1996. The most useful works are T. Leccisotti, *Il Cardinale Schuster*, 2 vols. (Milan, 1969); G. Rumi and A. Majo, *Il cardinal Schuster e il suo tempo* (Milan, 1979); G. Basadonna, *Cardinal Schuster. Un monaco vescovo nella dinamica Milano* (Milan, 1996); and, for his scholarship, L. Crippa, *Il servo di Dio A. Ildefonso Card. Schuster O. S. B. nel quarantesimo della morte, 1954-1994* (Rome, 1994).

<sup>205</sup> Stroll, *Medieval Abbey of Farfa*; Boynton, *Shaping a Monastic Identity*.

<sup>206</sup> McClendon, *Imperial Abbey of Farfa*.

<sup>207</sup> For excavations at the abbey site, see P. Donaldson, C. McClendon and D. Whitehouse, 'Farfa – nota preliminare', 'Farfa – seconda nota preliminare', and C. McClendon and D. Whitehouse, 'La badia di Farfa, Fara in Sabina (Rieti). Terza nota preliminare', in *Archeologia medievale*, respectively 6 (1979), pp. 270-3, 8 (1981), pp. 566-9, and 9 (1982), pp. 323-30; D. Whitehouse, 'Farfa Abbey: the eighth and ninth centuries', *Arte medievale* 2 (1985), pp. 245-56; and D. Whitehouse, 'L'abbazia di Farfa', *Archeologia Laziale* 6 (1984), pp. 166-9. Definitive publication of the results of these excavations is still pending. For excavation and survey in the region, see J. Moreland and M. Pluciennik, 'Excavations at Casale San Donato, Castelnuovo di Farfa (RI)', *Archeologia Medievale* 18 (1991), pp. 477-90; J. Moreland, 'Excavations at Casale San Donato, Lazio, Italy', *Archeologia Medievale* 20 (1993), pp. 185-228; J. Moreland, 'Wilderness, wasteland, depopulation and the end of the Roman empire?' *Accordia Research Papers* 4 (1993), pp. 89-110; J. Moreland, 'The Farfa survey: a second interim report', *Archeologia Medievale* 14 (1987), pp. 409-18; H. Patterson and P. Roberts, 'New light on dark age Sabina', in L. Sagui ed., *Ceramica in Italia: VI-VII secolo. Atti Convegno in onore di J. W. Hayes, Roma 11-13 maggio 1995* (Florence, 1998), pp. 421-35.

entangled in the complex and still highly controverted process by which the bishop of Rome was transformed into a secular prince, at the head of a state and wielding sovereign power. As a development the consequences of which were felt directly until well into the modern era, and arguably reverberate still, the rise of the 'papal monarchy' (to use deliberately an anachronistic term coined for the high medieval papacy) has continuously commanded historians' attention, to the extent that it would be pointless in this context to attempt a summary of even the most recent literature.<sup>208</sup>

I shall confine myself here to works that bear directly on the particular issues with which this book deals: that is, the politics of central Italy in the eighth and ninth centuries and the stances of the parties involved in it.

At first sight it might look as though Farfa had had to reckon with a politically powerful papacy from its very beginning, at least potentially, because on its foundation Duke Faroald of Spoleto had approached Pope John VII for a privilege for the abbey. But, as we shall see, the popes of that era issued such privileges for monasteries as far away as Malmesbury. The pope was acting far more in his capacity as an ecclesiastical leader than as a figure dispensing political power in a nearby territory. In any case, the actions of pope and duke surrounding Farfa's foundation speak of co-operation rather than antagonism: two different kinds of authority were acting complementarily.

It is not, in fact, especially unusual to deny to the popes of the very earliest part of the eighth century secular power of a particularly high level.<sup>209</sup> It is the period following the era of John VII which most of the current historiography credits as crucial to the future development of the papacy. Walter Ullmann claimed that 'there can be few decades in European history which were of so decisive moment for Europe as those between the third and fifth decades of the eighth century', precisely because, he argued, it was then that the papacy achieved secular political independence.<sup>210</sup> While not every historian would go as far in their estimate of its significance, most in recent years have accepted the premise behind this statement. One who has sought to date the beginnings of papal statehood earlier than did Ullmann, while remaining firmly in the latter's tradition in overall outlook, is Thomas Noble, whose highly influential study cannot be summarized better than in his own words:

<sup>208</sup> Some sense of the vast earlier literature can be gleaned from Noble, *The Republic of St Peter*, *passim*, and M. Costambeys, 'Property, ideology and the territorial power of the papacy in the early middle ages', *Early Medieval Europe* 9/3 (2000), pp. 367–96.

<sup>209</sup> Though some would place the very beginnings of the rise in papal secular power in the last decades of the seventh century: Noble, *The Republic of St Peter*, pp. 15–28.

<sup>210</sup> W. Ullmann, *The Growth of Papal Government in the Middle Ages*, 3rd edn (London, 1970), p. 44.

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Beginning in the last years of the seventh century a series of resolute and like-minded popes acting in concert with the local Roman nobility deliberately emancipated central Italy from the Byzantine Empire and transformed the region into a genuine state, the Republic of St Peter. After the middle of the eighth century, the popes sought from the new Carolingian monarchy defense and protection for their fledgling state. These requests were granted by the Carolingians and the continued existence of the Republic was assured.<sup>211</sup>

Every nuance of this statement bears a significance that would be disputed by one recent commentator or another. Thus, as we have seen, not all would agree that the papacy's emancipation began in 'the last years of the seventh century'. Others might question: the extent to which all popes of this era were 'like-minded'; the extent to which progressive disengagement from the Byzantine empire was pursued 'deliberately'; and the extent to which what replaced Byzantine power in central Italy constituted 'a genuine state'. Nonetheless, Noble's notion of a deliberate and long-term purpose to papal activity in this period, cast within a fairly constitutional conception of the operation of political power that was familiar also to Ullmann, has a long pedigree. It has, however, often been questioned, and continues to be so,<sup>212</sup> and Noble has himself more recently modified his views.<sup>213</sup> Rather than deliberate policy, some historians have preferred to identify particular developments of the late seventh and early eighth century as creating the conditions of the papacy's turn away from Byzantium: the gradual growth in the hostility of his Italian subjects to the Byzantine emperor; the rupture of the Lombard-Byzantine peace agreement of 680; and the rise of Rome as a source of religious authority for the new barbarian kingdoms of the rest of western Europe.<sup>214</sup> There is, moreover, some confusion over how to characterize the bishopric of Rome, an institution that was developing a corporate identity in this period. Paolo Delogu, for example, seems to concur with Noble that a

<sup>211</sup> Noble, *The Republic of St Peter*, p. xxi. Against most other commentators, for example, Noble shares Ullmann's interpretation of the *Constitutio Romana* of 824: *ibid.*, p. 320 with n. 154. Ullmann's *Growth of Papal Government* is probably the most succinct expression of his views; see the critique by Francis Oakley, 'Walter Ullmann's vision of medieval politics', *Past and Present* 60 (1973), pp. 3-48.

<sup>212</sup> E.g. C. Azzara, 'The papacy', in C. La Rocca ed., *Italy in the Early Middle Ages* (Oxford, 2002), pp. 102-17, at p. 112.

<sup>213</sup> See T. F. X. Noble, 'The intellectual culture of the early medieval papacy', in *Roma nell'alto medioevo*, Settimane di studio del CISAM 48 (2001), pp. 179-213, with criticism of Ullmann's idea of detectable 'blueprints' for action in the papal letters (p. 189), and of the 'linear' ideology of the papal office (pp. 198-9).

<sup>214</sup> P. Delogu, 'Il passaggio dall'antichità al medioevo', in A. Vauchez ed., *Roma medievale* (Rome and Bari, 2001), pp. 3-40, at pp. 21-2; for Rome as a universalist ideal in the post-Roman *regna*, see M. de Jong, 'Ecclesia and the early medieval polity', in S. Airlie, W. Pohl and H. Remitz eds., *Staat im frühen Mittelalter*, Forschungen zur Geschichte des Mittelalters 11 (Vienna, 2006), pp. 113-32, esp. pp. 116-19.

succession of popes shared the same essential outlook and goals, chief among them an active rejection of rulership from Constantinople.<sup>215</sup> For others that mindset was not one generated within or communicated between individuals, but one that existed within the institution, the papacy, which is often credited as having an identity of its own and the capacity deliberately to pursue corporately conceived policy.<sup>216</sup>

Among the elements of Noble's thesis, the notion of a papal state, or *res publica*, is both long-standing and still currently very influential. A link between events and the mentality behind our sources has seemed very evident here. Thus when Gregory II is credited with a prominent role in Rome's military activity, or Gregory III with responsibility for diplomatic negotiations or with financing public works, these can be seen in the light of the twin shocks dealt to Byzantine Italy in the 720s from Constantinople by a tax hike on Italian properties and, shortly afterwards, by the first iconoclast edict decreeing the destruction of images.<sup>217</sup> It is against this background, with the emperor apparently at loggerheads with his landowning Italian subjects and the papacy engaging in acts of defiance like the Roman synod of 732, that historians have read a rhetoric of *res publica* in some of the papal sources, seeing it as underpinning the papacy's conception of itself as 'the sovereign power over Rome and the ex-Byzantine territories of Lazio'.<sup>218</sup> With such a self-conception, the papacy could then, in the pontificate of Stephen II, turn to the Franks for support.<sup>219</sup> Doing so was one stage in the progressive fulfilment of a representation of the pope as the rightful ruler of orthodox Christian Rome and its dependent territories. The creation and periodic reaffirmation of the Frankish alliance has generally been seen through evidence which, when read in traditional terms, points to a series of formal agreements through which the Carolingian rulers and the popes asserted their fidelity to each other's interests, and the former in particular undertook to guarantee various rights for the latter, rights that in the view of Ullmann, Noble and many others amounted to sovereign power. The centrality of Farfa to these agreements will give us cause to re-examine them in chapter 8.

<sup>215</sup> Delogu, 'Il passaggio dall'antichità al medioevo', p. 22: 'the popes had a decisive role in orienting the course of events and prefiguring political solutions that it is no exaggeration to call revolutionary', and 'the popes were to guide the resistance of the Italian population [against Leo III]'.  
<sup>216</sup> Thus P. Daileader, 'One will, one voice and equal love: papal elections and the *Liber Pontificalis* in the early middle ages', *Archivum Historiae Pontificiae* 31 (1993), pp. 11–32, at p. 21: 'once the papacy had made up its mind to defect, it strained every muscle in the interest of freedom without ever looking back'.

<sup>217</sup> For this and the following narrative, see the summary given by Daileader, 'One will, one voice and equal love', pp. 19–20.  
<sup>218</sup> F. Marazzi, 'Aristocrazia e società (secoli VI–XI)', in Vauchez ed., *Roma medievale*, pp. 41–69, at p. 48.

<sup>219</sup> Delogu, 'Il passaggio dall'antichità al medioevo', p. 24–5.

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In any case, this interpretation fits together too neatly for many. The idea that the political arrangement arrived at in central Italy by 800 was a self-conscious polity deserving the term 'state' can be challenged on epistemological grounds alone. Alternatively, some historians have questioned whether early medieval realities allowed any institution to pursue a deliberate long- (or even medium-) term policy and even whether early medieval mentalities possessed conceptions analogous to policy or statehood. Many have followed Peter Classen in seeing less purpose and more confusion in the papacy's ideological stance throughout the eighth century,<sup>220</sup> and have agreed with Jinty Nelson that 'the strength and consistency of papal policy has been overestimated'.<sup>221</sup> Among the reasons why they have done so are an uneasiness with the traditional, constitutional view of the political developments of the period, and an awareness that our sources for them are very far from objective or empirical. From another perspective, the vision of a neat temporal power structure built around the bishop of Rome clashes hard against the duality of king and *ecclesia*, 'full of potential tension', that conditioned the shape of all other polities in the early medieval Christian world.<sup>222</sup> It seems distinctly premature to speak of the papacy of the eighth and ninth centuries in similar terms to those generally used for that of the twelfth and thirteenth.<sup>223</sup>

A way through the muddle of institutional rhetoric and *événements* has been signposted by recent Italian historiography that draws attention to the aristocracy of Rome, lay and ecclesiastical, as the source of much of the initiative driving change in this period. Important work has revealed the extent to which the popes identified themselves with the aristocratic elite of Rome.<sup>224</sup> Assessing where the balance of power lay between

<sup>220</sup> P. Classen, 'Karl der Große, das Papsttum und Byzanz', in H. Beumann ed., *Karl der Große. Lebenswerk und Nachleben. Bd. 1: Persönlichkeit und Geschichte*, 3. Auflage (Düsseldorf, 1965), pp. 537–608; and Classen, 'Italien zwischen Byzanz und dem Frankenreich', in *Nascita dell'Europa carolingia: un'equazione da verificare*, Settimane di studio del CISAM 27 (Spoleto, 1981), pp. 919–67.

<sup>221</sup> J. L. Nelson, 'Making a difference in eighth-century politics: the daughters of Desiderius', in A. C. Murray ed., *After Rome's Fall. Narrators and Sources of Early Medieval History. Essays presented to Walter Goffart* (Toronto, 1998), pp. 171–90, at p. 179.

<sup>222</sup> De Jong, 'Ecclesia and the early medieval polity', p. 132.

<sup>223</sup> See B. Bolton, 'Papal Italy', in D. Abulafia ed., *Italy in the Central Middle Ages* (Oxford, 2004), pp. 82–103.

<sup>224</sup> 'Identified themselves' is an inadequate translation of Girolamo Arnaldi's notion that papacy and aristocracy were 'immedesimato': G. Arnaldi, *Le origini dello stato della chiesa* (Turin, 1987), p. 127; see also his 'Alle origini del potere temporale dei papi: riferimenti dottrinari, contesti ideologici e pratiche politiche', in G. Chittolini and G. Miccoli eds., *Storia d'Italia. Annali 9: La chiesa e il potere politico dal medioevo all'età contemporanea* (Turin, 1986), pp. 47–71. Arnaldi's conception has been taken forward and greatly elaborated by F. Marazzi; see esp. his *I Patrimonia Sanctae Romanae Ecclesiae nel Lazio (secoli IV–X). Struttura amministrativa e prassi gestionali* (Rome, 1998); also

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individual popes, the papacy as an institution, and elite families is a task for future research. But emphasis on aristocratic consent for papal actions indicates the possibility that a distinction needs to be drawn between the kind of power that the popes actually exercised in this period, whether in Rome or beyond, and the modern notion of sovereign power. In the context of early medieval central Italy, the new historiography points to a strong link between the growth of papal power in secular politics and the accruing of patrimonial power based in Rome over increasing areas of land around the city. This was a matter both of firming up existing rights to property, and of acquiring and asserting new ones. The documents collected by Gregory of Catino are crucial here, because they provide almost the only contemporary evidence for the popes and the Roman aristocracy engaging in activities associated, broadly, with landowning and land administration: ‘broadly’, because as we shall see these activities seem to have included violent intrusion and expropriation.

Simply put, this book will offer the following argument. The particular kind of institution that Farfa was arose from the social conditions of central Italy in the eighth century, most particularly in the region in which it stood, the Sabina. First among the elements of these conditions was the aristocracy that had emerged in the Sabina by the beginning of our period, Lombard in law and culture, and centred on the former Roman *civitas* of Rieti. Much of the power that was felt from more distant rulers – most immediately the duke of Spoleto – was mediated through them. Thus, as chapter 2 will reveal, Farfa owed its wealth in fair measure to the patronage of successive dukes in the form of extensive estates. Chapter 3 will reveal the degree to which ducal control over such lands, and ducal activity in general, were dependent on local officials. The most obvious forum for the manifestation of public authority, whether of Spoletan dukes, Lombard kings or Carolingian emperors, was the judicial court, and this chapter will examine records of court hearings in detail to uncover how power was negotiated in them, the role in them of leading local aristocratic families, and how both changed after the advent of Carolingian rule in the 770s and 780s. Farfa, we shall see, came to embody the interests in the region of both Lombard rulers and local elite families. In chapter 4 we will uncover the rootedness of the Farfa community within local society by investigating the sources for the origins of the abbey’s monks. Chapter 5 will then examine lay aristocratic society in the

Marazzi, ‘Aristocrazia e società’, and ‘Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico. I patrimoni fondiari della chiesa romana nell’area savinense-tiburtina (secoli VI–X)’, in E. Hubert ed., *Une région frontalière au moyen âge. Les vallées du Turano et du Salto entre Sabine et Abruzzes (Recherches d’Archéologie Médiévale en Sabine 1)*, Collection de l’École Française de Rome 263 (Rome, 2000), pp. 67–93.

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Sabina. We shall look at how social status was established and differentiated, and how the family was constructed through notions of kinship, paying particular attention to the role of women as transmitters of identity, and to the significance of property and inheritance. In chapter 6 we shall then study the experiences of four elite families in detail, noting especially the effect of wider, extra-local, politics on their fortunes.

Chapters 7 and 8 will sketch a descriptive analysis of the politics of central Italy in the eighth and ninth centuries, starting in chapter 7 with an examination of the Sabina's role in Lombard–Roman relations up to 774. Detailed consideration will be given to the Frankish conquest of the Lombard kingdom, focusing especially on the crucial role of the duchy of Spoleto, its dukes and aristocrats, in that event. We shall see in chapter 8 that the Farfa sources allow us to trace the threat under which these families fell in the later eighth century from the aggression of another local aristocracy, based in Rome – an aggression that has often been characterized as papally led. Into this confrontation stepped the Carolingian rulers, who were presented with political arrangements in central Italy that were unusual because of the number of different interests that they had to balance, and the number of different parties with which they had to negotiate. Faced with this situation Charlemagne and his successors deployed for the first time in Italy a legal instrument used extensively in Francia: the privilege of protection, immunity and exemption. Reading Farfa's privileges alongside the evidence for the agreements, or *pacta*, struck between the papacy and the Carolingians in this period, and in the light of the encroachment into formerly Lombard Sabina from Rome, lends a new perspective on the critical period of the later eighth and earlier ninth centuries. In particular, it leads us to question the robustness of the link between the papacy and the Frankish rulers. It also undermines any lingering notion of an institutional power for the papacy separate from that of the aristocracy of Rome. It suggests that the former was dependent on the latter in a very similar way to the dependence of Farfa on the elite of the Sabina. With the advent of the Carolingians, the political shape of central Italy was determined by the response of that power to a clash between local elites.

## Chapter 2

# PATRONAGE AND LOMBARD RULERS

### THE DUKES OF SPOLETO

This chapter will examine the operation of the political power claimed by rulers in the Sabina up to the mid-ninth century. This involves two basic questions: how did Lombard rule work? And, how did the impact of rulership on local society change after the arrival of Carolingian power in central Italy in 774? Like Lombard Italy as a whole, the political history of the duchy of Spoleto has been told in terms of the operation of a governmental structure, headed by the duke, the origins of which may be hard to trace, but which can be reconstructed fairly completely for the eighth century, here largely on the basis of the Farfa documentation. In this view, power flowed through the capillaries of this structure in one direction: down from the ducal palace in Spoleto to every corner of the duchy. The dominant narrative follows the changing identity of the dukes from independence to affiliation with the kings in the north, and back.<sup>1</sup> The range of personalities on whose political activities the Farfa documents offer a window, suggests that this narrative fails fully to acknowledge the complexity of the distribution of power in the Sabina. The dukes were certainly among such personalities, but it would be assuming too much automatically to ascribe the major role in the development of the Sabina in the eighth and early ninth centuries to their initiative or

<sup>1</sup> Such is the approach of, for example, the nonetheless valuable work by S. Gasparri, 'Il regno longobardo in Italia. Strutture e funzionamento di uno stato altomedievale', in S. Gasparri ed., *Il regno dei longobardi in Italia. Archeologia, società e istituzioni* (Spoleto, 2004), pp. 1–92, see esp. pp. 22–34 and 48–51. While S. Collavini, 'Duchi e società locali nei ducati di Spoleto e Benevento nel secolo VIII', *I longobardi dei ducati di Spoleto e Benevento*, Atti del XVI congresso internazionale di studi sull'alto medioevo (Spoleto, 2003), pp. 125–66, and S. Gasparri, 'Il ducato longobardo di Spoleto. Istituzioni, poteri, gruppi dominanti', *Il ducato di Spoleto*, Atti del IX congresso internazionale di studi sull'alto medioevo (Spoleto, 1983), pp. 77–122, both exhibit greater recognition of the importance of what Gasparri calls 'gruppi dominanti', both nonetheless see such groups' fortunes as linked to vicissitudes at the ducal level.

influence. To arrive at a more nuanced picture of political and social relations in the Sabina, we need first, then, to examine the workings of those structures, headed by the dukes (at least nominally), through which ducal power made itself felt among the Sabine elite.

While the origins of the duchy of Spoleto are obscure, we noted earlier that the establishment of Farfa – an act of co-operation between the duke of Spoleto and the pope – reveals how far at the beginning of the eighth century the duchy of Spoleto was a political entity of its time. Other polities in existence at that date bear some comparison with Spoleto: Frisia, Brittany, Bavaria (and after 711–14, the kingdom of the Asturias). These were all polities with a recognized identity and indigenous rulers which, by the last years of the eighth century, found themselves on the edges of the emerging Carolingian empire. In standard historiography, the central political relationship of the rulers of Frisia, Brittany and Bavaria has been taken to be that with the Frankish kings and mayors (only Asturias was not eventually absorbed into the Carolingian empire). Recent work has recognized how other elements – landowners in the regions concerned and/or landowning ecclesiastical institutions – were themselves powerful enough to affect that simple, older, two-pronged narrative.<sup>2</sup> The dukes of Spoleto have been portrayed as conducting, throughout their history, a convoluted political dance with the other powers of the Italian peninsula. But of these – Byzantine, Roman/papal and Lombard – by far the most prominent role has been accorded the last, that is, the Lombard kings based in Pavia. Of the nine eighth-century dukes (that is, from Faroald II's accession in 703/5 to the demise of Hildeprand in 789), four were appointees of the Lombard kings. To put it another way, for somewhere between twenty and twenty-three of these eighty-four years, 705–789, the duke of Spoleto was a royal appointee (and for a further seven years, roughly, the duchy was ruled directly from Pavia).<sup>3</sup> To have the clout, presumably military, to see themselves installed in the palace at Spoleto was one thing; it was quite another to turn that nominal authority into day-to-day power on the ground. The background threat of military intervention from the north was of its nature intermittent. At the level of the *gastald* – the duke's immediate

<sup>2</sup> For Toxandria (between Frisia and the Frankish kingdom), see Costambeys, 'An aristocratic community on the northern Frankish frontier'; for Brittany, W. Davies, *Small Worlds. The Village Community in Early Medieval Brittany* (London, 1987); for Bavaria, W. Brown, *Unjust Seizure. Conflict, Interest and Authority in an Early Medieval Society* (Ithaca and London, 2001).

<sup>3</sup> Agiprand (742–744/5) was nephew of King Liutprand; Lupo (745–51) was from Verona and a partisan of Ratchis; King Aistulf governed the duchy directly 751–7; Gisulf (759/60–761/2) and Theodicius (762–73) were both supporters of King Desiderius, who himself ruled directly for a period 761/2.

representative and administrator in each *civitas* – changes of regime at Spoleto did not always effect changes in that office.<sup>4</sup> What must have mattered to the dukes at least as much as their relationship with the kings in Pavia was their relationship with the local elite – the group or groups of those relatively wealthy in land – within the duchy. It certainly mattered when it comes to our task of defining the distribution of power there. Where that elite connected with the structure of offices that gridded the duchy – where the points of contact were and how and in which directions power flowed at those points – will be the subject of this chapter. It will be necessary first to set the scene by considering briefly the bald narrative of the development of the dukeship of Spoleto as a political entity.

The circumscription of the duchy centred on Spoleto does not seem to have changed fundamentally since it had been carved out by the former Byzantine mercenary Faroald from the fragile Italy of the post-Gothic war period.<sup>5</sup> It does not align well with the post-Risorgimento administrative boundaries of the modern *regioni*. It is better, perhaps, to describe it in terms of cities and the regions which focused around them: Spoleto itself, Rieti, Sulmona, Camerino, Fermo, Ascoli, Penne, Teramo, Amiterno, Norcia, Terni, Foligno and Assisi, with Chieti added near the beginning of the Carolingian era. With these we need also to count the mountain ranges that divided many of them, but whose lower slopes, at least, may have been a crucial resource for the duchy's elite, and its ruler.<sup>6</sup>

At the level of the duke, the history of the duchy of Spoleto in the eighth century was conditioned by its relationship with two external forces above all: the Lombard kings in Pavia, and the major powers based in Rome. The late seventh century had been a time of stability at Spoleto because for forty years the dukeship was held by two brothers, Transamund and Wachilapus, who had been installed as part of the Lombards' own 'Grimoald coup', when Grimoald of Benevento unified the Lombard realms under his kingship in 662–3. Transamund is the better-attested of the two brothers, and seems to have been undisturbed by the restoration, following Grimoald's death in 671, of the king that the

<sup>4</sup> To take the best-attested example of Rieti, while for Hildeprand's entire reign as duke just one man occupied the gastaldate at Rieti (Rimo), previously Lupo's tenure of the duchy had seen four different gastalds of Rieti (Perto, Godefrid, Tacipert and Immo), while Alefrid had been gastald under the regimes of four different rulers: Alboin, Gisulf, Desiderius and Theodicius; Gisulf and Theodicius may have been partisans of Desiderius, but Alboin was certainly local and 'independent'. For a survey, see Zielinski, *Studien*, pp. 224–52.

<sup>5</sup> On Faroald I and the duchy's establishment, S. Gasparri, *I duchi longobardi* (Rome, 1978), p. 73.

<sup>6</sup> See further Gasparri, 'Il regno longobardo in Italia', pp. 75–6.

latter had usurped.<sup>7</sup> Transamund's son Faroald II succeeded to his father's position in 703/5. Of his relationship with the pope, evident only really through the letters regarding the foundation of Farfa, we will have more to say shortly. It suffices to note at present that Farfa's foundation was an act of co-operation between the two. Such cordiality was not, however, necessarily representative of Faroald's attitude to Roman (that is, Byzantine) Italy in general. Around 712 he attacked the Byzantine port of Classe, though he soon relinquished it, at the insistence of the Lombard King Liutprand, according to Paul the Deacon.<sup>8</sup> Faroald's son Transamund II deposed him in 719/20 and was soon involved in Roman politics. Like his father, this was in co-operation with, rather than against, the pope: a Spoletan-led army defeated the force sent by the Byzantine exarch Paul against Rome. In 729 an invasion from the north impelled Transamund to swear loyalty to King Liutprand.<sup>9</sup> Renunciation of that loyalty led to a second invasion by the latter in 739, forcing Transamund to flee to Rome, and replacing him as duke with Hilderic. Once Liutprand had retreated, it was with the help of the Romans that Transamund could re-take power in Spoleto. For some reason there was then a complete reversal of alliances – Pope Zacharias's biographer in the *Liber Pontificalis* writes of Transamund's failure to fulfil 'alia quae sponderat capitula' (perhaps 'other written undertakings that he had promised') – and the Romans supported Liutprand in a third attack on Spoleto which caused Transamund to surrender to the king. Liutprand had him made a *clericus* (perhaps, though not necessarily, a monk) and replaced him with his nephew Agiprand.<sup>10</sup> The latter's dukeship was therefore the product of an alliance between Liutprand and the Romans.

How Agiprand's short tenure of the duchy ended is unknown; it is complicated in the Sabina by a short period of apparently independent rule by the local gastald, Picco.<sup>11</sup> But by 745 the duke in Spoleto, and issuing diplomas for the Sabina, was Lupo, who Stefano Gasparri has successfully shown was an appointee of the new king in Pavia, Ratchis.<sup>12</sup> This is demonstrated above all by Lupo's assertion of independence following Ratchis's deposition by his brother Aistulf in 749: in contrast to Ratchis, Aistulf was not named alongside the duke as an authority under whom judicial inquests in the duchy were conducted.<sup>13</sup> Aistulf seems to have deposed Lupo on the back of his successful campaign of

<sup>7</sup> Gasparri, *I duchi longobardi*, pp. 76–7; the best political narrative is still P. Delogu, 'Il regno longobardo', in P. Delogu, A. Guillou and G. Ortalli, *Longobardi e Bizantini*, G. Galasso ed., *Storia d'Italia*, I (Turin, 1980), pp. 3–216.

<sup>8</sup> Paul the Deacon, *HL* vi.44. <sup>9</sup> *LP* I, pp. 405–7. <sup>10</sup> Paul the Deacon, *HL* vi.57.

<sup>11</sup> See below, pp. 227–8. <sup>12</sup> Gasparri, *I duchi longobardi*, pp. 80–1.

<sup>13</sup> Compare *CDL* v 8 and 12.

conquest against the Exarchate of Ravenna in the spring and summer of 751. By July, he was ruling the duchy in his own right. On his death, at the end of 756 or beginning of 757, the Spoletans chose for themselves a new duke, Alboin. If a letter of Pope Stephen II is correct, this was done in consultation with the pope and with the Frankish king, Pippin III, whose invasions of Italy in 754 and 756 had destroyed Aistulf's power.<sup>14</sup> This did not deter the new Lombard king, Desiderius, from invading the duchy towards the end of 757. Having apparently ruled it in his own right for more than a year, he raised to the office of duke one of his own followers, Gisulf. It was probably his death, rather than deposition, that led to him being replaced, by September 762, by another partisan of Desiderius, Theodicius. Theodicius became embroiled in the political turbulence in Rome that followed the death of Pope Paul I in 767. Ousted by their rival, Duke Toto of Nepi, the *primicerius* Christopher and his son Sergius fled to Spoleto. With Theodicius's military support they were brought back to power in Rome, but rejected attempts by Desiderius and Theodicius to influence the choice of the next pope, and established in the pontificate their own man, Stephen III. Of the fate of Christopher and Sergius, and the Roman context to these events, we will have much more to say in chapter 8. It is simply worth noting here how closely involved were the dukes of Spoleto – and, by implication, the rest of the Spoletan elite – in the politics of Rome in this period. Theodicius was one of Desiderius's envoys to the new pope, Hadrian, in 772.<sup>15</sup> Although there is no direct evidence, it has been widely assumed that Theodicius fell, and was perhaps killed, as a consequence of the Frankish invasion of Italy in 773. His last notice as duke, in a charter of September 773, coincides with that event.<sup>16</sup>

The accession to the duchy of Theodicius's successor Hildebrand is an event central to the arguments put forward in chapter 8, and will be treated in detail there, entwined as it was with politics both on the microcosmic level of the city of Rome and the Sabina, and on the widest possible scope, with relations between Franks, Lombards and Romans. Whatever his earlier stance – and the papal letter that implicates him in Rotcausus of Friuli's rebellion of 775–6 is not by itself a reliable witness – Hildebrand had submitted himself and the duchy to Charlemagne's overlordship by the end of 775.<sup>17</sup> The *Annales Regni Francorum* record that in

<sup>14</sup> *CC*, no. 11.   <sup>15</sup> *LP* 1, p. 487.   <sup>16</sup> *CDL* v 63.

<sup>17</sup> On Hildebrand, Hadrian and the Rotcausus 'rebellion', see the references at p. 279, n. 25. Hadrian's letter concerning an alleged 'conspiracy' involving Hildebrand is *CC*, no. 57. Charlemagne first makes an appearance in the *datationes* of ducal diplomas in two documents of January 776: *CDL* IV/1 24 and 25: he is a constant presence thereafter. See also West, 'Charlemagne's involvement in central and southern Italy', pp. 343–50.

779 he 'offered' himself to Charlemagne at a royal villa in Francia.<sup>18</sup> In 781 he was attending on Charles near Florence when he judged a case involving a church in Rieti.<sup>19</sup> A final mark of Hildebrand's attachment to the Frankish king comes in 788 when, again according to Frankish annals, Hildebrand led the army, along with Grimoald of Benevento, that defeated the Byzantine invasion of Italy in Calabria.<sup>20</sup> Accompanying the army on that occasion was 'the envoy Guinichis, together with a few Franks, to oversee everything that they did'.<sup>21</sup> Of Hildebrand's demise we are ignorant: it must have happened by October 789, when his Frankish successor, Guinichis, first appears in a charter *datatio*.<sup>22</sup>

Guinichis presents almost the reverse image to the last Lombard duke because he made almost no donations to Farfa, and more often appears in the abbey's documents as an antagonist. This transpired most clearly in cases heard at the very end of Guinichis's life, and after his death. In 822 Louis the Pious confirmed a judgement of his *missi*, made the year before, that the duke should return extensive estates that he had seized, but which Farfa had received as donations: those of Paul and Tassila, and of Gemmulus and Maurica.<sup>23</sup> The year after Guinichis's death, his son and namesake, Guinichis 'vassus domni imperatoris', appeared at a hearing to own up to his men having taken properties of Farfa near Camerino.<sup>24</sup> There was also a case in 798 when Duke Guinichis had to return fishponds to Farfa, taken, he claimed, against his will and without his knowledge.<sup>25</sup> These actions all have to be seen in the context of the shifting relationships between papacy, emperor and other powers and interests that governed the politics of central Italy in this period. Guinichis has been characterized as specially entrusted with the protection of the popes in Rome, on the basis of his interventions in Roman politics in 799 and 815, but on the first occasion he had happened to be present at St Peter's in any case at the time Pope Leo was assaulted, and on the second he was deliberately sent to restore order in Rome by the king of Italy, Bernard.<sup>26</sup>

<sup>18</sup> *ARF*, s.a. 779: 'obtulit se Hildebrandus dux Spolitinus cum multa munera in praesentiam supradicti magni regis in villa quae vocatur Virciniacum' (= Verzenay).

<sup>19</sup> *CDL* IV/1 35. <sup>20</sup> *ARF*, s.a. 788.

<sup>21</sup> *ARF*, s.a. 788: 'et fuit missus Wineghisus una cum paucis Francis, ut praevideret eorum omnia quae gessissent'.

<sup>22</sup> *RF* II 147.

<sup>23</sup> *RF* II 267, referring back to *RF* II 251 (= Manaresi, no. 32), and to *RF* II 152 and 155. For Paul and Tassila, see below, p. 229 with n. 25.

<sup>24</sup> *RF* II 257. <sup>25</sup> *RF* II 171.

<sup>26</sup> My interpretation differs here from that of P. Delogu, 'Lombard and Carolingian Italy', in R. McKitterick ed., *NCMH* II, pp. 290–319 at p. 305. *ARF*, s.a. 799 reports that 'he [Pope Leo] escaped over the wall at night, and coming to the envoys of the lord king who were then at the basilica of St Peter, that is Abbot Wirund and the Spoletan duke Guinichis, was taken to Spoleto'. (My translation.)

He cannot, therefore, be said to have been closely allied with parties in Rome (indeed, on both occasions he was saving Leo from his factional enemies in the city). The apparent antagonism towards Farfa also looks as if it were at odds with the attitude of those to whom his firmest attachment can be demonstrated: that is, the Carolingian rulers. His closeness to them is fully evident both from the annexation during Pippin's campaign against Benevento in 801 of the gastaldate of Chieti, which was then attached to Guinichis's duchy, and above all from the captivity that Guinichis himself suffered in 802–3 when Grimoald of Benevento captured him after a successful siege of Lucera.<sup>27</sup> It seems rather strange, given successive Carolingian rulers' consistent support for Farfa, that we should find such a partisan of theirs at odds with the abbey. Some of his activities, however, are explicable in their own terms, without positing consistent enmity towards Farfa as a motive. At the judicial hearing he advanced two reasons for his confiscation of the estates of Paul and Tassila: Paul had left the army that had been sent to invade Benevento (presumably in 801) 'without permission' ('sine comiatu'), and on Charlemagne's own orders he was seeking to re-gather estates belonging to the king (that is, to the fisc) from those to whom previous dukes had granted them. He had insufficient testimony of the first point, and the second seemed to be negated by the privileges Charles himself had issued for Farfa. It is only on this last point, when Guinichis claimed to have been ignorant of the existence of such privileges, that he stretches the bounds of credulity. Both these reasons and those that he gave in the other complaints of Farfa against him – that expropriations had been carried out by his men without his knowledge or approval – ring true in a context in which other Franks were arriving in the region to try to carve out landed niches for themselves. But this context itself reveals the more negative side of Guinichis's relationship with Farfa. In fact, we have a reference to an expropriation by him of land given to Farfa by a Frank ('Salomon Francus'), the return of which is only recorded in 840.<sup>28</sup> Similar aggression may lie behind three rather more opaque texts in which Guinichis had his envoys return property to Farfa, though in none of these cases is it clear that it was the duke who had taken them.<sup>29</sup> His other appearances in connection with the abbey show him acting as president or member of judicial tribunals in the ordinary way.<sup>30</sup> It is, of course, possible to interpret all these texts as instances of Guinichis's ambition to secure greater resources for himself at the expense of the abbey: it is in the nature of our sources that we do not know how much more may have been taken and kept, rather than

<sup>27</sup> *ARF*, s.a. 801 and 802–3.      <sup>28</sup> *RF* II 282bis.

<sup>29</sup> *RF* II 208, 212 and 250.      <sup>30</sup> *RF* II 154, 165, 197, 205 and 207.

returned. But it is important to note at this stage that Guinichis was not the only power expropriating lands in the Sabina in the 790s and 800s, and he may well have been caught between a duty to control a fluid situation, and a desire to exploit it.

After Guinichis the history of the dukes becomes far more patchy. Although Guinichis had occupied the post for thirty-three years, on his death in 822 the ducal office suddenly became a poisoned chalice. Appointed in his stead was the former count of the palace and count of Brescia, Suppo, who died less than two years later. Two successors in turn also died in 824: the count of the palace, Adalard, and the count of Brescia, Mauringus. By this time, too, there was both some slippage between the titles of count and duke in Carolingian central Italy, and signs of the division of the old duchy between dukes (or counts) now resident in Camerino and Fermo as well as Spoleto.<sup>31</sup> From 824 there is a gap of almost twenty years in our list of dukes, and for a time we can only follow the suggestion of the nineteenth-century historian of Spoleto, Achille Sansi: 'perhaps the vast duchy, for reasons unknown to us, did not have a head, and the various cities were ruled by counts and gastalds'.<sup>32</sup> The lacuna is broken only by two passing references in Farfa documents. One is to a 'Berengarius dux', who held that office from 836 until at least the following year: it can only be an assumption that he was a duke based in Spoleto.<sup>33</sup> The other is the 'Richardus dux' who in a major diploma of Lothar is recorded as having arranged for the return of land held 'iniuste' by Guinichis, which his inquest established had been given to Farfa by a Frank.<sup>34</sup> The dukes after Guinichis were, in any case, much less involved with Farfa. The 'Berengarius' reference, if it is to a duke of Spoleto, is the first time in the ninth century that any surviving document produced in the duchy had mentioned a duke of Spoleto in its dating clause, with the exception of three documents of 814–15 in which Guinichis appeared alongside Louis the Pious and Bernard.<sup>35</sup> None of these dukes made a donation to, or was involved in any transaction with, Farfa after Guinichis's son, also Guinichis, lost his case in 823. As we shall see in chapter 8, the principal reason for this was increasing recognition, both locally and beyond, of Farfa's special status as beneficiary of

<sup>31</sup> A Duke Gerard appears at a court hearing in 821: *RF* II 251 (= Manaresi no. 32), and his duchy is confirmed as that of Camerino in another charter of the same year (*RF* II 254).

<sup>32</sup> A. Sansi, *Storia di Spoleto, vol. V: I duchi di Spoleto* (Foligno, 1870), p. 75 (my translation).

<sup>33</sup> *RF* II 281: 'Quam memoratorium oblationem ex dicto suprascriptorum hominum scripsi ego Theodorus notarius temporibus Berengarii ducis, anno eius ii, mense iulii, per indictionem xv.'

<sup>34</sup> *RF* II 282bis.

<sup>35</sup> *RF* II 210, 213 and 214. Guinichis had appeared too in the *datationes* of a handful of documents issued 789–93: *RF* II 147, 150, 152, 153, 155 and 156, and *RF* V 1227.

successive royal or imperial immunities and privileges. Slowly it seems to have become the case that, wherever the duke of Spoleto's writ ran, it did not extend to the lands of Farfa. With the possible exception of the shadowy 'Richardus', Guinichis was the last duke of Spoleto in the ninth century to sit in a judicial tribunal hearing a case involving the abbey. The five ninth-century dispute *notitiae* after him record hearings conducted either by royal *missi*,<sup>36</sup> or by gastalds with no reference to the duke.<sup>37</sup> Since later ninth-century dukes or their officials did hear cases involving the lands of other monasteries in the duchy of Spoleto, it seems clear that Farfa was by then regarded as jurisdictionally distinct.<sup>38</sup> For this reason if no other, this is not the place to give an account of the complex history of the dukeship of Spoleto after its resumption by Guy I in 842. Farfa's position by that time will concern us in chapter 8.

FARFA'S LANDED WEALTH: PATRONAGE BY RULERS TO 789

Sketching a history of the dukes of Spoleto is necessary both because it provides the most immediate framework, geographically, for the political events of the period, and because of the importance to Farfa's situation of the extensive patronage of the abbey by the Lombard dukes, and of the contrast this produces with its relationship with the Carolingian dukes after 789. This section will therefore explore the motives for and effects of the Lombard dukes' endowments of Farfa, putting that activity into perspective by comparing it with the same rulers' patronage of other monasteries, and with patronage by the Lombard kings.

Tracing the pattern of Farfa's endowment by these rulers poses problems in itself, but those problems are brought into perspective when we consider the institutions with which Farfa is most obviously comparable. As we noted in chapter 1, the late seventh and earlier eighth century had seen the foundation of a number of monasteries in the political frontier zones in central-southern Italy: Monte Amiata, Monte Cassino, San Vincenzo al Volturno. Since these latter two also received patronage from the dukes of Spoleto, it will be instructive to compare their experience with that of Farfa. The nature of their documentation, however, makes this far from straightforward. The problems with the evidence for the early centuries of Monte Cassino's existence are well known and need

<sup>36</sup> RF II 251, 257 and 270 (Manaresi, nos. 32, 35 and 38).

<sup>37</sup> RF II 268 and 286 (Manaresi, nos. 39 and 50).

<sup>38</sup> *Notitiae* held by gastalds of dukes Suppo III and Guy II make direct reference to them, in cases involving Casauria: Manaresi, nos. 79, 80, 82, 85, 86.

not be rehearsed in detail here.<sup>39</sup> Despite these, scholars over the past forty years – notably Hoffmann, Kaminsky and Zielinski – have had remarkable success in extracting from the tangled mass of later accretion some genuine texts of the eighth century.<sup>40</sup> A genuine diploma of Duke Romuald II of Benevento (706–731/2) must lie behind documents in the archive that preserve a grant by the duke to S. Sophia ‘in Ponticello’, a house later acquired by S. Sophia in Benevento, itself then placed under the control of Monte Cassino by its founder Arichis II (758–87).<sup>41</sup> Monte Cassino also preserved three more-or-less genuine diplomas concerning the monastery of S. Maria ‘in Cingla’, also placed under the control of the great abbey.<sup>42</sup> Going some way towards matching the generosity of the dukes of Benevento to Monte Cassino is a diploma issued in 782 by Duke Hildeprand of Spoleto for the same house, an extensive donation of ducal *curtes* in the territories of Penne and Marsi (that is, in Abruzzo), which also refers to an earlier donation, now lost.<sup>43</sup> The crucial point that we can take from this is that Hildeprand’s largesse extended, with some generosity, to monasteries other than Farfa, and indeed in this case to a monastery not even within his own duchy.

The problems surrounding the documentation for San Vincenzo al Volturmo are, if anything, even more fraught. Grants to San Vincenzo by the dukes of Spoleto are certainly conceivable. However, the modern editor of the ducal diplomas, Carlrichard Brühl, included only one in his collection, and then only to dismiss it as a forgery.<sup>44</sup> Certainly, many of the documents in the *Chronicon Vulturmentense* seem to have undergone multiple reworkings or interpolation, if not to have been forged outright. Diplomas of the dukes of Benevento seem to have been an especial focus of the tenth- to twelfth-century constructors of San Vincenzo’s institutional memory: not surprisingly, since they were the local rulers.<sup>45</sup> Some

<sup>39</sup> See *CDL* iv/2, pp. 135–57; Feller, *Les Abruzzes médiévales*, pp. 31–4.

<sup>40</sup> H. Hoffmann, ‘Chronik und Urkunde in Montecassino’, *QFIAB* 51 (1971), pp. 93–206; H. H. Kaminsky, ‘Das Diplom Herzogs Romwalds II. von Benevent für die Äbte Zacharias, Paulus und Deusdedit und seine Verfälschung in Montecassino’, *QFIAB* 53 (1973), pp. 16–33; H. Zielinski, *CDL* iv/2, pp. \*135–\*57.

<sup>41</sup> *CDL* iv/2, no. 4; see Kaminsky, ‘Das Diplom Herzogs Romwalds II. von Benevent’, and Zielinski, *CDL* iv/2, pp. \*136–\*141.

<sup>42</sup> *CDL* iv/2, nos. 19, 27 and 30; see Zielinski’s comments at pp. \*141–\*57.

<sup>43</sup> *CDL* iv/1 36. <sup>44</sup> *CDL* iv/1 34; see Brühl, ‘Chronologie und Urkunden’, pp. 77–81.

<sup>45</sup> H. Zielinski, *CDL* iv/2, pp. \*88–\*135; nonetheless important among earlier, more positive views of the reliability of these documents are F. Marazzi, ‘San Vincenzo al Volturmo tra VIII e IX secolo: il percorso della grande crescita. Una indagine comparativa con le altre grandi fondazioni benedettine italiane’, in Marazzi ed., *San Vincenzo al Volturmo – Cultura, istituzioni, economia* (Montecassino, 1996), pp. 41–92; C. Wickham, ‘Monastic lands and monastic patrons’, in R. Hodges and J. Mitchell eds., *San Vincenzo al Volturmo 2: the 1980–1986 Excavations. Part II, Archaeological Monographs of the British School at Rome* 9 (London, 1995), pp. 138–52.

documents have, however, been vindicated as reliable. Most relevant to our purposes here are a confirmation by Charlemagne of San Vincenzo's rights in the Valle Trita in the duchy of Spoleto, allegedly originally granted by the Lombard king Desiderius;<sup>46</sup> a confirmation by Louis the Pious of the aforesaid acts of Desiderius and Charlemagne, and of otherwise unrecorded gifts by Duke Hildeprand of Spoleto;<sup>47</sup> and a confirmation by the same emperor of San Vincenzo's rights in the Valle Trita and of gifts by Duke Lupo of Spoleto.<sup>48</sup>

The confirmation by Charlemagne might appear more implausible on the face of it, because San Vincenzo lay in the duchy of Benevento, outside the bounds of Charlemagne's dominions. In fact, this document was issued at precisely the time – the *only* time – at which Charlemagne had genuine jurisdiction in Benevento, in the middle of 787, after the death of Arichis II and while his son and successor, Grimoald III, was in Charlemagne's hands.<sup>49</sup> Moreover, although the beneficiary of the act – San Vincenzo – was in the duchy of Benevento the properties and rights that it confirmed were in the duchy of Spoleto, in which Charlemagne certainly claimed legal authority. This illuminates one aspect of confirmation diplomas in general: their legal clout was aimed not so much at the beneficiaries of the acts that they confirmed, as at the original issuers of those acts, and indeed at those who had to enforce the transfers of property or rights that they involved. The rights in question here, in the Valle Trita, were a long-running headache for San Vincenzo, which it never really cured; this makes it all the more plausible that Charlemagne was persuaded to intervene on the abbey's behalf.<sup>50</sup> These considerations seem to confirm, then, that King Desiderius gave to the abbey the large fiscal estate of the Valle Trita, just below the Gran Sasso, during the period when he was in control of the duchy of Spoleto.<sup>51</sup> It seems very likely that the confirmations by Louis the Pious are also genuine. If this is the case, then we can add to the grants San Vincenzo received in Spoleto a donation by Duke Lupo (745–51), of an annual render in animals

<sup>46</sup> CV 1, no. 26, dated 787 = MGH Dipl. Kar 1, no. 159. <sup>47</sup> CV 1, no. 28, dated 816 = BM 616.

<sup>48</sup> CV 1, no. 55, dated 831 = BM 887.

<sup>49</sup> For the general narrative of events, see O. Bertolini, 'Carlomagno e Benevento', in H. Beumann ed., *Karl der Große. Lebenswerk und Nachleben. Bd. 1: Persönlichkeit und Geschichte*, 3. Auflage (Düsseldorf, 1965), pp. 609–71, and now West, 'Charlemagne's involvement'.

<sup>50</sup> For the whole dispute, see Feller, *Les Abruzzes médiévales*, pp. 136–9, and esp. C. Wickham, *Studi sulla società degli Appennini nell'alto medioevo: contadini, signori e insediamento nel territorio di Valva (Sulmona)*, Università degli studi di Bologna. Quaderni del centro studi sorelle Clarke 2 (Bologna, 1982), pp. 18–28.

<sup>51</sup> CV perditum no. 14, extant in CV 1, no. 26 (= MGH Dipl. Kar 1, no. 159). I cannot agree with Marazzi, 'San Vincenzo', p. 43 and n. 16, that these lands included a church of S. Pietro: see the objections advanced by their editor Federici to the authenticity of CV 1, nos. 13 and 14.

(*varcinatico*) and twenty-four tenant farms in the region of Amiterno in the modern Abruzzo;<sup>52</sup> and later, by Duke Hildeprand of Spoleto, another render in animals and four tenant farms in Marsica.<sup>53</sup>

Farfa was unequivocally not, therefore, the sole focus of the pious patronage of the dukes of Spoleto in the eighth century. It was not even the sole focus of Duke Faroald II, of whose foundation of the monastery of S. Pietro in Valle, near Ferentillo, we have an, admittedly late, record.<sup>54</sup>

As the remarks above on the evidence from Monte Cassino and San Vincenzo make clear, we always have to bear in mind that our evidence for Farfa is of a different, unquestionably higher, quality than that for those other monasteries. Even so, Farfa does seem to have been a particular, if not unique, target for ducal attention when it came to ecclesiastical patronage.

It is in the nature of most of the evidence for landholding in the early middle ages that it is impossible to quantify precisely. Although total area can sometimes be calculated by the bounds given in a minority of charters, in themselves such figures are meaningless, and would have been at the time, because they give no indication of the nature or productive capacity of the land. These latter features, though, are also very rarely the subject of any serious attempt at measurement in the texts of donation charters. They were more important to leases, but none such exist for Farfa before the very end of the eighth century.<sup>55</sup> In charters of all sorts scribes worded their descriptions of property in such a way as to leave much of the detail of their physical features, their habitation and their administration unsaid: this was one of those frequent areas where the written met the oral in the early middle ages. In this period, in any case, and as many studies have shown, land ownership, and its transfer, was about more than simple material productivity: it was about social status and power.<sup>56</sup> On that we will have much more to say in chapters 5 and 6.

<sup>52</sup> *CV* perdita nos. 8 and 9, extant in *CV* 1, nos. 28 and 55 (BM 616 and 887).

<sup>53</sup> *CV* perdita, nos. 17, 18 and 20, extant in *CV* 1, no. 28. Marazzi, 'San Vincenzo', takes a maximalist view that adds other properties to Hildeprand's donation, including the monastery of S. Maria in 'Apinianici', which does not take account of the problems of the evidence.

<sup>54</sup> Severis Minervius, 'De rebus gestis atque antiquis monumentis Spoleti', in A. Sansi ed., *Documenti storici inediti in sussidio allo studio delle memorie umbre I* (Foligno, 1879), pp. 24–5; see Gasparri, *I duchi longobardi*, p. 77 at n. 175, and in particular E. Susi, 'Agiografia e territorio', in *I longobardi del ducato di Spoleto e Benevento*, Atti del XVI congresso internazionale di studi sull'alto medioevo (Spoleto, 2003), pp. 317–56, at p. 335 with n. 75.

<sup>55</sup> The first lease in the *Liber Largitorius* is dated 792, *LL* 1, no. 1; some earlier documents in the *RF* could be thought of as contractually very similar, e.g. *CDL* v 73; see Zielinski, *Studien*, pp. 123–4.

<sup>56</sup> C. Wickham, *Framing the Early Middle Ages. Europe and the Mediterranean, 400–800* (Oxford, 2005), pp. 295–6 summarizes the persuasive view of labour service as about more than simply economic exaction. The point can be extended to landholding as a whole (as Wickham does, pp. 298–9).

## *Power and Patronage in Early Medieval Italy*

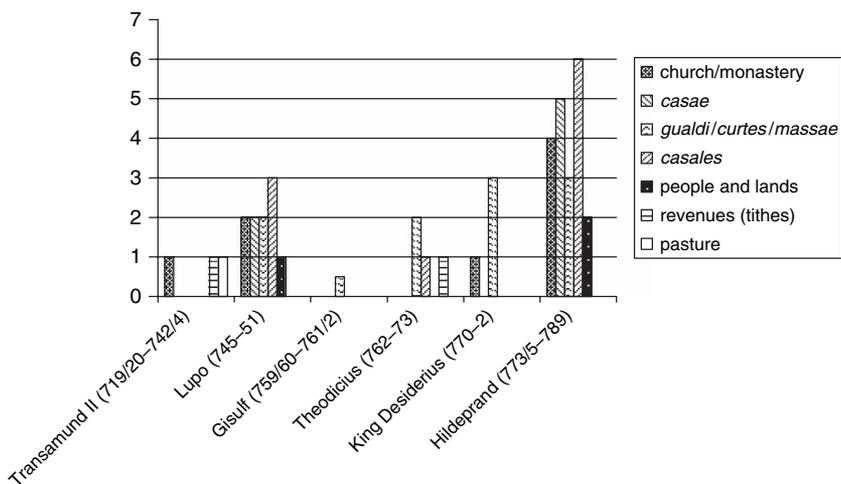


Figure 2.1 Endowment of Farfa by the Lombard dukes of Spoleto

It is worth saying here simply to excuse the very approximate nature of Figure 2.1, which is based on the data in Table 2.1, revealing a pattern we can examine in more detail. Not one of the documents in Table 2.1 suffers from the kind of doubt that has been levelled at so many of the diplomas in the *Chronicon Vulturense*.

Farfa's initial endowment does not, however, enjoy such transparent evidence. Gregory of Catino twice copied the earliest document he had available, apparently issued by Faroald II. There is, in fact, no good reason to doubt the authenticity of this charter, any more than there is for any of Gregory's other products, but it is frustratingly opaque for our purposes, mentioning only 'aliquas donationes nostras in cespitibus vel servis et coloniciis'.<sup>57</sup> All we might gather from this is that the land in question was demesne. For any indication of its extent, we are dependent on Gregory, or rather on his distinctly oracular oral sources – 'very old venerable elders, with true testimony related to them by their predecessors' – which testify that Faroald gave to Thomas of Maurienne eleven *curtes* amounting to 11,000 *modia*.<sup>58</sup> Faroald's extant charter, dated 705, is in fact a confirmation of earlier, and presumably more precise, donations. The chief difficulty as a result of this is that the eleven *curtes* are not named. Furthermore, later blanket confirmations give us no help in identifying

<sup>57</sup> *RF* II 1; *CF* I, p. 136. It is also included as an appendix to the standard edition of ducal diplomas: *CDL* IV/1 Appendix, pp. 115–17.

<sup>58</sup> *CF* I, pp. 135–6.

*Patronage and Lombard rulers*

Table 2.1 *Data on the endowment of Farfa by the Lombard dukes of Spoleto*

CDL	RF	Date	Issuer	Property given
CDL IV/1 1	5	724	Transamund II	church and its lands <sup>a</sup>
CDL IV/1 2	7	740	Transamund II	tithes and pasture rights
CDL IV/1 3	9	745	Lupo	2 <i>coloni</i> with their <i>casae</i> and lands
CDL IV/1 4	10	745–6	Lupo	(part of <i>gualdus</i> )
CDL IV/1 5	11	746	Lupo	whole of <i>gualdus</i> as in no. 4
CDL IV/1 6	12	747	Lupo	1 <i>casalis</i>
CDL IV/1 7	13	747	Lupo	<i>monasterium</i>
CDL IV/1 9	14	749–50	Lupo	2 <i>casales</i>
CDL IV/1 10	28	750	Lupo	<i>curticella</i> ; 14 <i>coloni</i> with lands elsewhere <sup>a</sup>
CDL IV/1 11	16	750	Lupo	fisherman
CDL IV/1 13	17	751	Lupo	female <i>monasterium</i>
CDL IV/1 16	48	761	Gisulf	½ <i>gualdus</i>
CDL IV/1 17	53	763	Theodicius	tithes of 2 <i>curtes</i>
CDL IV/1 18	58	765	Theodicius	<i>gualdus</i>
CDL IV/1 19	68	766	Theodicius	2 <i>casae</i> ; 1 <i>casalis</i>
CDL IV/1 20	76	767	Theodicius	pasture
CDL III 43	1225	770–2	Desiderius	monastery; 3 <i>curtes</i>
CDL IV/1 22	80	772	Theodicius	<i>gualdus</i>
CDL IV/1 23	91	773–5	Hildeprand	<i>gualdus</i> ; <i>piscatores</i>
CDL IV/1 24	93	776	Hildeprand	3 churches; <i>massa</i> , <i>fundus</i> , 2 <i>casales</i>
CDL IV/1 25	94	776	Hildeprand	<i>curtis</i> ; 1 <i>colonus</i>
CDL IV/1 27	96	776	Hildeprand	<i>casa</i>
(CDL IV/1 30)	104	778	Hildeprand	mill)
CDL IV/1 31	105	778	Hildeprand	monastery (with CDL v 93)
CDL IV/1 32	113	778	Hildeprand	4 <i>casae</i>
CDL IV/1 33	116	778	Hildeprand	2 <i>casales</i>
CDL IV/1 37	137	783	Hildeprand	2 <i>casales</i> <sup>b</sup>
CDL IV/1 38	144	787	Hildeprand	lands of Rabenno <sup>a</sup>

*Notes:*

<sup>a</sup> = lands of which the extent is entirely unspecified.

<sup>b</sup> The *casales* transferred in CDL IV/1 37 ('*casales duos qui vocitantur Sibanus et Sucilianus, territorii Reatini in Massa Pretorii, qui pertinuerunt in curtem nostram Reatinam*') could be identical with those in no. 33 ('*casales duos territorii Reatini in Massa Nautona, qui pertinuerunt in curte nostra Reatina, qui vocitantur Sibanus et Cicilianus*').

them, because the only such estates they mention all seem to derive from extant grants by later dukes: the eleven *curtes* are not only anonymous, but invisible. They may have comprised lands around the abbey which never afterwards left its hands, but this too seems unlikely given the proximity to the monastery of later grants, which would have impinged on any

putative 11,000 *modia* adjacent to the abbey itself. We are left with the notion either that Gregory's figure was invented, or that the eleven *curtes* were fragmented across the region, to reappear as separate, separately named, estates in later charters. More circumstantial evidence does suggest that the abbey was at least in control of its own very immediate vicinity, notably the slopes of Monte Acuziano itself, high up on which Abbot Alan built a hermitage.<sup>59</sup>

Whatever the extent of its initial endowment or *terra*, Farfa was a slow starter as an acquirer, its first non-ducal donation coming only in 718, twenty or more years after its foundation. The next extant ducal diploma in its favour includes the comment that the donation had been made 'at your petition, venerable man Lucerius, priest and abbot . . .'.<sup>60</sup> Phrases such as this constitute the most straightforward evidence that Farfa sought what it acquired. Beyond this, there is little sign of any scheme behind Farfa's acquisitions from the dukes. Only Duke Hildebrand's grant of his *massa* in the Sabina, together with the *fundus* 'Pontianus', could be said geographically to fill out Farfa's landholding in the immediate vicinity of the monastery: the *massa* lay, almost certainly, athwart the lower end of the Farfa river, where it joined the Tiber, 'Pontianus' slightly further south, on the left bank of the Tiber along the Ponticchio.<sup>61</sup>

Much more often, the dukes endowed Farfa apparently 'for a reward and light for our soul'.<sup>62</sup> What they gave falls essentially into four categories: large tracts of land, churches and monasteries, rights of pasture, and small grants of individual holdings or groups of holdings. The last are virtually negligible, amounting to a fisherman, two *coloni* and five *casae*.<sup>63</sup> It is the large estates which constituted the most significant series of endowments, and formed the core of Farfa's patrimony. The first came in 746. This was the *gualdus* 'ad Sanctum Iacinthum', which covered most of the land to the immediate south-west of Monte Acuziano, on the northern flanks of which the abbey stands.<sup>64</sup> The toponym derives from the martyr Iacintus (Giacinto, Hyacinth). Several of that name were venerated in early medieval Italy. Delehay's study suggests that the saint in question here was he whose feast was commemorated on 9 September

<sup>59</sup> *Constructio monasterii Farfensis*, CF 1, p. 18.

<sup>60</sup> CDL IV/1 1: 'ad petitionem tuam, vir venerabile Luceri presbiter et abbas'. The grant includes land 'which we had transferred earlier' ('quam antea traditam habuimus'), documentary evidence of which does not survive.

<sup>61</sup> CDL IV/1 24.

<sup>62</sup> The phrase 'pro mercede et lumine animae nostrae', or similar, appears in CDL IV/1 1, 4, 5, 6, 7, 9, 10, 11, 16, 17, 19, 20, 22, 31, 32, 33, 37 and 38.

<sup>63</sup> CDL IV/1 3, 11, 27 and 32.

<sup>64</sup> E. Saracco Previdi, 'Lo *sculdahis* nel territorio longobardo di Rieti', *Studi medievali*, 3rd ser., 14/2 (1973), pp. 627-76, at p. 673 and nn. 371 and 372.

in the Hieronymian Martyrology.<sup>65</sup> But there are good grounds for doubting that this text was known in Italy earlier than the first decades of the ninth century.<sup>66</sup> Be that as it may, a 'basilica' dedicated to a Hyacinth, little mentioned in the *Regestum*, stood somewhere within the *gualdus*; it was given a silk cloth by Pope Leo III.<sup>67</sup> Farfa seems to have Ratchis to thank for the endowment. In late 745 or early 746 Duke Lupo gave only a portion of the *gualdus* to the abbey, but in October of the latter year, for the soul of Ratchis rather than himself and on that king's order, he transferred the whole estate to Farfa.<sup>68</sup> The following June, while in company with Ratchis in Pavia, Lupo gave the neighbouring *casalis* of 'Turris', consisting of six tenant *casae*.<sup>69</sup> Gasparri is clearly correct in seeing Lupo as a partisan of Ratchis rather than, as Brühl hypothesized, one who seized the Spoletan duchy in opposition to the king.<sup>70</sup> These donations initiated a long period of haggling which has been much commented upon.<sup>71</sup> It quickly transpired that the *gualdus* was not the coherent fiscal property implied by the bald boundary clause of Lupo's diploma. In April 747, a judicial inquest headed by a royal *missus* and a ducal *missus* traversed the area to adjudicate eight individual claims to property in the *gualdus*.<sup>72</sup> Testimony to the importance of 'S. Iacintus' is the list of judges who accompanied the *missi*, among whom were some of the most prominent luminaries of the Sabina.<sup>73</sup> Some of the claims were essentially boundary disputes, but most concerned grants and alienations alleged to have been made by the duke or other officials.<sup>74</sup> Apart from anything else, these latter reveal the fiction of ducal control over

<sup>65</sup> H. Delehaye, *Commentarius Perpetuus in Martyrologium Hieronymianum*, Acta Sanctorum 65 (1931), pp. 497–8.

<sup>66</sup> F. Lifshitz, *The Name of the Saint. The Martyrology of Jerome and Access to the Sacred in Francia, 627–827* (Notre Dame, IN, 2006), esp. pp. 133–8.

<sup>67</sup> The priest of the church of S. Hyacinth appears in the inquest charter, *CDL* v 8. Leo's gift is mentioned in *LP* II, p. 13, and see the comments of R. Davis, *Lives of the Eighth-Century Popes (Liber Pontificalis)*, trans. R. Davis (Liverpool, 1996), pp. 201–2 at n. 107. Further on the cult, see E. Susi, 'I culti farfensi nel secolo VIII', in S. Boesch Gajano and E. Petrucci eds., *Santi e culti del Lazio. Istituzioni, società, devozioni*, Miscellanea della società romana di storia patria 41 (Rome, 2000), pp. 61–82, at pp. 64–8.

<sup>68</sup> *CDL* IV/1 4 and 5. <sup>69</sup> *CDL* IV/1 6.

<sup>70</sup> Gasparri, *I duchi longobardi*, p. 80, contra Brühl, 'Chronologie und Urkunden', pp. 23–4.

<sup>71</sup> Wickham, 'European forests', pp. 493–4 is now basic. Useful earlier comment in G. Tabacco, *I liberi del re nell'Italia carolingia e post-carolingia* (Spoleto, 1966), pp. 113–38, esp. 125–7.

<sup>72</sup> *CDL* v 8. <sup>73</sup> See *CDL* v, pp. 34–6 and Zielinski, *Studien*, pp. 238–9.

<sup>74</sup> The claim of Arno and Vindemius, *coloni* of 'Turris', that their *casa* belonged to that *casalis* rather than to S. Iacintus, may have prompted the subsequent grant of 'Turris' to the abbey. Some claims, like that of Adoald and Audulf, were laid at the door of King Liutprand; some, such as that of Lupulus and Mizicus, resolved two years later (*CDL* v 12), derived from grants apparently already made by Lupo; some from blatant exploitation of their position by royal officials, among whom Lucan and Picco were egregiously.

fiscal, or 'public', land, and they reinforce Chris Wickham's point that many kinds of possession may have been legally precarious, but nonetheless established through long usage and sanctioned, or at least acquiesced in, by 'public' officials.<sup>75</sup> This issue will be examined in greater detail in the [next section](#). For now, it suffices to say that Farfa's possession of the *gualdus* 'ad Sanctum Iacinthum' took three years and at least eight charters to establish. Possession of this *gualdus* was fundamental to Farfa's landed power: 'Sanctus Iacinthus' was a substantial chunk of land in a vicinity so close as to equal in importance any putative original *terra*.

The untidy acquisition of 'S. Iacinthus' (like that of the *curtis* 'Germanicana' which we will examine below) indicates the uneven nature of fiscal property. One of the fruits of modern research into early medieval landholding has been usefully to blur too-rigid boundaries that legal historians tended to draw around categories of property right: if, as Federico Marazzi's study indicates, papal donations deliberately offered tenures somewhere between allodial ownership and tenancy, we might expect similar ambiguity in neighbouring regions.<sup>76</sup> Ultimately, it was to some extent precisely the acquisition from the fisc of less than full rights of ownership by church institutions that wanted to defend rather different conceptions of their property rights, which led to the development of more systematic and concrete legally enshrined rules of possession.

While not as fundamental to the abbey's future well-being as the benevolence of King Ratchis, his brother and supplanter Aistulf also gave property to Farfa. This patronage is a useful corrective to the picture of Aistulf as an opponent of the church put forward by the *Liber Pontificalis*.<sup>77</sup> While in control of the duchy of Spoleto, Aistulf granted to Farfa the *curtis* 'Germanicana' which lay just to the east of the abbey.<sup>78</sup> The nature of this estate will be dealt with below: here it suffices to note that it constituted a substantial addition to the abbey's lands. The fragmentation that it later suffered, evident in a diploma of Duke Theodicius,<sup>79</sup> suggests that it had fallen victim to the confusion following Aistulf's defeat by the Franks and his death. It was not until June 766 that Theodicius's diploma restored to the abbey one of the *casales* that had

<sup>75</sup> Wickham, 'European forests', pp. 495–6.

<sup>76</sup> Marazzi, *I Patrimonia Sanctae Romanae Ecclesiae nel Lazio*, esp. pp. 147–205; in general see Wickham, 'European forests', pp. 496–7 and C. Wickham and T. Reuter, 'Introduction', in W. Davies and P. Fouracre eds., *Property and Power in the Early Middle Ages* (Cambridge, 1995), pp. 1–16, esp. pp. 8–12.

<sup>77</sup> E.g. *LP* 1, pp. 448–9.

<sup>78</sup> Probably roughly between the Fosso Riana and Monte Santa Maria: see Saracco Previdi, 'Lo *sculdahis*', p. 675, n. 378.

<sup>79</sup> *CDL* IV/1 19.

belonged to 'Germanicana'. Aistulf was responsible for another substantial grant which the abbey later had to claw back. The *gualdus* of 'Turrita' was confirmed to Farfa only in 765, while 'Alegia' had been taken back into fiscal possession by Duke Theodicius because, he alleged, the abbey had exploited beyond the agreed bounds of the estate.<sup>80</sup> Theodicius did not relent until 772, when he finally passed 'Alegia' back to Farfa.<sup>81</sup> These *gualdi* were particularly important because, when originally granted, they were by far the most distant substantial estates held by the abbey, being located across the Monti Reatini in the east of the duchy, on the part of the Via Salaria which ran from Rieti to the Adriatic coast.<sup>82</sup>

More reliable as a benefactor of the abbey than Theodicius was his successor Hildebrand, to the extent that the latter ranks as the most important supporter of Farfa among the dukes of Spoleto. The first of his larger donations to the abbey was the *gualdus* 'Tancies', given at some time between October 773 and December 775.<sup>83</sup> By this time Farfa was beginning to acquire a scattering of smaller estates to the north of the rivers Farfa and Cancellis, and 'Tancies', which must have lain in the vicinity of the modern Monte Tancia, complemented these. As mentioned above, even more helpful in terms of the geographical consolidation of Farfa's estates was Hildebrand's donation in 776 of his *massa* in the Sabina and the *fundus* 'Pontianus'.<sup>84</sup> Where Hildebrand's donations differed most from those of earlier dukes was in the nature of the estates he gave. After 'Tancies' we no longer see huge *gualdi*, which almost certainly included much mountain, woodland, common pasture and generally under-exploited land.<sup>85</sup> Instead, as we have seen, estates like those at 'Pontianus' were well organized into *casae*, the presence of which implies a relatively high level of exploitation, and therefore of surplus (though I should stress the 'relatively'). Such were also the four *casales* on the 'Massa Nautona/Pretorii' which Hildebrand gave between 778 and 783.<sup>86</sup>

Our charters reveal that Farfa pursued the traditional monastic occupation of livestock-rearing. The support of the dukes was essential to the success of this enterprise: to judge from the charters, only the fisc possessed the extensive lands required for the grazing of sheep. Farfa's first involvement with 'Germanicana' was a grant by Duke Transamund of grazing rights there.<sup>87</sup> Even Theodicius, not otherwise an outstanding benefactor of the abbey, allowed it to graze ten teams of oxen and two

<sup>80</sup> CDL IV/1 18. <sup>81</sup> CDL IV/1 22. <sup>82</sup> Saracco Previdi, 'Lo *sculdahis*', p. 670, n. 330.

<sup>83</sup> CDL IV/1 23. <sup>84</sup> CDL IV/1 24. <sup>85</sup> See below, chapter 5.

<sup>86</sup> CDL IV/1 33 and 37. <sup>87</sup> CDL IV/1 2.

thousand sheep on three ducal *gualdi*, stressing two years later that this could be done even in summer.<sup>88</sup>

One index of the growth of Farfa's patrimony is its acquisition of churches and monasteries. It should be said straight away, though, that in enumerating the other religious institutions that were given into its control, it is impossible to be entirely accurate, or to know what such acquisitions signify. On the first point, it is enough to note that the apparently comprehensive lists provided in ninth-century confirmations of the abbey's property – and the most useful in this regard are the *confirmatio bonorum* of Pope Stephen IV of 817 and that of Lothar of 840 – are in fact far from that: although both note where *fundi*, or portions of *fundi*, in Farfa's possession had churches on them, there are demonstrable gaps in their lists.<sup>89</sup> The problem of what such institutions were, and what Farfa's possession of them meant both for it and for the religious life of the region, is more complicated. As has often been pointed out, there was a bewildering variety of types of religious institution. Some must have been tiny: the church of S. Felix at 'Ancianus' formed only part of a sale for which the price was a single horse.<sup>90</sup> The monastery of SS Maria and Michael at 'Terentianus', which we will encounter below, seems to have been founded as a kind of eighth-century version of Dotheboys Hall.<sup>91</sup> Other foundations were clearly important, even though their precise status is hard to gauge, because they are inconsistently described as either *ecclesia* or *monasterium*.<sup>92</sup> We should not, in fact, expect too much rigidity or consistency on this last point: closer definition of types of religious and their institutions became a major concern only with the Carolingian reforming legislation of the ninth century, and even then its aspirations were far from universally applied. Thus it is very hard from our sources to see what type of pastoral care, if any, was on offer in any given institution. Some may have been baptismal churches serving a wide community, while others were the private prayer chapels and cult sites of their owners. Some were the focus of family burials: this was certainly so in the case of the church of S. Agatha in Rieti, given to Farfa by the priest Hilderic on the proviso that his heirs continue to be buried there.<sup>93</sup>

<sup>88</sup> *CDL* IV/1 18 and 20.

<sup>89</sup> *RF* II 224 and 282bis. Neither mentions the church of S. Eleutherius, acquired from Duke Hildebrand in 776 (*CDL* IV/1 24), nor the church of S. Agatha in Rieti, given in 786 (*CDL* V 101); there are several other examples.

<sup>90</sup> *CDL* V 41.

<sup>91</sup> As we shall see, its foundation is described in the record of a court hearing, *CDL* IV/1 12: below, pp. 110–20.

<sup>92</sup> The place is variously designated: as a *basilica* in *CDL* V 3, an *ecclesia* in *CDL* V 96, and as a *monasterium* in *CDL* IV/1 29, 30, 31 and 35.

<sup>93</sup> *CDL* V 101: on the family, see below, pp. 241–5.

## *Patronage and Lombard rulers*

One thing many of the churches in our evidence had in common was an association with a particular estate. The property confirmations just mentioned, of Pope Stephen IV and Lothar, both consist for the most part of a list of estates or portions of estates (here termed *fundi*). Of the 181 such estates listed in the longer of the two – Lothar’s extensive privilege of 840 – 49 have churches named as belonging to them.<sup>94</sup> Separately listed, by this time, were six monasteries, which all seem to have been substantial communities, and not simply houses possessed by and staffed by one family – clearly there had been some response to the reforming efforts just noted. The list goes some way, then, towards helping to gauge the character of the institutions in Farfa’s possession: by 840 it had what amounted to daughter houses (with every acknowledgement that the term runs the risk of anachronism, given its rather more precise definition later on). The 817 papal list shows something else, too: a remarkable number of the churches it names, thirty-seven out of forty-eight, do not appear earlier in the Farfa documentation. Many of the estates to which they are attached do, however. Thus, for example, the estate at ‘Turris’ was in Farfa’s hands by 747, while a church of S. Laurentius is mentioned for the first time in the bull of 817;<sup>95</sup> in the latter document we find a church dedicated to St Martin at the ‘fundus’ Valerianum, of which the only earlier record is a ducal donation of 773–5, when the abbey received just a single *casa* (farm) there.<sup>96</sup> This might be explained simply by the terse nature of many of the charters, but it could also be that many of these churches were built by the abbey after they acquired the estates. Other churches changed their dedications: in 765 a church on the estate of Mutella was dedicated to the (highly obscure) Seven Brothers; by 817 the only church at that place was one of the many dedications to S. Michael (here termed S. Angelus).<sup>97</sup> In similar vein, we can point to the one dissimilarity between the 817 and 840 lists. The former mentions a church dedicated to S. Valentinus at the *fundus* ‘Paternum’, which does not appear in the latter; the latter, on the other hand, has a dedication not in the former, to Cecilia, also on an estate called ‘Paternum’. A transfer of cult from Valentinus to Cecilia seems to have taken place.

Farfa owed its possession of what became its subordinate monasteries to dukes and kings. The nunnery of St George in Rieti was given by Duke Lupo and his wife.<sup>98</sup> The same duke transferred to the abbey another nunnery, dedicated to St Peter, which Duke Transamund had established

<sup>94</sup> RF II 282bis. <sup>95</sup> CDL IV/I 6. <sup>96</sup> CDL IV/I 23.

<sup>97</sup> CDL V 44. <sup>98</sup> CDL IV/I 13.

at Classicella.<sup>99</sup> S. Michael's in Rieti was finally handed to Farfa by Duke Hildeprand (though not without some dispute, as we shall see shortly).<sup>100</sup> S. Hippolytus in Fermo was the gift of the Lombard King Desiderius.<sup>101</sup> The other category of institution granted by the dukes was the church on an estate very local to Farfa. The earliest extant diploma, of 724, is a grant of the church of S. Getulius which, since it was 'in loco qui dicitur Acutianus', must have been very close to the abbey itself.<sup>102</sup> There was also a church on the *gualdus* 'ad Sanctum Iacinthum', which is only apparent because its priest, Pardus, appeared at the inquest into possessions there.<sup>103</sup> With the estate at Canalis, the abbey received a church dedicated to S. Eleutherius.<sup>104</sup>

The identities of these dedicatory saints tell us something significant about the nature, and at least one of the possible purposes, of the abbey's patronage in the period. The sponsorship of dukes and kings brought under the abbey's control the cults both of Roman and of more local martyrs. In doing so, they may have provoked conflict with the bishops of Rieti, then trying to establish their purview over an area (essentially the Sabina Tiberina) which had formerly belonged to the now-defunct diocese of Cures (modern Corese).<sup>105</sup> A dispute that made it to the ducal court, discussed below in the context of dispute settlement, may be one instance of such conflict – control of cult, after all, often had an implication in simple property terms.<sup>106</sup> But that the situation between Farfa and the bishops of Rieti was more complex than that is suggested by the abbey's fluctuating relationship with the prominent aristocratic family of the Pandoni, at least one of whose members held the bishopric in the 750–760s.<sup>107</sup> That relationship focused for a while on possession of the monastery dedicated to the archangel Michael in Rieti. As a saint of very

<sup>99</sup> *CDL* IV/1 7. S. Peter's in Classicella was transferred to the abbess of S. Salvatore in Brescia, Desiderius's daughter Ansilperga, in 768: *CDL* II 217; for its location, see M. L. Mancinelli, 'Proposta per l'ubicazione del "monasterium Sancti Petri in Classicella" (secolo VIII): alcune riflessioni sul rapporto fra istituzioni ecclesiastiche e territorio nella Sabina Tiberina (Lazio) in età altomedievale', in L. Pani Ermini ed., *Dalla Tuscia Romana al territorio Valvense. Problemi di topografia medievale alla luce delle recenti ricerche archeologiche*, Miscellanea della Società Romana di Storia Patria 43 (Rome, 2001), pp. 143–69.

<sup>100</sup> *CDL* IV/1 31 is the basic provision of Farfa's control; but the issue proved to be complicated: see below, pp. 96–8.

<sup>101</sup> *CDL* III 35. <sup>102</sup> *CDL* IV/1 1. <sup>103</sup> *CDL* V 8. <sup>104</sup> *CDL* IV/1 24.

<sup>105</sup> T. Leggio, 'Forme di insediamento in Sabina e nel Reatino nel medioevo', *Bullettino dell'Istituto Storico Italiano per il Medioevo e Archivio Muratoriano* 95 (1989), pp. 165–201, at p. 175; Leggio, *Da Cures Sabini all'Abbazia di Farfa*; Leggio, 'Nuove acquisizioni per la cronotassi episcopale reatina nell'alto medioevo', *Rivista storica del Lazio* 4 (1996), pp. 3–21, at p. 11. A reference in the tenth-century *Excerptio Relationum* suggests that Transamund had to compensate the bishop of Rieti for his initial grant to Farfa of a church (and its property) within the bishop's jurisdiction: *CF* I, p. 64.

<sup>106</sup> *CDL* IV/1 26: see below, pp. 90–3. <sup>107</sup> See below, pp. 226–31.

broad appeal he is in fact unusual in a Farfa context. The dedicatees of the three cells established at the abbey by 749 point to the balance of Farfa's hagiology: Saints Peter, Getulius and Michael, or, to put it another way, a Roman saint, a local martyr and a biblical saint.<sup>108</sup> This distribution of devotion was not accidental.

Recent work by Eugenio Susi and Victor Saxer, building on that of Maria Grazia Mara, has demonstrated how ducal patronage allowed the Farfa monks to appropriate cults already current in the Sabina by relocating the crucial sites in their stories – the places of their martyrdoms and/or burials – to the thirtieth milestone on the Via Salaria, and by equating the latter with the location of Farfa itself.<sup>109</sup> The extent to which the thirtieth milestone became a totem for Farfa is revealed by its identification as the place of burial of two of the monastery's abbots, including Thomas of Maurienne, in its eleventh-century Martyrology (which certainly drew on earlier sources).<sup>110</sup> Identification of the thirtieth milestone with Farfa had become possible because by the early middle ages the antique road network in the area had started to break down, and the term Via Salaria began to be applied to numbers of different routes across the Sabina, some of them very close to the abbey.<sup>111</sup> The result of the monks' campaign of appropriation was what Susi has called a 'corona of *loca sanctorum*' to the west and south of the abbey: the church of S. Getulius was clearly very close to it,<sup>112</sup> that of S. Hyacinth in a *gualdus* just to the south,<sup>113</sup> and the site of Anthimus's martyrdom was put close by, perhaps to the

<sup>108</sup> The cells are mentioned in *CDL IV/1* 8.

<sup>109</sup> I am here drawing in particular on the work of Susi, 'I culti farfensi nel secolo VIII', and Susi, 'Agiografia e territorio', p. 335; also V. Saxer, 'I santi e i santuari antichi della Via Salaria da Fidene ad Amiterno', *Rivista di archeologia cristiana* 66 (1990), pp. 244–305; and M. G. Mara, *I martiri della Via Salaria* (Rome, 1964).

<sup>110</sup> I. Schuster, 'Martyrologium Pharpense ex apographo cardinalis Fortunati Tamburini OSB codicis saeculi XI', *Revue Bénédictine* 26 (1909), pp. 432–6, and 27 (1910), pp. 75–94 and 365–85, and now E. Susi, 'Due testi agiografici farfensi: la Passio e l'Inventio dei santi Stefano, Benedetto e Compagni (BHL 7914–7915)', *Hagiographica* 4 (1997), pp. 133–53. The other abbot was Hilderic (843–57).

<sup>111</sup> See T. Leggio, 'Le principali vie di comunicazione nella Sabina Tiberina tra X e XII secolo', *Il Territorio* 2/1 (1986), pp. 3–19, and M. L. Mancinelli, 'Nuove acquisizioni sulla viabilità nella Sabina tiberina in età tardoantica e medievale', in Z. Mari, M. T. Petrara and M. Sperandio eds., *Il Lazio tra antichità e medioevo. Studi in memoria di Jean Coste* (Rome, 1999), pp. 498–516; though there is disagreement as to the routes, there is little doubt that at least one passed very close to the abbey.

<sup>112</sup> *CDL IV/1* 1: see Susi, 'I culti farfensi', pp. 64–8 and, for the location, Migliario, *Strutture*, p. 39. For the continued devotion to this cult, along with those of Anthimus and Valentinus (as well as, more predictably, Martin and Mary) at Farfa in the high middle ages, see C. Gnocchi, 'Un sondaggio sui documenti farfensi dei secoli XI e XII', in S. Boesch Gajano and E. Petrucci eds., *Santi e culti del Lazio. Istituzioni, società, devozioni*, Miscellanea della società romana di storia patria 41 (Rome, 2000), pp. 83–99, at pp. 85–9.

<sup>113</sup> *CDL IV/1* 4, 5 and 6.

north-east.<sup>114</sup> Two other churches dedicated to Anthimus, one in the *fundus Sentianus*, the other in the *fundus Servilianus*, and both attested in ninth-century Farfa documents, should also be seen as evidence for the spread of Anthimus's cult. It was certainly more widespread in the Sabina.<sup>115</sup> There was also a church of S. Vitus at 'Bitianum' to the west of the abbey, and one dedicated to S. Peter on the estate of 'Germaniciana' between the Riana and the Corese.<sup>116</sup> Duke Faroald's initial patronage of the abbey had brought it three further churches, dedicated to Anatolia, Sabinus and Sebastian.<sup>117</sup> The first two were certainly, by the eighth century, venerated as local, while Sebastian points to the influence of prominent Roman martyrs on Sabine devotion: also culted there were Pancras, Valentine

<sup>114</sup> All versions of the *Acta Anthimi* agree that the saint was martyred at the 'praedia Piniani' – the lands of Pinianus that appear also in a number of other martyr texts: see Mara, *I martiri della Via Salaria*, p. 47. From the ninth century on Pinianus was the name attached to a *fundus* (a large bloc or complex of estates like *casales*), perhaps based on the original *casalis*, that appears regularly among Farfa's possessions: *RF* II 224 (a. 817), 282; III 300, 404, 419, 430, 432, 444, 446, 464, 467; IV 777; V 1280, 1318 (this final charter dates from 1118); but the earliest reference is in 761, when the abbey was in dispute with a local landowner, Alfrid, an *exercitialis* of the duke of Spoleto: *CDL* IV/1 14 (= *RF* II 46). Alfrid claimed that his grandfather, along with other relatives, had built an *ecclesiam in honore Beati Anthimi in casale qui dicitur Acutianus*. Some readings, however, give the name of the *casalis* as *Antianus* (the difference is a single minim in the script of the late eleventh-century cartulary-compiler, Gregory of Catino): Saracco Previdi, 'Lo *sculdahis*', p. 676, n. 398, locates it to the north-east of Farfa, in the region of Magliano Sabina. *Antianus* was the name of a *casalis*, part of which we know to have been held, at some time before 764, by one Rimolf, who also held the neighbouring *casalis*, which significantly was called *Pinianus*. At Rimolf's death these properties had been shared between his sons Rimichisus and Siso, both of whom had transferred them to Farfa in 764: *CDL* V 39 and 41 (= *RF* II 57 and 60). Thus the church of S. Anthimus may have been built by Alfrid's family in lands next door to a *casalis* called *Pinianus*. Since most of the toponyms in this area seem to date back to the Roman era – as examples such as *Praetorianum*, *Germaniciana* and *Caesarianum* indicate – it may not be too far-fetched to connect this *Pinianus* with the 'praedia Piniani' of the *Passio*. This is not to suggest that the estate originally derived its name from the Pinianus of the *Acta Anthimi*: it should be remembered that the reliable evidence for the estate dates from the eighth century, that for Pinianus the holy patron from the ninth. Rather, the Farfa documentation provides a context in which the names that do appear in the *Acta* as we have it may have been selected. Although we differ on details, this is essentially also the argument of Susi, 'I culti farfensi', pp. 69–71.

<sup>115</sup> *RF* II 224 and 282bis respectively for 'Sentianus' and 'Servilianus'. Note also the *missa sancti Anthimi* at which the *missus* of Pippin, king of Italy, Abbot Alalobd, held a hearing into possession of the monastery of St Peter in Classicella in 801: *RF* II 16. By the fourteenth century, Anthimus's name was given to a villa in the Sabina. Although it was certainly near the site of the basilica, direct continuity with the latter is difficult to establish precisely: J. Coste, 'Localizzazione di un possesso farfense: il *Castrum Caminata*', in Coste, *Scritti di topografia medievale. Problemi di metodo e ricerche sul Lazio* (Rome, 1996), pp. 189–211, at 197–8, 209 and 211.

<sup>116</sup> S. Vitus: *CDL* IV/1 10, and see Migliario, *Strutture*, pp. 40 and 82 for the location. The church is mentioned in Farfa's earliest charter, *CDL* V 1, as its place of redaction; but, though the estate at 'Germaniciana' appears quite regularly (*CDL* IV/1 2 and 19; *CDL* V 27), the church does not appear as Farfa's actual property until the bull of Pope Stephen IV of 817. There can be little doubt, however, that it passed into the hands of the abbey at least as early as the rest of the estate.

<sup>117</sup> *CF* I, p. 139–40.

and Eleutherius.<sup>118</sup> As we have seen, Farfa also encouraged the cults of biblical saints; but only two appear with any regularity in the abbey's early medieval phase: that of S. Michael, whom we find as the dedicatee of an important monastery of Rieti that passed into Farfa's hands, not without controversy, in the 780s, as well as of a cell at the abbey, mentioned above; and that of S. Mary, dedicatee of the abbey itself. The significance of the way in which the Marian cult spread in early medieval Italy is surely a fruitful topic for future research, but the choice of S. Michael as a dedicatory saint at this time must have something to do with the promotion of the cult by the Lombard King Liutprand.<sup>119</sup>

This raises the question of where the initiative lay for the choice of cults to be sponsored. In making donations of estates with churches dedicated to local saints the dukes may perhaps have been responding to petitions from the monks. The evidence for the dedications of churches transferred in private donations reinforces the notion that some of the drive to take control of saints' cults came from within the abbey, and from its local patrons. From private individuals in the eighth century Farfa received churches dedicated to Eugenia,<sup>120</sup> Felix,<sup>121</sup> Laurentius,<sup>122</sup> Gregory<sup>123</sup> and Agatha:<sup>124</sup> all Roman martyrs, or at least with Roman associations. This might then link with the evidence for the inculcation into the Sabine population in the seventh century of cults from the east and from Rome.<sup>125</sup> Those churches not attested before 817 show precisely the same dedications – or same kinds of dedications – as those which are. That is, the majority are broadly local, like Anatolia, Anthimus, Cessigius, Donatus, Eusanius, Iuvenalis, Sabina, Savinus, Victoria, Victorinus;<sup>126</sup> Roman martyrs like Abundius, Gordianus, Laurentius, Pancras, Maria and Silvester, Sebastian, and Valentine; or more universal saints: Maria, Martin, Michael (Angelus), Peter, Stephen. Coupled with the evidence that we shall examine below for substantial recruitment of monks for the abbey from among the local landowning families, the selection of saints

<sup>118</sup> A church of Pancras is mentioned in *CDL* III 23 (a.751: by which time it was already in Farfa's possession), those of Valentine 'in fundo Pontiani' and Eleutherius 'in Canalis' in *CDL* IV/1 24 of 776; see also Susi, 'I culti farfensi', pp. 73–4. On Eleutherius, see further Susi, 'Agiografia e territorio', pp. 321–2.

<sup>119</sup> E. Susi, 'San Michele nel territorio del Ducato Spoletino nell'alto medioevo', in P. Bouet, G. Otranto and A. Vauchez eds., *Culte et pèlerinages à Saint Michel en Europe. Les trois monts dédiés à l'Archange*, Collection de l'École Française de Rome 316 (Paris and Rome, 2003), pp. 105–38.

<sup>120</sup> *CDL* V 31. <sup>121</sup> *CDL* V 41. <sup>122</sup> *CDL* V 98. <sup>123</sup> *CDL* V 64. <sup>124</sup> *CDL* V 101.

<sup>125</sup> Or, often, from the east through Rome, as in the *Passiones* of Eugenia, or even of Farfa's legendary founder S. Laurentius the Syrian. It hardly needs to be said that the texts of such *passiones* are very hard to date, but certainly much later than the eighth century, in the form we have them. The general point is well covered in Susi, 'I culti farfensi', pp. 78–9.

<sup>126</sup> On Cessigius (or Cesidius), see Susi, 'Agiografia e territorio', p. 337; on Eusanius venerated at Forcona, *ibid.*, p. 338 with n. 83; on Victorinus, *ibid.*, pp. 342–3.

adds another dimension to a social and cultural life at the abbey that hitherto has tended to be seen in the light of its principal liturgical sources for this period, the Homiliary of Alan of Farfa and the ninth-century Legendary, the first of which firmly reflects in a very traditional way the liturgical traditions of the city of Rome, while the latter's inclusion of many northern, cisalpine, Frankish saints puts it firmly in a Carolingian milieu.<sup>127</sup> Church dedications and hagiographical texts like those examined by Susi help to show that the abbey was focused rather less than has often been credited on those two external forces that loomed across its history – papal Rome and the Franks – and rather more on a livelier, more local tradition that depended far less on imposition from above.

Simply by looking at the churches it acquired, we can see how the abbey kept in balance both private landowners and the dukes; and Roman, Frankish and local religious culture. The eighth century was a time both of great variety and of rapid growth in the numbers of churches, not just in Italy but across Europe.<sup>128</sup> Churches were founded by many different people for many different reasons, and resisted easy organization, even when they had passed under a single guiding hand. Collectively, however, they formed the religious identity not only of Farfa, when it came to own them, but also of the region. While they suggest a strong role for the laity as patrons and shapers of religious life, they also point to the sheer extent and quality of the property of the dukes. With this in mind, we can turn shortly to ducal property itself, and to those who managed it 'on the ground'.

#### MONASTERIES AND RULERSHIP IN LOMBARD ITALY

It is most likely that the generosity of Lombard rulers towards Farfa was prompted by the same bundle of reasons that motivated the roughly contemporary trend towards 'royal abbeys' north of the Alps.<sup>129</sup> For one thing, Farfa's geographical location was evidently important: it had been founded at a strategic point, firmly in the Lombard duchy, but on one of the outlying mountains of the Monti Sabini, very close to the edge

<sup>127</sup> The Homiliary of Alan of Farfa is edited in R. Grégoire, *Les homéliaires du moyen âge: inventaire et analyse des manuscrits* (Rome, 1966), pp. 17–70; for the manuscript tradition see J. Bouhot, 'L'homéliaires de Saint-Pierre du Vatican au milieu du VIII<sup>e</sup> siècle et sa postérité', *Recherches Augustiniennes* 20 (1985), pp. 87–115; for the Legendary, see E. Susi, 'Strategie agiografiche altomedievali in un leggendario di Farfa', *Cristianesimo nella Storia* 18 (1997), pp. 277–302, and for both, Susi, 'I culti farfensi', pp. 62–3.

<sup>128</sup> For a useful summary of the Italian situation, see C. Azzara, 'Ecclesiastical institutions', in C. La Rocca ed., *Italy in the Early Middle Ages* (Oxford, 2002), pp. 85–101, at pp. 89–90.

<sup>129</sup> See de Jong, 'Carolingian monasticism', pp. 623–7.

of the jurisdiction of Lombard rulers and officials. What is more, the abbey and its lands seem to have marked the effective boundary of the purview of the bishop of Rieti. Although there is slight evidence for the existence of a bishop at 'Forum Novum' (modern Vescovio) in this period, Farfa's documents, its benefactors and the lands they gave, all looked to the bishop of Rieti. We lack the evidence to say what jurisdiction any other bishop had in the region, in lands that fell outside or beyond those of Farfa, except for noting the looming presence of the bishop of Rome. Although Vescovio is just down the road, Farfa's location gives the strong impression of having been chosen, or at least of being advantageous for some, because it was too far from Rieti for the bishop to impinge upon it easily. That the same was not true in reverse – that Farfa could encroach upon the bishop's jurisdiction – may even have been a motive for its foundation and embellishment: Ratchis and Lupo, for instance, and possibly earlier rulers, may have been seeking a counterweight to the power of the bishop in the region. Hence, perhaps, the subordination by Lupo of two nunneries, his own foundation of S. George in Rieti and Duke Transamund's of S. Peter in Classicella, to the abbot of Farfa.<sup>130</sup> Hence too, and more obviously, Duke Hildebrand's decision eventually to side with Farfa over possession of the monastery of S. Michael in Rieti, against the Pandoni who had held the bishopric for about three decades.<sup>131</sup> As we have seen, successive dukes ensured that Farfa took control of the cults of local saints (as opposed to supra-local ones, like S. Michael): Transamund gave the church of S. Getulius,<sup>132</sup> Lupo that of S. Hyacinth,<sup>133</sup> Gisulf that of S. Anthimus in 'Acutianus'.<sup>134</sup>

It would be going too far to suggest that Farfa was some sort of proprietorial monastery (that is, an *Eigenkloster*) for the Spoletan dukes and Lombard kings.<sup>135</sup> Royal and ducal patronage helped to make of it an institution with horizons set higher than those of most of its private benefactors, such that it could be a vehicle for amalgamating royal and non-royal interests. We have seen that Lombard kings issued diplomas that are in some ways analogous to the diplomas of protection (*tuitio*) or immunity that contemporary Frankish rulers issued. To those mentioned above, we can add Liutprand's diploma confirming the abbey's property

<sup>130</sup> *CDL* IV/1 7 (S. Peter in Classicella) and 13 (S. George in Rieti).

<sup>131</sup> See below, pp. 226–31. <sup>132</sup> *CDL* IV/1 1.

<sup>133</sup> *CDL* IV/1 5, and see *CDL* V 8.

<sup>134</sup> *CDL* IV/1 14 (a. 761), though this is a *notitia* of a court case in which it was claimed that church had been given first by Lupo.

<sup>135</sup> As argued especially forcefully by K. Voigt, *Die königlichen Eigenklöster im Langobardenreiche* (Gotha, 1909), esp. pp. 51–6; see also D. Harrison, *The Early State and the Towns. Forms of Integration in Lombard Italy* (Lund, 1995), pp. 177–8.

and the monks' freedom of abbatial election.<sup>136</sup> In a widely cited article, Karl Schmid stressed the importance of the connection between monastic foundation and royal family, and suggested that Charlemagne exploited this after 774 as a means of gaining acceptance for Frankish rule. He noted that his chosen vehicles – Farfa, Nonantola, Bobbio – were already in part staffed by Frankish monks,<sup>137</sup> and argued that Charlemagne's immunity diplomas then made these irresistibly attractive to Italian landowners. This very influential idea can be challenged, however, because it takes too rigid a view both of monasticism and of the patronage of monasteries by rulers. There were many more varieties of the former than Schmid allowed: Gisella Cantino Wataghin cursorily surveys the situation, but even she fails to give full weight to the small private houses – Monteverdi, S. George in Rieti – scattered across town and country.<sup>138</sup> Nor did these two writers fully take into account the ambiguity of the term *monasterium*, which we have seen, for instance, in the case of S. Michael in Rieti.

Royal patronage did not generally extend to such houses. Rulers sought rather to endow monasteries that stood a good chance of rising above their particularity; houses, indeed, that might themselves absorb the religious institutions and patronage of single kin or interest groups. This was in fact precisely the role Farfa ultimately performed with S. George's and S. Michael's in Rieti, and with others: S. Peter in Classicella, S. Hippolytus in Fermo and S. Salvatore on Monte Letenano. The only other such monastery to appear in the collection of Lombard royal diplomas is Bobbio. This is an interesting comparator, but the collection itself slightly misleads, both because its editor, Carlrichard Brühl, was quick to condemn as outright forgeries diplomas with a few fabricated elements, and because it does not include diplomas issued by the dukes of Spoleto or Benevento. Taking this into account, there are signs of Lombard royal largesse for San Vincenzo al Volturno,<sup>139</sup> Nonantola,<sup>140</sup> and Monte Amiata.<sup>141</sup> In their slightly different ways, all of these benefited from

<sup>136</sup> *CDL* III 14; alongside *CDL* III, p. 281, nos. 3 and 4 = *RF* II 248.

<sup>137</sup> Schmid, 'Zur Ablösung', pp. 33–5.

<sup>138</sup> G. Cantino Wataghin, 'Monasteri nell'età longobarda: spunti per una ricerca', in *XXXVI corso di cultura sull'arte ravennate e bizantina. Seminario internazionale di studi sul tema: 'Ravenna e l'Italia fra Goti e Longobardi'* (Ravenna, 1989), pp. 73–100. For Monteverdi, M. Costambeys, 'The transmission of tradition: Gregorian influence and innovation in eighth-century Italian monasticism', in Y. Hen and M. Innes eds., *The Uses of the Past in the Early Middle Ages* (Cambridge, 2000), pp. 78–101.

<sup>139</sup> See Zielinski, *CDL* IV/2, pp. 88–134.

<sup>140</sup> G. Fasoli, 'L'abbazia di Nonantola fra l'VIII e l'XI secolo nelle ricerche storiche', in *Studi e Documenti, Deputazione di Storia Patria per l'Emilia-Romagna, sezione di Modena* n.s., 2 (1943), pp. 1–53; A. A. Settia, "'Per foros Italie'". Le aree extraurbane fra Alpi e Appennini', in *Mercati e mercanti nell'alto medioevo: l'area euroasiatica e l'area mediterranea*, Settimane di Studio del CISAM 40 (Spoleto, 1993), pp. 187–234, esp. pp. 191–2.

<sup>141</sup> See *CDA* 23 and 77.

early in their history from a plurality of patronage that gave them the potential to bypass sectional interests. Often, and probably deliberately, those interests would include the local diocesan and, as with Farfa, it may have been the desire to escape the clutches of the bishop in a very material, spatial, geographical sense that led to their establishment on the edges of dioceses or, to put it the other way around (and perhaps more pertinently), far from the nearest *civitas*. The same criteria as had governed Bobbio's location a century or so earlier seem to have been in play, and that was itself an extension of factors at work in Francia.<sup>142</sup>

The similarities between the situations and experiences of these monasteries should not be seen as stimulating a deliberate royal 'monastic policy' (*Klosterpolitik*), however. Royal enactments concerning them were simply responses to deeper social and political realities. Supporting monasteries like Farfa enabled the latter to transcend faction and kin in their locality. This was helpful to kings – indeed, it might be seen as a constant need, or at least aspiration, of all early medieval government – not because they could exert direct control over a locality through an abbey, but because it helped to harness the resources of fiscal lands nominally – but until then very often only nominally – under royal control. This in turn contributed to the limiting of faction and the curtailment of collective action that was a prerequisite for mobilizing local elites in a particular cause. Thus monasteries like Farfa directed the patronage of local notables into minimally divisive channels; they could manage fiscal land both productively and without threat to local interests, avoiding the kinds of disputes that preceded the transfer of the *gualdus* 'ad Sanctum Iacinthum' to Farfa; and in their localities they were relatively disinterested parties that could dilute entrenched local interests and effectively broker disputes by offering 'neutral' repositories for resources, especially land.

<sup>142</sup> See e.g. E. Destefanis, *Il monastero di Bobbio in età medievale*, Ricerche di archeologia altomedievale e medievale 27 (Florence, 2002), and Mor, 'La fondazione di Bobbio'.

### Chapter 3

## AUTHORITY, RULERSHIP AND THE ABBEY

### LOCAL OFFICIALS, DUCAL POWER AND 'PUBLIC' PROPERTY

Our charters record not only transfers of rights over land, but also the description or delineation of relationships between people. By listing a supporting cast of those who participated in transactions and disputes, they reveal the balances of power between principal actors and supporting cast. In the eighth-century Sabina, none was more principal than the duke of Spoleto. He has traditionally been seen as the possessor of plenipotentary power in his duchy – though whether this has been seen to derive from the Lombard king or from indigenous appropriation by the first dukes has depended on the ultimately irresolvable problem of the initial Lombard settlement in Italy.<sup>1</sup> Yet an examination of the charters reveals not simply that the duke's power was extremely limited in practice, but rather that individual dukes recognized the difficulty of turning rhetorical claims to authority into practical power. It was a difficulty that resided chiefly in the power relationship between the duke and those intended to be his functionaries on the ground; and it is a difficulty that emerges most clearly when the duke's own rights were contested in court. The evidence we are about to discuss shows the dukes treating such disputes as contests about ducal authority and the definition of 'public' land. It points to a connection between the vindication of property rights and political power that was absolutely central to the way power was distributed, and did not necessarily advantage those who held public authority.

A dispute that reveals the limits on ducal authority becomes apparent from the record of a judgement in January 776 by Duke Hildebrand. An argument had arisen between the abbey of Farfa and the newly elected bishop of Rieti, Agio, concerning a *casalis* called 'Balberianus' in the *curtis*

<sup>1</sup> On the settlement, see now Gasparri, 'Il regno longobardo in Italia', pp. 34–42, and Wickham, *Framing the Early Middle Ages*, pp. 115–18.

‘Germanicana’.<sup>2</sup> After both parties had given the necessary pledges (*quadiae*) to the duke, the bishop and his representative, the *sculdahis* Hilderic, failed to attend three successive hearings of the case, or to present their witnesses within the required twelve days, and so lost the case and ‘Balberianus’ with it.<sup>3</sup>

It looks surprising at first sight that a man in the bishop’s position should have been contumacious, especially since he had attended the initial hearing at which he had given his pledge. Surprise is mitigated, however, by the convoluted record of a second diploma issued in December of the same year. By that time Agio had died and his successor, Bishop Sinuald, did come to Spoleto, to defend the episcopal claim to ‘Balberianus’ once more before an impressive array of ecclesiastical and secular dignitaries. Neither party disputed the bishop’s basic assertion that the *casalis* had been given to the episcopal church on his deathbed by a certain Lupo, who had in turn received it from his father, Liutpert. The case appears to hinge rather around the issue of Liutpert’s possession. For while the bishop claimed that Liutpert had received the *casalis* as a gift *per palatium* – that is, from the duke – Abbot Probatas of Farfa said that he had stolen it *de publico*, from the *curtis* ‘Germanicana’, where he had been *actor* for many years. ‘Germanicana’ had belonged to Farfa since Aistulf’s donation of it twenty-five years earlier, and ‘Balberianus’ ought to have formed part of it, but the abbot claimed that the monks had never enjoyed the latter.<sup>4</sup>

The manner in which the case was settled has a strong bearing on the interpretation of the title of *actor* attributed to Liutpert. After the duke had recalled the earlier failure of the episcopal church to support its claim, Bishop Sinuald declared that he could present witnesses who could swear that Liutpert had indeed received the *casalis* ‘*per palatium*’. Moreover, he said that he did not need to produce a diploma to support his assertion, because in Liutpert’s day, ‘those who were *gastalds* had the power to donate an estate in their gift without (the permission of) the duke’.<sup>5</sup> The suggestion was, then, that Liutpert had received the property from whoever was then *gastald*: that is, the official or functionary responsible for the

<sup>2</sup> CDL IV/1 26.

<sup>3</sup> The procedure here appears to have followed the stipulations of the Rothari 361, which required that an oath (or other forms of proof) be offered within twelve days of the giving of a pledge.

<sup>4</sup> CDL IV/1 28: ‘At contra respondebat Probatas abbas ... ipsum casalem pater ipsius Luponis Liutpert sibi apprehendit de publico, idest de curte Germanicana, dum ibidem ipse per multos annos actor fuisset.’ The diplomas of Aistulf concerning ‘Germanicana’ are *deperdita*: CDL III, p. 281–2, mentioned in CDL IV/1 19 and MGH Dipl. Kar. I, no. 1111; for the earlier history of the estate, see CDL IV/1 2, v 23, 27.

<sup>5</sup> CDL IV/1 28: ‘Et in illis diebus castaldii qui erant, potestatem habebant casalem donandi ex dono suo sine duce.’

administration of fiscal property across a given region.<sup>6</sup> As an *actor*, Liutpert was clearly subordinate to him, responsible for the management of a single estate. His tenure of ‘Balberianus’ was found illegal, however, because when Bishop Sinuald’s two witnesses, one of whom was his own brother, came forward, they swore before God that they knew nothing about the case.<sup>7</sup> Following the failure of Sinuald’s witnesses to testify in the bishop’s favour, Hildeprand asked the rest of the tribunal ‘if there was such a custom in earlier times that judges of that duchy had licence to give a whole *casalis* to any man without (the permission of) the duke’. They replied that there was not such a custom for half or whole *casales*, but only for very small plots and for farms without an heir.<sup>8</sup>

His statement that one of the duke’s local officials could have alienated the land without consultation with the duke looks like a blatant fudge on the bishop’s part, because he had earlier argued that the *casalis* had been given ‘through the palace’, and therefore presumably with the duke’s knowledge. Although the possibility remains that Sinuald’s witnesses had been coerced in some way into offering no support for the bishop’s case, this in itself would not have settled the matter, since the claim depended as much upon establishing the principle that ‘public’ land could be alienated by *gastalds* as upon furnishing proof that this particular estate had been so alienated. The apparent contradiction in Sinuald’s argument – that an alienation could not have been made both *per palatium* and by a *gastald sine duce* – could only be resolved if we stretch the definition of *palatium* to include all fiscal property (that is, a donation *per palatium* was simply one of fiscal rather than of private property). Bishop Agio’s contumacy and the failure of the witnesses brought forward by Bishop Sinuald to support his claim only add to the impression that the bishops of Rieti were using procedure and circumstantial claims to avoid having to face the duke on the firmer and more usual grounds of proof: written

<sup>6</sup> Since we do not know how long previous to this Liutpert took over the property, we cannot say which *gastald* might have been in office, but all the candidates are surveyed in Zielinski, *Studien*, pp. 224–42.

<sup>7</sup> *CDL* IV/1 28: ‘ipsi testes Sintarius *gastaldius*, frater ipsius Sinuald, et Lupo, comes de Firmo . . . ipsi nobis dixerunt: “Deus testis est, quia nullo modo aliquid de causa ista scimus.”’

<sup>8</sup> *CDL* IV/1 28: ‘Tunc nos gloriosissimus dux inquisivimus suprascriptum episcopum et *castaldios* nostros iam prenomatos, si talis ante tempora ipsa fuisset consuetudo, ut haberent licentiam iudices ducatus istius absque duce cuicumque homini donandi casalem integrum. At illi unanimiter dixerunt quia non, excepto in modico terrulam aut casellam absque herede, nam medium aut integrum casalem non sine palatio.’ From the context of the rest of the charter, it is clear that *iudices* here is synonymous with *comites* and *gastaldii*. For further comment see P. Delogù, ‘L’istituzione comitale nell’Italia Carolingia’, *Bollettino dell’Istituto Storico Italiano per il Medioevo e Archivio Muratoriano* 79 (1968), pp. 53–114, and Saracco Previdi, ‘Lo *sculdahis*’, pp. 627–33.

charter or oral witness. When they did, when witnesses were brought forward, they lost.

This was not simply a fictive case, like many surviving from the region from the later ninth century onwards, in which the judicial hearing is merely a vehicle for confirming one party's property right, and the other party named does not actually contest the claim.<sup>9</sup> The argument here is too elaborate for that. It looks as though the bishops of Rieti were genuinely trying to vindicate what they thought were legitimate property rights, but that they lacked the proofs to do so: the failure of their own witnesses to support their claim suggests that the court was packed against them. Even so, it is significant both that they could ask the question about the dukes' authority over public property, and that it was recorded. The reply they received from the assembled secular and ecclesiastical officials looks like the answer to a different question: half and whole estates could not be alienated without the duke's permission, except for small lands *without heirs*. The lands envisaged were not, then, fiscal land, which by definition did not have heirs. Either the court was struggling with some fairly basic points of property law, or it was itself fudging, because everyone knew that estates could be and had been alienated *sine duce*.

The duke's question is arguably the most important feature of the whole diploma. Hildeprand seems to have taken the opportunity afforded by the dispute over 'Balberianus' to establish an important point of principle: that portions of the *publicum* could not be alienated without the duke's consent. Not only did this attempt to air the issue in writing come remarkably late in the history of the Lombard duchy, but it actually failed to establish the duke's absolute right over the *publicum*: even this court was willing to imagine cases in which the duke's officials could alienate without reference to him. What is more, the reference to heirs suggests that they did not fully recognize a distinction between what we would call 'public' and 'private' property at all. This ducal diploma, then, written by the duke's notary and bearing the duke's subscription, recognized a status quo in which a significant proportion of the land termed *publicum* could have escaped the duke's control without his ever knowing about it.

Ultimately, this issue revolves around the formal status of the *publicum*. It should be stressed here that the fate of the old imperial fisc in Italy after the vicissitudes of the fifth century remains highly obscure, despite some intense research by generations of scholars. No clearer is a putative take-over of fiscal land by the Lombard rulers after their arrival in the late sixth

<sup>9</sup> Bougard, *La justice dans le royaume d'Italie*, pp. 307–29.

century.<sup>10</sup> Whatever its origins, fiscal land emerges in the documentation of the eighth century as the object of an aspiration on the part of both kings and dukes to control it. Their donations of it through the extant diplomas are ample evidence of their ability to realize this aspiration in many instances, and there is no doubt that Hildeprand shared his predecessors' attitude. Many of his other diplomas contain instances of less equivocal ducal control over the *publicum*.<sup>11</sup> In the context of these acts, the lack of certainty evident in the 'Balberianus' case is even more striking. Nevertheless, it gives us a strong incentive to look beyond the language of possession and the rhetoric of control so often evident in the charter material.

A distance between authority and power, between rhetoric and reality, is present in all societies. It was particularly great in early medieval societies in which communications were poor, administrative structures weak and political groupings fragmented. In one sense, then, an admission that the control of property was continually insecure was no more than a pragmatic recognition of reality; it is nonetheless notable that such an admission, albeit formulaic, is present in most of the Spoletan ducal diplomas. Their *minatio* formulae, though varying slightly from time to time, place to place and scribe to scribe, carried the admonition to the duke's official not to transgress his precepts. The formula was established at least from the time of the first surviving diploma, from May 724: 'so that from this day let our gift to this holy place be firm and secure; and let it be contradicted by none of our *actores*'.<sup>12</sup> Formulae such as this date back to the late Roman era and could be treated, and indeed often are, simply as part of eighth-century scribes' supposed tendency uncritically to reproduce their late Roman models in an effort to establish the legitimacy of their charters. The argument over the competence or intentions of eighth-century charter scribes has been a topic of heated debate in recent

<sup>10</sup> Wickham, *Early Medieval Italy*, p. 32, with n. 7: note that Paul the Deacon says that the Lombards gave half their *substantiae* to Authari in 584 (*HL* 3.16) – the origin of the royal fisc, perhaps? See also pp. 40–1; on abuse of power, conflict between 'public' and 'private', p. 45, also Rothari, prologue, Liutprand 59, Ratchis 1, 10, 11, 14. For a survey of the issue, see Gasparri, 'Il regno longobardo in Italia', pp. 34–42. For older literature, see P. S. Leicht, *Studi sulla proprietà fondiaria nel medioevo*, vol. II (Padua, 1907), pp. 47–54 for all material on remnants of the land tax, and F. Schneider, *Die Reichsverwaltung in Toscana (568–1268)* (Rome, 1914), vol. 1, pp. 159–72, and Schneider, *Die Entstehung von Burg und Landgemeinde in Italien* (Berlin, 1924), pp. 91–96.

<sup>11</sup> E.g. *CDL* IV/1 27, 30 and 31. These diplomas do not contain rhetorical formulae which emphasized the duke's power over the *publicus*.

<sup>12</sup> *CDL* IV/1 1: 'ut ab hac die firmum et stabile sit in ipso sancto loco donum nostrum; et a nullo actore nostro aliquando contradicatur'. Twenty-eight of the twenty-nine surviving ducal *praecepta* include such a clause, or one very similar to it. It is probably lacking in the twenty-ninth only because its entire eschatocol is missing through a mutilation of the manuscript, see *CDL* IV/1 23.

years. The issue has been discussed at greater length in chapter 1.<sup>13</sup> It suffices to say here that recent work has shown that scribes were often more aware than was traditionally thought of the import of what they were writing, and were both willing and able to adapt the examples of the past to conform more closely (though rarely perfectly) to the circumstances of the present. In short, an admonition to ducal officials would not have appeared with such regularity if it were not thought to have been necessary, and it was necessary because *actores*, gastalds and others could and did ignore ducal precepts. The most standardized formulae in ducal documents therefore allude to a fact made much more explicit in Hildebrand's question at the end of the 'Balberianus' case: that the dukes' control of their property was dependent upon the obedience of their officials, and that that obedience could not be taken for granted.

The language of their diplomas in fact suggests that the dukes – or at least their literate court officials – knew precisely what was at stake in their property transfers. At issue was the dukes' *potestas*: their power to act and to control. Although in practice insecure, it was that *potestas* which the ducal notaries attempted to affirm in their diplomatic rhetoric. The term appears remarkably frequently in the extant diplomas: remarkably, that is, because the very existence of diplomas was supposedly an expression of *potestas*. To reaffirm a legal actor's power to act in the text of the enactment was theoretically superfluous. The repeated references to *potestas* in these diplomas, however, point to the contemporary recognition that the written word could only embody an ideal: that there was a distance between written statement and reality. Although one of the more standardized sections of a diploma, the *minatio* could be adapted to include references to the dukes' *potestas*. An early example can be found in a donation to Farfa by Duke Lupo in October 750: 'et nullus ex nostris gastaldiis vel actoribus contra haec, quae nostra largita est potestas, audeat ire quandoque ...'<sup>14</sup> In fact the term *potestas* was used from this date in

<sup>13</sup> For recent analyses vindicating the competence and awareness with which eighth-century scribes used the written word, see above, chapter 1; also, above all, McKitterick, *Carolingians and the Written Word*. The articles in W. Davies and P. Fouracre eds., *The Settlement of Disputes in Early Medieval Europe* (Cambridge, 1986), especially I. Wood, 'Disputes in late fifth- and sixth-century Gaul', pp. 7–22, P. Fouracre, 'Placita and the settlement of disputes in later Merovingian Francia', pp. 23–44, and Wickham, 'Land disputes', pp. 105–24 (reprinted and reused in Wickham, *Land and Power*, pp. 229–56.), are useful in this respect. Michael Richter, '... quisquis scit scribere, nullum potat abere labore'. Zur Laienschriftlichkeit im 8. Jahrhundert', in J. Jarnut, U. Nonn and M. Richter eds., *Karl Martell in seiner Zeit*, Beihefte der Francia 37 (Sigmaringen, 1994), 393–404, expresses extreme scepticism towards the notion that lay scribes wrote with skill and awareness, but his objections are ill argued; see my review in *Early Medieval Europe* 4 (1995), pp. 98–9.

<sup>14</sup> CDL IV/1 10; the identical form appears in CDL IV/1 13: 'and let none of our gastalds or *actores* dare at any time to go against this, which our power has furnished'. I have let the Latin stand in the text

the *subscriptio* formula to describe the person of the duke: *ex iussione supratextate potestatis*.<sup>15</sup> But *potestas* also appears in a less structured context in some diplomas. In the same donation of 750, the *coloni* of the estate were transferred to the abbey ‘just as the *conductor* Iulianus seemed to defend and hold them to our power (*potestatem*) up to the present day’.<sup>16</sup> When read in conjunction with the *conclusio* formula just quoted, the diploma implies that some other *potestas* – presumably here that of Iulianus – could have disposed of the *coloni*. The emphases in this diploma would have helped Farfa to defend this estate from future claims by local officials that the estate had in fact been donated on the initiative of an official and was therefore either invalid or conditional in some way. In the next month, Lupo gave to the abbey another property ‘just as we have held to our power until now’.<sup>17</sup> This was surely a pointless statement unless there was a perceived threat to that power. It constituted the duke’s assurance to the abbey that he could effect the transfer described in the diploma: that the parchment, in short, was not worthless. Emphasis on the effectiveness of the written instrument had emerged even more strongly by 776, by which time the object of the dukes’ *potestas* had shifted from the property to the diploma itself. In January of that year, Duke Hildeprand made a donation ‘through this precept of our power’.<sup>18</sup> The phrase is repeated in another donation made at the same time,<sup>19</sup> but this is its last appearance in the ducal diplomas, curiously at around the time that the ‘Balberianus’ case was first heard.

As we have seen, the duke’s growing preoccupation with his actual control over property led him to use the opportunity given by the ‘Balberianus’ procedure to affirm his rights over property. It can hardly be a coincidence that a *notitia* issued only a few months later than that case describes those rights in new and more precise language. For this reason alone, it is worth spending a little time describing it; though it is also significant as a marker of the power of one of the prominent local families, the Pandoni, whom we shall examine in more detail in chapter 6.

When the first hearing convened in March 777 it was a dispute between the duke’s local representative, gastald Rimo, and Bishop

here to emphasize the significance of the precise wording. Brühl noted that ‘audeat ire quandoque’ was drawn directly from royal diplomas, but makes no comment about the use of *potestas* here, except that it is ‘inusitata’, *CDL IV/1*, p. 27. See further Bullough, ‘The writing-office’, p. 10.

<sup>15</sup> A formula repeated in *CDL IV/1* 12, 13, 14, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 30, 31, 32, 36 and 38.

<sup>16</sup> *CDL IV/1* 10: ‘sicut Iulianus conductor usque in presentem diem ad nostram defensare et tenere potestatem visus est’.

<sup>17</sup> *CDL IV/1* 11: ‘sicut ad nostram usque nunc pertenuimus potestatem’.

<sup>18</sup> *CDL IV/1* 24: ‘per hoc preceptum potestatis nostrae’. <sup>19</sup> *CDL IV/1* 25.

### *Authority, rulership and the abbey*

Sinuald of Rieti, over the church of S. Michael the Archangel (here called S. Angelus) in the city. The language used in the charter reveals how the lessons of the ‘Balberianus’ case had been absorbed: gastald Rimo said that the church belonged not *ad publicum*, nor to the duke’s *potestas*, but to the *ius* and *defensio* of the palace.<sup>20</sup> Bishop Sinuald claimed that it had always belonged to the bishop, and specifically mentioned its tenure by his predecessor, Bishop Teuto. Ironically, the judge in the case was the duke himself, who ruled that to prove his case the bishop could not rely on clerics, but had to present lay witnesses. At the next hearing, however, Bishop Sinuald turned up with five priests (*sacerdotes*) whom Hildebrand accepted as witnesses provided that they swear on the gospels. The priests, however, refused such an oath. Convening once more, five clerics were again chosen (perhaps the same five), and this time they refused to swear that the church was not *publica*. The priests thus having failed to support Sinuald’s claim, the case took an unexpected turn. The ducal party asked the priests instead to swear an oath about ‘that document (*iudicatum*) which was made about the church by Bishop Teuto, and which Teuto himself gave to his brother Pando on the day of his death’.<sup>21</sup> Pando, it turned out, was there present, and said that he did not have the document, but had burnt it. The ducal party saw its opportunity: if the witnesses could swear that the disappeared document vindicated the bishopric’s claim, it could have the church. As was clearly expected, the witnesses were not prepared to put their word to this, but claimed not to remember what Teuto’s document had said. The judges found that the church belonged ‘ad ius et potestatem palatii’.

This document was just the start of the contest, as we shall see. The last part of the record introduced the new element of Bishop Teuto’s document, which would then be the focus of renewed dispute. The first hearings between the ducal representatives and Bishop Sinuald had performed a number of functions. They had aired in public the fact that tenure of the church of S. Michael was now at issue. The procedure then allowed an examination of the entire tenurial history of the church. The last part of the text is a connected series of *orationes rectae* which established a logical progression of facts through recorded oral testimony: that one could not say that the church was *not* public; that the former gastald of Rieti had held the church and paid *ad publicum rationem* for it; that a

<sup>20</sup> CDL IV/1 29: ‘Asserebat enim suprascriptus Rimo castaldius, quod ecclesia iamnominata Sancti Angeli pertinisset ad ius et defensionem palatii.’

<sup>21</sup> CDL IV/1 29: ‘de illo iudicatu, quod Teutoni episcopo de ipsa ecclesia factum est, quod ipse Teuto in die obitus sui Pandoni fratri suo dedit . . .’

*iudicatum* made in the time of Bishop Teuto had been given to Teuto's brother Pando; that Pando did not have the *iudicatum* because it had been burnt; that the priests did not remember the *iudicatum*, and did not know its contents. What happened next was a recognition that the local bishop could not be ignored when it came to the status of prominent churches within his own city: in April 778, Duke Hildeprand gave lifetime ownership of the church to Sinuald's successor, Bishop Guicpert, with reversion on his death not to the duke, but to Farfa.<sup>22</sup>

This was not the end of the matter. The next stage reveals that the question of ownership of S. Michael's church was not just a contest between two institutional figures, duke and bishop. A diploma of July 781 records that the Pando who appeared in the earlier hearing had sent his son Paul to appeal to Charlemagne to uphold his right to the church of S. Michael, which he claimed the duke had given to Bishop Guicpert and to Farfa illegally. The church had been given, he said, to his grandmother Gutta by Liutprand (so before 744, more than thirty years earlier). The hearing then turned to the *iudicatum* in the possession of Bishop Teuto, Pando's brother, which had been brought to light in the earlier hearing. This turned out to have been a judgement by Duke Theodicius (762–73) who had assigned the church to the *partem palatii* (that is, to Theodicius himself, as duke). This was the document that Pando had burnt.<sup>23</sup>

While the use of the term *potestas* to denote property right was not exclusive to the duke, in no other context does it appear as a synonym of *publicum*.<sup>24</sup> References to the 'public' nature of ducal property are scattered throughout the surviving diplomas, usually in language very similar to that used to promote his *potestas*.<sup>25</sup> Both terms occur in formulae which were, or became, standard, but which were also generated, at least in part, by the ducal notaries and were repeated as much to emphasize a rhetorical point as to validate the diplomas through use of the correct terminology. Furthermore, both terms also occur in the least formulaic sections of the

<sup>22</sup> *CDL IV/1* 31.

<sup>23</sup> See *CDL IV/1* 35. On this case, see now A. Sennis, '“Omnia tollit aetas et cuncta tollit oblivio” Ricordi smarriti e memorie costruite nei monasteri altomedievali', *Bullettino dell'Istituto Storico Italiano per il Medioevo e Archivio Muratoriano* 106/1 (2004), pp. 93–135, at pp. 106–7.

<sup>24</sup> A number of standard formulae, both of private charters and of diplomas, employ *potestas* to mean a legal right to property. One example occurs in a diploma of 778, *CDL IV/1* 30, in which Duke Hildeprand granted part of a river-course to the very same church (here described as a monastery) of S. Angelus to build a mill: 'in tua sit potestate ad aedificium ipsius molini faciendum'.

<sup>25</sup> Compare the formula in *CDL IV/1* 11 (Nov. 750) – 'sicut ad nostram usque nunc pertenuimus potestatem' – with that in *CDL IV/1* 16 (Apr. 761) – 'qualiter ad publicum possessum est' – or in *CDL IV/1* 19 (June 766) – 'qualiter ad suprascriptum curtem pertinent et ad manus publicas omnia possessa sunt'.

diplomas: in the *dispositiones* in which the details of individual acts were set down.<sup>26</sup> Had ducal property and ‘public’ property been identical in all cases, as historians have commonly assumed, these words would have been superfluous, or at the very least mindlessly formulaic. The contexts of their use show that they were not, and indeed the very fact of their use indicates that the dukes knew that they had to reiterate the ideal of an identity between ducal and ‘public’ property precisely because this was not always the case in practice.

Elsewhere in the early medieval West, recent work has shown how those who possessed ostensible local authority could translate that into public power only through their connections with local collectivities: ‘comital power rested on illustrious presence and public performance, not instituted jurisdiction’.<sup>27</sup> While local collectivities were clearly critical in the Sabina – as the capricious statements of the witnesses in the ‘Balberianus’ case demonstrate – they also operated in a world that was nonetheless shaped by a notion of jurisdiction. The dukes of Spoleto aspired to exercise the kind of jurisdiction which, they were simultaneously aware, could never be perfectly realized. Naturally, this was important for such a prominent beneficiary of ducal largesse as Farfa, because it indicated that the rights given to it by the dukes (and, indeed – and often through them – by the Lombard kings) were far from absolute, but of a kind whose defence required constant vigilance.

#### LOCAL OFFICIALS AND ‘PUBLIC’ ACTION: THE *ACTIONARIUS*

The examples examined above suggest that at least part of the reason for the dukes’ lack of control of the *publicum*, despite their aspiration to do so and the consequent rhetoric of their diplomas, lay in the situation of those to whom the administration of individual localities was entrusted. Ambiguity in the position of officials on the ground was perhaps inevitable when their relationship to the duke was governed only by *consuetudo*, by unwritten custom. The raising of the whole issue in the

<sup>26</sup> Examples of *potestas* in the disposition clauses of diplomas have already been cited, see nn. 24 and 25 above. An example of *publicus* in such a context appears in the text of an agreement between Duke Theodicius and Farfa over the possession of two estates, *CDL IV/1* 18 (765): ‘ut ad partem nostram publicam relaxaret monasterium’. Also in a donation by Hildebrand, *CDL IV/1* 23 (773/75): ‘omnia qualiter hactenus ad publicam pertinere dinoscitur’. These phrases fulfilled the role usually taken by the more elaborate pertinence clauses which described the attributes of a property but which only appear in ducal diplomas (in contrast to royal diplomas and private charters) from 776, see *CDL IV/1*, pp. 69–70.

<sup>27</sup> Innes, *State and Society*, pp. 118–24, with quotation at p. 124 from T. N. Bisson, ‘The “Feudal Revolution”’, *Past and Present* 142 (1994), pp. 6–42, at p. 12.

procedure concocted around the possession of 'Balberianus' demonstrates the duke's awareness of this ambiguity and his desire to resolve it by establishing a principle in writing.

The 'Balberianus' case casts light on Liutpert, a local official in just such an ambiguous position. Both he and the office he held characterize the divided interests of those who held land without being its formal proprietors. His title, *actor*, was a term of very broad application: technically, it could mean anyone who performed *actio* (in the broadest sense of legal business) for another. It is only the context of Liutpert's activities, as the administrator of a nominally ducal estate, that allows us to equate it with the term *actionarius*. An examination of the activities of ducal functionaries at this level helps to reveal the extent to which authority remained hazy, even at the lower end of the hierarchy of officials. Thus I will not here examine in detail the roles of the gastalds, under whose purview the administration of public estates technically fell, partly because they have already been the subject of extensive studies, but mostly because uncovering the diffusion of power and authority at the 'lower' level automatically has implications for the position of those 'higher up'.<sup>28</sup> The latter – those holding the office of gastald at the upper end of the hierarchy – can very often be shown to have belonged to prominent landowning families, and are therefore best studied in the context of the dynamic relationships between family and public power, and family and monastery. This will be attempted in chapter 6.

We can draw a parallel between Liutpert and another official in a similar position – and in the same place – whose career gives further insights into the blurred distinction between office and proprietorship. We have already had cause to examine the tenurial history of the *curtis* 'Germanicana', in which 'Balberianus' lay: between 749 and 756 it was given by King Aistulf, then in control of the duchy of Spoleto, to Farfa.<sup>29</sup> From 757 we have a charter by which one Gunduald, titled *actionarius*, was appointed by the abbey to administer the estate.<sup>30</sup> According to this document, Gunduald agreed to take 'your estate in "Germanicana" in *actio* together with the *coloni* belonging to it . . . so that I ought to hold your *actio* in the named estate and I ought to serve you without neglect or

<sup>28</sup> For extensive analysis of the office of gastald (*g/castaldius*), its development over time and variation in space, see now Gasparri, 'Il regno longobardo in Italia', pp. 5–34. For earlier comment, compare G. P. Bognetti, 'Il gastaldato longobardo', in Bognetti, *L'età longobarda*, vol. 1 (Milan, 1966), pp. 221–74, esp. pp. 262–8 and Delogu, 'L'istituzione comitale nell'Italia Carolingia', esp. pp. 68–70; see also Toubert, *Les structures du Latium médiéval*, pp. 1258–67.

<sup>29</sup> See CDL IV/1 19 and CDL IV/1 28, referring to CDL III, *diplomi perduti* no. 5, p. 281.

<sup>30</sup> CDL V 27.

fraud . . . <sup>31</sup> This last phrase hints at the precise duties of the *actionarius*, at least in this case: he was responsible for collecting renders from the estate's *coloni*. In Gunduald's community, the title of *actionarius* was more than simply a vague badge of status, as *vir devotus* or *vir clarissimus* had become.<sup>32</sup> The term used to describe his duties, *actio*, had had a varied history, but this is the most detailed instance to date of its use in the context of estate management.<sup>33</sup> As an official whose functions were laid out clearly in documents emanating both from the ducal palace and from his own locality, the *actionarius* in Spoleto stood at the heart of the landholder's power.<sup>34</sup>

Such an exact definition of the duties of the *actionarius* is extremely rare, not only in the Spoletan documentation, but generally wherever the term was used. This instance of precise duties assigned to an *actionarius* raises the question of how many of the other appearances of the title envisage a similarly precise role. The major late Roman sources make no use of the term whatever, although they do contain references to *actores* who, as the example of Liutpert has shown, could have held the same position as *actionarii*, at least in eighth-century Spoleto. The *actor* appears in Roman imperial legislation as one of the officials of the *res privata* – the emperors' 'privy purse' property – who was in a position to harass others with *calumniis vel depraedationibus*, but who could also be threatened with compulsory public services by provincial governors.<sup>35</sup> It is likely that they were identified with individual estates of the *res privata* and were of lowly rank within the broad hierarchy of estate administration.<sup>36</sup>

<sup>31</sup> CDL v 27: 'curtem vestram in Germanicana in actione unacum colonis ad eandem curtem pertinentibus . . . ut actionem vestram in ipsa curte nominata tenere debeam, et sine omni neglecto vel fraude vobis debeam deservire . . .'

<sup>32</sup> On the disintegration of the hierarchy of ranks in Byzantine Italy, see T. S. Brown, *Gentlemen and Officers. Imperial Administration and Aristocratic Power in Byzantine Italy, AD 554–800* (British School at Rome, London, 1984), pp. 131–4; also P.-M. Conti, *Devotio e viri devoti in Italia da Diocleziano ai Carolingi* (Padua, 1971), p. 210.

<sup>33</sup> For the history of *actio* as an administrative expression in the later Roman empire and beyond, see J.-F. Niermeyer, *Mediae latinitatis lexicon minus*, completed by C. van de Kieft (Leiden, 1960–76), pp. 13–14 and C. Lewis and C. Short, *A Latin Dictionary* (Oxford, 1880), p. 25; also A. H. M. Jones, *The Later Roman Empire*, vol. II (Oxford, 1964), pp. 788–92.

<sup>34</sup> A more precise definition of the kinds of renders involved here is provided by a donation by Duke Theodicius of July 763, in which he gave the *decimae* of grain from one estate and of wine from another to Farfa, see CDL iv/1 17. The officials involved in this case are termed *actores*: 'ut omni tempore actores nostri dare eas [the *decimae*] debeant in suprascripto monasterio . . .' By this time, *decimae* did not necessarily mean tenths, but had come to mean any proportion of surplus production paid in dues, see A. Boretius ed., MGH Capit. 1, pp. 42 and 412.

<sup>35</sup> *CTh* x, 4, 1 and x, 4, 2, ed. T. Mommsen (2nd edn, Berlin, 1954), pp. 534–5.

<sup>36</sup> They were not competent to appear in civil cases, see *CTh* x, 4, 3, a rescript of Valentinian and Valens from 370x373.

## Power and Patronage in Early Medieval Italy

Taken together with the absence of *actionarii* in Cassiodorus's *Variae*, in which *actores* possessed the more general role of representatives of *virii illustri* in legal cases, the evidence from the late imperial administration suggests that the *actionarius* as a fiscal official was little known to imperial administrators and their successors.<sup>37</sup> The Ravenna papyri, however, indicate that the term *actionarius* was in use in Italy by 445 or 446. Here it appears first as an alternative for *actor* in the oft-repeated formula *actores sanctae ecclesiae Ravennatis*, meaning simply representative or agent of the episcopal church in legal matters and therefore connoting men with the same imprecise and probably unofficial role as those addressed by Theoderic in the *Variae*.<sup>38</sup> This evidence prompted the editor of the papyri to note that there could be no doubt that the two – *actor* and *actionarius* – performed the same function.<sup>39</sup> There are, however, instances in the papyri in which both *actores* and *actionarii* appear in the slightly different context of estate administration, a context more similar, perhaps, to that in which the *actores* of the *Codex Theodosianus* had operated.<sup>40</sup> In the letters of Gregory the Great also, the title *actionarius* consistently occurs in connection with the management of estates, whether papal or 'public', whereas *actor* was more often used for general representatives of the Roman church.<sup>41</sup> Nevertheless, in Byzantine Italy both terms continued to be used to mean a representative at law into the ninth century.<sup>42</sup>

Although placing the *actionarius* in the context of the administration of estates as well as in a more general legal role, the late Roman and Byzantine evidence does not give us the precise functions of the post evident from the Spoletan diplomas. Crucially, there are no correlations between the formulae in which both *actores* and *actionarii* appear in the late Roman or Ravennate material and that in which we find them in the Lombard charters. In the Ravenna papyri, even when *actionarii* received renders from estates (as Gunduald was to do in 'Germanicana'), they still appear simply as *actionarii sanctae ecclesiae Ravennatis*: they do not feature in

<sup>37</sup> Cassiodorus, *Varianum Libri XII*, ed. A. Fridh, *CCSL XCVI* (Turnhout, 1973), IV, 35, pp. 164–5 and IV, 40, pp. 168–9.

<sup>38</sup> For *actionarius* in this sense, see Tjäder, *Pltal.* I, 24, pp. 374–6, with commentary, p. 473.

<sup>39</sup> Tjäder, *Pltal.* I, p. 473: 'es kann demnach keinem Zweifel unterliegen, dass *actionarius* in den Papyri ganz in derselben Funktion wie *actor* steht'. (Accordingly, there can be no doubt that *actionarius* stands for exactly the same function in the papyri as *actor*.)

<sup>40</sup> Tjäder, *Pltal.* I, 1, p. 174 for *actores* as estate officials of the tribune Lauricius; *Pltal.* II, 44, p. 178 and *Pltal.* II, 45, p. 184 for two examples of *actionarii* receiving renders for the Ravennate church from landholders.

<sup>41</sup> Gregory, *Reg. Ep.*, I.42, IX.126 and IX.144 for *actionarii publici*; and I.42, I.71 and II.50 for *actionarii* of the Roman church.

<sup>42</sup> Tjäder, *Pltal.* I, p. 474 gives an example from 838.

a *minatio* formula of the type found in Spoletan diplomas (that is, an admonition to the officials of the authority issuing the diploma not to transgress its provisions). The small number of survivals cannot prove that the *minatio* formula, and the role of *actores* and *actionarii* in it, was created indigenously by Lombard charter scribes, but it strongly suggests it. Certainly, when we turn to the royal diplomas of the Lombard kingdom itself, a *minatio* formula of a type similar to that of the Spoletan documents is the *only* place in which we find references to *actionarii*.<sup>43</sup> This evidence seems to confirm Carlrichard Brühl's impression that, in the Lombard kingdom, the term was a catch-all meant to encompass all royal office-holders other than *duces*, *comites* and *gastaldii*, to whom it was invariably attached in the formula. One of Liutprand's laws echoes this very broad application of the term.<sup>44</sup> Similarly in Benevento, *actionarii* appear in ducal diplomas only in a *minatio* formula.<sup>45</sup> The use of *actio* reveals the same kind of development from late Roman legal language as in Spoleto, but in a slightly different direction: it came to refer to the territory under the purview of a *gastald* (so, a process similar to descriptions of the jurisdiction of the *actionarius*, but on, presumably, a larger scale). Rather than simply being the meaningless legacy of late imperial legal language, the uses of the term *actionarius* show that the *minatio* formula meant what it said – that officials ought not to contradict a royal or ducal precept. At the same time, they indicate that in the Lombard kingdom and the duchy of Spoleto, as in late Roman and Byzantine Italy, both *actionarius* and *actor* could be used in a general sense, meaning simply a representative at law.

This discussion of formulae is important, since it is through the form of their diplomas that the dukes' rhetoric, often more redolent of their aspirations than of reality, comes down to us. The diplomas of the Spoletan dukes contain a formula which is unique to these documents and conveys a very particular rhetorical point behind which lay that genuine concern at the activities of local officials which we have already noted. The clause stated that the order contained in the document had been given on a certain date under (*sub*) a certain official. In the majority of cases this official was the *gastald*, but we also find other officials supervising the precept, sometimes in conjunction with the *gastald*, sometimes on their own. In six cases this official was the *actionarius*.<sup>46</sup> It seems likely that in these cases this was the *actionarius* of the estate which was the

<sup>43</sup> See e.g. *CDL* III 5, 11, 36 and 37.   <sup>44</sup> Liutprand 78.

<sup>45</sup> *CDL* IV/2 29, 31, 32, 39, 40, 41, 44, 48 and 49, ranging in date from 747 to 769. See the discussion at *CDL* IV/2 \*73–4, where Zielinski makes clear the comparisons between Benevento, Spoleto and the kingdom.

<sup>46</sup> *CDL* IV/1 5, 6, 19, 33, 36 and 37.

subject of the ducal order (in every case, a donation to Farfa). On the first two occasions on which the formula appears, in 746 and 747, the *actionarius* was called Gunduald.<sup>47</sup> Since the estates in question here both abutted the *curtis* 'Germanicana', it is more than likely that this was the same Gunduald whom we have already encountered. The position of men like Gunduald therefore prompted an innovation in diplomatic which suggests a desire on the part of the ducal scribes to bring the *actionarius* into their written conception of a formal and structured ducal administration in the localities.

It is clear from the evidence of the *Codex Theodosianus* and Gregory the Great's letters that there were some precedents for the application of the title *actionarius* to estate administrators.<sup>48</sup> But in no earlier example was the *actionarius* given such precise responsibilities. The Spoletan charters envisage an official who not only collected revenue from estates but who also could be, indeed probably ought to have been, responsible for drawing up documents relating to their estates, albeit in conjunction with another official.<sup>49</sup> The Spoletan documentation also reveals that in practice these activities were often viewed as rights rather than responsibilities and were exercised quite independently of ducal supervision, let alone control. In the 740s Gunduald had been *actionarius* for the duke's estates at 'S. Iacintus' and 'Turris'.<sup>50</sup> While there is no explicit proof that he remained administrator of those estates after they passed to the abbey, his appointment to a similar role on the abbey's estate at 'Germanicana' makes this probable. Although he ceased to be a ducal servant on all three estates after their transfer to Farfa, he retained his title of *actionarius*. That he also possessed property in his own right is clear from an agreement of 756 between himself and Farfa, in which he received a *casalis* in 'Germanicana' in exchange for land given to him by the local gastald – land to which the duke might have had a claim as 'fiscal' (*publicus*), since the transfer had been effected by another functionary with an ambiguous 'public' position titled *archigualdator*.<sup>51</sup> Gunduald's career demonstrates that, whatever the problems of controlling public estates, the alienation of these estates by the dukes only added to the ambiguity of the position of

<sup>47</sup> CDL IV/1 5 and 6. <sup>48</sup> See above nn. 36 and 41.

<sup>49</sup> Usually the gastald. The question posed by Hildebrand in the 'Balberianus' procedure demonstrates that the gastald too could slip from ducal control, if, in reality, he had ever really been subject to it; see also Delogu, 'L'istituzione comitale', pp. 68–70, and his references. On the gastald note also what is said below, pp. 131–2.

<sup>50</sup> His position is evident only in the *sub* clause in the *scriptio*/eschatocol: CDL IV/1 5 and 6. In the former he oversaw the diploma with other officials: 'sub Pertone gastaldio et Causaldo archiporcario vel Gundualdo actionario nostro . . .' Both estates probably abutted 'Germanicana', see Saracco Previdi, 'Lo sculdahis', pp. 673–5.

<sup>51</sup> CDL V 23.

administrators who, as in Gunduald's case, were able to exploit this for their own personal benefit. The difficulty of supervising fiscal property was recognized in general terms in the Lombard laws: Rothari's Edict allowed 'the gastald or any *actor* of the king' ('gastaldius aut quicumque actor regis') to accept gifts only with the express permission of the king.<sup>52</sup> The eighth-century *Notitia de actoribus regis* entertained the possibility that an actor would sell public property to another for his own profit.<sup>53</sup>

One further example will serve to reiterate the flimsiness of the dukes' grip on 'public' property in some places. Near to 'Germanicana' was the *gualdus* 'ad Sanctum Iacintum'. As we have seen, an inquest into encroachments there in April 747 followed the donation of the entire estate to Farfa by Duke Lupo in the previous year. The abbey had complained that Lupo had, in effect, given them damaged goods, since no fewer than eight different parts of the estate were found to be in the possession of other, 'private' proprietors, most for a number of years. One such proprietor was a peasant farmer who had been given a farm on the estate by an *actionarius* named Lucan as a reward for the *servitium* – unspecified services – that the man had performed for Lucan and his family.<sup>54</sup>

Lucan had also been the original recipient of an estate in 'S. Iacintus' from Duke Gisulf, under terms of tenure which were not so precarious as to prevent Lucan from handing the estate on to the two men who held it at the time of the inquest in 747. Not only, therefore, did Lucan receive land from the duke of which he could dispose as he wished, but he also disposed of another portion of land in the same way, apparently without ducal sanction. This was precisely the kind of action *sine duce* of which Hildebrand complained in 776. Lucan clearly saw the original grant from Gisulf as the duke's side of a bargain in which the *actionarius* managed the entire estate for the duke, but managed also to take his not inconsiderable cut. Whether or not these kinds of unauthorized exploitations of land were in fact considered to be the legitimate fruits of office, they do demonstrate the degree to which the dukes' control of fiscal, or 'public', resources was tenuous, depending as it did on men who had little conception of abstract ideas of the public, the fisc or the state. The relationship of the *actionarius* to the duke does not appear as that of a vassal to a lord. Rather, it was a reciprocal arrangement dictated by the duke's need to attach men to himself in every locality of the duchy.

<sup>52</sup> Rothari 375.

<sup>53</sup> *Notitia de Actoribus Regis*, chs. 2 and 5, pp. ed. F. Bluhme, MGH LL IV, pp. 180–2; see the comments of Gasparri, 'Il regno longobardo in Italia', pp. 26–7.

<sup>54</sup> CDL v/ 8.

The small size and coherence of the duchy of Spoleto has been emphasized as a constant in its history by, for example, Stefano Gasparri.<sup>55</sup> Relatively swift communications ensured that the links between the duke and the local officials could remain largely informal and unstructured. Nevertheless, Gasparri has called the duke 'supreme controller of the *res publica*'.<sup>56</sup> The evidence for the *actionarius* in the duchy shows that he was nothing of the kind. In the course of the eighth century, the dukes became increasingly aware of this. Their desire to assert their control over 'public' administration generated both the move to formalize the office of *actionarius* in ducal diplomas and Hildebrand's inquiry concerning the customs governing the alienation of 'public' property. The attempt to define the *actionarius* as a purely ducal official hints at a desire on the part of the duke to promote himself as a *persona publica* of the kind Arno Borst has identified in the ideology of the ninth-century Carolingians.<sup>57</sup> Only at the very end of the eighth century was there a shift towards the recognition of a notion of public authority, or 'rule', in Spoleto. Such a notion was quite alien in the eighth-century duchy, to the men featured in the duchy's non-ducal charters. Titled or not, these landed men governed their communities on the basis of compromise and consensus between various local interests.

The ducal donations, which, as we have seen, constituted the largest source of land for Farfa, were not therefore simply instances of patronage by a plenipotentiary, 'public', power. Ducal power in practice was not as straightforward as the rhetoric of ducal diplomatic made it. Ducal transactions involved officials on the levels both of initiative and of substance. Hildebrand's attempts to shore up his *potestas* show that a duke could rarely hope to see his wishes enacted in practice without the compliance of his officials, and compliance required either consent or, at least, acquiescence. Since ducal officials in the Sabina themselves made donations to Farfa, we can assume that they generally consented to the duke doing the same. Indeed, we might go further and suggest that patronizing Farfa was one of the ways in which the duke generated approval for his rule among the Sabine proprietors. Farfa was a place at which his interests and those of the local elite met. The substance of these donations meant that, as the example of Gunduald shows, the same official could work for both duke and abbey. From the point of view of these officials, the duke

<sup>55</sup> Gasparri, 'Il ducato longobardo', pp. 77–122.

<sup>56</sup> *Ibid.*, p. 100, with n. 83. See also Tabacco, *I liberi del re*, p. 125.

<sup>57</sup> A. Borst, 'The invention and fission of the public persona', in Borst, *Medieval Worlds*, trans. E. Hansen (Cambridge, 1991), pp. 37–60. He talks of a 'sacral fusion of the office and persona of a ruler' (p. 45), culminating, perhaps, in the language employed in Louis the Pious's 825 capitulary. Here too, however, the problem is to distinguish rhetoric from reality.

and the abbey were very similar lords. In these situations, the power of each was dependent on its relationship with the other.

One instance of a recognition by landowners of the strength of their position in a region where public power was so diffuse, an episode we shall examine in detail in chapter 8, is the agreement by Abbot Probatas of Farfa to act as an envoy to the Lombard king, Desiderius, to plead for peace for Pope Hadrian in 773.<sup>58</sup> Probatas may have been prompted by apprehension about the consequences of a conquest by Desiderius. One fear may have been that drawing the Sabina, and therefore Farfa, into a wider polity would bring into the region a public authority with stronger power to assert its will. But perhaps a greater fear was the advent, in such a situation, of forces whose interests were not identified with those of the abbey in the way that both the local landowners and the dukes had been up to that point. This fear led the abbot to seek to use public authority in a different way almost immediately after the Frankish conquest, by petitioning for, and obtaining, the charters of immunity that Charlemagne issued for Farfa in May 775. As we shall see, these, plus the consistent support of Duke Hildebrand, led to a flourishing of the abbey's position in this new political world, until Hildebrand's demise in 789.

Many things changed after that, but one of them, and perhaps one of the most instructive, was the use of the term *actionarius* in our evidence. It does not appear in any charter associated with Duke Guinichis.<sup>59</sup> Now, while it is true that Guinichis issued no donation diplomas for Farfa, so that we cannot see how the *minatio* clause developed in his time, it is also the case that no *actionarius* appears in a judicial tribunal held under Guinichis (in contrast to those of his predecessors),<sup>60</sup> and when the duke did pass land to Farfa – recorded as *re-grants*, and in *breves* rather than full diplomas – the men entrusted to do so are titled *missi*.<sup>61</sup> We do encounter *actionarii* in this period, but in a very different guise. In the final part of the *Regestum*, and in the *Chronicon Farfense*, Gregory of Catino included two versions of the same list, headed (in the *Chronicon* version) 'Incipiunt relationes ex autenticis assumptae de praeiudicio quod fecerunt nobis actores sanctae Romanae ecclesiae in Sabinis' (The accounts begin, taken from authentic documents, of the prejudice that *actores* of the holy Roman church inflicted on us in the Sabina).<sup>62</sup> The accounts date from

<sup>58</sup> *LP* 1, p. 492; see below, pp. 282, 298.

<sup>59</sup> A diploma of Charlemagne of 803 confirming Farfa's property does include 'actionarii' in its formulaic list of addressees: MGH Dipl. Kar. I, no. 199 (= *RF* II 173).

<sup>60</sup> E.g. *CDL* v 20. <sup>61</sup> *RF* II 208, 212 and 250.

<sup>62</sup> *CF* 1, pp. 293–9; a second part is headed 'Item, relationes de his quae domnus apostolicus nos investivit et actores eius nobis retulerunt', and this had been included with some variations in *RF* v, pp. 271–9.

823–43, and are grouped according to the *actionaria* of a particular *actor*. There then follows under each *actionaria* a list of the estates taken, and often the name and title of the precise person who took it.<sup>63</sup> These latter are usually *conductores*, acting presumably under instruction from the *actor*. By this date, the term *conductor* had long been used for estate managers and others with delegated responsibility; an act of the council of Ver in 755 indicates a close identity with the *actionarius*, and the meaning holds good for Italy too.<sup>64</sup> For *actionarius* on fiscal property, we can here, on ‘private’ property, read *conductor*.<sup>65</sup> Rarely in the early medieval evidence do *conductores* appear like their distant semantic cousins, the later medieval *condottieri*, expropriating lands with (at least implied) violence. But here they do: the *conductor* Cuntifrid ‘put himself in the way of our [Farfa’s] men, and killed and despoiled them, and took a good horse from them’.<sup>66</sup> What is more, the *conductores* in such cases do not look like strangers who came up from Rome: the first four we meet are Traso, Cuntifrid, Teuto and Gualdefrid – Germanic (indeed, almost certainly Lombard) names all. Some have names we encounter elsewhere in Farfa’s charters, acting straightforwardly as witnesses to transactions: a Cuntifrid, for example, subscribed donations of Rodoric in 808 and gastald Hilderic in 814.<sup>67</sup> What seems to have happened, then, is that agents from Rome had encouraged the managers of estates in Farfa’s possession to expropriate them from the abbey, passing the renders to the Romans instead. The fact

<sup>63</sup> On the date, Toubert, *Les structures du Latium médiéval*, p. 985, n. 4; Marazzi, ‘Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico’, p. 74.

<sup>64</sup> ‘Ut clerici non conductores sint, hoc est, ut non habeant actiones saeculares ...’: *Concilium Vemense*, c. 16, ed. A. Boretius, MGH Capit. I, p. 36; the meaning in an Italian context is clear from an act of the council of Pavia of 850: ‘Ille excessus inhibendus est quod quidam saeculares viri presbiteros aut alios clericos conductores vel procuratores sive exactores fiscalium rerum vel reddituum aut vectigalium constituunt’: *Synodus Papiensis*, c. 18, ed. A. Boretius and V. Krause, MGH Capit. II (Hanover, 1883), p. 121–2. In later Roman law the *conductor* had been the lessee of a property, but ‘after the *Codex Theodosianus* there does not appear to be a single passage applying *conductio* to a perpetual lease’: Levy, *West Roman Vulgar Law*, p. 93, n. 437; see also D. Vera, ‘*Conductores domus nostrae, conductores privatorum*’, in M. Christol, S. Demougin, Y. Duval, C. Lepelley and L. Petri eds., *Institutions, société et vie politique dans l’empire romain au IV<sup>e</sup> siècle après J.-C.* (Paris, 1992), pp. 465–90.

<sup>65</sup> Which is not to say that the managers of ducal estates were not sometimes also titled *conductor*: this was the case with Iulianus, the reference to whom provides some of our best evidence for the duties of the *conductor* at this place and time, see above, n. 16; for other *conductores* in the Sabina in the eighth century, see *CDL* v 1, 10, 48 and 51.

<sup>66</sup> *CF* I, p. 293: ‘de casale Pretoriolo tulit nobis Cuntifridus conductor terram mediourum. x. unde investiti sumus, et paravit se in via ad nostros homines, et cecidit et expoliavit eos, et tulit eis unum equum bonum’. We might note, in passing, that for Gregory, or more likely for his source, the theft of the horse seems to have been just as concerning as the loss of the men; horse theft was a serious enough problem to provoke legislation from Louis II: MGH Cap. II, no. 213, c. 4, ed. A. Boretius and V. Krause (Hanover, 1897), p. 87.

<sup>67</sup> *RF* II 187 and 211.

that these were all technically 'private' properties does not detract from the clear limitations on the power of the owner, its clear dependence on the compliance of very local managers who directed the production of the peasantry. Quite who might have been guiding these expropriations, and for what purpose, will concern us below, but the use of the term *actionaria* here indicates that they were conducted with quite a high degree of organization.

For those who were not direct cultivators, management was a constant problem. This has been recognized in a late Roman context,<sup>68</sup> but the practicalities had not changed four hundred years later; even if they did not possess on the spectacular scale of the fourth-century Anicii, there were still absentee owners in eighth-century Italy who depended on others to direct production and, especially, to collect their cut of the surplus (as well as, more rarely, to ensure cultivation of a demesne). Management of estates is, however, a relatively neglected issue, largely because the evidence for it is so intractable, until we start to get polyptychs that reveal how large monastic estates were organized.<sup>69</sup> It is a point that has not been made often enough that the *conductor* who was an estate manager in the eighth century had as his homonymous predecessor in the fourth century not some kind of fiscal exactor or administrator, but a private lessee,<sup>70</sup> implying that between the fourth and eighth centuries the lessee's rights had slipped into those simply of administration and (presumably) some enjoyment of fruits, rather than, as is often thought, having been strengthened to the point of being indistinguishable from ownership. The move from administrator to lessee to owner to some extent looks more likely to have happened in the eighth century. This might help to explain the absence of reference to administrators in charters after about 788 (the date of the last ducal diploma to mention an *actionarius* in its *minatio* clause). That is, as fully fledged tenants became more common – a phenomenon witnessed above all by the charters in the *Liber Largitorius* – then either resident administrators became less so, or the designations by which they had formerly been identified – *conductor*, *actionarius* – became more *infra dig.*, and therefore less widely used. This suggestion has to be seen in the context of a general decline in the use of epithets in charter witness lists, but it is still striking that in the bodies of texts themselves the last reference we find to either *actionarii* or *conductores* is to two *conductores* who were among the group overseeing

<sup>68</sup> Discussed briefly by Wickham, *Framing the Early Middle Ages*, pp. 270–2.

<sup>69</sup> The first Italian example dates to just before 880: M. Luzzatti ed., *Inventari altomedievali di terre, coloni e redditi*, Fonti per la storia d'Italia 104 (Rome, 1979), no. XI.1.

<sup>70</sup> See above, n. 64.

## *Power and Patronage in Early Medieval Italy*

Farfa's reinstatement as proprietor of the monastery of S. Peter in Classicella in 801.<sup>71</sup>

These suggestions also explain why *actionarii* and *conductores* reared their heads again as the instruments of depredations of Farfa. There may in fact be two linked reasons: the continued presence of managers – or of managers-turned-tenants – on Farfa's lands, now generally hidden by the charter record; and the continued presence of *actionarii* in lands owned from Rome. It was the latter who, impelled by forces from the city that we shall investigate in chapters 7 and 8, organized the expropriation of Farfa estates in the last decade of the eighth, and first few of the ninth, century.<sup>72</sup>

### FARFA'S DISPUTES AND LOMBARD COURTS

More important an aspiration even than that to vindicate his rights over 'public' land was the ruler's claim to jurisdiction over the settlement of disputes through the public courts. These have been the focus of so much attention, especially from Anglophone scholars, over the past twenty years that it seems almost superfluous to say that they now appear to have been only one stage in a process of disputing; that, moreover, as dramatic stages they were places for public performance before local collectivities; and that they could be arenas for consensus as much as for the playing out of or arbitration between conflicting interests.<sup>73</sup> This emphasis on the consensual role of courts naturally leads us to question further the power of the personalities under whose auspices courts were convened, and who very often acted as judges in them. On the other hand, disputing as a whole – visible to us almost exclusively through charter records of court proceedings – was absolutely crucial to the ability of an institution like Farfa to convert its patrons' largesse into practical resources. Recent work also encourages us to recognize the limitations of our evidence. The extant charters dealing with Farfa's disputes constitute only minimal protrusions into the written record of proceedings now buried to posterity.

Given how partially these charters reflect disputes, and how far they tend to concentrate on the processing of the dispute, rather than its

<sup>71</sup> RF II 166.

<sup>72</sup> For an assessment of *actionarii* in the papal administration, minimizing their significance, see Noble, *Republic of St Peter*, p. 245.

<sup>73</sup> The literature is now enormous, but much of the most recent and useful is very handily and perceptively summarized by W. Brown and P. Górecki, 'What conflict means: the making of medieval conflict studies in the United States, 1970–2000', in W. Brown and P. Górecki eds., *Conflict in Medieval Europe. Changing Perspectives on Society and Culture* (Aldershot, 2003), pp. 1–35.

conclusion, one of the issues that seems most problematic in this respect is that of how, in practice, settlements of land disputes were enforced. For the duchy of Spoleto, some of the Farfa charters hint at a procedural norm in which public authorities took responsibility for bringing about the transfer of disputed land. The *notitia* of a judgement by the duke of Spoleto in April 761 that estates at Magliano Sabina be returned to the abbey of Farfa also recorded that ducal officials took immediate steps to put this into effect: ‘eadem hora ipsas casas retradere fecimus’ (in that hour we made [him] give back those farms).<sup>74</sup> This language may be formulaic, as we shall see, but the rarity of the occurrence of this particular formula – especially given that the purpose of the *placitum*-charter (the *notitia*) was to record a dispute’s conclusion – suggests that the norm in which disputes were ended by a coercive act by officials in person was far from an automatic choice or option. In any case, quite how they ‘made’ the losing party hand over the land is not specified (even allowing that *fecimus* may not have quite the coercive connotations of English ‘made’). Only occasionally do we find references to rituals such as the *restitutura*: physical and public acts which formally enacted all transfers of land.<sup>75</sup> The connection between this ritual and a real movement of ownership is as unclear as are rights of ownership themselves. Our interpretation of the surviving land disputes has to recognize that there is a basic distinction between ownership ‘in law’ and actual enjoyment of the fruits of possession. Especially in a situation in which owners were often (perhaps usually) not resident on disputed lands, did changes in ownership amount to anything more than redirecting the renders of resident tenants and/or slaves (whether through a commanding, and perhaps threatening, personal presence, or more indirectly through proxies)? At this level, any interpretation has to acknowledge the reality of various parties’ coercive power, which is usually only mentioned obliquely, if at all, in dispute

<sup>74</sup> CDL IV/1 15.

<sup>75</sup> Carolingian-era documents up to the 870s consistently use the verb *revestire* for transfers of land, suggesting that the act was that described elsewhere as *restitutura* – the reinvesting of the right to enjoyment of the property – as distinct from *traditio* – the transfer of legal possession. See the examples in Manaresi, nos. 45, 47, 64, 66 and 68. For the basic, initially Roman, legal concept of *traditio*, see W. Buckland, *A Textbook of Roman Law from Augustus to Justinian*, 3rd edn (Cambridge, 1966), pp. 226–32. Bougard, *La justice dans le royaume d’Italie*, p. 136 identifies the introduction of the term in Italy as a Carolingian innovation. After the 870s, however, we find first *tradere* then *investire* used, suggesting significant confusion, at least by that time, between *restitutura* and *traditio*: examples are in Manaresi, nos. 71, 77, 101, 102, 110, 111, 132, 135 and 140. For a case that revolved around (and therefore helps to define) the act of *restitutura*, but also shows the confusion of vocabulary, see Manaresi no. 19, issued in Pistoia in 806. In general, see G. Diurni, *Le situazioni possessorie nel medioevo. Età longobardo-franca*, Quaderni di Studi senesi 64 (Milan, 1988), pp. 57–8. The essential point was the same whichever wording or ritual was used, however: the formal relinquishing of a landed estate was part of the liturgy of the land dispute.

records. Most commonly, at least in the Lombard period, it was assumed that those who stood surety for a litigant had the power to ensure that that party fulfilled the requirements of the court. But there are cases in which this assumption proved unfounded.<sup>76</sup> Direct coercion on the part of the judges could certainly be an option, but equally certainly could prove impossible. This is evident in the Lombard kingdom, for example in a case of 844 heard in Milan. The hearing actually constituted the third attempt to decide between the claims of two parties to property at Balerna previously owned by a certain Bruning: the monastery of S. Ambrogio and the layman Teutpert and his son. The latter were in possession, and had refused to enact the decisions of the previous courts and to hand over the property to S. Ambrogio. Evidently, those judges had themselves been unable to enforce their ruling: one of them even asked Bruning to distraint the property, but he too was unable to do so. As it was the case had to be adjourned even after the third hearing and we have no sign that S. Ambrogio ever obtained the property.<sup>77</sup> Cases such as this can hardly have failed to occur in the duchy of Spoleto too, where administrative conditions were virtually identical in this respect. Although such explicit cases of judicial impotence are hardly less rare in our documents than those which describe judges' steps towards enforcement, the former are more striking, because they militate against the whole tenor of the *placitum*-charter, and because they accord better with the growing recognition of the importance of extra-judicial measures.

These limits on coercion are often taken as an indication of a natural irenic tendency in dispute management, at least in this period – a consistent bias towards compromise and therefore towards stability and peace.<sup>78</sup> Two related points suggest that the social psychology of disputing both was rather more complex and is rather harder to discover. First, the threat of coercion often relied for its force on the backing, whether implied or overt, of those who held effective power within the society in which the dispute arose. Secondly, however, this society – the 'local community' – is an unhelpfully amorphous concept. It may be too simple just to state that those present at a particular hearing directly reflected the

<sup>76</sup> For a case in which a litigant fell foul of his sureties, *CDL* v 31. On sureties in general, see esp. W. Davies, 'Suretyship in the *Cartulaire de Redon*', in T. M. Charles-Edwards, M. Owen and D. Walters eds., *Lawyers and Laymen* (Cardiff, 1986), pp. 72–91; W. Davies, 'Disputes in ninth-century Brittany', in W. Davies and P. Fouracre eds., *The Settlement of Disputes in Early Medieval Europe* (Cambridge, 1986), pp. 65–84, at p. 76–7: 'acting as surety was part of a local, small-scale pattern of alliance-making that is largely hidden from the records'.

<sup>77</sup> Manaresi, no. 48; see further Wickham, 'Land disputes', pp. 248–9. In addition to other cases mentioned below, a stark Lombard-era example is *CDL* II 168.

<sup>78</sup> For comment and references, see Brown and Górecki, 'What conflict means', pp. 27–33, and 'Where conflict leads', pp. 282–4.

socio-political complexion of a locality (even if that locality could be closely defined), its factions and interest groups. Local interests need to be uncovered by comparing individual cases, and cross-referencing with other evidence (principally, other charters) where this is available. When such men as witnesses and sureties can be shown to have been local, we can more readily assume that they were *ipso facto* interested parties. Moreover, this point can be extended to those who presided over the court, the judges.

For well-known reasons to do with charter preservation, many of the disputes of which records survive concern a conflict between two norms: that governing inheritance between family members, and that allowing landowners to dispose of their property freely, usually and especially for pious purposes. Students of most medieval societies are thus familiar with cases in which families contested gifts to the church.<sup>79</sup> Normally in these records it was the church that won: the charter comes down to us precisely because it was kept by the victorious ecclesiastical institution, typically a monastery.<sup>80</sup> Adjudications of this type by a court headed by (apparently) royally appointed officials are often taken as components of a wider royal policy in favour of the church, or at least of a particular religious house.<sup>81</sup> But the conditions of these sources' transmission leaves a nagging doubt: was royal favour really so consistent, or does it appear so only because of the consistently ecclesiastical derivation of our evidence?

Although the documents in Farfà's cartulary provide only an inevitably stuttering, incomplete and one-sided account of that region's political community, we can nonetheless make out more of the continuing narrative than the snapshots provided by individual documents. I have chosen to examine three extant cases, from 750–1, 801 and 813–14. They have been selected not because they are particularly aberrant – every one of the twenty-six extant eighth- and ninth-century cases has its own peculiarities – but because they demonstrate with particular clarity how closely insinuated the court was with, and how heavily dependent it was on, the local elite. As a consequence, the power of the court's officials – the judges – appears never to have been independent of their immediate context. Thus, the outcomes of disputes can be seen to have been conditioned by the social statuses of and relations between the parties

<sup>79</sup> For example, C. La Rocca, '*Multas amaritudines filius meus mihi fecit. Conflitti intrafamiliari nell'Italia longobarda (secolo VIII)*', in 'Les transferts patrimoniaux en Europe occidentale, VIIIe–Xe siècle (I)', *Mélanges de l'École Française de Rome. Moyen Âge* 111/2 (1999), pp. 933–50; see also Innes, *State and Society*, pp. 13–50.

<sup>80</sup> On the ecclesiastical bias of charter evidence, see Brown 'When documents are destroyed or lost', pp. 337–8.

<sup>81</sup> See de Jong, 'Carolingian monasticism'.

involved. This dynamic remained fundamental even after the Carolingian take-over of the duchy of Spoleto had broadened the horizons of the Sabine elite and opened opportunities to conduct disputes through new judicial institutions.

The limitations on judges in the Lombard-era Sabina are evident if we consider the plight of the brothers and priests Grimuald and Anso. In 751, they won a court case held in Spoleto before two royal envoys in which they had contested ownership of their uncle's property with Farfa. The abbey did not preserve direct record of the judgement; we hear of it instead from the written agreement, or *convenientia*, made between Farfa and the brothers, in which the latter received not their uncle's property but the lease for a single lifetime of a single estate from their uncle's property.<sup>82</sup> Why did the brothers settle for less than the court awarded them?

To answer this question we can go back to the previous December when their uncle, Claudianus, was himself involved in a court hearing before the duke of Spoleto.<sup>83</sup> Having made a written donation to Farfa of all his property while ill, Claudianus had then himself entered the abbey. His brother and three named nephews (not including Grimuald and Anso) contested this donation, saying that one of those properties – a *casa domusculta* at 'Terentianus' – was not Claudianus's to give.<sup>84</sup> More than thirty years earlier, a written agreement had been made between Claudianus and his brothers that they should build a monastery, entrusted to the former, for the education of all their sons. As in many cases in which families contested pious, *pro anima* gifts, different norms were in conflict here. According to the thirty-year prescription, a norm reaffirmed in the Lombard written code but long pre-dating it,<sup>85</sup> proving possession for that length of time was sufficient to prove ownership; and neither party contested that Claudianus had possessed the *domusculta* at 'Terentianus' for more than thirty years.<sup>86</sup> On the other hand, there were norms about succession to property within the family, which in this case had been overridden by the norm which allowed properly constituted

<sup>82</sup> CDL v 16 (= RF II 31). On the royal *missi*, see Zielinski, *Studien*, p. 148. <sup>83</sup> CDL IV/1 12.

<sup>84</sup> The location of 'Terentianus' can be identified no more closely than that it probably lay on the Farfa river: Migliario, *Strutture*, p. 97.

<sup>85</sup> See Grimuald 4; Liutprand 54; Wickham, 'Land disputes', pp. 234–5, with n. 7; and, classically, Levy, *West Roman Vulgar Law*, pp. 176–90.

<sup>86</sup> Claudianus: 'Sunt modo anni non minus. XXX., ex quo habuimus substantias divisas cum istis fratribus meis.' Brothers: 'iam plures anni sunt, ex quo habuimus divisas substantias . . .' Levy, *West Roman Vulgar Law*, pp. 190–3 shows that in vulgar law the thirty-year rule not only prescribed actions but bestowed right of possession; for *possessio* as 'the common denominator of the law of property' designating 'all real rights normally combined with factual holding', see *ibid.*, pp. 61–72 (quotation at p. 61).

agreements.<sup>87</sup> But the case did not turn on an assessment of how far the facts accorded with one or other norm, or on adjudication between them. It came down to an issue of one document against another, documents in which actions and norms were enshrined, and which each party brandished, apparently unprompted, in court. It is important to stress that it was the disputants themselves who selected these modes of proof. In the majority of our cases up to the later ninth century disputants are either prompted to make their selection by the tribunal, or do so in their opening statements.<sup>88</sup>

The contest therefore became one between Claudianus's charter of donation to Farfa and the *charta convenientia* that he had made years earlier with his brothers. The latter, according to the judges, 'comparuit fraudulenta, pro qua re nec notarium verum habebant nec testimonia' (appeared fraudulent, because they had neither a proper notary nor witnesses).<sup>89</sup> It is not clear whether this statement meant that the brothers could produce neither the charter's scribe nor its witnesses, or simply that the names of the scribe and witnesses – the eschatocol – were missing from the document.<sup>90</sup> This ambiguity relates to the complexity of norms governing legal transactions and their relation to written documents. There seems to have been an unwritten norm that legal documents should be subscribed by witnesses;<sup>91</sup> and the notary's job seems to have been to procure those witnesses, at least as much as it was to ensure the legality of the document's form.<sup>92</sup> In practice, and not just in Lombard Italy, these

<sup>87</sup> A. Kosto, *Making Agreements in Medieval Catalonia. Power, Order and the Written Word, 1000–1200* (Cambridge, 2001), pp. 16–25.

<sup>88</sup> Simply to take the eleven cases in Manaresi up to 800, six were decided on the basis of proofs offered by the parties without prompting from the judges: nos. 2, 3, 5, 7, 8 and 11. On the formulaic question from judges to disputants of whether they wanted to offer proof 'either by charter or by witnesses or by inquest', see Wickham, 'Land disputes', p. 244 with n. 27 and the example in Manaresi, no. 64.

<sup>89</sup> *CDL* IV/1 12

<sup>90</sup> In general, see Wickham, 'Land disputes', p. 240 with n. 19; a similar case is Manaresi, no. 96.

<sup>91</sup> For Roman laws on charter witnessing, see *CTh* 4, 4, 1, and, further, Everett, 'Scribes', pp. 48–50 and n. 30. Compare Ratchis 8, which stipulates that a charter of sale was valid if it 'has been written by a public scribe and confirmed by suitable witnesses and the witnesses subscribe or set their hands to the charter which details the sale' ('ad scrivane publico scripta, vel ad testibus idoneis rovorata fuerit et tam ipse vinditür quamque et testes in ipsa cartola subscripserint aut manus posuerint [et manifestaverint in ipsa cartola, quod pretium inter eos statutum suscepisset . . .]'). My translation here differs from that of Fischer-Drew.

<sup>92</sup> See J. L. Nelson, 'Dispute settlement in Carolingian west Francia', in W. Davies and P. Fouracre eds., *The Settlement of Disputes in Early Medieval Europe* (Cambridge, 1986), pp. 45–64, at pp. 52–9. For an example of a charter's scribe testifying in court, see *CDL* IV/1 35; for charter witnesses doing the same, Manaresi, no. 42. On the whole issue, Wickham, 'Land disputes', pp. 240–1. On the role of the *notarius* in document redaction in Italy, see Everett, 'Scribes', pp. 42–55.

were called upon later to confirm orally the provisions described in a charter.<sup>93</sup>

In a process like this – and there is no reason to think it atypical – a good deal of agency resided with the disputants. It proceeded through a number of layers. First, there was the original dispute, about inheritance, donation and agreement. This was essentially bypassed by referring to a secondary issue, of the modes of proof that would be considered – and this was a point addressed by the litigants, not the judges. Finally, there were the norms about valid charters, the single level on which the judges did have a role. In Chris Wickham's view, the haziness of norms of procedure allowed to judges the freedom to exercise a power implied in the public nature of their office. While their role was the apparently simple one of presiding over the court and prescribing procedure, in practice, he argues, this gave them plenty of scope to impose their own choices from among the variety of available norms.<sup>94</sup> But in the 'Terentianus' hearing choices were more often made by the litigants. The whole process, including the abortive judgement in favour of Grimuald and Anso, reveals the significance of personalities and activities that are obscured by a written record produced for the formal judicial component of that process.

The conclusion of both Claudianus's and Grimuald and Anso's formal proceedings had in any case not been the judges' decision but the swearing of oaths.<sup>95</sup> That these were acts of critical importance is evident from their being sworn in public before identified groups of people: after Grimuald and Anso's initial hearing, these were the royal *missi*, at the end of Claudianus's case they were a group of named individuals.<sup>96</sup> What we can see of their identity indicates that this oath served to connect the

<sup>93</sup> An analogous example concerned the church of St Hispanus near Tours, studied by Jinty Nelson, 'Dispute settlement', pp. 56–9.

<sup>94</sup> Wickham, 'Land disputes', p. 245: 'We must nevertheless conclude that increasing judicial direction of all court procedure . . . cut down the real distinctions between them [i.e. between witnesses and inquests].' For the role of judges in general, see pp. 233–4.

<sup>95</sup> E.g. *CDL* IV/1 12: 'pars Claudiani diceret eorum iustitiam ad sancta Dei evangelia . . .'

<sup>96</sup> 'Q(uo)d de p(re)sentī p(re)paravit se ipse Claudian(us) facere eis ipsu(m) sacram(en)tu(m); ipsi vero donaver(unt) ei et amiser(unt) sacram(en)tu(m) ipsu(m) ante p(re)sentia(m) Immonis gast(aldii), Audualdi sculd(ahis), Teuderadi p(res)b(ite)ri, Alifredi actionar(ii), Teudualdi gasindii, Gaidaris seu Ursi centurion(um) et P(ro)batī atq(ue) Gustantii.' I have here indicated the abbreviations in our primary manuscript, Farfa's twelfth-century cartulary, and expanded them in the same way as did Carlrichard Brühl in the standard edition (*CDL* IV/1 12). The Latin does not make entirely clear what happened: Claudianus prepared to give an oath; but who is the subject of the next phrase? Did the (plural) losing party remit the oath in the presence of the named men? If so, what did they *donaverunt*? Or did Claudianus (*ipse* for *ipsi*) give (*donaverit*) the oath, and issue it (*amiserit*, in the sense of 'let it go') before the oath-hearers? Either way, this set of men in front of whom the act(s) was/were performed were (a) clearly important, and (b) different from the judges (see below).

court hearing with the socio-political context in which the dispute had originally arisen. This context determined whether anything decided at the hearing was actually enforceable; it may also have been the most significant factor behind the normative choices made by all parties during the hearing. The oath was the act through which the parties left the arena of the court, and put themselves once more into the hands of their peers.

This shift in the context of the dispute settlement procedure is even more evident once we notice that the judges of Claudianus's case were mostly different men from those who heard the oath. Only one man appeared among both: Immo, the gastald of Rieti.<sup>97</sup> His fellow judges constituted a panel of duchy-level standing, including a *diaconus*,<sup>98</sup> a *stolesaz*,<sup>99</sup> and a *sculdahis*,<sup>100</sup> as well as two gastalds.<sup>101</sup> In striking contrast, the group that heard the oath were all men prominent in that corner of the duchy where lay both Farfà and, almost certainly, the property in dispute: the Sabina. Immo was the most prominent of these in official terms – his area of jurisdiction included the Sabina – but the other eight oath-hearers constitute a notable collection of local worthies: they included a *sculdahis*, a priest, an *actionarius*, two *centenarii* or *centuriones*,<sup>102</sup> and a *gasindius*. The latter title means a sworn follower of the ruler, usually taken to be the king, though in this case it might just as easily be the duke; the *actionarius* and *centenarius* were managers of local estates, not necessarily only those belonging to the fisc.<sup>103</sup> Two of the men may

<sup>97</sup> Immo was gastald in 749/50 and 751 (*CDL* IV/1 9, 10, 11, 12 and 13 and *CDL* v 8); it is not certain, though it remains probable, that his loss of office was a consequence of the fall of Lupo: see Zielinski, *Studien*, pp. 237–9.

<sup>98</sup> It is just possible that this 'diaconus Arechis' is identical with the 'Aricisus decanus' who witnessed a sale to Farfà in 764 (*CDL* v 41), in which case he just might be identical with the Aricisus who witnessed the agreement between Abbot Fulcoald and Grimuald and Anso (*CDL* v 16).

<sup>99</sup> As Brühl notes (*CDL* IV/1, p. 31), it is doubtful that this *stolesaz* Perto should be identified with the homonymous gastald of Rieti in 745/6 (*CDL* IV/1 4; *CDL* v 7 and mentioned in v 20): see also Zielinski, *Studien*, pp. 236–7. On the office of *stolesaz*, see C. Brühl, *Fodrum, Gistum, Servitium Regis* (Cologne, 1968), pp. 377–80.

<sup>100</sup> This *sculdahis*, Allo, may just be identical with the comes 'Halo' who sat among the judges in hearings in 776, 777 and 781 (*CDL* IV/1 28, 29 and 35); he may equally be the father of Alerad, who witnessed a donation to Farfà in 765 (*CDL* v 44), or himself have witnessed another donation in 773 (*CDL* v 60).

<sup>101</sup> Immo and 'Camerino gast (aldio) de Valva'; this latter is surely suspicious, given that Camerino was better known as a place – itself the base of a gastald: witnesses from there were present at the palace at Spoleto around this time, see *CDL* v 11.

<sup>102</sup> '[A]nte presentiam . . . Gaidaris seu Ursi centurionum': I am assuming that *centurionum* is genitive plural, and that the word is equivalent to/exchangeable with *centenarius*, on which see Bougard, *La justice dans le royaume d'Italie*, pp. 158–68.

<sup>103</sup> On *actionarius*, see above, pp. 99–110; and n. 102 for the *centenarius*.

well have later become gastalds of Rieti themselves.<sup>104</sup> What we are seeing here is a local landholding elite with shared broad interests; interests, moreover, that centred to a significant degree on the abbey of Farfa.

At the heart of this network as it appears in the few documents considered here is the *sculdahis*, Auduald, who, alone among the participants at Claudianus's hearing, also acted as a witness to the agreement between Farfa and the two nephews, Grimuald and Anso. His presence alerts us to the point that the context that conditioned the agreement in 751 must be related to the context that had determined the conclusion of the 750 hearing. Auduald's appearance at the head of the witness list of the 751 *convenientia*-charter strongly indicates that he brokered that agreement. We can trace his career with some certainty: first appearing probably in 739,<sup>105</sup> he was an *actionarius* by 745,<sup>106</sup> and *sculdahis* from 746 to at least 761.<sup>107</sup> He may have died by 765, and more certainly by 778.<sup>108</sup> His centrality within a network of local power-holders is revealed by a simple statistic: of the other eight witnesses who subscribed Grimuald and Anso's charter of agreement, six appear in connection with Auduald in other transactions (two on two occasions).<sup>109</sup> Although as *sculdahis* he would not have been responsible for a specific geographical area of his own – up to six *sculdahes* seem to have operated concurrently across the gastaldate of Rieti – Auduald seems to have been firmly rooted in the Sabina and

<sup>104</sup> It is possible that the Probatas who heard Claudianus's oath is identical with the man of that name who was gastald of Rieti 751–5: *CDL* v 16–22, and see *CDL* v 26 and 31. More plausible, if we envisage a simple career advancement, is the identification of the *actionarius* Alifred with the Alifred who was gastald of Rieti from 757 to 765 and again in 770 and 773: *CDL* IV/1 24, 28, 30, 31, 32, 33, 35, 37, 38, 39, 40, 41, 42, 43, 55, 62 and 63; doubly plausible if the title of *actionarius* in this case *does* indicate an administrator of fiscal lands, since the gastald certainly had fiscal responsibilities, on a wider scale: see Gasparri, *I duchi longobardi*, pp. 20–32. He might also be the Alifred who witnessed, without title, *CDL* v 14, 15 (a.749) and 19 (a.753).

<sup>105</sup> It is plausible that he was the Audualdus who attested *CDL* v 3 in 739.

<sup>106</sup> *CDL* v 6: note that he cannot be identical with the *archiporcarius* Aduald, brother of Audolf, who co-issued this charter of exchange and appears also in *CDL* v 8 and 13 and *CDL* IV/1 9.

<sup>107</sup> *CDL* v 7, 12, 16, 17, 19, 20, 23 and 26; *CDL* IV/1 12 and 15.

<sup>108</sup> *CDL* v 44 (a.765) mentions an 'Adualdus exercitalis' as the late father of one Godepert; Adualdus is also the name of the late father of Teudemund in *CDL* v 78 (a.778): on this family see Costambeys, 'Piety, property and power', pp. 293–5.

<sup>109</sup> The *sculdahis* Clarissimus also appears with Auduald in the witness list to *CDL* v 17 (a.752) and 19 (a.753). 'Maurus medicus' may also be the protagonist in a judgement that Auduald witnessed in 753 (*CDL* v 20) and the head of the witnesses in *CDL* v 44, subscribed by Auduald's probable son, Godepert. Adeodatus also witnessed here, as he did in *CDL* v 16. Also present with Auduald elsewhere, as well as in *CDL* v 16, were Adirsinus, who subscribed *CDL* v 23 (a.756), Aldo, who attested the earlier *CDL* v 6 (a.745), and the confusingly similar *sculdahis* Aduald, who also attested *CDL* v 17 (a.752).

among its legally active class.<sup>110</sup> This group was not without its own internal hierarchy, however, and we can see Auduald also associated with a family, the Pandoni, which, as we shall see in chapter 6, was intermittently at the very head of Sabine society, providing both a bishop and at least two gastalds of Rieti.<sup>111</sup> Auduald can be seen acting alongside members of the family on at least two occasions.<sup>112</sup>

What this local network achieved in the case of Grimuald and Anso's claim against Farfa in 751 went against the grain of Italian politics at that moment. Even the date clause of the *convenientia*-charter reveals that a dramatic shift had just taken place earlier in 751. Aistulf had ousted his brother Ratchis from the throne of the Lombard kingdom, and removed Ratchis's ally Lupo from the dukedom of Spoleto within two years. The latter had clearly been of some importance to Farfa's success up to that point: support from local landholders had complemented a close bond of patronage between Duke Lupo and Abbot Fulcoald. Yet although, with the advent of Aistulf's direct rule over the duchy of Spoleto, endowment of the abbey declined strikingly – the king gave only one estate to the abbey himself, and during his entire reign it received only two other outright gifts<sup>113</sup> – Farfa's position was evidently not wholly dependent on the ruler's support, as the deal between the abbey and Grimuald and Anso makes clear. The witnesses to that charter were clearly associated with the oath-hearers who had a year earlier sought to enforce the transfer of Claudianus's lands to Farfa. That that agreement defended the abbey's possession of that property, and did so, moreover, in contradiction of a clear decision by two *missi* of King Aistulf, reveals the tenacity of local power structures, even against the background of dramatic political changes at a higher level. Other instances when the *sculdahis* Auduald acted to Farfa's benefit at this time only reinforce the point that local interests could override the decisions of the government.<sup>114</sup>

<sup>110</sup> On the *sculdahis* in the duchy of Spoleto, see in particular Bougard, *La justice dans le royaume d'Italie*, pp. 160–1. The basic study is Saracco Previdi, 'Lo *sculdahis*': she concludes (p. 655) that *sculdahis*' appearances in witness lists were solely a matter of 'private interests or relations of friendship'. Note that the prosopographical information given there is incomplete: see in addition J. Jarnut, *Prosopographische und sozialgeschichtliche Studien zum Langobardenreich in Italien (568–774)*, Bonner historische Forschungen 38 (Bonn, 1972), pp. 378–92. Also useful is P. M. Conti, *Il ducato di Spoleto e la storia istituzionale dei Longobardi*, Quaderni di Spoleto 2 (Spoleto, 1982), pp. 51–4 and 209–13.

<sup>111</sup> Below, pp. 226–31, and further Felten, 'Zur Geschichte', pp. 38–58, and Gasparri, 'Il ducato longobardo di Spoleto'.

<sup>112</sup> *CDL* v 20 (a.753) and 23 (a.757); see *CDL* v, pp. 99–100 for the family in this context.

<sup>113</sup> *CDL* III 23 confirms *CDL* IV/1 8, 10 and 13 and one lost diploma. Aistulf's single gift is *CDL* III 28. Non-royal gifts are *CDL* v 18 and 19.

<sup>114</sup> See, for example, and in addition to the charters mentioned in the previous note, *CDL* v 17 and 23, both issued during Aistulf's reign. In general, Gasparri, 'Il ducato longobardo di Spoleto'.

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In short, Aistulf's regime may have meant that Farfa lost the second case, but local interests ensured that Grimuald and Anso had partly to cede anyway.

There was good reason, then, for the norm that required that court hearings conclude with an oath. It formally brought the court's decision before those on whom its enactment would depend. When the interests of that group coincided with the aspiration of the court, enforcement would surely follow. What happened when local interests and court aspiration did not match up, on the other hand, is very evident from the fate of Grimuald and Anso in 751. It is a fair assumption that the royal *missi's* hearing of those brothers' claim also ended with an oath. But whoever heard it did not put it into effect. Instead, the brothers had to strike a deal with Farfa, and that they were forced into doing so is evident from our identification of the witnesses to that deal as stalwart supporters of the abbey. Grimuald and Anso may have thought that the change of ruler in Spoleto might allow them to recover their uncle's land; if so, they made the same mistake as those historians who have often overestimated the effective power of the king, and undervalued that of the dominant class closest to the scene. In the eighth-century Sabina, the local elite felt no absolute requirement or compulsion to enforce the decisions of law courts just because they were law courts. What we have seen quite clearly, and other studies of this period have shown, is that disputes were certainly processes rather than events. The law court was only one event, one scene in the drama of the dispute. While managing the dispute was essential, therefore, the law court was not: if it sometimes appears so to us, it is because it is from the court that we get our document. Nevertheless, while recourse to a court may not have been the only way to manage disputes in this society, it was certainly one of the most useful. This was emphatically not because it was the place where impartial absolute justice was handed down from on high; it was because conflicting norms were inherent in this society and the court generally offered a way of reconciling them that took place in the presence of many people and accurately reflected the real structure of power within the community it served. Thus it was not simply that courts gave opportunities to disputing parties to choose strategies; they were events at which all interested powers had agency. In the duchy of Spoleto of the mid-eighth century, the interests that are most apparent in these disputes are those of the elite landholding families; they were articulated and controlled according to norms that were current within that social class, rather than imposed from outside. It is very hard to see any recognition that a court possessed or represented an authority that was independent of local interests, autonomous and, above all, superior.

## Authority, rulership and the abbey

### FARFA'S DISPUTES AND THE ADVENT OF CAROLINGIAN RULE

Did the situation just described change after the advent of direct Carolingian rule in the duchy of Spoleto after 789? Did the looming presence of rulers who apparently had a more deliberate sense of their own role as administrators of divinely derived justice mean that legal and judicial norms were any more autonomous, any less implicated in the socio-politics of local elites, than they had been under the Lombard kings and dukes?<sup>115</sup> On the face of it, a case that came before the courts in August 801 seems to show in action the full range of the judicial structure established by the Carolingians. The two surviving documents relating to it were produced by the court of Ebroard, count of the palace of Pippin, Charlemagne's son, and king in Italy.<sup>116</sup> In the first, Farfa claimed possession of property in Pompignano.<sup>117</sup> This had been given by charter by a certain Pergo, now deceased, to his son Perto, also now dead, who had in turn handed it on to his son Pergulf, who had entered Farfa as a monk. But the abbey's advocate, Scaptolf, claimed that the property was held illegally by the priest Liutprand, son of Pergo, brother of Perto and therefore uncle of Pergulf. The original charter having been read, Liutprand did not contest it, and he reinvested Farfa with the property.<sup>118</sup> The second case, which was held in the same place and certainly in the same month, if not on the same day, was more complicated. Here we learn that the property was held not by Liutprand but by one Ageris, Pergulf's brother-in-law. He displayed a charter that Pergulf had issued transferring the property to his sister, Ageris's wife. But Farfa's advocate stated that Pergulf had been entrusted by his father to Liutprand to then be taken into Farfa as a monk. Ageris, however, had abducted Pergulf from the abbey and made him issue the charter handing over the property to his wife.

<sup>115</sup> On the Carolingian ideology of royal justice, see P. Fouracre, 'Carolingian justice: the rhetoric of improvement and contexts of abuse', *La giustizia nel altomedioevo (secoli V–VIII)*, Settimane di studio del CISAM 42 (Spoleto, 1995), pp. 771–803.

<sup>116</sup> On Ebroard, see Toubert, *Les structures du Latium médiéval*, p. 1093 with n. 1, and H.-E. Mayer, 'Die Pfälzgrafen der Merowinger und Karolinger', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, germanistische Abteilung* 42 (1921), pp. 380–463, at p. 460: he was not identical with Eberhard, the later count of Friuli.

<sup>117</sup> For the location, see Saracco Previdi, 'Lo sculdahis', p. 669 with n. 318. In the *Chronicon Farfense* Gregory of Catino adds that also in dispute were a house in Rieti and a *portio* of the church of St Peter, which in the *Liber Floger* looks to have been located on the estate: *CF* 1, p. 168; *LF*, p. 254. Similar-sounding toponyms do appear in the ninth-century Farfa documents, but seem to refer to a *fundus* or *massa* called Pompeianus/Pompigianus that was formerly associated with the monastery of Santa Bibiana in Rome: see *RF* II 224 (the earliest reference, a bull of Stephen IV of 817), with *RF* II 264 and *RF* III 324. The estate at Pompignano was clearly important to this family: Pergo's brother Magnolf had given his portion of it to Farfa, and in 781 Pergo got it back by parting with other estates in exchange for it: *CDL* v 94.

<sup>118</sup> *RF* II 161 (= Manaresi, no. 13).

Farfa had taken the case to the court of the duke of Spoleto, by this time the Frank Guinichis. The latter had sent both parties before Pope Leo III in Rome, together with his envoy and a written statement of his court hearing and the testimony given there by witnesses. The pope had ruled that Farfa should have both the property and Pergulf, and any charter that the latter had made was invalid. Thereafter, however, Ageris had expelled the monks from the property and held it up to that point. The count's court ruled that Ageris should reinvest Farfa with the land, and give a pledge to return any profit he had had from it since driving off the monks.<sup>119</sup>

At root, this is another instance of the conflict between norms of secular inheritance and ecclesiastical patronage that we have already noted. Here, Farfa's strategy was very firmly to keep the process within the formal judicial structure. It should not be viewed simply as a vertical journey up a hierarchy, however. Although Pope Leo may have harboured pretensions to exercising some sort of public jurisdiction in the Sabina (a question we will consider below, in chapter 8), transferring the case to his tribunal looks more like a sideways than an upwards movement, since Duke Guinichis sent an envoy to the pope – a *scabinus* from Rieti – armed with a written record of his own proceedings in the matter, and since no effective conclusion was reached in Rome either. Nor does this persistence with court hearings preclude other forms of dispute management. Other documents animate the process – the original donation by Pergo, the 'forced' donation by Pergulf, and perhaps in between them an oblation charter taking Pergulf into Farfa – and stand as written representatives of doubtless complex conversations. Even the procedure followed within the court structure is very interesting, since the first case seems to have been designed simply to dispose of any possible claim by the priest Liutprand. It was a stage in a process, and although this one was played out in court, this does not diminish the choices open to the parties in the way the dispute progressed. In fact, even if Liutprand had tried to vindicate a claim, this was immaterial, because the land was in the hands of Ageris, and if he lost it, it would be to Farfa. But this was a big 'if'. Ageris was able entirely to ignore the judgements of both ducal and papal courts. Unlike that to Pope Leo, the transfer to the count of the palace's court certainly does look like an appeal to a higher power. But even here, it was not power held solely in the hands of the Carolingian high functionary. While, according to the *notitia*, the procedural matter of Liutprand's involvement was heard before a tribunal comprising Count Ebroard,

<sup>119</sup> RF II 165 (= Manaresi, no. 14): note that though the scribe was the same for both documents, no. 161 has 'Perto' and 'Pergulf', no. 165 'Berto' and 'Perculf'.

Bishop Adelmus, two *scabini* from Piacenza, and Leo ‘bassus domni regis’ (*sic*), in the meatier matter of Ageris that group was joined by ‘Alparius de Spoleto, Opteramus et Leo scabini de Reate’: in other words, by men representing the local, Spoletan and Sabine, political community.<sup>120</sup> Furthermore, this court did not ‘retry’ the case. It simply took the word of Duke Guinichis’s envoy, Opteramus, that all parties had been present at the papal tribunal (so could not argue contumacy), and that Ageris had subsequently defied the judgement. Without examining these statements, it moved straight to its own decision. The role of Opteramus, *scabinus* of Rieti and very likely the prominent lay notary of the same name, looks crucial.<sup>121</sup>

Although, therefore, the way that in this case procedure took the dispute to the count of the palace’s court seems to suggest the effectiveness of new structural elements introduced by the Carolingians, in fact that court, like all the others, needed to recognize that only local representatives, channelling local social and political pressures, could make its judgement effective. Even so, all we can say for certain is that the Pompignano estate was only back in the abbey’s hands for certain by the time it formed part of the massive sale of Farfa’s lands by Abbot Campo between 936 and 943.<sup>122</sup> If Ageris is identical with the man of the same name who appears in the 820s as a gastald in the tribunals that heard the important disputes between Farfa and Duke Guinichis, and Farfa and Pope Gregory IV, then he was a man of the kind of prominence that might well prevent successful execution of a court’s decision.<sup>123</sup> And even if he did not want to oppose the decision of King Pippin’s ‘number two’, he had already successfully defied both the duke of Spoleto and the pope. His actions make palpable the limits to the effectiveness of such courts.

Ten years later, we have a similar indication of the conditioning of courts’ decisions by local interests. A *notitia* of 811 relates that a court including Duke Guinichis and the bishop of Rieti heard a certain Clarissimus being accused of seizing lands at Casaprota belonging both to the duke himself and to Farfa, and of destroying their boundary

<sup>120</sup> This Leo, who subscribed himself ‘Leo sculdahis’, is unquestionably identical with Leo, son of the *sculdahis* Teudemund, who appears as a donor to Farfa in 787 (*CDL* v 104, in which the identity is confirmed: ‘Leo *sculdahis* filius quondam Teudemundi’) and as witness or judge in numerous other charters (*CDL* v 72, 78, 83, 84, 85 and 88; *RF* II 147; *RF* v 1227; *RF* II 152, 155, 156, 167, 184, 196 and 197). He had died by December 813 (*RF* II 205 = Manaresi, no. 27). See also Bougard, *La justice dans le royaume d’Italie*, pp. 175 with n. 151, and 365.

<sup>121</sup> An Opteramus wrote charters issued on either side of his appearance as *scabinus*: *CDL* v 98 (issued 785), *RF* II 155, 156 (both 793) and 167 (803); Bougard also suggests identity with the homonymous gastald of Rieti in 791 (*RF* II 154 = Manaresi, no. 8).

<sup>122</sup> *CF* I, p. 316. <sup>123</sup> *RF* II 251 (a. 821), 257 (a. 823) and 270 (a. 829).

markers.<sup>124</sup> A panel of judges had already ruled that the land should be returned to both abbey and duke: but Clarissimus ‘noluit iudicium eorum facere’ (did not want to carry out their judgement). Clarissimus denied that he had refused to comply. His opponents displayed a record (*breve*) of that earlier hearing,<sup>125</sup> which included the information that Clarissimus had not wanted to carry out the judgement and was signed by the judges on that occasion. The bishop of Rieti then called upon these latter men to testify to the veracity of the *breve*, which they did. The present judges then made (*fecimus*) Clarissimus both return the land to representatives of the duke and of Farfa, and give to the same men a pledge that he would pay them compensation.<sup>126</sup>

This case resembles the earlier court hearings just examined, in including much reported speech and not following a strictly adversarial format. At the point when Clarissimus denied that he was unwilling to comply with the earlier judgement, the litigants, apparently without prompting, offered their chosen mode of proof by producing the record of that earlier hearing, which the judges on that occasion were then asked to verify. As in the ‘Terentianus’ case, therefore, a document was worth little without supporting testimony. These witnesses’ interrogator, however, was not the apparently pre-eminent judge present, the duke of Spoleto – perhaps ‘cup-tied’ because also one of the litigants – nor his representative nor that of Farfa, but another of the judges, Hisemund, bishop of Rieti. Once the document had been authenticated, the hearing moved quickly to a decision, and to the oaths that affirmed the intention to enforce the judgement. As with the ‘Terentianus’ and Pompignano hearings, then, the point at issue was not really the substantive one of who legitimately owned the land: in this case that seems to have been resolved in full at earlier hearings. The norm that this court applied was a procedural one, specifically concerning Clarissimus’s alleged unwillingness to comply with the court’s verdict, an unwillingness which should certainly be read, as it was at the time, as violating the procedural norms which moved the process of dispute management from the court’s decision to its enforcement.<sup>127</sup> As we have seen, this was typically achieved partly

<sup>124</sup> *RF* II 197 (= Manaresi, no. 23). This is my understanding of the phrase ‘signata cappilavit’. For ‘Casa Perota’ as the modern Casaprota, see Saracco Previdi, ‘Lo *sculdahis*’, p. 675 with n. 383.

<sup>125</sup> On the difference between a *breve* and a *notitia*, see Bougard, *La justice dans le royaume d’Italie*, pp. 74–6.

<sup>126</sup> ‘... statim ipsa hora fecimus ipsum Clarissimum retradere ipsam terram ... Et fecimus ipsum Clarissimum dare guadium ... ut eis componeret, sicut ille qui malo ordine in terram alienam introibit [sic] aut signata cappilavit.’

<sup>127</sup> ‘Et ipsi iudices iudicauerunt ut ipsam terram nobis retraderet, sed ille noluit iudicium eorum facere.’

through the swearing of oaths, and it may very well be that what our charter is referring to in this case is Clarissimus's unwillingness to swear that he would perform the actions required of him by the initial group of judges.

There is also, however, a basic dissimilarity between this case and the 'Terentianus' dispute in terms of the efficacy of different courts' judgements. In the earlier dispute, the initial decision (of the ducal court) was upheld, while the judgement on appeal (to royal *missi*) was so watered down as to be virtually useless. In both the Pompignano and the Casaprota cases, on the other hand, the decision of the local court could not be put into effect; in the apparent absence of fulfilled oaths the dispute continued, and the next stage in the process was to make an appeal in another, apparently superior, court. It is interesting, too, that Farfa preserved the record of these later hearings (which is how we know about them), and not those of the earlier ones in which, presumably, its rights had actually been upheld. In the Casaprota case at least, it would seem that the document the abbey needed was not one that confirmed that the land belonged to it, but one in which Clarissimus admitted that it did not belong to him. The *notitia* that Farfa retained was really only relevant – and the only one relevant – to any repeat dispute with Clarissimus.

The danger that Clarissimus would continue to evade courts' decisions, and had been able already to ignore one, seems to have stemmed from his social (if not economic and political) status, which was on a par with that of those who had sat in judgement at the initial hearing; we have seen hints that Ageris was in a similar position. The landowning class in the Sabina was not especially large, and many names recur frequently in the charter evidence from Farfa. Often they can be shown to belong to the same person.<sup>128</sup> In this context, Clarissimus does not look like a man wholly without friends. Two instances of his name are close enough in date and circumstance to suggest an identity with the Clarissimus of the 811 court case, and their witness lists correlate with each other fairly well (four of the seven witnesses to the second appear in the first, plus one of its issuers).<sup>129</sup> In 804 Clarissimus was therefore witnessing alongside two men who were to be his judges in 811, Audolf and Gudipert. Of course, the fact that these men acted as witnesses together does not prove any

<sup>128</sup> For demonstrations of this, see Costambeys, 'Piety, property and power', pp. 290–317; Felten, 'Zur Geschichte', pp. 38–58.

<sup>129</sup> *RF* II 153, of 792, a donation witnessed by, inter alia, Clarissimus, Ansefridus, Hildericus, Opteramus and Probatas. A Probatas and his brother Picco issued *RF* II 175 in 804, witnessed by Clarissimus, Audolf, Opteramus, Gualdipertus, Hildericus, Gudipertus and Ansefridus. Both charters were written by Constantinus, who describes himself, tautologically, as 'notarius scriptor'.

further association, let alone friendship, and in any case much could change in seven years. As co-witnesses, though, it is very probable that they possessed similar social statuses and, given the places where these charters were redacted, came from the same locality.<sup>130</sup> Overall and in general these men were a closely connected group – three of the six judges of Clarissimus's original hearing were in fact brothers, while the other three all appear together with one or more of them as witnesses or judges at other times – to which Clarissimus was associated on just the one occasion in 804.<sup>131</sup> In 811 they were perfectly prepared to find against him and in favour of an abbey with which they were intimately associated: three of the six were direct benefactors of Farfa, and one, Audolf, was the brother of Farfa's advocate Scaptolf, and himself later fulfilled that role; we shall see that this family had intimate connections with the abbey over several generations.<sup>132</sup> But they could not force him to comply with that decision. Through his defiance, Clarissimus negated the procedural norm which assumed that judgement would lead to penalty and took the dispute outside the formal arena of the court and into an informal one involving the personal positions and power of the litigants and judges. The plaintiffs were now required to take action to move the dispute on to a new formal stage at a higher court.

The Pompignano and Casaprota disputes suggest that the forces that governed the relationship between courts and the local societies that they served in the mid-eighth century had undergone little fundamental change even sixty years later, and some forty years after the Carolingian conquest. In both periods, the records that we have are very often concerned not with substantive norms that might establish absolute rights to property, but with procedural ones that governed the selection and presentation of modes of proof, their authentication, and the actions and performances that moved disputes along a normative path. The 'law' – certainly the written law – appears to have been very much a secondary matter. Furthermore, the judiciary as an institution had limited power to control

<sup>130</sup> Both *RF* II 153 and 175 were issued at Rieti.

<sup>131</sup> Spento, Statius and Toto, brothers: *RF* II 194 and 195. The other three judges – Leutherius, Audolf and Constantinus – witnessed an *offersio* charter of 801 alongside Spento and Statius (*RF* II 167), and Leutherius and Audolf appeared again beside all three brothers in a court hearing in 806 (*RF* 184 = Manaresi, no. 21). Among the additional judges who appeared in the second hearing of Clarissimus's case, Ioseph and Gudipert had also judged a case in 807 alongside Spento (*RF* II 204). Further associations between two or more members of the group are apparent in *RF* 205, 208, 220 and 229.

<sup>132</sup> Spento, Statius and Toto gave extensive donations to Farfa in 809 (*RF* II 194 and 195), and Spento supplemented this in 816 (*RF* II 220). Audolf was advocate of Farfa in 821 and 829 (*RF* II 251 and 270; Manaresi, nos. 32 and 38: Statius was a judge in the former case, and present at the latter): see below, pp. 241–5.

the way disputes were processed, and were at their most effective when specific judges held prominent positions within local structures of power. It is possible, though hard to show with certainty, that Clarissimus's judge, Bishop Hisemund of Rieti, was a member of the Hisemundi family prominent in the Sabina for at least the previous two generations.<sup>133</sup>

The cohesiveness of the social group of Sabine landholders seen in the Clarissimus case, as well as the persistence of the normative conflict between pious donation and the rights of heirs, is evident from another case played out in 813–14, in which many of the figures in the Clarissimus case reappear. The dispute concerned the property of the late Leo of Rieti, almost certainly a member of the prominent Sabine family that may also have included Bishop Hisemund of Rieti among its number (the latter was among the judges here too).<sup>134</sup> Leo had apparently given all his property to Farfa, but on his death it was seized in its entirety by one of his sons-in-law, Herfuald, acting in concert with his father, Romuald, gastald of the Marsi. This action contravened two agreements – *convenientiae* – that Herfuald and Romuald had made, one with Farfa, the other with another son-in-law of Leo, Scaptolf (almost certainly the same man who had been Farfa's advocate in the Clarissimus case): in both the pair agreed to pay composition if they infringed the, conflicting, rights of these two parties in Leo's property.

It is very straightforward to see this dispute not as an event but as a process, because, quite apart from what might have gone on extrajudicially, we have records of five formal hearings of it. The first three, conducted before a tribunal headed by the duke but including many of the judges from the initial hearing of Clarissimus's case, were inconclusive because Herfuald and Romuald simply failed to turn up.<sup>135</sup> Their opponents managed to prolong the case by appealing up the hierarchy of courts: the next hearing was before a panel headed by Charlemagne's chief Italian envoy, Abbot Adalhard of Corbie, no less, and including three bishops, a royal judge, and various gastalds and *scabini*.<sup>136</sup> The record of this occasion bears some similarities to the others that we have examined: there is plenty of reported speech, including the pleas of all parties. Through these, the parties themselves dictated the principal mode of proof that the court would consider: in this case, the two *convenientia*-charters that Herfuald and Romuald had made with Farfa on the one hand and Scaptolf on the other. These were very much parts of the process: as

<sup>133</sup> See below, pp. 232–7. <sup>134</sup> *RF* II 205 and 207 = Manaresi, nos. 27 and 28.

<sup>135</sup> *RF* II 205 = Manaresi, no. 27, a document drawn up on 8 December 813 at 'Pupiliano' (location unknown).

<sup>136</sup> This is recorded in *RF* II 207 = Manaresi, no. 28, dated February 814.

with our earlier cases, the dispute came to concern these at least as much as it did the original point at issue, the ownership of the land. In this case, we are not told of any witnesses being called in support of these documents. There seemed to be no need, in fact: there was no dispute as to their authenticity, and when asked why he had made an agreement with Farfa in contradiction of his earlier agreement with Scaptolf, Romuald could only shrug lamely that he had done so 'nescienter'. After this hearing, Herfuald and Romuald gave pledges that they would pay the composition specified in their agreements with Farfa and Scaptolf. They had no intention of doing so. A fifth hearing, to oversee final judgement and enforcement, was held before all of the previous tribunal, with the addition of two dukes, including that of Spoleto, and the count of the palace – just about everyone who mattered in early Carolingian Italy, in short, except the king himself.<sup>137</sup> Here, in a real test of the presence of any notions of absolute justice, Herfuald and Romuald pleaded for mercy, and so faced the judges with a choice: on the one hand, they had transgressed a whole series of norms, including preventing the enactment of a pious donation and contravening the provisions of properly constituted formal agreements. They should pay compensation; but if they could not, what then was the alternative? In any case, there was no denying that Herfuald was a recognizable heir of Leo. The judges therefore shied away from attempting to impose a punishment, and instead put forward a compromise. They first asked that both plaintiff parties waive their compensation claims, which they did, receiving launegild from Romuald in return: a pair of gloves each. All parties then pledged to each other that they would share Leo's property between them, and walk the bounds to confirm that division. They voided all previous agreements and obligations between them. Farfa therefore ended up with only half of Leo's property and, having earlier roundly conned the other parties, Herfuald and Romuald got away virtually scot free, losing two pairs of gloves, but gaining a significant proportion of the late Leo's estate.

Procedure here therefore took the case right out of the immediate socio-political context of the Sabina. The initial hearings – at which Herfuald and Romuald had not appeared – were held before judges many of whom belonged to that group concerned with Clarissimus's case who were identifiably associated with Farfa.<sup>138</sup> By digging in their

<sup>137</sup> Bernard was king of Italy at this date. The charter is dated by his reign and that of Charlemagne: news that the latter had died on 28 Jan. 814 had evidently not reached Italy at that point.

<sup>138</sup> Of the seven judges named in addition to the duke in *RF* II 205 (= Manaresi, no. 27), the associations of four – Hilderic the gastald, Ioseph, Statius and Adolf – are all evident in the documents mentioned above, nn. 130–3.

heels, the father and son had ensured that the dispute would rise up the hierarchy of courts, provoking the intervention of those who had no affiliation with sectional interests in the Sabina. The extra layer of judiciary that Carolingian government had brought to the duchy of Spoleto offered not a surer fount of 'justice', but a higher likelihood that disputes might be managed through compromise, rather than through the kind of coercion by a local oligarchy that had lain behind Grimuald and Anso's reluctant deal back in 751.

The limits of courts' effectiveness are best appreciated if we reverse this last point: the more localized the level at which a court operated, the more completely was it dominated by local interests. This is most obvious in the 'Terentianus' dispute, in which local verities overrode the decision of royal envoys. In the Casaprota dispute, repeated referrals may have brought the case into the presence of the duke – in this context, a 'supra-local' figure – but the hearing was still run, and the outcome determined, by men from the Sabina. Only in the last case does the use of the full panoply of courts show that the higher up the formal hierarchy a dispute travelled, the more the judiciary could make itself felt as a judiciary, rather than as a collection of aristocrats with their own interests.

In this latter case, the fact that the increasingly ponderous weight of royal government bearing down on the parties, far from leading to a decision based on factual norms, only promoted compromise, suggests important lessons about the way norms worked in this society. A significant proportion of norms operated outside the governmental framework, and beyond its ability to control or change them. The judiciary needed norms, but norms did not depend on the judiciary, or on the ruler. As long as this remained the case – as it did, I would argue, throughout our period – disputants had a relatively unregulated power to choose between a menu of relevant norms. The difficulty that all rulers faced of enforcing decisions 'on the ground' meant that what was paramount in court was not jurisprudence or the assessment of facts according to abstract rules, but procedure. Perhaps especially in land disputes, norms had only a limited utility as guides to 'right' and 'wrong'.

In this context, the role of the judge looks quite peripheral, especially in the lower courts. Judges lacked any clear guidance about which norms to apply in which circumstances, and any autonomous means of enforcement. Their own interests must often have been deeply implicated in the disputes that passed before them. Their role was chiefly to ensure that procedural norms were allowed to do their work: for a compromise to be reached, or an intensity of local pressure to be attained such that a dispute was settled or managed. Only through flexible attention to multiple available norms might disputes reach resolutions that would stick. In

such circumstances it must often (perhaps usually) have been impossible for judges to distinguish their interests *qua* judges from their more personal interests. The practical operation of government was too bound up with such interests to allow it any completely independent or impersonal status. Seen in this light, judicial assemblies of the eighth and ninth centuries look less different from the seigneurial justice of the tenth and eleventh than is often allowed, even in the Sabina where the *placitum* tradition proved weakest.<sup>139</sup> At the risk of being schematic, each one represented a point on a continuum of formality and informality, impartiality and partiality. Eventually for Italy, as for medieval Europe as a whole, it would become possible to distinguish self-interest and the interest of the state, and to see the two pulling sometimes in the same direction and sometimes against each other.<sup>140</sup> In the Lombard and Carolingian period, however, disputants had an extent of choice in their disputing strategies which meant that power as expressed through the courts was correspondingly diffuse. Disputants' choices were guided by their social context at least as much as by formal judicial structures.

In this situation, the power of the 'higher' courts – and in particular of Frankish envoys sent into the region – also looks less than decisive. What they provided, we have seen, was an extra stage in the process, one that might just allow individual protagonists to circumvent the power of local oligarchies. In this sense, Carolingian rulers and functionaries acted with much the same effect as other 'external' forces were to do in subsequent Italian history.<sup>141</sup> The practical effects of this for Farfa we shall explore further below. If Farfa was in some sense the creation of the local oligarchy, as has been argued above and will be elaborated in the [next chapter](#), then we might expect it to suffer once that extra layer of processing provided by the Carolingians began to make itself felt. But what these cases have also underlined is that, when it came to land disputes, Farfa was a peculiar kind of protagonist with a number of advantages. Since it generally benefited from the support both of local oligarchies and of at least one higher secular authority, it tended to win both ways.

A final word should be said about our evidence. By the end of the ninth century, the written court record had become far more standardized than

<sup>139</sup> C. Wickham, 'Justice in the kingdom of Italy in the eleventh century', in *La giustizia nell'alto medioevo (secoli IX–XI)*, Settimane di studio del CISAM 44 (Spoleto, 1997), pp. 179–255, at pp. 237–9.

<sup>140</sup> Brown and Górecki, 'Where conflict leads', pp. 269–70.

<sup>141</sup> Compare, for instance, the relative success of Habsburg officials in dispensing 'justice' in nineteenth-century Venetia: D. Laven, *Venice and Venetia under the Habsburgs, 1815–1835* (Oxford, 2002), pp. 214–16.

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those examined here.<sup>142</sup> These later documents look to have been wholly distinct from the ‘real’ dispute – a symptom of the crystallization of a judicial and juridical bureaucracy that became remote from real social forces, and has, in Italy, remained so ever since, as ‘law detached itself from life’.<sup>143</sup> There was, then, clearly a change in the way documents operated, which it is beyond the scope of this study to assess. For Farfà, the disputes conveyed to posterity in this form were brought about by the transformative event of the Saracen attack, which for the abbey, and for the Sabina as a whole, created a very different situation.

### CONCLUSION

This chapter has sought to reconsider the workings in the eighth- and early ninth-century Sabina of offices that have usually been qualified with the adjective ‘public’. First among these is that of the duke himself. To judge from the sheer extent of lands and rights transferred in their diplomas, successive dukes seem to have been the most important patrons that the abbey of Farfà enjoyed. Why they enriched the abbey in this way is a more complex question, and a full answer requires that we consider more evidence than the bald facts of ducal donations. Such evidence includes the relationship of the duke with those immediately below him in the hierarchy of government: the *gastalds* based in the various *civitates* of the duchy, and the *sculdahes* below them. The primary responsibility that these two shared was the administration of the system of judicial hearings held under the aegis of the ruler. As we have seen, this proved to provide local people with part, and only part, of their framework for action, without ever really imposing itself as an external, disinterested force in their lives. *Gastalds* and *sculdahes* – indeed, all those who appeared as judges on judicial tribunals – did not do their work in courts out of an aspiration to dispense abstract justice, or to act impartially. The courts were for settling disputes in ways that did not compromise, and might enhance, the interests of those who composed them. That included the duke (or the king) but was not restricted to him. This conclusion directs our attention towards the other facet that all *gastalds* and *sculdahes* shared: their common membership of the local elite. If we seek to understand them, and how they interacted with those claiming authority above them, it should be first and foremost as members of the elite. In this latter guise, they will form the subject of chapters 5 and 6.

<sup>142</sup> Bougard, *La justice dans le royaume d’Italie*, pp. 307–39.

<sup>143</sup> E. Galli della Loggia, *L’identità italiana* (Bologna, 1998), p. 42.

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Alongside the system of courts, the other principal facet of rulers' authority in the duchy of Spoleto – as in Lombard Italy (and indeed across most of the early medieval West) generally – was the possession of all wealth that was considered 'public': we have seen the conscious use of the term in documents. To administer this, the dukes depended on the gastalds in each *civitas* and, technically below them, on a set of officials who had the most day-to-day contact with individual public estates and their inhabitants. What we can see of the activities of these latter, who were often in the eighth-century duchy of Spoleto called *actionarii*, reveals some of the weakness of the duke's position. As Duke Hildebrand discovered, the *publicum* was easily alienated. *Actionarii* like Gunduald and Lucan were in a position to enjoy a considerable proportion of the fruits of fiscal estates, raising serious question marks over how much of it was ever actually passed to the ducal palace. What is more, there was very little recourse available for those estates' supposed proprietor, the duke, to prevent them from dispensing of those fruits in the way that they chose. In the end what early medieval rulers depended on was the threat, or actual exercise, of superior force, and on that score the dukes of Spoleto look decidedly lightweight.

This, at least, was the situation of public estates until they were given to Farfa. It may be too much to say that the abbey's ability to exercise more direct supervision and management of such estates was one motive behind their transfer to it – there were immediate political benefits beyond that, as we shall see in chapter 5. But the effect of passing fiscal property into the hands of the abbey may well have been to firm up what had until then been a fairly loose notion of proprietorship. This in turn helps to explain why, from perhaps the 790s (that is, immediately after the period of Farfa's greatest endowment, by Duke Hildebrand), the abbey's estates fell prey to outside forces, apparently in collusion with those who may have been those estates' own managers. Those outside forces were essentially two: the new Frankish duke, Guinichis, and the powers encroaching under the banner of the church of Rome. The motives that impelled them towards the Sabina, and the forces that they met there, pushing in other directions, both originated, and had repercussions, well beyond that small region, placing it at the heart of political events central to the development of Europe in this period.

## Chapter 4

# THE MONKS AND ABBOTS OF FARFA: IDENTITIES AND AFFILIATIONS

### THE BACKGROUNDS OF THE MONKS

The abbey of Farfa was no faceless institution, remote from the social environment of its region. Patronage of the abbey entailed movements not only of the tenure of property, but also of people, in the form of oblations. These movements created and enhanced personal relations between the abbey and its patrons, cementing bonds that inevitably conditioned the political stances of both. What these stances were, and how they had an impact upon the wider world, will be assessed at the end of this chapter. First, however, it is necessary to be clearer about the intimacy of the link between the Farfa community and the laity of the Sabina. Here we can redress an imbalance in the historiography, for while it has been noted that some Farfa monks hailed from beyond the Sabina, the extent and importance of the abbey's recruitment within the Sabina has rarely been appreciated.<sup>1</sup> More often stressed is the apparently Frankish origin of some of the monks and a number of the abbots: we shall examine the latter's identities shortly.<sup>2</sup>

The insinuation of Farfa into the secular world around it is of course clearest when members of that local society became monks at the abbey. Farfa was, after all, but a community of individuals, each with their own background and interests. How Farfa's agenda and policies were formulated is a question that cannot be answered directly: we know nothing about the mechanisms of organization within the abbey. The

<sup>1</sup> B. Pohl-Resl, 'Legal practice and ethnic identity in Lombard Italy', in W. Pohl ed., *Strategies of Distinction. The Construction of Ethnic Communities, 300–800* (Leiden, 1998), pp. 205–20, at pp. 218–19.

<sup>2</sup> The most extreme view of the 'Frankicization' of Farfa and other Italian abbeys in this period was that of H. Grasshoff, 'Langobardisch-fränkisches Klosterwesen in Italien', PhD dissertation, Göttingen, 1907. Considerable Frankish influence is still argued by E. Hlawitschka, *Franken, Alemannen, Bayern und Burgunder in Oberitalien (764–962). Zum Verständnis der fränkischen Königsherrschaft in Italien* (Freiburg, 1960), pp. 19–21, and, especially, Schmid, 'Zur Ablösung'.

bald declarations of the Benedictine rule about the supremacy of the abbot within a monastic community do not themselves take us very far, because we cannot be certain how closely they were observed at Farfa at this date: the first evidence for observance of the Rule, here specifically on abbatial election, comes in a text that may date from the mid-ninth century, but which seems also to bear the imprint of extensive reworking by Gregory of Catino.<sup>3</sup> Interest in the cult, as opposed to the Rule, of Benedict at Farfa is, however, evident by the late ninth century.<sup>4</sup>

Nonetheless, we can say that the abbey appeared, in its property transactions and especially in the *notitiae* of its disputes, to possess a certain corporate identity. This comes across most clearly in what we can see of its liturgical practice – which was, after all, highlighted as early as Pope John VII's privilege as the principal preoccupation of the monks.<sup>5</sup> Susan Boynton's comment relating to eleventh-century Farfa, that 'land transactions were clearly linked to monastic liturgical commemoration, and gifts of land to Farfa were accompanied by requests for the monks' prayers', would seem on more limited evidence to be equally valid for the eighth and ninth centuries: that is, we know that the monks' business was to sing – the charter of Teuderacius examined shortly is only one to say so explicitly – even if we do not know what they sang.<sup>6</sup>

A predominance in the monastic community of monks from Sabine landholding families would have obvious implications for Farfa's political position. A numerical preponderance of such monks cannot be established, however. All that we can do is gain an impression of the community's composition, since at no point do we have a complete register of the abbey's monks. We lack the eloquent demonstration of commitment and obedience that survives from the contemporary community of

<sup>3</sup> *CF* 1, p. 19 on Abbot Alan's appointment of Wigbert as his successor; see now Boynton, *Shaping a Monastic Identity*, pp. 8–9 and 40–1. Susan Boynton is quite right that in the past (M. Costambeys, 'The monastic environment of Paul the Deacon', in P. Chiesa ed., *Paolo Diacono. Uno scrittore fra tradizione longobarda e rinnovamento carolingio*, Atti del Convegno Internazionale, Cividale del Friuli, Udine, 6–9 maggio 1999 (Udine, 2000), pp. 127–38, at pp. 133–4) I have been too confident that the Rule of St Benedict was followed at Farfa in this period. But Benedict himself was clearly not unknown at the abbey: see next note.

<sup>4</sup> Rome, Biblioteca Vallicelliana C.9, a Farfa manuscript, includes on fols. 182–5, inserted into a copy of Gregory the Great's *Dialogues*, after Book II (the Life of Benedict), a poem on Benedict, which is essentially that of Paul the Deacon (K. Neff, *Die Gedichte des Paulus Diaconus* (Munich, 1908), no. vi, pp. 22–34), though with a new twelve-line opening verse added. The manuscript dates to the later ninth century: see Boynton, *Shaping a Monastic Identity*, pp. 42–3 and the references there given. For the necessity of distinguishing Benedict's cult from the Rule attached to his name, see Leyser, *Authority and Asceticism*, pp. 101–30.

<sup>5</sup> 'Iccirco vestra religio hanc apostolici privilegii tuitionem indeptam, fructuosum atque laudabile concessum beneficium demonstrat. Ante omnia in psamis et ymnis, et canticis spiritualibus, diebus ac noctibus permanentes . . .': *RF* II 2.

<sup>6</sup> *CDL* v 52: below, pp. 143–8.

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St Gallen.<sup>7</sup> Those documents of oblation – *cartae offerisionis* – that did make their way into Gregory of Catino’s collection can only represent a handful of the monks who entered their community. Many other Farfa monks are mentioned in passing, and we might suggest that the oblations of some of them lie behind property donations that were enshrined on parchment in the *carta donationis* form, making no mention of the oblate himself. Furthermore, the essential incompleteness of our sources makes it very difficult to identify the origins of most of the monks that we do encounter. The traces of identity with which we have to work are generally of two kinds: the homonymy of a Farfa monk with a layman or secular cleric who appears in earlier documents, and the, usually rather fuller, information on the background of an oblate given in his *carta offerisionis*. Thus, the most concrete identities that we can discern tend to be those of the latter.

The frequent appearance of one name illustrates the difficulties involved in identifying most Farfa monks. We encounter a monk of Farfa named Iohannes, whom we may call Iohannes<sup>a</sup>, in February 761 representing the abbey in its dispute with the *exercitalis* Alefrid over the church of S. Antimo in ‘Acutianus’.<sup>8</sup> Another Iohannes (Iohannes<sup>b</sup>), described as *sacerdos* of Rieti, was also present at Duke Hildeprand’s judgement in a dispute between Bishop Sinuald of Rieti and Farfa.<sup>9</sup> In 777, now *archipresbiter*, he was required to swear on behalf of Bishop Sinuald in the same dispute.<sup>10</sup> Iohannes<sup>a</sup> and Iohannes<sup>b</sup> were therefore different men, the former a monk, the latter a Reatine secular cleric. The former could be identical with the Iohannes *monachus* who witnessed, in his own hand, the grant of administration of ‘Germaniciana’ to Gunduald in 757.<sup>11</sup> The only other Farfa monk with this name (Iohannes<sup>c</sup>) appears in 785: a Iohannes *diaconus* and *monachus* who represented Farfa in a dispute with Teuderad over possession of a portion of the endowment of the chapel of St Peter, at the church of St Michael in Rieti.<sup>12</sup> This Iohannes may be identical with the son of Hilderic who witnessed Ansa’s *offersio* to Farfa in 778, or with the brother of Gudescalc and son of Lucan.<sup>13</sup> Gudescalc gave to Farfa, among other properties, that of his

<sup>7</sup> *Das Professbuch der Abtei St Gallen. St Gallen, Stiftsarchiv, Cod. Class. 1. Cist. c. 3. B. 56*, ed. P. Krieg (Augsburg, 1931).

<sup>8</sup> *CDL* IV/1 14. <sup>9</sup> *CDL* IV/1 28: see above, pp. 90–4.

<sup>10</sup> *CDL* IV/1 29.

<sup>11</sup> *CDL* v 27. The succession of Iohannes who appear in subsequent charters as witnesses – a son of Calvulus (*CDL* v 28), the late father of Lupo (*CDL* v 38), perhaps a *gasindius* (*CDL* v 74) – cannot be connected to this earlier Iohannes, nor to each other. A Iohannes *vestarius* crops up in two late charters (*CDL* v 87 and 98).

<sup>12</sup> *CDL* v 96. <sup>13</sup> *CDL* v 84, 86.

brother Iohannes in the *fundus* 'Bebbianus'. If this brother were dead at the time of the grant, we would expect the charter to say so. The fact that it does not suggests that Gudescalc controlled the disposition of his brother's lands because Iohannes had entered the abbey. Iohannes may even have witnessed the charter: the name appears in the witness list, though without a title. Either way, it seems likely that a monk of Farfa named Iohannes can be identified with one or other of the landholding families in the Sabina – either that of Hilderic, or that of Lucan.<sup>14</sup> While it is possible that the monks Iohannes<sup>a</sup>, evident in 757, and Iohannes<sup>c</sup>, evident in 785, are identical, the lapse of time is perhaps a little too long to make this probable.

We can arrive at a more concrete identification of two brothers from the Sabina, Palumbus and Goderad. They appear in nine charters, which allow us to trace a career for the former. Both brothers held property at 'Lamianus'.<sup>15</sup> Palumbus entered Farfa, and probably at that time transferred some of his property at 'Lamianus' – specifically, vines – to his brother.<sup>16</sup> Previously, by 745, he had reached the grade of *diaconus* and had been employed by the abbey to write charters.<sup>17</sup> In 746 he gave what was left of his land to Farfa, and it was probably at that time that he undertook the monastic life in earnest.<sup>18</sup> By 757, he was calling himself a monk and had been ordained.<sup>19</sup> Palumbus was probably still living in January 766, but both brothers had died by April 768.<sup>20</sup> What remained of their lands at 'Lamianus' passed to Goderad's son Guileram (or Guilerad) who gave them to Farfa in 770 as a pious offering for the sake of his father's soul.<sup>21</sup>

A more complex problem of identification is presented by the name Teudemund, one of the most popular among the Sabine landholders, to judge from Farfa's records. A monk Teudemund (Teudemund<sup>a</sup>) was among those representatives of Farfa who walked the bounds of the lands

<sup>14</sup> On Hilderic's family, see below, pp. 237–40, Collavini, 'Duchi e società locale', pp. 134–5 and Gasparri, 'Il ducato longobardo di Spoleto', pp. 111–14 in preference to Ring, *Lands of Farfa*, pp. 218–19. Lucan's family is rather more obscure.

<sup>15</sup> *Contra Zielinski* (*CDL* v, p. 30: 'Il fratello dell'autore, Codirado . . . non è attestato altrove'), the Codirad who subscribed a charter of 746 (*CDL* v 7) as Palumbus's brother can be identified with the 'Goderadus de Lamiano' who witnessed *CDL* v 43, a charter of sale of 765.

<sup>16</sup> *CDL* v 51 and 54.

<sup>17</sup> His title reveals his identity with the notary of a *convenientia* of 745 (*CDL* v 5). Though not yet a Farfa monk, he used formulae typical of them (*CDL* v, p. 23). But note that the eschatocol of *CDL* v 5 may have been abbreviated by Todinus when he copied it, see *RF* v 1223.

<sup>18</sup> *CDL* v 7. <sup>19</sup> *CDL* v 25 and 27. <sup>20</sup> *CDL* v 43, 45 and 51.

<sup>21</sup> *CDL* v 54. Spellings of the name differ between *CDL* v 51 (Guilerad) and 54 (Guileram): the consistent use of the different forms in each case suggests that they constitute further evidence of the extreme confusion of orthography in mid-eighth-century personal names, rather than a copyist's error in the eleventh century.

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exchanged between the abbey and a certain Pergo in June 781.<sup>22</sup> He cannot have been the Teudemund *sculdahis* (Teudemund<sup>b</sup>) who appears in sixteen charters, since the monk appears in the middle of the career of the *sculdahis* (773–87).<sup>23</sup> It is also unlikely that he is identical with the brother of Hisemund who appears in a further five (Teudemund<sup>c</sup>),<sup>24</sup> nor with the Teudemund *actionarius* who appears in a charter of 744 (Teudemund<sup>d</sup>: this Teudemund *actionarius* is unlikely to be the same as the Teudemund *actionarius* who witnessed Acerisius's testament in 770).<sup>25</sup> Since the careers of Teudemund<sup>c</sup>, the brother of Hisemund, and Teudemund<sup>d</sup>, the *actionarius*, antedate the appearance of the monk Teudemund<sup>a</sup>, however, it is just possible that one or other of them entered the abbey after retiring from active secular life. Teudemund<sup>c</sup>, the brother of Hisemund, and Teudemund<sup>d</sup>, the *actionarius*, cannot be identical, because the latter witnessed a charter of the former in 744.<sup>26</sup> We shall have cause to investigate their identities when we examine below the history of the former's family, whom we can christen the Hisemundi. Here it suffices to say that the weight of the evidence tilts towards the idea that Teudemund<sup>c</sup>, the brother of Hisemund, became Teudemund<sup>b</sup>, the *sculdahis* (773–87).<sup>27</sup> Three other Teudemunds were expressly the sons of different men. The first two show no kind of association with any of the other Teudemunds discussed here, although both could have retired to Farfa to become our monk, Teudemund<sup>a</sup>: the son of Grisio, who, with his uncles and brother, was involved in a dispute with Farfa in 745;<sup>28</sup> and a son of the *medicus* Corvinus who witnessed charters in 756 and 762.<sup>29</sup> The third, the son of Auduald, participated in three donations to Farfa, one on his own account,<sup>30</sup> and two by his son Leo, who himself became a *sculdahis* in the later eighth century.<sup>31</sup>

The cases of Iohannes, Palumbus and, perhaps, Teudemund, provide fairly good evidence (perhaps the best we could hope for, given the nature of our sources) for the entry into Farfa of mature and relatively wealthy local landowners. Yet the very difficulty of establishing their progress

<sup>22</sup> *CDL* v 94.

<sup>23</sup> *CDL* v 62, 68, 72, 74, 77, 78, 79, 82, 84, 85, 87, 92, 94, 98, 100 and 104, and *RF* II 147.

<sup>24</sup> *CDL* v 12, 13, 17, 31 and 50. <sup>25</sup> *CDL* v 4 and 55.

<sup>26</sup> *CDL* v 4. The Teudemund who appears in the witness lists of *CDL* v 14 and 15, issued probably on the same day in 749 by the same issuers, alongside Rimo, Guinelap, Clarissimus and Auduald (or Aiduald), is very probably Teudemund<sup>c</sup>, the brother of Hisemund, because those witnesses are also in lists alongside the brothers Hisemund and Teudemund in, respectively, *CDL* v 17, 50, 17 and 12.

<sup>27</sup> See further Collavini, 'Duchi e società locale', pp. 134–5 with n. 19 and tavola III; and below, pp. 232–7.

<sup>28</sup> *CDL* v 5. <sup>29</sup> *CDL* v 66 and 67; for his father, see *CDL* v 23 and 33.

<sup>30</sup> *CDL* v 78 (a.778). <sup>31</sup> *CDL* v 72 (a. 777) and 101 (a.787).

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from secular to coenobite, the lack of fanfare, and the absence in any of their documents of any *arenga* trumpeting the piety of their conversion to the monastic life, speaks of a particular attitude to Farfa which seems to have differed in important ways from the attitude displayed by those who endowed monasteries elsewhere in the Lombard world: perhaps especially, those whose charters tell of their monachization in their own *Eigenklöster*.<sup>32</sup> The attitude of those who entered Farfa emerges even more clearly from the *offeriones* in the Farfa collection.<sup>33</sup>

### OBLATES AND OBLATION

The geographical and social origins of oblates to Farfa are of crucial importance, because their oblations created a different kind of bond between the monastery and the families of benefactors from that engendered by the extant oblations from the Lombard kingdom. While the latter almost universally involve the entry of a man or woman into an *Eigenkloster*, and were intrinsically connected to the monastery's foundation, the families of Farfa's oblates had no such direct link to the object of their piety. The omission of *arengae* from the oblation charters – *offeriones* – to Farfa indicates that benefactors perceived a distinction between property which accompanied an oblate to Farfa and that transferred with an oblate to a benefactor's own foundation.<sup>34</sup> In Farfa's case, the oblate and accompanying property constituted a benefactor's sole means of communication with the holy. Unquestionably, that communication would be clearest and most effective where the benefactor lived in the same local environment as the abbey. The maintenance of personal contact with the family member who had taken the habit, and with the abbey itself both in everyday local business and, perhaps, in acts of worship, created an intimacy with Farfa of a different quality from that attained by the distant benefactor who sought from the monks only prayers for his or her soul. This intimacy was even more important from the point of view of the oblate himself. He was as much a representative of his family's interests within the abbey as he was a representative of the abbey, with the spiritual charisma that that implied, in relation to his family. Thus, oblates from the Sabina would have brought a particular local perspective to the atmosphere within the abbey. The precise nature of their influence over the community will always elude us, but establishing their presence and revealing the character of their

<sup>32</sup> For this attitude, see especially Costambeys, 'The transmission of tradition'.

<sup>33</sup> Contrast, for example, the situation of Monte Amiata's founder, Erfo, see *CDL* II 162.

<sup>34</sup> See above, p. 39.

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oblations may help us to understand the abbey's relations with secular society, and its political stance.

The example of one oblate demonstrates the terms on which such an inquiry can proceed. In 778, Teudepert *clericus* offered himself and his property to Farfa.<sup>35</sup> We can establish his identity further with only a small degree of certainty, however. He may have been the Teudepert who was among the monks of Farfa who walked the bounds of the lands exchanged between the abbey and Pergo in 781.<sup>36</sup> He cannot have been the Teudepert who is named as the father of Taco, who exchanged property with Farfa in 773, because the latter was already dead by then,<sup>37</sup> but is much more likely to have been the Teudepert *presbiter* who was a beneficiary of Theuderacius's will in 768.<sup>38</sup> Whatever his earlier or later appearances in the record, the Teudepert who offered himself to Farfa in 778 was a priest and Sabine landholder of some wealth. His entry into the abbey brought with it three tenant farms in the Cicolano, an olive grove in 'Cesenanus', two tenants or slaves (the meaning of *pueri* is unclear here) and eight *modia* of land in 'Pompigiano'.<sup>39</sup> In contrast to many other benefactors of Farfa, however, his charter betrays no associations, familial, social or political, with other landholders in the region. We do not know in what precise capacity he was a *clericus*, or where, nor does the name of his father, Armodo, appear elsewhere in the Farfa collection. We do know that he had had brothers, who were presumably dead by 778, since his charter states that each of his pieces of property 'came to me in full in a share from my brothers' ('*michi in integrum a fratribus meis in portionem venit*): he must have inherited these lands on the deaths of his brothers. As the cleric of the family he probably originally held very little property in his own right, though it seems likely that his office would have involved the possession of some sort of *Eigenkirche* and its endowment. But his brothers or their heirs had clearly died, and the family's property had all passed to Teudepert, who eventually brought it, and himself, into the hands of the abbey. Teudepert is therefore one certain example of a celibate, or at least childless, cleric. From the indeterminate evidence for him, two questions present themselves. Was he typical of other landholders who took up the life of a monk at Farfa? What, if any, traits did such men share with that large number of landholders who established their *familiaritas* with the abbey simply through benefaction?

The briefest perusal of the ten *offersiones* among the Farfa charters to 787 reveals that all the included oblates came from families which held property

<sup>35</sup> *CDL* v 79. <sup>36</sup> *CDL* v 94. <sup>37</sup> *CDL* v 62. <sup>38</sup> *CDL* v 52: he received a pair of oxen.

<sup>39</sup> 'Cesenano' (or 'Caesiananus') also appears in *CDL* v 33, in which Theodoris gave his property there to Farfa.

mostly, if not exclusively, in the Sabina. To what extent these oblates can be taken as representative of the Farfa community as a whole is, however, an open question. If oblations ought invariably to have been accompanied by material donations, why does evidence for only ten survive? The evident gap in the record raises a doubt as to the validity of this assumption: perhaps *offersio* charters were not always made. But other explanations can easily be proposed: that a large group of *offersiones* was lost, for example; or, that only *offersiones* dealing with land in the Sabina were retained. Neither of these seems especially plausible, however. The most convincing inference from the evidence is that oblates did not always come with a package of land attached. The donation of movables was perhaps more usual. If this was the case, then the surviving *offersiones* offer no concrete evidence for the composition of the Farfa community. What they do show is that native Sabines certainly formed an element in that community, and that some of these brought valuable properties with them.

The Sabine *offersiones* fall into two distinct categories: those in which the issuer offered him or herself to the abbey, and those in which the issuer offered his or her child.<sup>40</sup> Each type implies rather different things about family property and the attitude to it. In the case of children offered by their parents, the central problem concerns the status of the land which accompanied them. Was this seen as a normal inheritance portion? In a society that did not practise primogeniture, we might suggest that families preferred one or more male heirs to remain laymen, while one, preferably male, child became a cleric or monk in order to fulfil the spiritual aspirations of the family and, perhaps, to maintain and defend the interests of the family from within the prominent local ecclesiastical institution. The presence of a family member among the monastic community may in this way have served the same purpose as retaining the usufruct of donated property.<sup>41</sup> In this regard, we need to ask first whether or not the

<sup>40</sup> For the one case of female *offersio* to Farfa, see below, pp. 146–8.

<sup>41</sup> Good examples of the symbiosis between monastic property holding and lay inheritance, especially in relation to nunneries, come from Ottonian Saxony: K. Leyser, *Rule and Conflict in an Early Medieval Society* (Oxford, 1979), pp. 58–62 and 67–71. While the context here is the reception of, rather than a transformation in, Christian institutions, tenth-century Saxony resembles eighth-century Italy to the extent that the growth of new monasteries changes the social, as well as the religious, landscape. For the use of monastic benefaction as a means of preventing the fragmentation of estates, see T. Reuter, 'Property transactions and social relations between rulers, bishops and nobles in early eleventh-century Saxony: the evidence of the *Vita Meinwera*', in W. Davies and P. Fouracre eds., *Property and Power in the Early Middle Ages* (Cambridge, 1995), pp. 165–94, esp. pp. 171–2, referring to J. Jahn, 'Tradere ad Sanctum: Politische und gesellschaftliche Aspekte der Traditionspraxis im agilolfingischen Bayern', and W. Hartung, 'Adel, Erbrecht, Schenkung: Die strukturellen Ursachen der frühmittelalterlichen Besitzübertragungen an die Kirche', both in F. Siebt ed., *Gesellschaftsgeschichte. Festschrift für Karl Bosl zum 80. Geburtstag*, vol. 1 (Munich, 1988), pp. 400–16 and 417–38 respectively.

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children offered to Farfa were their fathers' only surviving heirs. If they were, then we might expect them to take all the father's property into the monastery with them. We can also surmise that such an oblation indicates that the interests of landholder and abbey were seen to coincide. If, on the other hand, fathers who offered their children to Farfa had other heirs, then we might place greater emphasis on the element of pious benefaction – the guarantee of prayers for the family – in such oblations.

The earliest reference to an oblate, from 763, points the way to unravelling a significant entanglement between Farfa and a local family.<sup>42</sup> Auneladius was the son of Hisemund of 'Criptula', the brother of Teudemund<sup>c</sup>, and son of Barbulanus. As we shall see below, Hisemund was very prominent in the Sabina: wealthy, and politically active. His committal of his son to the abbey looks to have been part of a deliberate strategy of association born of Hisemund's political circumstances.<sup>43</sup> The latter were at times precarious, so much so that for a time Hisemund himself sought refuge in the abbey. His example reveals in a telling way how entrusting one member of a family to the abbey could mean associating the family's wider fortunes with it too.

More strikingly, Hisemund was probably not the only member of his family to entrust a son to the abbey. This was the case if, as we shall argue below, his brother Teudemund is identical with the *sculdahis* Teudemund, who in December 776 offered his son Gualdipert to Farfa.<sup>44</sup> Nothing shows more clearly than the case of this family's patronage how boundaries between monastery and secular community, and between outright donation and other forms of material engagement, were in practice shifting and indistinct. Teudemund retained the usufruct of the lands he offered along with his son, pledging instead to give the abbey annually ten lard pigs and 500 *modia* of grain. Eventually, some thirteen years after the initial *offersio*, Teudemund would issue another document substantially adding to the earlier endowment, this time apparently immediately and outright. Significantly, this latter donation was made explicitly with Gualdipert: the son, metaphorically if not actually, stepping out of the monastery and back into the family for the occasion.<sup>45</sup> There can be few better indications that oblates did not leave their secular interests at the gates of the abbey on entry.

The committal to Farfa of another local landholder's son, only a few months after Hisemund's offer of Auneladius, looks rather more conventional and straightforward.<sup>46</sup> Auderisius of Rieti had five sons, but had divided his property, including the *oratorium* of St Michael the Archangel,

<sup>42</sup> CDL v 35. <sup>43</sup> Below, pp. 232–7. <sup>44</sup> CDL v 68.

<sup>45</sup> RF II 147, issued in October 789. <sup>46</sup> CDL v 36.

into six, retaining one portion for himself. Such a division suggests that he had made a testament, though it is not extant. All that we have is the *offersio* charter by which Auderisius transferred to Farfa two of the portions, his own and that of his son Aunepert, along with Aunepert himself. The impression that this act was part of a wider testamentary disposition is strengthened by Auderisius's reservation of the usufruct of both properties during his lifetime. Although the charter includes no *arenga*, its purpose is clear: it was intended to benefit the souls of Auderisius and his sons – not only Aunepert, but the other four, who are all named. A similar motive had doubtless lain behind Auderisius's earlier foundation of an *oratorium*. (There is, incidentally, no evidence to link this *oratorium* to the famous church of S. Michael 'fuori le mura' at Rieti, associated with the Pandoni family, which was the subject of a lengthy dispute between Farfa and the bishops of Rieti.<sup>47</sup>) For Auderisius and his family, Farfa was much more a vehicle for their piety than an element in the politics of secular landholding.

Of rather more significance for the future of the landholder's family was the charter issued in June 778 by Bassellus, in which he offered his two sons, Cunpert and Arichis, and the bulk of his estates, to Farfa.<sup>48</sup> The motives behind Bassellus's action are elusive, but what we can see of the context nicely illustrates the nature of our difficulties, while containing important clues to a proper understanding of all these oblations. To all appearances, Bassellus had no other sons. In the same charter, he provided a portion of his property for his daughters. Following a normal pattern of testament and inheritance, we might expect him to divide his property between his two sons, placing one in the monastery, while the other continued to develop the family's fortunes in the secular world. Instead, his *offersio* appears to surrender his patrimonial rights in their entirety to Farfa, without explanation. Were he a very minor landholder, we could suggest a plausible motive for such an action: a peasant farmer whose security was under threat may have had no choice but to relinquish his property to a higher power in return for his life. But Bassellus's landed wealth was relatively substantial: he lists estates in nine different places, including an *Eigenkirche*, and mentions four *massariciae* and one *colonus* by name, though he certainly had a number of other dependants, both slaves and the inhabitants of *casas et domos cultiles* (which need not be distinct types of estate, as we shall see). The list in this charter probably encompasses all his property, and reads much like a testament, especially since he provided differently for different estates until his death, and specifically for the maintenance of his wife and daughters after it. Other testaments and

<sup>47</sup> See below, pp. 226–31.    <sup>48</sup> CDL v 83.

testamentary transactions which transferred property to Farfa make explicit either that only portions of testators' total wealth was involved, or that there were no lay heirs. No such statements occur in Bassellus's charter, putting his *offersio* into a category of its own. His motives for such a total transfer of his wealth remain obscure. Deep personal piety does not in itself seem to be an adequate explanation – there were plenty of other ways of expressing piety without eradicating the independent future of one's family. On the other hand, it does not seem that Bassellus's move was part of a strategy of local power-play. Since neither Bassellus nor his fathers appear in any other Farfa charter, we can demonstrate no earlier association with the abbey, nor is there any sign of connections between Bassellus and other local landholders, beyond the fact that several of the witnesses of his own charter appear frequently as witnesses to other transactions. In short, there is no apparent political reason for the presence of Cunpert and Arichis at Farfa – no links with the outside world after their father's death, no brothers or cousins whose interests they might represent within the abbey. We may here be dealing with a case of physical incapacity – either of Bassellus or of his sons.<sup>49</sup>

In the same month as that of Bassellus, another *offersio* was issued at Rieti. It concerns a family which we have already examined in terms of its kinship and gender relations, and whose recent history can be known through earlier charters, if only very partially.<sup>50</sup> As we have seen, in May 768 Teuderacius had issued a testament, doing so before leaving to go *in Transpadum de dominatione domnorum nostrorum*.<sup>51</sup> For reasons which we shall examine shortly, he was leaving the duchy of Spoleto, and provided specifically for his property there. His *Eigenkirche* of S. Cecilia in Beruniano, and any property not covered by other provisions, were to go to his son, a cleric, during the latter's lifetime, after which they fell to Farfa (with specific provision for *pro anima* prayers). His wife, Ansa, was to receive one estate, his daughters Teuderia and Rosa others, all apparently in the Sabina. He made gifts of horses and oxen to a number of priests and freed some slaves. He also gave one estate to the monastery of San Salvatore on Monte Letenano. If, as both the diplomatic form of this charter and its specific wording indicate, this is a testament, then it is an incomplete one. Although we hear no more from Teuderacius, we know that he was dead by June 778, when his widow issued that *offersio* referred

<sup>49</sup> See D. B. Schneider, 'Anglo-Saxon women in the religious life: a study of the status and position of women in an early medieval society', PhD dissertation, University of Cambridge, 1986, for the suggestion that monasteries were often the destination of those unfit for secular life – even short-sightedness could have constituted such a handicap.

<sup>50</sup> *CDL* v 84. <sup>51</sup> *CDL* v 52.

to above, at the same time and in the same place as Bassellus. In it she transferred to Farfa a number of properties: *quecunqve vir meus quondam Theoderacius nobis dimisit*.<sup>52</sup> Twelve properties are listed in all, a number which compares with five in Teuderacius's testament: it is likely therefore that the earlier document did not encompass his entire wealth.<sup>53</sup> He probably issued at least one other 'testament' covering his remaining properties, which perhaps has not survived because it did not mention Farfa. It is also possible that the discrepancy between the two lists comprised Ansa's *morgincap*, her wedding-day 'morning-gift' from Teuderacius, though it constituted an unfeasibly large proportion of his total property. Whatever the case, we can be fairly sure that Ansa's charter of 778 includes all the Spoletan property which Teuderacius had left behind in 768. That this charter was the personal *offersio* of Ansa and her daughter – an oblation of women to a male monastery – is a surprising and interesting point which we will look at shortly; but perhaps the most obvious question to ask first is why Teuderacius might have left Spoleto in 768: who were the lords from whose *dominatio* he was fleeing?

In order to identify his lords, we need to discover what we can about the circumstances of the man. From his testament, we can surmise several things about Teuderacius. First, he was an independent landholder, and appears to have owed service to no one: his 'lords', therefore, were political rather than tenurial. Secondly, he was very closely associated with the local church in general, if not Farfa in particular: he possessed an *Eigenkirche*, his only son (or the only one of which we know) was a cleric, all the witnesses of his charter were clerics, and he left gifts to a number of priests in his will.<sup>54</sup> Although he made a long-term *pro anima* donation to Farfa and an immediate gift to the monastery of San Salvatore on Monte Letenano, not far from Rieti, his associates were priests rather than monks: he was a significant supporter of the Reatine church as a whole. Furthermore, the *dominatio* impacted upon

<sup>52</sup> *CDL* v 84.

<sup>53</sup> *CDL* v 84: (1) 'casas nostras in Scandilia'; (2) 'quanta ibidem habere visi sumus in loco qui dicitur Occianus, cum ecclesia Sancti Stephani in Acusclo'; (3) 'casalem qui dicitur Cisternule in Scandilia'; (4) 'portionem nostram de casale qui dicitur Cuprimanus'; (5) 'in Eiculis, in loco qui dicitur Vicus, casas nostras'; (6) 'in Nernate casas nostras'; (7) 'casas nostras in Azano'; (8) 'ecclesiam nostram, que est posita in loco, qui dicitur Berunianus, que vocatur Sanctus Helias'; (9) 'pratrum in Lingla'; (10) 'clusuram ad Olianum'; (11) 'in Rusia portionem nostram'; (12) 'in Porpurario, omnia in integrum'. Note that in 768 the church in 'Berunianus' had been dedicated to S. Cecilia: a useful warning here that we should not place too much store by church dedications when trying to locate places mentioned in the charters. Only this church and that in 'Occianus' can definitely be identified in the earlier charter, *CDL* v 52, although it does not say that the latter place included a church. Some of the places in the later charter could be alternative names for those in the earlier, in 'massa Turana', 'Topcia' and 'massa Salaria'.

<sup>54</sup> Indeed, one of these beneficiaries, *presbiter* Iohannes, may be identical with the homonymous priest who witnessed the document.

him alone: his wife, son and daughters were safe enough to be left behind. Who, then, oppressed Teuderacius? The *datatio* clause of the charter gives some possible candidates: the Lombard king Desiderius and his son and co-ruler Adelchis, the Spoletan duke Theodicius, and the Reatine gastald Hilderic. If we take the phrase *in Transpadum* to mean that Teuderacius was travelling north of the Apennines to the Lombard kingdom proper, then it is unlikely that he was trying to evade the attentions of the Lombard king and his son. By the same token, he probably had no quarrel with Duke Theodicius, since the latter was at this time a close ally, if not subordinate, of Desiderius.<sup>55</sup> This leaves Hilderic, the local gastald. But the duties of the gastald, as normally understood, do not suggest that that official could have been considered a lord by someone who had full disposable rights over his property. Gastalds were responsible for the administration of justice within their gastaldates, and for that of the fiscal lands there. While the latter might imply 'lordship' over fiscal tenants, neither duty suggests that the gastald exercised power over other free men like Teuderacius. Besides, the language of Teuderacius's charter is clear: he was fleeing from more than one lord (*de dominatione domnorum nostrorum*).

Despite these difficulties, it is still easy to speculate about who might have been Teuderacius's 'lords' from among the possible candidates whose names we know. While we can identify none with any certainty, the exercise is not without value, as several intriguing points emerge which bear on our picture of Sabine society as a whole. For the reasons given above, Teuderacius's lords are likely to have been less remote than Desiderius, or even Theodicius. They are more likely to have been from the same stratum, in terms of wealth and position, as the gastald Hilderic, even if he was not himself one of them. Their attempted oppression of Teuderacius therefore indicates that there were conflicts within the lay landholding class of the Sabina (whether we call it an aristocracy or not). What the nature of these conflicts might have been is suggested by Teuderacius's close links with Farfa and other ecclesiastical centres in the region. He was a supporter of these ecclesiastical centres; his opponents, perhaps, were not. At the moment when Teuderacius issued his 'testament', in May 768, institutions like Farfa had reached the first generation in which their landed wealth had become significant enough to conflict with the interests of other substantial landholders: a succession of disputes in the later eighth century testifies to these tensions.<sup>56</sup> In this

<sup>55</sup> See Gasparri, *I duchi longobardi*, p. 83.

<sup>56</sup> See, for example, *CDL* IV/1 29 and 35; *RF* II 154. The culmination of these trends can be seen in *RF* II 165, notice of a judgement by the imperial *missus* Ebroard in 801 of a dispute which had already been before the ducal and papal courts.

respect, the absence from Teuderacius's testament of any laymen as either beneficiaries or witnesses may be significant, as may be the facts that his son was a cleric, and his daughters apparently did not marry (one at least took up a monastic life). There may have been some resentment that a substantial pool of landed wealth was removed from circulation in this way. Nevertheless, it is hard to see why people affected by this – collateral heirs or potential purchasers – should be referred to by Teuderacius as his 'lords'.

There is also a more precise circumstantial context for the date of Teuderacius's 'testament'. Teuderacius's flight from the duchy coincided approximately with the flight from Rome, initially to Spoleto, of the *primicerius* Christopher and his son Sergius. Indeed, they left Rome on the pretext of going to San Salvatore on Monte Letenano, but made their way instead directly to Theodicius in Spoleto, who took them to Desiderius. With that king's support, but not apparently with the connivance of Theodicius, they returned to the duchy and raised troops from the regions of Rieti and Forcona (that is, from the Sabina, *inter alia*) with which they regained power in Rome from the papal usurper Constantine and his supporters.<sup>57</sup> The interventions of the Spoletan dukes and others from the duchy in the affairs of Rome are well documented and have long been recognized as an important element in the politics of the city in this period.<sup>58</sup> Less well recognized has been the influence of Roman politics and factions on the affairs of the duchy, and especially on events in the region closest, in both geographical and historical terms, to Rome: the Sabina. This is a topic that influences Sabine prosopography in a way that we will encounter again in our investigation of the identity of the various Hildebrands. The Roman context to the Farfa charters is a theme which will reappear. In this case, Teuderacius may have undertaken his journey north as a supporter of Christopher and Sergius, but may equally have been responding to those lords' recruitment drive in the region. While the fact of Teuderacius's departure is incontestable, the reasons for it remain a matter of speculation, albeit of an informed kind.

What does Teuderacius's departure tell us about the position of his wife and daughter at the point when they offered themselves to Farfa ten years later? Their sex must have complicated their position. According to the terms of the Lombard law codes as they survive, Teuderacius could not

<sup>57</sup> *Lives of the Eighth-Century Popes*, trans. Davis, p. 90, n. 12, dates the journey of Christopher and Sergius from Rome via Spoleto to the Lombard kingdom between Easter, 10 April, and (probably 4) June 768. They re-entered Rome on 29 July: *LP* 1, p. 470.

<sup>58</sup> For full narratives see Llewellyn, *Rome in the Dark Ages*, pp. 200–1 and 234–6; Noble, *Republic of St Peter*, pp. 89–112; and the introduction to the English translation of the Lives of popes Stephen III and Hadrian I by Raymond Davis, *Lives of the Eighth-Century Popes*, pp. 85–7 and 107–22.

bequeath his property to them outright, since a legitimate male heir survived in the person of his (and presumably Ansa's) son, the cleric Peter. Although the women possessed no allodial rights, they did have the right to usufruct of the property for their lifetimes; and it is this for which Teuderacius provided.<sup>59</sup> What would have happened had they married is not clear.<sup>60</sup> With the single surviving son in the clergy, the marriage of Teudoria, or Ansa, or both, was the only way of securing a secular future for the family and its property. (We must assume that the other daughter mentioned in Teuderacius's 'testament', Rosa, had either married or died by 778.) It may therefore be a sign of the political isolation of Teuderacius's family that after ten years there was still no hope of either surviving woman marrying. It must be admitted that we know nothing of Ansa's male blood relatives, if there were any: they would have held her *mundium*. It appears that, as in 768, the family's only ally was the church, this time exclusively in the guise of the abbey of Farfa. Peter, Ansa and Teudoria therefore placed themselves and their property into its hands.<sup>61</sup>

We are used now to seeing such transactions as oblations: the established procedure by which men became monks. In this case, it may reasonably be objected that two of the participants were not men and therefore could not become monks. But the precise wording of their charter indicates that, in contrast to the other documents that we have looked at, the two women did not intend to live a monastic life. Although credited by Herbert Zielinski as a *carta offerisionis*, and bearing some of the diplomatic trademarks of that form, the charter issued by Teuderacius's wife, son and daughter is in some ways unusual. The *dispositio* begins *constat nos . . .* rather than *ego . . .*, reading more like an agreement than an *offerisio*, which was always couched as an enactment of the wishes of the oblate. The most obvious parallel from the Farfa collection is a *carta promissionis* of March 777, whose *dispositio* begins *placuit atque convenit inter . . .*; this is one of the earliest *libelli*, in which a *colonus* agreed (effectively) to rent an estate from the abbey.<sup>62</sup> Although beginning their *dispositio* with a formal clause including *offerimus et tradimus . . .*,

<sup>59</sup> Aistulf 14.

<sup>60</sup> According to the law, the usufruct of the wife's portion would revert to the heirs if she remarried; in this case, then, Teodoria and her brother would have benefited; Aistulf 14. Nor could Ansa have become a nun within one year of her husband's death (Liutprand 100) – it may conceivably have been this that delayed her committal to Farfa, although this idea still falls down on the objection that women could not enter Farfa anyway.

<sup>61</sup> On the exclusion of women from Farfa, see CDL IV/1 8. With this document, a ducal *mandatum* of December 749, Duke Lupo forbade women from crossing the monastery's lands or walking to the monastery to pray on any roads except those designated by him (essentially, the Via Salaria). On women as charter issuers, see Zielinski, *Studien*, p. 176.

<sup>62</sup> CDL V 73.

the significant part of the *dispositio* – and therefore the part least likely to have been copied from another source – states simply *tradidimus nos . . .* This simple choice of verb implies that Teuderacius's family were to become the property of the abbey, rather than members of its community. The significance of the wording becomes even clearer if we compare it with that of the last filial *offersio* in the collection, issued in November 778.<sup>63</sup> In that charter, the clerk Gregorius offered (*optuli*) his son Liutprand to Farfa, but handed over (*tradidi*) his property. By contrast, Peter, Ansa and Teudoria drew no distinction between what happened to their property and what happened to themselves. Given the context, the most likely explanation for this act would seem to be that, under severe pressure from their neighbours, Peter, Ansa and Teudoria had put themselves under the protection of the only institution in the region willing and able to shelter them; but at the price of their freedom.

These examples reveal the intense intimacy of Farfa's relationship with the families of its oblates. In every surviving case, the offering family was locally based. Moreover, in four of the seven oblations by parents, the evidence gives enough of the context to identify reasons for the oblations which went beyond simple piety: Teudepert's heirlessness, Hisemund's desire, or need, for care by the abbey, the precarious position of Teuderacius's family. These amply demonstrate the multifarious social functions that Farfa fulfilled. They show the kind of expectations that benefactors placed on the abbey: is it mere ratiocination to suggest that it was the particular responsibility of the oblate to ensure that these expectations were fulfilled – that women were cared for, or lands exploited, in the way that benefactors wished? In this context, it is worth stressing that child oblation to Farfa in the eighth century was rare: in at least one of the three cases of parents offering their offspring, the son in question was no infant, since he subscribed the *offersio* himself.<sup>64</sup> Eighth-century Farfa was populated by adult, or at the youngest teenage, men fully capable of articulating their familial responsibilities. The abbey served as a portman-teau for the various interests of Sabine landholders, helping to co-ordinate and convey them.

#### THE ABBOTS OF FARFA TO 781

The information conveyed by Gregory of Catino, that only one of the eleven eighth-century abbots of Farfa was a native of the Sabina, demands an explanation. After all, the abbots of the contemporary foundation of

<sup>63</sup> *CDL* v 89.    <sup>64</sup> *CDL* v 35.

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San Vincenzo al Volturno were all, with one exception, south Italians in the eighth century.<sup>65</sup> Yet the transalpine origin of most of Farfa's abbots may not carry the significance that it appears to at first sight. It certainly does not mean, as has sometimes been claimed, that these abbots somehow infiltrated the religious life of the Sabina, and of Lombard Italy as a whole, with 'Frankish' ideas and attitudes, and thus prepared the way for a more ready acceptance of Frankish political domination.<sup>66</sup> For one thing, most of these abbots were no more 'Franks', *stricto sensu*, than they were Lombards. As Franz Felten has pointed out, Thomas of Maurienne and his five immediate successors were all from southern Gaul: Aquitaine and northern Provence.<sup>67</sup> In the first half of the eighth century at least, the separation of their identity from that of the Frankish heartland further north is clear.<sup>68</sup> Nor was the presence of foreigners in the religious life of eighth-century Italy generally unusual. Thomas of Maurienne was by no means the only northern pilgrim to have journeyed through, and settled in, the peninsula, as we have seen. This was the era of the establishment of the foreign *scholae* at Rome.<sup>69</sup> To judge from one episode at San Vincenzo, it was common to find northern Europeans in the monastic communities of Italy. When Abbot Poto encountered difficulties there, he had to find ten monks to swear in his favour, five of them Lombards, five of them Franks.<sup>70</sup> This evidence shows that it was not only men of the very highest status, such as Carloman at Monte Cassino, who travelled south to become monks in Italy. But, in implying that Lombards and Franks formed distinct 'camps' at San Vincenzo, it suggests that the presence of different ethnic groups created tensions within a community; tensions which, we may infer, could revolve around the direction of a community's policy.

Our view of the abbots of Farfa therefore involves these two linked considerations: their origins outside the Sabina, and the extent of their authority within the abbey. We cannot simply assume that their control over the abbey's affairs was all that the *Regula Benedicti* said it should be.<sup>71</sup> The example of Abbot Poto at San Vincenzo demonstrates that abbatial authority depended on the support of the monks. If many of those monks were drawn from local families, as was the case at Farfa, then they were

<sup>65</sup> The exception was the Frankish scholar Ambrosius Autpert, abbot for a little over a year in 777: see Felten, 'Zur Geschichte', pp. 25–9.

<sup>66</sup> Contra, especially, Grasshoff, 'Langobardisch-fränkisches Klosterwesen'; also Hlawitschka, *Franken, Alemannen, Bayern und Burgunder*, pp. 19–21, and Schmid, 'Zur Ablösung', p. 9.

<sup>67</sup> Felten, 'Zur Geschichte', p. 11.

<sup>68</sup> For a recent synthesis, see Wood, *The Merovingian Kingdoms*, pp. 280–5.

<sup>69</sup> Llewellyn, *Rome in the Dark Ages*, pp. 178–9.

<sup>70</sup> Interestingly, this story does not appear in San Vincenzo's own house history, the *Chronicon Vultumense*, but in a Frankish source: CC, ep. 67.

<sup>71</sup> *Regula Benedicti*, chs. 2 and 5.

likely to drive abbatial policy in the direction of their interests. Can we, therefore, discern that policy and the influences behind it?

Evidence for the earliest abbots of Farfa is sparse and dependent almost entirely on the tradition inherited by Gregory of Catino. This he seems to have derived from the late ninth-century *Constructio Farfensis*.<sup>72</sup> Although the lengths of the abbacies do not always add up, the information that it gives on their geographical origins looks plausible.<sup>73</sup> We have considered the legends associated with Thomas of Maurienne in the Introduction. These are complemented by only one charter.<sup>74</sup> Thomas's successor, Aunepert, was an Aquitanian, from Toulouse. He was followed, around 724, by Lucerius, who came from the same part of Gaul as Thomas and had been raised by him at Farfa. It was in Lucerius's time that the abbey began to expand significantly on its original endowment: grants by the dukes of Spoleto were followed, in 739, by a privilege from King Liutprand confirming the abbey's possessions and allowing it freedom of abbatial election.<sup>75</sup>

The sources do not reveal whether this freedom was exercised in the choice of Lucerius's successor, Fulcoald, another Aquitanian.<sup>76</sup> With his abbacy, the quantity of our evidence dramatically increases. Developments in secular politics can now be seen to impinge on Farfa's land acquisitions. Fulcoald's abbacy witnessed the overthrow of King Ratchis by Aistulf and, in the duchy of Spoleto, the deposition of Ratchis's ally Duke Lupo and the assumption by Aistulf of personal rule over the duchy.<sup>77</sup> With the disappearance of Lupo in 751, the run of ducal grants to Farfa was interrupted for ten years.<sup>78</sup> Immediately, however, the abbey secured a confirmation of four of Lupo's diplomas from Aistulf.<sup>79</sup> Further royal grants followed, including, in 756, that of two large tracts of upland pasture.<sup>80</sup> While Farfa had benefited greatly from the friendship of Lupo and Ratchis, therefore, and the change of regime may have slowed its rate of growth, it caused no material loss to its

<sup>72</sup> This may not be identical with the text called *Constructio* in *CF* I, pp. 16–20. Nevertheless, comparison of this text's information on abbots and that in the *Chronicon* proper – for the eighth century, *CF* I, pp. 147–65 – shows that Gregory may simply have transposed this text's bare narrative of each abbot's origins and length of abbacy, and added information drawn from the charters.

<sup>73</sup> There is some confusion over the dates of the abbacies of the earliest abbots, see e.g. *CF* I, p. 16, n. 2.

<sup>74</sup> *CDL* v I.

<sup>75</sup> *CF* I, pp. 16–17 and 147–8; *CDL* IV/1 I and 2; *CDL* III 14; and see Zielinski, *Studien*, pp. 229–30. For a brief survey of ducal largesse to Farfa, see Felten, 'Zur Geschichte', pp. 6–11.

<sup>76</sup> *CF* I, p. 148. <sup>77</sup> Gasparri, *I duchi longobardi*, p. 81.

<sup>78</sup> Lupo's grants are *CDL* IV/1 3–7, 9–11 and 13. For *CDL* IV/1 8 see below. *CDL* IV/1 12 is the *notitia* of a ducal judgement in Farfa's favour.

<sup>79</sup> *CDL* III 23. The four diplomas confirmed were *CDL* IV/1 8, 10, 13 and one *deperditum*.

<sup>80</sup> *CDL* III, pp. 280–3 and *CDL* III 28. The latter was the subject of later dispute with the dukes: *CDL* IV/1 18.

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position.<sup>81</sup> Aistulf was, in fact, as generous to Farfa as to any monastic institution, his attitude towards it apparently unaffected by Fulcoald's origins in the kingdom of his enemies. Once again, it should be stressed that there is no reason why the Lombard king should automatically have been antipathetic to an Aquitanian, or an Aquitanian to the Lombard king.

Farfa's policy emerges clearly during Fulcoald's abbacy: to steer as untroubled a course as possible through the choppy waters of Italian politics; to secure and extend its property; and, which should not be lost sight of, to maintain and promote high standards of monastic observance. On the latter, after all, depended the evident and copious goodwill that the abbey apparently enjoyed from every political faction in the mid-eighth century. Fulcoald made an important contribution to the maintenance of monastic discipline when he sought, and obtained, from Duke Lupo an order preventing women from entering a large area around the abbey.<sup>82</sup> A measure of Fulcoald's personal involvement in the success of the abbey's general programme of expansion is a charter of 755 in which Bishop Teuto of Rieti addressed his concession of a *casalis* to the abbot personally, rather than to the abbey.<sup>83</sup> Whatever his origins, therefore, Fulcoald was very much identified with Farfa. His lack of any personal interest in the politics of the Sabina may actually have been an advantage, helping to promote a perception of the abbey as an even-handed partner.

It may have been Fulcoald's dominant position that led to the election of his relative Wandelbert as his successor. Wandelbert, however, apparently found the office too burdensome – he may have become ill – and, according to Gregory of Catino, resigned the post. The dates of his abbacy, however, are highly problematic.<sup>84</sup> He was instead given charge

<sup>81</sup> Ratchis's *missi* found in favour of Farfa in two important settlements of disputes: *CDL* v 8 and 16. Among large tracts of land, Lupo had also given the abbey possession of two smaller monasteries: *CDL* iv/1 7 and 13.

<sup>82</sup> *CDL* iv/1 8.

<sup>83</sup> *CDL* v 22. Note that this charter was one of two *cartae concambiationis* produced to enact an exchange, and Farfa's side of the bargain does not appear in it: it would presumably have been set down only in that copy kept by the bishop, which does not survive.

<sup>84</sup> Gregory of Catino's catalogue of the abbots of Farfa lists Wandelbert under 759, with Abbot Alan taking over in 761: see *CF* 1, p. 98. The so-called '*Constructio*', here followed almost verbatim by Gregory in his *Chronicon*, states that Wandelbert was abbot for one year and seven months before seeking a quieter life in the monastery of S. Hippolytus in Fermo (cf. *CF* 1, pp. 18 and 151). But in the charter of April 760 (*CDL* v 28), the abbey is represented by the monk Raginfred. The date given in the catalogue for Alan's accession is confirmed by his appearance as abbot in *CDL* v 29, dated to January of the fourteenth indiction, i.e. 761. As for the beginning of Wandelbert's abbacy, we know that Fulcoald was still abbot in October 757 (*CDL* v 27), but the dating of the latter's abbacy is also highly problematic. His predecessor, Lucerius, is last attested in June 739 (Brühl, *CDL* iv/1, p. 6). Gregory of Catino's catalogue has him succeeding in 740 (*CF* 1, p. 98), and the '*Constructio*' gives him an abbacy of nineteen years (*CF* 1, p. 18). Neither of the latter figures is reliable, however, and Fulcoald may have vacated the abbacy at any time after October 757.

of the smaller monastery of S. Hippolytus near Fermo, which Farfa had acquired recently.<sup>85</sup> The monks of Farfa did not have to look very far afield to fill the vacancy. In eremitic solitude in an *oratorium* near the top of Monte San Martino, above the abbey, lived Alan, another Aquitanian and a man of high moral and intellectual repute.<sup>86</sup> We have already seen that he was a homilist of some note. Even though Gregory of Catino's report of his reluctance to take on the post may be no more than a topos, there are indications that his seclusion from the world gave Alan little acumen as a politician.<sup>87</sup> Administratively, his abbacy was a success. Continuing expansion of the abbey's property was accompanied now by efforts to rationalize its landholdings. While the number of donations made to Farfa was almost the same in Alan's abbacy as in that of Fulcoald, though the duration of the former was less than half that of the latter, the number of purchases made and exchanges entered into doubled.<sup>88</sup> At the same time, however, relations with the dukes seem to have deteriorated. The number and quality of ducal grants fell, and the abbey was accused of encroaching on ducal land.<sup>89</sup> Since the land in question had been a gift to the abbey from Aistulf, these tensions show that Farfa could not always insulate itself from the eddies of secular politics. Its relations with Duke Theodicius's master, King Desiderius, were purely conventional during Alan's abbacy, amounting to a single confirmation of possessions near Fermo in 762 – possessions which had probably first been donated in Aistulf's reign.<sup>90</sup> There is a contrast here with Desiderius's attitude to Farfa during the abbacy of Alan's successor-but-one, Probatas, a Sabine native, when, between 770 and 772, the king lavished on the abbey three *curtes* and a monastery, which had originally been a gift to his wife, Ansa, from their son Adelchis.<sup>91</sup> It would be anachronistic to suppose that the lukewarm attitude of king and duke to the abbey during Alan's abbacy indicates antipathy towards a 'Frankish' abbot. But Alan's unfamiliarity with secular politics in general and the duchy of Spoleto in particular may

<sup>85</sup> *CF* 1, p. 18. The grant of S. Hippolytus's monastery is not extant, but it was confirmed by King Desiderius in the year following Wandelbert's retirement: *CDL* III 35.

<sup>86</sup> *CF* 1, p. 18.

<sup>87</sup> Instances of such reluctance are commonplace. The most famous, perhaps, is that of Gregory the Great: see Gregory of Tours, *Decem Libri Historiarum*, ed. B. Krusch and W. Levison, MGH SRM 1/1 (Hanover, 1885), x.1; for Pope Gregory's own attitude, see Gregory, *Reg. Ep.* 1.5, and R. Markus, *Gregory the Great and his World* (Cambridge, 1997), pp. 13–14.

<sup>88</sup> There were eleven non-ducal donations to Fulcoald's Farfa (*CDL* v 6, 7, 9, 10, 11, 12, 18, 19, 24, 25 and 26), as against twelve during Alan's abbacy (*CDL* v 30, 33, 35, 36, 37, 44, 46, 47, 48, 49, 50 and 52). The tally of purchases is three for Fulcoald (*CDL* v 14, 15 and 17) against six for Alan (*CDL* v 29, 34, 41, 42, 43 and 53); similarly for exchanges: three for Fulcoald (*CDL* v 4, 22 and 23), six for Alan (*CDL* v 31, 32, 39, 40, 45 and 51).

<sup>89</sup> *CDL* IV/1 18. <sup>90</sup> *CDL* III 35. <sup>91</sup> *CDL* III 43.

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have been a factor here. The rationalization of Farfa's estates during the abbacy speaks against an image of Alan as unworldly, but it may have been largely the work of monks and secular agents of the abbey.

The tradition concerning his last day in office seems to confirm Alan's essential unworldliness (though it may equally be explained by senility), and its outcome also indicates a consciousness on the part of the Farfa community of Alan's faults – as a hermit and an outsider – and a desire to overcome them. According to Gregory of Catino, on the day of his death Alan was approached by a certain English bishop named Wigbert, who persuaded the abbot to appoint him as his successor.<sup>92</sup> The monks suffered the 'tyranny' of this interloper for eleven months before approaching King Desiderius to secure his expulsion and a confirmation of their freedom to elect a successor.<sup>93</sup>

The monks' choice of their *diaconus* Probatas proved astute. During his abbacy, Farfa managed to attract thirty donations from non-ducal patrons in eleven years – compared with twelve in Alan's eight years. More than three-quarters of all non-ducal transactions with the abbey during Probatas's abbacy were outright gifts, while less than half of those under Alan fall into that category.<sup>94</sup> Moreover, Farfa benefited from nine ducal grants under Probatas, against only three under Alan.<sup>95</sup> The identity of the abbot was only one reason for this pattern of endowment, of course. Probatas's abbacy coincided with a political situation that may have encouraged Duke Hildebrand to endow Farfa with a new level of generosity. In addition, although it is unlikely that the threat or actuality of

<sup>92</sup> The fact that the last charter in which Alan appears dates from February 769 suggests that the date of death that Gregory gives – 9 March – may be reliable: *CF* 1, p. 155. Although Gregory complains, quite rightly, that Wigbert's appointment did not conform to the Benedictine Rule (*Regula Benedicti*, ch. 64), there is no evidence that the Rule was universally enforced at Farfa at that time: see above, p. 134.

<sup>93</sup> Brühl, *Chronologie und Urkunden*, p. 61, n. 367, identifies this Wigbert with the Guicpert to whom Duke Hildebrand issued a lifetime's grant in 778 of the monastery of S. Michael at Rieti which had been in dispute between the duke and the bishop of Rieti: *CDL* IV/1 31, and for the dispute, 29. This is certainly plausible: had he had a diocese, there would have been little need to put him in control of a monastery. On the other hand, there are enough gaps in the episcopal lists for the duchy at this time in which a Guicpert might be placed. There was no reason why a sitting bishop should *not* have received a monastery. The fact that it was to pass to Farfa on his death does strengthen Brühl's case, however. What Wigbert might have been doing between 770 and 778 we can only guess. The grant did not end controversy over the monastery's ownership, and a further judgement finally conveying the monastery to Farfa was issued in 781, by which time Bishop Guicpert was dead: *CDL* IV/1 35; see further below, chapter 6.

<sup>94</sup> Alan's abbacy (761–9) saw twelve donations (including oblations), six purchases, six exchanges and a *promissio*; that of Probatas (770–81) thirty donations, one purchase, four exchanges, a *confirmatio* and a *promissio*.

<sup>95</sup> Under Alan: *CDL* IV/1 16, 7 and 19; under Probatas: *CDL* IV/1 22, 23, 24, 25, 27, 30, 31, 32 and 33.

war directly influenced more people to entrust their property to God, the famine which hit Italy in 774–5 may be a more plausible motive.<sup>96</sup> This is hard to prove, however, and most of the donations in Probatius's abbacy occurred in the calmer periods before 774 and after 776.<sup>97</sup>

Nevertheless, a number of pieces of evidence reveal Probatius's competence as an administrator and representative of the abbey. In 778 he organized the building of an aqueduct for Farfa, persuading local proprietors to transfer the necessary land through *pro anima* donations.<sup>98</sup> He was also notably successful in his dealings with secular rulers. His agents secured a series of grants from Duke Hildebrand.<sup>99</sup> We have already seen that Farfa received a significant piece of patronage from Desiderius during his abbacy. After the fall of the Lombard kingdom, Probatius was the first Italian abbot to seek and obtain from Charlemagne a spiritual immunity and confirmation of property for his monastery: an act of the greatest importance for the abbey, as we shall see.<sup>100</sup> At that time Farfa was in a supremely difficult position, which will occupy us below. Probatius had to contend in particular with the first recorded encroachments into the Sabina by men from Rome; Pope Hadrian ordered that disputes between such men and Farfa be dealt with by the *prior vestiarii*, Miccio.<sup>101</sup> It must have been relevant in these circumstances both that Probatius was a local man, and that Gregory of Catino, or the author of his source, the *Constructio Farfensis*, thought that he had some experience of the ecclesiastical culture of Rome.<sup>102</sup>

The widespread trust in Probatius's abilities is most evident from his role in the events leading up to the Frankish conquest. This will be dealt with in greater detail in chapters 7 and 8.<sup>103</sup> Here it suffices to note that by 773 the Lombard king Desiderius was applying considerable military pressure on Rome. The new pope, Hadrian, arranged for two delegations to go to Desiderius to attempt to secure peace. The first consisted of Probatius and twenty of his senior monks, the second an ecclesiastical and

<sup>96</sup> The famine is reported in a letter of Pope Hadrian, *Codex Carolinus*, ep. 59.

<sup>97</sup> In fact, only one donation dates from 774–5, *CDL* v 64.

<sup>98</sup> *CF* 1, p. 155 and *CDL* v 69, 70, 71 and 72.

<sup>99</sup> *CDL* iv/1 23, 24 and 25; these state specifically that they were made at the suggestion of Farfa monks.

<sup>100</sup> MGH Dipl. Kar. 1, nos. 98, 99 and 111; *RF* II 128 and 134. See below, chapter 8.

<sup>101</sup> *RF* II 90 and *CF* 1, pp. 156–8, also as Jaffé, *RP* 2395. Llewellyn, *Rome in the Dark Ages*, p. 122, wrongly interprets this as meaning that Miccio 'was given charge of the affairs of the abbey of Farfa', but no papal document even begins to imply such control. For a correct reading of the sources, see Noble, *Republic of St Peter*, p. 158.

<sup>102</sup> The so-called '*Constructio Farfensis*', at *CF* 1, p. 19 says that Probatius was 'Savinensi natus provincia', and 'maxime vero sancte Romane Aecclesie cantu a pueritia plene imbutus'. This does not necessarily mean that he learnt that chant *in Rome*, of course.

<sup>103</sup> Below, pp. 297–8.

a lay official from Rome. In response, Desiderius demanded that Hadrian leave Rome to meet him in person.<sup>104</sup> These events give rise to two questions concerning Probatas. How could the pope depute as his representative the abbot of a monastery in Lombard territory, which had shown no sign of subordination to Rome for decades, to go before the very king of the region in which the monastery lay, and by whose reign, incidentally, its charters were habitually dated?<sup>105</sup> And, why did the pope choose such an abbot in the first place? As to the how, the implicit assumption that Probatas's action would have been viewed as in some way disloyal to Desiderius misunderstands the role of the abbot's delegation. The *Liber Pontificalis* identifies two separate stages in Hadrian's approach to Desiderius. The task of Probatas and his monks was simply to plead for the return of cities captured by the king in the previous year. It was the second, strictly papal, set of envoys, the abbot of the Greek monastery of St Saba in Rome and the first *defensor*, who were authorized to receive the cities on the pope's behalf, should the king restore them (which he did not). Thus, Probatas and his monks were advocates, chosen, as Noble has pointed out, to impress Desiderius. Only the second delegation can be described as partisans of the pope. This brings us to why Probatas should have been chosen. What was it that may have made him a persuasive figure in Desiderius's eyes? Surely it is precisely the fact that he was seen as representing a 'Lombard' set of interests – those of the Sabina. He was a convenient and accessible representative of a significant target of Lombard patronage, not only that of the Sabine proprietors, but also, as we have seen, of Duke Theodicius and of King Desiderius himself.

From this perspective, it is just as valid to ask why Probatas responded to Hadrian's summons. This brings us back to the question of Farfa's policy. In its fundamentals, the policy of the abbey under Probatas was no different from that under Fulcoald. The successful pursuit of the coenobitic ideal in the eighth-century Italian countryside required a secure property base, which in turn depended on order and stability in secular affairs. In the specific political context of the 770s, this necessitated a change of direction in Farfa's traditional stance of strongly identifying with the Lombard kings and their supporters in Spoleto. Desiderius's aggression against Rome itself threatened to transform the political map, and to marginalize Farfa.

Peace was in Farfa's interests. The abbey had benefited mightily from its strategic position. Lombard kings and dukes had patronized it, certainly partly for the good of their souls, but partly also because it was a

<sup>104</sup> *LP* 1, pp. 492–3.      <sup>105</sup> For the latter, see Zielinski, *Studien*, pp. 152–3.

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dependable bulwark on their frontier with the Roman *ducatus*. Equally, the popes, despite occasional complaints about the loss of their Sabine patrimonies, had been able to exert no real control over the abbey.<sup>106</sup> At the same time, and for largely the same reasons, the free Sabine proprietors had enjoyed the support and largesse of the dukes. Thus, the imperatives of political geography had helped to draw together the public power, the landowning class and the monastery. Abbot Probatas therefore had good reason to try to save Desiderius from himself; many in the duchy did not share the Lombard king's confidence in his own military strength – quite rightly, as it turned out.

### ABBOTS, ETHNICITY AND MONASTIC COMMUNITY AT FARFA, 781–898

From 781, Farfa's next few abbots were from the Frankish kingdom. Whether they were all also 'Franks' is more doubtful. Gregory of Catino, or his source, was careful about abbatial origins, when they were known. Thus Abbot Ragambald (781–6) was said to have been born in an unnamed city in 'Gallia',<sup>107</sup> and his successor, Altpert (786–90), in Paris 'Galliarum'.<sup>108</sup> Mauroald (790–802), on the other hand, was 'natione Francus', from Worms.<sup>109</sup> This might suggest a distinction between Romance-speaking 'Gauls' and a Germanic 'Frank'. It certainly indicates the cosmopolitan nature of the Farfa community by this time: one which had certainly been established, as at comparable houses like San Vincenzo, before 774.<sup>110</sup>

Since the return of northern abbots to Farfa roughly coincided with the Frankish conquest of northern and central Italy, it seems natural to try to connect these two facts, and this is precisely what Karl Schmid, in particular, attempted.<sup>111</sup> Inspired by examples of apparently 'ethnic' tension in other Italian monasteries – one of which we shall examine shortly – Schmid proposed that the 'new' abbeys of the time not only arose under Frankish influence but also infiltrated the religious life of Lombard Italy with 'Frankish' ideas and attitudes, providing a kind of 'fifth column' that prepared the way for Frankish military victory and a more ready acceptance of Frankish political domination. In support of this notion in the

<sup>106</sup> These were those lands which, according to the *Liber Pontificalis*, had been seized at the beginning of Liutprand's reign, usually identified as the dioceses of Cures, Forum Novum and Nomentum: see *Lives of the Eighth-Century Popes*, trans. Davis, pp. 35–6 and 38–9, with nn. 12 and 27.

<sup>107</sup> *CF* 1, pp. 20 and 163. <sup>108</sup> *CF* 1, pp. 20 and 165. <sup>109</sup> *CF* 1, pp. 20 and 166.

<sup>110</sup> See J. Fischer, *Königtum, Adel und Kirche im Königreich Italien (774–875)* (Bonn, 1965), pp. 135–6.

<sup>111</sup> Schmid, 'Zur Ablösung', pp. 98–106; see also Hlawitschka, *Franken, Alemannen, Bayern und Burgunder in Oberitalien*, pp. 19–20.

case of Farfa, it might be pointed out that the abbey seems to have done less well, in terms of patronage, than it had under the Sabine Probatas. Abbot Ragambald received one grant from Duke Hildeprand, and no outright donations from any other donor.<sup>112</sup> Although Altpert fared rather better, receiving a donation from Hildeprand, an oblation and two other non-ducal donations,<sup>113</sup> this level of patronage still looks like a significant decrease compared with that of Probatas's abbacy, or earlier. Furthermore, this slowing of the rate of donation seems to have become an outright loss of property in the pontificate of Leo III (795–816). The circumstances of and evidence for this will be analysed in chapter 8; it will suffice to note here that Leo's encroachments were sufficiently severe to provoke repeated complaints from Abbot Ingoald concerning both the fact of the seizures and their method – the extension of legal practices – dubious, but of Roman origin – to an area which, Ingoald suggested, followed Lombard law.<sup>114</sup>

These developments were not the result of any Frankish sympathy on the part of Farfa's abbots. As will be argued in subsequent chapters, the pattern of patronage of the abbey in these years was determined above all not by any strategically pro-Frankish reaction to the advent of Charlemagne on the part of the abbots, but by the response of Farfa's patrons – the Sabine aristocracy and Spoletan duke – and the political nous of its abbots. Papal encroachments were vigorously resisted by abbots who were importantly associated with the Frankish rulers in other ways, not least the very prominent Abbot Ingoald.<sup>115</sup> He was just as keen to keep the abbey independent both of popes and, as far as possible, of the rulers of the northern kingdom as had been his predecessors, most of whom, it bears repeating, had hailed from the Frankish kingdom.

The notion of ethnic tension itself looks flawed, because it is dependent on faulty assumptions. The most prominent of these is embodied in the tendency to label all eighth-century northern European immigrants to Italy as 'Franks': quite evidently, many of them were no such thing. They may all, or almost all, have been subjects of the king of the Franks, but that was a very different matter from actually being 'Franks'. To an extent, this has long been recognized. A fair proportion – perhaps more than a third – of northern immigrants to Italy in the ninth century were expressly Alemans, Bavarians and Burgundians (the latter two rather fewer in

<sup>112</sup> *CDL* IV/1 37, and see *CF* I, p. 164.    <sup>113</sup> *CDL* IV/1 38 and *CDL* V 98, 100 and 101.

<sup>114</sup> *RF* III 137 and Llewellyn, *Rome in the Dark Ages*, pp. 246–7.

<sup>115</sup> See Schuster, *L'imperiale abbazia*, p. 65.

number than the former).<sup>116</sup> But even among the remainder, many would have used other tags of identity. This is clearest with the monastic immigrants whose backgrounds we know: as just mentioned, for instance, the first six abbots of Farfa were all from Aquitaine or Provence<sup>117</sup> – at a time when there was still a recognizable difference in identity between the inhabitants of those areas and those of the Frankish heartlands further north.<sup>118</sup>

Place of origin was in fact one component of a rhetoric of identity that was sometimes less powerful in practice than more tangible and immediate considerations.<sup>119</sup> The abbots of Farfa, of whatever background, were identified above all by their office. If the local origin of one – Probatas – was noteworthy, this was because of the practical advantages that his personal contacts and knowledge gave him in navigating the choppy waters of central Italian politics in the third quarter of the eighth century, rather than because of any innate sense of ‘ethnic’ allegiance. The willingness of monastic communities in Lombard Italy to select abbots regardless of their ethnic or geographical backgrounds has to be set alongside the undeniable indications of Lombard identification in and beyond the monasteries. The most obvious, perhaps, is Paul the Deacon’s *Historia Langobardorum*, expressly conceived of as a history of the author’s own people.<sup>120</sup> But Paul’s work is by no means alone among our sources for Lombard identity in having been – in part, at least – a response to the demise of what was always expressly the kingdom of the ‘Lombards’ (whether or not all of its inhabitants thought of themselves in such terms).<sup>121</sup> In other words, Lombard identity was itself shaped by the events of 773–4. Defeat, perhaps, had given the Lombards a cohesion that they had lacked before that event. It certainly gave a new intensity to the

<sup>116</sup> See Hlawitschka, *Franken, Alemannen, Bayern und Burgunder in Oberitalien*, pp. 43–50, esp. p. 46, and Wickham, *Early Medieval Italy*, p. 73.

<sup>117</sup> Felten, ‘Zur Geschichte’, p. 11.

<sup>118</sup> Wood, *Merovingian Kingdoms*, pp. 280–5.

<sup>119</sup> My thinking on this point has been guided by the persuasive and intricate arguments of Patrick Amory in his study of the Goths in Italy: *People and Identity in Ostrogothic Italy, 489–554* (Cambridge, 1997), esp. pp. 14–18 and 301–12.

<sup>120</sup> Delogu, ‘Lombard and Carolingian Italy’, p. 302, writes of the *HL* as an expression of ‘Lombard national consciousness’.

<sup>121</sup> The motivations, purpose and agenda of Paul’s work are still much disputed: for recent differing perspectives on the influence of the Lombard defeat on the *HL* see now R. McKitterick, ‘Paul the Deacon’s *Historia Langobardorum* and the Franks’, in R. McKitterick, *History and Memory in the Carolingian World* (Cambridge, 2004), pp. 60–83, and W. Pohl, ‘Paolo Diacono e la costruzione dell’identità longobarda’, in P. Chiesa ed., *Paolo Diacono. Uno scrittore fra tradizione longobarda e rinnovamento carolingio* (Udine, 2000), pp. 413–26. For personal and group identities in the Lombard kingdom, see W. Pohl, ‘Invasions and ethnic identity’, in C. La Rocca ed., *Italy in the Early Middle Ages* (Oxford, 2002), pp. 11–33, and Wickham, *Early Medieval Italy*, pp. 64–74.

rhetoric of identity: no group, after all, defines itself more sharply than when it contrasts itself with another group. Nevertheless, we need to recognize the distance between this rhetoric and reality – even the reality perceived by those who called themselves ‘Lombard’. If many of the extant traces of Lombard identity arose as the natural response of the vanquished of 774 to their conquerors, how much less valid were such attitudes among the generations before the conquest? The example that has been advanced to illustrate ‘Frankish’–‘Lombard’ tension in pre-774 Italian monasteries, that of Anselm of Nonantola, can more easily be read simply as an episode in the internal politics of the Lombard kingdom.<sup>122</sup> In place of the ‘Franks’ and the ‘Lombards’, we might do better to imagine a myriad of different identities existing cheek by jowl in Italian monasteries before 774. ‘Lombards’ – or, simply, ‘Italians’ – rubbed shoulders with ‘Franks’, certainly, but also with Aquitainians and Provençals, with Englishmen (whether ‘Angle’ or ‘Saxon’ or ‘Northumbrian’ or ‘Mercian’) and perhaps with Burgundians, Alemans and others from the polyglot Frankish dominions. Moreover, the learned encountered the illiterate, princes met priests, and the sons of small landowners received mass with the scions of great dynasties. These contrasting identities may have generated tension, but there is no sign of it in the sources.

The case for ethnic conflict in Italian monasteries after 774 rests largely on the ‘affair’ of Abbot Poto of San Vincenzo. The first of many interesting features of this episode is that San Vincenzo’s twelfth-century house chronicle, the *Chronicon Vulturnense*, entirely ignores it; we know of it only from two papal letters.<sup>123</sup> The context for the affair seems to have been established when Ambrosius Autpert, a noted scholar from Francia, stepped down from the abbacy after about a year in 777. His departure may have been unwilling, since Autpert immediately fled to Duke Hildebrand in Spoleto:<sup>124</sup> certainly, he had already had

<sup>122</sup> Schmid, ‘Anselm von Nonantola’, pp. 98–106.

<sup>123</sup> *Codex Carolinus*, ed. W. Gundlach, MGH Epp. III (Berlin, 1892), nos. 66–7, pp. 593–7. Gundlach’s dates for these letters were convincingly revised by F. Winandy, ‘Les dates de l’abbatiat et de la mort d’Ambroise Autpert’, *Revue Bénédictine* 59 (1949), pp. 206–10. Bertolini, ‘Carlomagno e Benevento’, pp. 625–31 gives ‘the most straightforward and convincing analysis’ (Wickham, ‘Monastic lands and monastic patrons’, p. 146); see now also H. Houben, ‘Karl der Grosse und die Absetzung des Abtes Potho von S. Vincenzo am Volturno’, *QFIAB* 65 (1985), pp. 405–17, which is essentially a reply to the argument of Felten, ‘Zur Geschichte’, pp. 24–38, that the dispute concerned the enforcement of monastic regulations. An earlier treatment is that of V. Federici, ‘Abati franchi e abati longobardi nel monastero di S. Vincenzo al Volturno’, in Federici, ‘Ricerche per l’edizione del *Chronicon Vulturnense*’, *Bollettino dell’ Istituto storico italiano per il medioevo e Archivio Muratoriano* 57 (1941), pp. 104–14. Interesting, if inconclusive, is Del Treppo, ‘Longobardi, franchi e papato’, p. 54.

<sup>124</sup> *Codex Carolinus*, no. 67, p. 596; Bertolini, ‘Carlomagno e Benevento’, p. 626.

disagreements with some of his fellow monks over his theological writings.<sup>125</sup> Autpert's replacement, a certain Airard, died in 781, and the monks elected Poto.<sup>126</sup> In 783 or 784 some of San Vincenzo's monks brought before Charlemagne a complaint against their abbot. It was alleged that Poto had left mass early, avoiding participation in prayers for Charlemagne and his family. Forced from office,<sup>127</sup> Poto went to the king to defend himself but, according to his enemies, only compounded his difficulties by insulting Charlemagne and the Franks. Charlemagne referred the case to Pope Hadrian. A tribunal was held early in 784, attended by many of the parties with an interest in San Vincenzo: a royal *missus*, the duke of Spoleto, the abbots of Farfa and of an unidentified monastery dedicated to St Peter, and several papal officials.<sup>128</sup> But Poto's major accuser, Autpert, died on the way to Rome,<sup>129</sup> leaving only one other hostile witness, a certain Rodicausus. Poto said that he had left mass before prayers for the royal family had been said because of urgent business, and that later comments had been misrepresented. Forty-two of San Vincenzo's monks swore that they had never heard Poto say the things of which he had been accused, and ten of them, five Franks and five Lombards, swore that the abbot was innocent. The matter was closed. Poto died only a few weeks later, in April 784.<sup>130</sup>

On the face of it, the Poto affair seems to have been animated by ethnic tensions, and it has often been interpreted in this way.<sup>131</sup> The accusations against Poto, after all, concerned his attitude towards the Franks in general, and their king in particular. The abbot's accusers seem to have

<sup>125</sup> This is perhaps unsurprising, as Autpert had chosen as his subject that perennially controversial biblical text, the Book of Revelation: Ambrosius Autpertus, *Expositio in Apocalypsin*, ed. R. Webber, CC Continuatio Mediaevalis xxviii (Turnhout, 1975); pars II, bk. X, at p. 465, refers to an *admonitio fraternum*. On Autpert, see L. A. Mancone, 'Ambrogio Autperto', *Dizionario Biografico degli Italiani* II (Rome, 1960), pp. 711–13, and R. Grégoire, 'L'abate Ambrogio Autperto e la spiritualità altomedioevale', in F. Avagliano ed., *Una grande abbazia altomedievale nel Molise. San Vincenzo al Voltumo*, Atti del I convegno di studi sul medioevo meridionale, Miscellanea Cassinese 51 (Montecassino, 1985), pp. 249–68; on his departure from the abbacy, see G. Picasso, 'Il pontificato romano e l'abbazia di San Vincenzo al Voltumo', in F. Avagliano ed., *Una grande abbazia altomedievale nel Molise. San Vincenzo al Voltumo*, Atti del I convegno di studi sul medioevo meridionale, Miscellanea Cassinese 51 (Montecassino, 1985), pp. 234–48, at p. 241.

<sup>126</sup> For the succession of abbots, see Federici, 'Abati franchi e abati longobardi', pp. 104–6.

<sup>127</sup> West, 'Charlemagne's involvement', p. 10. The question is, forced out by whom? 'It is clear', says West, 'that Poto's accusers were Franks.'

<sup>128</sup> The unidentified monastery must have been either in Rome or in the duchy of Benevento. Two parties are notably absent from this list: the duke of Benevento and the abbot of Monte Cassino.

<sup>129</sup> There seems to be no substance to the claim, advanced by e.g. Grégoire, 'L'abate Ambrogio Autperto', that he was murdered: West, 'Charlemagne's involvement', p. 11, n. 47.

<sup>130</sup> *CVI*, p. 173.

<sup>131</sup> E.g. Picasso, 'Il pontificato romano e l'abbazia di San Vincenzo al Voltumo'; Schmid, 'Zur Ablösung', pp. 30–1.

been Franks: his principal opponent, Autpert, certainly was. Moreover, the ethnic basis of the dispute looks to be confirmed by the fact that its settlement required oaths from an equal number of Lombard and Frankish monks. But there is another way of interpreting this evidence, one that once again emphasizes the distance between a rhetoric based on ethnic labels and a more complex reality. Autpert and his fellow accusers seem to have employed a rhetoric of ethnic division in their campaign against Poto, alleging the latter's disrespect for the Frankish king and royal family and his insulting attitude towards Franks in general. Perhaps Autpert himself believed that he had been discriminated against because of his ethnicity, or that there was some underlying opposition in San Vincenzo to Franks and all things Frankish. However, our evidence is sufficiently detailed to suggest that ethnicity was by no means the only, and perhaps not even the principal, motive behind the dispute.<sup>132</sup> Autpert's involvement in the complaints against Poto suggests that at the root of the problem lay the former's own departure as abbot, the evidence for which indicates causes other than ethnic tension. Moreover, at the time of his deposition, Autpert had fled not to Francia but to a Lombard duke, Hildebrand of Spoleto, who, though formally allied to the Franks by that time, continued to display a strong degree of independence. The referral of the case to the strongly pro-Frankish Pope Hadrian, who nevertheless seems consistently to have supported Poto, and who settled the dispute in his favour, also indicates that ethnic distinctions did not line up straightforwardly with the different parties in the affair. Finally, the fact that both Lombards and Franks testified to Poto's innocence shows that the division in the San Vincenzo community did not simply follow ethnic lines. The only other accuser of Poto that the sources identify, Rodicausus, bore a Lombard name.<sup>133</sup> One thing that emerges strongly from the facts of the affair is the isolation – perhaps even the desperation – of Autpert and his party.

The most striking aspect of the Poto affair is that it was played out against an entirely Carolingian background. The very fact that the San Vincenzo monks were accustomed to pray for the Carolingian royal family is noteworthy, since the abbey lay outside the formal borders of

<sup>132</sup> Many of the following points are lucidly made by West, 'Charlemagne's involvement', pp. 352–4.

<sup>133</sup> See M. G. Arcamone, 'Die langobardischen Personennamen in Italien: *nomen* und *gens* aus der Sicht der linguistischen Analyse', in D. Geuenich, W. Haubrichs and Jörg Jarnut eds., *Nomen et gens. Zur historischen Aussagekraft frühmittelalterlicher Personennamen*, *Ergänzungsbande zum Reallexikon der Germanischen Altertumskunde* 16 (Berlin and New York, 1997), pp. 157–75, at p. 163; for Duke Hruodgaud/Rotcausus of Friuli, see Jarnut, *Prosopographische und sozialgeschichtliche Studien zum Langobardenreich in Italien*, pp. 395–6.

the Carolingian realm. That the complaint against Poto was taken to Charlemagne indicates that he was held to have some sort of practical power at San Vincenzo (and indeed it seems to have been he who forced Poto's deposition as abbot). All of this must be set in a context in which, as at 783/4, Charlemagne had no formal power in the duchy of Benevento at all, and apparently no presence in the region with which he could enforce his will. His intervention in Benevento came only in 787.

Finally, the absence of any mention of the affair in the *Chronicon Vulturense* merits comment. There is in fact no reason why its author, John, or any of his sources, should have known of it. Record of it was only preserved at Rome, and the matter may well have been glossed over at San Vincenzo fairly quickly. There was certainly ample reason for the monks to forget the whole unhappy episode. The omission is a reminder that the shaping of memory that has rightly been identified as a strong motivating factor behind works like the *Chronicon Vulturense* also involved a good measure of forgetting.<sup>134</sup>

To return to Farfa, one measure of the lack of importance of ethnicity in such a community is surely the fact that, whatever source later tradition depended on for the backgrounds of the eighth-century abbots, that knowledge ran out after Mauroald. Neither Hugh of Farfa nor Gregory of Catino had any information to record about the places of origin of any subsequent abbot, and this was not because they lacked information *tout court*: to take just a simple measure, the average number of transactions per year that Gregory recorded for each of those abbots is broadly comparable with their predecessors.<sup>135</sup> Though Sichard's abbacy witnessed fewer transactions than had been normal earlier, this was due to changing patterns of patronage as a whole that we shall investigate below: Farfa's

<sup>134</sup> For the manipulation of the memory of Autpert at San Vincenzo, see A. Sennis, 'Tradizione monastica e racconto delle origini in Italia centrale (secoli XI–XII)', in 'La mémoire des origines dans les institutions médiévales', *Mélanges de l'École Française de Rome. Moyen Âge* 115/1 (2003), pp. 181–211, and for insights into the context of monastic remembering and forgetting Sennis, ' "Omnia tollit aetas et cuncta tollit oblivio" '; in general see also W. Pohl, *Werkstätte der Erinnerung. Montecassino und die langobardische Vergangenheit, Mitteilungen des Instituts für Österreichische Geschichtsforschung, Ergänzungsband* 39 (Vienna, 2001); Pohl, 'History in fragments: Montecassino's politics of memory', *EME* 10/3 (2001), pp. 343–74, and Geary, *Phantoms of Remembrance*.

<sup>135</sup> Benedict (802–15): *CF* 1, pp. 21 and 170–8; Ingoald (815–30): *CF* 1, pp. 21 and 178–97; Sichard (830–42): *CF* 1, pp. 21–2 and 198–208; Hilderic (842–57): *CF* 1, pp. 23 and 208–12; Perto (857–72): *CF* 1, pp. 212–21; Iohannes (872–81): *CF* 1, pp. 221–8; Anselm (881–3): *CF* 1, pp. 228–9. The chronology and details of Abbots Teuto, Nordepert, Spento, Vitalis and Petrus, who governed the community in that order roughly between 883 and 919, seem to have been unclear even to Gregory: *CF* 1, pp. 229–32. Simply to take the average number of transactions per year is an admittedly crude measure, and should not be used to infer anything other than the level of information available to Farfa's historians. The figures are 2.05 transactions per year for Mauroald, 3.28 for Benedict, 3.6 for Ingoald and 0.83 for Sichard.

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wealth was by that time sufficient to cover major building at the abbey itself.<sup>136</sup> The important points are that the freedom of abbatial election affirmed by Charlemagne in 775 and reiterated by his successors meant that Farfa's leadership remained in the hands of men who represented the interests of the whole community of monks; and, equally crucially, that that community still drew on the local elite: the *Regestum* includes further *offersiones* by Sabine aristocrats from the first decades of the ninth century. We can be sure, as already noted, that these represent only a handful of the oblates that the abbey welcomed in that period.<sup>137</sup> Opposition to the abbots of this era both by Duke Guinichis and by some of the popes (examined below) indicates that, whatever their place of birth, they were unequivocal representatives of the abbey's interests against all comers.

<sup>136</sup> *CF* 1, pp. 21–3; McClendon, *Imperial abbey of Farfa*, pp. 57–62.

<sup>137</sup> E.g. *RF* II 167, 180 and 281. Among the Farfa monks who attended a *placitum* in 813 was 'Ansefrido langobardo de Reate': *RF* II 199. Statements of identity may have been more important than usual, because the hearing was held in the Lateran, the tribunal presided over by Pope Leo III, and the land in question was in southern Tuscany.

## Chapter 5

# SABINE LANDS AND LANDOWNERS

### INTRODUCTION

An appreciation of the motives and impact of the patronage of Farfa requires that we deal not only with the abbey's relations with formalized authorities, but also with patronage that originated in the ownership or tenure of land: 'private' property, to use an anachronistic but recognizable phrase. It has to be admitted straight away that to separate 'private' activity from that attached to 'public' organs of government is to make a distinction for hermeneutic convenience. The extent to which there was anything resembling such a distinction in early medieval societies is highly debatable. Certainly, we can agree with Matthew Innes that 'we should avoid assuming that modern understandings of public and private translate unproblematically into the early medieval world'; that it is anachronistic to see the aim of rulers as the creation of a bureaucratized 'state', or that of private individuals as being to subvert, bypass or overcome that state.<sup>1</sup> Roman law provided some public/private distinctions that carried over into the language of early medieval charters, and early medieval rulers were sometimes keen to promote a notion of the public as the domain of their authority. But in more fundamental ways the two mapped on to each other: we have seen how dependent the exercise of 'public' authority was on the attitudes of 'private' individuals and groups; landownership, on the other hand, can be seen as a firmly public matter since, as will be argued here, it itself both empowered and necessitated action in public.

It is really that landownership that is the subject of this chapter, and in it I shall cover landed patronage from all sources other than that coming directly from those who claimed the authority to rule. More particularly, the chapter will examine those whose activities, as well as, in most cases, the bulk of their property, can be firmly located in the Sabina. What has

<sup>1</sup> Innes, *State and Society*, pp. 254–9.

often been missed in the historiography of Farfa is the extent to which the abbey was a local concern, an institution – not unique at this time – at which the interests of rulers and local elites intersected. We have seen that patronage by the dukes of Spoleto served to connect the abbey to those who engaged in activities associated with government, in particular the administration of fiscal property and attendance at judicial hearings. This chapter will examine the ways in which those people engaged with it on their own initiative: the transfers of property and the bonds that these forged. We have already seen how many of them contributed personnel to the community of monks itself. In this way, Farfa came to be a repository and defender of bundles of local interests, interests that rarely attached to one individual, but were collective, especially when defined in contrast to other groups. Thus, when threats arose to the local elite as a whole – which, as we shall see, they did dramatically in the later eighth century – two things became apparent. It revealed not only that their patronage of Farfa was one thing that the members of that elite had in common, but that their connection to a powerful institution had become crucial in their defence of their interests.

#### LANDOWNERSHIP AND SOCIAL STATUS

Social status, a term indicating the vertical integration of a society, is nevertheless not definable without attention to forces that acted horizontally. Uncovering the relationship between these two sets of forces is therefore crucial in determining how the local society around Farfa was articulated. We need to be aware that the values that determined perceptions of social proximity or distance are not reducible to a few simple labels. Since status is a question of comparison, perceptions of it are and were dependent upon the factors being compared. It is easy to identify parentage, property, legal position or title as some of these, but many factors are more arcane and irretrievable. Proper sociology depends upon a quality of information usually unattainable by early medievalists. Thus a reaction against the emphasis placed by historians of ‘feudalism’ on hierarchy and the refusal of many of the mundane, particularized sources, notably charters, to conform to their social constructions have led recent analyses to stress the horizontal bonds in medieval society.<sup>2</sup> In the view of some historians, Lombard Italy in general had a relatively, but notably, flat social structure: the ‘modest landholders’ whom we encounter so often in

<sup>2</sup> Notably Susan Reynolds, *Kingdoms and Communities in Western Europe, 900–1300* (Oxford, 1984), p. 1, n. 1, and E. A. R. Brown, ‘The tyranny of a construct: feudalism and historians of medieval Europe’, *AHR* 79 (1974) pp. 1063–88.

our charters sit in a dominant, median point in some views of the Italian social spectrum, close to – if not in their lower echelons identical with – the peasantry, and mitigating any tendency towards aristocratic social dominance by their numerical preponderance.<sup>3</sup> This is an argument rooted in the quantitative extent of wealth, especially landed wealth, and the geographical range of a group's activity. But social differentiation involves a complex collection of factors, and social values are often hard to define among the amorphous mass of ambiguous information contained in a source like the *Regestum Farfense*.

The position of the *colonus* in the duchy of Spoleto is an instructive example. This was a term which applied to men who could both give and be given, sell and be sold. Some *coloni* were legally competent, could receive or dispense with landed property and could even own slaves. Yet the charters often imply that their status was little better than that of slaves, their tenure of a farm bound up with the services and dues associated with it, their landlords able to part with them and their lands as a job-lot. A few examples of the different powers and positions of *coloni* will suffice to illustrate the point here.

The legal freedom which some *coloni* enjoyed was often limited in practice, if not in theory. That some were legally free seems clear from the examples of Calvulus and Vincentius, whose names are in the witness list of the earliest Farfa charter from 718.<sup>4</sup> But, however likely it is that only those with legal capacity (as clear an indication as we have of legal freedom in this society) were asked to validate transactions in this way, it remains an assumption. However, since Luccianus, an heirless *colonus*, was able to inherit from his relatives, add to his property in a transaction confirmed in writing, and then himself transfer this property to a recipient of his choice, we can envisage not only freedom but a certain wealth for some *coloni*.<sup>5</sup>

<sup>3</sup> This is the argument, in particular, of Wickham, 'Aristocratic power', refined in *Framing the Early Middle Ages*, pp. 214–15, also pp. 296–7. For an alternative view, see Gasparri, 'Il regno longobardo', pp. 82–3, and Gasparri, 'Mercanti o possessori? Profilo di un ceto dominante in un'età di transizione', in S. Gasparri and C. La Rocca eds., *Carte di famiglia. Strategie, rappresentazione e memoria del gruppo familiare di Totone di Campione* (Rome, 2005), pp. 157–78, at pp. 160–1: I am very grateful to the author for drawing this latter article to my attention.

<sup>4</sup> *CDL* v 1.

<sup>5</sup> Luccianus donated his property to Farfa: *CDL* v 37 (763). The collection contains only one other donation by a *colonus*, *CDL* v 25 (757). This reveals a hitherto unrecognized flexibility in the definition of the term with the phrase 'colonam meam nomine Ciottulam cum filio suo Teoderico et filia sua Formosula et aliam ancillam meam . . .' The *colona* was not the wife of the *colonus* who issued the document, since the children are not called 'meo/mea'. That he disposed of her, albeit after his death, implies some form of proprietary control over her, as does one reading of the Latin: 'and my other slave woman . . .' However, this may just be another example of the subordination of women so familiar in this period.

In practice, however, the ability to dispose of land was freedom of a very limited variety. A *colonus*'s holdings usually had a higher lord, who exacted dues from the cultivator and controlled all transfers of possession. Luccianus was exceptional here, since he had received control of his land in writing from its lord – which amounted to a form of manumission.<sup>6</sup> Most were not so fortunate. When Bonuald and Radulus found that they could not pay the *census* and *angaria* which they owed to their lords, Abbot Fulcoald instructed them to hand over their lands to their uncle *in affratio*, who would pay the requisite dues. He then became heir to one-third of their possessions.<sup>7</sup> Bonuald and Radulus had crossed the narrow threshold into poverty, and were forced to debase the position they left to their heirs, the maintenance of which was the only effective right of the *colonus*; they were more closely bound to particular holdings than before.

For others, freedom of movement had a price. Less than a year after Luccianus had disposed of his property, other *coloni* featured in an exchange which expressly stated that, though legally free, they were bound to their land, and their sons could not move without payment of their *mundium*.<sup>8</sup> It is unlikely that such men could transfer the land on which they lived as Luccianus had done, though it is just conceivable that they had other land or, especially, movables, which were transferable. For some, freedom of movement extended only to their own bodies: two *coloni* at 'Paternus' had to leave their *res mobiles* behind if they left the estate.<sup>9</sup> But a requirement which accompanies this statement, that those who stayed should pay the customary dues, suggests that the clause was simply a literate form of guaranteeing the expected income to the recipient of the land.<sup>10</sup> The most numerous examples, however, allow no escape for the *colonus*, but expressly transfer him along with the land.<sup>11</sup> In practice the movement of a cultivator and his family might not have been feasible even where it was allowed, but the variety of legal conditions warns us that the term *colonus* does not involve a particular type of material wealth or social status.

We can, however, find some indication of the status and social outlook of others through their relationship with *coloni*, or with other cultivators. Clearly those who issued charters disposing of *coloni* and their families

<sup>6</sup> '... de substantia Arnonis, quam michi per cartulam confirmavit ...' <sup>7</sup> CDL v 21 (754).

<sup>8</sup> CDL v 40. *Mundium* was the right to legal capacity, expressed in monetary terms. In the case of a woman, her legal capacity was possessed by her nearest male relative, see e.g. Rothari 161: 'pro mundio earum.'

<sup>9</sup> CDL v 15 (749).

<sup>10</sup> CDL v 15: 'qui vult residere, faciant rationem ad monasterium, quomodo fecerunt'.

<sup>11</sup> The proprietorial sense conveyed in the charters ranges from the brief *cum colonis* attached to the pertinence clause (e.g. in CDL v 22, 47, 49, 50, 52, 55, 60, 76, 77, 91 and 101) to the more direct *coloni nostri/vestri* (e.g. CDL v 11 and 73).

shared one attribute: the legal right of control over other free men. In practice this meant that they were landlords, since they enjoyed the fruits of lands they did not themselves inhabit. Yet some landlords had greater familiarity with the cultivators of their lands than others. The brothers Benedict and Teuderad, who sold several estates to Farfa in 749, knew those lands well enough to have the scribe provide for each *colonus* by name.<sup>12</sup> Similarly, Eudo named the three *massari* living on his estate at Magliano in 761.<sup>13</sup> In 769 his brother Maurus could call to mind the name of a female slave (*mancipium*) whom Eudo had wrongly sold at least five years previously.<sup>14</sup> The brothers Hisemund and Teudemund, who had stood as pledge guarantors (*fideiussores*)<sup>15</sup> for Audo (as it is spelt here), named the *coloni* living on the land they gave to Farfa in 749.<sup>16</sup> All these men were familiar not only with their tenants but also with each other.<sup>17</sup> Our evidence reveals these relationships only in the context of landholding, but we can see that the social horizons of the issuers were broad enough to encompass both cultivators and fellow property holders.

Since they could actually name their tenants it seems probable that landlords like Eudo or Benedict could not have had many of them. But we can adduce evidence for more sophisticated reasons for the naming of *coloni* in a charter than that the issuer had few properties. A document of 757 provided for Gunduald, whose title of *vir clarissimus* shows at least a pretension to aristocratic status, to assume the *actio* of Farfa's estate at 'Germanicana'.<sup>18</sup> The charter spells out that this office involved the settlement of disputes on the estate.<sup>19</sup> Beyond that the wording is more

<sup>12</sup> CDL v 14 and 15. <sup>13</sup> CDL v 31.

<sup>14</sup> CDL v 53. Eudo was *quondam* (deceased) in a charter (CDL v 38) issued in 764 by Corvillus, who was surely the 'Corvellus germanus eius' who had subscribed Audo's charter of 761 along with 'Maurus frater eius', doubtless the issuer of the charter of 769 who had a late brother Audo. All three held property in Magliano.

<sup>15</sup> In the Lombard context, *fideiussor* meant 'he who vouches for another's promise to take an oath': Niermeyer, *Lexicon*, s.v. See Rothari 360.

<sup>16</sup> CDL v 12.

<sup>17</sup> Their acquaintance is explicit in every case except that of Benedict and Teuderad, but the *sculdahis* Guinelapus who witnessed their charters in 749 issued a charter himself in 757 (CDL v 24) which was witnessed by, *inter alia*, a Rimo, a Leonianus and a Teudemund, all three of whom witnessed the charters of Benedict and Teuderad; Rimo, indeed, was their brother. The Audualdus who witnessed all these might well have been the father of Audo, Corvillus and Maurus – he is last attested to as alive in 761 (CDL iv/1, 15), and Maurus referred to his father as dead only in 769.

<sup>18</sup> CDL v 27. A Gunduald *actionarius noster* witnessed ducal diplomas in 746 and 747, and was a witness in a ducal *notitia* of 761 (CDL iv/1, nos. 5, 6 and 15). He certainly received land in 'Germanicana' in an exchange with Farfa in 756 (CDL v 23) and may have witnessed other transactions in 763 and 764 (CDL v 37 and 39). See further above, pp. 100–6.

<sup>19</sup> 'Et qualescunque causae agendaae sunt in ipsa curte tam de terris quam et de familiis vel casis, quae de ipsa curte suptractae sunt, peragere debeam et minare pariter et fideliter tanquam proprias meas causas.'

vague, but certainly implies that Gunduald became responsible for the management of the estate and, crucially, for the extraction of payments from it: he twice promised to perform his duties without neglect or fraud.<sup>20</sup> An express reference to *coloni* by the scribe indicates that the post involved direct man-management and thus a familiarity with the cultivators that was impossible for a proprietor with extensive and far-flung properties to acquire. Though the word does not appear in this document, Gunduald's office was certainly that which other charters call *actionarius*. We have looked at the variegated profile of this office already: the charters down to 787 record eighteen such men, most as witnesses, but some appear in *notitiae iudicati* (notices of judgement) as judges alongside other officeholders. They were therefore men of prominence as well as possessed of an intimate knowledge of the estates entrusted to them. Two or more *actionarii* only ever witnessed transactions concerning two or more estates, indicating, perhaps, that their knowledge of certain estates provided useful input into a charter.<sup>21</sup> There were, therefore, men other than proprietors who possessed detailed knowledge of individual properties and could provide it when it was necessary to describe a property unambiguously. With his *actionarius* by his side, a proprietor did not need personal knowledge of his tenants' names for the scribe to include them in the written document. The absentee proprietor of many, scattered estates could still guarantee that the requisite details of his property were available when necessary.

We should not assume, therefore, that the landlords mentioned above, nor any of those who issued the thirty-three charters which name *coloni*, were close to their tenants, either socially or geographically. The brothers Hisemund and Teudemund, for instance, certainly involved themselves beyond the *casalis* and the three *coloni* they had given to Farfa in 749. In 761, both appeared in the ducal court to testify that they had acted as *fideiussores* and overseen the transfer by Eudo of lands at Magliano to Farfa which I have already mentioned.<sup>22</sup> As well as being a witness for the plaintiff, Hisemund was also one of the *iudices* chosen by Duke Gisulf to hear the case. He is styled *sculdahis* throughout – as we have seen, an imprecise, but generally localized office. Only from this evidence can we link the brother of Teudemund who appears six times in the charters between 744 and 761, to the *sculdahis* Hisemund evident in another four

<sup>20</sup> '... suscepisse ... curtem vestram in Germaniciano in actione unacum omnibus colonis ad eandem curtem pertinentibus ... et sine omni neglecto vel fraude vobis debeam deservire ... pariter et fideliter sine neglecto vel fraude vobis debeam laborare'.

<sup>21</sup> Examples are *CDL* v 2, 6, 24 and 55. <sup>22</sup> *CDL* IV/1 15.

charters to 769.<sup>23</sup> He emerges as one of the most prominent local figures in our evidence for mid-eighth-century Sabina. Undoubtedly, it was this prominence which prompted his inclusion among the judges of the Magliano case. His local power, already evident in two court cases of 747 and 749, won him influence beyond his locality. His horizons were much broader than those of the *coloni* he and his brother had given to Farfa in 749.

Nonetheless, the power of Hisemund was rooted in the Sabina. It was the scene of the few revealing episodes in the man's career which we possess. The only properties we know him to have held were in that region. His family had been one of the many which had encroached into the fiscal *gualdus* 'ad Sanctum Iacinthum', and had to part with their lands there after Duke Lupo gave the whole estate to Farfa in 746.<sup>24</sup> Later, as we shall see, he offered his son to the abbey and provided for himself a kind of semi-retirement there, and despite the sobriquet *homo Reatinus* which he gave himself in that charter, it is clear that he intended to remain in the Sabina.<sup>25</sup> We see him venture outside only once thereafter, and then only to Rieti to witness the sale of Sabine land, but he did not or could not relinquish his duties as a *sculdahis*, and remained active in local legal business for at least another six years.<sup>26</sup> However, his attachment to the region in the later part of his life, a contrast to his earlier career when seven of the eight references to him have him in Rieti, stemmed not from his tenure of the office of *sculdahis*,<sup>27</sup> but from the position of his property, and from his attachment of large tracts of it to Farfa. His case reveals the shifting horizons that members of the local landholding elite could experience, but also shows that they were potentially far wider-ranging than those of lower status.

The status of proprietor automatically entailed particular interests. By their very nature, Hisemund's charters represent him as part of that community which was legally competent and materially substantial. Many of his peers displayed less familiarity with their tenants than had Hisemund and his brother in 749. He witnessed a donation by Pando's

<sup>23</sup> On Hisemund's identity and activities, see below, pp. 232–7.

<sup>24</sup> *CDL* v 12, from July 749: a donation of the *casalis* 'qui nominatur Ad Centum vel Alinianus vel Ad Stabla Publica' in the *gualdus* 'ad Sanctum Iacinthum'. The gap of nearly three years between the ducal donation of the *gualdus* (*CDL* iv/1 5) and that of the brothers Hisemund and Teudemund of their land there must have resulted from the convoluted disputes over encroachments and previous small transactions which followed the donation, many of them documented in a breve issued by royal and ducal *missi* in 747 (*CDL* v 8).

<sup>25</sup> *CDL* v 35.

<sup>26</sup> As we have seen, the last reference to him is as *sculdahis* and witness in 769, *CDL* v 53.

<sup>27</sup> These were not confined to specific territories in this period, as Emila Saracco Previdi has shown, 'Lo *sculdahis*', pp. 633–61.

widow, Taneldis, which referred to her tenants in one simple phrase in the pertinence clause, listing them as just one more asset along with houses, vines, fruitful and unfruitful trees and so on.<sup>28</sup> Perhaps because Taneldis retained the usufruct of the estate during her lifetime, she felt no need here to be precise about the families which changed hands. Another transaction connected to Hisemund resorted to the same formulaic description of cultivators. Like many contemporary charters, there was no attempt even to specify a number of inhabitants – the words *coloni* or *casa colonica* communicated all that was important about the nature of the asset. In this case, the scribe could be more specific about a subject – a *piscator* – who lived in Rieti, where he was writing.<sup>29</sup> The inclusion of his name reflects only the scribe's knowledge; it does not suggest that the property holder had any acquaintance with him at all.

Unfamiliarity characterizes the relationship between proprietors and the vast majority of *coloni* and other cultivators in the charters, whether named or not. The social context of the *coloni* was radically different from that of the property holders, whose capacity to exercise control over lands conditioned their social values. The life of the bonded or landless peasant was not inflexible, but operated on a far smaller scale than that of the property holder. The few references to *coloni* active in transfers of property notwithstanding, the interests of the majority were too distant from those of their landlords for any meaningful social encounters to have taken place, even where the landed and the landless lived side by side. But the existence of a few, apparently exceptional *coloni* who did control land (as well, perhaps, as working on somebody else's periodically) argues against the rigidly stratified society that such legal labels suggest. Social distance arose less through ambiguous titles than through different relationships to property: the exploitation of property involved not simply surplus extraction, but also the exercise of those legal rights embodied in proprietorship. Thus proprietors of any size of land had more in common with each other than with those who held none.

The general impression, therefore, is of a community in the Sabina which, when assembled to oversee changes in the pattern of property holding, was cognizant of its own advantages as controllers of property over those who simply cultivated land. These assemblies created a

<sup>28</sup> *CDL* v 50.

<sup>29</sup> *CDL* v 46. The donor, Scambertus, was son of the late Scattolfus or Scaptolfus, who signed both of Hisemund's transactions of 762–3 (*CDL* v 34 and 35) and was a witness when Hisemund supervised a transaction at Farfa in the following year (*CDL* v 39). He therefore died between May 764 and April 766, probably closer to the latter, since his father's death would have provided a suitable opportunity for Scambertus to make a pious donation. I accept Zielinski's view that the reference to the 'piscator Petrus' is not an interpolation, see *CDL* v pp. 167–8.

distance between themselves and the landless and acted as a catalyst for their own social cohesion. The recurrence of names, whether as witnesses or actors, suggests that this community, throughout most of the eighth century, was not very large. Within this relatively small number, there were inevitably differences in wealth. Did these result in as great a distance between rich and poor proprietors as that between landed and landless?

Differences in material wealth were most evident in charters of sale, for here there was the possibility that the vendor was selling out of necessity rather than choice. In order to identify the former, we need to establish whether the vendor was an owner-cultivator or not. For men dependent on their own small properties for their existence, the sale of those assets would have been a last resort to fend off starvation or bondage. We can identify such desperation with certainty in only one case. Maurisso and Ubaldulus were described as *compartitionarii*, indicating that they pooled their resources to cultivate their land. The property they offered for sale was worth only one *solidus*, but the monk who dealt with them paid them an extra *solidus* on top of a *solidus*'s worth of lard and meal, on account of his 'mercy'.<sup>30</sup> The stipulated penalty of a double payment of land should they revoke the sale was surely a mere formula here. The pity which moved the monk, Raginfred, to supplement the price touchingly demonstrates the extent of their destitution: the extra *solidus* would buy the food they needed. But this is the only express example of such charity in the entire *Regestum* to 787.

One formula, though at first sight indicating owner-cultivation, actually entails something more complex. The provision that the recipient should work on, cultivate and organize a transferred property occurs in a charter issued by Abbot Fulcoald to two brothers who had successfully defended their possession of their uncle's *casalis* after he had entered Farfa.<sup>31</sup> The phraseology implies that the two brothers, both priests, expected to work the land themselves. Certainly no other cultivators are mentioned. However, a very similar phrase appears in a donation of 773: '*cultandi, laborandi et meliorandi*'. But here a pertinence clause precedes it which includes *casae domnicatae* and *massariciae*, a clear indication of a bipartite estate, including slave households to cultivate the proprietor's reserve. Thus, the reference to cultivation in the first example need not

<sup>30</sup> CDL v 28 (760): 'et pro mercede tua dedisti nobis supra solidum in auro unum'.

<sup>31</sup> CDL v 16 (751): 'tradidit casalem . . . sub ea videlicet ratione laborandi, cultandi et ordinandi et diebus vitae suae fruendi et in sua potestate habendi'. The opposing party in the case had been their uncle, but the head of the monastery made the final agreement with them, after their oaths had satisfied two royal *missi*: King Aistulf ruled the duchy at this time, see Gasparri, *I duchi longobardi*, p. 81.

mean owner-cultivation. An *ex silentio* argument that such cultivation is likely because there is no reference to bonded labourers is unsatisfactory.

Only one other document definitely portrays owner-cultivators, and these were not starving. The monastery paid a price in commodities as basic as those paid to Maurisso and Ubaldulus to two men for vines in its *congregus*.<sup>32</sup> They were not, however, selling the monastery's own lands back to it. The verb used for their possession of the vines was *habere*, implying outright property, rather than *tenere* or *residere*, which usually described colonial or servile tenure. The small size of the sales, indicated by their inclusion on one charter, and the practical nature of the price paid (especially the measures of grain – not a great concern of the wealthy) indicate that these men were cultivators. But there is no hint that they were in the same desperate straits as Maurisso and Ubaldulus had been. Like those who were wealthy enough not to have to live directly off the land, they were simply exchanging one capital asset (vines) for others (pigs and grain).

In practical terms there was probably no great distance between these two very different situations. People who lived by agriculture were, as always, dependent on the grace of God. Famine could follow abundance in rapid succession. But in times of (relative) plenty, those who possessed property in their own right were free to behave like their richer peers, albeit on a smaller scale. That there are few examples of such people in the Farfa charters is a function of the precariousness of their existence, since they had little surplus to give away in pious donations. It does not indicate that they constituted only a small proportion of the total population. What we might question, though, is whether, as Chris Wickham has argued, the numerical strength of the stratum of owner-cultivators automatically leant them political clout.<sup>33</sup>

Our one notable eighth-century example of a family that might be said to amount to 'kulak' status does not indicate a high level of political importance or power. This is a family that we see almost entirely through their and Farfa's common association with one estate, the *casalis* at 'Mallianus'. This must have occupied the same general area as the present-day, probably rather more nucleated, Magliano Sabina. 'Mallianus' first appears in the charter of March 761 which has already been mentioned.<sup>34</sup> Having been found guilty of horse theft, Eudo/Audo defaulted on the 100 *solidi* fine, so his sureties (*fideiussores*), Hisemund and

<sup>32</sup> CDL v 65 (776).

<sup>33</sup> I am here referring to Wickham's vision of a relatively flat social structure in Italy, mentioned at the start of this chapter: see n. 3.

<sup>34</sup> CDL v 31.

Teudemund, transferred to the wronged party – Farfa – Eudo's *casa domuscultilis* with its *oratorium* 'in loco, qui dicitur Mallianus'. Later (*postmodum*), however, Eudo entered the *casa* 'violenter', and he was brought before the ducal court, where he gave a pledge (*gadia*) of 20 *solidi*. The nature of this pledge is not entirely clear: most likely it was intended as a guarantee that Eudo would indeed vacate the estate. In this context, the following phrase, 'et ipsam gadium postea minime recepi', suggests that Eudo expected to recover the 20 *solidi* once he had left the land, but had not done so. It may be for this reason that he kept three *unciae* of the estate for himself when he finally gave to Farfa not only the lands previously at issue, but also a further two *casae massariciae*. The charter which summarized these events and embodied the final transfer includes a phrase full of implication for our understanding of the nature of Eudo's property and of the land at 'Mallianus' *in toto*: 'tradidi ipsam casam domumcultilem cum ipso oratorio et casas massaricias duas in iamdicto casale Malliano'.<sup>35</sup> The phrase 'in iamdicto casale Malliano' implies that this *casalis* was an entity which had an exclusive name: in other words, that the *casalis* 'Mallianus' was an area of land co-terminous with the *locus* 'Mallianus' encountered earlier in the charter. It also suggests that the *casae* were not the only lands which went to make up the *casalis* 'Mallianus'. There is a difficulty here since the charter describes the land both by the nature of its management (that is, *casa domuscultilis/casa massaricia*), and by its extent (Eudo stipulated the donation 'exceptis tribus unciis ex ipso casale, quas in mea reservavi potestate').

The appearances of 'Mallianus' in Farfa's archive suggest that the abbey's involvement there did not originate in a systematic attempt to expand its landed estate in a particular direction, or with a view to a particular kind of exploitation. It came to 'Mallianus' apparently by accident, through the judgement of a court. It is possible that the abbey's representatives, with an overall plan of land acquisition in mind, had prompted Eudo's *fideiussores* into handing over that property as compensation. The subsequent history of the lands at 'Mallianus' suggests otherwise, however. Within a month or so of Eudo having given his property in the *casalis* to Farfa, the donation was challenged in the ducal court by Campulus of Rieti.<sup>36</sup> The case has a familiar ring to it: Campulus claimed that Eudo had stolen a horse from him too, and that two *casae massariciae* – the same two given to Farfa – had been transferred to him by the thief's *fideiussor*, in place of a 100 *solidi* fine. The case boiled down to the question of who had received the two *casae* from Eudo's sureties first. Farfa's

<sup>35</sup> CDL v 31.

<sup>36</sup> CDL IV/1 15, dated April 761. This document is also printed in Manaresi, *I placiti del 'Regnum Italiae'*, vol. I (Rome, 1955), no. 1 and RF II, 44–5.

representatives claimed that they had been given the estate in the twelfth indiction, and could produce witnesses to back this up, while Campulus had to admit that the transfer to him had taken place only in the thirteenth indiction (that is, 759/60).<sup>37</sup> Farfa gained the *casae*.<sup>38</sup>

Eudo died within the next three years, but his family found it hard to give up their claims in 'Mallianus'. By March 764 his brother Corvillus had also attempted to repossess the church of S. Eugenia, and had been fined 40 *solidi*. But he was no more able to pay fines than his brother had been, and apparently had no land to give instead, so Farfa's own representative, the monk Barosus who had led for Farfa in the earlier action, gave Corvillus the requisite sum. Corvillus pledged, in writing, not to dispute the abbey's possession of the church in the future, under the heavy threat of a 100 *solidi* fine should he break his word.<sup>39</sup> Eudo's horse-thieving had apparently proved his family's ruin. It would appear that, in the original court case, Eudo himself had had no assets other than his property in 'Mallianus' to give in compensation. If this was the case, it scotches the notion that Farfa had deliberately selected 'Mallianus' as its pay-off in accordance with a preconceived plan of acquisition.

Almost immediately following Corvillus's pledge, and perhaps in order to shift on to others some of the responsibility for this troublesome estate, the abbey introduced 'Mallianus' into the land market. That May, Rimichisus and his three sons gave the abbey their *casalis* of 'Pinianus', and received in exchange 'medietatem de casale, qui dicitur Mallianus'.<sup>40</sup> Significantly, and so there could be no doubt in the future, the charter scribe was asked to add 'quantum vobis quidam Eudo et in suprascripto monasterio tradidit pro culpa furti, quo vobis furatus est cavallos': a statement which is notable for two reasons. First, there is the interesting

<sup>37</sup> To be precise, Farfa's representatives stated that the abbey received the estate 'Eo tempore, quando Picco occisus est, indictione. XII ...' (*CDL* IV/1 15). The murder of Picco was apparently connected with a factional (perhaps, less certainly, also a familial) dispute between supporters of Desiderius and those of the ousted king, Aistulf. That his murder was remembered in the *notitia* of a case which had no apparent connection to Picco is a measure of its importance. See further Gasparri, 'Il ducato longobardo di Spoleto', esp. pp. 104–11, and below, pp. 227–8.

<sup>38</sup> It may be that Eudo's 'violent' re-entering of his property described in the previous charter was in fact an attempt to seize it back in order to give it to Campulus. The case ended with Farfa pledging to appoint five *actores* to swear that their witnesses had testified truthfully. To ensure that the abbey would fulfil the pledge, the *sculdahis* Auduald was appointed as surety. It is conceivable that this Auduald was Eudo's father. This kind of pledging was a common feature of Italian *placita*. The duty of *fideiussores* to enforce judgement, like Hisemund and Teudemund here, as well as to guarantee pledges, like Auduald, has been noted by Chris Wickham, 'Land disputes', p. 109, n. 4.

<sup>39</sup> *CDL* v 38.

<sup>40</sup> *CDL* v 39. 'Pinianus' was apparently in the area of Colle dell'Orso, to the south of the Farfa river, two or three kilometres west of the abbey. It adjoined a *casalis* called 'Antianus', a portion of which the abbey acquired in December 764 from Rimichisus's brother: *CDL* v 41.

claim that Eudo stole more than one horse. Secondly, and more important, if the word *quantum* means what it says, then Eudo's original transfer to Farfa only ever amounted to half the *casalis*, and not the whole property, as the *notitia* of Campulus's case states.

Since Farfa had divested itself of its half of 'Mallianus' and the church of S. Eugenia in May 764, it seems rather surprising to find it, less than two years later, acquiring another *casa massaricia* in 'Mallianus'. In a charter which, at least, confirms that there was more to 'Mallianus' than the half given to Farfa by Eudo in 761, a certain Theodosius gave to Farfa a *casa massaricia* 'in loco, qui dicitur Malianus, ad Sanctam Eugeniam'. He received in exchange half of an earlier donation from one Teuderisinus, comprising half a property in Rieti, halves of two rural *casae* and another, undefined, portion.<sup>41</sup> The puzzling description of Teuderisinus here as the *avus* of, apparently, Abbot Alan, who was a native of Aquitaine, cannot be explored fully here: if *avus* is translated as 'grandfather' – and there seems no reason why it should not be – it may be extremely significant.<sup>42</sup> More germane to our purpose here is Farfa's renewed interest in 'Mallianus', which, given the earlier relinquishing of half the estate and the church of S. Eugenia to Rimichisus, does not look like part of a long-term policy of acquisition. The abbey's motives may have lain not in tenurial strategy but in local politics, for it would appear that it had not yet set the seal on its relations with the late Eudo and his family. In February 769 it bought twenty *modia* of land in 'Mallianus' from one Maurus, 'filius quondam Audualdi'.<sup>43</sup> This land Maurus had been given by his late brother Audo in recompense for Audo having sold Maurus's *mancipium*, Vulerada, to a certain Cozulus 'de Zoccano'.<sup>44</sup> The facts of the case themselves suggest an identity between Maurus's brother Audo and the horse thief Eudo. This impression is confirmed by the witness list to Eudo's 761 charter (in which he spells his name 'Audo') which is headed by the names of Corvellus (*sic*) and Maurus, 'germanus eius' and 'frater eius' respectively. That two fraudsters should be linked to the same estate, in the same generation, is in any case too much of a coincidence. Eudo was clearly a notable, if lovable, rogue (although his brother had effectively stolen from him, Maurus's charter nevertheless described Audo as

<sup>41</sup> CDL v 45, dating from January 766.

<sup>42</sup> Even if *avus* is given the more general translation of 'ancestor' or 'forefather', this would still mean that part at least of Alan's family held land in the Sabina, implying hitherto undreamt-of mobility and geographical scope among the landowning class, as well as strong and enduring connections between the Sabina and Gaul among the laity as much as the monastic clergy. For Alan's unquestioned origin in Aquitaine, see the admittedly late *CF* 1, p. 163. For Franks in the Sabina, see Pohl-Resl, 'Legal practice and ethnic identity in Lombard Italy', pp. 218–19.

<sup>43</sup> CDL v 53. <sup>44</sup> The location of 'Zoccano' is not known.

'bonae memoriae'); but both he and his brother had proved very troublesome to Farfa, and the buying-out of Maurus in 769 may have resulted from a desire to see the backs of the 'Audualdi', as we may call them.

In material and political terms the Audualdi were very small fry, and it is not possible to link them decisively to any of the more important political operators of the period. They may, nevertheless, have benefited temporarily from the conflicts between more major political players. Eudo's violent entry into his conceded property at 'Mallianus', which must have taken place between September 759 and March 761, may have occurred in the context of more general disorder resulting from Desiderius's invasion of Spoleto in February or March 758, an event which may also have occasioned a change of gastald in Rieti.<sup>45</sup> There was also a vacancy in the abbacy of Farfa at this time, of which Eudo may have taken advantage. Whether the vacancy was linked to the political disorder is unknown. The ninth-century *Constructio* states that Abbot Wandelbert asked to be relieved of his office. Since, however, in the only surviving charter from the supposed period of Wandelbert's abbacy, dated April 760, no abbot is mentioned and Farfa was represented by one of its monks, there is reason to doubt the *Constructio*'s neat scheme of abbatial succession.<sup>46</sup> The political context may have given Eudo the *opportunity* to recover his lands, but it was probably not the *cause*. For all that their woes may have originated in Eudo's reckless criminal tendency, the violence of the Audualdi is most likely to have been born of the frustration of the powerless when faced with a powerful adversary. With the arrival of the esteemed Abbot Alan (by January 761), the abbey took a

<sup>45</sup> According to the monks' testimony to the ducal court in the Campulus case (*CDL* IV/1 15), Eudo's property in 'Mallianus' had been transferred to Farfa in the twelfth indiction, which ended on either 31 August or 24 December 759, depending on whether the Sabine scribe used the Greek or Roman reckonings for the indiction. If it was the Roman, which began the year on 25 December, then the previous extant charter in Farfa's register (*CDL* v 27), dated to the 'times of Duke Alboin', in October of the eleventh indiction, would have been drawn up in October 758. Alboin, however, was almost certainly deposed when Desiderius invaded Spoleto, an event which itself almost certainly occurred just before the Lombard king overthrew Duke Liutprand of Benevento in spring 758 (see Gasparri, *I duchi longobardi*, p. 82). Alboin, therefore, could not still have been duke in October 758. The earlier charter must be dated to 757, and all the Sabine charters must have used the Greek reckoning of the indiction, beginning the year on 1 September (for indictions, see C. R. Cheney ed., *Handbook of Dates for Students of English History*, Royal Historical Society (Cambridge, 1945, repr. 1995), pp. 2–3). *CDL* v 31, by which Eudo atoned for retaking the land illegally, is dated to April 761. For Desiderius's invasion of Spoleto, see Delogu, 'Il regno longobardo', p. 181.

<sup>46</sup> See above, chapter 4. Wandelbert's abbacy may have filled any of the period from October 757 to January 761, and we need not take the *Constructio*'s word that he requested retirement: he may, just as plausibly, have been pushed. On the available evidence, he had probably vacated the post by April 760 – that is, in the middle of the thirteenth indiction, the most likely date for Eudo's assault on 'Mallianus'.

series of steps to neutralize the persistent irritant of this family, extracting an oath from Corvillus, passing on the lands which were the original bones of contention, and finally, with the purchase from Maurus, excluding the Audualdi from 'Mallianus' altogether. The abbey's policy was clearly dictated not by the requirements of an expanding agricultural estate, but by political considerations.

If the Audualdi represent a class of small landowners or owner-cultivators – a 'middling sort' in the context of the Sabina's social spectrum – why were they so unsuccessful? In addition to reckless criminality on the part of at least one of them, the answer seems to lie in their lack of anything extra that might add political leverage to the simple fact of their landowning. They display no aristocratic associations, and apparently held no posts of responsibility within the Sabine community: they did not sit on tribunals, witness charters except their own, or administer others' estates. Moreover, they appear subordinate to men, like Eudo's *fideiussores*, who evidently did possess some of these attributes. The Lombard society that this conjures up, at least before 774, is one in which local notables maintained their status and exercised their power as part of a nexus that connected them to institutions – the ducal apparatus, the monastery – that were at their most robust when facing those outside that nexus.

Moving up the social scale to a higher level of property owning, the benefits of such wealth in its own right becomes apparent. That the wealthier had greater social latitude is borne out by the circumstances of some of our attested sales. It was not poverty that lay behind the sale by the brothers Benedict and Teuderad of two properties in 749.<sup>47</sup> Since both pieces of land had resident cultivators who rendered dues to the holders, the brothers had a steady income. The prices they received, two substantial sums, were not required to buy food. In each case, the monastery's payment included horses along with coins. Hisemund too, in his sale of lands in 'Criptula' discussed above, received a mixture of livestock and specie.<sup>48</sup> Such prices constitute evidence for an active market in property.

Herbert Zielinski gave the monastery the credit for driving this market. Since eight of its thirteen purchases fell within the 760s, he identified that decade as a period of consolidation, in which the monastery filled out and rationalized the estates it had received in the first flush period of benefaction in the generation following Duke Transamund's donations.<sup>49</sup> This

<sup>47</sup> *CDL* v 14 and 15.

<sup>48</sup> *CDL* v 34. In this case, the price was an ox, two cows, a mule and six *solidi*: 'bovem. i., vaccas. ii., iumentam. i. et auri solidos. vi.'

<sup>49</sup> Zielinski, *Studien*, p. 122. Duke Transamund's donations: *CDL* iv/1 1 and 2.

was not the case with the lands it bought from San Vincenzo in 761, however, nor with the purchase from Lucanulus, nor with one of the *casales* it bought from Auto.<sup>50</sup> In these instances, the initiative to sell might have rested with the vendor. They were probably driven not by the profit motive but by their changing requirements as property holders. We can only speculate about these: the costs of war, the demands of the court, capital investment in estates. We do not possess the data to answer this question, but it is clear that these men were not selling out of necessity. We continue to encounter other vendors for a considerable period after their sales: Hisemund remained a prominent actor in the Sabina long after his sale in 762. Sales for a purely cash price also attest to the operation of this market, and we have some references to sales between individuals: Acerisius had bought one of his *casae* from two other men.<sup>51</sup> Cash purchases ranged from a few olive cuttings to estates worth 100 *solidi*.<sup>52</sup> The coin and other movables paid by the monastery were clearly in demand. They were the motors of an elite economy in which commerce was playing an increasing part.<sup>53</sup>

Whether the monastery coaxed them into selling or not, we lack the information to distinguish between the wealth of these vendors relative to each other. But they all had access to a range of goods denied to those with fewer assets and therefore had economic horizons of a different order from those dependent on the land. Only testaments, which offer examples of actual total wealth, indicate the extent of those horizons. There are four in the collection, three of which outline entire estates.<sup>54</sup> None details their properties exactly, often contenting themselves with giving a simple

<sup>50</sup> San Vincenzo's land 'in loco Valeriani': *CDL* v 29. Lucanulus's property at 'Corneto': *ibid.*, 42. Auto's *casalis* of Sisinnianus: *ibid.*, 49.

<sup>51</sup> *CDL* v 55 (777). In this case, an entire estate was encompassed by the phrase 'casa . . . cum terris'. See also *CDL* v 82 (778): Iohannes had bought unspecified property in 'Plage' from the sons of Christocenus.

<sup>52</sup> Olive cuttings; *CDL* v 1 and 2: these first two, very small transactions date from twenty years before the run of major private donations to the monastery begins. Estates all priced at 100 *solidi*: *CDL* v 29, 42 and 43. The uniformity of these prices suggests that they were customary rather than the product of a price mechanism in a 'free' market.

<sup>53</sup> M. McCormick, *Origins of the European Economy. Communications and Commerce, AD 300–900* (Cambridge, 2001), pp. 319–42 and 582–638; A. Rovelli, 'Monetary circulation in Byzantine and Carolingian Rome: a reconsideration in the light of recent archaeological data', in J. M. H. Smith ed., *Early Medieval Rome and the Christian West. Essays in Honour of Donald A. Bullough* (Leiden, 2000), pp. 85–99, at pp. 85–94; Wickham, *Framing the Early Middle Ages*, pp. 735–6.

<sup>54</sup> *CDL* v 52, 55, 63 and 82. The issuer of 63, archipresbiter Iohannes, actually made a donation of only half a *casalis*, but its form closely resembles a late Roman testament. On the other hand, 82 has the form of a donation, although its long list of property is more in keeping with a will. The issuer of the latter, presbiter, was probably the synonymous witness in 63, not the issuer. The subscribers of both documents called them *testamentum*, but the testament-form was obviously not in the repertoire of Gudipertus, the scribe of 82.

list of toponyms.<sup>55</sup> Exact comparisons are therefore impossible, but we do have an impression of the breadth of their properties' dispersal, and an approximate idea of the numbers of landed and urban properties involved. Of the three, only Acerisius had property in the city of Spoleto, and he had the broadest spread of holdings, ranging across at least five *territoria*. The lands of the others, Teuderacius and Iohannes, all lay within the gastaldate of Rieti.<sup>56</sup> We can supplement those of Teuderacius with the donation of his widow ten years later, who gave to Farfa not only what she had been left by her husband but another eight properties besides.<sup>57</sup> Taken together, they make Teuderacius easily the largest landholder of the three. But all had legal power over the cultivators of their estates. Acerisius could apparently no more number his tenants than he could his flocks and herds. His scribe described both with the barest of formulae.<sup>58</sup> Teuderacius's document, on the other hand, names the fourteen people he transferred to members of his family or to a monastery, and the four he freed. But we have seen that explicit names in a charter do not necessarily imply any familiarity with these people on the part of the issuer. He may simply have been better informed at the moment of charter redaction – by an estate manager, for instance – than was Acerisius. Thus in scope, extent and in the nature of their transfer, these properties were of very similar quality, as were their proprietors. The testaments of these men display the same mentality of landholding: a set of values concerning their wealth generated within the community itself.

The prosopographical connections between the testators and their witnesses bear out this notion of a common mentality. Of the thirteen witnesses to the three major testaments, nine appear in three other charters, two of them relating to property already mentioned in the testaments.<sup>59</sup> The first of these is the donation by Ansa mentioned

<sup>55</sup> Acerisius (*CDL* v 55) was particularly vague: 'meam portionem, qualiter nobis pertinent nobisque servierunt sive in Narnate, sive in Sabinis, sive in Marsis, sive in Interocro, sive in Pitiliano'.

<sup>56</sup> On the locations of 'Occianus', 'Arisanus', 'Veneria', 'Tariano', 'Iliano' and 'Ausigiano', see Saracco Previdi, 'Lo *sculdahis*', pp. 668–76. Some appear in the maps at the end of this study. All other toponyms in these four documents cannot be identified exactly, though most were in the Sabina, e.g.: 'casalem in eodem territorio Sabinensi, qui dicitur Medianula . . .', *CDL* v 63.

<sup>57</sup> Though some of these may have been the *casae* in the unidentified 'Topcia' which Teuderacius had included, under different toponyms.

<sup>58</sup> *CDL* v 55: 'casas colonicias vel peculiarias . . . cum familiis, liberis pro liberis, servis pro servis . . . Familia vero mea, quae michi ionfra casam deservivit, tam masculorum quam feminarum . . . Peculia vero mea, hoc est cavalli, iumenta, pecora, porci.'

<sup>59</sup> Petrus presbiter witnessed the testament of his father, Teuderacius (*CDL* v 52), and the charter of his mother, Ansa (*ibid.*, 84). The latter document was subscribed by Teudemund *sculdahis* and Opteramus, witnesses to the testament of Iohannes presbiter (*ibid.*, 82), who himself also subscribed the testament of Teuderacius. Iohannes's other witness, *gasindius* Paul, issued a charter in

above. All seven of the witnesses had extensive connections in the community.<sup>60</sup> The first of these was Ansa's son Petrus, a cleric. Both he and the two *sculdascii* Teudemund and Gisulf had witnessed one or other of the testaments.<sup>61</sup> In fact, between them the *sculdascii* witnessed twenty-two of the thirty-eight surviving Farfa charters between 773 and 787. Although this was a function of their office, their recurrent encounters with the same non-official individuals at transactions indicates the limits of the social group in which they operated. Teudemund had already been in Rieti a month before witnessing Ansa's donation, where he had encountered another of her witnesses, Ofteramus, and the priest Iohannes. The latter had already witnessed the testaments of both Teuderacius and Acerisius, perhaps to see how it was done, since he was now issuing his own. The other witness on that occasion had been a man with royal connections, the *gasindius* Paul. Clearly, these men were mixing in the same circles on a regular basis, and came to know each other well.

The document following that of Ansa in the *Regestum*, issued by Abbot Probatas of Farfa, reveals a microcosmic episode in the life of this community. It provided for the exchange of two very small pieces of land *suptus muros civitatis Reatinae* (under the walls of the city of Rieti).<sup>62</sup> This was a simple rationalization, since the drains of the abbey's house ran through the grounds of the neighbouring house, belonging to the notary Stephanus, and there was a vacant plot between the two houses which belonged to the abbey. Probatas gave this plot to Stephanus and received land for the drains of the abbey's house in exchange.<sup>63</sup> The abbey in fact possessed a row of houses there. The next one along had been given to it

786 in which Acerisius appears and which Fulcoald, who had also witnessed Acerisius's testament, subscribed (*ibid.*, 99). Other witnesses of Acerisius's testament (*ibid.*, 55) include Teudemund, already mentioned, and gastaldi Alefridus and Godefridus, who appear together in a number of other documents (*ibid.*, 24, 39, 42 and 43). The only witnesses not in these other charters are Aderisius – who may in any case be identical with Acerisius – and three different men named Lupus: a *clericus*, a *mazosanus* and a *vir illustis*, the latter especially associated with Teudemund, who witnessed two of the testaments (e.g. *ibid.*, 66 and 67).

<sup>60</sup> One of these was also witnessed by Celsus, and by Hildericus, the father of Iohannes, another of Ansa's witnesses (*CDL* v 77). The last witness, Leo, along with Teudemund, also attested the next charter in the collection (*ibid.*, 85).

<sup>61</sup> I have taken the plural form *sculdascii* from one of the Latinized forms of the word, *sculdascius*: see Niermeyer, *Lexicon*, s.v.

<sup>62</sup> Whether these were outside or inside the city is not clear, though their small size suggests that they were inside.

<sup>63</sup> At least, this is my interpretation of 'cambiavimus . . . terrulam nostram secus casam tuam . . . Unde recepimus. in cambio terram ad praedictam casam ad grundam . . .' The land which Farfa received from Stephanus was 42 *pedes* long, but only 10 across at its broadest point – measurements consistent with its use for drainage.

by Acerisius in his testament eight years earlier.<sup>64</sup> In another eight years, Stephanus's house had passed to the priest Gualdipert, who in turn transferred it to Farfa in an exchange. The abbey then sold the whole row to the *gasindius* Paul.<sup>65</sup> With his appearance, we have turned full circle, back to the testament of Iohannes. The figure of Paul provides a useful indication of the horizons of this community, since he came from a prominent and powerful family. The 150 Lucchese *solidi* he paid for the houses in Rieti betray the riches accumulated from his family's long service to successive kings: we shall investigate their status in greater depth below.<sup>66</sup> It suffices to say here that despite its wealth and connections, this family did not remain aloof from the community in which they were rooted.

The series of acts concerning those few houses in Rieti emerge from this discussion as representative of the general tenor of community activity in this region. The exchange between Stephanus and the abbey speaks of a spirit of co-operation between the two as the abbey developed the plots it had acquired in the previous few years. An especially eloquent testimony to this attitude is the payment by Paul of a supplement to the ordinary agreed price for all the houses.<sup>67</sup> Zielinski attributed this to a law of Aistulf which required the payment of composition should an exchange made with an ecclesiastical institution be nullified by the lay party's successor. Equally, the improvements which the monastery had made to the property (indicated by the earlier exchange with Stephanus) might have prompted a payment above the *pretium diffinitum* – the agreed price.<sup>68</sup> Either way, Paul was a co-operative party, eager to secure his place in the properties' tenurial tradition. He certainly did not attempt to challenge the abbey's position in the courts. Again, the sources give the impression of an agreement between friends, or at least acquaintances. The preparedness to co-operate in the successful exploitation of properties involved a strong measure of social cohesion among substantial property holders. The frequency with which apparently disinterested men attended the transactions of their fellows also attests to this cohesion. In witnessing the acts of others, they facilitated the fluid movement of property, kept themselves informed and ensured that they in turn might count upon the co-operation of their peers in exercising property rights.

<sup>64</sup> '... secus casam cuiusdam Acerisii ...', see *CDL* v 55. <sup>65</sup> *CDL* v 99. <sup>66</sup> See chapter 6.

<sup>67</sup> *CDL* v 99: 'et secundum legem pro meliorata causa super totum completum pretium de ipsis casis ... dedi ... pratium in Lauriano territorii Reatini, quod est modiorum decem in integrum'.

<sup>68</sup> For the law by which Paul stated he made the supplementary payment, Zielinski points to Aistulf 16. See *CDL* v p. 319, n. 1. However, the phrase *pro meliorata causa* suggests either some form of improvement (i.e. 'on account of the improved property') or an amelioration following a dispute (i.e. 'for the settlement of the case'). No explicit Lombard law refers to the sale of redeveloped property, which is what we are dealing with here.

Exercising property rights was often more a medium through which to express status, and therefore power, than it was simply a means to accrue material wealth. Even though the status of Farfa as a focus for pious donations distorts our view of overall property flows, the abbey was sole beneficiary in only just over half of the extant charters.<sup>69</sup> The remainder were sales or exchanges, none of them glaringly one-sided. Stephanus, for instance, gained no great material benefit from his exchange with the abbey, nor did he lose anything. Similarly, when Rimichisus received half a *casalis* from the monastery in exchange for a whole one, we should not suppose that he was short-changed. *Casalis* is a descriptive term, not a unit of measurement. The supervising presence of Hisemund, in his role as a secular official (*sculdahis*), argues against any serious exploitation of power on the part of the monastery.<sup>70</sup>

Also striking, especially to those familiar with the development of landed tenure north of the Alps in this period, is the absence of anything like precarial grants at this date (that is, up to the very end of the eighth century). Leases do eventually appear in the Farfa archive (the first in 792), and would become important instruments in the middle decades of the ninth century, but they remained rare before 840: there are only ten dating before then in the *Liber Largitorius*.<sup>71</sup> That they are just as rare in the earliest documents, still preserved as originals, from San Salvatore on Monte Amiata, suggests that this is not an accident of preservation. In many parts of Francia, on the other hand, *precaria*e were already common by the mid-eighth century.<sup>72</sup> In fact, though, *precaria*e can be seen as much as social as economic arrangements, their purpose being to temper outright ownership while including an acknowledgement of where ultimate rights of ownership lay. In the Sabina, the kinds of dispensations that we have just looked at – involving co-operation, social support and economic rationalization – were equally devices to mitigate rights of outright ownership, revealing essentially the same social rationale behind landownership.<sup>73</sup>

<sup>69</sup> Fifty seven out of a hundred (the other four documents in the Spoleto section of *CDL* v deal with San Vincenzo and, in one case, Casauria).

<sup>70</sup> *CDL* v 39 (764). As with most of these exchanges, the monastery was simply rationalizing its holdings: it received part of 'Pinianus' from Rimichisus, and a further small section from Siso a few months later (*ibid.*, 41). This *casalis* bordered 'Antianus', which was very close to the monastery and the subject of an on-going plan of acquisition: see *ibid.*, 2, 24 and 44.

<sup>71</sup> See L. Feller, 'Précaires et livelli. Les transferts patrimoniaux *ad tempus* en Italie', in 'Les transferts patrimoniaux en Europe occidentale, VIIIe–Xe siècle (I). Actes de la table ronde de Rome, 6, 7 et 8 mai 1999', *Mélanges de l'École Française de Rome. Moyen Âge* 111/2 (1999), pp. 725–46.

<sup>72</sup> Fouracre, *Age of Charles Martel*, pp. 137–45; L. Morelle, 'Les "actes de précaire", instruments de transferts patrimoniaux (France du nord et de l'est, VIII<sup>e</sup>–XI<sup>e</sup> siècle)', in 'Les transferts patrimoniaux en Europe occidentale, VIII<sup>e</sup>–X<sup>e</sup> siècle (I). Actes de la table ronde de Rome, 6, 7 et 8 mai 1999', *Mélanges de l'École Française de Rome. Moyen Âge* 111/2 (1999), pp. 607–47.

<sup>73</sup> Innes, *State and Society*, pp. 72–3.

## *Power and Patronage in Early Medieval Italy*

The absence of tenures implies that the supply of land exceeded demand, and that the free flow of property was therefore an essential expression of social freedom. A layman's participation in property transactions, whether as actor or witness, was in itself a statement of status. It empowered him within the community.

### ESTATE STRUCTURE, LAND MANAGEMENT AND CHARTER TERMINOLOGY

The basis of social and political activity in the early middle ages was, ultimately and overwhelmingly, land.<sup>74</sup> Wealth derived from the working of land. It was land that gave to Farfa its status, and provided the medium through which it interacted with its patrons. Given this basic fact, it is to modern eyes one of the curiosities of the Farfa charters that they concern themselves only obliquely with the productive capacity of the lands that they transfer. In contrast to some Italian documents, they say relatively little about the extent of wealth recoverable, in quantifiable terms, from any given estate, and do not always, or even routinely, discuss the amounts of renders due to landlords from peasants (though the Farfa charters do sometimes state that those renders should not change when lands were transferred).<sup>75</sup> This does not, of course, evince a lack of interest in these lands, or of appreciation of their significance for wealth and status. It points rather to three things: a recognition of the essential uncertainty of agriculture in this era; the important role in landowning and management of face-to-face and/or oral communication, assumed, but rarely stated, by charter scribes; and the fact that estate management was often a matter of the landlord imposing control in socio-political terms, rather than simply of his economic benefit.<sup>76</sup> Farfa's charters reveal the sheer extent of the lands that the abbey had received by the end of the eighth century, which ranked it among the richest ecclesiastical institutions in western Europe. It acquired this wealth entirely through legal transfer: Farfa's gain was always somebody else's loss. Our charters therefore furnish evidence for the wealth of Farfa's benefactors, as well as for that

<sup>74</sup> See C. Wickham, *Land and Power. Studies in Italian and European Social History, 400–1200* (London, 1994), pp. 1–5.

<sup>75</sup> Wickham, *Framing the Early Middle Ages*, pp. 293–7.

<sup>76</sup> As discussed by Wickham, *ibid.*, p. 295, on the basis of the work of B. Andreolli, esp. 'Contratti agrari e patti colonici nella Lucchesia dei secoli VIII e IX', *Studi medievali* 19 (1978), pp. 69–158, at pp. 129–31; Andreolli, 'La corvée precarolingia', in *Le prestazioni d'opera nelle campagne italiane del Medioevo* (Bologna, 1987), pp. 15–33; Andreolli, 'L'evoluzione dei patti colonici nella Toscana dei secoli VIII–X', *Quaderni medievali* 16 (1983), pp. 29–52, at pp. 36–40; and Andreolli and M. Montanari, *L'azienda curtense in Italia. Proprietà della terra e lavoro contadino nei secoli VIII–XI* (Bologna, 1985), pp. 52–64.

of the abbey itself. Moreover, the nature of the charter as a source means that they furnish plentiful information about the way in which that landed wealth was organized and managed.

Recent work has revealed a great deal about that organization. Chris Wickham has presented a comprehensive and convincing picture of land management, so much so that our task here will be simply to finesse it by detailed reference to the Farfa charters. In general, the Italian evidence reveals that estates were by the eighth century usually organized according to a very basic manorial pattern: that is, at least some lands were directly held by lords, to be cultivated by the labour service of his tenants. There are references to such service (often termed *angaria*) almost as far back as our documents stretch.<sup>77</sup> In Tuscany, the Carolingian conquest marked a rise in incidence and frequency of labour service. But there were plenty of estates there with no demesne at all.<sup>78</sup> Across central Italy, we can see a very high level of fragmentation; we do not often find a whole village territory (which we can in a Sabine context associate with the term *casalis*, as we shall see) owned by single proprietor.

In the Sabina, labour service is attested early in our run of charters.<sup>79</sup> These, however, are often revealing because of what they do not tell us. Amounts of service are rarely given in the eighth-century charters, and when one charter specifies that the peasants only owe service on the estate on which they live, this may be because of its unusual diplomatic form, rather than an indication of the particular reality of this case.<sup>80</sup> But what indications there are of labour service suggest that there was not much demesne around to be worked in that way. One charter of 786 specifies the amount of *angaria*, and it is low: three weeks a year.<sup>81</sup> Heavier service comes only in the mid-ninth century, and then only in one area, in the mountain valleys to the north like that of Falagrina.<sup>82</sup> What is more, the evidence for slave-worked demesnes is much poorer than Toubert thought, especially when one realizes that much of it refers to the estates of one family – the family, moreover, which provides the best evidence in

<sup>77</sup> E.g. *CDA* 1, 2, a document of 735/6 from the Monte Amiata archive but involving a rental agreement between a lay landlord and peasant tenant.

<sup>78</sup> Wickham, *Framing the Early Middle Ages*, p. 295 with n. 75.

<sup>79</sup> *CDL* v 11: 'si ipsi homines coloni nostri residere voluerint in ipso casale, omne servitium aut dationem, quod nobis fecerunt de predicto casale Fornicata, qui in suprascripto gualdo esse videtur, persolvant in ipso Dei coenobio tantummodo, ut nulla eis fiat superimpositio, nisi ut superius diximus, quantum de preminato casale nobis persolverant'. This is a perfect example of the tendency in our charters for actual quantities to be left vague – or, perhaps better, oral. The words for service and renders here – *servitium* and *datio* – are unusual.

<sup>80</sup> *CDL* v 63. My interpretation differs here very slightly from that of Wickham, *Framing the Early Middle Ages*, p. 296.

<sup>81</sup> *CDL* v 100. <sup>82</sup> *LL* 7, 15, 17, 24, 31–3 and 51.

the eighth century for *angaria*.<sup>83</sup> The amount of demesne given over to arable seems therefore to have been very limited; where we encounter untenanted estates, they often consisted of silvo-pastoral land.<sup>84</sup> This is a description that fits quite well with that advanced by Tits-Dieuaide for Merovingian-era Francia.<sup>85</sup> But how applicable is it to Farfa's immediate locality? We might see the Sabina as the kind of region described by Kuchenbuch as a *Rentenlandschaft*: a region with its own particular assumptions about patterns and amounts of rents and services due to landlords from peasant tenants.<sup>86</sup> What we have already seen of the particularity of scribal charter formulae certainly encourages that view.

The fact that most of our evidence is obtained by picking apart charter formulae has often in the past encouraged quite a legalistic view of the problem of landed organization. Our documents show people and the estates on which they lived in close linkage, an indication that land needed people to work it. But treating the legal status of lands and people together has sometimes in the past led to rather arid analyses of vertical social relations.<sup>87</sup> This legal emphasis has strong roots in the historiography on Italian landholding. At the end of the nineteenth century, and in the first decades of the twentieth, legal historians dominated the study of early medieval Italian society. The work of those such as Leicht emphasized the enormous extent of fiscal lands and the consequent power of kings and dukes over agrarian relations at the time when records first come to light in the first decades of the eighth century; these conclusions simply reinforced those of traditional general historians, notably Hartmann.<sup>88</sup> Leicht believed that the Lombard warrior communities (*farae*) were settled on fiscal lands in the sixth century, especially in areas like the Sabina which stood on political frontiers.

<sup>83</sup> This is the Hilderici, for whose political position see below, pp. 237–40. Their leading light, gastald Hilderic, was responsible for the donation of 786 (*CDL* v 100) which gives us some of our best evidence for *servi*; the issuer of another document attesting *servi*, *CDL* v 56, was his aunt, Elina. This modifies Toubert, *Les structures du Latium médiéval*, pp. 469–71, for whom the Hilderici are more representative than exceptional.

<sup>84</sup> Wickham, 'European forests'.

<sup>85</sup> M.-J. Tits-Dieuaide, 'Grands domaines, grandes et petites exploitations en Gaule mérovingienne', in A. Verhulst ed., *Le grand domaine aux époques mérovingienne et carolingienne* (Ghent, 1985), pp. 23–50.

<sup>86</sup> L. Kuchenbuch, *Bäuerliche Gesellschaft und Klosterherrschaft im 9. Jahrhundert* (Wiesbaden, 1978), pp. 236–44.

<sup>87</sup> See the criticisms of studies like those of André Déléage on Burgundy (*La vie économique et sociale de la Bourgogne dans le Haut Moyen Âge* (Mâcon, 1941)) in Reynolds, *Kingdoms and communities*, pp. 108–13.

<sup>88</sup> Leicht, *Studi sulla proprietà fondiaria nel medioevo* and L. M. Hartmann, *Geschichte Italiens im Mittelalter*, 4 vols. (Gotha, 1900–23). Much the same conclusions were reached by Schneider in his classic *Die Entstehung von Burg und Landgemeinde in Italien*.

These invaders shattered the large late Roman estates which elsewhere, and especially in papally controlled areas, were held to have continued and consolidated at the expense, if not to the near extinction, of small free peasant proprietors whom, Hartmann claimed, almost disappeared in some places.

Work of this sort raised all sorts of issues which spawned a host of studies from a variety of ideological standpoints, some highly significant, but most need not concern us here. From the specific perspective of the structure of landholding, the successors of Leicht and Schneider over the subsequent fifty years viewed the subject, in the typical manner of Italian historiography, in a strongly ideological way. Marxists began with an image of the slave mode of production in the late empire, and of a landscape dominated by great *latifundia*, which gave way gradually to a 'feudal' mode in which former slaves had been legally liberated but tied to the land in dependent holdings. In itself, this is not a satisfactory explanation of the situation as we find it in the eighth century: the strains which such a rigid interpretation places on evidence of enormous diversity have often been noted.<sup>89</sup> But the perception of a movement from slavery to peasantry (whether free or serf), from great estates to small parcels of worked land (that is, family units), lies behind much of the work on the subject, and especially behind the study of the apparently central development: the emergence of bipartite manorial organization, better known to Italian historiography as the *sistema curtense*. This term was already in use at the end of the nineteenth century, its main outlines well established: a demesne worked directly by tenants and by those who lived on it, and tenant holdings owing labour service and rent in money or kind to the lord of the demesne.<sup>90</sup> The *sistema curtense* model has provided a convenient and congenial framework of inquiry for large numbers of specific studies by historians, especially in the decades since the war. But it should be stressed that it is only a model. It is worth repeating the words of one of the most prominent historians of the northern European bipartite system, Adriaan Verhulst: 'This mostly abstract model, the so-called classical form, occurred almost nowhere in its ideal form. And the model was not static, but constantly

<sup>89</sup> See Brown, *Gentlemen and Officers*, p. 197, criticizing Z. Udaltsova, 'Slavery and the colonate in Italy under the Byzantine domination (particularly according to the papyri of Ravenna) I' [in Russian], *Vizantivskie Ocherki* (Moscow, 1961), pp. 93–129.

<sup>90</sup> A triumphantly comprehensive analysis is now available in Wickham, *Framing the Early Middle Ages*, pp. 280–302; see also P. Toubert, 'Il sistema curtense: la produzione e lo scambio interno in Italia nei secoli VIII, IX e X', in R. Romano and U. Tucci eds., *Storia d'Italia. Annali 6: economia naturale, economia monetaria* (Turin, 1983), pp. 5–63, at pp. 7–9.

in evolution.<sup>91</sup> The *sistema curtense*, therefore, is a heuristic device with limits. It is not necessarily helpful to invoke it every time one encounters a holding owing labour service, or a piece of land farmed directly by its bonded inhabitants.

An attempt to use any of the defined models of the *sistema curtense* in an analysis of the lands acquired by Farfa in the eighth century has to avoid predetermined definitions of the language we encounter in the charters. Exponents of the *sistema curtense* model tend to assume that, for example, the words *casa massaricia* and *casa domuscult(il)a* (and their various cognates) involved single specific concepts which were understood across the whole of northern and central Italy; and that these concepts included bundles of phenomena, encompassing not only the land and the people on it, but also the owners and their relations with the inhabitants.<sup>92</sup> I will prefer here to concentrate on the terminology, in order to establish what the phenomenon of the *casa* (or the different phenomena of different *casae*) may have been that the words were attempting to describe. This is a more empirical and more suitable approach than one which begins with a predetermined set of concepts derived from the traditional conception of the *sistema curtense*. We begin by examining the words used in the Sabina for lands or portions of lands on their own terms, to try to define them in a contextual way, rather than by comparing them with their meanings in other regions, or in an abstract model.

When it appears unqualified by another word, *casa* is a term with an enormous variety of possible definitions: house, cottage, hut, farm, estate, village, measure of land. In charters transferring property, it has three categories of meaning: it appears in this former, very generic, sense in pertinence clauses; it is used to describe peasant houses (or homestead plots); and, in the context of estate organization, it is usually linked to a qualifier to produce a phrase with a much more precise meaning. Thus we encounter *casa massaricia* or *casa tributaria* for tenements in a bipartite estate, *casa dominica* for the plots of labourers on the demesne.<sup>93</sup> The latter phrase never appears in the eighth-century Farfa charters, but we begin with what is often considered a synonym: *casa domusculta*.

We have already seen the case in March 761 in which, in compensation for his theft of a horse from the abbey, Audo (or Eudo) transferred to Farfa a *casa domuscultilis* with its *oratorium* (of S. Eugenia), and two *casae*

<sup>91</sup> A. Verhulst, 'Economic organization', in *NCMH* II, pp. 481–509, at p. 489.

<sup>92</sup> Baldly stated by A. Castagnetti, *L'organizzazione del territorio rurale nel medioevo. Circoscrizioni ecclesiastiche e civili nella 'Langobardia' e nella 'Romania'* (Turin, 1979), p. 172; and heavily implied by Toubert, 'Il sistema curtense', pp. 10–11.

<sup>93</sup> Toubert, 'Il sistema curtense', pp. 10–11. For *casa tributaria*, see *CDL* I 116, and *CDL* II 203: *casa massaricia* occurs much more commonly.

*massariciae* in the *casalis* of ‘Mallianus’ (Magliano Sabina).<sup>94</sup> This charter reveals, among other significant points, the contemporary perception of a clear difference between *casa domuscultilis* and *casa massaricia*. The former phrase does not appear in this precise form in any other eighth-century Farfa charter. We do, however, encounter *domus cultiles* in a donation of June 778 in which Godescalcus gave a variety of lands to the abbey, among them ‘domos cultiles meas quae et de fratre meo Iohanne in fundo Bebbiano et criptas, casas, vineas, terras, silvas, poma, culta vel inculta’.<sup>95</sup> Their number is not specified, but their nature may be inferred from the mysterious (and, as far as I can see, unique) appearance of the word *criptas* in the pertinence list, which can be read to mean either ‘caves’ or, more probably, ‘crypts’ (that is, subterranean chapels).<sup>96</sup> Since, in Audo’s charter of 761, the phrase also described the land on which a chapel stood, it might be suggested that *domus cultilis* generally referred to ecclesiastical land. Yet if in the 778 charter the phrase were associated with a chapel or chapels, we would expect to find the name of the dedicatory saint or saints, which we do not. The phrase is clearly a form of the term *domusculta*, which has traditionally been assumed always to signify demesne land. The language of the 761 charter certainly implies a distinction between *casa domuscultilis* and *casa massaricia* which could be interpreted as conforming to the classic bipartite model.<sup>97</sup> We can see the first of the two occurrences of the term *domusculta* on its own in the same light: in 753, Abbot Rothari, with his wife (a nun) and four sons, gave Farfa fifteen *olivae talliae* ‘quas domuscultae habuimus’.<sup>98</sup> Since the charter specifically mentions the trees (in this context, *olivae talliae* could even simply mean cuttings from the trees) rather than the land on which they grew, we can infer that that land remained in Rothari’s hands. And that land had no one else living on it, no tenants of any description, whether bonded or legally free. In other words, it was part of his demesne.

<sup>94</sup> CDL v 31: ‘tradidi ipsam casam domumcultilem cum ipso oratorio et casas massaricias duas in iamdicto casale Malliano’. The identification of ‘Mallianus’ with Magliano Sabina is perfectly obvious, but confirmed in Saracco Previdi, ‘Lo sculdahis’, p. 676.

<sup>95</sup> CDL v 86.

<sup>96</sup> That such chapels existed is evident from archaeological remains. The earliest chapel at San Vincenzo al Volturno was, at least partly, underground: see J. Mitchell, ‘The crypt church’ and ‘The crypt reappraised’, in Richard Hodges ed., *San Vincenzo al Volturno I: the 1980–86 excavations*, Archaeological Monographs of the British School at Rome 7 (1993), pp. 40–74 and 75–114.

<sup>97</sup> See, for example, R. Balzaretto, ‘The curtis, the archaeology of sites of power’, in R. Francovich and G. Noyé eds., *La storia dell’Alto Medioevo italiano (VI–X secolo) alla luce d’archeologia* (Florence, 1994), pp. 99–108, esp. p. 102, referring to lands near Milan in the mid-ninth century.

<sup>98</sup> CDL v 18. It is not clear of where Rothari was abbot: Zielinski speculates about ‘una piccola fondazione privata’ (CDL v, p. 74), and certainly, given the fact that he had a wife and four sons, we should probably be thinking in terms of one of those private houses barely (by most standards) worthy of the name *monasterium*, of which there are many examples in eighth-century Italy.

## Power and Patronage in Early Medieval Italy

The second occurrence of *domusculta* on its own throws into question its straightforward definition as ‘demesne’, however. The donation of 777 by one Victor includes *domuscultae* among a long list of estates which are otherwise termed *portiones*.<sup>99</sup> As on most of these *portiones*, the presence on the *domuscultae* of *coloni* is expressly noted, and there is nothing else in the description of the former lands to distinguish them from the latter. It should be noted, however, that *portio* here, as elsewhere, refers not to land per se but simply to a share of a landed inheritance. It is in fact striking how rarely the descriptions of *portiones* in our charters mention the cultivators who lived on the land in question. Apart from the five *portiones* in Victor’s 777 donation with a specified presence of *coloni*, there are only five further instances of *coloni* linked to *portiones* in the private eighth-century charters, out of at least sixty-nine *portiones*.<sup>100</sup> The vast majority of them simply have pertinence clauses like those in the 777 charter. These begin with *casae*, a word which obviously implies that someone lived there, but these people are not specified, and we do not know their status – whether bonded or tenant. Can we then say that all the *portiones*, or *domuscultae*, which specify the presence of *coloni*, like those in Victor’s donation, were groups of tenancies, while those which do not – the majority – were portions of demesne land? In theory, this is a *question mal posée* because we are not comparing like with like: *portio* was not a term for a landholding, but a legal term for the division of an inheritance. Yet in Victor’s charter an equivalence between *portio* and *domusculta* is obvious. An answer to the conundrum may perhaps be found if we bear in mind the purpose of this charter: it was intended to convey landed wealth. Its description of that wealth entails not quantity, in any measurable way, but quality: ‘my share in X, with the following elements (that is, houses, vineyards, lands, woods, orchards, etc.)’. It is written from the point of view not of the producer, but of the consumer: in an ‘economy of relationships’, both Victor and Farfa occupied the latter position. This implies that, whatever the tenurial status of the land, where it was not directly cultivated by the owner its management was left in the hands of those who inhabited it. Their tenurial position is apparently irrelevant.

<sup>99</sup> CDL v 76: ‘iterum domos cultas meas in Amiterno: casas, vineas, terras, prata, silvas, poma, cultum vel incultum, quantum in eodem loco habuimus, cum colonis vel omnibus, quae ibi habere visi sumus in integrum’. Amiterno was clearly a region as well as a single settlement: according to Manaresi, it had been the seat of the bishops of the Sabina in the Constantinian era (Manaresi, *I placiti*, p. 88, n. 1), but it was on the edge of that territory. In the Lombard period, part at least of the region was a ducal *curtis* (CDL IV/1 17). It lies in the heart of the Abruzzo, about sixty kilometres east-north-east of Farfa, on either side of the Aterno river, see Saracco Previdi, ‘Lo *sauldahis*’, p. 671.

<sup>100</sup> CDL v 11, 21, 25, 82 and 88.

## *Sabine lands and landowners*

The charter assumes that they fulfilled the terms of their tenure by producing all that is implied by the list of appurtenances.

Another instance of the term, this time in the form *domus cultilis*, seems to refer more explicitly to a tenant holding, in marked contrast to that of Abbot Rothari's 753 donation. The *sculdahis* Teudemund entrusted his son Gualdipert to the abbey in December 776, along with Gualdipert's share of the family lands, which included: 'in Foro Novo casas massaricias decem cum domibus cultilibus, quae reguntur per . . . [there then follows the names of the ten *massarii*]'.<sup>101</sup> Interpretation of this clause naturally begs the question of what *casa massaricia* might mean, which we shall consider in greater detail below. Traditionally, however, the term has been defined as a tenant holding and, if we accept this definition for the moment, the *domus cultiles* must also have formed part of these holdings, since they too are said to be 'controlled' or 'managed' (the most likely translation of *regere* here) by the named peasants. The word *reguntur* here – the universal term for the nature of a *massarius*'s control over his *casa massaricia* in our charters – implies nothing about the conditions under which the *massarii* exercised their control.<sup>102</sup> we do not know whether they owed rent or service. Again, their precise tenurial status is less important than the fact that the management of the land was in their hands: the implied contrast here, as in the previous example, is not with a large demesne estate worked by servile labour, but with a plot directly cultivated by the owner. It may be, on the other hand, that these *domus cultiles* were plots with which each tenant was specifically associated as cultivator, though they passed the produce to the landlord.

Evidence from a slightly different source suggests a similar appreciation of the different forms of tenure. This is the ducal *notitia* that we have already examined recording the dispute between the priest Claudianus and his brother Vitulus. As we have seen, Vitulus claimed that on Claudianus's suggestion he had relinquished his share of the land at 'Terentianus', and that the two brothers had co-operated to build a monastery there, for the upbringing and education of their sons. According to Vitulus, the land at 'Terentianus' was the only piece of *domusculta* which the brothers had inherited: 'habuimus substantias per singula loca, et domumcultam non habebamus nisi unam casam in Terentiano; alias casas tantum colonicias habebamus'.<sup>103</sup> The meaning

<sup>101</sup> CDL v 68. Saracco Previdi, 'Lo *sculdahis*', p. 675, n. 379, implies that 'Forum Novum', if it is identical with 'Vicus Novus', lay to the east of Farfa, a few miles up the Fosso Riana.

<sup>102</sup> See e.g. CDL v 31, 45, 83 and 86.

<sup>103</sup> CDL IV/1 12. Vitulus lost the case, because the charter which he produced to verify his statement about the original settlement over the land at 'Terentianus' was found to have 'nec notarium

here is quite clear: the brothers could not build the monastery on the *casae coloniciae*, because these were holdings with resident tenants; they had to build on the *domusculta*, the only piece of land under their direct control. Unlike those of the oblate Gualdipert, this *domusculta* did not have *coloni* living on it. Assuming, as is almost certain, an equivalence between *casa colonicia* and *casa massaricia*, this charter indicates a fair degree of flexibility in the use of *domusculta* and related terms, since here *domusculta* stands in contrast to *casa colonicia*, whereas on Gualdipert's land the *domusculta* was an intrinsic part of the *casa massaricia*. The contrast is mitigated somewhat, however, if we translate *domusculta* and *casa colonicia/massaricia* not as, respectively, 'demesne' and 'holding', but as 'land in direct cultivation' and 'land in indirect cultivation'. Thus, the *domuscul(t)ila* of a *casa massaricia* was land directly cultivated by the holder of the *casa massaricia*, while *domusculta* pure and simple was land cultivated by the owner himself (even where those who actually got their hands dirty were slaves).

The flexibility of the term *domusculta* is confirmed by a donation charter of May 778, a gift to the abbey by the priest Iohannes of a number of properties in the Sabina and near Rieti. The *dispositio* lists first those in the Sabina: 'in Tariano, in fundo Iliano, Ausigiano et Casalia: in primis casam Toccioli, casam Clarissimi, casam Iohannuli, casam Cioccioli, et omnes domos cultiles meas in Argasiano, casam Bibuli, casam Saxuli, casam Probatuli, casam Valerioli, casam Candosali, et portionem meam de domo cultile in ipso casale'.<sup>104</sup> The natural assumption to make here is that the *casae* of named residents are tenant holdings, to which the first 'domos cultiles' refers. Yet, since there is an implied contrast between these properties and the *portio* 'de domo cultile', the latter term must refer to a share of land under direct control. In this charter, then, the impression conveyed by those surveyed earlier is confirmed: *domusculta* can mean both the land which the holder of a *casa* cultivated, and the land which an owner cultivated directly, with or without the help of labour service by his tenants (on which our charters are silent).

These *domuscultae* are a far cry from the more famous contemporary examples of the term in the *Liber Pontificalis*, which refers to lands close to the Sabina in the neighbourhood of Rome and in the Roman Campania, which were acquired by or donated to the church of Rome and organized or reorganized by popes Zacharias and Hadrian I. Leaving aside the

verum . . . nec testimonia' (neither a true notary nor witnesses); this and other features of the *notitia*, while highly significant for a number of aspects of eighth-century Lombard society, are not germane to the point at issue here. 'Terentianus' cannot be located precisely, but seems to have lain in the *gualdus* S. Iacinthus, just to the west of the abbey along the Farfa river: Saracco Previdi, 'Lo *sculdahis*', p. 673, and Migliario, *Strutture*, p. 97.

<sup>104</sup> CDL v 82.

origins of these papal estates, which have been extensively, if not decisively, covered, it is easier to list the dissimilarities between these *domuscultae* and those in the Sabina than it is to find points of useful comparison.<sup>105</sup> The papal *domuscultae* exhibit a number of features which are not shared by those in the Sabina. Zacharias's establishment of estate complexes called *domuscultae* at some point between 742 and 751 was, it is generally agreed, an innovation in papal landholding.<sup>106</sup> When we first encounter *domuscultae* in the Sabina, in precisely this period, on the other hand, they were clearly already a long-established type of landholding. Claudianus and Vitulus were disputing, in December 750, a *domusculta* which they had inherited, presumably from their father, 'not less than thirty years' before.<sup>107</sup> The term *domusculta* had therefore been in use in central Italy for a considerable time before it was applied to Zacharias's creations. As Raymond Davis has recently pointed out, the one feature of the papal *domuscultae* which the writers of the *Liber Pontificalis* continually stress is their inalienability.<sup>108</sup> The very existence of our charters indicates that the Sabine *domuscultae*, by contrast, were eminently alienable. Nor is it the case that Sabine *domuscultae* were organized, by their previous owners or by Farfa, to provide a peasant militia, as those on papal land perhaps were.<sup>109</sup> And, since we do not know the composition of the papal *familia* which was to form the peasant militia, whether slaves, tenants or other bonded labourers, we cannot compare their statuses with those of the inhabitants of the Sabine

<sup>105</sup> For the origins of the papal *domuscultae*, see now especially Marazzi, *I Patrimonia Sanctae Romanae Ecclesiae nel Lazio*, pp. 235–60. This is more detailed than Raymond Davis's succinct and broadly accurate survey of the issue in *Lives of the Eighth-Century Popes*, pp. 31–4. See also C. Wickham, 'Historical and topographical notes on early medieval South Etruria', *PBSR* 46 (1978), pp. 176–7, Brown, *Gentlemen and officers*, pp. 186–7 and n. 21, and O. Bertolini, 'La ricomparsa della sede episcopale di "tres tabernae" nella seconda metà del secolo VIII e l'istituzione delle "domuscultae"', *Archivio storico romano* 75 (1952), pp. 103–9.

<sup>106</sup> Zacharias was consecrated on 3 December 741 and died on 15 March 752: effectively, therefore, he was active between 742 and 751 inclusive.

<sup>107</sup> *CDL* IV/1 12: 'Sunt modo anni non minus. XXX., ex quo habuimus substantias divisas cum istis fratris meis . . .' The specific figure thirty was simply intended to establish Claudianus's possession beyond the thirty-year rule – the traditional length of uncontested possession which established ownership. There is a remote possibility that he was also trying to evade trial by combat, as stipulated in *Leges Grimaldi*, c. 4. The notion of a judicial ordeal, however, goes against the whole tenor of this and other contemporary court cases. Despite Claudianus's appeal to the thirty-year rule, this ducal court, for example, still required him to produce an authentic charter: an indication not so much that Roman forms of proof were gaining gradual acceptance in Lombard courts, but that, since this case is a relatively early survival, and only four years after Ratchis had legislated preferring charters to oaths as proofs only in disputes over sales (*Leges Ratchisi*, c. 8), a preference for written forms of proof was already well established. See further Wickham, 'Land disputes', pp. 238–41, and above pp. 99–110.

<sup>108</sup> *Lives of the Eighth-Century Popes*, trans. Davis, p. 33.

<sup>109</sup> See Noble, *Republic of St Peter*, pp. 247–9.

*domuscultae*. The single feature of the papal *domuscultae* which may have some relevance to the Sabine examples is their geographical coherence. On this point the old consensus that Zacharias and Hadrian deliberately accumulated adjacent lands to form large coherent blocs has been challenged. Philip Jones and, following him, Chris Wickham, have pointed out that the papal *domuscultae* need not necessarily have been composed of contiguous lands.<sup>110</sup> Some other quality marked them out as *domuscultae*. Inalienability has been mentioned, and is highlighted by Davis.<sup>111</sup> It is in this sense that we may be able to see some similarity with the use of the term in the Sabina: Sabine *domuscultae* might represent core family patrimony (inherited, as opposed to acquired, land), regardless of mode of exploitation.

This review of the use of the term *domusculta* has therefore revealed a serious obstacle to interpreting these Sabine charters in terms of the traditional conception of the *sistema curtense*. In describing estates, the charters are concerned less with the tenurial status of the land than with its physical features and the means by which it was exploited. Moreover, the paucity of examples of charters mentioning *domuscultae* suggests that the majority of the lands transferred to Farfa had people living on them who were not the owners, and who lived in *casae*. On the other hand, *casa*, with or without a qualifying word, could also mean an expanse of cultivated land, and not simply the house in which its cultivators lived. When it appears on its own, as it does in a majority of cases, it is impossible to tell whether this is a *casa* inhabited by tenants paying rent in money, kind or labour, or by bondsmen living on land over which they have no control, and paying more severe, less contractual, dues with their produce or labour.

While the exponents of the traditional bipartite model have often defined *domusculta* as ‘demesne’, they have more often, and with more confidence, defined *casa massaricia* as ‘tenant holding’. Yet, in the context of the language in which it appears in the charters, the same argument can be made for *casa massaricia* as for (*casa*) *domuscult(il)a*. We have already seen that the property at Magliano with which the horse thief Eudo compensated Farfa in March 761 included both a *casa domuscultilis* and two *casae massariciae*. The relevant passage of the charter reads: ‘tradidi ipsam casam domumcultilem cum ipso oratorio et casas massaricias duas in iamdicto casale Malliano, quae reguntur per Saburronem, Lupolum et Corvulum massaros . . . : casas cum oratorio, terris, vineis, pratis, pascuis, silvis, cultis vel incultis, mobilibus et immobilibus, omnia et in omnibus, qualiter a me

<sup>110</sup> See Wickham, ‘Historical and topographical notes’, pp. 174–7.

<sup>111</sup> *Lives of the Eighth-Century Popes*, trans. Davis, pp. 33–4.

possessa sunt, exceptis tribus unciis ex ipso casale, quas in mea reservavi potestate ...'<sup>112</sup> The interpretation of this passage presents two key problems. Were the three named *massarii* attached only to the *casae*, the explicit description of which as *massariciae* implies these were the exclusive residences of *massarii*, or did two live on (or in) the two *casae massariciae* and one on the *casa domuscultilis*? And, where did the three excepted *unciae* of land lie? The first question can be approached through comparison. The phrase 'quae reguntur/regitur per X' is the most usual way for the scribes of the Sabine charters to describe the inhabitants of particular *casae*.<sup>113</sup> In almost every other example of the phrase in which specific numbers are given, the number of named *massarii* exactly matches the stated number of *casae*.<sup>114</sup> By extension, therefore, the stated number of *massarii* in this case is likely to refer to three *casae*: to the *casa domuscultila* and the two *casae massariciae*. The pertinence clause of the charter confirms this impression. It begins 'casas cum oratorio', and earlier in the charter, we encounter 'casam meam domumcultilem cum oratorio Sanctae Eugeniae'. The *casae* inhabited by the three *massarii* therefore include the *casa domuscultilis*, complete with its chapel. Crucially, this charter therefore establishes that, in the Sabina at least, *massarii* could be the sole occupants of a *domusculta*, as well as of a *casa massaricia*. Whence the three *unciae*? The wording of the charter suggests that these three-twelfths of a *iugerum* may in fact not have been part of the lands transferred at all. From our point of view, however, it is significant that a measure of land is used, rather than a description of its means of cultivation. This implies that there was no other cultivator for the reserved land but Eudo himself. It also indicates that we are dealing here with a contiguous farm, rather than disparate strips of land.

The apparently self-evident definition of *casa massaricia* as a farm inhabited by a *massarius* is not borne out by our charters. In fact, only in the example just examined are those living on a *casa massaricia* expressly called *massarii*. Elsewhere, they are given no specific appellation, except in

<sup>112</sup> *CDL* v 31.

<sup>113</sup> We sometimes simply encounter *casa* with the name of the *massarius* in the genitive, e.g. *CDL* v 101: 'casas massaricias in Amiterno quinque: idest casam Furculi, casam Sindolfi, casam Iohannis, casam Palumbi, casam Iuliani'.

<sup>114</sup> Specifically, in *CDL* v 45, 51, 52, 68, 75, 78, 79, 82, 83, 84, 86, 91, 94 and 101; and *IV/1* 23, 27 and 32. Although there are three instances in which one *casa* is inhabited by two men, the wording of two of these, both in *CDL* v 82, is sufficiently different from that in *CDL* v 31 to suggest that the latter cannot be interpreted in the same way. In *CDL* v 39, however, we find phrasing comparable to that in *CDL* v 31, but here clearly referring to two men on one *casa*: 'casam. i. in Eicicule, qui regitur per Valentionem et Vitulum'. Since this is a single isolated instance, however, the weight of probability supports the interpretation put forward here.

one case, in which they are called *coloni*.<sup>115</sup> Conversely, our single instance of a *casa colonica* gives no descriptive word for its inhabitants, whereas at three *casae colonaticae* (another unique form) at 'Praetorio' the inhabitants were called *coloni*.<sup>116</sup> This latter term is by far the more popular word for peasant cultivators (for such they were, whatever their tenurial status) in our charters. We encounter *massarii* in only one other instance: again describing the three named inhabitants of three *casae* (this time without the qualifying term *massaricia*).<sup>117</sup> Thus, we have the strongest possible indication that words like *massaricia*, *colonica* and *colonatica*, when qualifying *casa*, all refer to the same phenomenon: land cultivated by someone other than its owner. *Domuscult(il)a*, while it sometimes referred to the area under the direct cultivation of the owner, more usually also meant tenanted land in this general sense. It remains for us to ask whether the charters' preferred term for a unit of cultivated land – the single word *casa* – can also be interpreted as signifying the same broad phenomenon.

A brief glance at our evidence reveals that *casa* was a term with a number of different usages. These can be divided into three very broad categories. When the property described as a *casa* was in a town, it is very clear that it meant, quite simply, a town house.<sup>118</sup> The term often, though not invariably, also appears at the beginning of pertinence clauses, heading a list of features of a transferred property. Since the other features typically include vines (or vineyards), 'lands' (*terrae*) and 'woods' (*silvae*), and since these clauses are almost invariably included in charter *dispositiones* which also specify the presence of cultivators on the land, these instances of *casa* almost certainly refer to the dwellings of those cultivators.<sup>119</sup> The third category comprises all those *casae* which appear in the main body of the *dispositio*, in an analogous position to the *casae massaricae* and *casae domuscult(il)ae* just examined, and it is these which must be the primary focus of investigation.

The terms in which our charters describe donated *casae* can be illustrated by the charter with which Ansa, the widow of Theodoracinus,

<sup>115</sup> *CDL* v 101.   <sup>116</sup> *CDL* v 91.   <sup>117</sup> *CDL* v 51.

<sup>118</sup> See *CDL* v 33, 45, 55, 75, 82, 88 and 100: the latter was a house in Spoleto, the others all in Rieti.

<sup>119</sup> See *CDL* v 31, 51, 55, 75, 78, 79, 82, 83, 84, 91, 94 and 101. The only exceptions, in which *casae* listed in a pertinence clause do not appear alongside cultivators, are one instance (*CDL* v 94) in which the abbey exchanged apparently uninhabited land for inhabited estates, and one singular donation (*CDL* v 33) in which properties in four rural locations (along with a town house in Rieti) were given to the abbey by one Theodoris, without any mention of cultivators. In this latter instance, the word *casas* in the pertinence clause must be intended to encompass people as well as their dwellings.

offered herself, her daughter and their property to Farfa in June 778. Among other properties, the charter lists

casas nostras in Scandilia, cum terris, vineis, pratis, silvis, pascuis et omnia in integrum . . . simul et in Eiciculis in loco, qui dicitur Vicus, casas nostras, quae reguntur per Bonulum et Antoniolum, cum terris, vineis, omnia in integrum; simul et in Nernate casas nostras, quae reguntur per Radualdum et Corvinulum; simul et casas nostras in Azano, quae reguntur per Grausulum et Alparium . . . <sup>120</sup>

Ansa's estates included the three features which are central to our charters' descriptions of landed property: units of cultivation, inhabitants and appurtenances, both natural and man made. Units and their inhabitants appear in the two different combinations in which we invariably encounter them. The *casae* in 'Vicus', in 'Nernate' and in 'Azano' have named cultivators, while those in 'Scandilia' apparently have none. Clearly, these differences raise a question about the accuracy of our charters. If no inhabitants are mentioned, does this indicate that there was indeed none, or simply that the charter scribe was haphazard in his recording of the facts? A quick survey of the charters of the Lombard ducal period (that is, down to 789) reveals an overwhelming dominance of *casae* of which the cultivators are explicitly mentioned (ninety-one in total). Only six and a half *casae* apparently had no cultivators (or, indeed, any inhabitants at all).<sup>121</sup> This suggests that the latter *casae* were directly cultivated by their owners. But the circumstances of the transactions in which they are mentioned present other possibilities. Only one of these latter *casae* appears in a donation charter in the strict sense, but since this is a document in which more than twenty-one individual units are mentioned, it seems likely that the *dispositio* was, of necessity, rather more concise than in most other charters.<sup>122</sup> Three and a half of the *casae* with no cultivators were lands which the abbey gave in exchange for tenanted

<sup>120</sup> *CDL* v 84. Ansa's late husband Theoderaci(n)us issued a testament in 768, see *CDL* v 52. On the rather remarkable fact of women entering the abbey as oblates, see above, chapter 4. 'Scandilia' is the modern village of Scandriglia, about 7.5 kilometres south-east of Farfa, see Saracco Previdi, 'Lo *sculdahis*', p. 675, n. 389; 'Vicus' was in the modern region of Cicolano, though its exact location is now irrecoverable; 'Nernate' (or 'Narnate') was a region, lying north of the Monti Reatini and comprising the valley of the Corno and the adjacent mountains, which constituted a minor *gastaldato* until at least 953: see Saracco Previdi, 'Lo *sculdahis*', pp. 669–70 and n. 322; 'Azano' is unlocateable, unless it is a scribal error for 'Atriano', near Bocchignano, a few kilometres to the east of Farfa, see Migliario, *Struttura*, p. 81.

<sup>121</sup> *CDL* v 24: one in 'Secundilianus'; *CDL* v 45: half in 'Vallis Tybae'; *CDL* v 51: two in 'Dotale'; *CDL* v 83: one in 'Octavus'; *CDL* v 84: one in 'Scandilia'; *CDL* v 94: one in 'Pompinianus'

<sup>122</sup> *CDL* v 24. The charter was a gift of estates from a *sculdahis*, and uses four different terms for units of cultivation. Given the relative scarcity of parchment, and the fact that all extant charters are written on single sheets, it seems likely that there simply was not room on the available parchment to give a full list of the twenty plus tenants of the lands.

units.<sup>123</sup> The other two *casae* of this sort appear in *offersiones* (including that of Ansa), the wording of which, in both cases, suggests that they were part of the endowment of a church.<sup>124</sup> The potentially significant aspects of Farfa's administration of its lands and of the cultivation of the *doties* of rural churches to which these facts point must be examined elsewhere. For our immediate purposes, we should note only that there are good reasons why cultivators are not listed in these charters, reasons which need not indicate that there were no cultivators on these lands.<sup>125</sup> In other words, we cannot take the absence of references to tenants as an indication of land directly cultivated by its owner.

The absence of demesne land – in the sense of that directly cultivated by its proprietor – is striking. Even if those estates not described as having cultivators were indeed lands of such a type, their tiny number relative to those with tenant-cultivators shows that demesne lands hardly featured at all in the direct property transfers in which Farfa was involved. This may not, in fact, be all that surprising: proprietors were much more likely to alienate tenant plots than estates at the core of their property. Nevertheless, that Farfa did not receive such demesne land can be explained in one of two ways: either those who depended solely on the land which they worked themselves were very few in number in the Sabina; or men of that class did not enter into donations or exchanges with the abbey. Our examination of the relative status of proprietors indicates the latter.

The most important point to emerge from this analysis of *casae* is that, whatever the vocabulary used by the charter scribes, the phenomenon they describe was essentially constant: *casa*, however qualified, meant a tenant holding. That the terms on which these *casae* were held are obscure in our charters must indicate the priorities which issuers felt when having these charters drawn up. The tenants must have rendered dues and services to their proprietors: we can certainly assume that they did not hold their land without a payment of some kind. But the irrelevance of such renders in donations and exchanges suggests either that the terms of tenure were universal and did not need to be specified or, more likely, that issuers expected that the abbey would instigate new conditions of tenure after the property came into its hands. If reorganization was the natural and anticipated consequence of donation, larger arrangements of estates must have been of great importance, and it is in fact the case that

<sup>123</sup> CDL v 45, 51 and 94. <sup>124</sup> CDL v 83 and 84.

<sup>125</sup> The ecclesiastical associations of these lands suggest either the existence of some sort of immunity, or (more likely) that church institutions maintained a pool of bonded labour which did not change hands when land was transferred out of the church's hands.

the term which we see most often as the descriptive word for specific, explicitly located land is not *casa*, but *casalis*.

In modern Italian, *casale* means both a farm and a group of houses comprising a hamlet. The early medieval term *casalis* cannot, unfortunately, be defined in so straightforward a way. It occurs largely in charters and, since charters were deeds of legal title to property, may have implications for the legal status, management and structure of the property, as well as for the kind of business carried on there. The difficulty of defining *casalis* is evident if we simply look back at what has already been said about early medieval 'Mallianus' (close to later Magliano Sabina). 'Mallianus' was a coherent bloc of land, described with some consistency as a *casalis*. In that instance, then, *casalis* was essentially a geographical term. We can find some corroboration of this from a charter of November 777, a donation by the *sculdahis* Teudemund. He gave

casalem nostrum, qui dicitur Gabinianus, qui est per designata loca: a capite via publica, ab uno latere usque fossatum de Casalibrici, et ab alio latere usque limitem, qui vadit ad ipsum monumentum, a pede terra de predicto monasterio, cum casis, terris, vineis, silvis, pomis, arboris et cultis vel incultis, mobilibus vel immobilibus, omnia in integrum, quanta ad ipsum casalem pertinent, cum colonis, qui ibidem resident, idest Fratello, Antoniolo et Alpulo, Cuntefredo, et quantum ipsi coloni ad manus suas tenent et ad ipsum casalem pertinet . . . <sup>126</sup>

'Gabinianus' lay approximately on the site of the modern village of Gavignano, about five kilometres north-east of Farfa along the left bank of the Tiber. Several features of its appearance here are notable. First, the inclusion of the boundary clause strongly suggests that, at least in this instance, the term *casalis* indicates a homogeneous geographical area: as we shall see, other instances of the term suggest rather different interpretations. Boundary clauses are rare in the Farfa charters – a rarity which itself increases the likelihood that 'Gabinianus' had a relatively well-defined identity as a coherent estate.<sup>127</sup> We can locate this *casalis* with relative accuracy. The boundary clause tells us that on one side it reached as far as the boundary of 'Casalibrici'. This is very likely to be the farmhouse marked on modern maps as Casa Libici, whence springs a stream which runs down to the Tiber.<sup>128</sup> On this side of 'Gabinianus' there was another *casalis*, named 'Bassianus', which Farfa had acquired in 756 in an exchange

<sup>126</sup> CDL v 77.

<sup>127</sup> The extant charters of the eighth century include only five other boundary clauses of this type: CDL iv/1 4, 5 (both pieces of the same *gualdus*), and 24, and CDL v 9 and 23. CDL v 46 also contains a boundary clause, but this may be a later interpolation. Only one of these clauses – that in CDL v 23 – describes another whole *casalis*.

<sup>128</sup> IGM 144.IV.NE, grid ref. UG 853039.

with the *actionarius* Gunduald. This charter, too, includes a boundary clause and since, from among all the eighth-century Farfa charters, only three other properties – two of them in the same *gualdus* – are described with such a clause, we may surmise that there was something unusual about the area of ‘Gabinianus’ and ‘Bassianus’.<sup>129</sup> These *casales* are likely, in fact, to have formed part of a ducal *gualdus* which had been alienated by ducal officials based in the Sabina, perhaps during the upheavals associated with Aistulf’s seizure of the duchy.<sup>130</sup>

Although the extent of ‘Gabinianus’ cannot therefore be taken as typical, its structure may be more typical of eighth-century *casales*. In this regard, the inclusion of a full pertinence clause, beginning with *casae*, followed by a list of the *coloni* ‘qui ibidem resident’, is significant. It is too easy simply to dismiss the pertinence clause as ‘formulaic’, and leave it at that. If the charter scribe was asked to write that the land included (arable) lands, vines, woods and fruit trees, then it is likely that those were precisely the features that it did possess: other pertinence clauses omit mention of one or more of these features, and some add other features.<sup>131</sup> The intention must have been to convey the quality of the land, the sense

<sup>129</sup> The ‘terra de predicto monasterio’ which the boundary clause of ‘Gabinianus’ locates at its foot may be the *casalis* of ‘Bassianus’. If ‘Bassianus’ was bounded on one side by (*super*) the stream of ‘Casalibrici’, and on the opposite side (*desuper*) by ‘Gabinianus’, then the ‘foot’ of ‘Gabinianus’ must have lain roughly to the west, since the stream running from the modern Casa Libici is about one kilometre west of the modern nucleated settlement of Gavignano: ‘Bassianus’ lay in between the two. To the north was ‘Casa Librici’ itself. The boundary on that side was formed by the stream and then by a *fossatus* (CDL v 77) made of *signaida* (CDL v 23) which ran roughly east. To the east of ‘Gabinianus’ ran the *via publica*: the modern route 313 heads south from the mountains about two kilometres to the east of Gavignano. On the south side, the boundary of ‘Gabinianus’ extended from a *monumentum* – probably a sepulchral monument which stood on the road – to the boundary with Farfa’s property – that is, probably, ‘Bassianus’. To the south of ‘Bassianus’ were the lands either of Erfo or of the swineherd Fusulus. Given that the modern Gavignano is only one kilometre north-east of the Tiber, it is interesting that the river is not mentioned.

<sup>130</sup> Gunduald relates that ‘Bassianus’ was ‘de gualdo Gallorum’ and that it ‘michi ex dono Rotfredi castaldii evenit et per Nandonem archigualdatorem traditus est’: CDL v 23. He may have exchanged it in order to acquire property which could not be reclaimed by the duke. The abbey was a highly suitable recipient, since it was the last possessor from which any duke might try to take back the land. The property which Gunduald received in exchange initiated his significant association with the abbey’s important *curtis* of ‘Germanicana’, for which, and for more of Gunduald’s activities in this vein, see above chapter 3. Gastald Rotfred does not appear elsewhere in our documents, but Nando may be identical with the man of the same name who witnessed a charter of sale in 752 (CDL v 17), and the son of Siso who testified on the part of the abbey in a dispute in the episcopal court in 773 (CDL v 61).

<sup>131</sup> Compare, from among many possible examples, the estate of a church near Rieti, in a place called ‘Ad Arci’, given ‘cum casis, curtibus et ortis et vineis’: CDL v 101. Alternatively, there were estates with rather more pasture, like that in the Cicolano (‘Ciculis’) given to Farfa in 762, which included ‘casas, vineas, terras, prata, campos, silvas, salecta’ (CDL v 33). In the mountains to the south-east of Rieti, in the ‘Massa Nautona’, peasant *casae* existed among only ‘silvis et pascuis’ – there is no mention of arable land at all (CDL IV/1 33). Examples of such diversity abound.

that it would afford self-sufficiency to its inhabitants, if at subsistence level. As we have seen, the term *casae* in such a list must essentially refer simply to the dwellings of the inhabitants. The names of four *coloni* are given, but since Antoniolus and Alpulus are grouped together, there may have been only three *casae*.<sup>132</sup> We cannot tell whether the land itself was parcelled out into homogeneous tenements for each *colonus* (or group of *coloni*), divided into strips which were then apportioned to individual *coloni*, or worked communally. This will only become clearer when we look at transactions which involved portions of *casales*. But whatever the precise arrangement of *casae* within a *casalis*, it is clear from the above quotation, as also from the fuller and more nuanced example of 'Mallianus', that these *casales* consisted of a collection of tenanted *casae*. There is no sign of any sort of demesne at 'Mallianus' or 'Gabinianus'.

There was a clear equivalence between *casalis* and another term with a longer pedigree, *fundus*.<sup>133</sup> This is evident from the example of 'Fornicata', which formed part of the donations to Farfa by Bona, widow of Guerolf, gastald of 'Pantanum', in 747 and 748.<sup>134</sup> 'Fornicata' was divided into sections and called both *fundus* and *casalis*. Yet the description in Bona's second charter of the arrangements for the rendering of *servitium* and *datio* by the *coloni* suggests that, at 'Fornicata', the *casalis* retained a function beyond the purely geographic: 'omne servitium aut dationem quod nobis fecerunt de predicto casale Fornicata'. This statement might be taken to imply that the renders were made on the basis of the *casalis*: certainly, the notion that renders were counted by *casalis* rather than by *casa* is confirmed by our third charter for 'Fornicata', a case that we have already examined for what it reveals about kinship ties, in which two *coloni*, Bonuald and Radulus, endowed their uncle Martianulus with a third of their property, so that he would pay the requisite share of the 'angaria sive census'.<sup>135</sup> In effect, this legal act was a contract of association, or lease, and in their charter Bonuald and Radulus did not mention *casae* or other subdivisions of their land: we learn simply that they had undertaken the *affratio* – a very rare term – on the order of their lord, Abbot Fulcoald, 'in cuius casale nomine Fornicata videmur residere' and of their lords Fulculus and Maurus 'in cuius casale, idest Casula, portionem nostram tenemus'. The charter referred to the peasants' *portiuuncula* and *substantiuuncula* on these *casales*. In this case, then, it would appear that,

<sup>132</sup> For *casae* which were cultivated by more than one family head, see Toubert, *Les structures du Latium médiéval*, p. 484, n. 3 and compare RF II 75.

<sup>133</sup> For some general comment on the terms *fundus* and *massa*, see Wickham, *Framing the Early Middle Ages*, pp. 470–1.

<sup>134</sup> See CDL v 10 and 11: the gastaldate of 'Pantanum' was east of Spoleto. <sup>135</sup> CDL v 21.

although the *casales* were divided into individual peasant properties, renders were calculated on the basis of the *casalis* as a whole. In addition, if words like *angaria* and *servitium* should be taken to mean ‘labour service’, as surely they should, such *casales* begin to look like traditional bipartite estates. But this may be making one assumption too far: that is, we need not assume that *servitium* or *angaria* was performed on a patch of demesne within the *fundus/casalis* ‘Fornicata’. We do not know the stipulated extent of the service, nor its location. It is just as, if not more, likely that Bonuald, Radulus and Martianulus were asked by the abbey and their secular *domini* to travel to more distant, wholly demesne estates.<sup>136</sup>

These references to labour service do at least appear to confirm the existence of *some* demesne in the Sabina in the eighth century. In this context, perhaps the most significant feature of the appearance of ‘Fornicata’ in our charters is the absence of any reference to *casae*. Coupled with Bona’s stipulations about the *homines coloni nostri* who could stay and pay their dues to the abbey or leave, this suggests that the *fundus/casalis* of ‘Fornicata’ was organized along lines which resemble those posited for the demesne in the traditional *sistema curtense* model: that is, that the peasants did not have the same security of tenure as those who held *casae*.<sup>137</sup> The necessity to maintain payments of goods and services from ‘Fornicata’ is underlined by the appeal of Bonuald and Radulus to their uncle to help them out.

Does this mean that the term *fundus*, on the few occasions that we meet it, indicates land under demesne cultivation? One further example suggests not. In a charter of 778 there appear tenant *casae* ‘in fundo Cesenano’.<sup>138</sup> The fact that this came as an inheritance from the charter issuer’s brothers may indicate that these *casae* had originally been part of a homogeneous unit of cultivation that had been divided for the purposes of inheritance. We also encounter *fundi* divided by recent inheritance into portions, with no tenants mentioned.<sup>139</sup> The example of ‘Valerianus’,

<sup>136</sup> For analogous examples in the Garfagnana, see Wickham, *The Mountains and the City*, p. 71.

<sup>137</sup> Ring, *Lands of Farfa*, p. 169, misinterprets this provision in Bona’s charter as indicating the freedom of movement of the peasantry in the eighth century. He assumes that they would have had somewhere else, just as productive, to which to go. This seems unlikely. The provision is not a recognition of peasant rights, but a threat: the peasants could either pay their dues to the monastery just as they had paid them to Bona, or be cast off the land.

<sup>138</sup> *CDL* v 79. Much earlier, however, in 739, we come across *olivae* ‘in fundo Cesiniano’ which had been part of the endowment of a church, and were given back to the basilica of St Michael and its chapel of St Peter at Rieti (*CDL* v 3). If the ‘fundus Caesinianus’ had not been a coherent unit thirty-nine years before the donor gave Farfa his portion, it is unlikely that it had been so for a very long time. His charter indicates rather that *fundus* was here a convenient term of reference for a group of *casae* held by a number of different owners: see also *CDL* v 33.

<sup>139</sup> In *CDL* v 69 of 777, as part of Abbot Probat’s scheme to build an aqueduct, a certain Alipert gave a strip of land to the monastery. He described this land, which he had acquired as a dowry, as

which appears in two charters from consecutive years, confirms that *fundus* was most widely used simply as an alternative for *casalis*,<sup>140</sup> and *fundi* like ‘Salianus’ and ‘Mancianus’ were divided into heritable portions in the same way as *casales*.<sup>141</sup>

*Fundus* is also sometimes conflated in our charters with another term for an estate, *curtis*.<sup>142</sup> It may be that both terms originated in the language of fiscal property.<sup>143</sup> This emerges most strongly from the example of the estate called ‘Germanicana’. That this had been exclusively ducal land in the early eighth century is clear from the second oldest ducal diploma, of 740, in which Duke Transamund gave the abbey land (*terra*) ‘in fundo Germanicano prope pastinum Sancti Angeli’, ‘where the monks ought to pasture [their flocks]’.<sup>144</sup> Unlike other *fundi* which we have encountered, therefore, ‘Germanicana’ did not consist simply of individual arable farms tilled by individual peasant families and called *casae*. Some of it was open grazing land in 740. (We can conjecture that the *pastinus Sancti Angeli* was grazing land, similarly fiscal in origin, given over to the flocks of the monastery of S. Angelus outside Rieti.) Documents from 766 and later confirm that, even after the dukes had alienated some of it, ‘Germanicana’ had not simply been carved up into tenant *casae*. In 766 Duke Theodicius gave

casalem unum nomine Paternionem in finibus nostris Sabinensis, qui pertinet ad curtem Germanicianam, quam antea ipsum monasterium per donum sanctae memoriae domni Haistulfi regis habuit concessum; ipsum unum casalem in integrum cum duobus casis, quae in ipso casale positae sunt, quae recte esse videntur per Gilgeradam et Optimum germanos cum uxoribus et filiis atque familiis, qui in ipsis duobus focularibus residere videntur . . .<sup>145</sup>

being ‘half’ of ‘his’ *casalis* of ‘Marcianellus’. Neither assertion was strictly true, for in the next year his brother-in-law, Ursus, entered into an exchange with the abbey, receiving a house in Rieti for a portion of three *unciae*, with one tenant, ‘in fundo quod dicitur Marcianellus’ (*CDL* v 88). It is therefore likely neither that Alipert’s donation amounted to ‘half’ the *casalis*, nor that he had acquired the whole to begin with. It looks as though ‘Marcianellus’ had been a coherent estate, divided between Alipert’s in-laws relatively recently. Ursus’s charter also provides explicit testimony that *fundus* and *casalis* were considered synonymous in this case.

<sup>140</sup> Compare *CDL* v 67 (776): ‘simul et casalem, qui dicitur Valerianus . . . et alium casalem . . . et alium casalem . . . qualiter per ipsa precepta gloriosi ducis Hildeprandi confirmata habuimus’; and *CDL* v 75 (777): ‘casam meam in Sabinis fundo qui nominatur Valerianus’. Once again, the implication of the first charter, that the donor was giving the whole *casalis*, looks to have been erroneous. We should note, however, that like many other *dispositiones*, this one includes the standard formula ‘quanta ibidem ad manus nostras tenuimus possidenda’.

<sup>141</sup> For ‘Salianus’, see *CDL* v 56, 57 and 86, for ‘Mancianus’, *CDL* v 92.

<sup>142</sup> Compare, for example, ‘Pontianus’ in *CDL* IV/1 24 and *CDL* v 47 with *RF* v 1227.

<sup>143</sup> Gasparri, ‘Il regno longobardo’, p. 23, says that *curtis* could be used both for individual units and for the totality of fiscal properties in a given territory.

<sup>144</sup> *CDL* IV/1 2: ‘ubi pastinare ipsi monachi debeant’. <sup>145</sup> *CDL* IV/1 19.

## Power and Patronage in Early Medieval Italy

In one sense this was simply a confirmation of Aistulf's grant which, as is clear from other charters, consisted not only of the *casalis*, but of the whole of 'Germanicana'.<sup>146</sup> By 766 if not before, therefore, Duke Transamund's *fundus* of 'Germanicianus' was termed a *curtis*. Most crucially, this diploma seems to show that, unlike other *fundi* and *curtes* which we have encountered, it consisted not of *casae*, but of *casales* which were themselves made up of *casae*. Although in this case the *casalis* may have originally been the farm of one peasant family which was then divided between two sons, Gilgeradus and Optimus, it nevertheless appears to have formed part of a single property at the upper end of the hierarchy of estates.

In what sense did the *casalis* 'Paternio' constitute part of the *curtis* 'Germanicana'? Although at first sight we might naturally assume that the *curtis* was a single physical entity that was then subdivided, the phrase 'qui pertinet ad curtem Germanicianam' may give us pause. In a *notitia* of 776, we encounter the *casalis* 'Balberianus', 'qui fuit de curte Germanicana'.<sup>147</sup> Why not simply describe 'Paternio' as 'in curte Germanicana', in the same way that *casales* were said to be part of ducal *massae*?<sup>148</sup> It may be that these *casales* were not physically within the *curtis*, but were administered from it. We have a unique number of references to administrators of 'Germanicana'. Before 747, a certain 'Theodices' or Theodicius had been *conductor* of the estate.<sup>149</sup> The two *notitiae* in which the *casalis* 'Balberianus' appears concern that property's alleged theft 'de publico, idest de curte Germanicana' by Liutpert, 'dum ibidem ipse per multos annos actor fuisset'.<sup>150</sup> Since the *curtis* was then considered *publicus*, Liutpert must have been *actor*, that is, administrator, before Aistulf gave it to Farfa between 751 and 756. Finally, only a year after Aistulf's death, and therefore shortly after the abbey had gained possession of it, the *actionarius* Gunduald took the *curtis* 'in actione', promising to serve the abbey without neglect or fraud.<sup>151</sup> It is unusual in the context of our charters to see three such officials, over time, at one estate, and this might indicate that 'Germanicana' was itself unusual in its extent or lack of coherence when compared with the landed estates that we otherwise encounter as donations to the abbey.

Taken together with Duke Transamund's original grant, the evidence for administrators at 'Germanicana' suggests two possible structures for

<sup>146</sup> See *CDL* v 27 (757) and *CDL* iv/1 28 (776). <sup>147</sup> *CDL* iv/1 26.

<sup>148</sup> See e.g. *CDL* iv/1 37 for the 'Massa Pretorii', and *CDL* iv/1 33 for the 'Massa Nautona'.

<sup>149</sup> *CDL* v 8. It is possible that he rose to become Duke Theodicius. The latter's origins are, however, entirely obscure.

<sup>150</sup> *CDL* iv/1 26 and 28: quotations taken from the latter.

<sup>151</sup> *CDL* v 27: 'et sine omni neglecto vel fraude vobis debeam deservire'.

this *curtis*. It may have been an area of at least partly uncultivated land, to which were attached farms which may have been geographically distant. In 756, Gunduald himself had received from Farfa, in exchange for the *casalis* 'Bassianus' which we have already examined, land in Vico Novo, 'quae pertinet ad curtem Germanicianam'. If 'Vico Novo' is identical with the *massa* 'Foro Novo' already encountered, it may not have lain within an even larger *curtis* of 'Germanicana'. Similarly, the wording of the phrase which locates 'Paternio' 'in finibus nostris Sabinensis, qui pertinet ad curtem Germanicianam', suggests that it was 'Paternio', but not necessarily 'Germanicana', which lay in the ducal Sabina.<sup>152</sup> On the other hand, the circumstances of the dispute over 'Balberianus' suggest that this *casalis* may have lain geographically within the *curtis*. Liutpert 'apprehendit' it from the *curtis*, a verb which suggests a physical action, and not simply the requisitioning of revenue from a distant estate.<sup>153</sup> The terms of Gunduald's agreement with the abbey in 757, by which he took over the *curtis*'s *actio*, strongly imply a coherent estate: 'Et qualescunque causae agenda sunt in ipsa curte tam de terris quam et de familiis vel casis, quae de ipsa curte suptractae sunt, peragere debeam et minare pariter et fideliter tanquam proprias meas causas.'<sup>154</sup> Gunduald was there to prevent the further break-up of the *curtis*.

Duke Transamund's donation indicates that part of 'Germanicana' was open to common exploitation, like the *gualdi* which Chris Wickham has analysed.<sup>155</sup> Most of it may have been like this originally – unsettled, uncultivated and readily exploitable. The job of the *actor* or *conductor* would therefore have been to organize the exploitation by the surrounding populace. One of his tasks may have been to enclose parts of the land for the exclusive pasture of particular parties – such an enclosure must have preceded Transamund's donation to Farfa. Some tenant farms may already have existed there, other areas may have been farmed in traditional demesne fashion. It is also likely that virgin lands were settled and brought under cultivation. Significantly, none of the three surviving names for constituent parts of 'Germanicana' can certainly be shown to derive from old Roman names, and one, 'Vico Novo', strongly suggests that it was a recent creation (though, of course, it may have been *novus* in the third century BC). Although the *casae* themselves may already have existed, therefore, their grouping into *casales* was a relatively recent phenomenon at the time that they were transferred to the abbey. The creation of new groupings may not have been intended to fragment the *curtis*, but nonetheless it would have facilitated this process. Theodicius's

<sup>152</sup> CDL IV/1 19. <sup>153</sup> CDL IV/1 28. <sup>154</sup> CDL V 27.

<sup>155</sup> Wickham, 'European forests', pp. 493–5.

donation of 766 confirms that the fears of the abbey as expressed in its agreement with Gunduald were justified: the *casalis* 'Paternio' had already been separated from the *curtis*.<sup>156</sup> 'Balberianus', similarly, had to pass through convoluted legal proceedings before it was confirmed as Farfa's possession.<sup>157</sup>

Not only was 'Germanicana' not simply a collection of tenanted *casae*, therefore, it seems also to have been a nursery for smaller estate structures. How many other *casales* started life in this way is a question for future research. Very little in all of this speaks of the classic bipartite estate. Whatever the term used for them, the vast majority of the estates acquired by Farfa in the eighth century were collections of *casae*. These may not all have been self-contained farms, though their consistent linking with individual peasants and their *familiae* and occasional references to 'hearths' (*foculares*) strongly suggests that they were, but they were nearly all lands from which the owners extracted the surplus indirectly. There was very little labour service, and what there was was not very onerous. Demesne, therefore, seems to have been relatively unimportant. Aristocratic land-owners may even not have lived on such rural estates: there is good evidence for urban dwelling (in this case in Rieti) as the norm among them.<sup>158</sup> There may even be scope for suggesting that areas within a *casalis* were farmed communally, not as a form of demesne cultivation, but as an example of the kind of co-operation between peasants that occurred throughout the middle ages and beyond. Some forms of agriculture demanded this kind of approach. Much of the agriculture practised on 'Germanicana', for example, does not really qualify as demesne cultivation. Some of the land may have been open to common pasture of either pigs or sheep, and some of it was enclosed for pasture. Other areas were certainly tenant farms.

This kind of variety is mirrored especially on those groups of estates termed *massa* in our sources. There was, for instance, a *massa* belonging to the dukes that had no specific toponym but was defined in a charter by a boundary clause and appears to have been a heavily managed and extensive piece of land which had never been divided into individual strips or farms.<sup>159</sup> On the *casales* included in the 'Massa Nautona' and the 'Massa Pretorii', the order in which the features are given in the *dispositiones* of the two charters concerned (consistent in both cases) also suggests that the natural resources – arable lands, vines, woods and pastures – were worked in common.<sup>160</sup> The *casales* in 'Massa Turana' and at least one of those in 'Foro Nov(an)o', on the other hand, were apparently entirely partitioned

<sup>156</sup> CDL IV/1 19. <sup>157</sup> CDL IV/1 26 and 28. <sup>158</sup> See e.g. CDL V 99.

<sup>159</sup> CDL IV/1 24. <sup>160</sup> CDL IV/1 33 and 37.

into individual peasant farms.<sup>161</sup> ‘Massa Salaria’/‘Scandilia’ was a very varied estate, which included a simple *campus*, but, while it was divided into *casae* or *fundi*, the *dispositiones* in which they appear do not give a clear (or even a hazy) picture of the relationship between the *casae* and the natural appurtenances.<sup>162</sup> However they were organized, *massae* involved huge areas of land which may have included much *disabitato* – uninhabited land under no formal ownership and to which no formal obligations were attached, but which was available for exploitation by all the neighbouring farmers, in some of the various ways which Chris Wickham has explored in his study of early medieval forests.<sup>163</sup> This is strong confirmation that these *massae* were all of fiscal origin, probably recalling units of the Roman period.

By the mid- to late eighth century, though, they were losing, or had lost, much of their coherence. The word *massa* was generally used simply as a name element for geographical areas rather than as a term for discrete estates. The names of *casales*, too, were already established in the landscape when they first appear in our charters. In most of these cases, it would appear that the toponyms existed before the units called *casales*. *Casalis* is essentially a medieval term, not found in late Roman sources. It is cognate with other terms derived from *casa* which we find in documents from other parts of western Europe (and occasionally in the Farfa material) from the seventh century onwards: *casatus/a*, *casella*. Their toponyms, on the other hand, are derived overwhelmingly from Roman *gens*-names. As we have already seen, these names could also be attached to other terms – not only *massa*, but also, and more numerous, *fundus*. ‘Germanicana’ looks to have been one such name.

Most usually, individual toponyms were attached to the term *casalis*, and occasionally *fundus*, to refer to a village territory that often acted as a centre for the management of its estates, and collection of renders. Demesne land, properly speaking, was far from usual in such units. More rarely, as in the case of ‘Germanicana’, appear the terms *fundus* and *curtis*, both of which were units of administration, not necessarily contiguous and displaying signs of fiscal origin. The latter reveal some evidence for the kind of latitude of action for *actores* or *actionarii* that we have already examined. These men were a middling sort of landowner whose role in politics could be extremely influential, as we shall see in later chapters.

The evidence for the structure of land management, therefore, also has keen implications for our vision of the socio-politics of the Sabina. It

<sup>161</sup> *CDL* v 52, 89 and 100.   <sup>162</sup> *CDL* v 26 and 52.

<sup>163</sup> Wickham, ‘European forests’, pp. 479–545.

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evinces a good deal of variety both in practices and in the terminology used to describe them: words like *casa* and *fundus* had highly varied definitions that argue against the existence, or even the possibility, of any single system in the organization of land. What was most important was the physical reality of each individual estate: location, extent, coherence (or lack of it) and topography are all likely to have contributed to the prominence in our record of, for example, 'Germanicana'. In this case we can see how these factors might also have inflated the importance of the 'managerial' class. The evidence that we have for their autonomous activity (to be put in context in chapter 8) might be taken as one explanation for the widely observed move from labour service to money rent at the end of the ninth century.<sup>164</sup> It may also explain why Farfa had no estates of the extent that required inventories or polyptychs, as did some abbeys in northern Italy: the one text of this kind from Farfa, listing slaves, dates from the early part of the ninth century.<sup>165</sup> Even these northern examples proved short lived, but in the Sabina it may have been the relative strength of the class of estate managers, and the opportunities created for them by political instability, which discouraged the concentration of estates and encouraged larger landowners to take money rents when they could get them.

### FAMILY AND PROPERTY

Whether landed property and social status related to each other on a social or an economic level, neither was attached simply to individuals. Though not absent from this society, the much-discussed phenomenon of the individual is of only limited utility in understanding it. As is now widely recognized, early medieval European societies worked most often in groups, in collectivities, and the most basic of these was the kin group.<sup>166</sup> Kinship operated in social hierarchies both horizontally and vertically. To the extent that the 'family unit', to use an anachronistic phrase, worked as a single entity within some social-hierarchical relationships, it can be seen as bonded horizontally. This practical kinship often bound together by inheritance a group whose members existed on the same social level as one another. Official kinship, on the other hand, could work vertically, describing relationships between those within a kin

<sup>164</sup> Observed by, for example, Wickham, *Framing the Early Middle Ages*, p. 300 with n. 86.

<sup>165</sup> *CFI*, pp. 258–75, repeated in *RF* v, p. 274. See Feller, *Les Abruzzes médiévales*, pp. 136–7 with n. 2.

<sup>166</sup> Essential now is G. Althoff, *Verwandte, Freunde und Getreue. Zum politische Stellenwert der Gruppenbindungen im früheren Mittelalter* (Darmstadt, 1990), now trans. by C. Carroll as *Family, Friends and Followers. Political and Social Bonds in Early Medieval Europe* (Cambridge, 2004), pp. 23–64.

group who had higher social status – through exercising their rights as proprietors, for instance – and those who had less.<sup>167</sup>

Some demonstration of a certain familiarity to the modern historian of the operation of kinship in early medieval Italian society is provided by a document, already seen in relation to oblation, which was issued in the city of Rieti in the duchy of Spoleto in May 768.<sup>168</sup> A local man, Teuderacius, was travelling north of the Po, and, perhaps thinking that he would not come back, provided for the future disposition of all his property, for the good of his soul. His son, the cleric Peter, was to have usufruct of the lion's share, including a well-endowed church (S. Cecilia in 'Beruniano').<sup>169</sup> On Peter's death, his inheritance was to pass to the abbey of Farfa. Teuderacius's wife, Ansa, was also provided for, given the usufruct of a series of farms with their bonded labourers and livestock. These too were to pass to Farfa on Ansa's death. Teuderacius made smaller bequests to his two daughters, Teuderia and Rosa, each of whom would obtain a single farm worked by a single peasant family. In their cases, there was no provision for what should happen to the property afterwards. Teuderacius hedged his spiritual bets by giving an estate, *post obitum*, to the monastery of San Salvatore on Monte Letenano (on the other side of the Reatine territory from Farfa), and a series of horses and oxen to local priests. His final pious gesture was to free four slaves.

In many ways, these dispositions seem unremarkable to modern eyes. Teuderacius's was a nuclear family. If in the early middle ages the family's identity was defined by its ownership of property, then in this case that identity was shared by all members of the immediate family – son, wife and daughters. Although the proportions that each were given varied, nonetheless we can discern a unified inheritance strategy, giving some priority to the rights of the son but also allowing the widow to retain some independence, and providing the daughters with the wherewithal for dowries if required. In fact, we know that the widow, Ansa, retained more power even than her husband's charter granted her, because ten years later she took the lead in issuing a more detailed disposition of her family's property in favour of Farfa.<sup>170</sup> The simple fact of the freedom to dispose of property of one's own free will is one of the most 'modern' traits displayed by Teuderacius and his family in their documents. The situation revealed by Teuderacius's original disposition was covered, in

<sup>167</sup> For examples of 'vertical', 'official' kinship in the Carolingian Rhineland, see Innes, *State and Society*, pp. 85–93.

<sup>168</sup> *CDL* v 52; see above, pp. 143–8.

<sup>169</sup> The location of this church is unknown. Note that ten years later its dedication had changed to S. Helias: *CDL* v 84.

<sup>170</sup> *CDL* v 84.

broad terms, by the written laws then available. Liutprand had legislated on the right of a free man to dispose of his property as he wished.<sup>171</sup> Yet other laws by the same king and by Aistulf sought to specify the proportions of property that should pass to daughters and wives.<sup>172</sup> There was obvious scope for conflict here. In practice, however, property comprised not easily divisible units but a complex conglomeration of lands, farms, peasant households and slaves. The natural tendency, evident in Teuderacius's charter, was to divide according to these real entities, rather than in strict proportion. Charters therefore passed over these laws in silence, as they did the laws just mentioned that seemed to allow such dispositions by charter in the first place (as I have implied, the latter were neither explicit nor comprehensive on this point). When a charter's provisions were contested in court, the issue was generally decided through procedural means – usually, the validity of the charter, as established by its process of redaction and/or as attested by oaths sworn before the court. The upshot of this was that in matters of inheritance, neither written law nor oral custom provided anything more than a loose guide to practice.<sup>173</sup> What mattered was the will of the Lombard free man, properly expressed. Such expression could conceivably have taken many forms, but the only one discernible to us is the charter. The charter trumped any provision of law or custom.

Equally 'modern', apparently, is the strong role accorded to women in this family's inheritance strategy. There is no hesitation in giving to women portions of the family's estate. What this may indicate about any putative desire to maintain the integrity of the family's holdings – a desire whose existence is often assumed by historians – we can consider further below. Here, I simply want to repeat the observation that while the laws of the Lombard kings certainly envisaged that women would succeed to portions of an estate, they attempted to limit those portions to strict proportions of property that were never followed in our surviving evidence. In practice, the position of women could often be more prominent than the kings allowed. The law certainly did not envisage that a widow would take effective precedence over her immediate male kin in the transfer of an estate, as Ansa did over her son Peter in 778: 'nos Ansa relicta quondam Theodoracini unacum filio meo Petro clerico'.<sup>174</sup> Widows may be a particular and usually a privileged category of heir in

<sup>171</sup> Liutprand 6, a.713, allowed such dispositions for those stricken by illness; Liutprand 19, a.721, seems to extend the right to any disposition, and at least to those made *pro anima*.

<sup>172</sup> In general see Liutprand 91, a.727; on daughters: Liutprand 65, a.725, Liutprand 102 and 103, a.728; on wives and widows: Liutprand 7, a.717, and Aistulf 14, a.755.

<sup>173</sup> Wickham, 'Land disputes', pp. 238–41. <sup>174</sup> *CDL* v 84.

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the early medieval West,<sup>175</sup> but the emphasis on both Ansa and her daughters in these documents reveals at least the possibility of prominence – and real power – for women within families.

### *Family and kinship: historiography*

Naturally, Teuderacius's family was 'modern' in only superficial ways. Nevertheless, the picture that his example presents clashes plangently against the traditional image of early medieval kinship. This drew on an emphasis on rulers' genealogies in surviving sources,<sup>176</sup> the observation by anthropologists that kinship was the basis of social interaction in 'simple societies', and the (selective) use of classical ethnography to characterize pre-migration Germanic society (which the ethnographers' models encouraged them to portray as both a single society and a 'simple society'),<sup>177</sup> to posit the kin group as the basic building block of earlier Germanic society. In the consensus that had emerged by the mid-twentieth century,<sup>178</sup> the 'early Germans' were thought to have organized themselves into clans and lineages that were unilineal (generally patrilineal). These clans were thought to have disintegrated in the tenth and eleventh centuries, giving way to more restricted, bilateral families. This latter change then became the principal focus of debate. For the high middle ages (that is, from the late ninth century), studies based in particular on the *Libri Memoriales* tended to emphasize the agnatic, unilineal aspects of families, stressing the switch to (male) primogeniture as symptomatic of a broader social transformation.<sup>179</sup> The question then became how far this emphasis on patriliney could

<sup>175</sup> J. L. Nelson, 'The wary widow', in W. Davies and P. J. Fouracre eds., *Property and Power in the Early Middle Ages* (Cambridge, 1995), pp. 82–113, at p. 84; P. Stafford, 'La mutation familiale: a suitable case for caution', in J. Hill and M. Swan eds., *The Community, the Family and the Saint. Patterns of Power in Early Medieval Europe*, International Medieval Research (Turnhout, 1997), pp. 103–25, at p. 115.

<sup>176</sup> In the Lombard case especially in the prologue to the Edict of Rothari: see D. N. Dumville, 'Kingship, genealogies and regnal lists', in P. H. Sawyer and I. N. Wood eds., *Early Medieval Kingship* (Leeds, 1977), pp. 72–104, at pp. 83–9 and 93–6.

<sup>177</sup> See critically P. H. Amory, *People and Identity*, pp. 18–25.

<sup>178</sup> Summarized by A. C. Murray, *Germanic Kinship Structure. Studies in Law and Society in Antiquity and the Early Middle Ages* (Toronto, 1983), pp. 6–7; and generally ignoring the important observations of B. Philpott, *Kindred and Clan in the Middle Ages and After. A Study in the Sociology of the Teutonic Races* (Cambridge, 1913), a work ahead of its time in many ways, though not in its title.

<sup>179</sup> Classically, K. Schmid, 'Zur Problematik von Familie, Sippe und Geschlecht, Haus und Dynastie beim mittelalterlichen Adel. Vortragen zum Thema: Adel und Herrschaft im Mittelalter', *Zeitschrift für die Geschichte der Oberrheins* 105 (1957), pp. 1–62; repr. in K. Schmid, *Gebetsgedenken und adliges Selbstverständnis im Mittelalter* (Sigmaringen, 1983), pp. 183–239.

be traced back.<sup>180</sup> Paradoxically, however, more recent studies of early medieval kinship have recognized and emphasized cognatic traits.<sup>181</sup> In short, there has been a reversal of the traditional view: where once agnatic clans gave way to cognatic families, now cognatic kin groups are thought to have been transformed into agnatic dynasties. Recent studies point the way to a more sophisticated understanding of the operation of kinship ties in early medieval societies, showing that while cognatic principles might predominate, they need not preclude the existence of agnatic elements for certain purposes.<sup>182</sup> Investigations of the Frankish *Reichsaristokratie* have stressed that the structure of kinship within that class was broad, cognatic and, most importantly, flexible.<sup>183</sup> Crucially, it has been noted that kinship ties did not operate on a single social level: the highest aristocrats might have even fairly close kin who were socially inferior to them. Family networks thus linked higher to lower ranks of aristocrat, and centre (or court) to locality. The family provided an aristocrat with a potentially wide support group which, however, was formulated strategically, with different ties being more or less emphasized depending on social and political circumstance. Kinship was animated by the same patron–client relationships as obtained throughout the broad aristocracy, preventing us from drawing neat distinctions between family relationships and those based on other social and economic factors. Spiritual kinship complicated the profile of the family, as too did bonds of *amicitia* (of which ‘friendship’ is an inadequate translation) between political allies, and those forged between a patron and an ecclesiastical institution.<sup>184</sup> Simple ties of kinship could also be overridden by allegiance to the king or to another notable. The old agnatic/cognatic opposition is therefore too simplistic. The kin of a man’s wife were more likely to be prominent (in naming patterns or inheritance, for instance) if they were of high social status, or politically well connected.<sup>185</sup> In this fluid world of multiple bonds of allegiance, it

<sup>180</sup> Compare K.J. Leyser, ‘The German aristocracy from the ninth to the early twelfth century. A historical and cultural sketch’, *Past and Present* 41 (1968), pp. 25–53, and Leyser, ‘Debate: maternal kin in early medieval Germany’, *Past and Present* 49 (1970), pp. 126–34 with D.A. Bullough, ‘Early medieval social groupings: the terminology of kinship’, *Past and Present* 45 (1969), pp. 3–18.

<sup>181</sup> A view that reached its culmination with Murray, *Germanic Kinship Structure*.

<sup>182</sup> E.g. Wickham, *Early Medieval Italy*, pp. 117–20; T.M. Charles-Edwards, *Early Irish and Welsh Kinship* (Oxford, 1993), p. 87.

<sup>183</sup> S. Airlie, ‘The aristocracy’, in *NCMH* II, pp. 431–50; Innes, *State and Society*, p. 68.

<sup>184</sup> J. Lynch, *Godparents and Kinship in Early Medieval Europe* (Princeton, 1986); Althoff, *Family, Friends and Followers*, pp. 23–64.

<sup>185</sup> It follows from this that, as Pauline Stafford has recognized, if there was a shift in familial organization in the tenth and eleventh centuries, it was not simply from a cognatic structure to an agnatic and patrilineal one: ‘La mutation familiale’.

has become useful to think of kin as either 'practical' or 'official'.<sup>186</sup> 'Practical' kin can be defined in this context as the relatively restricted immediate family, who consistently shared a political and social strategy; 'official' kin potentially included all those with familial ties, whether through blood or through marriage, which were deployed strategically in particular circumstances.

Recent historiography on kinship and the family among the northern European aristocracy has therefore emphasized an essential fluidity, reflected in two inter-related fields, which fortunately coincide with features prominent in Teuderacius's testament: the status of women – and, by extension, the linear structure of the family – and the importance of property inheritance. While considering these two aspects of society in the context of Lombard Italy, we need to bear in mind the degree to which they are conditioned by our sources. Entitlement to property has appeared to more than one recent commentator as the central hub around which the family was constructed.<sup>187</sup> The fact that Teuderacius's charter was a testament, and that many charters made essentially testamentary dispositions, certainly indicates that property was of some importance as a medium for family relationships. But, since the express purpose of such documents was to dispose of property, we also need to recognize that our view may be skewed by our reliance on them. The essential focus on property of wills and most other charters may serve to obscure or ignore family relationships, and all sorts of other essentially personal ties, that had no bearing not simply on property in general, but on the particular transactions that individual charters recorded. What these documents give us is a series of snapshots of parts of families, which were posed for very particular occasions. Our evidence therefore gives a picture that is fragmented synchronically; it is also largely silent on possible earlier changes in the operation of kinship ties. The vast majority of the charters that survive document transactions with ecclesiastical institutions. Whether such charters were produced in the same form in an earlier period, when those institutions mostly did not exist, is highly debatable. If their appearance was a response to changes in modes of religious thought and action, it may also be symptomatic of shifts in social relations – such as ties of kinship – which those changes brought about. In the Lombard case, this is less a question of their initial adoption of Christianity – our sources

<sup>186</sup> I am borrowing the terminology employed by Innes, *State and Society*, pp. 54–6; see also Airlie, 'The aristocracy', pp. 440–1, and R. Le Jan, *Famille et pouvoir dans le monde franc (VIIe–Xe siècle). Essai d'anthropologie sociale*, Histoire ancienne et médiévale 33 (Paris, 1995), p. 385.

<sup>187</sup> Innes, *State and Society*, p. 57; and compare Airlie, 'The aristocracy', p. 439 and Stafford, 'La mutation familiale', pp. 108–10.

for that do not penetrate to a level that would allow us to see changes in kinship structure that may, nonetheless, have taken place – but more a matter of developments in religious patronage that were occurring throughout the West in the seventh century. These changes have been brought into focus by recent work on Francia; our picture of seventh-century Lombard Italy remains much hazier (despite a recent noteworthy contribution by Cristina La Rocca).<sup>188</sup>

While a caveat about charters' emphasis on property is necessary, these documents do furnish us with a few instances of family relationships that did not revolve wholly around property. Since these are scattered and incidental, they may in fact be taken as confirmation that such relationships were more common than our documents allow us to see. This is in any case suggested by, for example, Paul the Deacon's report of the marriage of King Authari with Theudelinda, in which gifts of any kind are noticeably absent.<sup>189</sup> The references in our charters do not directly concern marriage, but show that conflicts between kin were not always about inheritance – even if their consequences were sometimes reflected in the bequest of property. Thus in a charter of March 768 we learn that the widow Taneldis had been given an estate by her late husband that was to be passed on to her son Benedict on her death, 'if he serves me well and without offence as a relative [should]'.<sup>190</sup> As was known to many, however, Benedict had inflicted on his mother 'many injuries and sorrows and damnable acts' ('multas michi iniurias et amaritudines atque damnitates'). Despite this, it was only after her son's death that Taneldis could bequeath her estate to Farfa. Evidently, while he was still alive Benedict might dispute such a disinheritance, prompting a contest between the rights of the testator and the customary rights of the heir. Property was here a vehicle for an intra-familial dispute, the intensely personal, and ultimately intangible, nature of which is hinted at by Taneldis's statement that she was making her donation both for the soul of her husband and for that of her son. Similarly tantalizing is the stipulation by one Victor, in a charter of October 777, that he would initially deliver the lifetime's usufruct of his property to his wife, Tassila, 'if she keeps my bed without any evil action'.<sup>191</sup> It is perhaps fortunate that we can only speculate what Victor thought his wife might get up to. More tragic is the single case in

<sup>188</sup> La Rocca, 'Segni di distinzione', pp. 31–54; for Francia, see G. Halsall, *Settlement and Social Organization. The Merovingian Region of Metz* (Cambridge, 1995), pp. 46–9 and Innes, *State and Society*, pp. 73–6.

<sup>189</sup> HL III.30 and 35.

<sup>190</sup> CDL v 50: 'si . . . michi bene et inoffense sicut parentibus deservierit'. On this charter see now La Rocca, 'Multas amaritudines filius meus mihi fecit', pp. 936–44.

<sup>191</sup> CDL v 76: 'si ipsa lectum meum custodierit absque mala operatione'.

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the Sabine charters of fratricide. In 765 Siso gave to Farfa, among others, a portion of an estate that had been the share of his son Guino, who had been killed ‘peccatis imminentibus’ by his brother Rimolf.<sup>192</sup>

In the cases just cited, infidelity or death could lead to a reformulation of the structure of the family at even the most intimate level.<sup>193</sup> The family was not, however, only a source of strife and tension. What we see far less of in the charters is direct evidence of the kind of support that families are assumed routinely to have provided for their members. Such support can be seen in its starkest terms when kinship and economic necessity coincided, as in the case we examined earlier of the brothers Bonuald and Radulus, who made their maternal uncle Martianulus heir to a third of their holdings if he would pay the renders that they owed to their lords.<sup>194</sup> That Martianulus was a maternal uncle (the charter strives to be explicit on this point: ‘germanum matris nostrae’) gives us some indication of the cognatic structure of this kin group. It can also be taken as an instance of the strategic use of kinship: Martianulus can be seen as belonging to the brothers’ ‘official’ kin, called upon in this specific time of need. It must be relevant, too, that Bonuald and Radulus were tenant farmers, and therefore of fairly low social status. This kind of economic dependency is unlikely to be seen among families further up the social scale, about which we are better informed.

### *Marriage, women and kinship structure*

Most of the cases just cited involve relationships in which a property transaction is not the medium for the original dispute or tension, but the result of it. More usually, as already noted, the kind of evidence we have forces us to use movements in the ownership of landed properties as our basic building blocks for reconstructing the framework of family relationships. The most dramatic shifts in the property profile of a family were generally occasioned by marriage and by death and inheritance. To the extent that the fundamental structure of kinship is reflected in the structure of a family’s landowning, the latter potentially provides useful indications of the working of kinship ties. Since, however, like nearly all the Lombard charters, the Sabine documents record transactions with a religious house, they attest such transfers of property only indirectly. Marriage furnishes a good example of this: although Rothari’s code assumes that both were usual, the charters rarely refer explicitly either to dowers (gifts by the husband on marriage – the *morginap* of the Edict)

<sup>192</sup> *CDL* v 44.

<sup>193</sup> For Frankish comparanda, see Innes, *State and Society* p. 68; *CDL* v 21, p. 68.

<sup>194</sup> *CDL* v 21.

or to dowries (gifts from the bride's father, which the Edict calls *faderfio*).<sup>195</sup> The charter of Ansa mentioned at the beginning is a case in point.<sup>196</sup> Ansa only received the usufruct of her husband's land, and there is no explicit sign that any of it constituted either her dower or her dowry, and, even if either did exist, no sign that she had free disposal of them. It is possible that the portions given to her daughters might represent such marriage gifts. Even in Taneldis's case, in which the property of which she was disposing is explicitly said to have come to her through the gift of her husband, we cannot be sure that this was her dower, and the fact that the donation had been made with a 'cartulam donationis' may perhaps argue against this.<sup>197</sup> In the whole run of more than a hundred and fifty eighth-century charters from the Farfà archive, there is actually only one explicit reference to a dowry, where a husband disposes of a portion of land said to have come from his wife's brothers as dowry.<sup>198</sup> There are rather more cases in which we can say that the property being transferred by or in association with a woman was certainly not her dower or dowry.<sup>199</sup> This is not to say that marriage portions were not important, either for women's status or for the configuration of family property, although their absence here might indicate that the stress laid on such payments by the law codes – and, it is worth noting again, in particular by the seventh-century Edict – is either anachronistic or disproportionate. But even if we accept the law codes' evidence that marriage gifts were important in general, what these examples show is, first, that whether or not a property had been a marriage gift was not important for these transactions; and, secondly, that the marriage portion (and, by implication, marriage itself) was not the only way for women to acquire control over property and therefore, potentially, some significant social power.

It is by now something of an old saw of medieval studies that women gained proprietorial power chiefly through two channels: widowhood and the nunnery (or the two combined, of course). The activities of women in the Sabine charters largely bear this out. There is only one example of a woman disposing of property who is not explicitly either a widow or a nun; she acted simply with the consent of a judge.<sup>200</sup> In all cases in which women appear as dispositors (that is, the instigators) in transactions, they do so in conjunction with men in some way. To this

<sup>195</sup> Rothari 181, 182, 199 and 200; in general, see Nelson, 'The wary widow', pp. 85–7.

<sup>196</sup> CDL v 84. <sup>197</sup> CDL v 50.

<sup>198</sup> CDL v 69: 'qui venit in dotem mulieri meae ab ... fratribus eius'. For a ninth-century example, see RF II 203 of 813.

<sup>199</sup> CDL v 56, 57, 86 and 100. <sup>200</sup> CDL v 74.

extent it is true that women in Lombard Italy, operating at least nominally under Lombard laws, had a lower status than women in Roman law.<sup>201</sup> But these bare facts conceal the flexibility of status accorded to women in particular circumstances. Remarkable as much for the extent of her social connections as for that of her legal capacity is the nun Bona, widow of the gastald of 'Pantanum'. In the first of her two charters, it seems that Bona herself is the benefactor who gives an estate to Farfa: the customary clause stating the consent of male relatives or public officials to the legal action of a woman is here absent, though Bona's two sons both appear as 'consentiens' in the subscription list.<sup>202</sup> The charter's provisions are then repeated almost word for word (with some elaboration on the position of the estate's *coloni*) in a charter issued a year and half later in the ducal palace at Spoleto, witnessed by an impressive list of the duchy's great and good, and this time including the crucial consent clause of Bona's sons.<sup>203</sup> The most likely interpretation would seem to be that the monks of Farfa recognized that the first charter provided inadequate entitlement to the property, and petitioned to acquire a new and more elaborate version, with witnesses of the highest possible status and full recognition of Bona's capacity to act only with the consent of her closest male kin. Nevertheless, the fact that the first charter could have been written at all is notable in itself: as with Ansa, who took precedence over her son in their charter, there is no question that the guiding hand in the disposal of family property was Bona's. In paying lip service to the letter of the law, her second charter only confirms the flexibility of social practice where powerful women were concerned.

There seems little doubt that Bona's power derived from her status as a widow, rather than that as a nun. Although the law allowed women who took the veil to dispose of a portion of their property themselves,<sup>204</sup> Bona's first charter is the only one in which a nun acts without the explicit consent of a male relative.<sup>205</sup> In holding the whip hand over their sons, what Bona and Ansa had in common was their widowhood. Another widow, Taciperga, had sufficient clout to act on an equal footing with her son and his wife in a donation to Farfa in 786.<sup>206</sup> The activities of these widows may seem to underline the importance of marriage, but we should note that in all the cases mentioned the male guardian of the woman's *mundium* (legal personality) is both present and apparently legally capable, but does not perform his full functions in respect of the widow as stipulated in the law. The relatively high status accorded to

<sup>201</sup> Wickham, *Early Medieval Italy*, pp. 118–19.   <sup>202</sup> *CDL* v 10.

<sup>203</sup> *CDL* v 11: 'unacum permissione et voluntate filiorum meorum'.   <sup>204</sup> Liutprand 101.

<sup>205</sup> Compare *CDL* v 51, 56 and 57.   <sup>206</sup> *CDL* v 100.

Bona, Ansa and Taciperga therefore originated not in the law but in personal relationships within their families. It has been suggested in a Frankish context that the status accorded to wives, and therefore to widows, often corresponded to the status of the families from which they hailed.<sup>207</sup> We get some hint of this from the example of Taciperga. Her apparent parity with her son Hilderic may derive from the importance to that family of the property she had received from her father, Tacipert.<sup>208</sup> The latter was evidently a wealthy man, for his estate lies also behind the donations to Farfa of one of Taciperga's sisters, the nun Elina.<sup>209</sup>

The portions of Taciperga and her two sisters point towards flexibility too in the treatment of daughters. One of Elina's charters specifies that each daughter had received a 'tertia portio' of their father's property.<sup>210</sup> Ordinarily, this would mean that the property had been divided into three parts (though the basis of calculation – whether area, income, number of tenants – remains obscure). But this would be surprising in this case because in the witness list of the same charter we find a brother, Lupo. We can only speculate as to what arrangement had been made, or the reasons for it. The information in the charter does not in this matter conform to the law, which allowed daughters only a quarter of the estate if there was a legitimate son.<sup>211</sup> In other charters, daughters or sisters were the subject of separate provisions in which practical portions of property were carved out for them.<sup>212</sup> Once again, the key word is flexibility. Where Tacipert had made ample provision for his daughters, despite the existence of at least one son, Acerisius, in his will of 770, accorded to his sisters only the lifetime's usufruct of some town property in Spoleto (a small portion of his entire estate), even though he evidently had no sons: the bulk went straight to Farfa.<sup>213</sup> Coupled with the evidence for maternal uncles (in *CDL* v 21, cited above, and 91, where the term *avunculus* is specifically used), these examples suggest a strong role in the make-up of the family for cognatic ties and the transmission of property through women. Despite the relative invisibility of dowers and dowries in our evidence, there is every indication that marriage was essentially and consistently exogamous. But to lay stress on such artificial constructs as cognatic ties or exogamy is to miss the essential elements of flexibility and choice that this society possessed in determining the position of women. The eighth-century Lombard examples therefore accord with the more

<sup>207</sup> Airlie, 'The aristocracy', p. 438. <sup>208</sup> *CDL* v 100.

<sup>209</sup> *CDL* v 56 and 57. <sup>210</sup> *CDL* v 57.

<sup>211</sup> Liutprand 102. <sup>212</sup> E.g. *CDL* v 49. <sup>213</sup> *CDL* v 55.

generally observed point that women complicated inheritance strategies, and make it impossible to reconstruct a single rigid model of kinship.<sup>214</sup>

This flexibility was especially crucial to the role of marriage in affirming group identity. One very striking feature of the Farfa charters is the number of very large donations made to the abbey in the period 792–815 specifically by a husband and wife together; often, those lands were then leased back to the couple.<sup>215</sup> Finding a convincing explanation for this involves a detailed consideration of the context, which we shall attempt in chapter 8. Here we can simply make some preliminary observations. First, we can note that each of these donations involved collections of properties that had been brought together by the marriage of each couple. To that link already established between two landowning families was then added the further element of association with Farfa, an institution with which many if not all of these families already had a relationship of patronage, if not one forged by the oblation of a family member.<sup>216</sup> These were families in search of bonds, actively seeking coalescence, and we might suggest, even if we did not know the context, that they were doing so because the identity and interests of each were coming under stress. As often, group identity was reinforced at precisely the time that it was threatened. In this case, the Sabine aristocracy was facing competition for its resources from another group of landowners, based in Rome, associated with another institution, the papacy.

### *Family property and family identity*

By the mid-eighth century, social developments in Lombard Italy were pulling the relationship between property and kinship in different directions. On the one hand, from the time of our very earliest charters, we can see that much land was owned and managed jointly. On the other, as we saw at the beginning with the example of Teuderacius, many eighth-century documents emphasize the priority of the will of the testator over customary methods of dividing and transmitting family property. Of course, in theory testators could make some provision for co-operative ownership, but in our evidence none does.

<sup>214</sup> Stafford, 'La mutation familiale', pp. 114–15.

<sup>215</sup> E.g. *CDL* v 100 and *RF* v 1227 by gastald Hilderic and his wife, Hilciperga, see also *LL* 1; *RF* II 152 by Paul and Tassila (see below under the 'Pandoni', pp. 226–31); *RF* II 153 by Goderisius and Alda; *RF* II 182 by Liutprand and Racorida; *RF* II 203 by Ursus and Hildeperga, and *RF* II 214 by Ursus's brother Scaptolf and his wife, Formosa (both of the Audolfi family); see also *RF* II 209.

<sup>216</sup> A relationship perhaps best attested for the Hilderici in this context (see below, pp. 237–40), but certainly conceivable in the case of other of these families, e.g. the Audolfi.

When more than one person appears in our evidence as a transactor of a landed property, it is necessary to distinguish between those who were jointly exercising rights of ownership and those who were, perhaps also, acting together in the direct exploitation of the land in question. We have a number of examples of brothers who combined to dispose of land. Thus in 749 the brothers Hisemund and Teudemund jointly gave Farfa an estate worked by named *coloni*,<sup>217</sup> and in the same year the brothers Benedict and Teuderad sold property to the abbey that, again, was cultivated by others.<sup>218</sup> The desire of Abbot Probatas to build an aqueduct to bring water to the abbey in 777 brings to light more cases of joint proprietorship by close kin, perhaps suggesting that it was more widespread than it appears in the documentation.<sup>219</sup> In normal circumstances, pious donations by joint owners may have been rarer than those by individual owners who could act on their own wishes, because they required a measure of agreement between the owners. Cases like these show that there may have been more kinds of ownership than simple possession by a single individual, a situation that contrasts with that found in Francia.<sup>220</sup> Equally unusual in a Frankish context is the kind of joint exploitation by owner-farmers and tenants that we see in a number of Sabine charters. For our purposes, what is most remarkable about some of these cases is that those who acted jointly were not necessarily related. The very earliest private charter in Farfa's archive records several sales to the abbey by one Barbatus and two brothers, Valerianus and Baroncio. The latter sold some olive cuttings jointly, and Barbatus also made an individual sale, but the three came together in the sale of a new olive grove, which they must have owned in common.<sup>221</sup> Most telling is a case included in the long inquest into the status of the *gualdus* 'ad Sanctum Iacintum', just to the south of Farfa. Here the judges encountered the *coloni publici* Mizicus and Lupulus, who held an estate in the *gualdus* 'cum germanis et consortibus suis'.<sup>222</sup> *Consortes* here must be understood to mean economic partners who were not kinsmen.<sup>223</sup> This kind of co-operation seems to have been quite common in eighth-century Italy.<sup>224</sup> It is a strong indication that, at least at lower social levels, the kin group could have very blurred edges.

Apparently in direct contrast to co-operation, either in ownership or in exploitation, is the emphasis found in much of the evidence on the apportioning of estates between heirs. The insistence in many of our charters that the charter issuer's land came to him through a legal partition

<sup>217</sup> *CDL* v 12.   <sup>218</sup> *CDL* v 14 and 15; and compare *CDL* II 154, 161 and 249.

<sup>219</sup> *CDL* v 70 and 71.   <sup>220</sup> Innes, *State and Society*, pp. 72–3.   <sup>221</sup> *CDL* v 1.

<sup>222</sup> *CDL* v 8.   <sup>223</sup> Wickham, *Early Medieval Italy*, pp. 121–2.   <sup>224</sup> Wickham, 'European forests'.

with his brothers may be formulaic, but it may also betray a certain fragility in the arrangements for inheritance.<sup>225</sup> It is worth repeating the contrast noted in the case of Teuderacius between custom and law on the one hand, and on the other, the provisions of a testator as expressed in a charter. In this context, particularly after the issuing of Liutprand's law 19 in 721, which decreed that 'whatever he [a Lombard man] does or judges concerning his property ought to remain permanently valid', what is remarkable is the general reluctance to use the charter as the vehicle for very specific provisions about property, as the law now allowed. On the whole, portions of inheritances continued to be referred to as simple fractions, which would generally be determined customarily and orally. Nevertheless, there are signs that this situation was changing in the eighth century. We begin to find references to formal transactions between close relatives. Teuderacius himself attested that he had been given the church of S. Cecilia by his father, who had confirmed the gift with a charter.<sup>226</sup> In December 785, a certain Romuald gave property to Farfa, including an estate that he had received in an exchange with his brother.<sup>227</sup> In the following year, the *falconarius* Paul gave to the abbey, as part of the price for some houses in Rieti, pasture that he had been given by his brother.<sup>228</sup> It may be, then, that the increasing use of the charter as the normal instrument of property transactions was beginning to invade intra-familial activities that had formerly relied on unwritten and customary arrangements between kin.

Such informal arrangements seem also to have governed relationships between those who were not kin, but nevertheless owned land in common. The *compartionarii* Maurisso and Ubaldulus, for instance, appear in their charter of sale of 760 in precisely the same relationship as the brother co-owners mentioned earlier.<sup>229</sup> The fact that land could be held by such men on precisely the same terms as the closest relatives shows that kinship and ownership did not consistently map on to each other. If property was held co-operatively by non-kin, then it could, at least in theory, be bequeathed co-operatively: inheritance could operate beyond the family.

This distribution of property beyond the kin group was of course most common in religious patronage. The Sabine charters provide many examples of landowners treating the abbey of Farfa, at least in property terms, as if it was a member of the family. This is clearest in cases of *offersio*, when sons were offered up as monks, taking their share of the inheritance with them. Since the monastery held the property of all its monks in

<sup>225</sup> E.g. *CDL* v 30, 48, 54, 64, 68 and 79.   <sup>226</sup> *CDL* v 52: 'qui . . . per cartulam confirmavit'.

<sup>227</sup> *CDL* v 98.   <sup>228</sup> *CDL* v 99: 'qualiter michi Paulo a Teufano germano meo ex dono venit'.

<sup>229</sup> *CDL* v 28.

common, it theoretically, legally, replaced the son as heir.<sup>230</sup> On other occasions, we can see that benefactors had no immediate heirs. The *colonus* Luccianus is explicit about this in a charter of 763,<sup>231</sup> and we can infer it in the case of the priest Iohannes, who transferred his entire estate to Farfa in 778.<sup>232</sup> When there were heirs, donations to Farfa had to fit into the usual pattern of inheritance: normally the abbey received a portion, just like any other heir.<sup>233</sup> Once again, the edges of the kin group are blurred by such actions. It is easy to see how the passing of family members into the monastic community could bring together abbey and family like two sets in a Venn diagram. Even donations of land, however, had a similar effect, because property here was a tool that forged spiritual bonds, bonds which could have an impact on the family in the future in very similar ways to those through which they had been created.

The monastery repaid donations with prayers both for the immediate benefactors and for their predecessors. This was generally assumed, though occasionally it is made explicit, as in Teuderacius's will.<sup>234</sup> In this way, Farfa preserved a proprietorial tradition that connected families to individual estates. While Teuderacius had taken care to record that he had received the church of S. Cecilia from his father, it was often women who were the guardians of these kinds of tradition. Taneldis may have included in the *pro anima* provision of her charter the name of her late son, who had been so injurious to her, because he was as much a part of the property's history, and therefore of family tradition, as his father. Her provision also suggests that relinquishing ownership of an estate to a religious house need not have compromised the integrity of the family's identity. It did so no more, indeed, than the partitioning of an estate between heirs: as we have seen, the family was defined by rather more than simply a single configuration of landed property. The integration into the inheritance strategy of the family of such extra-familial elements as *compartionarii* or a monastery is sufficient demonstration of that.

We may therefore be a little closer to understanding the impact on the kinship structure of the Lombard aristocracy of the rise of ecclesiastical patronage.<sup>235</sup> The introduction of robust church institutions (not always monasteries, though they tend to provide the starkest examples, as here)

<sup>230</sup> See above pp. 138–48 and Costambeys, 'Piety, property and power', pp. 298–317, for Farfa's *offersiones*.

<sup>231</sup> *CDL* v 37: 'quia filios aut filias de peccatis meis habere minime potui' – had his sins rendered him impotent?

<sup>232</sup> *CDL* v 82. <sup>233</sup> E.g. *CDL* v 36, one example among many.

<sup>234</sup> *CDL* v 52: 'qui ibidem Deo serviunt et laudes Christo die ac nocte canunt pro antecessore nostro. et pro nostra anima et pro nobis'.

<sup>235</sup> As recommended by Stafford, 'La mutation familiale', pp. 112–14.

into aristocratic society disrupted traditional inheritance practices – even if sometimes we cannot say precisely what those practices were, or assume that they were in any way solid and unchanging. In fact, the introduction of a new and durable potential recipient of property like Farfa must have heightened awareness of inheritance claims and the rights on which they were based, and increased the need to define them more tightly. Some of the laws of Liutprand and Aistulf may constitute a recognition of this need, in a limited way.<sup>236</sup> As ever in the early middle ages, however, legislators were trailing behind social developments, responding to conflicts such as those documented in surviving records of judgements, in which donations to the abbey were contested.<sup>237</sup> The limits of written law are here very evident, as in no case did judges attempt to do things ‘by the book’ and apply specific written laws.<sup>238</sup> Usually, disputes were avoided because benefactors tried to secure the consent of the most likely heirs, the ‘practical’ kin, their names generally appearing in charter witness lists. These lists are, however, at best a snapshot that, crucially, was taken by the beneficiary – the monastery.<sup>239</sup> The pressure to record consent came from the ecclesiastical institution. This still left room for disputes, and the fact that they arose shows that responses to new ecclesiastical foundations could vary greatly even within families. There was no neat knock-on effect between the redefinition of a family’s estates after each donation, sale or exchange, and the reformulation of its structure with every marriage, death and spiritual association.

One result of the presence of elements extraneous to the family in the ownership and transmission of property was that it was often extremely difficult to define the patrimony. When parts of a family’s holdings were transferred because of the marriage of a daughter or the remarriage of a widow, the family may or may not have considered that the property was lost to them for ever: it would depend on their relationship with the groom’s family. Similarly, gifts to religious institutions could entail the permanent loss of control over property, or not, depending on the situation of the religious house and on the nature of the family’s association with it. We seek the definition or identity of a family or kin group through its relation to its property, because property ownership is the *raison d’être* of the documents that are our principal – often our only – source. But in reality family identity can hardly have rested solely on such shifting sands. We can return here to the affecting glimpse that we are given of the filial failings of Taneldis’s son Benedict. An example like this shows that even within the narrow circle of the ‘practical’ kin, the

<sup>236</sup> E.g. Liutprand 6, Aistulf 10. <sup>237</sup> E.g. *CDL* IV/1 12.

<sup>238</sup> See above, chapter 3. <sup>239</sup> Stafford, ‘La mutation familiale’, pp. 110–11.

practicalities of family life went beyond those arising from landed tenure: they existed on a level of social interaction that it is extremely hard for us to recapture.

This evidence points to at least one change in the operation of kinship ties in relation to property through the eighth century: that there was a move away from the co-ownership of property between close kin, in favour of the horse-trading of pieces of land by means of charters. To put this another way, horizontal forces diminished in importance, while vertical ties strengthened. Nonetheless, the familiarity of Lombard land-owners with co-operative forms of ownership may have facilitated the spread of forms of religious patronage that required precisely such co-operation. This may be one point of contrast with the Frankish situation (not that the Frankish aristocracy lagged behind in its patronage of the church). More generally, we have seen that in its accommodation of women, and in its association with co-proprietors and with the church, the Lombard kin group was often so flexible as to defy simple, rigid definition. Rather than envisaging a rigid structure, it may be better to think of kinship in terms of family identity, that underwent continuous redefinition. In this fundamental way, kinship relations among the Lombard aristocracy seem to have operated in the same flexible, strategic way as among their Frankish counterparts. Two points arise from this. The first is that similarities in kinship structure must have helped the assimilation of Lombard and Frankish aristocrats in the generations after 774 – an assimilation that is well attested, if too often underemphasized.<sup>240</sup> This investigation has also raised questions about the situation among the Lombards in an earlier period, before *c.*700 when our charter evidence begins. As already mentioned, recent work, which depends to a considerable extent on new analyses of the archaeology, has detected a seismic shift both in the nature of property and in the structure of the family in Francia in the sixth, and especially in the seventh, century.<sup>241</sup> We do not possess quite the same quality of evidence for Lombard Italy as for Francia. Nevertheless, the methodology applied to Francia suggests one way in which the archaeological evidence for sixth- and seventh-century Lombard Italy might be reassessed.

<sup>240</sup> Hlawitschka, *Franken, Alemannen, Bayern und Burgunder in Oberitalien*, pp. 23–52.

<sup>241</sup> Halsall, *Settlement and Social Organization*, pp. 250–61; Innes, *State and Society*, esp. pp. 73–6.

## Chapter 6

# ELITE FAMILIES IN THE SABINA

### INTRODUCTION

Among the landed aristocrats associated with Farfa in the eighth-century charters, several families stand out. Their prominence does not, however, always or necessarily indicate that their association with the abbey was one of unqualified support, material or otherwise. They appear sometimes simply because their influence in the Sabina meant that they had a hand in all important aspects of the region's life. Farfa could not avoid dealing with them; nor, on the other hand, could they ignore Farfa, an indication if any were needed that the abbey quickly became the most important religious institution in the region.

Farfa, however, was not the only institution in the region. We must always be aware that its dominance of our record might encourage us to inflate its dominance in reality. At least before the intervention of the Carolingians, the Sabine elite could choose where to lavish their patronage, so the fact that they so often chose to direct it to Farfa itself needs investigation.

Although Farfa stood, and still stands, in a distinctly rural part of central Italy, an account of its relations with its patrons in this period must begin in the nearest city, Rieti. We have already seen that Rieti was the seat of the diocese in which most of Farfa's lands lay, and its bishop was the one with whom the abbey had by far the most interaction.<sup>1</sup> From the bishop's perspective, Farfa's position was anomalous, to say the least. At its foundation, Duke Faroald II and, especially, Pope John VII had taken care to ensure that he had only the most cursory rights in the abbey – he could pray with the monks while they deliberated over the choice of a new abbot, and he could ordain a priest or deacon for them. But he had to be 'rogatus et vocatus' to perform even these duties. The pope reserved to

<sup>1</sup> Further on the bishopric of Rieti, and the apparently defunct bishopric of the Sabina, see chapter 2.

himself approval of an abbot, and of any priest, and denied to the bishop any rights over the monastery's property.<sup>2</sup> As already noted, this put Farfa in an ambiguous position in relation to all other authorities in the region, both ecclesiastical and secular. Far from resolving this ambiguity, Charlemagne's grant of spiritual and temporal immunity to the abbey in 775 – a critical document in understanding the politics of this critical period, as we shall see<sup>3</sup> – simply reset it in a different key. But it offered no succour to the bishop of Rieti, whose rights in Farfa, *and in its possessions*, were now virtually non-existent. Churches in the diocese that Farfa had already acquired, and which may until then have been subject to the bishop in the usual canonical way, were now definitively removed from his purview.

The immunity may have been particularly necessary in Farfa's case because it was hemmed in by powerful bishops. To its relationship with the bishop of Rome we shall return in the next two chapters; but Rieti's bishop too seems to have had a peculiarly significant position, as Stefano Gasparri has observed.<sup>4</sup> This is evident in a charter of 753, the record of a hearing of the ducal court presided over, since the office of duke was vacant at the time, by the bishop of Rieti, Teuto.<sup>5</sup> This was an exceptional role for any bishop to perform, unparalleled in the north at this time. Gasparri suggested that Charlemagne's immunity for Farfa was intended to counter the power of a bishop seen as too closely associated with the previous regime.

#### THE PANDONI

Teuto's family is one on which we should focus particular attention. The church of S. Michael the Archangel, situated just outside the walls of Rieti on the river Velino, next to the broken bridge ('ad pontem fractum'), is at the centre of our evidence for it. It appears first in 739, the beneficiary of a donation from two brothers, Probatas and Ravenna: at that time, its priest was the *archipresbiter* Teuto.<sup>6</sup> He must be identical with the later bishop of Rieti of the same name, since, as we shall see shortly, the bishop's family was a protagonist in a complex series of court cases over possession of the church between 777 and 781. Teuto can therefore be connected with another prominent actor in eighth-century Sabine politics, who appears first as less *marepassus* (which must be a variation on the

<sup>2</sup> RF II 2 (= CF I, pp. 137–9).    <sup>3</sup> See chapter 8.

<sup>4</sup> Gasparri, 'Il ducato longobardo di Spoleto', p. 102.    <sup>5</sup> CDL v 20 (= RF II 34).

<sup>6</sup> CDL v 3 (= RF v 1220).

office *marpahis*) in charters in 745 and 747.<sup>7</sup> Carlrichard Brühl showed that this man must be identical with the Pando *vir clarissimus* who gave land to Farfa in 757.<sup>8</sup> Pando's charter was witnessed in the first place by a gastald Probatas and then by an *actionarius* Auduald and a *sculdahis* Goderisius. Since these three also appear as judges alongside Bishop Teuto in the *notitia iudicati* of 753 just mentioned, and since the *notitiae* of the hearings about the church of S. Michael in 777 and 781 name brothers of Teuto as Pando and Probatas, then the gastald Probatas in the 757 charter must be this brother. Furthermore, since in the 753 *notitia* he appears together with one Picco, the latter is likely to have been another brother. In short, four brothers had parallel careers across the mid-eighth century in the Sabina: Teuto was archpriest of S. Michael's and then bishop of Rieti; Pando held the royal or ducal office of *marpahis*, and also styled himself *vir clarissimus*; and Probatas and Picco both appear as gastalds which, in Spoleto, was the primary administrative office under the duke. We can label the family the 'Pandoni', since it is through the activities of Pando's children that it is visible in the next generation.

When this family appears in our records, then, it was already powerful. Simone Collavini has argued that it was the most important and wealthiest in the eighth-century Sabina, and pursued a 'hegemonic project' there.<sup>9</sup> It is questionable whether they were really at any point as dominant as that implies, but they certainly benefited, as he indicates, from strong support from rulers, and in particular from the Lombard kings in the north. Pando's paternal aunt Gutta had had her property confirmed by King Liutprand, and the donation that Pando made in 757 was of property given by King Aistulf.<sup>10</sup> Family fortunes seem to have fluctuated with the change from Liutprand to Ratchis, and then from Ratchis to Aistulf, which also disturbed tenure of the ducal office itself.<sup>11</sup> One of the brothers, the gastald Picco, may even have ruled the Sabina in his own right during the hiatus between the deaths of Liutprand and his nephew Hildeprand and the accession of Ratchis: one charter is dated only by his gastaldate.<sup>12</sup> It was probably at this time, if not before, that the family made the kind of enemies that resulted, early in the reign of Desiderius, in 758 or 759, in the killing of Picco, an event so momentous for the Sabina

<sup>7</sup> *CDL* v 6 and 8 (= *RF* II 8 and 30). On the office of *marepassus/marpahis*, see J. Schütz, 'Langobardisch marpahis', *Sprachwissenschaft* 14 (1989), pp. 405–9.

<sup>8</sup> *CDL* v 26 (= *RF* v 1224), and see Brühl, 'Chronologie und Urkunden', p. 87 with n. 7 for what follows.

<sup>9</sup> Much of the information in the following paragraphs is condensed in Collavini, 'Duchi e società locale', pp. 134–5 with nn. 20–3 and table IV ('progetto egemonico della famiglia' at p. 134).

<sup>10</sup> *CDL* IV/1 35; *CDL* v 26.

<sup>11</sup> Gasparri, *I duchi longobardi*, pp. 80–3. <sup>12</sup> *CDL* v 5; for the dating, see below, this chapter.

that it was used as a chronological reference point in a court case in which the family was not involved.<sup>13</sup> The murder, if such it was, has been read in the context of the evidence that the family enjoyed particular prominence, with gastald Picco and Bishop Teuto to the fore, during the reign of Aistulf. Picco's killing, after the advent as duke of Desiderius's appointee, Gisulf, may have been payback for past 'crimes'.<sup>14</sup>

Whatever the identity of the family's enemies at that time, Farfa was not among them. It was at the high tide of the family's power that Pando made the donation already mentioned, which was both substantial and slightly unusual, in that it comprised both a *casalis* and the *campus* 'Auriliani', 'quod est in massa Salaria', and an oakwood in Narnate in the Cicolano: just the kind of mixture of agrarian types that was most useful to the monastery. Bishop Teuto had himself exchanged land with Farfa two years previously, and among the brothers both Pando and Probatus were regular witnesses to the monastery's transactions.<sup>15</sup>

The killing of Picco did not affect the family's overall standing. It retained its fundamental strength, first through tenure of the church of S. Michael, and more broadly through influence over the episcopal church in Rieti. One of Pando's sons, Agio, was bishop-elect of Rieti in 776.<sup>16</sup> Even more important, however, was the support of kings. Another of Pando's sons, Paul, appears in the charters as a *gasindius regis* – a formally recognized faithful follower of the king.<sup>17</sup> It was a position that he carried over into the new regime after 774, and may even have reinforced, since in 786 he was styling himself *falconarius*.<sup>18</sup> Whether this denoted a connection with the new Carolingian kings in the north or with the more familiar duke of Spoleto is not entirely clear. Certainly, Paul benefited at some point from the generosity of Duke Hildebrand.<sup>19</sup> He was active in the property market in Rieti, too.<sup>20</sup> But the family also entered into a three-cornered contest with the duke and the abbey of Farfa over possession of the church of S. Michael. It is significant that when the first surviving notice of a court hearing about it was written,

<sup>13</sup> *CDL* IV/1 15 (a. 761): this is the hearing of the dispute between Farfa and Campulus of Rieti over an estate at Magliano Sabina. Asked by the judges when the estate in question had, as they claimed, been handed over to them, Farfa's monks replied, 'Eo tempore, quando Picco occisus est, indictione XII' (in that time when Picco was killed, in the 12th indiction).

<sup>14</sup> Gasparri, 'Il ducato longobardo di Spoleto', p. 106.

<sup>15</sup> Teuto's exchange: *CDL* v 22; Pando witnessed *CDL* v 46, 47, 58, 66 and 67; Probatus *CDL* v 26, 46 and 47.

<sup>16</sup> *CDL* IV/1 28 and 35.

<sup>17</sup> *CDL* v 58, 82, 93 and 96; for the title, see Delogu, 'Lombard and Carolingian Italy', p. 293.

<sup>18</sup> *CDL* v 99. On this title see Hincmar, *De Ordine Palatii*, MGH Capit. II (Hanover, 1883), chs. 16 and 24, pp. 523 and 525.

<sup>19</sup> *RF* II 251 (a.821), referring to *RF* II 152 (a.792). <sup>20</sup> See *CDL* v 99.

both the gastald of Rieti (Rimo) and the bishop (Sinuald) were not members of the family.<sup>21</sup> Farfa entered the lists over S. Michael when Duke Hildeprand, victor in this first case, passed the church over to it.<sup>22</sup> It was only then that Paul, taking the opportunity of Charlemagne's second visit to Italy in 781, complained about the matter directly to the Frankish king. The result can hardly have been what he hoped for: Charlemagne referred the whole matter back to the ducal court, and after that body had exposed some serious flaws in the Pandoni's case and awarded the church to Farfa, he backed up this judgement with a confirmation charter of his own for the abbey.<sup>23</sup>

While admitting that the Pandoni remained in the highest rank of proprietors in the Sabina, Stefano Gasparri saw the loss of S. Michael as decisive in the decline of their political fortunes.<sup>24</sup> Yet, since the family did retain most of its lands, the court's decision in 781 may have been rather less significant than that. In 792 Paul and his wife, Tassila, issued a testament in favour of Farfa.<sup>25</sup> The properties thus transferred were very extensive – arguably at least as significant for the abbey as any donation it had had from a duke of Spoleto – and constitute striking evidence for the basis of the family's power. So important were these estates, in fact, that Duke Guinichis later tried to expropriate them to the ducal fisc – unsuccessfully.<sup>26</sup> Paul's possible motives in making such a grant we have already hinted at:<sup>27</sup> he may have been trying to mitigate his commitment to military service. It is important to note here simply that this was by no means the end of the Pandoni, or of their involvement with Farfa. A further indication of the extent of their landholding comes in 802, when a charter was issued for Farfa by Paul's nephews Probatas and Picco, the

<sup>21</sup> On gastald Rimo, see Zielinski, *Studien*, p. 149. <sup>22</sup> CDL IV/1 30 and 31 (= RF II 104 and 105).

<sup>23</sup> CDL IV/1 35, dated July 781; DK I, no. 146, dated 18 August 782.

<sup>24</sup> Gasparri, 'Il ducato longobardo di Spoleto', p. 107; Collavini, 'Duchi e società locale', pp. 135–6, sees the family's decline as 'incontestabile', even if they remained among the aristocracy (see also his n. 24).

<sup>25</sup> RF II 152. On Paul in 791, and Guinichis's later claim that he had entered Farfa illegally (rather than go with the army to Benevento in 791), see West, 'Charlemagne's involvement', p. 348; note that RF II 251 (the court hearing of Guinichis's claim) comes in 821, exactly thirty years after Paul's original grant: 'this must be why the abbey dredged up the matter' (i.e. why Farfa made the claim, in opposition to Guinichis).

<sup>26</sup> RF II 251; Ring, 'Lands of Farfa', pp. 233–5, sees this as a case of Guinichis trying to impose the Frankish penalty for *herisliz* (desertion from the army) on Paul. But Rothari's code already had stipulations aplenty about army service (Rothari 3–7, 20–2), and in any case we cannot ascertain the date at which Guinichis had seized Paul's land – whether directly after the supposed offence or some time later, in which case the accusation of desertion would look more like a pretext. It must have been taken by 807, because Farfa's plea stated that it had been seized 'per Hildericum castaldium', who had ceased to occupy that office by that year: see also below, p. 238.

<sup>27</sup> Above, p. 68.

sons of another son of Pando, Ursus.<sup>28</sup> The two brothers were setting out with the army for Benevento, and donated their property only on the proviso that they should receive it back if they returned from the campaign alive. They managed to stay unscathed, but participation in the army may nevertheless have caused them problems, because the next we see of them is as debtors to Farfa. In 804 they issued a charter stating that they had incurred debts to abbots Mauroald and Benedict amounting to a substantial sum in movable wealth – 20 gold mancuses, 10 pounds of silver and cloths worth 60 mancuses – which they could not repay.<sup>29</sup> They therefore forfeited to the abbey all their property, except that in the city of Fermo and a few movables and slaves. There are many reasons why they may have had to borrow such sums, but the expense of their military service – if it was extensive – is surely the most likely. This did not spell their ruin, however. Somehow, perhaps through an understanding with the abbots, they managed to hang on to estates that were substantial enough that they could afford to give some of them outright to Farfa in 822 and 833.<sup>30</sup> Finally, in 834, they gave the rest of their property to the abbey, leasing it back for their lifetimes.<sup>31</sup>

The long involvement of the Pandoni with Farfa tells us much about the changing balance of power between the Sabine proprietors and the abbey. It displays two features which at first sight seem contradictory. On the one hand, members of the family periodically favoured the abbey with outright gifts of property, over three generations. But on the other, Farfa looks to have become increasingly dominant in the relationship, because two generations of Pandoni – Paul, and Probatas and Picco – found that their property could have no ultimate destination other than the abbey. But it is important not to misread this by imagining Farfa's role in this relationship as that of a faceless institution in constant opposition to the family. What it was, for both Paul and his two nephews, was their heir. This was clear from the moment Paul passed the property he had received from Hildeprand to the abbey. He had enjoyment of it for his lifetime, and then it went to Farfa. Similarly, Probatas and Picco had the use of extensive estates – and money – during their lifetimes, but twice recognized that ultimately it would revert to the abbey. Such grants, which the charters' language suggests were for perpetuity, and even those specified for a lifetime, were not so. Families and the monastery had a relationship of symbiosis that is ill reflected in the forms of legal document that were available (and that come down to us). Taken in isolation, the 804 grant

<sup>28</sup> *RF* II 157 and 158: they are described in these documents as 'filii quondam Ursi', certainly the same Ursus who appears as a son of Pando in *CDL* IV/I 35.

<sup>29</sup> *RF* II 175. <sup>30</sup> *RF* II 255 and 278. <sup>31</sup> *LL* 8.

looks like a complete capitulation on the part of Probatas and Picco: their absolute impoverishment, and another step on their family's road to ignominy. But seen in the light of their lease of 834, it looks rather different. The brothers had borrowed money, handed over much of their land as collateral, but had in fact kept hold of it (or, less likely, acquired large tracts anew), ready to dispose of *in precaria* years later. Eventually Farfa would end up in full ownership of a large number of properties, but the key word here is 'full'. While the brothers were alive, 'ownership' was not an absolute: it was a bundle of rights, and these could be shared out, in varying proportions at various times, between different parties. Seen in this light, the relationship of the Pandoni with Farfa looks rather less antagonistic than it has sometimes been painted.<sup>32</sup> In short, already by 792 Farfa had become an inheritance option for the Pandoni, not in competition with the family, but as part of it.

It must have been of basic importance to the abbots of Farfa that, as Paul's testament of 792 makes clear, the Pandoni were city-dwellers (evidence for their tenure of *casae*). More than simply defining where they lived, the city – or perhaps more accurately, the *civitas* – defined their identity: men are described in our charters as 'homo Reatinus' (we almost never see the description 'Langobardus').<sup>33</sup> The presence of trained scribes there, and the fact that so many of our surviving charters were written there, indicates that, whatever the dramatic material differences, Rieti was what the city has remained in the Italian cultural imagination: the embodiment of a society, and of its past. 'The city . . . does not tell its past, but contains it like the lines of a hand.'<sup>34</sup> Rieti was unquestionably the hub of the Sabina, and had been so since the Roman era. In contrast to the rest of western Europe, in Italy the city did not on the whole relinquish its crucial position in human settlement in the early middle ages.<sup>35</sup> The *civitas*-structure remained the basic grid into which all attempts at government had to fit. But since the *civitas* had never been simply the bricks-and-mortar city, the relationship between the city and countryside was and is a complex one, a problematic that remains a concern for students of Italy in the middle ages.<sup>36</sup>

<sup>32</sup> E.g. by Gasparri, 'Il ducato longobardo di Spoleto', pp. 108–9.

<sup>33</sup> E.g. Campulus: *CDL IV/1* 15.

<sup>34</sup> Italo Calvino, *Invisible Cities*, trans. W. Weaver (London, 1997: Italian first edition 1972), p. 11.

<sup>35</sup> As has often been noted, and recently stressed: see Wickham, *Framing the Early Middle Ages*, pp. 211–13.

<sup>36</sup> Take, for example, the fact that, in contrast to similar volumes on other parts of Europe (or on Europe as a whole), a whole chapter (by Sauro Gelichi) is devoted to 'The cities' in the early medieval volume of the Short Oxford History of Italy: C. La Rocca ed., *Italy in the Early Middle Ages* (Oxford, 2002), pp. 168–88.

Involvement with the abbey came in no closer form than with the submission to it of a family member. The nature of the entanglement of interests between family and monastery that these *offersiones* produced, and some of their possible consequences, is revealed by the example of the family of Sabine landowner and local official Hisemund. As we have seen, in 763 Auneladius was offered to Farfa by his father, Hisemund.<sup>37</sup> To assess the latter's position, we need to reconstruct his identity, and that of other family members, from the unhelpfully laconic appearances of their names in our documents.<sup>38</sup> In the 763 *offersio* Hisemund designated himself as a man from 'Criptula', and son of the late Barbulanus. Another son, here written 'Hiliprannus', appears in the subscription list.<sup>39</sup> He appears, as 'Hilprandus', as witness to a document of 767, in which his father carries the title *sculdahis*.<sup>40</sup> Hisemund and his son, here spelt Hildebrandus, also witnessed successive charters written at the same assembly in 765.<sup>41</sup> As *sculdahis*, Hisemund witnessed two further transactions, in 768 and 769,<sup>42</sup> and we can identify him as the brother of Teudemund<sup>c</sup>, since the two appear together in a ducal *notitia iudicati* of 761.<sup>43</sup> They had earlier acted together in donating property to Farfa.<sup>44</sup> The brothers also appear together as witnesses in 752,<sup>45</sup> and as *fideiussores* before 761.<sup>46</sup> Hisemund's status is evident from the earliest appearance of his brother, in a subscription list of 744 in which he describes himself as Teudemund *frater Isemundi*: presumably his intention was to establish the former's credentials as a legally competent man by association with his better-known brother.<sup>47</sup> This type of subscription is unique within the Farfa collection. We can also identify another brother of Hisemund, Sundebad/Alipert,<sup>48</sup> and two nephews: Chrisantus and Godefrid, the sons of Candolf.<sup>49</sup>

<sup>37</sup> CDL v 35. For a brief resumé of the family's history, see Collavini, 'Duchi e società locale', p. 134 with nn. 17–18 and table II.

<sup>38</sup> What follows fleshes out the sketch of Hisemund's family and connections given by Saracco Previdi, 'Lo *sculdahis*', pp. 639–40 and 652–6.

<sup>39</sup> The scribe of CDL v 35, Marchambert, has his name as 'Hiliprannus', that of CDL v 43, Raginfrid, preferred the spelling 'Hildebrandus', while Gudepert wrote it as 'Hilprandus' in CDL v 49 (767). The name is, of course, cognate with Hildeprand. Zielinski accepted the identity of the Hisemund of CDL v 35 with the author of CDL v 34 (762–3), who also calls himself the son of the late Barbulanus, and of this Hiliprannus with 'Hildebrandi filii Hisemundi' in CDL v 43 (765) and 'Hilprandi filii Hisem' in CDL v 49 (767); see CDL v pp. 130–1.

<sup>40</sup> CDL v 49. Hisemund had earlier been a *iudex* in 747 (CDL v 8) and 749 (CDL v 13).

<sup>41</sup> CDL v 42 and 43. <sup>42</sup> CDL v 50 and 53. <sup>43</sup> CDL iv/1 15. <sup>44</sup> CDL v 12.

<sup>45</sup> CDL v 17. <sup>46</sup> CDL v 31. <sup>47</sup> CDL v 4. <sup>48</sup> CDL v 30.

<sup>49</sup> CDL v 34. Godefrid witnessed Hisemund's *offersio* of 763 (CDL v 35), and a *conductor* Godefrid, presumably identical with the son of Candolf, appears alongside Hisemund in a charter which the latter supervised in 764 as *sculdahis* (CDL v 39) and the document of 767 which Hisemund witnessed (CDL v 49).

While this evidence makes it clear that there was no requirement for consistency in the use of titles or connections of kinship in a subscription, his different appellations do fall into groups. As a judge, he appears on his own, without an expression of kinship, parentage, office or place of origin. We see him in tandem with his brother in a joint donation, in the juridical capacity of *fideiussores*, and with an exceptional number of witnesses in the document of a future bishop of Rieti.<sup>50</sup> As a *sculdahis*, he was active either in his official capacity of supervisor of legal business, or as a witness to the transactions of those to whom he had no explicit or intimate link. His parentage and place of residence, however, surfaced only when he issued a charter in his sole right, with one exception, where he may simply have been present in a private capacity.

These different modes of appellation bear on the indications that his brother Teudemund took up the reins of Hisemund's career when the latter disappears from our picture. Hisemund last appears, with the title *sculdahis*, witnessing a sale in 769.<sup>51</sup> Teudemund's last appearance alongside him was as witness to a donation the previous year.<sup>52</sup> Five years later, in 773, we have the first reference to a *sculdahis* Teudemund, in a witness list,<sup>53</sup> and in 776 that *sculdahis* enrolled his son Gualdipert in Farfa just as Hisemund had done with Aunelasius.<sup>54</sup> The *sculdahis* Teudemund's career can be traced down to 789, and included two more substantial donations to the abbey, the second in that latter year.<sup>55</sup> While the identity of the *sculdahis* Teudemund with Teudemund<sup>c</sup>, the brother of Hisemund, is either circumstantial, as above, or negative, in that an identity with other Teudemunds in the corpus can be ruled out,<sup>56</sup> the circumstances are highly suggestive,<sup>57</sup> and would fill out our image of a family whose prominence in their region has been linked to their judiciary activity and the relationship this implied with the dukes.<sup>58</sup>

At least as important for that prominence as the offices that they held, I would argue, was the Hisemundi's relationship with Farfa. Their success, it can be argued, arose through a constant process of negotiation with that institution, and may periodically have been under threat. With Farfa, Hisemund was by turns donor, vendor, co-parent and, remarkably also, dependant.<sup>59</sup> In an unusual clause, the implication that Aunelasius's *offersio* established a quasi-familial relationship with the abbey (and

<sup>50</sup> *CDL* v 17. <sup>51</sup> *CDL* v 53. <sup>52</sup> *CDL* v 50. <sup>53</sup> *CDL* v 62. <sup>54</sup> *CDL* v 68.

<sup>55</sup> Donations: *CDL* v 77 (a.777), *RF* II 147. As a witness: *CDL* v 72, 74, 79, 82, 84, 85, 87, 92, 94, 98, 100 and 101.

<sup>56</sup> See above, pp. 136–7.

<sup>57</sup> Felten suggests such an identity in his sketch: 'Zur Geschichte', p. 57.

<sup>58</sup> Collavini, 'Duchi e società locale', p. 134.

<sup>59</sup> Donor in *CDL* v 12 and 35; vendor in *CDL* v 34; 'co-parent' in *CDL* v 35.

thereby with its patron, the mother of God) extends to cover Hisemund himself in a material way. In it, he not only legally transferred half of his entire property to the abbey along with his son, but also set down the condition that the abbey should feed and clothe him for half the year. The division of property strongly implies that Hisemund had only two sons, and is in line with what we know of inheritance practice at the time, if we assume, as is very likely, that the other half of the property was to go to Hilprand/Hildebrand.<sup>60</sup> The stipulation that the abbey sustain Hisemund is curious. Although it looks like some kind of retirement provision, it came at a time when he was still an active official: in his capacity as *sculdahis* he supervised an exchange involving the abbey in the following year, and he witnessed four further extant charters down to 769, three of them as *sculdahis*. In 763 his career had at least six years still to run; nor does the political background to it suggest any obvious reason why he should have chosen a moment in 763 to divide his property between his sons and to seek the shelter of the abbey: these early years of Duke Theodicius's rule were, as far as we know, unusually peaceful.<sup>61</sup> He had then only recently come to prominence again after a period of apparent inactivity. It may be that he had contracted an illness or disability. However it may have been, it is a fact that the *offersio* came at a time when the focus of his activities had moved from Rieti to the area around Farfa. As well as acting as a witness in the usual way, he twice acted in a more 'official' capacity: once representing ducal sanction for a widow's bequest to Farfa,<sup>62</sup> and once overseeing the redaction of the charter in which the abbey gave half of its *casalis* 'Mallianus' to Rimichisus in exchange for another *casalis*.<sup>63</sup> Hisemund already had associations with this place, and he came first among the witnesses when the abbey bought another portion of that estate in 769.<sup>64</sup> In these transactions, his connection with the beneficiary, Farfa, looks as if it were at least as important as his status as a 'ducal' official. The provision that the abbey maintain Hisemund for half the year therefore fits into a context in which Hisemund, on his return to prominence, seems to have become a secular associate, or operative, of the abbey.

A final suggestion of the importance of this family can be made only tentatively: it is simply that Hisemund's other son, Hilprand/Hildebrand, may just be identical with the man commonly known as Hildebrand who

<sup>60</sup> The assumption behind all the Lombard laws on inheritance is that, in normal circumstances, legitimate sons would receive an equal portion of their father's property: see Rothari 154, Liutprand 102 and 113.

<sup>61</sup> Trouble came only later: Gasparri, *I duchi longobardi*, pp. 83–4.

<sup>62</sup> *CDL* v 50 (768): Taneldis was the widow of Pando, who may have been the Pando with whom Hisemund had been associated some years previously, see *CDL* v 8 (747).

<sup>63</sup> *CDL* v 39 (764). <sup>64</sup> *CDL* v 53.

took over as duke of Spoleto during the turbulence of 773. Hilprand/Hildebrand clearly inherited the secular mantle of his father. We have already seen that he appears as a witness in three different charters, in 763, 765 and 767.<sup>65</sup> In the earliest of these, he may well have been younger than the generally accepted age of legal majority, since his subscription was made 'with the consent of his father'.<sup>66</sup> He was certainly of age by 765. As has been said, direct indications of the existence of both father and son are lacking after Hisemund's last appearance in February 769; thereafter we see nothing of a Hilprand/Hildebrand.<sup>67</sup> Nothing, that is, unless he was the Hildeprand who appeared in Rome towards the end of 773, after Charlemagne had crossed the Alpine passes and Desiderius had fallen back to Pavia. At that time, Pope Hadrian's *Liber Pontificalis* biographer tells us, 'some of the individuals who held power among the people of Spoleto and Rieti made their escape to St Peter'.<sup>68</sup> One of these was a certain Hildeprand, whose election as duke by his own people in Rome was ratified by Pope Hadrian.

Identity with Hilprand/Hildebrand, son of Hisemund, is suggested by two features. First, the fact that Hadrian's *Liber Pontificalis* biographer singled out Rieti from all the Spoletan cities for special mention in his account might indicate that Hildeprand came from there. We have seen that Hisemund did. Secondly, what we can see of Hisemund's career from the Farfa documents reveals a distinct break in activity. Between 749 and 761 he appears just once, as witness to a sale by one of the Pandoni.<sup>69</sup> This contrasts with a much greater prominence in the periods 744–9 and 761–9. The period in between coincides with Aistulf's domination of the duchy, and therefore with its involvement in his particularly stark aggression against Rome. It is true that neither Ratchis nor Desiderius

<sup>65</sup> Respectively, *CDL* v 35, 43 and 49. Zielinski accepted the identity of the Hisemund of *CDL* v 35 with the author of *CDL* v 34 (762–3), who also calls himself the son of the late Barbulanus, and of this Hilprannus with 'Hildebrandi filii Hisemundi' in *CDL* v 43 (765) and 'Hilprandi filii Hisem' in *CDL* v 49 (767); see *CDL* v pp. 130–1.

<sup>66</sup> *CDL* v 35: 'Signum + manus Hilpranni filii ipsius Hisemundi consentientis patri suo testis.' This interpretation is not the only one, of course. The use of 'consentientis' here may simply be a sign of his consent to his father's act. The Lombard laws give conflicting ages for legal majority. Rothari's Edict had laid down that 'sons reach legal age when they are twelve years old' (Rothari 155). Liutprand's law on the subject (Liutprand 19, a. 721) is ambiguous. The king decreed that the legal age for a Lombard man should be nineteen, but also that men could alienate their property when they were eighteen. If we assume, as seems likely, that the latter law was more current in Spoleto at this time, and that Hilprannus did sign 'with the consent' of his father, then he may have been eighteen or younger in 763.

<sup>67</sup> The name of Hisemund vanishes from the documents after 769, reappearing only in 789, as the name of the *notarius* of a donation by the *sculdahis* Teudemund, and in 791 as that of a charter-witness: *RF* II 147 (789) and 150 (791).

<sup>68</sup> *LP* I, pp. 495–6. <sup>69</sup> *CDL* v 17.

(and their dukes of Spoleto, Lupo and Theodicius) were consistently friendly towards Rome, let alone the popes, themselves. But the latter's most aggressive moves took place after 769, the year in which the Hisemundi disappear from our records for a few years, to reappear, if the identity of the *sculdahis* Teudemund suggested above be accepted, only in August 773, by which time the Frankish army was at the Alpine *clusae*.<sup>70</sup> It was at precisely this time that Hildeprand was made duke in Rome. This is not to say that the Hisemundi, or any of those Reatines and Spoletans who found themselves in Rome that summer, were 'pro-Roman', let alone 'pro-papal': the politics of the region were not so clear cut, as we shall see. But Hadrian may at least have welcomed a candidate for the dukeship who had not participated in Desiderius's recent, or Aistulf's earlier, attempts to seize Roman territory. Events of the next decade and a half would reveal the complexities of Spoletan–Roman relations, in which both Hildeprand and Farfa were major players. The relationship between the latter two is perhaps a final point in favour of seeing Hildeprand as Hisemund's son. Duke Hildeprand's remarkable generosity to Farfa may have had good strategic motives in the years after 773, but it may also have been founded on the already close symbiosis of interests between the abbey and the Hisemundi forged in the previous generation.

Whatever the closeness of its attachment to Hildeprand, the family remained equally prominent in the next generation, after Hildeprand's demise in 789. Status was maintained partly through marriage alliances. Teudemund's son Leo married Tota, sister of the *sculdahis* of Spoleto, Iohannes. A dispute that we have already examined closely shows that two of the daughters of that union themselves married prominently, one to Scaptolf, the son of the *sculdahis* Hilderic (see below), and the other to Herfuald, son of the *gastald* of the Marsi.<sup>71</sup> The dispute was occasioned by Leo's death without male heirs, and we have seen the compromise solution that eventually emerged, by which his sons-in-law attempted to divide his estate. Thereafter, the fortunes of that side of the family (Teudemund's) were subsumed into those of heirs attached to it by marriage. We shall investigate Scaptolf, a member of the Audolfi family, shortly; Iohannes gave one estate of Leo's to Farfa, later leasing it back.<sup>72</sup>

What of Hisemund's side? There are intriguing instances of his name recurring among the elite of Rieti in the next generation. A very active notary of that name wrote charters for Farfa and its patrons for at least thirty-one years.<sup>73</sup> More significantly, the bishop of Rieti from 807 or

<sup>70</sup> See below, Chapter 8.   <sup>71</sup> See above, pp. 127–8.   <sup>72</sup> *LL* 5.

<sup>73</sup> *RF* II 147, 184, 186, 187, 201, 210, 211, 212, 220, 234 and 245.

before until at least 836 was called Hisemund.<sup>74</sup> Although there is nothing to link him directly to the Hisemundi, identity of name often signals a relationship: either could have been the son of one of the elder Hisemund's attested sons, or of another (whether or not we accept the identity of Hilprand/Hildebrand with Duke Hildebrand). We could read the presence of Hisemund the bishop among the tribunal that heard the court proceedings over the inheritance of Leo, just mentioned, either for or against such an identity.<sup>75</sup> The ambiguity is surely telling though: the absence of a traceable direct line descending from *sculdahis* Hisemund indicates a change in the relationship between this family and Farfa. The Hisemundi, like some of our others, crossed a horizon in that relationship in the decades around 800. It is not necessarily that the relationship ceased; it may rather be an indication that so many of our charters were generated by the initial forging of the bond with the abbey. Its continuation simply did not produce written documents in the same way, unless a family member (Iohannes in this case) leased land back from Farfa later on.

#### THE HILDERICI

It is interesting to compare the relationships of the Pandoni and the Hisemundi with Farfa with that of another prominent family, that of Hilderic son of Theuderic, gastald of Rieti intermittently in the later eighth and early ninth century.<sup>76</sup> He was the grandson of another Reatine gastald, Tacipert, and was the principal representative in his generation of a family whose noteworthy female members have already caught our attention in our examination of gender and inheritance.<sup>77</sup> The importance of his inheritance through his mother's side is evident both from the appearance of his mother, Taciperga, alongside him in several property dispositions, and from the mention in that context of her father, Tacipert.<sup>78</sup> The latter was evidently a wealthy man, for his estate lies also behind the donations to Farfa, which Hilderic witnessed, of one of

<sup>74</sup> *RF* II 184 (= Manaresi 21), 197 (= Manaresi 23), 207 (= Manaresi 28), 208 and 280.

<sup>75</sup> *RF* 207 (= Manaresi 28).

<sup>76</sup> In reconstructing and interpreting this family's activities I owe something to Gasparri, 'Il ducato longobardo di Spoleto', pp. 110–12, and Collavini, 'Duchi e società locale', pp. 136–7 with n. 25 and table V, but differ markedly from Ring, 'Lands of Farfa', pp. 218–19. It is necessary to note that Hilderic, son of Theuderic, whom I have made the eponym of this family, was distinct from the Hilderic *actionarius* (and later *sculdahis* and *clericus*), whom we encounter as a member of the Audolfi family, and whose father was Audolf: see below, pp. 241–5.

<sup>77</sup> Above, pp. 218–19.

<sup>78</sup> See *CDL* V 60 and 100, *RF* V 1227. For Tacipert's own earlier connection with the abbey, see *CDL* V 8, 12–15 and 17, and Zielinski, *Studien*, pp. 239–41.

Taciperga's sisters, the nun Elina.<sup>79</sup> The family's lands stretched beyond the Sabina, and they had houses in both Rieti and Spoleto.<sup>80</sup> They had also established, just outside Rieti, an *Eigenkloster* dedicated to St James.

Hilderic's career as gastald was not continuous: he appears as such in the *datatio*, and occasionally the *completio*, clauses of charters from 766 to 771, in 792 and 793, and in 801.<sup>81</sup> His active career as an official must have been over by 807, when a charter presented in court is described as having been 'later than the day of gastald Hilderic' ('posterior erat a die Hilderici castaldii'), but he continued to appear with the title in charters, as either witness, judge or issuer, until 817.<sup>82</sup> The late 780s and early 790s seem to show both a particular attachment to Farfa and a particular prominence thereby. In 786 Hilderic, along with his mother and his wife, made a substantial donation to the abbey, reserving the usufruct of the property for their lifetimes.<sup>83</sup> In May 791 most of these properties were donated again in a charter which, however, made several perhaps important additions and omissions, and did not include a usufruct clause.<sup>84</sup> In August of the same year representatives from Farfa travelled to Regensburg where they managed, very exceptionally, to elicit from Charlemagne a confirmation of this charter.<sup>85</sup> In that same year also Hilderic appears as advocate for Farfa, a role he repeated in 798.<sup>86</sup> From the following year we have a document which makes explicable the absence of the usufruct clause in the second, 791, donation charter: the first ever lease issued by Farfa is to Hilderic, his mother and wife, for all their property 'de territorio Reatino et Spolitano seu et Marsicano et intro civitatem'.<sup>87</sup> Finally, in 796 Charlemagne issued for his *fidelis* Hilderic what amounted to a letter of recommendation addressed to all his officials throughout the kingdom, requiring that they assist and not impede Hilderic in his work on the abbey's behalf.<sup>88</sup>

While no other layman had achieved such exalted recognition of his attachment to Farfa, two pieces of evidence reveal that the relationship was not straightforwardly positive. The first concerns an estate at 'Pontianus' which Hilderic gave to the abbey in 766.<sup>89</sup> This appears to have been an outright donation, with no retention of usufruct, and yet the estate appears in another donation from Hilderic in 773.<sup>90</sup> A further indication that all was not right with this donation may be the appearance of a *fundus* 'Pontianus', with a church of S. Valentinus, given to Farfa in

<sup>79</sup> CDL v 56 and 57; RF II 201–2. <sup>80</sup> RF v 1227.

<sup>81</sup> 766–71: CDL v 46, 47, 52, 54, 55, 56 and 57; 792–3: RF II 152, 153, 155 and 156; 801: RF II 167.

<sup>82</sup> For the quotation: RF II 204; as witness: RF II 206 (a.808); as judge: RF II 205 and 207 (a.813 and 814); as donor to Farfa: RF II 210 (a.814), 235 (a.816) and 275 (a.816) and 230 (a.817).

<sup>83</sup> CDL v 100. <sup>84</sup> RF v 1227. <sup>85</sup> RF II 162 = MGH Dipl. Kar. I 171. <sup>86</sup> RF II 150 and 171.

<sup>87</sup> LL I. <sup>88</sup> RF v 1228. <sup>89</sup> CDL v 47. <sup>90</sup> CDL v 60.

776 not by Hilderic but by Duke Hildebrand.<sup>91</sup> The same place appears again in Hilderic's gift of 786,<sup>92</sup> and finally as the subject of a further donation charter of 814, in which the existence of an earlier document is acknowledged.<sup>93</sup> The second sign of trouble comes in the *notitia* of the court case in which Duke Guinichis contested with Farfa the property of Paul, son of Pando. Paul's lands had been seized from Farfa 'per Hildericum castaldium' – and so between 789 and, at latest, 807.<sup>94</sup> Hilderic, then, acknowledged by no lesser person than Charlemagne himself as a privileged agent of the abbey, was at around the same time acting as agent for the duke against the abbey.

Several conclusions can be drawn from this evidence. The first is that Hilderic had no children. Had they existed, they would surely have appeared in the 792 lease, but instead, he and his wife effectively made Farfa their heir. A second point arises from the history of the estate at 'Pontianus', insight into which can be gained from a further, later piece of evidence. In 829 it was one of the estates that were the subjects of a dramatic hearing in the Lateran palace, in front of both imperial *missi* and Pope Gregory IV, which Farfa claimed had been wrenched from its possession by popes Hadrian and Leo III.<sup>95</sup> It seems very likely, in fact, that 'Pontianus' had been taken over by papal agents by 786 because Hilderic's donation of that year transfers the estate only 'si dominus nobis Sabinis reddiderit'.<sup>96</sup> The term *dominus* here must refer either to Charlemagne or, conceivably, to God: if the latter, it should be translated 'if the Lord gives the Sabina back to us'.<sup>97</sup> Either way, added to the 829 *notitia*, this evidence surely suggests that Hadrian's men had taken the estate at some point between 773 and 786. In this context it is worth noting that, while 'Pontianus' appears thus qualified in the 786 donation, in the charter issued in 791, which largely repeats the list of Hilderic's properties, it is absent. Two further points arise from this. First, as closely as it can be located, 'Pontianus' seems to have been very close to Farfa itself, between the Tiber and the Corese and next to the *gualdus* 'ad Sanctum Iacinthum'.<sup>98</sup> This suggests something about the nature of papal encroachments in the area which we shall examine in chapter 8. Secondly, the indication of papal occupation of the estate helps to explain

<sup>91</sup> *CDL* IV/1 24.   <sup>92</sup> *CDL* V 100.

<sup>93</sup> *RF* II 210: 'sicut continetur in alio testamento quod ego iam ante in ipso monasterio de aliis meis substantiis iudicatum habui'.

<sup>94</sup> *RF* II 251, and see Collavini, 'Duchi e società locale', p. 137.

<sup>95</sup> *RF* II 270 = Manaresi, no. 38.   <sup>96</sup> *CDL* V 100.

<sup>97</sup> The apparently plural 'Sabinis' is not an obstacle to this translation: charters sometimes describe estates as 'in Sabinis': e.g. *CDL* V 7.

<sup>98</sup> It is mentioned in the bounds of the latter estate as early as 746: *CDL* IV/1 5.

its repeated appearance in donations to the abbey: an estate was given ‘on parchment’, even though not actually in the hands of the donor, in order periodically to bolster the dossier of documents that supported Farfa’s title to it, in opposition to papal claims. Farfa’s advocate did indeed produce documents at the 829 hearing, though those mentioned in the *notitia* refer explicitly only to another of the claimed estates.<sup>99</sup>

These complications reveal just how fragile and dismembered power was in the Sabina in this period. Efforts by Hilderic to cement a relationship between his family and the abbey were hindered by very direct interventions from Rome in the area. This may have contributed to the Hilderici’s decline – or at least their disappearance from Farfa’s records – after the lifetime of gastald Hilderic, and suggests that while, as Simone Collavini avers, we must not talk of ‘a crisis of the Lombard aristocracy’, we should not underestimate the dangers they faced.<sup>100</sup> By the 790s, and despite the significant and exceptional support of the Frankish king, the Hilderici’s relationship with Farfa was also under strain from the competing interests of the Frankish duke Guinichis. For him, the abbey was no longer what it had been for Duke Hildeprand: a vehicle for promoting stability and cohesion among the local aristocracy and, especially after Charlemagne issued his immunities for it in 775, a privileged bulwark against potential encroachments by Franks or Romans. It was instead a challenge, an institution that had soaked up fiscal lands, which he would rather put to his own uses. As gastald, Hilderic had to strike a difficult balance between his nominal superior in Spoleto and his immediate propertied interests in the Sabina. This multifaceted relationship, with the abbey and with different ‘public’ authorities (the dukes and the king), at least ensured the persistence of his family’s power in the locality until 817 at the earliest. Guinichis was not, after all, so powerful in the Sabina that he did not have to turn to the local gastald to do his work there. Nonetheless, he was appreciably more distant, perhaps even in a personal sense, from the Sabine landowning elite than had been his Lombard predecessors. His was therefore a disruptive presence in the social nexus established in the later 770s and 780s when the active support of the abbey by both duke and king, and in particular the latter’s immunity diplomas, had encouraged a positive relationship between Farfa and the Sabine elite.

<sup>99</sup> *RF* II 270 = Manaresi, no. 38. The *notitia* states that the *curtis* of S. Vitus ‘in Palmis’ had passed to Queen Ansa in an exchange with the Pandone bishop Teuto of Rieti, and that she had given it to her daughter Ansilperga, abbess of S. Salvatore in Brescia, who had then passed it on to Farfa. These documents do not survive, however.

<sup>100</sup> Collavini, ‘Duchi e società locale’, p. 137.

## *Elite families in the Sabina*

### THE AUDOLFI

The permeable zone between monastery and secular families was the scene of negotiations – fraught and sometimes generations long – which set and reset the balance of power between the two. Just how fraught that relationship could be, and over how long a time it could unfold, is evident from the example of a family we can dub the Audolfi. In their case, it is instructive to view their relationship with Farfa from near the end of the process. Three consecutive documents in the Farfa register – as Gregory of Catino saw them, perhaps three single sheets intended to make a whole – record an agreement that crystallized over the five-year period between 824 and 829 to divide properties between Farfa and Audolf, the son of Hilderic, by then deceased.<sup>101</sup> The agreement covered an extensive range of properties (hence the three sheets of parchment) and neither party should be seen as having lost out of it. Farfa gained property, and Audolf can hardly have been ruined by it, since by 836 he is recorded as a gastald of Rieti.<sup>102</sup> It constituted the settlement of a dispute that must by then have been rumbling for a number of years, because it had its origins in a grant made more than thirty years earlier in December 786. Then, Audolf's father, Hilderic, who at that time styled himself *clericus*, had transferred ownership of his property to Farfa, retaining the usufruct of it, half for himself and half for his wife, Gutta.<sup>103</sup> Only in the charter of 824 does it become clear that Hilderic had at that time (or conceivably shortly afterwards) actually entered the Farfa community. The dispute had arisen because Audolf claimed that 'afterwards my father left that monastery'.<sup>104</sup> Audolf's case, presumably, was that this departure changed the balance of the relationship between one of Hilderic's heirs (himself) and another (Farfa).

Much was at stake in this dispute for the Audolfi. Although the original grant of 786 is unlikely to have encompassed the entire family patrimony<sup>105</sup> – Audolf's continued high-profile activity in the intervening years indicates that he can hardly have been destitute – it did include the family's church of S. Agatha 'ad Arces' near Rieti. Its donation in 786 had been made for the soul of Hilderic's late brother Valerinus, and he had specified that members of his family should continue to be buried there

<sup>101</sup> *RF* II 260–2. The agreement is termed *amica pactione*. On this mode of dispute settlement, see Wickham, 'Land disputes', pp. 252–3.

<sup>102</sup> *RF* II 280. He had been 'sculdahis of Rieti' in 817: *RF* II 229.

<sup>103</sup> *CDL* V 101 and 102, issued on the same day. The latter is simply a clarification of the former, ensuring that Gutta had usufruct of half of the property even after Hilderic's death.

<sup>104</sup> *RF* II 260: 'postea ipse genitor meus exiuit de ipso monasterio'.

<sup>105</sup> For example, Audolf's brother Scaptolf exchanged property with the abbey in 808: *RF* II 192.

after it passed into the abbey's hands.<sup>106</sup> But, in fact, the family had probably itself received the church from Farfa in 761: the abbey exchanged it in that year with a Hilderic *actionarius* who may well be our Hilderic in an early incarnation.<sup>107</sup> The usufruct of the church and its endowment remained in the family's hands in the next generation, when it was leased back by Farfa to Hilderic's daughter Guisperga.<sup>108</sup>

This latter charter also allows us to begin to unravel the fluid nature both of Hilderic's career and of his relationship with the abbey. Guisperga's charter names both her father, Hilderic, and her grandfather, Hilderic's father, Audolf (after whom we may name the family). We also have a charter involving another daughter, Hildeperga, a donation of her dower with reversion of the usufruct following her marriage into the Hisemundi family: her husband was Ursus, son of the *sculdahis* Teudemund.<sup>109</sup> Slightly at variance with the written law, she states that her *mundium* remained in the hands of her brother Audolf,<sup>110</sup> and names her father as the late Hilderic *sculdahis*. This identifies Hilderic as an official who appears, as either witness or *fideiussor*, in nine charters in the period 776–81.<sup>111</sup> Earlier, as we have seen, he may have been an *actionarius*. His official duties certainly show that he had no consistent or exclusive attachment to Farfa: in 776 he acted as representative of the bishopric of Rieti in one part of the abbey's long tussle with the bishops over the *casalis* 'Balberianus'.<sup>112</sup> His son Audolf displays the same apparently hot-and-cold attitude to the abbey. Although in dispute over his father's estate before 824, in 821 Audolf acted as an advocate for Farfa in the dispute with Duke Guinichis over the legacy of the Pandone Paul.<sup>113</sup> He repeated the role in the even more crucial arena of the hearing at the Lateran over papal seizures of Farfa's lands in 829.<sup>114</sup> What these appearances reveal from the point of view of the Audolfi is that their relationship with Farfa was neither static, nor immutable, nor exclusive. The fact that Hilderic entered and then apparently left the abbey community shows that *offersio* was not always the once-and-for-all act that the Rule of St Benedict wanted it to be. What we can see of their secular activities,

<sup>106</sup> CDL v 101: 'Tantum volo, ut mei heredes, qui futuris temporibus fuerint, in ipsa ecclesia et in atrii eius ecclesiae sepulturas sibi faciant.'

<sup>107</sup> CDL v 32.

<sup>108</sup> LL 19 seems to suggest that the lease terminated in 819, but RF II 243 indicates that it was renewed in 820.

<sup>109</sup> RF II 203.

<sup>110</sup> This seems to be rather at variance with the implications of the Edict of Rothari on a married woman's *mundium*: see e.g. Rothari 165; but note the comments above, pp. 215–19.

<sup>111</sup> CDL IV/1 35; CDL v 66, 67, 69, 70, 76, 79, 86 and 99. <sup>112</sup> CDL IV/1 26.

<sup>113</sup> RF II 251: see above, pp. 67–8. <sup>114</sup> RF II 270: see below, pp. 339–41.

as officials, legal guarantors and, in Audolf's case, a judge, suggests that wholly secular business must have occupied much of their attention.<sup>115</sup> The history of their officeholding – from unspecified minor office in the first generation, through *actionarius* and *sculdahis* to Audolf's attainment of the *gastaldate* by 836 – speaks of a sharp social ascent.<sup>116</sup> Given this slant, the abbey's perspective is unlikely to have been one of dominance. It looks rather as though Farfa engaged in a long-term negotiation in an effort to accommodate a powerful local family.

Audolf's career is to some extent mirrored by that of his brother Scaptolf. He was Farfa's most consistently appearing judicial advocate in this period, representing the abbey in four prominent cases discussed above: the disputes over Pompignano, with Palumbus, with Clarissimus and with Romuald.<sup>117</sup> A *sculdahis* by 802,<sup>118</sup> he entered into an exchange with Farfa in 808;<sup>119</sup> and was a donor in 814.<sup>120</sup> He was dead by 820, in which year his son Iohannes gave a donation to Farfa.<sup>121</sup> He is not to be confused with a namesake who was father of Tachiprand/Takeprand, still living in 897, though it is likely that the latter stood in some family relationship with the earlier Scaptolf.<sup>122</sup> This earlier Scaptolf married Formosa, daughter of the *sculdahis* Leo, the son of Teudemund, also *sculdahis* and member of the Hisemundi family just examined.<sup>123</sup> Both Leo's and Scaptolf's legacies were the subject of periodic controversy from the 810s on between various potential heirs, including Farfa: we have seen how complex these affairs quickly became in the case of the competing claims of Romuald and his son Herfuald against both Scaptolf and Farfa in the hearings of 813. Leo's estate in 'Asera' was also the subject of disputes and affirmations in 817, 819 and 824, when it was explicitly linked with property Farfa had received from Scaptolf.<sup>124</sup> In short, a focus on Scaptolf shows how the relationship with Farfa not only of his immediate family but also of the Hisemundi continued to be the subject of intense negotiation right through the next generation.

<sup>115</sup> Audolf was judge in three cases involving Farfa: *RF* II 184 (= Manaresi, no. 21), 197 (= Manaresi, no. 23) and 205 (= Manaresi, no. 27).

<sup>116</sup> As noted by Collavini, 'Duchi e società locale', p. 133 with n. 16 and table I.

<sup>117</sup> Pompignano: *RF* II 161 and 165 (= Manaresi, nos. 13 and 14); Palumbus: *RF* II 184 and 204 (= Manaresi, nos. 21 and 22); Clarissimus: *RF* II 197 (= Manaresi, no. 23); Romuald: *RF* II 205 and 207 (= Manaresi, nos. 27 and 28).

<sup>118</sup> *RF* II 167. <sup>119</sup> *RF* II 192. <sup>120</sup> *RF* II 214. <sup>121</sup> *RF* II 245.

<sup>122</sup> *RF* III 324, a.877; III 339, a.897.

<sup>123</sup> Formosa as wife of Scaptolf: *RF* II 283; as daughter of Leo: *RF* II 205 and 207; Leo as son of Teudemund: *CDL* v 104. The Teudemund in question is Teudemund<sup>c</sup> identified above, pp. 136–7, 232–3.

<sup>124</sup> Respectively, *RF* II 229, 239 and 258.

The Audolfi display the multiple currents of loyalty affecting Sabine aristocrats: they were advocates for Farfa, beneficiaries of the duke and, as we shall see, representatives of the bishop of Rieti. This position was not affected by their donations to Farfa. The reasons for this may be three: that they transferred to the abbey's ownership only a small proportion of their wealth; that their status as socio-political actors did not correlate directly with the absolute extent of their estates; and that transferring lands to Farfa did not completely sever their identification with those lands – that is, that the benefits of landed tenure might continue even when the legal title of ownership had passed to another, especially if that other was an institution like Farfa that had a corporate identity. In fact, it seems that all three of these factors were in operation to varying degrees.

An exchange that Audolf made with Farfa in 836 shows how the terms of the relationship that his family had forged over two generations were changing. Audolf parted with an estate in the Massa Nautona and received one 'in Capita, loco qui nominatur gualdus iuxta campum sanctae Anatholiae'.<sup>125</sup> To judge from the wording of the charters, the procedure surrounding such exchanges had become more elaborate. From the first decade of the ninth century we begin routinely to see references to representatives of both parties, together with local judicial figures, walking the bounds of exchanged lands 'secundum legem langobardorum', and Audolf's charter contains the most detailed description of the procedure thus far: the people involved included representatives (*missi*) of the local bishop and the local judge as well as three *boni homines*.<sup>126</sup> The identity of these men in this case confirms the status of Audolf himself, and the importance of his transaction with Farfa.<sup>127</sup> Most significantly, one of the representatives is an *archipresbiter* Gaidepert; he was presumably archpriest of the episcopal church of Rieti, since he is named immediately after the 'missus pontificis domnus Hisimundus sanctae Reatinae ecclesiae'. There is a strong probability that this Gaidepert is identical with the man of the same name who is designated as son of the late Audolf in a charter of 854 in which Farfa purchased a series of properties in the Massa

<sup>125</sup> RF II 280.

<sup>126</sup> The earliest appearance of a new formula for bounds walking in the Farfa documentation is in RF II 192, a. 808 (a charter of Scaptolf, though this is, I think, a coincidence). For the selection and role of *boni homines* in such matters, see Aistulf 16 and Bougard, *La justice dans le royaume d'Italie*, pp. 151–2. Given the law of Aistulf just mentioned, it is hard to agree with P. Santoni, *Note sulla documentazione privata nel territorio del Ducato di Spoleto (690–1115)*, Quaderni della rassegna degli Archivi di Stato 63 (Rome, 1991), pp. 64–5, that the new prominence of such men was due entirely to Carolingian legislation.

<sup>127</sup> Among the *boni homines* were advocates of the bishop of Rieti and the monastery of S. Salvatore (presumably that on Monte Letenano, nearby).

Torana to reaggregate an estate there.<sup>128</sup> If this is so, then as just mentioned we can posit an attachment between the Audolfi and the bishopric of Rieti, as well as with the duke and with Farfa. We may be able to see later traces of the family in the subsequent history of the estates exchanged in 836. In 884 property in the Massa Nautona was the subject of a donation to Farfa, witnessed *inter alia* by men named Gaiderisius and Audolf<sup>29</sup>: the identity of name (and in the former case of the name element Gaide-) is not in itself proof of kinship, of course, but the circumstantial case is strong. Even stronger is that for a sale in 888 including ‘res . . . in massa Capitanea, in loco qui dicitur campus sanctae Anatholiae’: this looks very like the estate that Audolf received in 836, and the charter is witnessed again by Gaiderisius and by Tahiprand, the name of a witness also to the 836 document.<sup>130</sup>

#### CONCLUSION

These signs of family continuity indicate that what has looked like the disappearance from the Sabina of the old local aristocracy in the first decades of the ninth century is a trick of the sources. That elite did not disappear; it was simply that the way they interacted with Farfa – our only repository of evidence – changed, so that they appear differently, and less frequently, in the abbey’s charters.<sup>131</sup> Associated with this change is a shift in the way lands are described in charters: from whole estates (whether *curtes* or *casales*) and loosely defined subdivisions of them (*portiones*) resulting from inheritance, to collections of tenant holdings and measured areas under a particular type of cultivation. Pierre Toubert saw this as a sign of fragmentation; but this is not, as he thought, a particular or unique feature of this period: estates were continually being fragmented and

<sup>128</sup> RF II 291. Further on Farfa’s holdings in this area see E. Migliario, ‘Per una storia delle strutture agrarie e territoriali nella valle del Turano tra antichità e alto medioevo: alcune riflessioni sulla Massa Nautona e la Massa Turana’, in E. Hubert ed., *Une région frontalière au moyen âge. Les vallées du Turano et du Salto entre Sabine et Abruzzes* (Rome, 2000), pp. 53–65, though I cannot agree with her that the Massa Turana was only occupied by ‘Lombards’ at the end of the seventh century. The parcelling of the land evident in the mid-ninth century sales to Farfa speaks of a much more dynamic and changeable configuration of land than she envisages.

<sup>129</sup> RF III 333.

<sup>130</sup> RF III 336. It is of course unlikely that the 888 Tahiprand is identical with the man who appeared in 836; what may be significant of kinship is simply the conjunction of names – which we know very often descended through families, as in the case of the Audolfi.

<sup>131</sup> Toubert thought that the ‘petite aristocratie locale’ in the Sabina disappeared in the last decades of the eighth and first decades of the ninth century, pointing to the increase in the number of donations to Farfa immediately following 774: *Les structures du Latium médiévale*, pp. 487–8. But, as I have argued here, these are more likely to have been a positive step following Farfa’s immunity privileges than a case of the Sabine landowners dropping everything and running to the hills.

reconfigured. It must rather be associated with the change in our evidence, which saw pious donation gradually give way to transactions aimed at managing lands. The 854 document is one of a number that Toubert rightly saw as revealing a new effort on the part of Farfa to organize its landholdings more efficiently.<sup>132</sup> This kind of aggregation or reaggregation of land parcels and peasant holdings into more easily managed units was a necessary precondition, he argued, for *incastellamento*: that is, for the concentration of settlement into hilltop villages (the fortification of which generally followed). Toubert's monumental work made Lazio famous as the foundation for his influential model of this process.<sup>133</sup> It has, however, undergone both refinement and serious questioning since its publication in 1973, which boils down to two controversies: when did settlement concentration of the *incastellamento* type take place? And, whenever it occurred, what drove it? This is not the place to examine the arguments surrounding the former question in detail. Suffice it to say that archaeology has revealed *some* evidence for settlement of the *incastellamento* type (hilltop, fortified) in *some* parts of Italy as early as the sixth century, and that the overall picture seems now to be one of shifting local variety rather than global change over a *longue durée*.<sup>134</sup> The question we can consider here is that of motivating force. On the basis of the past thirty years' historiography, possible forces are: repopulation of a deserted area; defence; lordly exploitation; and estate reorganization. The evidence from the Farfa documents strongly suggests that the initial impulse was a combination of the last two. Acts like that of 854 in which twelve contiguous properties were purchased in one area were evidently the product of a deliberate policy on the part of the abbey,<sup>135</sup> but prompted by, and aimed at, what? Many historians have linked the development with Saracen depredations in the region. The nature of Saracen activity – swift and violent – might certainly have prompted a concentration, and in particular a fortification, of settlement; but the latter came only later with the foundation of the first *castra* proper.<sup>136</sup> The earlier,

<sup>132</sup> Toubert, *Les structures du Latium médiévale*, p. 490.

<sup>133</sup> *Ibid.*, *passim*. See the historiographical discussion by Wickham, *Mountains and the City*, pp. xxiii–xxvii.

<sup>134</sup> Wickham, *Framing the Early Middle Ages*, pp. 481–8; for an extreme expression of the earliest possible dates for concentration of settlement, see R. Hodges and R. Francovich, *Villa to Village. The Transformation of the Roman Countryside in Italy, c.400–1000* (London, 2003).

<sup>135</sup> RF II 291–3.

<sup>136</sup> For *incastellamento* for defence, see e.g. G. Loud, 'Southern Italy in the tenth century', in *NCMH* III, pp. 624–45, at pp. 637–8; for the beginnings of fortification, C. Wickham, *Il problema dell'incastellamento nell'Italia centrale: l'esempio di San Vincenzo al Volturno (Studi sulla società degli Appennini nell'alto medioevo II)* Quaderni dell'insegnamento di archeologia medievale della Facoltà di lettere e filosofia dell'Università di Siena 5 (Florence, 1985), pp. 57–8, 65–6 and 79–94.

mid-ninth-century reorganization seems to have been more directly linked with estate management. Given the nature of the encroachments from Rome recorded up to the 820s (and described in chapter 3) – involving estates' own managers shifting allegiances – it does not seem far-fetched to suggest that it may have been these that prompted the first moves in the reorganization of estates that would culminate in the *castra*. Moreover, since that kind of aggression continued periodically right into the tenth century, it may have been such violent elite competition that provoked the foundation (by monasteries first, as Toubert showed) of the fortified *castra*.

On one side of these conflicts was an elite that did not disappear; nor, moreover, was it notably impoverished. This latter has been suggested by Chris Wickham in relation to the Lombard aristocracy in general.<sup>137</sup> In response we need first to point out the danger of trying to gauge the size of any aristocratic patrimony in this period, especially from an aristocrat's (or a family's) transactions with a single institution. Documents that might be thought, or at first sight appear, to give comprehensive pictures of particular patrimonies rarely in fact do so, as we saw in the cases of Probatas and Picco, and of Hilderic. Ultimately, though, Wickham's point is one of comparison. As we saw at the beginning of this chapter, he has argued that

Lombard aristocrats, indeed Italian aristocrats as a whole, were by the eighth century primarily locally focused . . . that that focus included a clearly identifiable urban orientation . . . and that the global extent of aristocratic landowning was by the eighth century fairly restricted, in sharp contrast to the huge properties of the highest-ranking aristocrats of the late empire, and also to the major figures of contemporary Francia.<sup>138</sup>

It was certainly the case that, like other Italian elites, that of the Sabina was limited to that region, focused on Rieti. This localism can be seen as the crucial explanatory fact of early medieval politics in central Italy. From the dissolution of the Gothic kingdom onwards elites in central Italy had grown up in particular regions, around particular cities, hemmed in by other elites: Rome, Ravenna, Spoleto, Rieti, Perugia, Benevento (to which we might add centres in southern Tuscany like Chiusi and Viterbo). But these elites can hardly be seen as comparable with 'the major figures of contemporary Francia'; these latter were only ever a handful of families. Francia also had landowning elites on a regional and sub-regional level: the family of Otakar in the middle Rhine valley is one

<sup>137</sup> Wickham, *Framing the Early Middle Ages*, pp. 209–19, and see his earlier, 'Aristocratic power'.

<sup>138</sup> Wickham, *Framing the Early Middle Ages*, p. 218.

recently studied example.<sup>139</sup> In 778 the priest Iohannes had given twelve peasant tenures in one donation; the same year the widow Ansa listed twelve properties in her *offersio*; while Hilderic's 791 donation mentions thirteen different properties, and this was evidently not the totality of his possessions.<sup>140</sup> These examples demonstrate the limitations of Wickham's suggestion that 'if we were to restrict our definition of the aristocracy . . . say to people in our documents with more than five *curtes* each . . . then only about ten "aristocrats" would be documented in the nearly 300 charters of the Lombard period'.<sup>141</sup> Clearly, even in the Sabina there were in fact more than that, and this statement is conditioned as much by the parameters of our evidence as by actual social structures of the period; in any case, 774 is something of an artificial cut-off point at which to gauge the state of the aristocracy, since it is widely acknowledged that the Frankish conquest did not immediately affect their position, as we shall see in chapter 8.

We need also to take notice of the relationship between these families and 'public' organs. As well as being landowners, nearly all also exercised public functions, whether as judicial officials or administrators of property, functions which gave them access to wealth over and above their own landed properties. The relationship of landowner with office might be thought of as analogous to that of families to monasteries: that is, symbiotic, involving the melding of individual or 'private' interests with those of institutions, at the point of intersection between vertical and horizontal social ties.<sup>142</sup> This was not a matter of a simple correlation in which status or power was indicated by the sheer extent of lands owned or the exalted grades of office.<sup>143</sup> They depended, rather, on all forms of public action, whether in a legal hearing, on estate business or in a church. These were not necessarily formalized, and were accompanied, we can be sure, by displays of movable wealth.<sup>144</sup> One opportunity for such display was precisely that moment when family and monastery coincided most directly, in the oblation of a family member as a monk. We have seen that both the Hisemundi and the Hilderici certainly, and the Pandoni possibly,

<sup>139</sup> In terms of sheer quantity, Otakar's 'twenty-five *mans*' looks roughly comparable as a patrimony with that of leading families in the Sabina: Innes, *State and Society*, pp. 61–5. This is not the only measure of elite status, however.

<sup>140</sup> *RF* v 1227; see above, pp. 192, 196–8. <sup>141</sup> Wickham, *Framing the Early Middle Ages*, p. 214.

<sup>142</sup> For similar comments, see Innes, *State and Society*, pp. 71–3.

<sup>143</sup> Collavini, 'Duchi e società locale', reveals clearly the degree of social mobility possible within local aristocracies like that of the Sabina, though it is harder to see this, as he does, as articulated mostly in terms of grades of office.

<sup>144</sup> See M. Costambeys, M. Innes and S. Maclean, *The Carolingian World* (Cambridge, 2008), chapters 6 and 7.

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contributed monks to Farfa's community; and these offerings only reinforced ties already established by gifts of land.

Parity in the relationship between monastery and family meant that Audolf and his brother were both sufficiently influential in their own right for their advocacy of Farfa in disputes to carry weight. This was on no occasion more important than during the hearings of Farfa's complaint against the popes' men at the Lateran in 829. Here, Audolf stood as representative not simply of the abbey, but of the entire landowning class of the 'Lombard' Sabina (that is, the landowners based in Rieti), defending their position against the pretensions to some of 'their' land in the Sabina by a different elite, that based in Rome.

## Chapter 7

# FARFA AND ITALIAN POLITICS IN THE LOMBARD ERA

### INTRODUCTION

This book opened with a quotation from a diploma of Lothar issued in December 840, some six months after the death of his father and a year after his eldest son, Louis (II), had been earmarked to be king of Italy.<sup>1</sup> Through this document, Lothar confirmed what he had already legislated upon in 824: that Farfa should be reinvested with properties that the popes had taken from it, and that all its properties should be immune from papal jurisdiction. Most significantly, the properties in question were said to be 'located both in the Sabine territory and in Romania': that is, Lothar drew an explicit distinction between the Sabina and the territory formally attached to the city of Rome. To draw such a boundary was to recognize the identity of the latter, certainly; but it was also to deny the claims to some kind of jurisdiction in the Sabina, ambiguous and mutable though those had been, made in some papal writings of the later eighth and early ninth centuries. Quite consciously, also, Lothar was drawing limits around the jurisdictional powers of the popes within the territory of Rome: at the very least, they did not extend to Farfa's properties.<sup>2</sup> Nor was the enunciation of these provisions in 840 any belated recognition of those concerns, or of their implications. We shall see that the 840 diploma stands in a series of enactments, which can be traced back through Louis

<sup>1</sup> See H. Zielinski, 'Ludwig II', *Lexikon des Mittelalters*, s. n.; J. Jarnut, 'Ludwig der Fromme, Lothar I. und das *Regnum Italiae*', in P. Godman and R. Collins eds., *Charlemagne's Heir. New Perspectives on the Reign of Louis the Pious* (Oxford, 1990), pp. 349–62; F. Bougard, 'La cour et le gouvernement de Louis II, 840–75', in R. Le Jan ed., *La royauté et les élites dans l'Europe carolingienne (du début du IX<sup>e</sup> siècle aux environs de 920)* (Lille, 1998), pp. 249–67, esp. p. 250.

<sup>2</sup> The acknowledgement here that Farfa had properties in 'Romania' does probably not help in defining where the Sabina ended and the Roman territory began. The strong likelihood is that the properties in question were on the other side of the Tiber, in south Etruria (or Roman Tuscany). Farfa had been receiving properties in that area since the 760s: e.g. *CDL* II 196, 198 and 217; *CDL* V 92; *RF* II 146, 188.

the Pious's reign, to the provisions made by Charlemagne immediately after his conquest of the Lombard kingdom in 774.

These diplomas are the best evidence that we have for the Carolingian rulers' direct political engagement not only with Farfa, but with the most prominent landowners in the Sabina. To demonstrate the dense web of relationships into which the Carolingians had to fit, we can consider synoptically a number of details that we have already raised in previous chapters when trying to delineate individual families and their interests. They can all be connected with a revealing document issued in 776 in which a certain Lupo, later gastald of Rieti, gave a donation to Farfa including land in the *curtis* of 'Quintilianus' that he had received from Pope Hadrian.<sup>3</sup> By 829 Lupo's son Statius was in Rome, at a judicial hearing presided over by Louis the Pious's representatives, in which the abbot of Farfa claimed that popes Hadrian and Leo had seized some of the abbey's lands, including estates in 'Pontianus' given to it by Hilderic, gastald of Rieti either side of Lupo.<sup>4</sup> Standing next to Statius on that occasion were Probatas and Picco, of the Pandoni family.<sup>5</sup> Probatas and Statius both subscribed the *notitia* that recorded the hearing, as did Farfa's advocate on that occasion, Audolf, scion of the eponymous family. Audolf's brother Scaptolf, who stood as advocate for the abbey on other occasions, married the daughter of Teudemund of the Hisemundi family. Audolf and Statius had earlier, in 816, together witnessed a donation to Farfa by Statius's brother Spento of land that the latter had acquired from his father-in-law, Herfo;<sup>6</sup> and, to come full circle, Herfo's son, Goderisius, had in 792 given to Farfa an extensive donation including pasturage in 'Quintilianus'.<sup>7</sup> This land, along with much else given by the Pandoni, Hisemundi, Hilderici and Audolfi, was all confirmed in Farfa's possession by Lothar's 840 diploma. The convoluted connection of these families traceable between the charter of 776 and the *notitia* of 829 is only one among a number of possible demonstrations of the degree to which the interests of the abbey and of local landowners had coalesced by the last quarter of the eighth century. Moreover, they had coalesced in part precisely because of the sort of pressures evident in the 829 court hearing: the threat or reality of dispossession by forces based at Rome. It was this situation that the Carolingian rulers sought to regulate through the diplomas that they issued for Farfa over the course of a century (between Charlemagne's in 775 and Charles the Fat's in 883).

<sup>3</sup> *CDL* v 66: 'simul et terras de Quintiliano ... qualiter ego per preceptum sanctissimi Adriani pontificis possedi'. For Lupo's family, see Collavini, 'Duchi e società locali', pp. 137–8 and table VI.

<sup>4</sup> *RF* II 270 (= Manaresi, no. 32); Hilderic's donation: *CDL* v 100.

<sup>5</sup> See above, pp. 226–31. <sup>6</sup> *RF* II 220. <sup>7</sup> *RF* II 153.

It will be argued in the next two chapters that there is a direct conflict between these diplomas and the better-known series of agreements made between the Frankish rulers and the papacy between 754 and 825, which are held to give the contours of the polity ruled by the latter. The discrepancy has potent implications for our picture of Italian politics in this period. The earlier papal–Carolingian agreements have received far more attention than later diplomas like the one just cited because with them Charlemagne and Louis the Pious are held to have given a formal basis to the establishment by the popes of their political sovereignty over a swathe of central Italy. Weighing up the relative significance of these documents is hardly a novel approach: it was one taken, for example, by Farfa’s advocates in a notable court case between the abbey and the counts of the Sabina in 1103, played out against the background of the Investiture Controversy.<sup>8</sup> Modern historiography, however, has tended to place most weight on a series of agreements or *pacta* that papal sources in particular – the *Liber Pontificalis* biographies and the letters – refer to as having been drawn up in this period. They lie at the heart of scholars’ reconstruction of a papal polity in the late eighth and early ninth century, and take a central role in visions of a ‘new political order’ in central Italy under popes Hadrian and Leo III.<sup>9</sup>

Seen in the light of the later pronouncements of Louis the Pious, Lothar and Louis II, however, the earlier look decidedly contingent. It will be argued here that up to and including 817 attempts by Charlemagne and Louis the Pious to regulate this area were essentially spontaneous, and therefore short term, motivated by particular moments of political circumstance. They were generally responses to pleas by interested Italian parties, and they were – partly as a consequence – often contradictory. Above all, they were shaped by evolving papal aspirations towards Farfa’s core region, the so-called *territorium Sabinense*, and specifically towards Farfa’s own properties there. Yet those aspirations were themselves by no means consistent, and we will see that notions of a long-term coherent papal ‘policy’ aimed at establishing a ‘papal state’ are wide of the mark.

Farfa’s own position, its political activity, and the telling weight of its role as an extensive holder of lands and rights have often been seen as a

<sup>8</sup> The dispute is related in detail by one of its most involved participants, Gregory of Catino, at *CF* II, pp. 229–57; comment in the context of the Investiture Controversy by K. Heinzelmänn, *Die Farfenser Streitschriften* (Strasburg, 1904), pp. 89–100; the case is analysed in relentless detail by Stroll, *Medieval Abbey of Farfa*, *passim*.

<sup>9</sup> E.g. Noble, *Republic of St Peter*, pp. 138–83 and 299–321. The quotation is from Delogu, ‘Il passaggio dall’antichità al medioevo’, p. 33.

potential barrier to papal aspirations. To the extent that this view portrays the abbey and its lands as problematic for the popes, we shall see that it is correct. But to interpret its situation accurately we need also to be very precise about what papal aims were. The language that the popes used – and, even more, that employed by other players in the drama – generally fails to equate with the modern rhetoric of statehood. It does not even, on the whole, conform with early medieval ideology in the same category. The confusion in this language about what concepts such as *respublica* or *territorium* meant is not simply one in the minds of modern observers: it was real at the time. Such terms involved a congeries of rights: to property, to jurisdiction, to ‘lordship’ (itself a highly contested term). Seen in this perspective, the papal ‘state’ was not still born or misconceived, but is a phantom generated by subsequent papal historiography. What was at stake was not statehood, still less sovereignty, but rights.

It is on the level of rights that the Sabina’s landowners enter this story. As argued above, property rights did not just comprise the right to enjoy the fruit of the land; they bestowed a capability to act in the social sphere, and therefore also in the realm of politics.<sup>10</sup> Some major Sabine families had made of Farfa the guardian of those rights without, however, entirely disenfranchising themselves. To a great extent these moves coincided with, and must be seen as a response to, the claims made in papal documents to rights over *patrimonia* or *territorium* in the Sabina in the later eighth and early ninth century. Moreover, those families experienced papal aspirations not as powerless observers of ideological and constitutional processes that occurred on a higher plane, but as direct participants. They were personally involved: they knew, interacted with, supported or opposed those usually identified as the major players in the drama: popes, dukes of Spoleto, abbots of Farfa, and their agents. This is palpable especially in the hazy manoeuvrings that we can detect in the crucial years of the mid-770s, which saw the arrival not only of a new king in Italy, but of a new pope and a new duke of Spoleto.

FARFA, THE LOMBARDS AND THE PAPACY, C.700–68

Farfa’s involvement with the papacy began almost from the moment of its foundation, as Duke Faroald sought and obtained from Pope John VII not only confirmation of his grant of a substantial core of lands, but also security for any future property acquisitions by the abbey, substantial

<sup>10</sup> Above, chapter 5; and see J. L. Nelson, ‘England and the continent in the ninth century: III, rights and rituals’, *TRHS* 6th ser., 14 (2004), pp. 1–24.

freedom from the interference of any bishop and a statement of the essential duties of the monks.<sup>11</sup> Pope John's response – a privilege addressed to Abbot Thomas – has occasioned less comment than it might have.<sup>12</sup> Why did Faroald turn to the pope to confirm a disposition that he had made with his own lands, and what did Pope John think he was doing in response? For an answer to this question we should turn first to Duke Faroald's letter:

... through some donations of ours in lands, slaves and bondsmen we have restored that place through Abbot Thomas and your recommendation.<sup>13</sup>

Having acceded to the recommendation of the pope and Abbot Thomas, Faroald now asked that the former strengthen (*firmare*) his (Faroald's) orders with a *privilegium* that no one should presume to perpetrate *insolentias aut concussionem* (perhaps, in this context, 'novel practices or threat of violence') or to take away the abbey's property. He asked that the pope bind whoever did so under a 'chain of anathema'.<sup>14</sup> In short, what Faroald was asking for was a reinforcement of his own provision with the spiritual forces that the pope could bring to bear. What he got was rather more than that: the pope 'established and decided' (*statuimus et decernimus*) that no one should take away Farfa's property or impose exactions on it, and he placed strict limits on the role of the neighbouring bishop at the abbey. The language is, however, general and decontextualized. The bishop in question, for instance, is not specified, he is merely *vicinum aepiscopum*: as we have seen, this could mean either the bishop of Rieti or, conceivably, some still existing bishop of the Sabina based in Cures or Vescovio.<sup>15</sup>

The letter was couched in this way not because the pope was trying to leave room for him to claim authority in an area under Faroald's jurisdiction, but, as Barbara Rosenwein has pointed out, because this document is identical to a number of others that the papacy issued in the seventh and early eighth centuries for monasteries as far apart as Malmesbury and

<sup>11</sup> Duke Faroald's letter: RF II 1, CDLIV/1, 'Appendice'; Pope John VII's privilege: RF II 2. Both are reprinted in McClendon, *Imperial Abbey of Farfa*, pp. 125–8.

<sup>12</sup> Its authenticity has been convincingly supported by H. H. Anton, *Studien zu den Klosterprivilegien der Päpste im frühem Mittelalter* (Berlin, 1975), pp. 75–83 and 91–2; see also Brühl, 'Chronologie und Urkunden', pp. 16–19. It is not mentioned by Toubert, *Les structures du Latium médiéval*; J. Richards, *The Popes and the Papacy in the Early Middle Ages, 476–752* (London, 1979); Noble, *Republic of St Peter*; or Marazzi, *I patrimonii Sanctae Romanae Ecclesiae nel Lazio*.

<sup>13</sup> RF II 1: 'recommendation' here translates *commenditum*.

<sup>14</sup> RF II 1: 'Et qui hoc praesumpserit sub anathematis vinculo vestra almitas eum alligare iubeat.'

<sup>15</sup> See above, pp. 87–8.

St Denis.<sup>16</sup> Its concern resonates even further back.<sup>17</sup> Rosenwein has pinpointed the crucial passage: 'Therefore your religious (Abbot Thomas) will display this obtained *tuitio* of apostolic privilege, the fruitful and praiseworthy conceded benefit.'<sup>18</sup> Pope John was granting Farfa papal protection (*tuitio*), just as his predecessors had extended it to other abbeys. In Rosenwein's view, 'papal *dicio* [which is here seen as a synonym of *tuitio*] arrogated power to the issuers themselves': that is, to the popes.<sup>19</sup> But the power in question was predominantly power over bishops. The blanket address in this privilege and others like it to any person who might infringe the rights of the abbey was made 'ex auctoritate Beati Petri'. It was an essentially spiritual injunction, backed up by a threat of excommunication.<sup>20</sup> The tenor of papal concern is clearest in the clause that follows the reference to his *tuitio*, which requires the monks to remain 'above all in psalms and hymns, and spiritual songs, day and night ... according to monastic discipline'.<sup>21</sup>

To a limited extent, then, it is true that Duke Faroald and Pope John 'laid the groundwork for a duality of authority – secular and ecclesiastical, Lombard and Roman – that would play such a significant role in the monastery's subsequent history'.<sup>22</sup> But at this stage the pope's practical role – the only one he claimed, at this time – was limited to ecclesiastical jurisdiction: to oversight of the bishop and of the practices of the monks. Whatever the subsequent problems over a Sabine territory with Farfa at its centre, at this stage it and its property constituted no kind of condominium.<sup>23</sup> Its secular jurisdiction, and that of its property, fell within the purview of the Lombard duke.

The embedding of the abbey and its estates firmly into a Lombard context is evident from its history subsequent to Faroald's initial donation. In the entire period up to and including 744 it actually gained very few properties: a handful of lands from private owners, acquired partly by

<sup>16</sup> Rosenwein, *Negotiating Space*, pp. 107–8, here building on the work of Anton, *Studien zu den Klosterprivilegien der Päpste*.

<sup>17</sup> Similar phraseology can be found in a letter of Pope Hormisdas to Caesarius of Arles, written 514/523: Caesarius of Arles, *Caesarius: Life, Testament, Letters*, ed. and trans. W. Klinghshim (Liverpool, 1994), no. 18, pp. 119–22.

<sup>18</sup> 'Iccirco vestra religio hanc apostolici privilegii tuitionem indeptam, fructuosum atque laudabile concessum beneficium demonstret.'

<sup>19</sup> Rosenwein, *Negotiating Space*, p. 108.

<sup>20</sup> '... scientes quod in districto dei iudicio aeternae se poenae, talia praesumendo, summittant. Quisquis haec, quae auctoritate principis apostolorum statuuntur, tanquam exors a fide christiana contempserit ...' My interpretation differs here from that of de Jong and Erhart, 'Monachesimo tra i longobardi e i Carolingi', p. 110.

<sup>21</sup> 'Ante omnia in psalmis et ymnis, et canticis spiritualibus, diebus et noctis permanentes ...'

<sup>22</sup> McClendon, *Imperial Abbey of Farfa*, p. 6.

<sup>23</sup> Contra what is implied by Toubert, *Les structures du Latium médiéval*, vol. II, p. 1194, n. 1.

purchase, sit alongside a mere two donations by Duke Transamund II.<sup>24</sup> Politics seem to have passed the abbey by in this period because they were refracted, in property terms, through fiscal estates that were not at that time in the abbey's hands. As we saw in chapter 2, Transamund II generally succeeded in distancing himself from the power of the king in Pavia, and was to be found on more than one occasion in alliance with the Romans and their bishop against King Liutprand.<sup>25</sup> Although the *Liber Pontificalis* obscures it, this may certainly have been one of the reasons for the king's attack on Rome in 739; at another time in this period he allied with the Romans against Transamund.<sup>26</sup> Liutprand managed to depose the latter several times and to replace him with his own candidates: in 739 with Hilderic, and in 742 × 744 with Agiprand. Not unnaturally, it is from these periods that Liutprand's two extant diplomas in the Farfa archive date.<sup>27</sup> Only one of these deals with the abbey, however. The other is a donation to a notable local aristocrat: none other than Picco, gastald of Rieti and member of the Pandoni family whose prominence we have already established.<sup>28</sup> Nor was Picco the only person to benefit from Liutprand's quest for allies: when an inquest into encroachments into the ducal *gualdus* 'ad S. Iacinthum' took place in 747, it found that several either were or were claimed to have been results of grants by Liutprand.<sup>29</sup> Although that *gualdus* was very firmly in the Sabina, the inquest report itself gives good indications that for this period it should be thought of as looking to Rieti, and its landowners can be imagined as among those distinguished as 'Reatini' in the *Liber Pontificalis*'s account of these years.<sup>30</sup>

The identification of these landowners as a discrete topographical and social group, and the favouring of some of them by the Lombard king, does not of course mean that all followed the same political line. As soon as we have evidence that is good enough, we can detect hints of political friction within the Sabina, and these are tied first and foremost to tensions within the duchy of Spoleto, even if those tensions manifested themselves as adherences to alliances with one or other outside power: the Romans or the Lombard king. Suggestions of such conflicts extend to the notion that Transamund made a second comeback as duke, the idea depending on the *datatio* of a single charter in the Farfa collection, which gives the year 744 and names Transamund as duke, but has as gastald of Rieti his

<sup>24</sup> *CDL* v 1, 2 and 4; *CDL* iv/1 1 and 2.   <sup>25</sup> Gasparri, *I duchi longobardi*, pp. 77–9.

<sup>26</sup> *LP* 1, p. 427; Paul the Deacon, *HL* vi.55–8.   <sup>27</sup> *CDL* iii 14, a. 739; *CDL* iii 15, a. 742.

<sup>28</sup> *CDL* iii 15, and see above, chapter 6.   <sup>29</sup> *CDL* v 8; see above, pp. 76–8.

<sup>30</sup> *LP* 1, p. 426; *CDL* v 8: 'Tunc una per consensum superius conscripti gloriosi ducis pariter et cum Andreate notario misso eius et Immone gastaldio civitatis Reatinae atque Ansaldo et Alpareno sculdahis, Guinilapo et Dachiberto germanis, Aldone et Pandone maripasso et Lucano cum reliquis habitatoribus praedictae civitatis Reatinae perreximus ad locum ipsum.'

erstwhile enemy, Liutprand's supporter Picco.<sup>31</sup> Although a venerable theory that this indicates a partitioning of power in the duchy is not absolutely implausible, Brühl and, following him, Zielinski have preferred to argue that Gregory of Catino had simply misread Transamund for Agiprand in his source.<sup>32</sup> But even if Picco did not have to operate under the dukeship of his enemy, political fluctuations – specifically the death of Liutprand and disappearance from the record of his appointee Agiprand – made him briefly the sole source of authority in the Sabina: one charter of 745 is dated only by his tenure of office.<sup>33</sup> He had lost office by November of that year, though, a change which must be connected with the accession to the duchy of Lupo.<sup>34</sup> Picco's return under Aistulf, the contemporaneous rise in his family's fortunes, and his mysterious killing in 761, we have already seen. It would be stretching our evidence to assert for certain that the last had its root cause in the family's attachment to Liutprand in the early 740s. Nonetheless, it is striking that the Pandoni's material wealth depended in part on the distribution of fiscal property that accompanied Liutprand's attempts to bolster his position in central Italy. The keynote here is surely that, although Lombard, Spoletan and Roman armies crossed and recrossed the Sabina, what was at stake was not the political complexion of the Sabine territory. On the Lombard side, the contest was for the dukeship in Spoleto, and was itself part of a wider contention for resources involving all parties in central Italy from Ravenna to Benevento. Lands within the duchy – in the Sabina – were offered as inducements to supporters of one ducal candidate or other.

If we were dependent only on 'Lombard' sources like the Farfa documentation, it would be hard to see the pope's role in these events. We might perhaps expect to find him absent from the charters, produced as they were in and under the purview of a Lombard gastaldate, but it is instructive to compare the accounts of the politics of the period in Paul the Deacon's *Historia Langobardorum* (as far as it goes) and the biographies collected in the *Liber Pontificalis*. More surprising than the prominence of the pope in the latter is his complete absence from the former. For Paul, Liutprand's intermittent antagonists – Transamund's intermittent allies –

<sup>31</sup> CDL v 4.

<sup>32</sup> The older theory is that of A. Jenny, *Geschichte des langobardischen Herzogthums Spoleto von 570–774* (Basel, 1890), pp. 62–3; Brühl, 'Chronologie und Urkunden', pp. 24–5; Zielinski, *Studien*, pp. 229–31.

<sup>33</sup> CDL v 5. If Paul the Deacon is right about the length of Liutprand's reign (*Historia Langobardorum* vi.58), then he died in January 744, since his father, Ansprand, died on 13 June 712, according to his epitaph: *Rhythmi Langobardici* cxliii, ed. K. Strecker, MGH Poetae Latini Carolini Aevi iv/2 (Berlin, 1923), p. 726. His son Hildeprand was issuing documents alone by March 744: CDL iii 18.

<sup>34</sup> Zielinski, *Studien*, pp. 231–2.

were not the popes but 'Romani'.<sup>35</sup> While this might be taken as an indication of a preference on Paul's part to gloss over friction between Lombard rulers and Roman bishops, it might also be that we should not, at least at this stage, equate 'Romans' with 'pope'.<sup>36</sup> Rome's history in the later eighth century provides ample evidence that the city still possessed an often stridently active lay aristocracy, as we shall see: the *Codex Carolinus* even includes a letter to Pippin III from the Roman senate and people.<sup>37</sup>

The difficulty of drawing direct correlations between the activities of Lombard notables in the apparently 'frontier' region of the Sabina (or the duchy of Spoleto *tout court*) and their stance towards Rome, the pope and Byzantine Italy suggests that identities did not map on to politics in so simple a way; and this negative observation can be extended into the reigns of kings Ratchis and Aistulf, and to the kings themselves. Their attitudes to central Italian politics have often been characterized by adjectives such as (for Ratchis) 'philoroman' or (for Aistulf, and even worse) 'Lombard nationalist'.<sup>38</sup> These are inappropriate. Lombard kings' territorial aspirations, when they had them, arose from their need to balance numbers of different interests and demands, not least from aristocratic supporters expecting the material enrichments concomitant with warfare.<sup>39</sup> Resulting campaigns could really only head in one direction, given the extreme inadvisability of aggressive warfare against the Lombards' northern neighbours, the Franks and the Avars. Such pressures and balances go some way to explaining Lombard military activity against the Byzantine stripe across central Italy, and the irregular attempts to take control of debatable cities in marginal territories there. Another possible motivation behind Lombard policy – religious affiliation – has also been imagined too crudely. It can hardly be correct to suggest that a king's piety was consistent, or consistently directed – into, for instance, a continually favourable stance towards the pope. Few would now argue that the church in this period was a monolith, let alone a pyramid tipped

<sup>35</sup> Paul the Deacon, *HL* vi.55–8.

<sup>36</sup> Wickham, *Early Medieval Italy*, p. 46 detects 'oversensitivity' from Paul about Lombard–papal relations.

<sup>37</sup> *CC* 13. For words of caution, see E. Hlawitschka, 'Karl Martell, das römische Konsulat und der Römische Senat: Zur Interpretation von Fredegarii Continuatio cap. 22', in W. Besch ed., *Die Stadt in der europäischen Geschichte: Festschrift Edith Ennen* (Bonn, 1972), pp. 74–90.

<sup>38</sup> Noble, *Republic of St Peter*, pp. 55–7 with references, is appropriately critical towards the first, but too accepting of the second of these epithets.

<sup>39</sup> These few sentences essentially, and probably inadequately, allude to the far more sophisticated and well-rounded arguments of G. Halsall, *Warfare and Society in the Barbarian West, 450–900* (London, 2003), pp. 20–30, himself drawing in part on T. Reuter, 'Plunder and tribute in the Carolingian empire', *TRHS* 5th ser., 35 (1985), pp. 75–94.

by the pope, to be loved or hated, opposed or allied with, as a single whole.<sup>40</sup> Thus, while Pope Zacharias's *Liber Pontificalis* biographer might claim that Ratchis had concluded a twenty-year peace on his accession in 744 'because of his reverence for the prince of the apostles',<sup>41</sup> we would do better to remember that even in that author's account, Liutprand had only recently (in mid-743) concluded a deal with Zacharias over Cesena that essentially modified the so-called 'Peace of Terni' that Liutprand had given Zacharias in 742, which had included a twenty-year truce.<sup>42</sup> It looks as though Ratchis was simply renewing these provisions.

Maintaining that peace required among other things an amenable duke in Spoleto. By July 745 Ratchis had managed to have installed his partisan Lupo, whose attachment to the king has been convincingly proved by Stefano Gasparri, against earlier assertions.<sup>43</sup> Lupo was therefore attached to the 'Friulian' dynasty of kings, represented by the brothers Ratchis and Aistulf. Their followers became divided when the two apparently fell out in 749. The dynasty was then opposed and, following Aistulf's military defeats by the Franks, supplanted by Desiderius, and in Spoleto by the latter's appointees, principally Theodicius.

Through Lupo, meanwhile, Ratchis was able to effect what turned out to be one of the most significant accretions of lands by Farfa in its early medieval history. In less than six years, nine diplomas and several ducally administered court cases conveyed to the abbey important estates like the *gualdus* 'ad Sanctum Iacinthum'.<sup>44</sup> In contrast to Liutprand, Ratchis and Lupo had decided to transfer fiscal lands in this sensitive region not to lay landowners, but to the abbey. It can scarcely be said that in doing so they were following a trend set by the owners of the region: of the twenty-six extant charters benefiting Farfa down to 751, twelve were ducal or royal donations and two were court cases; only six were direct private donations to the abbey.<sup>45</sup> Why then were Ratchis and Lupo so generous? One possibility is that, by doing so, they were denying such land to the pope. Lands attached to the administrative unit of the *curtis* 'Germanicana' had already been given by Duke Transamund, and more would come from Aistulf, and some of these would later be seized by papal agents – those of

<sup>40</sup> Ullmann was perhaps the last: *Growth of Papal Government in the Middle Ages*, esp. pp. 52–7.

<sup>41</sup> *LP* 1, p. 431.

<sup>42</sup> The events are covered in *LP* 1, pp. 427–32; for dates, see *Lives of the Eighth-Century Popes*, trans. Davis, p. 38, with n. 23, and p. 42 with n. 52.

<sup>43</sup> Gasparri, *I duchi longobardi*, pp. 80–1. <sup>44</sup> See above, pp. 76–8.

<sup>45</sup> Ducal/royal donations: *CDL* IV/1 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 13, *CDL* III 14; court cases: *CDL* IV/1 12, *CDL* V 8; private donations: *CDL* V 5, 7, 9, 10, 11 and 12; purchases: *CDL* V 1, 2, 14 and 15; exchanges: *CDL* V 4 and 6; the other two charters in the *Regestum* up to 751 had beneficiaries other than Farfa (*CDL* III 15; *CDL* V 3).

either Hadrian or Leo III.<sup>46</sup> On the other hand, however, other estates about whose loss to the popes Farfa complained in the 820s were among those given in the 740s to private landowners, such as the land at 'Pontianus' that Picco received from Liutprand: this came into Farfa's hands later, by a circuitous route.<sup>47</sup> It seems unlikely that a threat was felt from the pope: at this date, he lacked both the motive and the means to seize Sabine lands.

Ratchis's and Lupo's generosity had more local motives. Under the previous regime, fiscal land in the region had been a vehicle for conflict. Placing large tracts of it into the hands of an institution that could hope to stand apart from entrenched local interests helped to defuse those tensions. This is not to say that local conflicts ceased, but that there was now a new entity in the region, which changed the interface between politics and property holding. As we saw in the case of the Pandoni, for the landholders of the Sabina, the monastery was more often a protagonist than an antagonist. What is striking about the evidence for disputes between Farfa and local landholders that did arise in this period is not that the abbey won – this is unsurprising, given Farfa's propensity to preserve only documents which supported its property rights – but that in each case those landholders look isolated within local society. We have seen this in the case of Claudianus's relatives,<sup>48</sup> and can observe it too in the cases of Alfrid, who contested possession of the church of S. Anthimus in Acutianus,<sup>49</sup> and of Campulus, who claimed a portion of the *casalis* of Magliano.<sup>50</sup> In all three cases, the lay officials involved in the hearings can be shown to have been attached to local dynasties whose interests were becoming interwoven with the abbey: the Pandoni in the former case, and the Hisemundi in the two latter.<sup>51</sup>

The career of Hisemund himself, as we have seen, shows signs of having been affected by the advent to the kingship of Aistulf, who replaced his brother Ratchis in 749.<sup>52</sup> While the precise circumstances

<sup>46</sup> Donation by Duke Transamund: *CDL* IV/1 2; depredations of papal agents: *RF* II 270 = Manaresi, no. 38 (a.829); on 'Germaniciana' as an administrative unit, see above, pp. 100–5.

<sup>47</sup> *CDL* III 15 and *RF* II 270; for the estate's history, see above, pp. 238–9 and below, p. 329.

<sup>48</sup> *CDL* IV/1 12 and *CDL* V 16. <sup>49</sup> *CDL* IV/1 14. <sup>50</sup> *CDL* IV/1 15.

<sup>51</sup> The case of Alfrid and the church of S. Anthimus was heard by a panel including the *sculdahes* Aldo, Martinianus and Hisemund. Hisemund and his brother Teudemund testified on behalf of Farfa in the case of Campulus.

<sup>52</sup> On Ratchis's 'retirement' to Monte Cassino, see M. de Jong, 'Monastic prisoners or opting out? Political coercion and honour in the Frankish kingdoms', in M. de Jong, F. Theuvs and C. van Rhijn eds., *Topographies of Power in the Early Middle Ages* (Leiden, 2001), pp. 291–328; and de Jong, 'What was public about public penance? *Poenitentia publica* and justice in the Carolingian world', *La giustizia nell' alto medioevo (secoli IX–XI)*, Settimane di studio del CISAM 44 (Spoleto, 1997), pp. 863–902.

of, and reasons for, Ratchis's departure are still debated, the change of regime seems to have had an impact on Spoleto less than two years later with the disappearance from office of Duke Lupo.<sup>53</sup> Chris Wickham has observed that historians have tended to judge Aistulf harshly, and in this they were unquestionably following the *Liber Pontificalis* biographer of Stephen II, who, at least in one version of his work, never missed an opportunity to heap derogatory epithets upon the unfortunate Lombard king.<sup>54</sup> For such a source to adopt this attitude towards a king who took Ravenna from Byzantine control and besieged Rome is hardly surprising, however, and efforts can be made to redress the balance. Whatever had occasioned the end of Lupo's rule, Aistulf's effect on other Sabine families, and on Farfa itself, was far from negative. As we have seen, the Pandoni were direct beneficiaries of Aistulf's largesse,<sup>55</sup> and the abbey seems to have owed much to the king. Extant documents point to only limited patronage on Aistulf's part: a confirmation of some of Lupo's donations, and a rather more substantial grant of a whole tract of woodland and pasture.<sup>56</sup> But two *deperdita*, mentioned only in later charters, were crucial: Aistulf gave to Farfa, presumably in the period 751–6, the important *curtis* of 'Germanicana',<sup>57</sup> and at some time in his reign established that Farfa should benefit from what a later, Carolingian, document calls his *tuitio* and *defensio*. This latter provision seems to have been a confirmation of a privilege that was originally extended by Ratchis, and was renewed by Desiderius.<sup>58</sup> Although the phraseology may be that of a scribe schooled in the diplomatic of Carolingian immunity diplomas, there is nothing implausible about the notion of Lombard

<sup>53</sup> For interpretations of Ratchis's replacement by his brother, see S. Gasparri, 'Il passaggio dai Longobardi ai Carolingi', in C. Bertelli and G. P. Brogiolo eds., *Il futuro dei Longobardi. L'Italia e la costruzione dell'Europa di Carlo Magno, Saggi* (Brescia, 2000), pp. 25–44, at pp. 28–9. It should be said that while there is no concrete proof that Aistulf deposed Lupo in Spoleto, the coincidence of events, and especially the fact that Lupo disappears from view within months of Aistulf's capture of Ravenna, strongly suggest that this was the case: Gasparri, *I duchi longobardi*, p. 81.

<sup>54</sup> Wickham, *Early Medieval Italy*, p. 46. For epithets, see e.g. *LP* 1, pp. 442 ('atrocissimus'), 443 ('nefandus'), 444 ('pestiferum', 'diabolica fraude'), 446 ('nequissimus'), 448 ('nefandissimus') and 449 ('nequissimus': he seems to have exhausted his thesaurus by this point). The biographer was clearly taking his cue from Stephen's own letters: in *CC* 11 Aistulf is, among other things, 'devorator sanguinum Christianorum'.

<sup>55</sup> Above, pp. 227–8. <sup>56</sup> *CDL* III 23 and 28. <sup>57</sup> *CDL* III, p. 281, no. 5.

<sup>58</sup> *CDL* III, p. 281, nos. 3 and 4 = *RF* II 248 and see *CF* 1, pp. 188–9: 'ostendit nobis praecepta regum Langobardorum Ratgisi, Haistulfi ac Desiderii necnon et domni genitoris nostri Karoli piissimi augusti, in quibus continebatur, quomodo ipsi et antecessorum eorum praedictum monasterium . . . semper sub sua missione [recte tuitione] ac defensione tuisset'. The document was issued by Louis the Pious at Aachen on 28 April 820. For the implications of this for the interpretation of Charlemagne's immunity diplomas, see below, pp. 323–4.

kings issuing similar privileges: some exemptions of limited kinds do survive from Lombard Italy.<sup>59</sup>

Aistulf's patronage of Farfa was not simply a pious act. It may also have been that – as stressed above, the notion of the king's impiety rests on a highly partisan source – but it must have been impelled too by precisely the situation that led Stephen II's *Liber Pontificalis* biographer to use such intemperate language: Aistulf's volatile relationship with the Romans, and downright disastrous relationship with Pope Stephen himself. It needs to be emphasized, once again, that for a narrative of these years we are dependent on sources written by the pope and his immediate subordinates: his surviving letters and his biography. Their report of events needs to be sifted, especially since the former, certainly, and in part also the latter, were designed to present a particular version of those events to the Franks.<sup>60</sup> That said, our only immediately contemporary witness to the defining moment of Aistulf's reign, his capture of Ravenna in 751, is none other than the first of his extant diplomas for Farfa.<sup>61</sup> This act provoked a flurry of diplomatic activity of which we get some inkling in the early chapters of Stephen II's biography. Aistulf clearly nurtured the aspiration to replace the Byzantine emperors in the parts of Italy that they had ruled, and it seems likely that he did require of the Romans the subordination that Stephen's biographer records.<sup>62</sup> But at that point he did not actually attack the Roman duchy itself, apart from, probably in early 753, the *castellum* of Ceccano, insignificant except for the fact that he must have approached it through the duchy of Spoleto.<sup>63</sup> The threat of the permanent absorption by the Lombards of large parts, if not all, of Byzantine Italy, including Rome, was felt real enough for the emperor to mandate the pope to treat with Aistulf, and for Pope Stephen to feel the inadequacy of Constantinople's response, so that having met with Aistulf and being given short shrift, he turned to the only other possible source of

<sup>59</sup> *CDL* III 5: exemption of Bobbio from episcopal control issued by King Rodoald in 652. Closer to the model suggested here, maybe, was *CDL* III 33, a diploma of 760 in which Desiderius took the monastery of S. Salvatore in Brescia into his *defensio*. There is also Pope Leo III's privilege for S. Paolo fuori le mura: A. Marini and A. Mai eds., *Scriptorum veterum nova et amplissima collectio*, vol. v (Rome, 1835), p. 215, see Marazzi, *I patrimonia Sanctae Romanae Ecclesiae, nel Lazio* pp. 164–5. Documents like these show that monastic privileges were not unknown in Italy, even if our evidence does not display the range or sophistication, including immunity *stricto sensu*, that the Frankish evidence does: see de Jong and Erhart, 'Monachesimo tra i longobardi e i carolingi', p. 119.

<sup>60</sup> On the dissemination of the *Liber Pontificalis* Lives in Francia, see R. McKitterick, *History and Memory in the Carolingian World* (Cambridge, 2004), pp. 32–3 and 121–2.

<sup>61</sup> *CDL* III 23, issued in Ravenna, 4 July 751.

<sup>62</sup> *LP* I, pp. 441–2, and see Delogu, 'Lombard and Carolingian Italy', pp. 298–9.

<sup>63</sup> *LP* I, p. 444, and see *Lives of the Eighth-Century Popes*, trans. Davis, p. 59 with n. 32 for its insignificance.

succour and journeyed to Pippin III in Francia.<sup>64</sup> There, as needs no elaboration here, Stephen anointed Pippin and his sons and thereby legitimized the Carolingians' usurpation of the Frankish throne.<sup>65</sup> Defeated by Pippin at the Alpine *clusae* in 755 and besieged in Pavia, Aistulf was forced into an accommodation with Pippin and Stephen, the so-called First Peace of Pavia, the terms of which are reported variously by Stephen's biographer and Frankish annalists.<sup>66</sup> Yet this seems simply to have encouraged the Lombard king to go to the brink, and he besieged Rome early in 756. This in turn provoked a second Frankish campaign, a second siege of Pavia and a second peace treaty.<sup>67</sup> Aistulf's death in December 756 left Pope Stephen holding the gate-keys of the cities in the Exarchate and Pentapolis whose return he, and, lest we forget, Constantine V, had so persistently sought.<sup>68</sup>

It is worth noting how skilfully Stephen II's biographer casts this narrative in order both to portray Aistulf as the persistent villain and gradually to shift the perception of the contested territory from Byzantine *respublica* to its attachment to, and then identification with, the Roman church and its patron saint. Early in the story he reports an imperial request that Aistulf 'restore to their proper dominion the places of the state' ('reipublicae loca . . . proprio restitueret dominio').<sup>69</sup> The proprietary connotation of the term *dominium* points to a consistent tone: it appears even more explicitly in the account of Stephen's face-to-face appeal to Aistulf in 753 to 'restore property to its owners' ('propria propriis restitueret').<sup>70</sup> Where such terms stand on the spectrum between property ownership and political or territorial control it is hard to judge, and this may have been deliberate. When Pippin sent envoys to Aistulf in 754, it was 'to negotiate for peace treaties and the restoration of the right of ownership that the state of God's holy church possessed' ('propter pacis foedera et proprietatis sanctae Dei ecclesie reipublice restituenda iure') – the emphasis was on proprietary rights, and they were those of the empire

<sup>64</sup> I am here attempting a judicious summary of chapters 17–23 of the *Vita Stephani II: LP 1*, pp. 444–7.

<sup>65</sup> For recent assessments of the Carolingian usurpation, see McKitterick, *History and Memory*, pp. 133–55; and R. Collins, *Charlemagne* (London, 1998), pp. 33–7. Particular stress on the bond of compaternity established by the anointing has been laid by A. Angenendt, 'Das geistliche Bündnis der Karolinger mit den Päpsten (754–796)', *Historisches Jahrbuch* 100 (1980), pp. 1–94.

<sup>66</sup> *LP 1*, p. 451; *ARF*, s.a. 755; *Annales Mettenses Priores*, s.a. 754, ed. B. von Simson, MGH SRG x (Hanover and Leipzig, 1905), pp. 46–7; *Pauli continuatio tertia*, ch. 39, ed. G. Waitz, MGH SRL, p. 210.

<sup>67</sup> *LP 1*, pp. 452–4.

<sup>68</sup> Byzantine diplomatic efforts to secure the cities' return are reported, very dismissively, by the *Vita Stephani II: LP 1*, pp. 444–5 and 452–3.

<sup>69</sup> *LP 1*, p. 442. I follow Davis's translation, *Lives of the Eighth-Century Popes*, p. 56.

<sup>70</sup> *LP 1*, p. 446; *Lives of the Eighth-Century Popes*, trans. Davis, p. 61.

(there seems no reason not to think that this is what *respublica* refers to here).<sup>71</sup> But after the First Peace of Pavia, Stephen was himself complaining in a letter to Pippin that Aistulf had handed over not a single piece of land ‘to the blessed Peter and to the holy church of God of the Romans’ state’ (‘nec unius enim palmi terrae spatium beato Petro sanctaeque Dei ecclesiae reipublice Romanorum reddere passus est’)<sup>72</sup> – proprietorship now was that of the church. Moreover, these words are echoed in Stephen’s biographer’s report of Pippin’s reply to Byzantine envoys during his second siege of Pavia, that ‘there was absolutely no way at all that these cities could be alienated from St Peter’s power and the ownership of the Roman church and of the apostolic see’s pontiff’ (‘nulla penitus ratione easdem civitates a potestate beati Petri et iure ecclesie Romane vel pontificis apostolice sedis quoquo modo alienari’).<sup>73</sup> Between 754 and 756, then, a subtle shift had occurred in the language emanating from the Lateran clerks who wrote the *Liber Pontificalis* biographies and, almost certainly, at least transcribed the papal letters: the discussion was still about proprietary rights, but instead of claiming them for the amorphous public authority comprehended by *respublica*, by 756 they were being claimed for the Roman church.<sup>74</sup>

The turning point in the *Vita Stephani II*’s story seems to be chapter 15, when the Life’s political narrative resumes after a digression on Stephen’s liturgical reforms and ecclesiastical patronage. This latter might be a sign of the multiple authorship and compound nature of the text.<sup>75</sup> Chapter 15 reports that Gregory II, Gregory III and Zacharias had all called on Charles Martel for aid. This is manifestly wrong: such an appeal can be attributed only to Gregory III, being the subject of his letters, the first two in the *Codex Carolinus* collection, backed up only in the later, interpolated BD class of manuscripts of his *Liber Pontificalis* Life.<sup>76</sup> This mistake, if such it was, suggests that Stephen II’s biographer was attempting retrospectively to rationalize and to fill out both Stephen’s actions – in travelling to Francia, anointing Pippin and asking for his intervention – and Pippin’s response: the latter, as Rosamond McKitterick has revealed, was a pressing concern for Frankish historiographers too.<sup>77</sup> In the same chapter, the biographer reports Stephen’s conclusion that no help would be

<sup>71</sup> LP 1, p. 449; *Lives of the Eighth-Century Popes*, trans. Davis, p. 66. <sup>72</sup> CC 6: my translation.

<sup>73</sup> LP 1, p. 453; *Lives of the Eighth-Century Popes*, trans. Davis, p. 71.

<sup>74</sup> On the authorship of the *Liber Pontificalis* see *Lives of the Ninth-Century Popes*, trans. Davis, pp. ix–xii, and T. F. X. Noble, ‘A new look at the *Liber Pontificalis*’, *Archivum Historiae Pontificiae* 23 (1985), pp. 347–58. On the papal letters, H. Fuhrmann and D. Jasper, *Papal Letters in the Early Middle Ages* (Washington, D.C., 2001).

<sup>75</sup> See LP 1, pp. ccxxv–ccxxvi. <sup>76</sup> LP 1, p. 420; CC 1 and 2.

<sup>77</sup> McKitterick, *History and Memory*, pp. 133–55.

forthcoming from Constantinople. To the time of which he was writing also belongs the letter that Stephen addressed 'to all the leaders of the Frankish people' ('omnibus ducibus gentis Francorum'), indicating that he fully appreciated the fragility of Pippin's rule.<sup>78</sup> Stephen needed to appeal not only to the king but also to those who backed, and might withdraw their support from, his kingship. His biography's change of tone suggests that it was in 753 that the insight came to him that he could play the trump card in every pope's hand – the ideology of Petrine succession – both to legitimate Pippin's kingship and to attract the Franks and their king with the prospect of St Peter's peculiarly powerful intervention.<sup>79</sup> Hence the striking letter sent to Pippin and his sons in February 756 purportedly from St Peter himself, and hence too Stephen's encouragement of the adoption by the Carolingians of the cult of St Petronilla, Peter's supposed daughter.<sup>80</sup> The task of translating Petronilla's relics to a new mausoleum at the Vatican Stephen bequeathed to his brother and successor, Paul.

Stephen II's biographer seems to have appreciated what is also apparent from other developments in the years after 756: that the Franks' intervention in Italy added a new element to the political calculations of the major players. Aistulf's aggression in 751, in which he had brought under his own rule the duchy of Spoleto, as well as conquered the Exarchate and Pentapolis, had brought about a particular dispensation of power in the duchy, and in the Sabina, which seems then to have been threatened by Lombard defeat in the period 755–6. There was almost no property business for Farfa in those years. But in 757 we see a sign of some political realignment taking place; when Pando gave to Farfa property which he had acquired, he took care to specify, 'for our service to the lord king Aistulf', afterwards confirmed by Duke Alboin.<sup>81</sup> Alboin, however, was overthrown that year when Desiderius, having the year before successfully contested the kingship with Aistulf's brother Ratchis, invaded the duchy. In these crucial years in which he was establishing himself as king, Desiderius is seen by some to have deliberately tried to overturn the power, across the kingdom and in the duchies, of those attached to the 'Friulian' dynasty of Ratchis and Aistulf.<sup>82</sup> The continued existence of such a faction is often assumed, despite the obvious rupture between the brothers Ratchis and Aistulf when the latter deposed the former in 749; and Desiderius's enmity is assumed despite the fact that he had himself

<sup>78</sup> CC 5.

<sup>79</sup> I concur with Noble, *Republic of St Peter*, pp. 73–5, that 753 marks a turning point in papal thinking, though not quite in the way that he suggests.

<sup>80</sup> LP 1, pp. 455–6 and 464; CC 14; and see McKitterick, *History and Memory*, pp. 146–8.

<sup>81</sup> CDL v 26. <sup>82</sup> E.g. Gasparri, 'Il regno longobardo in Italia', pp. 83–7.

benefited from Aistulf's support.<sup>83</sup> Signs of upheaval are nonetheless detectable in the Sabina, especially with the murder of Picco in 758 or 759.<sup>84</sup> Among the beneficiaries of this change was certainly the family whom I have named the Audolfi: the first Audolf's son Hilderic was in receipt of lands from Desiderius's appointee Duke Gisulf very soon after the latter's arrival in the second half of 759. By July 761 he was passing these on to Farfa in return for tenure of the church of S. Agatha at Rieti.<sup>85</sup> For Farfa, these were also years in which its abbacy was disrupted, in and around the troubled and hard-to-date tenure of Abbot Wandelbert.<sup>86</sup> The exchange with Hilderic is one of a number that represents a return to stability with the establishment of Gisulf's regime.<sup>87</sup>

The contest among the Lombards was one in which the pope could now play the role of power broker. Stephen's biography and a letter from him to Pippin concur that, perhaps consciously following the latter's example, Desiderius sought help from the pope. What practical assistance Stephen could offer is not clear. The *Liber Pontificalis* speaks of 'several armies of Romans' ('plures exercitus Romanorum') being ready to help, but there is no evidence of Roman military intervention, and an *exercitus* could be very small.<sup>88</sup> More telling, surely, was the influence of the Franks. The role in negotiations with Desiderius of Pippin's semi-permanent Italian envoy, Fulrad of St Denis, is highlighted in Stephen's letter, which also reports Desiderius's desire for a 'magnam pacis concordiam' between Lombards and Franks.<sup>89</sup> It was then, according to these same sources, that Desiderius promised to return a further series of cities – effectively, those which Liutprand had captured in the 730s.

Desiderius is hardly the only ruler in history to have made promises in order to gain his position which he subsequently found hard to keep, for whatever reason. For the events of the years following 757 we are dependent almost entirely on Pope Paul's extensive but largely undatable correspondence with Pippin – his *Liber Pontificalis* biography presents a

<sup>83</sup> Aistulf had made Desiderius *dux* in Tuscany in 756; before that, he had been the king's *comes stabuli*. *LP* 1, p. 454, and Jarnut, *Prosopographische und sozialgeschichtliche Studien*, pp. 348–9.

<sup>84</sup> See above, pp. 226–31.

<sup>85</sup> *CDL* v 32. For the family, see above, pp. 241–5.

<sup>86</sup> See above, pp. 151–2, 177.

<sup>87</sup> Disputes over the church of S. Anthimus and over Magliano were resolved in 761 (*CDL* iv/1 14; and no. 15 with *CDL* v 31), a year which also saw one further ducal, and one private, donation (*CDL* iv/1 16; *CDL* v 30), and several other acquisitions (*CDL* v 29 and 32).

<sup>88</sup> *LP* 1, p. 455. Armies were small, by later standards, generally in this period, but *exercitus* does not denote a (relatively) larger sized force. In general, see Halsall, *Warfare and Society*, pp. 119–33.

<sup>89</sup> *CC* 11. On Fulrad of St Denis in Italy, see A. Stoclet, *Autour de Fulrad de Saint-Denis (v. 710–784)* (Geneva, 1993), pp. 463–5.

notably laconic contrast to that of his brother – but a keynote of these is Desiderius's failure to fulfil his promises of 757.<sup>90</sup> As must always have been clear, the apparently strong position in which Stephen had left his brother was fundamentally dependent on Frankish support. Whatever the nature of Desiderius's threats to Rome in these years – and Paul's letters are frustratingly vague about them – and even if his crime actually amounted to no more than a failure to return the promised cities, the absence of any response from Pippin left the papacy in a difficult position. Paul appears to have had no means of forcing the Lombard king's hand, and constantly expressed his vulnerability: statements which, if taken seriously, substantially undermine any notion that the popes had effective military forces on which to call. This is not to say that the papacy had *no* military force on which to call, simply that it was evidently very much inferior to that of the Lombard king.<sup>91</sup> The dependence on Frankish power of the pope's influence even close to Rome is evident from Pope Stephen's statement to Pippin that 'the people of the Spoletan duchy established a duke for themselves through the hand of the blessed Peter and your most strong arm. And both those Spoletans and even all the Beneventans desire to commend themselves through us to your excellency, saved by God.'<sup>92</sup> In fact, the new Spoletan duke was Alboin, evident for the first time in the *datatio* of a donation to Farfa of March 757, who, with his supporters, seems to have taken an oath of loyalty to St Peter and to Pippin (note that the oath, recorded in a papal letter, did not mention the pope personally).<sup>93</sup> This statement in itself undermines claims that Alboin belonged to some sort of 'independence party' at Spoleto.<sup>94</sup> In any case, the notion of a desire for Spoletan autonomy from the north cherished over the long term and as a general principle fails to appreciate the intensely personal nature of politics in this period. What is clear is that Alboin assumed the dukeship during that period in early 757 when the kingship was in dispute between Ratchis and Desiderius, and that he was not attached to the latter. The lack of this connection meant that he did not last long. In the last months of 757 Desiderius entered

<sup>90</sup> CC 20, 21, 22, 30, 31 and 34. On Paul's *Liber Pontificalis* biography, see *Lives of the Eighth-Century Popes*, trans. Davis, pp. 77–9.

<sup>91</sup> Evidence for the military force available to the pope is marshalled by Noble, *Republic of St Peter*, pp. 235–6.

<sup>92</sup> CC 11: 'Nam et Spolaetini ducatus generalitas per manus beati Petri et tuum fortissimum brachium constituerunt sibi ducem. Et tam ipsi Spolitini quamque etiam Beneventani omnes se commendare per nos a Deo servatae excellentiae tuae cupiunt . . .'

<sup>93</sup> CDL v 24. CC 17: 'Alboinum ducem Spoletinum cum eius satrapibus, qui in fide beati Petri et vestra [i.e. Pippin's] sacramentum prebuerunt'.

<sup>94</sup> Gasparri, *I duchi longobardi*, p. 82, speaks of 'il partito autonomistico spoletino'.

Spoletto in the course of a campaign through the central Italian lands to Benevento, and deposed him.<sup>95</sup>

For the duchy of Spoleto and the abbey of Farfa, the lack of a more detailed account of the years 757–67 is especially regrettable, since these seem to have been eventful years in the development of both. Alboin's short tenure of the duchy has left one trace that he was keen to win support among the Sabine elite: a gift by Aistulf to Pando was passed on to Farfa following its confirmation by Alboin.<sup>96</sup> This is the only sign of any endowment of Farfa by Alboin – perhaps not surprising, given how short a time he was in office – and after his demise the run of charters of any kind for the abbey ceases for at least two years, the longest gap in the series between 739 and 840.<sup>97</sup> Eventually Alboin was replaced by Desiderius's appointee Gisulf who, however, and for reasons unknown, lasted only for about two years.<sup>98</sup> The fact that he did, in that relatively brief period, manage one donation to Farfa indicates that Desiderius and his acolytes bore no ill will towards the abbey or its local supporters. Of the four major Sabine families examined in chapter 6, three retained their prominence through the vicissitudes of the late 750s, while the fourth appears in our records only later. Pando remained prominent, and his brother Teuto in office as bishop, across the period; Hisemund became a *sculdahis* under Desiderius's appointee Duke Theodicius, but was active before that; and Hilderic's grandfather, Tacipert, was 'the only gastald who is encountered still after the overthrow of Lupo under Aistulf', and Hilderic himself was gastald first under Theodicius.<sup>99</sup> Nonetheless, political turbulence left its mark on Farfa's property holding: as we saw in chapter 2, Farfa spent years recovering major fiscal estates at 'Germaniciana', 'Turrita' and 'Alegia' that Aistulf had given to it. The reluctance of Theodicius, who rose to be duke of Spoleto, almost certainly at Desiderius's instigation, in August or September 762, to hand back the latter need not denote any political antipathy on his part. It is simply a reminder that lands given to monasteries were valuable, and that such gifts were rarely outright or absolute.

Relative political stability in the 760s coincided with a marked increase in property transactions centred around Farfa. This was no longer led by

<sup>95</sup> CC 17. The campaign must have taken place between October 757, the date of a Farfa charter (CDL v 27) dated by Alboin's dukeship, and early 758, when CC 17 was written.

<sup>96</sup> CDL v 26: according to the *rogatio* clause, Alboin's confirmation charter was handed over to the abbey at the same time, but does not survive.

<sup>97</sup> The last charter issued under Alboin is that mentioned above, CDL v 27 of October 757. The next, CDL v 28, is dated April 760.

<sup>98</sup> Gasparri, *I duchi longobardi*, p. 82, gives all the dating details: Gisulf was appointed in the second half of 759 and died or was replaced between August 761 and August or September 762.

<sup>99</sup> Quotation in Zielinski, *Studien*, p. 240 (my translation); in general, see above, pp. 232–6, 237–9.

donations of large fiscal properties. Desiderius himself issued only one charter for Farfa before the 770s, and that was a confirmation of a private grant (which seems to have been written on perishable papyrus).<sup>100</sup> Duke Theodicius's patronage amounted to a grant of renders from some ducal estates,<sup>101</sup> a complicated agreement over two large ducal estates (that just mentioned above),<sup>102</sup> the gift of a single *casalis* in the *curtis* Germanicana,<sup>103</sup> and the right to pasture livestock on ducal lands in the mountains.<sup>104</sup> Rather, we can see emerging a strategy of acquisition on the part of the abbey, which seems to have had several elements. For one thing, we can see it now stepping decisively into what was already a thriving market in land with a number of purchases and exchanges. Its complicated relationship with the group of lands at Magliano ('Mallianus') is one indication of a skilful guiding hand behind its property transactions.<sup>105</sup> Another is that it seized the opportunity to acquire holdings for the first time to the west of the Tiber. In two purchases in 766 it bought vines near Viterbo, the prelude to an exchange with Desiderius's daughter Ansilberga involving a monastic cell on that side of the river.<sup>106</sup> Another part of the strategy involved the acquisition of subordinate churches and monasteries: it gained an interest in the church of S. Michael in Rieti,<sup>107</sup> acquired the church of S. Anthimus,<sup>108</sup> and received the monastery of S. Hippolytus in Fermo and another on the estate of 'Sextuno'.<sup>109</sup> This increased activity may have been a by-product of improved Lombard–Roman relations, since letters of Pope Paul indicate that at some point in the mid-760s he concluded a pact with Desiderius that took the situation *vis-à-vis* disputed cities back to the status quo ante 757.<sup>110</sup>

The pope had initially been highly suspicious of the Lombard king's motives, largely because of a fear of an alliance between Desiderius and the Byzantines that would prejudice the Roman position. With hindsight, the fear looks exaggerated. Although the crucial letter in question from Pope Paul to Pippin III was not transcribed into the *Codex Carolinus* manuscript, the summary given there has Paul worrying lest the emperor should send his army into Italy 'to attack Ravenna, the Pentapolis and the

<sup>100</sup> *CDL* III 35. <sup>101</sup> *CDL* IV/1 17. <sup>102</sup> *CDL* IV/1 18. <sup>103</sup> *CDL* IV/1 19.

<sup>104</sup> *CDL* IV/1 20. <sup>105</sup> See above, pp. 173–8.

<sup>106</sup> Purchases: *CDL* II 196 and 198; exchange with Ansilberga: *CDL* II 217. For full comment, see S. Del Lungo, *Presenze abbaziali nell'alto Lazio. San Salvatore al Monte Amiata e le sue relazioni con l'abbazia di Farfa (secoli VIII–XII)*, Miscellanea della società romana di storia patria 42 (Rome, 2001), pp. 17–20.

<sup>107</sup> *CDL* V 36. <sup>108</sup> *CDL* IV/1 14.

<sup>109</sup> S. Hippolytus: *CDL* III 35 – a royal diploma simply confirming the donation of the monastery by private benefactors. 'Sextuno': *CDL* III 43. In general, see above, pp. 81–2.

<sup>110</sup> *CC* 37 and 38: see also D. H. Miller, 'Papal–Lombard relations during the pontificate of Pope Paul I: the attainment of an equilibrium of power in Italy, 756–767', *Catholic Historical Review* 55 (1969), pp. 358–76.

Roman city'.<sup>111</sup> But this was in 758, two years after the most serious Bulgarian attack on Byzantium up to that point, and three years before Constantine V's epic defeat of the same foe at the battle of Anchialos.<sup>112</sup> Byzantine military priorities lay elsewhere. The continued presence of imperial legates in Francia and Italy, into 758, also demonstrates Constantinople's continued commitment to diplomacy. The diatribe that the author of the *Liber Pontificalis* Life of Stephen II puts into the mouth of Pippin in response to these legates' requests in 756 that he hand over the newly conquered Exarchate is of a piece with the tone of papal letters. Both texts may have been written more for Frankish, and perhaps for Lombard, than for Roman, let alone Byzantine, consumption. Even these texts indicate that what had been passed into the hands of St Peter by Pippin following his victories was the *dicio* of various cities. We have seen earlier the meaning of this in the slightly different context of Farfa's foundation: *dicio* seems to refer to rights to protect, safeguard and oversee – and in the hands of the pope may be first and foremost exercised in an ecclesiastical context (though we should not imagine that rigid lines separated areas of ecclesiastical and lay jurisdiction in such cities).<sup>113</sup> It is not necessarily the case that papal *dicio* automatically conflicted with any recognition of imperial rights over these cities, and it seems unlikely, even if it did, that this would be a *casus belli* for the Byzantines.<sup>114</sup> Constantine's hopes for his diplomatic efforts are at no time more evident than in 767 when Byzantine envoys took part, opposite Romans and under Pippin III's auspices, in a council about the image question at Gentilly.<sup>115</sup> The emperor may not have obtained the Franks' agreement to iconoclasm on that occasion, but he did secure the betrothal of his son Leo to Pippin's daughter Gisela: a pointer to the intention of both parties to co-operate politically in the future – and where were they more likely to do so than in Italy?<sup>116</sup> It was the few years following Pippin's death in 768 that put paid to such ideas, as political relations became dominated by the uncertain relationship between his sons Charles and Carloman.

<sup>111</sup> CC 15, p. 512: 'ut imperator suum exercitum in Italia contra Ravennam vel Pentapolim ac Romanam urbem ad comprehendendum mittat'.

<sup>112</sup> See *The Chronicle of Theophanes Confessor. Byzantine and Near Eastern History, AD 284–813*, ed. and trans. C. Mango and R. Scott (Oxford, 1997), p. 599.

<sup>113</sup> See above, p. 255. It should be noted that when used in a diploma of Lothar, *dicio* does seem to mean territorial rights: he conceded to Farfa immunity from toll for its ship 'per cuncta flumina nostrae dicionis' (RF II 266).

<sup>114</sup> See M. McCormick, 'Byzantium and the West, 700–900', in *NCMH II*, pp. 349–82, at p. 365.

<sup>115</sup> On Gentilly see M. McCormick, 'Textes, images et iconoclasmes dans le cadre des relations entre Byzance et l'Occident carolingien', in *Testo e immagine nell'alto medioevo*, Settimane di studio del CISAM 41 (Spoleto, 1994), pp. 95–162, at pp. 113–31.

<sup>116</sup> CC 45.

## *Farfa and Italian politics in the Lombard era*

If Pippin's death was one reason for renewed political instability in Italy, another had been the death in the previous year of Pope Paul. It had triggered what can only be described as a coup in Rome. For an account of it, we are dependent on the *Liber Pontificalis* Life of Stephen III, apparently by the same writer as the Life of his predecessor, Paul, and the first part of that of his successor, Hadrian.<sup>117</sup> For him, the major political turbulence of Stephen III's pontificate seems to have formed a piece with the events of 772–4: certainly, he related both in great detail (far more than he devoted to Pope Paul), and broke off his account of Hadrian's life in 774 with the fall of the Lombard kingdom.<sup>118</sup> According to this writer, on Paul's death one of the *duces* who held secular authority in the Roman Campagna, Toto of Nepi, used force or its threat to have his brother Constantine made pope.<sup>119</sup> Constantine held the pontificate for thirteen months.<sup>120</sup> At this point, Christopher comes to the fore in this biographer's account. By then *primicerius*, he had first appeared, with the designation *consiliarius*, accompanying Stephen II's brother, the future Pope Paul, to negotiate with Desiderius in 756.<sup>121</sup> Twelve years later, he again journeyed to the Lombard king, this time to escape a Rome dominated by Toto and Constantine. It is significant that, according to our biographer's account, he had managed to obtain permission to leave from Constantine by saying that he would take up monastic exile at a monastery of S. Salvatore 'partibus Spolitini'.<sup>122</sup> It looks as though Constantine did not regard this monastery as a surrogate for Lombard power. The monastery in question was almost certainly S. Salvatore on Monte Letenano – the only major abbey in the Sabina apart from Farfa, and not a dependency of it.<sup>123</sup> This may indicate that Farfa would have been viewed as too close to interests dangerous to Constantine. As it was, our biographer takes care to say, Christopher and his son Sergius 'deviated from the route' and sought out Duke Theodicius and, through him, Desiderius.

The Lombard king was certainly involved in what followed, but we should not discount the initiative of more local Lombard forces (local to

<sup>117</sup> The suggestion of the identity of the hand behind these three texts is that of Raymond Davis: *Lives of the Eighth-Century Popes*, pp. ix and 85; Duchesne, *LP* I, pp. ccxxxiii–ccxlv provides the necessary background.

<sup>118</sup> *Vita Hadriani*, ch. 44, *LP* I, p. 499, ends with 'Praefatum vero Desiderium Langobardorum regem et eius coniugem secum Franciam deportavit.' ('He [Charlemagne] took Desiderius and his wife with him to Francia.')

<sup>119</sup> Toto was apparently opposed by at least one other *dux*, Gregory of Campania: *LP* I, p. 480–1, n. 3.

<sup>120</sup> *LP* I, p. 469, and see Constantine's two letters to Pippin III: *CC* 98 and 99.

<sup>121</sup> *LP* I, p. 455. <sup>122</sup> *LP* I, p. 481, n. 3.

<sup>123</sup> For the little that is known of this monastery, see initially L. Pani Ermini, 'Gli insediamenti monastici nel ducato di Spoleto fino al secolo IX', in *Il ducato di Spoleto*, Atti del IX congresso internazionale di studi sull'alto medioevo (Spoleto, 1983), pp. 541–77, at p. 571, with n. 130.

Rome, that is). Describing the successful ousting of Toto's faction by that of Christopher in July 768, Stephen III's biographer, as well as noting the involvement in the plot of several dignitaries within the city, specifies that Christopher arrived at Rome 'cum Reatinis et Furconinis atque aliis Langobardis ducatus Spoletini' ('with men of Rieti and Forcona and other Lombards of the Spoletan duchy').<sup>124</sup> On two points we can be fairly sure about this remark: that some of these men, or those close to them, appear somewhere among the Farfà documents; and that we have little hope of identifying any of them more precisely. One circumstantial piece of evidence, however, is that the gastald of Rieti at the time was Hilderic. He was intermittently the possessor of the estate at 'Pontianus', south of Farfà towards the Corese (and Rome), and later complained of its seizure by Romans at some point between 773 and 786.<sup>125</sup> Perhaps we can see this as evidence for the reflection in property terms of political interaction that dates back at least to the later 760s, and which saw traffic – in the shape of armed force and property seizure – flowing in both directions.

The *Liber Pontificalis* biographer follows the attitude of many of his predecessors by indicating blanket antipathy towards 'Lombards' in Rome at this time. But this did not stop a Lombard priest, Waldipert, from trying to have elected pope a candidate plucked by him from among the Roman clergy.<sup>126</sup> It has generally been assumed that he was acting in some way on behalf of Desiderius, but there is no direct proof of this, and it seems a priori more likely that he was among those Lombards from the duchy of Spoleto to whom Pope Stephen's biographer specifically refers: Lombards, it should be added, who may have had more direct, material, local interests in Roman politics than Desiderius, given the proximity of their estates to those of the Roman aristocracy.

The *primicerius* Christopher quickly scotched Waldipert's attempt to steer the choice of pope: he wanted to take the wheel himself, and so had elected a priest of S. Crisogono as Stephen III.<sup>127</sup> Much bloodletting followed, as Christopher's faction eradicated that of Toto; the biographer also relates the rumour that Waldipert was in league with Duke Theodicius to 'betray the Roman city to the Lombard people' – anti-Lombard hysteria again, perhaps occasioned more by long-term clashes with Spoletan Lombards in the Sabina than by fear of Desiderius's, at that point largely unapparent, geo-political ambitions.<sup>128</sup>

<sup>124</sup> *LP* 1, p. 469–70. <sup>125</sup> See above, pp. 238–40. <sup>126</sup> *LP* 1, pp. 470–1.

<sup>127</sup> *LP* 1, p. 468 for Stephen III's origins; not perhaps as humble or obscure as they are sometimes painted, since he acted as an envoy for Stephen II: *LP* 1, p. 455 with n. 59.

<sup>128</sup> *LP* 1, p. 472.

Chapter 8

FARFA, ITALIAN POLITICS AND THE  
CAROLINGIANS

FARFA, THE FALL OF THE LOMBARD KINGDOM AND THE ADVENT  
OF THE CAROLINGIANS

At the centre of the political history of the period covered by this book is the Frankish conquest of the kingdom of the Lombards between late summer 773 and spring 774. This dramatic event was a crucial moment in the history of medieval Italy (and arguably, of western Europe), and the major roles in it have, not unnaturally, been accorded to those chief protagonists on whom our narrative sources concentrate: the Frankish and Lombard kings, and the popes. Farfa, along with figures associated with it like the dukes of Spoleto, have generally appeared as peripheral players, albeit that they have often been accorded some importance.<sup>1</sup> It is certainly not my intention here to deny significance to Charlemagne, Desiderius, Pope Hadrian I, their predecessors, successors and associates. But I will argue that Farfa, and those in its region who were associated with it, have not been given quite the prominence in the story that they deserve. To some extent this arises from an understandable reliance by historians primarily on contemporary narrative texts, and on those texts' tendency to tell the story as a partisan engagement between a few key personalities. I am thinking here especially of the *Liber Pontificalis*, and of the various Frankish annals. The former is still unfortunately under-problematized, while the latter are now increasingly revealed as vehicles for the propagation of Carolingian ideology as it stood at the time when they were written.<sup>2</sup> Weaving these together nevertheless provides a

<sup>1</sup> E.g. Noble, *Republic of St Peter*, pp. 144–5; Gasparri, 'Il passaggio', pp. 35 and 38–9. The latter is one of the best recent narratives.

<sup>2</sup> On the *LP* see H. Geertmann, *More Veterum. Il Liber Pontificalis e gli edifici ecclesiastici nella tarda antichità e nell'alto medioevo* (Groningen, 1975), and now Geertmann ed., *Il Liber Pontificalis e la storia materiale, Atti del colloquio internazionale (Roma, 21–2 febbraio 2002)*, Mededelingen van het Nederlands Instituut te Rome 60–61 – Antiquity (2004). On the Frankish annals, see McKitterick, *History and Memory*, esp. pp. 28–59, 84–119 and 120–32.

*histoire événementielle* beneath which all sorts of political and ideological currents have been discerned (such as the idea of a papal ‘state’, the ideology of Carolingian kingship and the relative weakness of Lombard statehood). It is an unfortunate fact that there is no contemporary narrative text that relates the last decades of the Lombard kingdom from a Lombard perspective. The *Historia Langobardorum* of Paul the Deacon, whose own life was fundamentally conditioned by the Frankish conquest, famously, and to some historians rather suspiciously, ends at the death of Liutprand in 744.<sup>3</sup>

Non-narrative sources have generally been deployed until now to add sharpness and precision to this picture. Notable in this respect are the papal letters included in the collection known as the *Codex Carolinus*, though since many are undated their use involves the complex and often rather circular business of fitting their content into an existing chronological pattern.<sup>4</sup> The Lombard perspective is represented chiefly by charters that do allow more precise dating of the major changes in rulership, through their *datatio* clauses (in which the documents are dated by regnal years of kings). It is in this way that the documents in the *Regestum Farfense*, which inform our reconstruction of events in an important way, have been used. But this is just to scratch their surface. The principal content of the charters – the personalities and the properties that they mention – and the way in which they fit into the pattern of Farfa’s patronage allow us to show not only how events in the world at large affected the abbey, but also how the abbey and its patrons may have affected events. They help us not only to see the sequence of events, but to interpret it. Initially, however, our interpretation involves noting the dating information offered by the Farfa charters, which includes a frustrating lacuna.

To lose a single folio from a source as valuable as the *Regestum Farfense* is unfortunate. But that the folio in question covers the single most important political event in the history of the abbey is enough to make the historian curse his ill luck. It may even prompt darker suspicions. The folio in question contained the documents that Gregory of Catino numbered *ci* to *civ*, which are likely to have been dated to somewhere between September 773 and July 775.<sup>5</sup> This was precisely the period,

<sup>3</sup> W. Pohl, ‘Paulus Diaconus und die “Historia Langobardorum”’: Text und Tradition’, in A. Scharer and G. Scheibelreiter eds., *Historiographie im frühen Mittelalter* (Vienna, 1994), pp. 375–405, and Pohl, ‘Paolo Diacono e la costruzione dell’identità longobarda’.

<sup>4</sup> References here are to the edition by W. Gundlach, *Codex epistolaris Carolinus*, MGH Epp. III (Hanover, 1892), though it has its problems. A facsimile is *Codex epistolaris Carolinus*, ed. F. Unterkircher, *Codices selecti* 3 (Graz, 1962).

<sup>5</sup> The dates, of course, are drawn from the documents of certain date on either side of the lacuna: *CDL* v 63 (= *RF* II 88), dated September 773, and *RF* II 92 dated July 775 (the latter was issued in

critical both for the abbey – perhaps the most important in its long history – and for Italy as a whole, that saw Charlemagne oust the Lombard king Desiderius and make himself the master of the north and centre of the peninsula. The political context makes us feel the lack of these documents keenly, all the more so for the more precise reason that, as just mentioned, those on either side of them in the *Regestum*, and especially their dating clauses (*datationes*), have been widely used in accounts of the political movements of these crucial years. It might be as well, then, first to examine in tabular form (Table 8.1) the documents that we *do* have from this period, with their *datationes*.

It is evident from the first two columns here that both Gregory of Catino and the *Regestum*'s first modern editors, Giorgi and Balzani, confused the chronology of these documents. Nevertheless, leaving aside Charlemagne's immunity diplomas for a moment, the two charters dated according to the pontificate of Hadrian have played prominent roles in discussions of papal ambitions at this time: they represent, in many accounts, a significant step on the road to the papal state.<sup>6</sup> The fact that the pope stands in the place of a secular ruler in these clauses also encourages the view that he was behaving like (or even thought of himself as) one; though we should note that the phrase begins with *temporibus* ('in the times'), and not with the *regnante/ibus* ('with N ruling') that we generally find in Lombard charters.<sup>7</sup> The likelihood remains that the missing folio included documents that also dated from the period 773–5 and may well have contained further clues to the obscure political tergiversations of those years. The folio itself must have been removed at some point between c.1100, when Gregory set down his pen, and probably, the seventeenth century.<sup>8</sup> Why it was removed must remain unknown, though two contradictory suspicions spring to mind: that it included material that placed Farfa or the Sabina more firmly than any extant document under the control of the pope, and so was excised by a Farfa hand at a time when the abbey was in direct opposition to the pope (probably the very late eleventh or early twelfth century); or, perhaps more likely, that it included material demonstrating the reverse – that

Tuscany, which had always been considered part of the Lombard kingdom, the kingship of which, all agreed, Charles had won in 774; as such this document does not appear in the editions of Spoletan documents).

<sup>6</sup> Noble, *Republic of St Peter*, pp. 144–5, where Hadrian's control of the duchy of Spoleto is invoked as one reason behind Charlemagne's pledge at Easter 774 to make a 'maximal' territorial concession to the pope. Gasparri, 'Il passaggio', p. 35.

<sup>7</sup> Zielinski, *Studien*, pp. 145–55.

<sup>8</sup> As Brühl notes (*CDL* iv/1 p. 68 n. (d)), there are marginalia at the end of folio 34<sup>v</sup> in hands of the seventeenth or eighteenth century, directing the reader, most probably, to the *Chronicon Farfense* for the missing sections. Note that the foliation of the MS must post-date the loss of the folio, since the folio numbers now move directly from fol. 34<sup>v</sup> to fol. 35<sup>r</sup>, as if there was no missing folio.

Table 8.1 Date clauses of *Farfa charters, 773–6*

No. in <i>Regestum</i> MS	No. in <i>Regestum</i> edition	No. in modern edition	Issuer	Type of document	<i>Datatio</i>	Date
xcvii	88	<i>CDL v 63</i>	Iohannes <i>archipresbiter</i>	<i>testamentum</i>	Regnantibus dominis nostris Desiderio et Adelchis filio eius piissimis regibus, anno regni eorum Deo propitio. xvii. et. xliiii. . . . mense septembris, per indictionem. xii. <sup>a</sup>	Sept. 773 <sup>b</sup>
c	91	<i>CDL iv/1 23</i>	Duke Hildebrand	<i>praeceptio</i>	Temporibus ter beatissimi et coangelici domni Adriani pontificis et universalis papae. <sup>c</sup>	773–5
cxli	128	MGH Dipl. Kar 1 98	Charlemagne	spiritual immunity	Data sub die viiii kal. iun. anno vii et i regni domini nostri Karoli gloriosissimi regis	24 May 775
cxl	127	MGH Dipl. Kar 1 99	Charlemagne	temporal immunity	Data sub die iiiii kal. iun. anno vii et i regni nostri	29 May 775
cv	92		Aimo <i>voltanus</i>	<i>offerio</i>	Regnante domno nostro Karolo viro excellentissimo rege, anno regni eius in Dei nomine ii. in Italia, mense iulii, per indictionem xiii.	July 775
cxliii	130	<i>CDL v 64</i>	Liuspert <i>presbiter</i>	<i>donatio</i>	Temporibus domni Adriani pontificis et universalis papae . . . mense decembris, indictione. xiiii.	Dec. 775
cvi	93	<i>CDL iv/1 24</i>	Duke Hildebrand	<i>praeceptio</i>	Regnante domno Karolo excellentissimo rege Francorum atque Langobardorum, anno regni eius in Italia, Deo propitio. . II. <sup>d</sup>	Jan. 776

*Notes:*

<sup>a</sup> For reasons of space, I have omitted the phrases 'sed et temporibus domni Theodicii gloriosi ducis ducatus Spoletani, et viri magnifici Alifredi castaldii Reatinae civitatis', which are standard.

<sup>b</sup> Note Zielinski's comment on Adelchis's regnal date, which should be 'xv': *CDL v*, pp. 222–3.

<sup>c</sup> The lack of a year of pontificate here need not be significant: years were generally given by indiction, as in *CDL v 64*, but in ducal documents the indiction clause came in the eschatocol, which is missing here.

<sup>d</sup> As was common practice with ducal diplomas, the month and indiction are given in the eschatocol: 'mense Ianuarii, per indictionem. XIII.'

## *Farfa, Italian politics and the Carolingians*

Farfa, and/or its lands, and/or the Sabina as a whole, were emphatically *not* subject to the pope at that time – and so was cut out by a papal sympathizer, after Farfa came definitively under papal control in the Concordat of Worms in 1122.<sup>9</sup>

These are, as I have indicated, simply speculations. We will see shortly that at least one of Farfa's patrons in this apparently blank period, and the lands that they transferred to the abbey, may be identifiable. But what we have no hint of are the *datatio* clauses of the missing charters. The loss is serious because, as just mentioned, those that we do have are among our best evidence for political change in these years. Some attempt can be made to fill the lacuna. First, we can say something about what the missing folio did *not* contain. It is very unlikely to have included documents covering the kinds of transactions mentioned in Charlemagne's *Capitulare Italicum* of February 776 in which the king voided all transactions entered into *necessitas famis* in the previous three years.<sup>10</sup> There was no reason to retain these in the archive. More positively, we may be able to recapture some sense of one of the missing documents, at least. At the end of folio 34<sup>v</sup>, where the diploma of Duke Hildeprand (*CDL IV/1 23* in its most modern edition) cuts off halfway through, an early modern reader of the *Regestum* manuscript directs future readers 'vide in 3<sup>o</sup> libro, quae hic desunt' ('look in the third book for what is missing here'), almost certainly a reference to the *Chronicon* (if the *Regestum*, in its two codices, BAV lat. 3836 and 3837, constituted the first and second *libri*). If we follow this annotator's advice we find in the *Chronicon* a list of additional lands that must have been included in Hildeprand's original diploma,<sup>11</sup> and then one short passage that cannot be ascribed to any extant *Regestum* document:

et idem domnus Probatas abbas acquisivit terras secus gualdum huius monasterii qui dicitur Tervilianus, et in ipsa terra stat Monumentum Caput. et casalem Cicilianum, et alium in Agello.<sup>12</sup>

The passage that follows it summarizes a donation of Hildeprand in 776. Now, a *casalis* called Cicilianus had already been given to Farfa in 768 by a widow named Taneldis (indeed, we have already examined some of the implications of this unusual gift): it had previously been part of the family estates of the Pandoni.<sup>13</sup> But the quotation above cannot be referring to that gift, which is noticed separately and earlier in the *Chronicon* (in its

<sup>9</sup> For the twelfth-century political background, see chapter 1 above, and Stroll, *Medieval Abbey of Farfa*, pp. 224–73.

<sup>10</sup> *Karoli Magni Notitia Italica*, c. 2, MGH Capit. 1, no. 88.

<sup>11</sup> Included by Brühl as an addendum to his edition of the document: *CDL IV/1 23*.

<sup>12</sup> *CF* 1, p. 159. <sup>13</sup> Above, chapter 6.

proper chronological place), and in any case did not include land at Tervilianus or Agello.<sup>14</sup> In fact, however, the earlier grant provided for the transfer of Cicilianus to Farfa only after Taneldis's death – a very common practice, as we have seen. Tervilianus does not otherwise appear before 777, when a portion of it was passed to Farfa by Victor – again, a donation that may comprise lands of the Pandoni family.<sup>15</sup> Agello is quite a common toponym in our documents (hardly surprisingly – it means simply 'little field' – though it is not as common as in the Monte Amiata corpus), but, again, does not appear as a place that was the subject of a land transfer before this instance (it does appear in a boundary clause<sup>16</sup>), and thereafter the earliest reference to an Agello is to the donation of just two *foculares* (householders) in 778: these could hardly comprise a whole *casalis*.<sup>17</sup> A further piece of evidence is relevant, though, and this is a clause in Charlemagne's confirmation diploma for the abbey of 776, which refers to

aliam cartam, quam Pando fecit mulieri suae nomine Tanildae, de casale qui dicitur Ciciliano et Agello, ut diebus vitae suae in illius permaneret potestate, post obitum vero illius pro utrorumque animabus traderet, quod et ipsa Tanildis per cartas tradidit monasterio Sanctae Mariae.<sup>18</sup>

It is not entirely clear whether we are dealing with one *casalis* or two (though the other evidence makes the latter more likely), but the reference to *cartas* suggests that, in addition to the extant donation of 768, and the lost earlier charter issued by the husband, Pando, there may have been another document that Taneldis issued providing for the carrying out of the final transfer of Cicilianus and Agello to Farfa at her death. The absence of Agello from the 768 charter may mean that there was another document in which it was named. In short, the evidence suggests that members of the Pandoni family made at least one property transfer to Farfa – and possibly two, bearing in mind that the evidence for Tervilianus may link that place with the family – in the critical period between late 773 and late 775.

As we have seen, these transfers were part of the Pandoni's particular history of patronage of Farfa. They prompt the question of whether the years 773 and, especially, 774 and 775 were out of line with the overall pattern of the abbey's endowment. Did the decidedly unusual events of those years have an impact on the patronage of Farfa? Given the already-noted absence of a crucial folio, it is impossible to respond with any certainty. But what we can see of the picture of patronage does not seem to be radically different, in most respects, from the years before. In 773,

<sup>14</sup> *CF* I, p. 154. <sup>15</sup> *CDL* v 76, and see above, p. 190. <sup>16</sup> *CDL* IV/I 4. <sup>17</sup> *CDL* v 86.

<sup>18</sup> *MGH* Dipl. Kar I 111 (= *RF* II 134), issued at Vicenza, 9 June 776.

Farfa was the recipient of three donations (including one testament), and was the winning party in a judgement in a local court (to the tune of one *casalis*) and party to an agreement in which one *casalis* was exchanged for another.<sup>19</sup> Around this time, probably in 774 or 775, it was the beneficiary of a gift from Duke Hildebrand, and as just argued, it may have received at least one other donation, from Taneldis: in 774 it could have had up to three others too.<sup>20</sup> In 775 it received one gift from a Sabine donor and an *offersio*, including extensive properties, from a landholder in southern Tuscany. In terms of simple quantity, this pattern is no different from that which the abbey had experienced throughout the previous three decades (since the beginning of the dukeship of Lupo). Even the last of these transactions, giving lands in Tuscany, was nothing new: Farfa had held land there for nearly a decade already.<sup>21</sup> The only true aberrations are the two diplomas issued on the monastery's behalf by Charlemagne in May 775, and these are unusual not simply within the series of Farfa's charters, but in themselves, as highly irregular and political documents: they will be examined shortly.

Two of the other charters in our 773–5 list are unusual in a different way: one a donation of extensive properties by Duke Hildebrand, the other a no less whole-hearted commitment of land – if smaller in absolute terms – by a local priest named Liuspert.<sup>22</sup> These have excited much comment because, in the *datatio* clauses of both these documents, in the position in which the king's name and regnal year were usually given, there appear instead the name and title of Pope Hadrian.<sup>23</sup> Hildebrand's diploma can be dated only loosely, to between October 773 and December 775.<sup>24</sup> That of Liuspert, however, is datable fairly securely to December 775.<sup>25</sup> These documents, therefore, seem to indicate that the

<sup>19</sup> Respectively, *CDL* v 59, 60, 63, 61 and 62.

<sup>20</sup> A note on the date of *CDL* iv/1 23: note that this is the gift of the *gualdus* around Monte Tancia, so it was firming up the abbey's patrimony to its north: not, then, 'strategic' in the sense of being on the border with the Roman duchy.

<sup>21</sup> *CDL* ii 192, 196 and 217.      <sup>22</sup> *CDL* iv/1 23 and *CDL* v 64.

<sup>23</sup> *CDL* iv/1 23: 'Temporibus ter beatissimi et coangelici domni Adriani pontificis et universalis papae.' See Brühl, 'Chronologie und Urkunden', pp. 72–3 with nn. 426–7. There is a particular problem in contextualizing this document, as the lost folio of the *Regestum Farfense* took with it the eschatocol of this charter. We therefore lack the name of its scribe, as well as any detailed dating information (the year of Hadrian's pontificate is not given). The *datatio* of *CDL* v 64 begins 'Temporibus domni Adriani pontificis et universalis papae . . .'

<sup>24</sup> That is, from the month after the last appearance of Theodicius as duke (*CDL* v 63) to the month before the date of the first charter in which Charlemagne appears in the *datatio* clause (*CDL* iv/1 24): see Brühl, 'Chronologie und Urkunden', pp. 64–5 and 72.

<sup>25</sup> No regnal or ducal dates are given, so dating depends on the phrase 'mense decembris, indictione. xiiii.', and on the fact that the document was made during Probatius's abbacy (770–81: *not* 761–9, as stated in Marazzi, 'San Vincenzo al Volturno tra VIII e IX secolo', p. 47). Thus it cannot have been made in the previous fourteenth indiction (761–2), nor in the following one (789–90). The

pope's overlordship was formally recognized in Spoleto (and not just in the Sabina) for more than a year after Hildeprand had been acclaimed duke in Rome. More significantly, however, the latter certainly, and perhaps also the former, shows that the ducal scribes continued to indicate that lordship *after* Charlemagne had granted temporal and spiritual immunities to Farfā. In fact, the point is more pertinent put the other way around: Charlemagne granted immunities to Farfā while Pope Hadrian was ostensibly overlord both of the Sabina, and of the duchy of Spoleto as a whole. This fact has often given scholars pause. If Charlemagne was not the legitimate ruler of the territory in which Farfā and its lands lay – that is, the duchy of Spoleto<sup>26</sup> – how could his concessions of immunity have been legally valid? If he was, why did the scribes date their charters by Roman pontifical years? These questions are at the heart of understanding the workings of politics in Italy in the eighth and ninth centuries. To give them full consideration, we can first examine two aspects of their context. Since I shall argue here that Farfā stood at the hub of the cross-cutting relationships between the Franks, Lombard rulers, local elites and the papacy, the papal stance towards Farfā is crucial, and to understand that we need to understand the papal attitude to monasteries in general. In short, what was the context of Pope Hadrian's landowning in the Sabina and interaction with Farfā? The second desideratum is to examine the *événements* of the *courte durée*: the immediate political events and machinations that led up to the Frankish intervention in Italy in 774, and determined its most immediate progress.

possibility remains, of course, that Gregory of Catino made a mistake in his transcription of the indiction number. For instance, 'indictione. xiii.' (i.e. December 774) is plausible: Hildeprand may just have had time by then to establish himself as duke, and to place his man, Rimo, in the gastaldate of Rieti (see Zielinski, *Studien*, pp. 149–50). Such a misdating would affect the argument offered here to only a limited extent. But there is no good reason to suppose that Gregory of Catino has erred in this quite uncharacteristic way. Liuspert's charter, with all its peculiarities of diplomatic, fits perfectly well into a plausible narrative of the course of these years in which lip-service was paid, through diplomas and diplomacy, to the pope's lordship over Spoleto, while in practice Charlemagne's power began to make itself felt until, at some point in December 775 or January 776, Hildeprand evidently did formally submit to Charlemagne's lordship, thus effectively associating his duchy with the *regnum Langobardorum* and removing it from any realistic chance of domination by the pope. He did this at precisely the time that Rotcausus of Friuli's rebellion must have been brewing: for which see BM 199b–203; *ARF*, s.a. 775–6, ed. Kurze, pp. 42–4; K. Brunner, *Oppositionelle Gruppen im Karolingerreich*, Veröffentlichungen des Instituts für Österreichische Geschichtsforschung 25 (Vienna, 1979), p. 45.

<sup>26</sup> Though note that in 775 Farfā also received a substantial grant of property in the Lombard kingdom proper (*RF* II 92: dated by Charlemagne's regnal dates), perhaps its first acquisition there through a donation: it had already bought land there (*CDL* II 196, 198) and been granted some renders from a proprietary monastery in Orvieto (*RF* II 41; *CF* I, p. 152). I cannot agree with Federico Marazzi, that the 'Corneto' mentioned in *CDL* V 42 was in Tuscany: 'San Vincenzo al Voltumo tra VIII e IX secolo', p. 47; Saracco Previdi, 'Lo *sculdahis*', p. 672, locates it in the Sabina.

## Farfa, Italian politics and the Carolingians

### *The papacy and monasticism*

Already by the 740s, there are signs in our sources of a disjunction between royal and ducal grants to Farfa, and perhaps especially the series of exemptions that began under Liutprand, and the popes' perspective on the Sabina. As we have seen, no such tension is apparent in Pope John VII's privilege. It is generally assumed, though, from a reference in the *Liber Pontificalis's* Life of Zacharias, that shortly after this Liutprand occupied the papacy's Sabine *patrimonium*. This is mentioned in the context of the 742 agreement between king and pope in which, apparently, Liutprand promised to return it.<sup>27</sup> Later a letter of Hadrian suggests that Desiderius had confirmed this arrangement.<sup>28</sup> Persistent papal complaints about their loss of the *patrimonium* have been taken to indicate that the Lombard kings never actually did restore these lands,<sup>29</sup> but as we shall see in a moment we do have an indication that, whether through the kings or otherwise, the popes did acquire at least some land in the region. More generally, the nature of this *patrimonium* has given rise to a very long debate. What was the *patrimonium Sabinense*? Does the phrase refer to landed estates, or to something more like territorial lordship?

The first point to make in response is that we should not expect, and do not get, consistency in the references to the Sabina. Reference to a *territorium Sabinense* appears first in the *Liber Pontificalis* Life of Zacharias,<sup>30</sup> but thereafter the papal sources refer mostly to a *patrimonium Sabinense*, although the term *territorium* is occasionally used, especially in letters of Hadrian I.<sup>31</sup> Beyond the generalizing claims of these polemical documents, however, when we see the popes operating in the Sabina, it is always in the context of property rights. One document reveals Hadrian himself disposing of land in the Sabina, apparently shortly after the Frankish conquest and, crucially, *before* the 781 inquest into the definition of the Sabina as a *territorium*.<sup>32</sup> This charter is a donation by one Lupo son of Spento of, *inter alia*, lands in the *curtis* 'Quintilianus', 'qualiter ego per preceptum sanctissimi Adriani pontificis possedi' ('as I possessed [them] through the order of the most holy pontiff Hadrian'), excluding 'clausuram ad Sanctam Anatholiam et Fraganianum et piscariam de Oliano'. Precisely these latter lands were in fact donated to the abbey in 809 by

<sup>27</sup> LP 1, p. 428.   <sup>28</sup> CC 72.   <sup>29</sup> See Noble, *Republic of St Peter*, pp. 155–7.   <sup>30</sup> LP 1, p. 426.

<sup>31</sup> On the *patrimonium Sabinense* see now Marazzi, *I Patrimonia Sanctae Romanae Ecclesiae nel Lazio*, pp. 117–23. Earlier surveys of the evidence are O. Vehse, 'Die päpstliche Herrschaft in der Sabina bis zur Mitte des 12. Jahrhunderts;', *QFLAB* 21 (1929–30), pp. 120–75; Toubert, *Les structures du Latium médiéval*, vol. II, pp. 941–3; Noble, *Republic of St Peter*, pp. 155–7.

<sup>32</sup> CDL v 66, dated April 776. For the 781 inquest, see below, pp. 326–8.

Lupo's sons.<sup>33</sup> But the important confirmation diploma of Lothar issued in 840 makes it quite clear that 'Quintilianus' was in the territory of Rieti.<sup>34</sup> In short, by 776 Hadrian held land not in the Sabina Tiberina, where other papal claims in the Sabina seem to have focused, but in the Sabina Reatina, in an area which, even on the most optimistic assessment, fell well outside the Sabine patrimony as apparently defined in 781. By far the most straightforward way to interpret this evidence is to see it not as a sign of real papal lordship over the duchy of Spoleto in the period 773–5,<sup>35</sup> but as evidence of the pope acting like any other proprietor of land in the region. It is very likely that he fully expected Lupo to hand his donation on to Farfa. What is more, Hadrian himself transferred further considerable estates in the Sabina to Farfa at some point in his pontificate.<sup>36</sup>

This evidence shows that Pope Hadrian had some experience of the kind of monastic patronage practised towards the rural monasteries of Lombard-ruled central Italy. As such it chimes with what we have seen of the tone of Pope John VII's privilege for Farfa, while being at odds with the more inflated papal claims in the Sabina, of which Hadrian can be seen to have been a prime instigator. It is therefore worth investigating the papal experience of monastic patronage in this period a little more closely.

Further evidence for the papacy's connection with monasteries beyond Rome is fairly thin. The most striking aspect of it is perhaps the reports in the *Liber Pontificalis* of the abbots of major monasteries acting as envoys to the Frankish kings. Stephen II had sent Abbot Optatus of Monte Cassino and Abbot Azzo of San Vincenzo al Volturno to negotiate with Aistulf,<sup>37</sup> and early in 773 Hadrian 'summoned', according to his biographer, Abbot Probatas and twenty of the senior monks of Farfa, and sent them to entreat Desiderius to return the cities then in dispute.<sup>38</sup> In both cases the language of the *Liber Pontificalis* makes these abbots look like papal subordinates. Yet in neither case is there any other evidence of such a

<sup>33</sup> *RF* II 195: Spento, Staius and Toto, sons of gastald Lupo gave, 'pro parte Teuto germani nostri . . . in Fraganiano clausuras ii. . . . Et terram nostram prope campum Sanctae Anatholiae . . . et terras et vineam in Oliano . . .' For further on this family, see Collavini, 'Duchi e società locale', pp. 137–8, where Lupo is identified with the homonymous gastald of Rieti in the period 789–92.

<sup>34</sup> *RF* II 282bis: 'tam in Reate in loco qui dicitur Lingla et Quintilianus'.

<sup>35</sup> See below, pp. 301–7.

<sup>36</sup> *RF* II 224, a bull of Stephen IV, mentions a *commutatio* between Hadrian and the abbey. At least two of the place names given there can be located in the Sabina: 'Argasianus', see Migliario, *Strutture*, p. 81, and 'Secundilianus', see Saracco Previdi, 'Lo sculdahis', p. 676.

<sup>37</sup> *LP* I, pp. 441–2; *Pauli continuatio cassinense* c. 4, ed. G. Waitz, MGH SRL, p. 199

<sup>38</sup> *LP* I, p. 492. This must have happened before April 773: see *Lives of the Eighth-Century Popes*, trans. Davis, pp. 131–3 at nn. 28 and 32.

straightforward hierarchy.<sup>39</sup> The similar kind of embassy conducted by Carloman to his brother Pippin in 754 may have been undertaken at Aistulf's persuasion, but could hardly be said to be a sign of Carloman's subordination to the Lombard king.<sup>40</sup> So the employment of abbots as envoys must rather be seen as both arising from and indicative of their positions on political frontiers. Monte Cassino, San Vincenzo and Farfa all included monks drawn from a number of different polities; each stood outside, but very close to, Roman territory; each had been patronized by Lombard rulers; and Farfa and San Vincenzo, at least, can be taken to have represented both the monastic and the lay interest groups in their localities. The role that they could play, better than anyone else in Italy at these dates, was that of honest brokers. It may also be – indeed, it is highly likely – that these abbots recognized the spiritual authority of the pope. But recognizing this is to say nothing about where they thought they, their abbeys, or indeed the popes, stood in the governmental structure of the church as a whole. A perhaps more significant point that we can surmise, especially given what has been said above in relation to Farfa, is that all of them would have had an interest in preventing Lombard–Roman conflict if possible.

Pope John VII's privilege for Farfa is one of the earliest sources for papal involvement with monasteries in the countryside, after a significant lacuna in such material after the death of Pope Gregory I. From the first half of the eighth century we have also the evidence for Monte Soracte, which Zacharias gave to Carloman in 747, and Pope Paul was later to give to, and receive back from, Pippin III.<sup>41</sup> Zacharias was also involved, as is well known, in the refoundation of Monte Cassino. The latter, along with Farfa, San Vincenzo, Monte Amiata and a few others, presented a very different model of monasticism from that prevalent in Rome itself. It is worth asking, then, what the papal attitude to and experience of monasticism was within Rome. If the *Liber Pontificalis's* image of the subordination to the popes of the abbots of Farfa, San Vincenzo and Monte Cassino does not ring true, how far does it reflect relationships between bishop and monasteries within the city?

<sup>39</sup> The date of Probatius's embassy is crucial here: since it happened before April, it took place at a time when the Farfa charters were still dated by the reign of Desiderius and his son: see further below, pp. 297–8.

<sup>40</sup> First noticed in the Life of Stephen II, *LP* 1, p. 448, hardly an uninterested source; it is perhaps significant that the older text of the *Annales regni francorum*, s.a. 753, ascribes the initiative for Carloman's mission to 'his abbot' (i.e. Optatus, who had performed much the same role two years earlier); only the revised version detects Aistulf's hand behind it.

<sup>41</sup> *CC* 23 and 42.

Of necessity, our picture of Roman monastic patronage draws predominantly on Roman – and especially on papal – evidence.<sup>42</sup> Unsurprisingly, therefore, it foregrounds papal activity to such an extent that any other contribution is all but obscured. Our principal source, the *Liber Pontificalis*, incorporates an impressive record of papal monastic patronage. This shows signs of development over time. In the seventh century, popes founded monasteries in their own houses.<sup>43</sup> In the first three-quarters of the eighth century, Gregory II and the brothers Stephen II and Paul I continued this tradition.<sup>44</sup> Popes of the same era sponsored new foundations and the refurbishment of existing ones.<sup>45</sup> The most extensive patronage was provided by Hadrian I and Leo III.<sup>46</sup> As is well known, the *Liber Pontificalis*'s record of Leo III's gifts – not only to monasteries but to all the ecclesiastical institutions in Rome – is particularly extensive, with forty-nine monasteries including some that had been mentioned in no record since the sixth century, and others whose first

<sup>42</sup> For elaboration of the following analysis, see C. Leyser and M. Costambeys, 'To be the neighbour of St Stephen: patronage, martyr cult and Roman monasteries, c.600–900', in J. Hillner and K. Cooper eds., *Religion, Dynasty and Patronage in Early Christian Rome, 300–900* (Cambridge, 2007), pp. 262–87.

<sup>43</sup> Boniface IV and Honorius followed Gregory I's example and turned their own houses into monasteries: *LP* 1, pp. 317 and 324. G. Ferrari, *Early Roman Monasteries* (Vatican City, 1957), pp. 76–7 and 160–2. Pope Adeodatus embellished the monastic house of St Erasmus where he had been brought up: *LP* 1, p. 346; Ferrari, *Early Roman Monasteries*, pp. 119–31.

<sup>44</sup> Gregory II's became S. Agatha (probably that 'de Subura'): *Lives of the Eighth-Century Popes*, trans. Davis, p. 9, n. 37; *LP* 1, p. 402, and Ferrari, *Early Roman Monasteries*, pp. 19–22. Stephen and Paul's house became St Sylvester's 'in Capite': *LP* 1, p. 464–5 and V. Federici, 'Regesto del monastero di St Silvestro de Capite', *Archivio della Reale Società Romana di Storia Patria* 22 (1899), pp. 213–300, and Ferrari, *Early Roman Monasteries*, pp. 302–12.

<sup>45</sup> Gregory II embellished the monastery 'Ad Duo Furna' (dedicated at that time to St Agnes): P. Kehr, *Italia Pontificia*, vol. 1 (Berlin, 1906), p. 53; he refounded and consolidated St Andrew in Massa Iuliana and SS Cosmas and Damianus: *LP* 1, pp. 397–8; and he restored the monastery of St Stephen next to St Paul's outside the walls: *LP* 1, p. 397. Gregory III founded SS Stephen, Laurence and Chrysogonus next to S. Chrysogonus in Trastevere: *LP* 1, pp. 418–19; he also restored the monastery of St Pancras at the Lateran: *LP* 1, p. 419. Stephen II also founded a monastery dedicated to St Stephen at the Vatican, later known as St Stephen 'Minor': *LP* 1, p. 451. On all of these, see also the relevant entries in Ferrari, *Early Roman Monasteries*.

<sup>46</sup> Hadrian reappointed a community at St Stephen 'Maior' at the Vatican, rebuilt St Eugenia and the monastery of Pope Honorius at the Lateran, restored the house dedicated to St Victor at St Pancras's, restored and amalgamated St Laurence in Pallacinis and St Stephen in Vagauda, 'freshly dedicated and established' the monastery of SS Hadrian and Laurence, and restored St Anastasius after it was destroyed by fire: *LP* 1, pp. 501 (St Stephen 'Maior'), 510 (St Eugenia), 506 (Honorius), 508 (St Victor), 507 (St Laurence in Pallacinis and St Stephen in Vagauda), 511 (Hadrian and Laurence), and 512–13 (St Anastasius). The list of Leo's interventions in monasteries is too extensive to be given here: the famous record of his patronage is given at *LP* II, pp. 3–34. Leo's patronage remains understudied; for Hadrian's, see now F. A. Bauer, 'Il rinnovamento di Roma sotto Adriano I alla luce del Liber Pontificalis. Immagine e realtà', and D. Bellardini and P. Delogu, 'Liber Pontificalis e altre fonti: le topografia di Roma nell'VIII secolo', both in Geertmann ed., *Il Liber Pontificalis e la storia materiale*, pp. 189–203 and 205–23 respectively.

appearance is in this list.<sup>47</sup> This is not to say, of course, that the latter were all Leo's foundations.

The manner in which this patronage was recorded is itself instructive. The *Liber Pontificalis* biographers focused on two aspects of this patronage: the dedications of the houses – the cult or cults that each nurtured – and, quite often, the purposes of papal patronage. To the former we shall return, but the purpose of this patronage, where any is given, is generally said to have been liturgical. If it is taken to include the lighting for churches, the liturgical needs of Rome are very prominent in the tale of papal activity in these centuries.<sup>48</sup> A heightened interest in liturgy has been linked to the introduction of a new liturgy by the so-called 'Greek' popes (that is, those between 687 and 752, not counting Benedict II and Gregory II); a liturgy, moreover, which had a monastic stripe, as the *Liber Pontificalis* confirms in particular in relation to the activity both of the Roman Gregory II and of the Syrian-born Gregory III.<sup>49</sup> Again, the most prominent in the *Liber Pontificalis*'s record of the popes with regard to liturgy is Hadrian.<sup>50</sup>

As for the veneration of saints' cults through monasteries, our best evidence relates to the sibling popes Stephen II and Paul I. In like manner to the establishment of the cult of St Petronilla at the Vatican, noted above, the two seem to have combined to turn their own family home into the monastery of S. Silvester 'in Capite', where there was an altar dedicated to Stephen's third-century namesake and predecessor, Pope Stephen I.<sup>51</sup> Its purpose is set out in its surviving foundation charter,

<sup>47</sup> The best example of the former is the house known as 'Corsarum': Ferrari, *Early Roman Monasteries*, pp. 96–9; Gregory I, *Reg. Ep.* ix 191 (probably dedicated to St Symmetrius). In general, see Geertmann, *More Veterum*, pp. 82–109.

<sup>48</sup> E.g. the endowment of St Peter's by Gregory II in which *luminaria* are explicitly mentioned: *ICUR* II, pp. 209–10; see also Marazzi, *I Patrimonia Sanctae Romanae Ecclesiae nel Lazio*, pp. 151–3.

<sup>49</sup> Gregory II is said to have 'renewed the deserted monasteries alongside St Paul's . . . so that three times by day and night they should recite matins', and at St Andrew in Massa Iuliana and SS Cosmas and Damianus 'arranged for both monasteries to chant praise to God every day and night in the church of God's holy mother' (i.e. S. Maria Maggiore): *LP* I, p. 397; I have not distinguished here between the two recensions of this Life, which do not differ in broad substance here. A council in 732 under Gregory III specified the liturgical services owed to St Peter's by the three monasteries situated around it, SS John and Paul, St Stephen 'Maior' and St Martin: G. B. De Rossi, 'Due monumenti inediti spettanti a due concilii romani de'secoli ottavo e undicesimo', *Annali delle scienze religiose*, 13/39 (1854), pp. 1–46, at p. 18.

<sup>50</sup> Hadrian's monastic patronage enhanced liturgical provision at the Vatican (*LP* I, p. 501), at the Lateran (through the monastery of Pope Honorius: *LP* I, p. 506), at S. Maria Maggiore (through his establishment of the monastery of SS Hadrian and Laurence: *LP* I, p. 511), and at the basilica of St Mark, where the monks of the amalgamated houses of St Laurence in Pallacinis and St Stephen in Vagauda were to sing (*LP* I, p. 507).

<sup>51</sup> Ferrari, *Early Roman Monasteries*, pp. 306–7. The implication behind Davis's statement that 'neither the author nor the reviser [of the *LP* Life of Stephen II, Pope Paul's brother] mentions that Stephen turned his house into a monastery and dedicated it to St Dionysius' (*Lives of the*

which stresses that its monks were to celebrate ‘the eternal memory of veneration of the same saints [popes Stephen and Silvester] reposing there’.<sup>52</sup> Earlier in the document Pope Paul recounts a deed that is better known from his *Life* in the *Liber Pontificalis*: that he had the bones of saints from the suburban cemeteries brought into the city and placed in ‘*tituli*, deaconries, monasteries and other churches’.<sup>53</sup> The presence of the martyr saints in the liturgy was now made real. In fact, the vast majority of cults fostered in the monasteries embellished or founded in this period were those of martyrs: Gregory II patronized in a monastic setting the cults of Agnes, Agatha and Cosmas and Damianus, Gregory III that of Pancras, Stephen II and Paul may have been associated with that of the Gallic martyr Dionysius/Denis,<sup>54</sup> and Hadrian endowed those of Eugenia, Victor, Laurence and Anastasius. Of particular prominence in this tale of martyr patronage is, perhaps unsurprisingly, the cult of the protomartyr Stephen. Gregory II restored the monastery of Stephen attached to S. Paolo fuori le mura,<sup>55</sup> Gregory III built a monastery dedicated to Stephen, Laurence and Chrysogonus next to S. Crisogono, and Hadrian had combined St Stephen in Vagauda with St Laurence in

*Eighth-Century Popes*, p. 51) is too emphatic; he is more judicious on p. 82, n.9: ‘a chapel of St Dionysius/Denis, part of the complex, may have been begun by Stephen II’. Actually, Hilduin of St Denis records a purported first-hand account of Stephen’s responsibility for the foundation of a church dedicated to SS Peter, Paul and Dionysius: the dedicatees reveal something of Hilduin’s own agenda, as abbot of St Denis/Dionysius looking to promote Carolingian legitimacy and intimacy with the Rome of the popes (Hilduin of St Denis, *Liber de Sancto Dionysio*, ed. G. Waitz, MGH SS xv/1 (Hanover, 1887), pp. 2–3). In the tenth century, Benedict of Monte Soracte had Stephen founding a church in honour of SS Dionysius, Rusticus and Eleutherius (*Il Chronicon di Benedetto, monaco di S. Andrea del Soratte*, ed. G. Zucchetti, Fonti per la storia d’Italia 13 (Rome, 1920), p. 81). But his topographical references indicate that he must have been thinking of the church referred to by Petrus de Mallio in the mid-twelfth century as built ‘in honour of St Stephen, pope and martyr and pontiff, and also the blessed Pope Sylvester, in the Colonna region’: Petrus de Mallio, ‘Petri Mallii Descriptio Basilicae Vaticanae Aucta atque Emendata a Romano Presbitero’, ed. R. Valentini and G. Zucchetti, *Codice Topografico della Città di Roma*, vol. III (Rome, 1946), pp. 375–442, at pp. 411–12, see also p. 439; for further discussion, see p. 182, n. 1. Since the monastery was established on Stephen and Paul’s family property, some element of joint involvement in its foundation seems inherently likely.

<sup>52</sup> ‘... aeternam eorumdem sanctorum illic quiescentium venerationis memoriam ad gloriam divinae potentiae celebrari ...’: Federici, ‘Regesto del monastero di St Silvestro de Capite’, no. 1, issued 4 July 761, at pp. 257–8; for its reliability, pp. 243–6 and Ferrari, *Early Roman Monasteries*, p. 306.

<sup>53</sup> LP 1, p. 464. J. McCulloh, ‘From antiquity to the middle ages: continuity and change in papal relic policy from the 6th to the 8th century’, in E. Dassmann and K. S. Frank eds., *Pietas: Festschrift für Bernhard Kötting*, Jahrbuch für Antike und Christentum, Ergänzungsband 8 (1980), pp. 313–24, and J. Osborne, ‘The Roman catacombs in the middle ages’, *PBSR* 53 (1985), pp. 278–328, both see Paul’s move as a direct response to the Lombard siege of 756; the Lombard threat was not then anything new, however. We should also not dismiss the notion that some motive may have lain in the desire to respond to iconoclasm: H. Seeliger, ‘Einhard’s römische Reliquien: zur Übertragung der heiligen Marcellinus und Petrus ins Frankenreich’, *Römische Quartalschrift für christliche Altertumskunde und Kirchengeschichte* 83 (1988), pp. 38–75.

<sup>54</sup> Ferrari, *Early Roman Monasteries*, pp. 302–14. <sup>55</sup> LP 1, p. 397.

Pallacinis, and restored the monastery of St Stephen 'Maior' at the Vatican. Stephen II's devotion to his protomartyr namesake is evident too from his foundation of a fourth monastery at the Vatican, St Stephen 'Minor', the second there dedicated to that saint.<sup>56</sup>

It is difficult to say what was specifically *monastic* about this patronage, however. None of the evidence just noted pictures these cohorts of monks engaged in any activity different from the priests of the many churches noticed alongside them. This may be a sign that the popes of this period did not attribute to the monastic life the kind of distinction that was beginning to be attached to it north of the Alps by those who are credited as 'reformers'. Asceticism, cenobitism and the Rule of St Benedict find no mention here. The implication is rather that monasteries offered the opportunity to glorify the newly lauded martyr cults with a particular regime of prayer. This points to a certain similarity with Farfa in terms of the emphasis on prayer, which we can see at the latter through, for example, the composition of Abbot Alan's Homiliary, itself based heavily on the liturgy of the city of Rome.<sup>57</sup>

While the papal sources make it hard to see any monastic patronage in Rome other than that of the popes, the evidence from Farfa reveals that the traffic of patronage in Rome was not all one-way. Farfa's eleventh-century chronicle indicates that it already held property in the city in the ninth century, in the 'Scorticlaria' district to the north of the modern Piazza Navona.<sup>58</sup> By the tenth century this area was home to St Maria Cella Farfae and the neighbouring St Benedict de Thermis.<sup>59</sup> By 998 ownership of these two religious establishments was being contested by the church of St Eustathius in Platana (the modern S. Eustachio).<sup>60</sup> While it is unclear precisely how Farfa first became established in the city, it need not have done so at papal instigation. By the early tenth century the abbey was disposing of property in the heart of the Leonine city itself without any intervention by the pope.<sup>61</sup> It may also be significant for our purpose

<sup>56</sup> *LP* 1, p. 451; Ferrari, *Early Roman Monasteries*, pp. 328–30. <sup>57</sup> See above, p. 86.

<sup>58</sup> *CF* 1, p. 248 refers to 'infra Romam, terram et campum Agonis cum casis, hortis et criptis' (followed by list of four named tenants), part of a list of the properties that (according to Farfa's archivist Gregory of Catino, writing at the end of the eleventh century) had belonged to the abbey before its sack by the Saracens in 897. The location becomes clear in *LL* I, no. xx.

<sup>59</sup> Ferrari, *Early Roman Monasteries*, pp. 64–5.

<sup>60</sup> *RF* III 426 (= *CF* II, p. 18), a placitum of 998: 'duas ecclesias Sanctae Mariae et Sancti Benedicti aedificatas iuxta Thermis Alexandrinis'.

<sup>61</sup> *CF* 1, p. 315 (= *LL* 34): 'pro argenti unciis. iiii. dedit foris portam Beati Petri Apostoli, intra civitatem novam quae vocatur Leoniana, iuxta muros ipsius: ab uno latere hortus Sancti Stephani maioris, ab alio Sanctorum Iohannis et Pauli, a tertio latere hortus diaconiae Sancti Silvestri et Martini, a quarto murus predictae civitatis'. Given these bounds, it is likely that the land was just behind and to the north of St Peter's.

here that Farfa's eleventh-century chronicler uses the terms *cella* and *ecclesia* almost interchangeably when referring to the abbey's establishments in Rome.<sup>62</sup> Here, perhaps, is an indication of blurred boundaries between secular and regular clergy in Rome in an era that elsewhere has been characterized as one of reform.

The evidence for Rome is therefore very revealing of the papal attitude to monastic patronage. Since there had evidently been some patronage of monasteries in Rome by entities other than the pope, the image of Roman monasticism practised under the control, or at the initiative, of the pope is revealed for what it is: the by-product of the papal origin of all our major sources. In fact, the papal monastic patronage that we can see most closely – Stephen and Paul's for S. Silvester 'in Capite' – strongly resembles that of smaller proprietary monasteries outside Rome (S. Michael's in Rieti, for instance); and in the case of S. Silvester 'in Capite' may, like them, have included the patronage of rulers, to judge from a reference by Pope Paul to a diploma of Pippin III for that house.<sup>63</sup> Moreover, the focal concerns of the popes as patrons mirror those of these latter non-Roman patrons: an emphasis on liturgical duties and the fostering of saints' cults, with regulation, discipline, and the distinctiveness of monks and nuns less prominent. This background, then, helps to suggest a context for Pope Hadrian's appearance as a proprietor in the Sabina. It looks far more comprehensible in terms that might be applied to any of Farfa's 'private' patron-proprietors, than as a calculated move in a programme of territorial aggrandizement. The precise nature of Hadrian's territorial ambitions in the Sabina – a vexed question in itself, not helped by having been viewed in largely anachronistic terms of political power – depends on letters written just a few years after Hadrian can be demonstrated to have been a proprietor in the Sabina of a fairly regular kind. Not only that, but as such a proprietor he seems to have behaved in a fairly regular way that betrays no sign of ambitions beyond that.

*The Lombards, Rome and the Franks, 768–75*

Charlemagne's defeat of the Lombards affected the whole of Italy, but had its origins in the situation of Rome. It was Desiderius's apparent threat to take power in that city that provided the pretext for invasion. Given this, it has been fairly straightforward to draw the battle lines, with Romans and Franks on one side, and all the Lombards on the other. But Stefano Gasparri has emphasized the importance in Desiderius's defeat of

<sup>62</sup> *CF* II, 8, 18, 24, 58, 88, 96, 99, 176 and 282.    <sup>63</sup> *CC* 42, dated by Gundlach to 762–7.

Lombard disunity, as well as Frankish military prowess. Many Lombards, he suggests, were attached to a 'Friulian' faction that had provided Ratchis and Aistulf as kings and was then represented by Duke Rotcausus, who opposed Desiderius.<sup>64</sup> He even goes so far as to argue that Rotcausus had an understanding with the Franks which led him to stand on the sidelines. There is no evidence for this, and the notion of a 'Friulian' faction is itself a fragile one, given the signs of conflict among its supposed members. In any case, Charlemagne soon showed that he had no intention to compromise his new-won status as *rex Langobardorum* by allowing anyone else a measure of power in northern and central Italy. When Rotcausus 'rebelled' in 776, his defeat was complete. But the notion of Lombard disunity is more plausible, and relates directly to the Lombards of the duchy of Spoleto, because the *Liber Pontificalis* gives us an apparently concrete record of their abandonment of Desiderius's cause at the moment of the Frankish invasion. This suggests, already, that the Sabines and their by-now wealthy monastery at Farfa may have had an important role to play in the transition from Lombard to Carolingian Italy; the suspicion is strengthened by the fact that their new duke was first proclaimed not in Spoleto but in Rome.

This change of regime would itself make it obvious that the events of 773–4 were important for Farfa. But I shall argue here that the abbey was also crucial to how developments played themselves out over the ensuing years. Doing so recognizes the importance of a now very old argument about the place of the Sabina in the 'settlement' that Charlemagne either imposed on or negotiated with the established powers of central Italy (depending on your point of view). The key to this argument, I suggest, is the Frankish king's granting of immunity to Farfa in May 775. The significance of this act will concern us below. First, however, the circumstances of the conquest itself, especially as they affected central Italy, need to be reviewed.

To do this we need to pick up our story where we left it at the beginning of Stephen III's pontificate. At the Roman synod in April 769 the position of the *primicerius* Christopher seemed secure, and the provisions of that synod were aimed partly at preventing a repetition of the upheaval of the previous year or so, when the faction that he had successfully opposed had managed to have their candidate, a layman, installed as pope for over a year.<sup>65</sup> Christopher and his son Sergius, who

<sup>64</sup> Gasparri, 'Il passaggio', pp. 35–6.

<sup>65</sup> The proceedings of the synod are related at *LP* 1, pp. 473–7; with Duchesne's revisions of Cenni's edition of the acts at nn. 28–53; a slightly more recent edition taking these on board is ed. A. Werminghoff, *MGH Conc.* II/1 (Hanover, 1906), pp. 74–92.

was *secundicerius*, were dominant in Rome, with their appointee Pope Stephen III doing their bidding. By the Easter of 771 their fortunes had dramatically tumbled. Early in 771 the Lombard king Desiderius had come to Rome.<sup>66</sup> Evidently sensing that he was now about to abandon them, Christopher and Sergius tried to seize Pope Stephen, and failed. After a confrontation with the pope and Desiderius at St Peter's, and the desertion of a fair part of their following, Christopher and Sergius gave themselves up. At the instigation of the papal *cubicularius* Paul Afiarta, they were blinded: Christopher died of his wounds but Sergius lived on imprisoned, to be put to death nearly a year later.<sup>67</sup> What had brought about this change had its roots in the tension between the two brothers, Charles and Carloman, who had succeeded their father as kings of the Franks in September 768. They seem to have fallen out with each other in the early summer of 769.<sup>68</sup> Our knowledge of Italian affairs in the year and a half following this is sparse. The *Liber Pontificalis* only records one episode, concerning the appointment of the new archbishop of Ravenna in August–September 769, over which there was still enmity between Desiderius and his supporters in Ravenna on the one hand, and the Christopher–Stephen III axis on the other. One letter that the pope wrote to Charles and Carloman together, datable only to 769 × 770, expresses the hope that they might pressure the Lombards into restoring St Peter's *iustitiae*, and the *Liber Pontificalis*'s specific mention of Christopher and Sergius in connection with such pleas allows us to identify their faction with a political stance that was fairly consistently inimical to Desiderius.<sup>69</sup> It may have been the Frankish kings' mother Bertrada who was decisively influential in altering this situation, by from 769 consistently backing her elder son Charles. She arrived in Rome late in 770, perhaps with that in mind. Immediately following this, Desiderius's ally was thrown out of the see of Ravenna, and a patrimony in the duchy of Benevento was transferred to Roman control, but these may simply have been quid-pro-quo for the double marriage alliance of Charles to one of Desiderius's daughters, and of Bertrada's daughter Gisela to the Lombard's son Adelchis.<sup>70</sup> Bertrada seems to have been

<sup>66</sup> For the date, see *Lives of the Eighth-Century Popes*, trans. Davis, p. 104, n. 83.

<sup>67</sup> For these events, *LP* 1, pp. 478–80, and *Lives of the Eighth-Century Popes*, trans. Davis, pp. 104–6, with nn. 84–92.

<sup>68</sup> J. Jarnut, 'Ein Bruderkampf und seine Folgen: die Krise des Frankenreiches (768–771)', in G. Jenal and S. Haarländer eds., *Herrschaft, Kirche, Kultur: Beiträge zur Geschichte des Mittelalters. Festschrift für Friedrich Prinz zu seinem 65. Geburtstag* (Stuttgart, 1993), pp. 165–76; Collins, *Charlemagne*, pp. 38–9.

<sup>69</sup> *CC* 44.

<sup>70</sup> For full discussion of the background to and consequences of this marriage, see Nelson, 'Making a difference in eighth-century politics', pp. 179–84.

influential in welding into coalition Charles, Desiderius, the Bavarian duke Tassilo (who had married another of Desiderius's daughters) and Pope Stephen III. This marginalized not only Carloman, but also, in Rome, Christopher and his son, whom Pope Stephen later said he suspected of plotting with Carloman.<sup>71</sup> Desiderius's arrival at Rome shortly after Bertrada's visit was unquestionably premeditated: as indeed our *Liber Pontificalis* author confirms, in his prejudiced way.<sup>72</sup> He had no doubt where the blame lay for the bloodletting that followed: 'all these evils resulted from the iniquitous instigations of that Desiderius king of the Lombards'. But with less jaundiced eyes, we can see that Desiderius was playing his part in a grander scheme aimed at nothing less than reconfiguring the political map of the entire continental West; a scheme in which Pope Stephen was implicated just as closely as was the Lombard king. The stance of the latter's biographer is fully explicable from the fact that he was certainly writing after 774 (since he wrote the first part of the following *Life*, of Hadrian, which ends with the Lombard defeat in that year).<sup>73</sup> By that time he had signed up, as had the authors of all our surviving narrative sources, to an agenda intent on shaping a new picture of political power in Italy, one that promoted the Charlemagne who emerged after his brother's death, in alliance with a new pope in a new situation.

That situation changed completely in the second half of 771 and early 772 because the death of Carloman led to the dissolution of the marriage between Charlemagne and the Lombard princess. Establishing the sequence of these events is very important and has given rise to considerable discussion. Did Charles reject his Lombard wife before he developed a reasonable aspiration to control Carloman's half of the kingdom, or after it? We know the end point: he had married the Alemannian Hildegard by April 772, in a fairly clear attempt to bind himself more closely to the aristocracy of that important region of his brother's former kingdom. Einhard tells us that Charles repudiated his Lombard bride after a year,<sup>74</sup> and if this is at all accurate, it would mean that the unfortunate woman was sent packing in the late summer or early autumn of 771.<sup>75</sup> But there is

<sup>71</sup> *CC* 1, no. 48.    <sup>72</sup> *LP* 1, p. 478.

<sup>73</sup> On the date of the *Vita Stephani III*, see *Lives of the Eighth-Century Popes*, trans. Davis, pp. 85–7. Its author was almost certainly that of the preceding *Life* of Paul and of the first part of the succeeding *Life*, of Hadrian, i.e. the first forty-four chapters of the *Life*, which deal with politics down to 774. The chapters after that, dealing with Hadrian's extensive patronage in Rome, were, as Davis notes, almost certainly written by others: *ibid.*, pp. 119–20. For the suggestion of identity of authorship, see *ibid.*, pp. ix and 85; Duchesne, *LP* 1, p. ccxxxiii–ccxlv scratches the surface of the problem.

<sup>74</sup> Einhard, *Vita Karoli*, ch. 18, trans. P. Dutton, *Charlemagne's Courtier* (Peterborough, Ont., 1997).

<sup>75</sup> As Noble notes, there is general consensus that he had married her in the late summer or early autumn of 770: *Republic of St Peter*, p. 127, n. 140.

no reason to think that it is: Einhard was writing at least<sup>76</sup> forty-six years after the event, and in any case his bald phrase – ‘post annum eam repudiavit’ – is unlikely to mean precisely 365 days later. Our sources in any case indicate that Carloman was already showing symptoms of the illness that would kill him in the late summer of 771.<sup>77</sup> We know that he finally died on 4 December 771.<sup>78</sup> The most plausible reading of the data is surely therefore that Charlemagne’s repudiation of the Lombard marriage was a consequence of Carloman’s illness, which brought with it a new and overriding priority for Charlemagne of taking control of his brother’s kingdom, rather than a capricious reversal of his Italian policy preceding that new situation.<sup>79</sup>

This interpretation is strengthened by the fact that throughout the second half of 771 nothing happened in Italy itself that might have prompted a change of policy on the part of Charlemagne. He was allied by marriage to Desiderius, and the Lombard king was himself enjoying one of the rare successful periods in his relations with Rome, since the policy of Pope Stephen III was under the firm control of Desiderius’s ally, the *cubicularius* Paul Afiarta.<sup>80</sup> As we have seen, this period saw the decisive defeat in Rome of the faction of Christopher and Sergius. Thus, while Carloman was alive, and while he remained at loggerheads with his brother, logic dictated that Charlemagne should maintain an alliance between himself, Pope Stephen III and Desiderius. Carloman’s death shifted this balance at the Frankish end, while the death of Stephen III less than two months later altered the position in Italy as well.<sup>81</sup> Charlemagne no longer needed an ‘encircling’ alliance against his brother. Quite the reverse: his first priority now had to be to secure the allegiance of Carloman’s former kingdom. The alliance with Desiderius therefore fell victim to his need to marry Hildegard. If such a notion was already in the air in the month or so following Carloman’s death, it may explain the otherwise rather abrupt shift of political balance within the Roman aristocracy. In 771 significant numbers had withdrawn their

<sup>76</sup> I use the phrase ‘at least’ here advisedly: it would serve no purpose to enter into the on-going debate over the date at which Einhard was writing; suffice to say that some favour c.817, others 829–30. See Collins, *Charlemagne*, p. 6, for a summary of the arguments.

<sup>77</sup> E. Delaruelle, ‘Charlemagne, Carloman, Didier et la politique du mariage franco-lombard (770–771)’, *Revue historique* 170 (1932), pp. 213–24.

<sup>78</sup> *ARF*, s.a. 771.

<sup>79</sup> This reconstruction differs from that of Noble, *Republic of St Peter*, p. 127, who dates the repudiation of the Lombard princess definitely before Carloman’s death, while allowing that the latter’s illness may have played a part in Charlemagne’s decision.

<sup>80</sup> J. Hallenbeck, ‘Paul Afiarta and the papacy: an analysis of politics in eighth-century Rome’, *Archivum Historiae Pontificiae* 12 (1974), pp. 22–54; Noble, *Republic of St Peter*, pp. 125–6.

<sup>81</sup> Stephen died on 24 January 772: Jaffé, *RP*, p. 288.

support from the most prominent of the opponents of the Lombard alliance, Christopher and Sergius, with fatal consequences for the latter. Now, at the beginning of February, the Romans elected a new pope (apparently unopposed). Hadrian, at least according to his *Liber Pontificalis* biographer, rejected any thought of a Lombard alliance from the very start.<sup>82</sup> Perhaps the pope knew by then that Charlemagne had severed, or was about to sever, his connection with the Lombard king. Once again he had to choose between Lombard and Frankish ‘protectors’ and, in conformity with most of his predecessors in the eighth century, he attached himself to the one who was more distant, and therefore less of a threat to his own position. The new election rules instituted by the council of 769, which forbade the participation of the laity in the election of a pope (they were restricted to acclaiming the successful candidate after his election), meant that the choice of Hadrian was made solely by those attached to the church (which might, however, include many who were not strictly ‘clerics’) – among whom must have been those who had been most willing to entertain the Lombard alliance and to back Afiarta in the previous year.<sup>83</sup>

Furthermore, although Afiarta may well have courted unpopularity in Stephen’s last days – the *Liber Pontificalis* says that he had then exiled certain *iudices* both of the clergy and of the militia – his loss of power was so complete and sudden as to suggest that some external factor must have been involved.<sup>84</sup> The account of Afiarta’s demise by the *Liber Pontificalis* biographer of Hadrian is concerned above all to exonerate the pope from

<sup>82</sup> *LP* 1, p. 487.

<sup>83</sup> For the canons of the Roman council of 769, see above, n. 65. Daileader, “One will, one voice and equal love”, p. 18, sees that ‘something unusual happened in Hadrian’s election’, without quite specifying what. The one thing that we can certainly see had changed was the decree of the council of 769, allowing the pope to be elected only ‘a cunctis sacerdotibus atque proceribus aecclisiae et cuncto clero’: the problematic term here being *proceres aecclisiae*. The likelihood must be that this meant men in offices attached to Roman churches (especially its episcopal church, of course), but not in clerical orders; men like the *primicerius* Christopher, who had taken a prominent role in the 769 council, and the *cubicularius* Paul Afiarta, who had ensured that Christopher himself could take no part in Hadrian’s election, because he had killed him a year earlier. What Daileader shows lucidly is that the *LP* account of Hadrian’s election is suspiciously terse: certainly when compared with those of the two other popes whose biographies this particular author can be argued to have written, Paul and Stephen III, in both of which he dwelt at length on their contested elections. The fact that he was almost certainly writing during Hadrian’s lifetime only strengthens the notion that he was deliberately laconic on the subject of that pope’s election. Speculations as to why, for instance, the apparently ‘pro-Lombard’ (or rather, pro-Desiderius) Paul Afiarta should appear as an envoy for the new pope, whose first acts were decidedly both anti-Lombard and anti-Desiderius, must remain precisely that (Daileader cites relevant literature: pp. 17–18, nn. 29–32). We simply cannot know how Hadrian acquired the pontificate; all we can say is that it is unlikely to have conformed to the model of canonical election then being developed by papal biographers.

<sup>84</sup> *LP* 1, pp. 486–7; *Lives of the Eighth-Century Popes*, trans. Davis, p. 124.

any involvement in the *cubicularius*'s death: Hadrian, we are told, sent Afiarta as part of an embassy to Desiderius and then, having instituted an investigation into the deaths of Christopher and Sergius, which he knew would implicate Afiarta, ordered that he be detained at Ravenna. Afiarta's trial and execution there, however, were perpetrated by Archbishop Leo of Ravenna, in defiance, according to the *Liber Pontificalis*, of the express wishes of the pope.<sup>85</sup> This account is distinctly suspicious. It is certainly true that Leo is likely to have held little affection for officials like Paul Afiarta, in the general sense that it had been members of the episcopal bureaucracy aligned with Desiderius who had been responsible for depriving him of his see and imprisoning him in 769–70. But these had been Ravennate, not Roman, officials – Pope Stephen III (who was to promote Afiarta) seems consistently to have supported Leo; in any case, Afiarta did not emerge as a major actor in events until the following year.<sup>86</sup> The person with most cause to feel antagonism towards him was in fact Hadrian himself. Afiarta was after all the only serious rival for power within Rome that our sources mention. It was convenient for Hadrian, to say the least, that such a man was eliminated away from Rome, in a manner from which Hadrian could stand aloof. A suspicion of more direct involvement on Hadrian's part is unprovable, of course: we have only what his biographer chose to tell us. But a desire to gloss over a closer entanglement of the pope in Paul Afiarta's death would at least explain the marked tone of special pleading that characterizes the *Liber Pontificalis*'s account of it.<sup>87</sup>

The episode reveals another entanglement, too: the continuing connection between the elite of both the Exarchate and Rome with Constantinople. The record of the trials of those accused of the murders of Christopher and Sergius show that there was evidently still some attachment to the emperors. Some of those condemned for the crime were sent into exile in Constantinople, and Hadrian sent a request to the emperors concerning Afiarta: that they grant their imperial mercy and imprison him 'in the districts of Greece'.<sup>88</sup> This statement indicates that

<sup>85</sup> *LP* 1, pp. 488–91; *Lives of the Eighth-Century Popes*, trans. Davis, pp. 126–9.

<sup>86</sup> Compare Noble, *Republic of St Peter*, p. 130 with his own account on pp. 119 and 123–4, accurately summarizing *LP* 1, p. 477; *Lives of the Eighth-Century Popes*, trans. Davis, pp. 101–2.

<sup>87</sup> Thus, Hadrian was 'greatly attached and loyal' to Afiarta (*Lives of the Eighth-Century Popes*, trans. Davis, p. 127); he sent to Ravenna a record of the trial of some of Afiarta's alleged co-conspirators 'for Paul to have a complete and orderly digest of it' (*LP* 97:14); he 'wanted to save Paul's soul and prevent its eternal loss' (*Lives of the Eighth-Century Popes*, trans. Davis, p. 129); and when news that Leo had had him killed arrived, he wrote to the archbishop '“You must realize what you have done to Paul – my intention, certainly, was to save his soul and I had decided on the penance he would have to undergo; that was why I sent my *sacellarius* to bring him here to Rome”' (*ibid.*, p. 131).

<sup>88</sup> *LP* 1, p. 490; *Lives of the Eighth-Century Popes*, trans. Davis, pp. 129–30.

all the obvious destinations for exile from Rome and the Exarchate were places still firmly under Byzantine domination (Sicily, for instance).<sup>89</sup> But the real significance of the passage lies surely in the tone of Hadrian's approach to the emperors:

adscribi fecit suggestionem suam Constantino et Leoni augustis magnisque imperatoribus . . . atque deprecans eorum imperialem clementiam ut pro emendatione tanti reatus ipsum Paulum suscipi et in ipsis Graeciae partibus in exilio mancipatum retineri praecepissent.<sup>90</sup>

This does not sound like the language of one independent sovereign ruler to another: making a 'suggestion' (perhaps a petition); 'beseeching their imperial clemency'; 'that *they* should order [him] to be taken into exile and chained'. The fact was that Afiarta had been convicted of a capital crime, of a kind that still fell very clearly under secular jurisdiction, and the ultimate secular *judicial* authority was still that of the emperors.<sup>91</sup>

Desiderius responded in early 772 to Hadrian's election by exerting pressure on the new pope in two different ways. The *Liber Pontificalis* first reports an embassy to Rome that included Duke Theodicius of Spoleto, which renewed promises the king had made to Pope Stephen III concerning the papacy's *iustitias*.<sup>92</sup> Despite his biographer's report that Hadrian responded with cutting vehemence to these envoys, he was in fact evidently willing to entertain a diplomatic overture because he also sent envoys of his own to Desiderius to continue negotiations. At the same time, however, the Lombard king was seizing back the towns of Faenza, Ferrara and Comacchio, which he had earlier returned to the Ravennates, and let his troops ravage the latter's estates.<sup>93</sup> The purpose of this carrot-and-stick approach, again according to the *Liber Pontificalis*, was to involve Hadrian in his scheme to promote Carloman's sons as

<sup>89</sup> Noble's argument (*Republic of St Peter*, p. 133) is surely half right: Hadrian could hardly send the exiles to Desiderius, or to Francia. The report of his biographer that Hadrian asked Archbishop Leo of Ravenna 'to send Paul into exile to Constantinople however he could, whether by the Venetiae or another route' is taken by Noble (p. 134) to imply that Ravenna was not an imperial city, but this may in fact indicate the purely practical point that more, and more reliable, ships sailed from Venice than from Classe. The latter may have been out of use anyway, since it had already been taken by the Lombards several times: *LP* 1, p. 403; Agnellus of Ravenna, *Liber Pontificalis ecclesiae Ravennatis*, ch. 105, ed. O. Holder-Egger, MGH SRL (Hanover, 1878), pp. 265–391, at pp. 346–8; Eng. trans. *Agnellus of Ravenna. The Book of Pontiffs of the Church of Ravenna*, trans. D. Deliyannis (Washington, D.C., 2004), pp. 221–4.

<sup>90</sup> *LP* 1, p. 490.

<sup>91</sup> See *Lives of the Eighth-Century Popes*, trans. Davis, p. 128, n. 20 for references to the Justinianic code on such matters.

<sup>92</sup> *LP* 1, p. 487. As we have seen in chapter 3, *iustitia* is not a straightforward term. It could often be used to mean proprietary rights, but could equally have other connotations.

<sup>93</sup> The cities were captured when 'not even two months had passed since this holy man obtained the summit of the pontificate' (*LP* 1, p. 487; *Lives of the Eighth-Century Popes*, trans. Davis, p. 126).

kings of the Franks in competition to Charles.<sup>94</sup> While this strategy may have been a response to continual papal pressure,<sup>95</sup> it looks more like an attempt to cling to his policy of 769–71, when Desiderius had managed to build alliances with Ravenna, with a Frankish king and with the pope. When Charlemagne dissolved that coalition, preferring to build his own power in Carloman's former lands, he had to cast aside Desiderius's daughter, and the Lombard king could only turn to Carloman's sons as alternative Frankish allies: these he apparently sheltered from their uncle.<sup>96</sup> Duke Tassilo of Bavaria managed to cling to good relations with Charles at this point, though his association with Desiderius through his wife must be one reason why he later became the target of Charles's enmity, abetted, if not urged to it, by Pope Hadrian. It must be significant that subsequent attacks by Charlemagne on Tassilo followed visits to Rome, in 781 and 787, and the latter was occasioned by a famous outburst by the pope, which leaves the suspicion that it was he, rather than the Frankish king, who most wanted Tassilo out of the way. If this is so, it must be because Tassilo and his wife represented one continuation of the Lombard dynasty against which Hadrian had set his face so decidedly.<sup>97</sup> Hadrian's stance merits further investigation, since to have been so completely inimical to the Lombards from his first day in office is not as consistent with previous papal policy as is usually assumed, as a brief glance at Stephen III's career confirms.

Compounding the dissolution of the alliance with Charlemagne, Desiderius had failed to maintain influence at Ravenna and Rome, and the new powers there – Archbishop Leo in Ravenna and Pope Hadrian – evidently saw little incentive to improve relations with the Lombard king. His abandonment by Charlemagne looks to have been decisive. Desiderius may have seen little choice, therefore, but to try to test Hadrian's resolve – a dangerous ploy, since it was also a test of the strength of the papal alliance with Charlemagne. But then, perhaps Desiderius did not quite appreciate the danger, since he did not know, as we know, either the degree of superiority of Frankish arms over Lombard, or the likelihood of their intervention. A letter from Hadrian in the earlier part of 772 calling on Charlemagne's assistance suggests that the strategy failed quite quickly.<sup>98</sup> As suggested above, the Romans, or at least their pope,

<sup>94</sup> *LP* 1, pp. 487–8; trans. Davis, *LP* 97:9.    <sup>95</sup> Noble, *Republic of St Peter*, p. 130.

<sup>96</sup> *ARF*, s.a. 771.

<sup>97</sup> The roles of the sisters Liutperga – in Bavaria – and Adelperga – in Benevento – in the politics of the period are emphasized by Jinty Nelson, 'Making a difference in eighth-century politics', esp. pp. 184–90.

<sup>98</sup> Jaffé, *RP* 2396, which is not in *CC*.

would if at all possible prefer an alliance with the Franks to the more familiar dangers of an entanglement with the Lombard king.

Hadrian despatched a letter to Abbot Probatas of Farfa, dated 22 April 772, against this background. It was a response to Probatas's complaint that certain men from Rome had inflicted 'plura mala' on Farfa. Hadrian conceded this, and established that all Farfa's cases be considered by the reginary notary and *prior vestiarius* Miccio.<sup>99</sup> On this basis, the letter has often been advanced as evidence for the pope's concern to defend, or even to extend, secular powers that his office had gained even before Charlemagne's decisive intervention in Italy two years later.<sup>100</sup> This stems largely from Hadrian's wording: the men who had beset Farfa came from 'nostra Romanorum reipublica'. This apart, however, the letter could be read simply as a diocesan attempting to regulate the affairs of a monastery within his purview: that is, in the context of an entirely ecclesiastical administrative structure. What is perhaps most striking, though, is that the letter is dated by the regnal years of the emperors Constantine V and Leo IV.<sup>101</sup> The conclusion to draw from it is surely therefore that while the pope was busy defending the secular position that his office had acquired, as much as anything, *faute de mieux*, an ideology of Roman (that is, Byzantine) rule still permeated Rome.

No realistic threat of intervention from Constantinople was at hand, however, so Desiderius stepped up the pressure yet further by occupying more towns in the Exarchate and Pentapolis: Senigallia, Iesi, Montefeltro, Urbino and Gubbio. But by the end of 772 men were already deserting him: his son Adelchis issued a diploma for San Salvatore in Brescia giving

<sup>99</sup> *RF* II 90; *CF* I, pp. 156–8. Gundlach did not include this document in the *Codex Carolinus* collection.

<sup>100</sup> E.g. Llewellyn, *Rome in the Dark Ages*, pp. 239–40; see also next note.

<sup>101</sup> Tom Noble has advanced four reasons why 'too much should not be made of this letter': Noble, *Republic of St Peter*, p. 133. First, he considers that 'chancery practices could in medieval times be notoriously conservative'. Up to a point, this may be true as a generalization, but when we consider individual cases, like that examined above, we find that *datationes* are often very useful indicators of political change, though their interpretation is not always straightforward. Indeed, elsewhere Noble himself has used them as such (*Republic of St Peter*, p. 144, n. 37). Secondly, he makes the point that we should beware of generalizations, since very few eighth-century papal documents with full dating clauses survive. This is fair enough; but the conclusion to be drawn from this document is not a generalization but something quite specific: that in 772 Hadrian still recognized the rule of the emperors in Constantinople. Thirdly, he suggests that papal scribes had few alternatives, since they would hardly have adopted the regnal dates of 'barbarian' kings. They might, however, have adopted pontifical dates, as we have seen Spoletan scribes do between 773 and 775. Finally, he makes the point that the practice of chancery scribes was changing in this period, and it is true that other formulae such as 'regnante domino nostro Jesu Christo', and indeed pontifical dates, were available. But the point is that none of these was *untrue*: a valid formula still had to conform to the reality of the situation. In the political context of 772, then, this document looks to be quite distinctly significant.

it estates confiscated from landowners ‘pro sua infidelitate’ – at least one of them fled to the Franks.<sup>102</sup> In general, there is evidence to suggest that, by 772 at least, Desiderius was experiencing difficulties among his own aristocracy.<sup>103</sup> In early 773 Desiderius launched an attack in a different sector, into Roman Tuscany and thence into the Roman Campagna: the *Liber Pontificalis* dwells on the depredations of Desiderius’s army in the region.<sup>104</sup> It was at this point, probably in the spring of 773, that Hadrian ‘summoned’ Abbot Probatas (‘accersiri faciens’, says the *Liber Pontificalis* biographer), along with twenty of Farfa’s senior monks, to entreat Desiderius to desist. As has been suggested above, Hadrian may have chosen Probatas because the latter was seen, by the pope at least, as something of a neutral figure. It also indicates his pivotal importance: even at this stage, Farfa and its abbot straddled uneasily the notional lines between the competing parties in central Italy. Probatas was not successful, however: Desiderius would do nothing unless Hadrian came to him in person, and Hadrian would not go unless Desiderius returned the cities that he had recently taken (‘those he stole in my time’).<sup>105</sup> Further envoys were exchanged, with no result. Desiderius then resolved on further pressure: the frontier with the Roman duchy was sealed and he himself began to march towards Rome with his army. Hadrian’s urgent message to Charlemagne had to travel by sea.<sup>106</sup> Putting Rome on a war footing, Hadrian sent to Desiderius a threat of anathema.

To the general surprise of historians, this essentially spiritual sanction stopped the Lombard king in his tracks.<sup>107</sup> But the pause is readily explicable. We should certainly not discount the psychological impact of such a threat: everything we know about attitudes towards spiritual injunctions in this period indicates that they were taken seriously. It is the case, too, that Desiderius was already losing support for his policy, and

<sup>102</sup> *CDL* III 44, dated 11 November 772. Gasparri, ‘Il passaggio’, p. 32 states that the estates in question were in the Reatino and Abruzzo, but this is not what the charter says (it does *also* grant the monastery lands in those regions, but these are clearly distinct from the confiscated estates).

<sup>103</sup> The evidence (most of it admittedly late) is summarized by Gasparri, ‘Il passaggio’, pp. 30–2.

<sup>104</sup> *LP* I, p. 492; *Lives of the Eighth-Century Popes*, trans. Davis, p. 131.

<sup>105</sup> *LP* I, pp. 492–3; *Lives of the Eighth-Century Popes*, trans. Davis, p. 132. Note that this was not, therefore, a request for Desiderius to fulfil any previous promise, such as that made to Stephen II in 757, to restore the status quo ante Liutprand’s conquests (*LP* I, p. 455; trans. Davis, *LP* 94:49–51). At this stage all Hadrian wanted was the cities recently occupied: Faenza, Ferrara and Comacchio in Emilia, and in the Pentapolis Senigallia, Iesi, Montefeltro, Urbino and Gubbio.

<sup>106</sup> *LP* I, p. 493; and see Jaffé, *RP* 2403, and *Annales qui dicuntur Einhardi*, s.a. 773, ed. F. Kurze, MGH SRG (Hanover, 1895), p. 35. Incidentally, given the general practical difficulty of road travel, it is surprising that more messengers did not take this route. This may be an indication that the old Roman roads through the Lombard kingdom were generally well maintained.

<sup>107</sup> Noble, *Republic of St Peter*, p. 131, with n. 159.

must have been aware of this. He probably also knew of the arrival of Charlemagne's envoys in Rome. This latter news must have provoked the realization that his scheme to manipulate politics within Francia through his control of Carloman's widow and sons was not going to work.<sup>108</sup>

Although he paused, however, Desiderius did not ultimately change his policy of hostility towards Rome.<sup>109</sup> The Frankish envoys' visit to him was unavailing, and they returned to Francia in company with papal envoys. Charlemagne made another entreaty to the Lombard king, this time with the concrete offer of 14,000 *solidi* if he should back off. Rebuffed, he then resolved on action. As he was bound to do, he held an assembly of the Frankish magnates, and they sketched a plan for a two-pronged attack on Italy through the Alpine *clusae*. This was accompanied by a repeat of the offer of money to Desiderius (unless the earlier mention of the offer by the *Liber Pontificalis* biographer really belongs at this point in the account), and when this was declined, the offer that the king need send only three hostages 'as security for the restoration of the cities'. Apparently, Desiderius's response to all this was negative.

Accounts of the Frankish entry into Italy we have already mentioned in chapter 1. The *Chronicon Novaliciense* (which, as it comes to us, is a twelfth-century text, but not necessarily unreliable for that reason) reports that a Lombard 'minstrel' showed Charlemagne a way to get around the Lombard forces that barred the *clusa* at Mont-Cenis, and to attack them in the rear.<sup>110</sup> Agnellus of Ravenna states rather that it was a deacon named Martin (he wanted to suggest that the Franks' intervention was inspired by and on behalf of the Ravennate church, rather than the Roman).<sup>111</sup> What is evident from all accounts is that in their initial entry into the country the Franks did not so much outfight the Lombards as outwit them. Desiderius retreated to Pavia, his son Adelchis to Verona. But this splitting of forces and resort to siege warfare played to the Franks' strengths. It is clear that sections of the Lombard aristocracy accepted Charlemagne's lordship even while Desiderius was holed up in Pavia. Once the city had been starved into surrender in June 774, he was sent

<sup>108</sup> Gasparri, 'Il passaggio', p. 30 suggests that it was news of the mobilization of the Frankish army that made Desiderius pause.

<sup>109</sup> For the events covered in this paragraph, we are largely dependent on the *LP* Life of Hadrian, chapters 26–31: *LP* 1, pp. 494–5.

<sup>110</sup> *Chronicon Novaliciense*, Bk. III, cc. 10–14, G. Alessio ed., *Cronaca di Novalesa* (Turin, 1982), pp. 148–54.

<sup>111</sup> Agnellus of Ravenna, *Liber Pontificalis ecclesiae Ravennatis*, ch. 160, p. 381; *Agnellus of Ravenna*, trans. Deliyannis, p. 285.

into a monastic captivity in Francia. His son Adelchis escaped from the storming of Verona and fled to Constantinople.<sup>112</sup>

The Lombard king's behaviour, as far as it can be reconstructed from the available sources, is puzzling. By the summer of 773, he was losing support, the Franks were mobilizing against him, the pope had proved obdurate, and, a little later, he was even offered a huge sum of money to desist (according to the *Liber Pontificalis*). Why did he not simply hand back the cities? He had done so before, after all. Ultimately, the question is unanswerable. Three observations can be made, however. First, we should not overestimate the ebbing away of support for Desiderius among the Lombards themselves. Stefano Gasparri has made the point, for instance, that what we can see of the stances of bishops within the kingdom indicates that they remained loyal to the end.<sup>113</sup> Secondly, as we have seen, later Italian writers – both those who were essentially sympathetic to the Lombards and those who decidedly were not – give prominence to the notion that Desiderius's elaborate plans for defence of the *clusae* were thwarted because of treachery on his own side. Finally, we need to stress the nature of the more contemporary sources for the events of 773–4, the *Liber Pontificalis* and the Frankish annals. These are not likely to give a fully rounded picture of what happened. It is the *Liber Pontificalis*, and only the *Liber Pontificalis*, which says that Desiderius was offered money by Charlemagne to return the disputed cities. The Frankish annals simply give their accustomed laconic account of the Franks' usual (in their eyes) military superiority. The Lombards lack an indigenous contemporary chronicler who might intone that 'always after that it grew much worse'.<sup>114</sup>

It is the slant of our narrative sources that lends to Desiderius's reign what Chris Wickham has called 'the air of a postscript'.<sup>115</sup> But this is an estimation that is rather unfair. The continuing current of negativity about the last of the Lombard kings in modern historiography can and should be challenged.<sup>116</sup> It is an image undoubtedly conditioned by the fact that all the major narrative sources about him were written by his opponents: the *Liber Pontificalis*, the Frankish annals. But we can give him

<sup>112</sup> Gasparri, 'Il passaggio', pp. 30–2. It has been argued that Desiderius was held in the monastery of St Amand: R. McKitterick, 'Charles the Bald and his library', *EHR* 95 (1980), pp. 28–47, at pp. 43–4.

<sup>113</sup> S. Gasparri, 'Roma e i Longobardi', in *Roma nell'alto medioevo*, Settimane di studio del CISAM 48 (Spoleto, 2001), pp. 219–47, at pp. 246–7.

<sup>114</sup> *Anglo-Saxon Chronicle*, text D, s.a. 1066, ed. and trans. D. Whitelock et al., *The Anglo-Saxon Chronicle. A Revised Translation* (London, 1961), p. 645.

<sup>115</sup> Wickham, *Early Medieval Italy*, p. 46.

<sup>116</sup> E.g. Noble, *Republic of St Peter*, p. 132: 'Desiderius had become an unbearable pest.'

## *Farfa, Italian politics and the Carolingians*

a rather better press than they did, partly because he was *not*, in fact, consistently inimical either to the pope or to the Franks. The illusion of consistency, on the part of all parties, is at the root of Desiderius's historiographical reputation, and indeed at the root of a narrative of the fall of the Lombard kingdom based on each protagonist assuming and maintaining long-term policies towards each other. As I have suggested, details in our sources show that attitudes were rather more complex than that and, above all, rather more changeable.<sup>117</sup>

### *Farfa, the duchy of Spoleto and the papacy*

Uncertainty on all sides must also be the keynote of any interpretation of what was happening in the duchy of Spoleto, and particularly in the Sabina, in these crucial years. Once again, however, for detailed narrative we are dependent on the *Liber Pontificalis*. Hadrian's biographer says that the leaders of the Spoletans and Reatines (we have noted that he distinguishes the latter)<sup>118</sup> deserted the Lombard army on its way to the *clusae*, journeyed to Rome and swore allegiance to the pope.<sup>119</sup> Others who had wanted to join them could not until Desiderius's defeat; following that, they too arrived at Rome, swore an oath of loyalty and were 'shaved Roman-fashion'. Pope Hadrian then 'ratified (*constituit*) for them the duke they had elected themselves of their own free will, namely noble Hildebrand'. He had been one of those who had first deserted the army. Thus, says the biographer, Hadrian had 'subdued the duchy of Spoleto as a whole to St Peter's ownership and power (*sub iure et potestate beati Petri*)'.<sup>120</sup> It would seem at first sight that the two Spoletan charters with papal *datationes* furnish independent proof of this story, and indeed the account seems straightforward enough. To flesh it out, we could surmise that in mid-773 these fugitive Spoletans swore allegiance to the pope, who was then formal ruler of the duchy for about two years until the second half of 775 when, first, Charlemagne asserted his overlordship by issuing his immunities for Farfa, and then Hildebrand himself recognized the Frank's jurisdiction, as is evident from his diploma of January 776, dated by Charles's regnal years.<sup>121</sup> In 779 Hildebrand attended on

<sup>117</sup> Thus, for example, periods of peace between the Lombards and the papacy have often been glossed over, as argues J. Hallenbeck, 'Instances of peace in eighth-century Lombard-papal relations', *Archivum Historiae Pontificiae* 18 (1980), pp. 41–56.

<sup>118</sup> See above, p. 272.

<sup>119</sup> The account in this paragraph depends on *LP* 1, pp. 495–6, trans. Davis, *Lives of the Eighth-Century Popes*, p. 137.

<sup>120</sup> The translation of *ius* here as 'ownership' is perhaps a more than usually moot one.

<sup>121</sup> *CDL* IV/1 24.

Charlemagne at his villa at Verzenay 'cum multa munera' (with many gifts).<sup>122</sup>

There are, however, good reasons to question this reconstruction. First, as noted already, we have a donation of the priest Liuspert which continues to use the papal formula six months after Charlemagne had exercised public authority in the same place by issuing the immunities. Secondly, Abbot Probatas requested those immunities. This means that one Spoletan, at least, either did not recognize or decided to try to circumvent papal jurisdiction before May 775 – a fair time before, in fact, since the immunity diplomas were written at Quierzy, thirteen hundred kilometres away.<sup>123</sup>

The third objection is a more general and more serious one that we have noted already: the *Liber Pontificalis* biographies are heavily slanted. This is a point recognized by most commentators, though its implications have not always been carried through in accounts of the period. Often, the empirical reliability of these authors' accounts has been strongly asserted.<sup>124</sup> It is the case that we cannot uncover glaring factual inaccuracies on the part of Hadrian's biographer. But in large part, this is because he is our only contemporary witness for many of the events that he covers. No other source gives a detailed narrative of the events of 772–4. Frankish sources which deal with them are too terse to offer helpful comparisons, or were themselves written later, and are dependent in some measure on the *Liber Pontificalis*. If the biographer is hard to substantiate, though, it is clear too that he is never less than partial, in both senses. Partisanship is evident at its simplest level in this writer's practice, following the biographer of Stephen II and many other papal writers back to Gregory I, of never referring to the Lombard king without a derogatory epithet.<sup>125</sup> Several episodes also point to a more sophisticated 'spin'. The Lombard army withdrew from its defence of the Alpine passes in 773 not because Charlemagne had 'sent a detachment of his men through the mountains', as the *Annales Regni Francorum* have it,<sup>126</sup> not because an Italian had shown the Franks how to bypass the *clusae*, as later Italian writers report,<sup>127</sup> but because 'almighty God . . . instilled terror and mighty fear into his [Desiderius's] heart, that of his son and those of all

<sup>122</sup> ARF, s.a. 779.

<sup>123</sup> Note in this context that Charlemagne began formally to use the title 'rex Francorum et Langobardorum' some time between 19 February and 5 June 774: see MGH Dipl. Kar. I, nos. 79 and 80, both issued at Pavia.

<sup>124</sup> Thus Davis, *Lives of the Eighth-Century Popes*, p. 110, writes of 'the normal veracity of the papal biographers . . . mendacity in the interest of a cause believed just can nowhere be traced'.

<sup>125</sup> E.g. LP I, pp. 488–9. <sup>126</sup> ARF, s.a. 773. <sup>127</sup> See above, p. 299.

the Lombards'.<sup>128</sup> For this writer, succour for St Peter came primarily not from Frankish ingenuity but from the almighty. The accounts can be squared, of course – the Franks having bypassed them, the Lombards had no choice but to retreat – but it is the emphases in and omissions from the *Liber Pontificalis* account which mean it can hardly be taken as reliable. There is also, to take another example, a certain inconsistency in the author's concern for the so-called 'donation of Pippin' to the popes of 754, which he himself reports as having consisted of the whole of Italy south of a line between Luni and Monselice. While he complains about Lombard occupation of some of this area – always those regions formerly in Byzantine hands – their control of much of the rest of it is never questioned. Again, this inconsistency is not surprising, but this is only because it derives from a bias that we can readily identify. The question is: how many other apparent facts that the biographer gives derive from agendas that are more obscure to us?

These doubts over the standard reconstruction of the effects of Desiderius's fall on the duchy of Spoleto are sufficiently strong to suggest an alternative. There is no reason to question that Hildebrand's appointment met with papal approval, and may even have taken place in Rome. The suggestion that he was a Sabine from a family with strong links to Farfa does not tell against this, a priori. We can also happily assert that Hadrian did acquire lands in the duchy of Spoleto – and specifically in the Sabina: there is charter evidence for this. What is in doubt, surely, is that the popes could exercise any effective lordship over Spoleto in a situation in which there was a recognized duke, and in which the new ruler of the Lombard kingdom was fairly quick to begin asserting his authority in the usual early medieval way of issuing charters. This was, in short, a confused situation, and one in which Spoletan scribes might be creative. Liuspert's charter of December 775 is dated by the years of the pope, of Duke Hildebrand, and of the gastald of Rieti: three of the four potential choices.

With this fluidity of formal rulers in mind, we can examine the patronage of the abbey in these years. From the beginning of Probatius's abbacy in late February or early March 770, up to the late summer of 773, Farfa was involved in eleven transactions, all but one of them to its direct material benefit. There was a donation by Desiderius, one by Theodicius and a court judgement, but the greatest interest lies in the other transactions. Of these eight, five were concerned with two of the most prominent Sabine families. The Ubaldinus who in March 773 established himself as a monk in a *cella* at S. Maria at 'Septepontium' just

<sup>128</sup> *Lives of the Eighth-Century Popes*, trans. Davis, p. 136.

north of Rieti was evidently connected to the Pandoni: three of the four witnesses to the charter were Pando and two of his sons, Paulus and Teufanuis.<sup>129</sup> More strikingly, four of the transactions were made by members or associates of the Hilderici. Helena, Hilderic's aunt, made a substantial donation in May 770, the provisions of which were repeated, with a little more legal security, a year later.<sup>130</sup> Hilderic himself made an important gift in March 773, and in August of the same year Farfa exchanged property with Taco, an associate of the Hilderici.<sup>131</sup> Two of the other benefactors were demonstrably members of the Reatine elite. Acerisius, the son of Stephanus, made an important testamentary donation in May 770 which reveals him as an extensive landowner and very probably a member of the family of the prominent Reatine notary Stephanus. He was possibly also connected to the cathedral clergy of the city, because an 'Acerisius presbiter' subscribed a second testamentary donation made by the *archipresbiter* of the Reatine church, Iohannes, in September 773 (when Charlemagne began to lay siege to Desiderius in Pavia).<sup>132</sup> Iohannes gave half a *casalis*, in a charter signed by a significant proportion of the cathedral clergy, the form of which was evidently based on a late Roman model presumably available at the cathedral, since it is very different from that generally employed by Rieti's lay notaries.<sup>133</sup>

We have already seen that the transactions in the years 773–5, though more sparse, do not disrupt this overall pattern. The real 'blip' in the pattern of the abbey's patronage comes not in what to the world at large were the crisis years of 773–5, but in the years immediately following them, 776–8. From averaging two to four transactions a year, the record leaps to ten each in 776 and 777 and sixteen in 778, before falling back to two in 779.<sup>134</sup> This is too stark a difference not to require an explanation.

<sup>129</sup> *CDL* v 58. For the family connections, see above, p. 228. On 'Septepontium', see Saracco Previdi, 'Lo sculdahis', p. 668.

<sup>130</sup> *CDL* v 56 and 57: on the need to repeat the donation, see Zielinski's comments, *CDL* v, p. 203.

<sup>131</sup> *CDL* v 60 and 62. In exchange for the *casalis* Culianus, Taco received from Farfa part of the *casalis* Cordale; part of the same estate was then donated back to Farfa in 786 by Hilderic *clericus*. Although we cannot see how the estate may have been transmitted from Taco to Hilderic, some association can safely be assumed. The notion is supported by the fact that a Taco *scabinus* acted as one of the *mundualds* for Taciperga, mother of Hilderic the gastald, in 791 (*RF* v 1227).

<sup>132</sup> Abel and Simson, *Jahrbücher des fränkischen Reiches*, Bd. 1, p. 148, with n. 3.

<sup>133</sup> *CDL* v, p. 222. The three subscribing *presbiteri* – Audualdus, Acerisius and Iohannes – all appeared on behalf of the cathedral of Rieti in the hearings of the bishop's dispute with Farfa over possession of the *casalis* Balberianus in December 776–March 777: *CDL* iv/1 28 and 29.

<sup>134</sup> Charters of 776: *CDL* iv/1 24, 25, 26, 27 and 28; *CDL* v 65, 66, 67 and 68; MGH Dipl. Kar. 1, no. 111 = *RF* II 134. Charters of 777: *CDL* v 69, 70, 71, 72, 73, 74, 75, 76 and 77; *CDL* iv/1 29. Charters of 778: *CDL* iv/1 30, 31, 32 and 33; *CDL* v 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88 and 89. Charters of 779: *CDL* v 91 and 92.

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These bald figures are in part, however, a product of substantial ducal endowment.<sup>135</sup> For 776 and 777, once we strip away the ducal and royal diplomas, the pattern looks much more regular. But if we include the most aberrant year, 778, a slightly different one becomes clearer. What were the ducal grants for? They may have been a response to the slight evidence we have for the papacy acquiring land in the Sabina in these years, and then passing it on to a Sabine landowner, which might represent Hadrian's short-lived attempt to buy Farfa's support. But the fact that ducal endowments continued indicates that Hildebrand wanted to ensure that whoever controlled fiscal land in the Sabina could keep closer control of it than he could, and had no more interest than he did in letting the land fall under anyone else's control (specifically, as we shall see, forces based in Rome). This suggests, then, that for Hildebrand Farfa was a bulwark against Roman ambitions. Some other transactions can be explained by Farfa adopting a measure of estate management: in particular the construction of an aqueduct, but also rationalization, achieved through donation as well as exchange.<sup>136</sup> There was also, however, a strong record of recruitment in these years: six *offersiones* were issued in all, four in 778, and they included very substantial estates.<sup>137</sup> To these must be added seven *pro anima* donations over the three years. Although four of these were of relatively inextensive estates, the others were substantial.<sup>138</sup> That of the priest Iohannes included twelve tenant farms and a whole list of livestock and movables. It was subscribed by just three witnesses, two of whom were the *sculdahis* Teudemund and the *gasindius* Paul, strongly suggesting that Iohannes was attached to either the Pandoni or the Hisemundi.<sup>139</sup>

To summarize, then, in the years 770–3 Farfa attracted substantial patronage from the leading Reatine families, which continued in 776–8 when it was accompanied by even greater largesse from the new duke of Spoleto. To explain these gifts we need to look at the wider political context, but we also need to consider some of the more immediate circumstantial evidence. The former was, quite simply, the renewal of Lombard–Frankish conflict after 771, and the consequent Frankish

<sup>135</sup> *CDL* IV/1 24, 25, 27 (all 776) and 30, 31, 32 and 33 (all 778). *CDL* v 67 can be regarded as an indirect ducal grant. Geoff West has commented that these 'were intended to ensure that the abbey remained orientated towards Spoleto': 'Charlemagne's involvement', p. 345.

<sup>136</sup> Aqueduct: *CDL* v 69, 70, 71 and 72. Rationalization: *CDL* v 81, a donation of land next to that already owned by the abbey. *CDL* v 80, 85 and 88 are all exchanges involving land in Rieti.

<sup>137</sup> *CDL* v 68, 75, 79, 83, 84 and 89.

<sup>138</sup> *CDL* v 74, 77 (both 777), and 78 and 87 (778). This leaves three: *CDL* v 76 (a. 777) by Victor; *CDL* v 82 (a. 778) by Iohannes *presbiter*; *CDL* v 86 (a. 778) by Godescal.

<sup>139</sup> *CDL* v 82; one of the earlier donations, by Victor (*CDL* v 76), may also have a Pandoni connection, because Victor's wife was Tassila, who may later have married the *gasindius* Paul.

conquest. But we also need to bear in mind the latter: specifically, the bare hints that we have of a presence in the Sabina, before 774, of the papacy. As is now well known, donation to the church had the potential to traduce traditional property interests: in the case of families, immediate lay members were passed over; in the case of public property, rulers were denying themselves a major source of power. It is equally well known that in practice such pious donation could be made to work to the advantage of the donor: giving property to monasteries helped families bypass the tendency of traditional inheritance norms to fragment the family patrimony; for rulers, far from detracting from their regime's effectiveness, it provided a way of co-opting well-organized institutions to them. Against this general social context, the donations of the Pandoni, the Hilderici and Duke Hildebrand – of an extent in these years which, as we have seen, looks out of the ordinary – suggest a desire to benefit from what the act of pooling property in Farfa's hands had to offer: in general, greater security against the normal vagaries of property holding – purchase, seizure, counter-claim. More specifically in this case, the substantial rise in Farfa's patronage in the years immediately following 775 suggests a desire to benefit from the one substantial change in the abbey's situation that took place in that year: that is, the award to it by Charlemagne of significant privileges, including immunity from outside interference in itself and its property. We shall examine these documents in detail below. They were responses to a petition, and to seek the immediate cause of that petition we need look no further than those circumstantial hints just noted, of papal intervention in the Sabina. Quite simply, the defeat of Lombard military power exposed the Sabina, its landowners and its abbey, to the ambitions of neighbours, based in Rome, who had long-held aspirations in the region: aspirations that already had some concrete reality, as the evidence for Pope Hadrian's landowning there shows.

In this perspective, the single most important acts affecting the politics of central Italy in the fifty years between the Frankish conquest and the issuing of the *Constitutio Romana* in 824 were Charlemagne's immunities for Farfa. A few historians have accorded them some significance in the history of the region, but they have remained relatively obscure because much greater attention has been given to the agreements made between the papacy and successive Carolingian rulers, which, rather than concerning mere property, seem to attempt to divide power in the Sabina constitutionally or territorially.<sup>140</sup> The effect of this has been twofold: it has discouraged any attempt at seeing how shifting balances of power are

<sup>140</sup> For historians' attention to the Farfa immunities, see Noble, *Republic of St Peter*, pp. 153–5.

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reflected in patterns of landowning as evinced by Farfa's charters; and it has tended to throw the focus on to a limited number of institutions – that is on to the Frankish kings (as *reges Langobardorum* and later as emperors) and on to the bishops of Rome – and so to ignore other institutions (Farfa, other bishops, the dukes of Spoleto) and those aristocratic individuals and families who, certainly, provided the personnel for institutions, but had interests and power in their own rights. The role of those interests may have been particularly important in determining the balance of power in the region.

While adjusting our focus on to shifts in landowning may be justified in itself, it still appears secondary to those papal–Carolingian agreements, which have been taken to have dictated the distribution of governing power across central Italy. For some, they are held to have created nothing less than a 'Republic of St Peter', and while others would not go quite so far, many discern in these *pacta* an entity quite distinct from the apparatus of Carolingian rulership. The kind of power that that implies supersedes anything that might be revealed by changes in the tenure of estates. There are, however, good reasons why the role of these agreements can be questioned, not least the significant problems surrounding the reliability of our evidence for them. The next section will examine these, before we return to the Farfa documentation to suggest that it is impossible, as well as anachronistic in an early medieval context, to draw neat distinctions between powers amounting to statehood and more prosaic rights, often associated with private individuals, such as rights over property.

### THE CAROLINGIAN–PAPAL *PACTA* AND THEIR PROBLEMS

The nature of our source material changes our entire outlook on the decades after 774. Up to that point, for most of the eighth century, we have benefited from the relatively detailed accounts of the *Liber Pontificalis* biographers, with the not unnatural consequence that historiography has tended to focus on their concerns: above all, the rising political status of the popes, the stepping stones along that path in their relations with Byzantines, Lombards and Franks, and the internal politics of Rome seen through the institutional prism of its bishops.<sup>141</sup> When a narrative of this sort disappears, we feel the lack. For the forty-one years after 774 (that is, the remainder of Hadrian's long pontificate, and that of the equally durable Leo III), we have detailed, roughly contemporary,

<sup>141</sup> Among the clearest perspectives on these developments is still that of Classen, 'Karl der Große'; more recently, see P. Delogu, 'The papacy, Rome and the wider world in the seventh and eighth centuries', in J. M. H. Smith ed., *Early Medieval Rome and the Christian West. Essays in honour of Donald A. Bullough* (Leiden, 2000), pp. 197–220.

Roman, coverage for only the two years 799–800 – more precisely, the events leading up to and including Charlemagne’s imperial coronation.<sup>142</sup> The shift in focus that this necessitates has tended to be towards sources that have similar approaches, perspectives or concerns as those of the papal biographers. The Frankish annalists, for instance, offer the same kind of essentially narrative treatment of some of the key events – notably 799–800, for which the contrasts with Leo’s biographer are telling.<sup>143</sup> But historiography has focused most closely on the series of agreements (generally termed *pacta*) that historians discern as having been made between the Carolingian rulers and the popes, beginning with Pippin III’s promises to Pope Stephen II in 754 and 756. The general understanding of these sets the tone for the agreements that followed, especially those made after the fall of the Lombard kingdom, culminating in the *Pactum Ludowicianum* of 817 and, though it is sometimes regarded as legally a slightly different type of enactment, the *Constitutio Romana* of 824: that is, that they deliberately set out to define the political profile of the whole of central Italy. Certainly, it was as documents of this sort that they were central to arguments around that subject in later centuries. We cannot therefore discount an element of hindsight in modern interpretations of these documents. If they were thought to cover what modern observers would recognize as ‘constitutional’ matters by the time of Gregory VII, they may not have been so conceived of at the time. What we can say is that these agreements seem to address concerns that were also central to the narrative sections of the papal biographies and, even more so, to the papal letters of the period: in brief, the ‘rights’ (often termed *iura*, or *iustitiae*) in the secular world that the popes might possess or enjoy by virtue of their position.

The ultimate expression of this preoccupation is without question the *Constitutum Constantini* or Donation of Constantine, which purports to be the outright gift by Constantine to Pope Sylvester (314–35) of nothing short of sovereignty over nothing less than the entire western Roman empire.<sup>144</sup> The document’s use as the basis of later papal claims need not

<sup>142</sup> LP II, pp. 4–8.

<sup>143</sup> Both R. Schieffler, ‘Das Attentat auf Papst Leo III’, and M. Becher, ‘Die Reise Papst Leos III’, both in P. Godman, J. Jarnut and P. Johaneck eds., *Am Vorabend der Kaiserkrönung. Das Epos ‘Karolus Magnus et Leo papa’ und der Papsbesuch in Paderborn 799* (Berlin, 2002), pp. 75–85 and 87–112 respectively, draw illuminating conclusions from contrasts between the narrative sources for the attack on Leo and his flight to Charlemagne.

<sup>144</sup> For the manuscripts, see *Constitutum Constantini*, ed. H. Fuhrmann, MGH *Fontes iuris germanici antiqui in usum scholarum X* (Hanover, 1968), pp. 20–41. The document has Constantine giving (*concedimus*) the symbols of imperial office and the western provinces to SS Peter and Paul. For a summary, see Noble, *Republic of St Peter*, p. 137.

concern us here.<sup>145</sup> Clearly, it articulates one of the strands of thought among the personnel of the eighth- to ninth-century papacy, though historians have had a hard time pinning down precisely its date of composition: recent suggested contexts range from the Roman synod of 798 to the opposition to Louis the Pious.<sup>146</sup> Either way, it has seemed a striking example of the self-confidence of papal bureaucrats in this period. But we should not misconstrue this confidence as a deliberate political manifesto. What the *Constitutum Constantini* evinces – as do similar sentiments in the letters and biographies – is the creation of an idealized (often quite recent) past as part of the construction of a new ideology for an institution whose old ideology was progressively undermined by the events of the eighth century.<sup>147</sup> On issues of both administration (a refusal to pay new taxation; the consequent confiscation of formerly papal patrimonies in southern Italy and Illyria) and theology (in a word, iconoclasm) the bishops of Rome had parted company with Constantinople and now needed to develop a new understanding of their place in the mental world of the early middle ages. That a reshaping of this kind was achieved partly through the writing and dissemination of texts is an insight long appreciated, but recently given new attention.<sup>148</sup> The urban society of Rome offers a key example of the way in which communities could be renewed or restructured in part around views of their past propounded in writing (as was, to take a better-studied

<sup>145</sup> The *Constitutum's* ideological significance for the papacy is fully explored by Ullmann, *Growth of Papal Government*, pp. 74–87.

<sup>146</sup> Noble, *Republic of St Peter*, p. 135 points to ‘a consensus that the famous forgery was fabricated between the pontificates of Stephen II and Hadrian’; Delogu, ‘The papacy, Rome and the wider world’, p. 216, sees a slightly more precise dating – ‘commonly attributed to the age of Paul I’; Noble cites the highlights among the plentiful earlier literature in *Republic of St Peter*, pp. 134–7, nn. 172–86. The persuasive argument that the work was composed in the Lateran (perhaps in opposition to the growing power of St Peter’s within the papal hierarchy) was proposed by N. Huyghebaert, ‘La donation de Constantin ramenée à ses véritables proportions’, *Revue d’histoire ecclésiastique* 71 (1976), pp. 45–69, and reprised by S. De Blaauw, *Cultus et Decor: Liturgia e architettura nella Roma tardoantica e medievale. Basilica Salvatoris, Sanctae Mariae, Sancti Petri*, 2 vols. (Rome, 1994), vol. 1, pp. 162–3. The suggestion that the *Constitutum's* invocation, in particular, reflects the concerns of the 798 synod is that of E.-D. Hehl, ‘798 – ein erstes Zitat aus der Konstantinischen Schenkung’, *Deutsches Archiv für Erforschung des Mittelalters* 47 (1991), pp. 1–17. For a context in the opposition to Louis the Pious, see J. Fried, ‘Donation of Constantine’ and ‘Constitutum Constantini’. *The Misinterpretation of a Fiction and its Original Meaning* (Berlin, 2006), which has come too recently to have provoked detailed comment as yet.

<sup>147</sup> In a similar vein, Thomas Noble has characterized Charlemagne’s imperial coronation as ‘an instance of creative anachronism’: Noble, ‘The intellectual culture of the early medieval papacy’, p. 202. In general, I am here in close agreement with Delogu, ‘The papacy, Rome and the wider world’, esp. pp. 214–17, though I would place less emphasis than he does there on the personal ideological agency of Hadrian, in particular.

<sup>148</sup> E.g. Pohl, *Werkstätte der Erinnerung*.

example, the kingdom of the Franks itself).<sup>149</sup> Moreover, this is a multi-valent observation: that is, the relationship of contemporary or near-contemporary audiences with texts like the *Liber Pontificalis* – modified by authorial intent and context as well as by that audience’s situation and assumptions – worked in similar ways, though with very different results, as our responses to the same texts. Texts helped to shape agendas then, just as they shape our view of past agendas now. Thus many a modern commentator has found strong resonance in the apparently overwhelming preoccupation in texts from eighth- and ninth-century Rome with the ‘constitutional’ position of the city, and especially of its bishop. The severance from Constantinople – which has been more or less emphasized according to a complex set of modern determinants – is held to have made redundant the old Roman imperial ideology and to have demanded the deliberate construction of a new ideological underpinning to the government of the city and to a swathe of territory – variously defined, again according to multifarious criteria – attached to it. The key problems have seemed to be to define this new ideology, and to gauge its interaction with the wielding of real power across the chosen section of Italy. The papal–Carolingian *pacta* have seemed to fit ideally into this conception, because they are thought to be attempts to define precisely what were the rights of the bishop of Rome – mentioned, as we have noted, in numerous papal letters of the period – and in what precise geographical area those rights operated. They therefore can be and have been used to trace the steady growth in rights concretely exercised by successive popes over specific territories, and those rights have generally been defined, though not uncontroversially, as those understood commonly to inhere in full rulership as it existed in the early middle ages. (If the foregoing is clumsily worded, it is because I am deliberately trying to avoid such terms as ‘sovereignty’, which seem to me now too loaded to be useful in this context.) There are as many definitions of what such rights might amount to in practice as there are medieval historians to write about them, but a relatively unexceptionable list of such characteristics might include supervision of a formal judiciary, direction of military activity,<sup>150</sup> control over the minting of coins, and the exclusive exercise of rights of surplus extraction over and above those arising from landlordship.<sup>151</sup> Although

<sup>149</sup> McKitterick, *History and Memory*, *passim*.

<sup>150</sup> I use the term ‘military activity’ here advisedly, without trying to imply that one can cordon off one type of violence from the many others that existed in early medieval society: see Halsall, *Warfare and Society*, pp. 14–19.

<sup>151</sup> These characteristics are similar, but not identical, to those outlined in Wickham, *Framing the Early Middle Ages*, p. 57 – in general see pp. 56–150 there, and Innes, *State and Society*, pp. 1–12 and 254–9.

assigning any of these categories to a particular individual or institution can be problematic – and we shall have reason in what follows to focus in particular on the difficulties surrounding the last of them, that is, the interface between rights over land and its production<sup>152</sup> – they are widely recognized as components of statehood, and those historians who can confidently attach a sufficient number of them to the papacy have therefore been happy to describe the resulting polity as a ‘papal state’. Use of the contemporary term *respublica* rather than the modern word ‘state’ does not change the essentially constitutional nature of what it is thought the popes created.<sup>153</sup> Equally, the way in which a papally ruled entity melded with the Carolingian empire has also been treated as a constitutional question, generally wrapped up together with an interpretation of the contemporary significance of Charlemagne’s imperial coronation on Christmas Day 800.<sup>154</sup>

Thus one influential way of recounting the development of papal power during these years is to structure an account around the series of *pacta* drawn up between the popes and the Carolingian rulers. If we do so, it quickly transpires how the detail of each agreement hangs on the words of a handful of key texts. It used to be thought that the starting point was the report in several Frankish sources of the despatch in 751 by the then mayor of the palace, Pippin III, of two envoys, Bishop Burchard of Würzburg and Abbot Fulrad of St Denis, to Pope Zacharias, to ask whether it was good that their kings should not have royal power. The pope replied, says the *Annales Regni Francorum*, by ordering that Pippin be made king. The unreliability of this story has been decisively exposed by Rosamond McKitterick. It depends on three sources, at least two of which, the Continuations of the Chronicle of Fredegar and the unrevised version of the *Annales Regni Francorum*, were responding to their reception of the heavily spun account of papal–Frankish relations in the *Liber Pontificalis* biography not of Zacharias, but of his successor Stephen II.<sup>155</sup> The first encounter between a pope and a Carolingian ruler actually occurred in 754, when Stephen II visited Francia – the first pope to cross the Alps – to plead for the Frankish king’s help after the Lombard

<sup>152</sup> See initially M. Innes, ‘Land, freedom and the making of the early medieval west’, *TRHS* 6th ser., 16 (2006), pp. 39–74. I am very grateful to the author for allowing me to see this paper in advance of publication.

<sup>153</sup> For *respublica*, see Noble, *Republic of St Peter*, pp. 94–8, modified by Delogu, ‘The papacy, Rome and the wider world’, esp. pp. 214–17.

<sup>154</sup> For assessment of the latter, see J. Nelson, ‘Kingship and empire in the Carolingian world’, in R. McKitterick ed., *Carolingian Culture. Emulation and Innovation* (Cambridge, 1994), pp. 52–87, at pp. 70–3.

<sup>155</sup> R. McKitterick, ‘Kingship and the writing of history’, in McKitterick, *History and Memory*, pp. 133–55.

king Aistulf had conquered the Exarchate and Pentapolis, and begun to pressurize Rome. According to Stephen's *Liber Pontificalis* biographer, Pippin III swore an oath to the pope that he would obey his mandates and admonitions and would be pleased to restore the Exarchate and the *iura et loca* of the *respublica*.<sup>156</sup> Aistulf 'sent' Carloman to Francia to argue the Lombard case.<sup>157</sup> Pippin then had to win the approval of the Frankish magnates for what was an abrupt change of policy – the Carolingians having previously allied quite closely with the Lombard kings. There was an assembly at Berny on 1 March, where, according to some annalists, Pippin took counsel with the magnates and agreed to go to Italy if necessary.<sup>158</sup> Easter (14 April) saw the court at Quierzy. There, many modern reconstructions would agree with the biographer of Pope Hadrian who, looking back at these events, thought that Pippin had endorsement from his magnates for his promise 'to cede various cities and territories of that province of Italy and to hand [them] over to the blessed Peter and to all his vicars for possession in perpetuity'.<sup>159</sup> Whatever those terms were, though, Pippin could do little in practice to make the promise a reality: a point about which successive popes complained.<sup>160</sup> He conducted two successful campaigns against Aistulf in 755 and 756, each concluded with a treaty (which the biographer describes as both *foedera* and *pacta*).<sup>161</sup> The Lombard king seems not to

<sup>156</sup> *LP* 1, p. 448.

<sup>157</sup> As noted above, n. 40, Carloman's embassy was first noticed in the Life of Stephen II, *LP* 1, p. 448, which suggests that Aistulf was behind it. The earliest text of the *Annales Regni Francorum*, s.a. 753, on the other hand, puts it down to pressure from Carloman's abbot Optatus, who had himself acted as an envoy in 752. It is only with the revised version of the annals that we see the *LP*'s story of Aistulf's involvement repeated, as in subsequent chronicles, many of them with a Monte Cassino provenance, listed at Noble, *Republic of St Peter*, p. 82, n. 92. Compare the discussion of *reipublice iura seu loca* at *ibid.*, pp. 81–2, with E. Patlagean, 'Variations impériales sur le thème romain', in *Roma fra oriente e occidente*, Settimane di studio del CISAM 49 (Spoleto, 2002), vol. 1, pp. 1–49, at p. 30.

<sup>158</sup> E.g. Fredegar Continuator c. 37, *The Fourth Book of the Chronicle of Fredegar and its Continuations*, and trans. ed. J. M. Wallace-Hadrill (London, 1960), p. 105.

<sup>159</sup> *LP* 1, p. 498: 'pro concedendis diversis civitatibus ac territoriis istius Italiae provinciae et contrahendis beato Petro eiusque omnibus vicariis in perpetuum possidendis'. In most accounts, this is the first of a long series of so-called treaties between the papacy and the Carolingians: the most maximal and optimistic account is that of A. Drabek, *Die Verträge der fränkischen und deutschen Herrscher mit dem Papsttum von 754 bis 1020*, Veröffentlichungen des Institutes für österreichische Geschichtsforschung 22 (Vienna, 1976), who lists no fewer than fourteen such *Verträge* between 754 and 817. To see, as she does, every encounter between a Carolingian and a pope in such terms is to take to an unnecessary extreme the approach of traditional *Verfassungsgeschichte*.

<sup>160</sup> See *CC* 20, 21 and 22.

<sup>161</sup> Although many prefer a date of 754 for the first Frankish campaign, I have given 755 here, based on the arguments of Hodgkin and Levillain, summarized by Noble, *Republic of St Peter*, p. 88, n. 113. Two Lombard charters mentioning summonses to military service (*CDL* I 114 and 117) are important here, but inconclusive, since one dates to 754 and the other to 755. When the first was issued – after, therefore, its issuer Walprand had been summoned for service – Aistulf knew that

have tried to fulfil either, and indeed on the first occasion within about six months he launched an attack on Rome itself, which provoked the second Frankish invasion.<sup>162</sup> Following his second victory, Pippin deputed Fulrad of St Denis to oversee Aistulf's relinquishing of a roster of cities, and their transfer through a written document 'to St Peter' (according the *Annales Regni Francorum*) or 'for their possession by St Peter, the holy Roman church and all the apostolic see's pontiffs' (according to Stephen's biographer).<sup>163</sup> In summary, then, Pippin's first campaign was preceded, and his second succeeded, by two agreements. The content of the second is given by Stephen's *Liber Pontificalis* biographer, culled, apparently, directly from the document in the papal archive.<sup>164</sup> The cities listed covered the eastern part of the old Exarchate, and the Pentapolis – the area, in other words, that Aistulf had conquered in 751.

If we disregard the interpretative gloss put on it by the *Liber Pontificalis* biographer, this 'donation' is, on its own, still easily explained. Pippin had acquired the cities mentioned through right of conquest and, not feeling able to retain them for himself, passed them on immediately to the only available and plausible recipient, Pope Stephen. The pope was in that position because Constantinople's hands-on power in Italy had collapsed with Aistulf's eradication of the Exarchate (and with it the Exarch) in 751, and because its authority in Italy had disappeared with the passing of the iconoclast decrees – the main one of which, we should remember, had been promulgated only in 754.<sup>165</sup>

Understandably, however, historians have been unwilling to jettison our main narrative source for these developments. Although the *Liber Pontificalis* biographer gives the details only of the second agreement in his Life of Stephen II, the first – that made at Quierzy in 754 – is generally held to have been the more important.<sup>166</sup> This is because it is reported to have been the basis of the written 'promise of donation' (*donationis*

Pope Stephen was in Francia, and probably knew that the Frankish assembly at Quierzy had directed the army to war in Italy (see *LP* I, pp. 448–9). For notices of the treaties, see *ARF*, s.a. 755; *LP* I, p. 451.

<sup>162</sup> *LP* I, pp. 451–2.

<sup>163</sup> *ARF*, s.a. 756; *LP* I, p. 453 ('beato Petro atque sancte Romane ecclesiae vel omnibus in perpetuum pontificibus apostolice sedis').

<sup>164</sup> *LP* I, pp. 453–4.

<sup>165</sup> On the disappearance of the Byzantine secular administration, see P. Toubert, 'Scrinium et palatium: la formation de la bureaucratie romano-pontificale aux VIIIe–IXe siècles', *Roma nell'alto medioevo*, Settimane di studio del CISAM 48 (2001), pp. 57–118, at pp. 72–9, and Brown, *Gentlemen and Officers*, p. 4 with references at n. 9, and p. 221.

<sup>166</sup> This is the argument of Noble, *Republic of St Peter*, pp. 140–8 and 159–68; summarized in Noble, 'The papacy in the eighth and ninth centuries', in *NCMH* II, pp. 563–86, at pp. 567–9; see also, for instance, J. M. H. Smith, *Europe after Rome. A New Cultural History, 500–1000* (Oxford, 2005), pp. 271–2.

*promissionem*) made to Pope Hadrian by Charlemagne on his visit to Rome at Easter 774, while he had the last Lombard king, Desiderius, under siege in Pavia.<sup>167</sup> With this new document the king undertook to transfer to the pope the same 'cities and territories' as his father had promised in 754, not listed individually but described 'per designatum confinium' – within the defined boundary: a line marked by towns or settlements, from Luni in the west to Monselice in the east. It has been argued that this line derived from a much earlier, lost, treaty between the papacy and the Lombards, dating from 598 × 640, and represented a 'maximum scheme' for the bounds of any papally controlled entity that might come into being.<sup>168</sup> It may well have been drawn, however, from an earlier document that had nothing whatever to do with papal political claims, because the line almost exactly describes the boundary of the Roman administrative province of Italia suburbicaria established by Diocletian in 297–8.<sup>169</sup> The possibility that it was drawn from an ancient document preserved in papal archives is one indication that the 'maximum scheme' was the invention of papal bureaucrats during Hadrian's pontificate. One of these men was almost certainly the author of this first part of Hadrian's Life. Having seen his predecessor, Stephen II's biographer, make tantalizing reference to Pippin III's 'Quierzy promise', he now had the opportunity to flesh out its significance in his own work – which is in any case not really a biography but a piece of reportage on the dramatic events of 772–4.

These observations serve to undermine any confidence we may have in recapturing the content of the agreements of 754 and 774. Their existence is not in doubt, for the Carolingians' promises, like those of various Lombard kings, were the subjects of repeated complaints in the popes' letters about their non-fulfilment. The two were, indeed, often bound together: for Frankish promises to be enacted, Aistulf, and then Desiderius, had first to make whatever restitutions they had been asked to. Their persistent failure to do so was the cause of the complaints of Stephen II, then of his brother Paul.<sup>170</sup> After 774, Hadrian expressed in letters to the king his frustration that Charlemagne, just like the Lombard

<sup>167</sup> *LP* 1, pp. 497–8 reports that after investing Pavia towards the end of 773, in late March 774 Charlemagne journeyed to Rome. There he celebrated Easter and there the pope exhorted him to 'fulfil in every detail the promise' that Pippin had made at Quierzy. Charles, it says, 'freely and with good and willing intention . . . had another promise and donation, a copy of the earlier one, written out' (*Lives of the Eighth-Century Popes*, trans. Davis, pp. 140–1).

<sup>168</sup> Noble, *Republic of St Peter*, p. 86, n. 103 for references.

<sup>169</sup> Delogu, 'The papacy, Rome and the wider world', pp. 217–218, with n. 66, basing himself on G. Arnaldi, *Le origini dello stato della chiesa* (Turin, 1987), pp. 133–5.

<sup>170</sup> Stephen II's complaints in *CC* 6 and 7; Paul's in *CC* 20, 21 and 22.

kings, was not living up to his promises to the pope.<sup>171</sup> But these letters remain studiously vague as to the substance of the restitutions the popes expected – whether properties they had once owned, or territorial rights of some kind that had once been exercised by the Byzantine emperor or his officials. Of the much-debated distinction between these two we will have more to say below.<sup>172</sup> For now, we can simply note that reasons why the Frankish king failed to carry out the promises he made are readily identifiable: first, immediately on the fall of Pavia Charles assumed the title *rex Francorum et Langobardorum*, which naturally required that he now uphold, rather than dismember, the Lombard kingdom; and secondly, as Tom Noble has put it, ‘between 774 and 781 Charlemagne learned what he could and ought to do in Italy’ – in other words, he acquired, as he did not have earlier, a strategic sense of the possible in Italian politics.<sup>173</sup>

This careful consideration, it has been widely thought, led Charlemagne to make concessions to the pope on his two visits to Rome in 781 and 787; concessions, moreover, that have been characterized as having been simultaneously massive in scope and political impact, and commensurate with the king’s sense of his own authority in Italy.<sup>174</sup> Although no documents survive directly from his meetings with the pope on either occasion, the results of their negotiations have been seen to form the basis of the agreement reached between Charlemagne’s son Louis the Pious and Pope Paschal I in 817, known to history as the *Pactum Ludowicianum* (or *Hludowicianum*).<sup>175</sup> Modern editors have arrived at a text for this which contains significant sections that have been seen to date back to Charles’ agreements with Hadrian in the 780s. The result is a fairly elaborate scheme of territorial transfers that adds up to the creation of a new polity in central Italy, ruled by the pope. The process is said to have begun when Charlemagne arrived in Rome in April 781. The king’s second son, Pippin, was baptized by Hadrian, who also became his godfather, and the pope then anointed the boy as king of Italy, at the same time making his elder brother, Louis (the Pious), king of Aquitaine.<sup>176</sup> While it is very likely that these solemnities were accompanied by gifts from the king to his new spiritual kinsman, the pope, it seems less so that they would have included huge swathes of the kingdom just created for

<sup>171</sup> CC 49, 51, 52, 53, 55, 56 and 60. <sup>172</sup> See below, pp. 326–8.

<sup>173</sup> Noble, *Republic of St Peter*, p. 147. <sup>174</sup> Noble, *Republic of St Peter*, pp. 174–5 and 181–3.

<sup>175</sup> *Pactum Hludowici Pii cum Paschali Pontifice*, ed. A. Boretius, MGH Capit. 1, no. 172 (Hanover 1883), pp. 352–5; the text is also in A. Hahn, ‘Das Hludowicianum’, *Archiv für Diplomatik* 21 (1975), pp. 15–135, at pp. 130–5. A handy summary of its contents is given by Davis, *Lives of the Eighth-Century Popes*, p. 232.

<sup>176</sup> ARF, s.a. 781: he celebrated Easter in Rome on 15 April. On the anointing, see McKitterick, *History and Memory*, p. 62.

the object of the bond between the two, Pippin. Nevertheless Hadrian's letters from this time dwell on the work of two royal envoys, Itherius, abbot of St Martin's at Tours, and Magenarius, abbot of St Denis, whose task, he said, was to define papal rights in the Sabina.<sup>177</sup> That these rights were territorial seems to be confirmed by a specific reference to their inquest in the reconstructed text of the 817 *pactum* between Louis the Pious and Paschal, which is there said to have concerned a *territorium Sabinense*, 'quemadmodum ab Itherio et Magenario, missis illius [i.e. Charlemagne] inter idem territorium Sabinense atque Reatinum definitum est'.<sup>178</sup> In this document we also find reference to cities and territories of Roman Tuscany, which did not appear in the Quierzy–Rome promise and so, it has been argued, must too have formed part of a formal transfer in 781. To be regarded in the same way are the duchy of Perugia, the lands around Tivoli and the Roman Campagna, all of which appear in the *Ludowicianum* and are not specified in Pippin's 756 donation; and the last at least had been frequently mentioned in papal letters to the Carolingians. After Charlemagne had managed to isolate the other power in the region, Arichis of Benevento, from his erstwhile Byzantine allies, he was able to add these to his grant to the papacy.<sup>179</sup> He may in 787 have also granted the further territories in Campagna, and the *patrimonia* (which all agree here means 'estates') in the Mezzogiorno also mentioned in the *Ludowicianum*, though Arichis's continued enmity prevented the latter ever being realized.<sup>180</sup> In sum, these reconstructions of Carolingian–papal agreements in 754, 756, 774, 781 and 787 indicate that the boundaries of a peculiar papal polity were drawn well before Charlemagne's imperial coronation in 800.

There are a number of weaknesses to this reconstruction. The ascription of particular territorial concessions to the years 781 and 787 is based entirely on the fact of Charlemagne's presence in Rome in those years, but rather ignores the better-attested and highly significant business that he is documented as having conducted there on each occasion, not all of it in tune with papal interests. It was in Rome in 781 that he met ambassadors from the Empress Irene to discuss a marriage alliance between his daughter Rotrud and her son Constantine VI – an alliance that would have brought Constantinople strongly back into the reckoning of politics in central Italy.<sup>181</sup> Paradoxically, Charles's 787 visit, which marked the repudiation of the mooted alliance with Constantinople, was followed

<sup>177</sup> CC 68–72.

<sup>178</sup> *Pactum Hludowici Pii cum Paschali Pontifice*, p. 353; see also Hahn, 'Das Hludowicianum', pp. 71–4.

<sup>179</sup> The evidence is extensively discussed by Noble, *Republic of St Peter*, pp. 160–6.

<sup>180</sup> *Ibid.*, pp. 175–81. <sup>181</sup> Einhard, *Vita Karoli*, c. 19.

immediately by a serious disagreement between king and pope over the Byzantines' conciliatory Second Council of Nicaea, held in October of that year.<sup>182</sup> In neither year, then, was Carolingian support for the papacy anything close to unequivocal.

There is an objection, too, on a conceptual level, because some of the key terms in the *pacta* do not seem to carry the consistency of meaning required if, as is suggested, those treaties consistently bore the same, 'constitutional', implications. Principal among these is *territorium*, used a number of times in the *Ludowicianum*, in ways that already suggest a flexibility of meaning.<sup>183</sup> We are encouraged to question its meaning by the apparently clear contradiction between such a term and the provisions of other documents – notably, the immunity diplomas issued by Carolingian rulers for Farfa. On a constitutional level, even if the notion of a papal state be retained, it actually proved quite ephemeral because in the *Constitutio Romana* of 824 Louis the Pious's son Lothar, by then king of Italy, asserted the papacy's essential subordination to the emperor and his son.<sup>184</sup> Formulae for diplomas of Louis the Pious addressed to 'Omnibus fidelibus sanctae Dei ecclesiae atque nostris, partibus Romanie atque Italiae consistentibus . . .' – that is, that distinguish the Roman church (though not the pope), but still place it under the umbrella concept of 'faithful men' of the emperor – also suggest that Rome was ultimately and consistently considered part of the empire.<sup>185</sup>

Most importantly, however, the whole documentary basis of a reconstruction of the growth of the papacy's power on the basis of its agreements with Carolingian rulers is open to challenge because the actual wording of nearly every such 'agreement' does not survive. For the detail of those before 817 we are dependent on two texts that are far from

<sup>182</sup> See initially McCormick, 'Byzantium and the West', p. 367.

<sup>183</sup> For instance, it seems difficult to understand the word in the phrase 'civitatem Romanam cum ducatu suo et suburbanis atque viculis omnibus et territoriis eius montanis ac maritimis, litoribus ac portibus, seu cunctis civitatibus, castellis, oppidis ac viculis in Tusciae partibus' or in 'Has omnes superscriptas provincias, urbes et civitates, oppida atque castella, viculos ac territoria simulque et patrimonia . . .' in the same way as in 'Eodem modo territorium Sabinense, sicut a domno Karlo imperatore antecessore nostro beato Petro apostolo per donationis scriptum concessum est sub integritate . . .' In the former cases, it seems to connote 'lands' in a broadly geographical or environmental sense ('landscapes'), whereas the last has a more precisely administrative ring to it, since linked to a proper noun; as we have seen, debates over its definition in this latter case have been extensive: above, p. 281.

<sup>184</sup> As indicated most recently by Matthias Geisshart in his meticulous study of Lothar's Italian capitularies, *Die Kapitulariengesetzgebung Lothars I. in Italien*, Freiburger Beiträge zur mittelalterlichen Geschichte 15 (Frankfurt-am-Main, 2002), pp. 91–114. See also e.g. Arnaldi, 'Alle origini del potere temporale dei papi', pp. 65–6 ('le donazioni-restituzioni carolingie restarono lettera morta fino a tutto il secolo XII').

<sup>185</sup> *Formulae imperiales e curia Ludovici Pii*, nos. 41, 55, ed. K. Zeumer, MGH *Formulae Merovingici et Karolini aevi* (Hanover, 1886; repr. 1963), pp. 319 and 325–6.

unimpeachable: the *Liber Pontificalis* Life of Hadrian, chapters 42–3, and the so-called *Ludowicianum*. Furthermore, the latter also does not survive in any kind of original or near-contemporary form: it has itself had to be reconstructed, chiefly from texts transmitted by eleventh- and twelfth-century canonists. What these facts also mean is that the closest contemporary witnesses for every significant detail – such as which territories they may have specified – of every one of these *pacta* are texts written within the papal bureaucracy: that is, the Life of Hadrian and those papal letters which refer to the same topic more vaguely and incompletely. This is sandy soil on which to build the ‘Republic of St Peter’.

Since, as we have seen, the Life of Hadrian is an unreliable guide to any deal arrived at in 774, our attention has to focus on the single text that has been held to attest the agreements made after that, in 781, 787 and 816–17: that is, the *Pactum Ludowicianum*. There is no question that an agreement of some kind was quickly made between Louis the Pious and Paschal following the latter’s election in January 817. Haste was possible because Louis had in fact already negotiated the year before with Paschal’s short-lived predecessor, Stephen IV (June 816–January 817). The latter’s election had provided an opportune moment for both papacy and Carolingian regime to review their relationship. Stephen was evidently keen to pacify Rome after the fractiousness of Leo’s pontificate, which had also led to a dispute with the emperor: his journey to Francia may well have been impelled by the need to justify his election to Louis, as well as by a desire to bring back those who had been exiled under Leo.<sup>186</sup> For his part, Louis was seeking to reconnect the components of imperial power fragmented at his father’s death two years earlier (and thereby, certainly, to marginalize his nephew Bernard of Italy). There was no better way to do so than to reprise the symbol par excellence of his father’s status, by having the pope crown him as emperor. This was duly performed at Rheims in October 816. In fact, Louis and Stephen went further, because the pope also anointed the emperor (the first instance of imperial unction by a pope) and crowned as empress his wife, Irmingard.<sup>187</sup> As with the earlier encounter of 781 between Charlemagne and Hadrian, coronation

<sup>186</sup> For the context of his election, see the plausible suggestion of Noble, *Republic of St Peter*, pp. 202–3; for the return of the exiles, *LP* II, p. 50.

<sup>187</sup> E. Boshof, *Ludwig der Fromme* (Darmstadt, 1996), p. 137; K. F. Werner, ‘*Hludovicus Augustus*: Gouverner l’empire chrétien – idées et réalités’, in P. Godman and R. Collins eds., *Charlemagne’s Heir. New Perspectives on the Reign of Louis the Pious (814–840)* (Oxford, 1990), pp. 3–123, at pp. 38–50, cf. P. Depreux, ‘Das Königtum Bernhards von Italien und sein Verhältnis zum Kaisertum’, *QFIAB* 72 (1992), pp. 1–25. Much may have hinged in these developments on the attitude to the papacy of Louis’s advisers, newly imported into Aachen from his former court in Aquitaine, who included the count of Paris, Bego, and, among the clerics, Benedict of Aniane, the chancellor Helisachar, and the archbishop of Rheims, Ebbo, the latter newly appointed to the

by the pope was followed by a quid pro quo from the Carolingian side. Numerous sources report it: according to his *Liber Pontificalis* biography, Stephen 'secured in full everything he is known to have asked for';<sup>188</sup> the author of this section of the *Annales Regni Francorum* reports that Stephen and Louis 'exchanged many gifts', 'established a firm friendship' and made 'other arrangements advantageous to the holy church of God';<sup>189</sup> and according to Louis's biographer, 'the Astronomer', the pope returned to Rome 'having obtained everything that he had requested'.<sup>190</sup> Stephen died the following January and was succeeded by Paschal with a speed that is, again, suspicious. Paschal's *Liber Pontificalis* Life is notably light on political detail, but the Frankish annals give a whiff of scandal: Paschal had to send an *excusatoria epistola* to Louis, claiming that he had been made pope by force. But he also sent another embassy asking that the agreement ('*pactum*') made with his predecessors be confirmed.<sup>191</sup> The universal assumption is that this was the same agreement as that made with Stephen IV, more or less word-for-word.<sup>192</sup>

What, then, were the words of this document? It is vital to remember that, as already mentioned, no contemporary, or even remotely near-contemporary, copy of this *pactum* survives. The earliest examples of a complete text purporting to be the 817 *pactum* are found in the collections made by the canonists of the eleventh century.<sup>193</sup> These seem all to depend on a collection put together by Cardinal Deusdedit (*d.1097 × 1100*) preliminary to his *Collectio Canonum* (completed in 1087). From here it was copied not only by Deusdedit but by Anselm,

archbishopric of the traditional city of Frankish coronation, which may indicate a particular role for him in the coronation, as is also suggested by the later report of the commemorative inscription and portraits that he had put up in the cathedral: Flodoard, *Historia Remensis* II 29, ed. J. Heller and G. Waitz, MGH SS XIII (Hanover, 1881), pp. 405–599, at p. 467. The idea of these men's 'Visigothic detachment' from the papacy, and consequent antagonism, has been proposed, perhaps a little too forcefully, by J. Fried, 'Ludwig der Fromme, das Papsttum und die fränkische Kirche', in Godman and Collins eds., *Charlemagne's Heir*, pp. 231–73, and opposed just as strongly by P. Depreux, 'Empereur, empereur associé et pape au temps de Louis le Pieux', *Revue Belge de Philologie et d'Histoire* 70 (1992), pp. 893–906, at pp. 893–5; on Ebbo, see S. Airlie, 'Bonds of power and bonds of association in the court circle of Louis the Pious', in Godman and Collins eds., *Charlemagne's Heir*, pp. 191–204, at pp. 200–2.

<sup>188</sup> LP II, p. 49, 'omnia, quae ab eo poposcisse dinoscitur, in omnibus impetraret'; *Lives of the Eighth-Century Popes*, trans. Davis, p. 235.

<sup>189</sup> ARF, s.a. 816; *Carolingian Chronicles: Royal Frankish Annals and Nithard's Histories*, trans. B. W. Scholz (Ann Arbor, 1972), p. 101.

<sup>190</sup> Astronomer, *Vita Hludowici Imperatoris*, ed. E. Tremp, MGH SRG LXIV (Hanover, 1995), p. 368: 'cunctis quae poposcerat impetratis'. It is not impossible that the Astronomer was drawing on the *Liber Pontificalis* here (see n. 188).

<sup>191</sup> ARF, s.a. 817; BM 642c. <sup>192</sup> Noble, *Republic of St Peter*, p. 150, n. 66, gives earlier literature.

<sup>193</sup> Full references to the eleventh- and twelfth-century sources are given by Hahn, 'Hludowicianum', pp. 30, n. 101. I am grateful to Kate Cushing for discussion and advice on the canonists.

and probably also by Bonizo of Sutri, into their canon collections.<sup>194</sup> Before that, no writer had paid any attention to the agreement. There were a number of ‘ruler privileges’ for the Roman church in the ninth and tenth centuries,<sup>195</sup> of which by far the most prominent and extensive was the so-called *Ottonianum* – that is, that issued by Otto I in 962, the purple-parchment, gold-lettered, fair copy of which survives. Its text is very similar to that identified by the canonists as the *Ludowicianum*.<sup>196</sup> There is an earlier manuscript witness to a text of a ‘ruler privilege’ for the papacy, consisting of papyrus fragments published by Angelo Mercati in 1926.<sup>197</sup> These contain small sections of a ruler’s privilege for the papacy which conform very closely to the canonists’ text of the 817 *pactum*. As to date and provenance, the script, a form of Caroline minuscule, points decisively to a ninth- or early tenth-century date and a scribe in western Europe, where only in Rome was papyrus still normally preferred to parchment as a writing material by that date.<sup>198</sup> Mercati suggested that the original document might have been preserved in the Sancta Sanctorum in the Lateran, and although there are a number of other possibilities, production within the papal bureaucracy looks certain.<sup>199</sup> While it is

<sup>194</sup> *Ibid.*, pp. 30–6. See also Boretius’s introduction to the text in MGH Capit. 1, no. 172, pp. 352–3, identifying the earliest source as the Vatican manuscript of Deusdedit’s *Collectio Canonum*, BAV Vat. lat. 3833.

<sup>195</sup> Perhaps not as many such privileges as Edmund Stengel thought. In 1926 he identified six ‘imperial privileges for the Roman church’, issued in 817 (Louis the Pious), 824/5 (Lothar), 850 (Louis II), 872 (Louis II), 876 (Charles the Bald) and 892 (Guy and Lambert): E. E. Stengel, ‘Die Entwicklung des Kaiserprivilegs für die römische Kirche, 817–962. Ein Beitrag zur älteren Geschichte des Kirchenstaats’, *Historische Zeitschrift* 134 (1926), pp. 216–41; repr. in Stengel, *Abhandlungen und Untersuchungen zur Mittelalterlichen Geschichte* (Cologne, 1960), pp. 218–48. However, his confidence in the case of the two suggested diplomas of Louis II for the papacy (of 850 and 872) is no longer shared by the most recent editor of that emperor’s diplomas: one would search for them in vain in K. Wanner ed., *Ludovici II. Diplomata (Die Urkunden Ludwigs II.)*, MGH Dipl. Kar. iv (Munich, 1994). Some, however, are more certain. Fairly reliably attested are those of Charles the Bald in 875/6: BM 492; Guy and Lambert in 891–2: *I diplomi di Guido e di Lamberto*, ed. L. Schiaparelli, *Fonti per la Storia d’Italia* 36 (Rome, 1906), *Diplomi perduti* no. 9, pp. 66–7; and to these we might add a privilege of Berengar in 915 (though not strictly ‘imperial’, it is true): *I diplomi di Berengario I.*, ed. L. Schiaparelli, *Fonti per la storia d’Italia* 35 (Rome, 1903), *Diplomi perduti* no. 23, p. 414.

<sup>196</sup> The display copy of the *Ottonianum* is Archivio Segreto Vaticano A. A., Arm. I–XVIII, 18 (olim Arm. I, caps. III, no. 1). The text is ed. T. Sickel et al., MGH Dipl. regum et imperatorum Germaniae I (Hanover, 1879–84), no. 235, pp. 322–7 (reproduced online with brief commentary by S. Jenks, [http://www.erlangerhistorikerseite.de/quellen/ottonianum\\_frame.html](http://www.erlangerhistorikerseite.de/quellen/ottonianum_frame.html) (1998)); the fundamental study is T. Sickel, *Das Privilegium Otto I. für die römische Kirche* (Innsbruck, 1883), and the most definitive recent discussion H. Zimmermann, ‘Ottonische Studien, II: Das Privilegium Ottonianum von 962 und seine Problemgeschichte’, in *Festschrift zur Jahrtausendfeier der Kaiserkrönung Ottos des Großen. Festschrift, Vorträge, Abhandlungen*, *MIÖG Ergänzungsband* 20 (1962), pp. 147–90.

<sup>197</sup> A. Mercati, ‘Frammenti in papiro di un diploma imperiale a favore della chiesa romana’, in A. Brackmann ed., *Papsttum und Kaisertum. Forschungen zur politischen Geschichte und Geisteskultur des Mittelalters. P.kehr zum 65. Geburtstag dargebracht* (Munich, 1926), pp. 163–7.

<sup>198</sup> Noble, ‘Literacy and papal government’, pp. 87–8.

<sup>199</sup> Mercati, ‘Frammenti in papiro’, p. 167.

therefore possible to identify the document with the 817 *pactum*, it may equally well be one of the other *pacta* between the papacy and rulers of Italy written after 817: Mercati thought it was that with Guy and Lambert made in 892.<sup>200</sup> There is no room for certainty because the clauses that the fragment includes are among the least controversial among the surviving *pacta* texts, in particular those regarding concessions in Roman Tuscany. Furthermore, there is nothing to connect these fragments with the texts transmitted by the canonists. Deusdedit had access to the archives of the Roman church, which may have been moved from their early medieval location in the confessio of St Peter's, but in the case of the 817 *pactum* it is distinctly possible that by that time he was having to work from a (perhaps purported) later copy.<sup>201</sup> The original of the 817 *pactum* had certainly disappeared by the time of the council of Lyon in 1245.<sup>202</sup> One need not accuse Deusdedit or one of the other canonists of fabrication to doubt the authenticity of the *Ludowicianum* text that appears in his collection, even if it is clear that in general the canonists were not entirely innocent in such matters.<sup>203</sup> Furthermore, although the imperial *pacta* were not universally adopted by the papal reformers in their attempts to bolster the papal position, to do so was always an option for which there were very good reasons;<sup>204</sup> and good reasons also, therefore, to prepare a text of the most favourable kind. This is a general point: it is impossible to point a finger any more precisely. It is equally impossible to pinpoint any particular moment before the later eleventh century when the text of Louis's agreement with Paschal – which must originally have existed in some form – might have been tampered with; it is simply necessary to point out that there were plenty of occasions when those in contact with the text would have had both motive and opportunity. Certainly, Gregory VII himself preferred to base his claims on such agreements, rather than the *Constitutum Constantini*.<sup>205</sup> Previous historians have been inclined to absolve the canonists of deliberate invention, partly, at least, on the basis of resemblances between their formulae and those of the independently transmitted *Ottonianum*. But some have been less willing to accept the alternative possibilities, that the canonists also had before them the example of the *Ottonianum*, and that (instead, or in addition) they derived their

<sup>200</sup> See n. 195 above.

<sup>201</sup> Hahn, 'Hludowicianum', p. 37. For the location of the papal archives, H. Bresslau, *Handbuch für Urkundenlehre für Deutschland und Italien*, vol. 1, 2nd edn (Leipzig, 1912), pp. 153–4.

<sup>202</sup> Sickel, *Das Privilegium Otto I. für die römische Kirche*, pp. 52–3.

<sup>203</sup> U.-R. Blumenthal, 'Fälschungen bei den Kanonisten der Kirchereform des 11. Jahrhunderts', *Fälschungen im Mittelalter*, MGH Schriften 33/11 (Hanover, 1988), pp. 241–62.

<sup>204</sup> Hahn, 'Hludowicianum', pp. 37–8.

<sup>205</sup> H. E. J. Cowdrey, *Pope Gregory VII, 1073–1085* (Oxford, 1998), pp. 314–15.

information from now lost intermediate texts, which cannot be guaranteed to have reproduced the 817 *pactum* accurately.<sup>206</sup>

In diplomatic terms, the *Pactum Ludowicianum* text has been argued to be genuine because it presents a mixture of Frankish and papal formulae, as might be expected if it was cobbled together from documents preserved in the archives of king and pope. The document as reconstructed falls into two parts: a territorial inventory constituting a confirmation of imperial donations, and a grant of immunity. The first part was influenced in its diplomatic by the donation formulae of the Roman church, the charter practice of the Lombards, and that of the Franks.<sup>207</sup> Since the latter two share most of their features it is difficult in this section to identify anything that necessarily denotes Frankish influence.<sup>208</sup> In the second part, the *invocatio*, *intitulatio* and *corroboratio* all mirror Frankish diplomas, but since these were available in Italy they cannot be taken to indicate direct Frankish involvement in the document's redaction. Diplomatic is in general too easily shared or copied to be of any use in establishing the details of the document's production. The diplomatic of the document is therefore perfectly consistent with the suggestion that it was generated in Rome, some time after 817.

There are, then, a number of internal and contextual reasons for doubting our ability to recapture the details of the papal agreements with the Carolingians going back to 754. While the papal letters refer to agreements and promises which it seems logical to locate in one or more of Charlemagne's visits to Rome in 774 and 781 (787 is less certain), for their substance we have no guide beyond the assumption that they contributed to the text reconstructed as that of the agreements of 816 and 817: a text whose reliability is deeply problematic. But why question it in the first place? As Noble saw more than twenty years ago, by far the most important external reason to question the elaborate reconstruction of a series of territorial concessions by Charlemagne to the pope is the apparent contradiction between the concession of the Sabina – clearly stated in the reconstructed *Ludowicianum* text – and the privileges granted

<sup>206</sup> The basic difficulties are outlined, with full references, by Noble, *Republic of St Peter*, pp. 151–3, though the conclusion that he draws from them looks to me to be counter-intuitive.

<sup>207</sup> The references are at Hahn, 'Hludowicianum', p. 41, though she misapprehends P. Classen, 'Kaiserreskript und Königsurkunde: diplomatische Studien zum Problem der Kontinuität zwischen Altertum und Mittelalter', *Archiv für Diplomatik* 2 (1956), pp. 1–115, at pp. 73–4, as referring to Lombard royal diplomas of donation to the Roman church, of which there is no evidence whatever.

<sup>208</sup> Classen, 'Kaiserreskript und Königsurkunde', pp. 73–4, suggested that the phrase *spontanea voluntate* was borrowed from Frankish charters, but it appears in Lombard documents from Spoleto too: Zielinski, *Studien*, pp. 163–8.

## *Farfa, Italian politics and the Carolingians*

to Farfa by the same king in 775.<sup>209</sup> As I have already indicated, those privileges hold the key to understanding the politics of the region in this period.

### CAROLINGIAN PRIVILEGES FOR FARFA

The documents of royal privilege that Farfa received in 775 explicitly state that they had been sought deliberately by Abbot Probatas. While this language of petition is certainly a *topos* common to many such grants, we need not doubt that in this case it is nonetheless true: that is, that at some point early in 775 Probatas had decided that his abbey needed some kind of privilege from the new ruler of Italy (who by then was back in Francia after the campaign of 773–4) and that he himself, in all likelihood, had set out to Francia to obtain it.<sup>210</sup> At his villa at Quierzy in May 775 Charlemagne in fact issued two documents for Farfa. The first, on 24 May, exempted the abbey from episcopal jurisdiction; it also granted it freedom of abbatial election.<sup>211</sup> The second, on 29 May, was an immunity privilege.<sup>212</sup> In principle, these might be seen as extensions under the new regime of privileges from which the abbey had already benefited in the previous era. We have already seen that Ratchis, Aistulf and Desiderius all provided Farfa with what a later document would call their *tuitio* and *defensio*. It is ironic, and significant, that also among the precursors of the privileges of 775 were those issued for monasteries by the popes: John VII's privilege of 705 was precisely such a document. The papacy's protection, essentially spiritual and working in the context of the institutional church, was paralleled by kings who extended protection that, while altogether more secular, still had a spiritual dimension in its frequent provision of prayers for king and kingdom.<sup>213</sup> But while privileges

<sup>209</sup> Noble, *Republic of St Peter*, pp. 157–8.

<sup>210</sup> The naming of Probatas in these documents can be taken to show that in this case he had fulfilled this role in person, since other privileges for Farfa identify precisely the monk who acted as envoy and petitioner: e.g. *CDL IV/1* 18 ('Barosus monachus, missus Halani abbatis'), 23 ('ad postulationem tuam, Anastasi religiose monache'), 24 ('postulavit nobis . . . per Aimonem, monachum vestrum'; see also 25).

<sup>211</sup> *RF II* 128 (= *MGH Dipl. Kar. 1*, no. 98): 'ut nullus episcoporum pro electione abbatis dationem accipere debeat et potestatem non habeat de ipso monasterio auferre cruces, calices, patenas, codices vel reliquas quaslibet res de ministerio ecclesiae nec ipsum monasterium sub tributo ponere principum potestatem minime haberet nec denuo tributum aut censum in supradicto monasterio eorum exigere debeat'.

<sup>212</sup> *RF II* 127 (= *MGH Dipl. Kar. 1*, no. 99).

<sup>213</sup> Rosenwein, *Negotiating Space*, pp. 106–12. *RF II* 128 (= *MGH Dipl. Kar. 1*, no. 98) includes a specific requirement that the monks 'pro nobis vel stabilitate regni nostri domini misericordiam attentius deprecare' ('attentively beseech the mercy of the lord for us and for the stability of our kingdom').

of that sort were not unknown in Italy, those issued to Farfa in 775 were something new in that context, because they represent a stage in a development that we can see unfolding above all in Francia.<sup>214</sup> Barbara Rosenwein has shown that immunities were voluntary declarations of restraint by the ruler which by the Carolingian period had the effect of binding the beneficiary to him; in granting them, the ruler was both exhibiting his self-control, and demonstrating the privileged position of the recipient. But Farfa's exemption and immunity were issued at a particularly fertile time in the development of such privileges, as immunity from royal agents, exemption from episcopal intervention and protection by the king came to be combined in the same acts: 'in this context *immunitas* does not mean that public power is restrained; combined with protection – *defensio*, *tuitio* – it means that this power has been extended in order to guarantee special privileges and unusual property arrangements'.<sup>215</sup> Rosenwein shows how the pivotal documents were issued in favour of St Denis and its dependencies, on the initiative of its abbot, Fulrad; the most crucial came in 777, just two years after Farfa's privileges.<sup>216</sup> Given this chronology it is no surprise that these latter did not include the full panoply of rights granted in the 777 document: that is, the combination of exemption from episcopal intervention and immunity from secular jurisdiction (which Farfa did obtain), with royal protection. But all three were, however, envisaged retrospectively to have been granted by Charles when the privileges came to be renewed by Louis the Pious and Lothar.<sup>217</sup>

<sup>214</sup> Rosenwein, *Negotiating Space*, esp. pp. 74–114.    <sup>215</sup> *Ibid.*, pp. 115–34, quotation at p. 131.

<sup>216</sup> MGH Dipl. Kar. 1, no. 118 (= *ChLA* XIX, no. 679); summary translation in Rosenwein, *Negotiating Space*, pp. 115–16.

<sup>217</sup> It is worth quoting two such documents at length. Louis the Pious issued a general confirmation of his father's privileges for Farfa in 815; *RF* II 216: 'Benedictus abbas . . . detulit optutibus nostris auctoritatem (im)munitatis domni et genitoris nostri Karoli bonae memoriae serenissimi imperatoris, in qua erat insertum qualiter idem monasterium ob amorem dei tranquillitatemque fratrum ibidem consistentium, sub plenissima tuitione et (im)munitatis defensione habuisset. Pro firmitatis namque studio petiit ut idem monasterium cum congregatione ibi degentium, sicut caetera monasteria in regno, christo propitio, nostro sub nostra tuitione consistunt, ita et illud cum monasteriis virorum et puellarum vel senodochiis sub defensione nostra reciperemus, et paternae auctoritati firmitatis gratia, ac nostram superadderemus auctoritatem.' (Abbot Benedict . . . brought to our notice the privilege of immunity of our lord and father of good memory the most serene emperor Charles, in which was included how, for the love of God and the tranquillity of the brothers living there, he had the same monastery under the fullest protection and defence of immunity. Moreover, he sought for the sake of certainty that the same monastery with the congregation living there, just like the remaining monasteries exist with the favour of Christ in our kingdom under our protection, so we also might receive that one with the monasteries of men and girls and the hostels under our defence, and for the grace of certainty to the paternal privilege we add our own authority.) Lothar and Louis combined to renew a whole series of privileges in 824, *RF* II 272: 'Unde placuit nobis genitori atque genito utriusque

This evidence indicates that the 775 privileges were issued at a time when members of the Carolingian administration were well aware of the shifting implications of such documents, and were keen to use them as ways of extending their own power, especially across the old jurisdictional limits (particularly the boundaries of dioceses). In some cases in Francia, this could be achieved by involving an extra-diocesan player like the pope.<sup>218</sup> At Farfa, on the other hand, where the bishop of Rome was scarcely 'extra-diocesan', privileges came ever more clearly to identify him as a subject of immunity and/or exemption. In its standard exemption clause, Charlemagne's 775 diploma refers to a list of officials, ecclesiastical and secular: 'ut nullus episcopus, abbas, dux, castaldius vel quislibet de fidelibus nostris seu iuniores aut successores vestri ...' The phrase is repeated, with the perhaps significant addition of the *actionarius*, in Louis the Pious's confirmation privilege of 820.<sup>219</sup> But by the time Lothar was in Rome in 824, and a joint privilege was issued in his and his father's names, the list had come specifically to include 'pontiffs': 'ut nulli unquam pontificum, aepiscoporum, ducum vel cuicumque principum'.<sup>220</sup> A more precise phrase still is employed twice in Lothar's 840 privilege: 'ut nullus pontifex, aepiscopus aut abba, dux vel castaldius, actionarius seu quislibet reipublicae procurator, sive de iunioribus aut successoribus eorum ...' (that no pontiff, bishop or abbot, duke or gastald, *actionarius* or whatever official of the *respublica*, nor of their juniors or successors ...).<sup>221</sup> These exemptions therefore became ever more pointed in their target. As the first half of the ninth century progressed, the source of interference in Farfa and its estates was increasingly identified with the papacy.

praedictis principibus, concordia atque communi voluntate, ut iam dictus almus locus sub nostra successorumque nostrorum defensione atque immunitate perpetuis perseveret temporibus ...' (Whence it pleases us, our father, ancestor and other aforesaid princes, with united and common will, that the aforesaid bounteous place may remain for all time under our and our successors' protection and immunity ...) Note also that this document repeats the privileges of Charlemagne and Louis: 'sicut caetera monasteria quae in regno ac finibus francorum consistunt' (just like the remaining monasteries which exist within the kingdom and borders of the Franks), a strong indication that the phrase indicates that the comparison being made is between monasteries in the Frankish kingdom and those in Italy. This diploma is dated by its editors Giorgi and Balzani to '829?-830?': see their n. 4. But Marazzi, *I patrimonium Sanctae Romanae Ecclesiae nel Lazio*, p. 167, n. 152, and 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', p. 80, n. 35, argues convincingly that it must be dated to 824, when Lothar was certainly in Rome.

<sup>218</sup> Rosenwein, *Negotiating Space*, pp. 132-4.

<sup>219</sup> *RF* II 242: 'ut nullus aepiscopus aut abbas, dux vel castaldius, vel actionarius, vel quislibet de fidelibus nostris, sive de iunioribus aut successoribus eorum ...'

<sup>220</sup> *RF* II 272.

<sup>221</sup> *RF* II 282bis. Earlier the document had required 'ut nullus pontifex, dux, princeps, aut quislibet superioris vel inferioris ordinis reipublicae procurator, idem monasterium sub tributo aut censu constitueret'.

## *Power and Patronage in Early Medieval Italy*

By that time Farfa was also benefiting from the general trend in Frankish royal grants towards combining immunity with royal protection. In Francia, such acts are usually seen as turning religious houses with varied, often amorphously defined, controlling interests into royal monasteries.<sup>222</sup> It is important to note though, as Matthew Innes has illuminatingly observed for Lorsch, that even abbeys in or close to the heartlands of the Carolingians' own estates continued to attract patronage from local elites after they had passed effectively into royal hands.<sup>223</sup> Carolingian protection did not eradicate a monastery's other social links, or diminish their usefulness. But it did tie directly to the king large blocs of monastic land, often in marginal or frontier areas: potential bulwarks, at least, of Carolingian power.<sup>224</sup> If Farfa assumed a role of this sort in central Italy, was this as deliberately created by Charlemagne as those in Francia seem to have been? The timing of the privileges may be important here: they were among the earliest recorded acts he made in Italy, occurring well before any kind of settled administration can have been established and at a time when Frankish rule may have been much more questionable than our hindsight of its subsequent durability makes it look. Rotcausus's rebellion did not break out until some months later. Charlemagne granted Farfa privileges at a time when the conceptual, let alone the physical, boundaries of Carolingian political power in Italy were still uncertain. They may therefore have been made with this general context in mind – generated by a desire to create nodes of power against all possible threats – rather than a gambit in the negotiating of relations specifically with the papacy that had begun in Rome the previous year.<sup>225</sup>

One subsequent event that may give some indication of the thinking behind Farfa's privileges is the inquest conducted by Itherius and Magenarius in the Sabina in 781. This may be connected to one observed advantage of grants of royal *defensio* over land: that they enabled the fortunate landowner to enjoy the prerogative of using a sworn inquest

<sup>222</sup> The use of privileges of exemption, immunity and/or protection to create a network of royal monasteries was perhaps less systematic than stated by Mayke de Jong in 'Carolingian monasticism: the power of prayer', pp. 623–7, although most such privileges certainly tended in that direction.

<sup>223</sup> Innes, *State and Society*, pp. 187–8.

<sup>224</sup> In general, see de Jong, 'Carolingian monasticism: the power of prayer', citing the groundwork of Josef Semmler, especially 'Episcopi potestas und karolingische Klosterpolitik', in A. Borst ed., *Mönchtum, Episkopat und Adel zur Gründungszeit des Klosters Reichenau*, Vorträge und Forschungen 20 (Sigmaringen, 1974), pp. 305–95.

<sup>225</sup> Contra Noble, *Republic of St Peter*, pp. 156–9, who promotes the relationship with the papacy in the Frankish mindset.

to establish his rights.<sup>226</sup> Now, as we have noted, Farfa's privileges did not, as at 781, include royal protection per se; moreover, Itherius's and Magenarius's inquest is generally considered to have been aimed at defining papal rights, not those of the abbey. In defining one, however, they must have had to define the other, so describing their remit depends on the point of view. Mention of the inquest comes only in papal sources: in Hadrian's letters to Charlemagne, and in the *Ludowicianum* text upon whose reliability we have already cast doubt.<sup>227</sup> In one letter dated May–September 781 Hadrian leaves no doubt that what these envoys of Charlemagne, along with his own *missi*, had just conducted was a sworn inquest, and that it was part of the process of handing over to the pope what he there calls 'patrimonium nostrum Savinense'.<sup>228</sup> One interpretation of this takes it quite far from the standard image of the Frankish inquest into land ownership, because Hadrian's subsequent letters on the subject – complaining that the findings of the inquest had not been enacted – have been read as redefining the rights involved as territorial rather than proprietary. But a better reading of the letters might be that they were attempts by the pope to kick dust up around the whole subject of the papacy's rights: to create an ambiguity around them sufficient to leave room for further claims, to rights of various kinds (not necessarily, then, just to property, but to rights of revenue or jurisdiction: in exactly the way that subsequently transpired, in fact).<sup>229</sup> Despite their 'spin', the language even of the papal letters suggests that in truth what Itherius and

<sup>226</sup> P. Fouracre, 'Eternal light and earthly needs: practical aspects of the development of Frankish immunities', in W. Davies and P. Fouracre eds., *Property and Power in the Early Middle Ages* (Cambridge, 1995), pp. 53–81, at p. 73, citing W. Goffart, *The Le Mans Forgeries. A Chapter from the History of Church Property in the Ninth Century* (Cambridge, MA, 1966), p. 16.

<sup>227</sup> The precious and remarkable surviving letter to Charlemagne from Magenarius in Italy, on papyrus, dates from his subsequent mission of 787–8, and concerns relations with Benevento: *ChLA* 629.

<sup>228</sup> *CC* 69: 'Dumque vero nostri vestrique illuc pergerent missi, inventi sunt ibidem fidelissimi atque seniores testes annorum plus minus centum, qui testificantes super altare intus ecclesiam sanctae Dei genetricis Mariae, in loco quidem Forobono, coram sancta Christi evangelia in praesentia fidelissimis ac nobilissimis vestris missis, scilicet Itherium et Magnarium – tantummodo vestri missi, absque praesentia nostris missis – affirmantes dixerunt, quod et ipsi vestri missi vobis subpliciter, sicut testes illi iurati patefecerunt, referre possunt, quomodo antiquitus ipse beatus Petrus sanctaque nostra Romana ecclesia eundem detinuit patrimonium.' 'Forobono' must be Forum Novum (modern Vescovio).

<sup>229</sup> A coherent reading of the letters that identifies a slippage in them from a language of *patrimonium* (understood as 'property') to one of *territorium* (understood as public power) is given by Noble, *Republic of St Peter*, pp. 155–6. His argument rests, however, on interpreting crucial passages in *CC* 70, 71 and 72 in a particular way. Thus, for example, in *CC* 70 Hadrian stated his expectation that Charlemagne would act 'sicut vobis poscentes direximus, de Savinense territorio: ut ea, quae [pro] mercede animae vestrae . . . beato Petro apostolorum principe in integro concessistis': the question is to what 'ea' refers, and the likelihood that it means 'those things', meaning estates (thus we might translate the phrase 'just as we directed to you in request concerning the *territorium*

Magenarius had conducted was an inquest of a type very familiar to them, into property rights. If so, then it may have been connected directly to the main institution on the other, Sabine, side of the argument from the papacy, Farfa. Both immunity and inquest, then, could be seen as different aspects of the same Frankish attitude to the Sabina and its institutions, one which viewed the obvious tensions in the region primarily as connected to disputes over property rights.

Such a view is strongly reinforced by what happened to Farfa's property profile immediately following the immunity grant. Probatius's return from over the Alps, probably in some triumph, was followed just six months later in January 776 by two substantial grants by Duke Hildebrand, which then initiated a flood of donations.<sup>230</sup> As we have already seen, the years 776–8 were the most fruitful in the whole early medieval history of the abbey, and chief among its benefactors was Duke Hildebrand. One of the effects of Charlemagne's privileges for the abbey was to free the duke from the suggestion of papal control that we saw in the *datatio* of Liuspert's 775 charter.<sup>231</sup> The change between December 775 and January 776 to dating Spoletan charters by Charlemagne's kingship indicates Hildebrand's readiness to exchange the suggestion of lordship by a power situated close by – and who had strong pretensions to property, if not territory, in the duchy – for one who was only an infrequent visitor to the region but who potentially wielded overweening military power. Moreover, Hildebrand could shore up his duchy physically from any threat of encroachment from Rome by supporting the

*Savinense*: that those estates, which you have conceded in full to the blessed prince of the apostles Peter for the reward of your soul'). Equally, when Hadrian complained in *CC* 72 that 'malign and perverse men' were preventing Magenarius from transferring what Charlemagne had granted to St Peter, he specified it as 'totam enim iustitiam, quam beatus Petrus apostolus, protector vester, ex ipso territorio habet, presentaliter iam fatus Maginarius missus vester vidit tam per donationes imperiales quam per ipsorum protervorum regum Langobardorum, ipsum territorium cum masis sibi pertinentibus enucleatus designantes' (all the *iustitia*, indeed, which the blessed apostle Peter, your protector, has in that *territorium*, your aforesaid envoy Magenarius is presently seeing, designating plainly through both imperial donations and those of the impudent kings of the Lombards that *territorium* with estates and appurtenances). The term *territorium* here looks like an administrative collection of estates, as the pertinence clause tone of 'cum masis sibi pertinentibus' suggests. The following sentences do not show that while Desiderius had only returned certain estates, Charlemagne had handed over a whole territory; they simply say that the Frank should arrange for the concession of more than did the Lombard: 'Si vero perfidus Desiderius dudum rex non sub integritate, sed tantummodo masas nobis, quantum reperiri potuit, quas ex antiquitus sancta Romana ecclesia tenuit, ut nullus ex illis partibus langobardorum ausus est resistere: quanto magis, vestrae a Deo protectae regali potentiae in omnibus oboedientes existentes, iussa vestra adimplere debuerant.' (If indeed the treacherous Desiderius, formerly king, not in full but to some extent could return to us the estates that the holy Roman Church held of old, so that no one from those Lombard regions dared to oppose it, how much more ought those being obedient in all things to your royal power, protected by God, fulfil your commands?)

<sup>230</sup> *CDL* IV/1 24 and 25; for the ensuing patronage, see above, pp. 303–6.

<sup>231</sup> See above, pp. 279–80 and nn. 23–5.

bulwark with which Charlemagne had provided him in the Sabina: the abbey of Farfa and its mushrooming landholdings, now all safe under the umbrella of Frankish immunity. Thus, what was important in the diplomatic of Spoletan charters of this period was not the appearance of the pope as overlord in several of them, but the switch from papal to Carolingian overlordship only seven months after the issuing of Farfa's privileges.

Farfa's Carolingian privileges may have been crucial in upholding the status of the private landowners of the Sabina. The Hilderici provide the most immediate example of this. As we saw in chapter 6, gastald Hilderic himself made a substantial donation to Farfa in 786, including lands at 'Pontianus' that were to pass to the abbey 'if the lord gives the Sabina back to us' ('si domnus nobis Sabinis reddiderit').<sup>232</sup> This had not occurred by 829, when in a court hearing in Rome it was listed among the properties of Farfa which 'the lord popes Hadrian and Leo had invaded by force', and had not returned to the abbey.<sup>233</sup> The danger was clear. But it may be significant that 'Pontianus' lay just to the south of Farfa, towards Rome, and therefore in the direction whence trouble for Farfa and its patrons came.<sup>234</sup> The fate of Hilderic's other lands reveals how the family sought to ensure that they escaped the fate of their 'Pontianus' estate. They were donated to Farfa in 791 in an act that is almost unique in forming the subject of a specific confirmation charter issued by Charlemagne himself.<sup>235</sup> In the following year they were then leased back by Hilderic's family in the first lease in the *Liber Largitorius*.<sup>236</sup> The purpose of this must surely have been to ensure that the protection of Charlemagne's exemption and immunity for Farfa extended to the Hilderici and their estates. There can be few better examples, in fact, of how by the Carolingian age grants of immunity simultaneously extended royal power, bolstered the positions of monasteries and bound local families to the king.

In journeying to Francia in the spring of 775, Abbot Probatas can therefore be seen as standing for all those interests who had patronized his monastery in the recent past, or were to do so in the immediate future: the major Reatine landowning families and the duke of Spoleto. Whatever differences had existed between these before the Frankish conquest, the efforts that all made to sponsor Farfa in the years after 774 very strongly suggest a common interest in that monastery's success. In the first

<sup>232</sup> *CDL* v 100: see above, pp. 238–40. <sup>233</sup> *RF* II 270 = Manaresi, no. 38.

<sup>234</sup> Migliario, *Strutture*, p. 93 locates it on the left bank of the Tiber between Castellaccio and Ponticchio. Saracco Previdi succeeded only in distinguishing it from the gastaldate of 'Pantanum' to the east of Spoleto: 'Lo *sculdahis*', p. 674.

<sup>235</sup> *RF* v 1227; *RF* II 162 = MGH Dipl. Kar. I 171. <sup>236</sup> *LL* I.

three-quarters of the eighth century, the Sabine landowning families had endowed Farfa and provided many of its monks, while successive dukes of Spoleto had granted the monastery extensive lands both to create a well-organized bulwark of estates on their southern frontier, and to co-opt the local aristocracy into their rule without preferring any single family or interest group. This is an important instance, then, of the way in which individuals and institutions interacted in this period. Being composed of individuals, very rarely did an institution like a monastery achieve a life and power of its own. It was a vehicle for the interests of individuals where they converged, and a point of balance in power relationships between individuals, families and other institutions (in this case, the dukes). Crucially, in Farfa's case as in others,<sup>237</sup> the very strength of the institution was based on some fundamental interests that all those who contributed to it held in common; and in this case the most basic of those interests was a common identification in contrast to a different group. Our sources suggest that, among Farfa's patrons, 'Lombard', 'Spoleto', 'Sabine', 'Reatine', stood in contrast to 'Roman'. A number of pieces of evidence indicate that the Sabina had, apparently for generations, been the focus of claims of landed aspirations by another elite – based in Rome – which must have been a paramount concern for their Sabine counterparts. This Roman elite was itself focused around an institution: the city's bishop. Expansionist ambitions were one among a number of different forces that drove power politics in the city, but it must have come to the fore when another balancing force – Lombard military power, which had intervened in Rome's affairs on several occasions in the eighth century<sup>238</sup> – was massively diminished after its defeat by the Franks. It became imperative for the Sabine landowners – as, indeed, for the duke of Spoleto – to recalibrate the balance through a new alliance with the new military power in the north. Seeking formal documents of exemption and immunity was one response to the challenge emanating from Rome on a formal, institutional level, in the form of the pope's claims of proprietorship, or of wider jurisdiction. But this was also a necessary step in forging a relationship with Carolingian power that might offer protection on a less formal but more practical level, against physical encroachments by individuals or groups from Rome.

<sup>237</sup> Compare, for example, the position of Lorsch in its eighth-century phase, as analysed by M. Innes, *State and Society*, pp. 101–5, and Innes, 'Kings, monks and patrons: political identities and the abbey of Lorsch', in R. Le Jan ed., *La royauté et les élites dans l'Europe carolingienne (du début du IXe aux environs de 920)*, Centre de l'Europe du Nord-Ouest 17 (Lille, 1998), pp. 301–24, esp. pp. 308–9.

<sup>238</sup> E.g. Transamund II in 719, and Theodicius in 767: see above, pp. 65–7.

## *Farfa, Italian politics and the Carolingians*

On this basis, we can suggest an alternative to viewing the politics of central Italy in these decades as a confrontation between institutions – the papacy against Farfa; and that is to see it as a clash between regionally focused elites. Consideration of the example of southern Tuscany shows that while this was not simply a case of ‘Rome vs. the Sabina’, and that other regional elites also crossed swords, even in those conflicts it was very often the elite based in Rome that stood as one of the disputing parties. The experience of southern Tuscany in this respect in fact looks broadly comparable with that of the Sabina. Farfa had begun acquiring estates in Lombard southern Tuscany in the 760s.<sup>239</sup> Acquisitions in the region continued through most of the ninth century, and must have included the small monastery of S. Maria del Mignone, first mentioned in Louis II’s confirmation diploma of 857 × 859.<sup>240</sup> Lombard influence in the region was mingled, however, with two other forces. We know from other sources that bands of Saracen raiders were active in the area in precisely this period: they caused the abandonment, for instance, of Centumcellae, on the southern side of the valley of the Mignone. But that settlement’s fate reveals another influence: it was refounded in 854 by Pope Leo IV, who modestly named it Leopolis.<sup>241</sup> Roman aspirations from around this time may lie behind the appearance of the whole area, extending well to the north of the Mignone, in the reconstructed text of the 817 *pactum*. In contrast to the Sabina, charters from southern Tuscany also include pontifical years in their *datationes*, alongside those of the Carolingian rulers.<sup>242</sup> Every other aspect of these documents, however, conforms to what we would expect from charters of the Italian kingdom, and *placita* from the region also very clearly followed Lombard, or post-Lombard, norms.<sup>243</sup> Thus while its elite may have conformed to an essentially Lombard pattern, Saracen activity may well have disrupted political development in the region, and Pope Leo’s considerable investment very close to the old ‘frontier’ does suggest Roman interest there. This came to the fore in the tenth century, with the beginning of the long-running dispute over property in southern Tuscany between Farfa and

<sup>239</sup> *CDL* II 196 and 198.

<sup>240</sup> *RF* III 300. It is there called a *cella*, and was certainly considered a monastic house, though we must allow for the haziness of the church/monastery distinction in this period. A full study of it is S. Del Lungo, ‘S. Maria del Mignone’, *Archivio della Società Romana di Storia Patria* 117 (1994) pp. 5–95; see also Del Lungo, *Presenze abbaziali nell’alto Lazio*, pp. 20–1 with n. 25, and 22–3.

<sup>241</sup> *LP* II, p. 31.

<sup>242</sup> The territories are given as no. 7 in Davis’s summary of the 817 *pactum* text: *Lives of the Eighth-Century Popes*, p. 232. For the appearance or not of pontifical years in *datationes*, compare e.g. *RF* II 214, written in the Sabina, with *RF* II 215, issued in Avenula.

<sup>243</sup> E.g. in the involvement of *scudalhes*: for analysis, see Bougard, *La justice dans le royaume d’Italie*, pp. 372–3.

the Roman monastery of SS Cosmas and Damian in Mica Aurea (also known as S. Cosimato, in Trastevere), whose first abbot had, ironically, come from Farfa's S. Maria del Mignone.<sup>244</sup> But the provisions of Pope Leo IV for the area signal that it was already present in the ninth century.<sup>245</sup> Moreover, the evidence from the later, tenth-century, disputes makes it reasonable to conclude that behind papal moves in the area were the interests of the lay aristocracy of Rome. It may then have been the threat from this set of aristocrats and aspirant landowners, different from themselves, that led local landowners in 'Lombard' southern Tuscany to transfer the ownership (though not always the tenure) of estates not only to Farfa, but, in the ninth century, to S. Salvatore on Monte Amiata, both of which possessed documents of immunity and property confirmation from successive Carolingians.<sup>246</sup> Handing over the ownership of estates to monasteries that enjoyed such protection was one way of bolstering security of tenure in the face of outside threats. The Sabine evidence allows us to suggest that we might view the mid-eighth- to mid-ninth-century period as one in which the Roman aristocracy developed and began to pursue aggressive aspirations to win for themselves new lands and, thereby, power; but those aspirations were often obscured in the historiography, as for southern Tuscany, by its concentration on the territorial ambitions of the papacy.

The elites competing for resources in these porous frontier zones were not hermetically sealed. We have already seen how the arrival of the *primicerius* Christopher in Spoleto in 768 galvanized men from the duchy to intervene in the politics of Rome.<sup>247</sup> The activities of the Lombard priest Waldipert within the city at the same time show similarly that elite groups within Rome were susceptible to non-Roman influences on their behaviour. We know in general, of course, that Rome was a melting pot of immigrants in these centuries, and it is a subject for future research how far those immigrants were incorporated into, or simply became, the city's elite.<sup>248</sup> The certain presence of Lombards there for some time makes

<sup>244</sup> On SS Cosmas and Damian, Ferrari, *Early Roman Monasteries*, pp. 103–5.

<sup>245</sup> P. Egidi, 'L'archivio della cattedrale di Viterbo', *Bullettino dell'Istituto Storico Italiano* 27 (1906), pp. 7–382, at pp. 35–7 (no. vii). Roman official titles seem also to have had some influence on the region: e.g. *CDA* 41 (*primicerius*).

<sup>246</sup> For Farfa's possessions in the area, see *CDL* II 196, 198 and 217, and *RF* II 92, 145, 146, 215, 218, 219, 221, 222, 253, 254, 259, 274 and 284. Monte Amiata's are too numerous to list. The possessions of both are analysed by Del Lungo, *Presenze abbaziali nell'alto Lazio*, pp. 25–108. Farfa's immunity and other privileges from the Carolingians we have already mentioned; those of Monte Amiata are *CDA* 69 (*a deperditum*), 77, 78 and 132.

<sup>247</sup> See above, pp. 271–2.

<sup>248</sup> Greek immigration into Rome is the best known, but has been studied almost exclusively in relation to clerics: see J.-M. Sansterre, *Les moines grecs et orientaux à Rome aux époques byzantine et*

rather less remarkable than it first appears the fact that Rome was the location where the new, post-Desiderius, Spoletan duke Hildebrand was acclaimed. An event like that indicates that not all politics even within the city revolved directly around the papacy. But the papacy stands in the foreground of our perception because we have to view all Roman developments through the prism of papal sources.

Signs of a rapid shift in the later eighth century in the aspirations of the papacy as an institution are not lacking, even with the caveats already given about the reliability of the principal papal–Carolingian agreements. Many of these concern a universalizing ideology with implications far beyond central Italy.<sup>249</sup> But they are also palpable in its more immediate environment, where a concerted strengthening in the period in both the papacy's conception of its rights and its efforts to vindicate them is most noticeable in relation to the Sabina. The language of Pope Hadrian's letters about the *patrimonium Savinense* that we have just examined reflects a wider point, noted by Federico Marazzi, that papal bureaucrats' adeptness with their own archives led them to exhume entirely secular public or fiscal rights from late antique records, and to try to bring them into play in the papacy's current claims.<sup>250</sup> Texts thus produced insisted on the bishop of Rome's patrimonial rights in such a way as to make ambiguous, perhaps deliberately, distinctions between rights over property and more extensive rights of lordship, which might be thought to extend beyond ownership to one or more of a portmanteau of powers – over the judicial process, over public exactions like tolls, over the coinage, over the exercise of violence, over public buildings. Within the city walls the take-over of some of these functions by the bishop, in the absence from the mid-eighth century of any senior Byzantine secular functionary, has looked quite evident; his adoption of others less so, however.<sup>251</sup> It is perhaps assuming rather too much to think that this situation was

*carolingienne (milieu du VIe s.–fin du IXe s.)*, vol. 1, (Brussels, 1983), pp. 8–31; Brown, *Gentlemen and Officers*, pp. 85–93. The *scholae* for foreign visitors are also a well-known phenomenon: see R. Schieffer, 'Charlemagne and Rome' in J. M. H. Smith ed., *Early Medieval Rome and the Christian West. Essays in Honour of Donald A. Bullough* (Leiden, 2000), pp. 279–96, at pp. 291–3. We know of one priest with a Lombard name active in Rome in the earlier years of the eighth century – Agimund, author of an eponymous homiliary: see Grégoire, *Homéliaires liturgiques médiévaux*, pp. 343–92.

<sup>249</sup> See C. Azzara, *L'ideologia del potere regio nel papato altomedievale (secoli VI–VIII)*, Testi, studi, strumenti 12 (Spoleto, 1997), but note the comments of Costambeys, 'Property, ideology and the territorial power of the papacy', pp. 379–82.

<sup>250</sup> This is the central argument of Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico'; see p. 72 with n. 14 for the slippage between a language of *patrimonium* and one of *territorium*.

<sup>251</sup> In general, see T. Noble, 'Topography, celebration, and power: the making of a papal Rome in the eighth and ninth centuries', in M. de Jong, F. Theuvs and C. van Rhijn eds., *Topographies of Power in the Early Middle Ages* (Leiden, 2001), pp. 45–91. On the coinage, see Rovelli, 'Monetary

automatically replicated in the countryside beyond Rome, despite the evidence for the papacy's capacity to own and manage estates there, and even to found new settlements.<sup>252</sup> It is a priori likely that the further from the city one was, the less intensively could any administration wield powers focused inside Rome. Claims to abstract rights of government would be hard to enforce.

Our evidence for encroachments into the Sabina from Rome in this period takes a number of forms. We have, first, the traces of straightforward property owning by the popes there in the years just before 774.<sup>253</sup> There is also a list of estates which formed part of an exchange between the abbey and Pope Hadrian, preserved in a bull of Pope Stephen IV of January 817 that was copied into the *Regestum Farfense*.<sup>254</sup> These may have provided the basis for what followed. By 786 we have a sign that some estates had already been taken from Sabina-based landowners: specifically, the admission by Hilderic that a donation of some of his estates depended on their recovery by 'the lord'.<sup>255</sup>

The impression of encroachments from outside the Sabina is confirmed most starkly, however, by Gregory of Catino's preservation of 'accounts taken from authentic documents . . . of the prejudice that *actores* of the holy Roman church inflicted on us in the Sabina'.<sup>256</sup> As we saw in chapter 3, this reproduces a contemporary source that recorded how *actores*, or *actionarii*, from Rome persuaded local estate managers

circulation in Byzantine and Carolingian Rome'; on public buildings see e.g. R. Coates-Stephens, 'The walls and aqueducts of Rome in the early middle ages, AD 500–1000', *Journal of Roman Studies* 88 (1998), pp. 166–78; on judicial powers, Toubert, *Les structures du Latium médiéval*, pp. 1194–202, while admitting the absence of 'une structure judiciaire typique et stable', still gives the controlling role to the Lateran on the basis of little more than one *placitum* (RF II 199), and a very 'constitutionalist' reading of the *Constitutio Romana* (though perhaps understandable, given its title). Presidency of a court by the pope tells us little about control of its proceedings, as RF II 270 (= Manaresi, no. 38) clearly demonstrates. Moreover, despite the provenance of our source material, we can still see lay dignitaries and officials taking the reins in some cases: e.g. Manaresi, no. 111, conducted by Louis III in Rome in 901.

<sup>252</sup> For the papal presence in the Roman Campagna, see F. Marazzi, 'Da suburbium a territorium: il rapporto tra Roma e il suo hinterland nell' passaggio dall' antichità al medioevo', *Roma nell' alto medioevo*, Settimane di studio del CISAM 48 (2001), pp. 713–52.

<sup>253</sup> See above, pp. 281–2. To this we can add, for example, the land 'de Fecline unde nos investivit Gregorius missus domni apostolici' mentioned in CF I, p. 293 as one of the estates taken by *actores* from Rome. The name Gregorius tantalizingly suggests identity with one of the progenitors of the Theophylact family that was later to be so powerful a landowner in the Sabina.

<sup>254</sup> RF II 224.

<sup>255</sup> CDL v 100: see above, p. 239. Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', p. 73 argues that the Hilderici lost these lands because of 'confisca di terre sabine da parte dei papi'.

<sup>256</sup> CF I, pp. 293–9 ('relationes ex authenticis assumptae de preiudicio quod fecerunt nobis actores sanctae Romanae ecclesiae in Sabinis'); the same list with minor variations, is in RF v, pp. 271–9: see further above, pp. 107–9.

(*conductores*) to detach lands from Farfa's control and pass them to Romans instead. These expropriations would have been a matter sometimes of redirecting renders, sometimes of excluding Farfa's agents, sometimes of redrawing physical boundaries and perhaps even of relocating peasants, and sometimes of violent robbery, as when the *conductor* Cuntifrid seized a horse belonging to Farfa's men.<sup>257</sup> These acts were performed, moreover, by the closest we have in this period to a 'middle class' (in the simple sense that they seem to sit schematically between the *coloni* and the *actores*). It is impossible to tell whether this text's *conductores* would (or do) appear elsewhere without such a designation, indistinguishable from other landowners.

While the text couches the whole process in terms of an institution, in that each expropriation is performed as part of an *actionaria*, the collection of which are identified as administrative divisions of the Roman church, there is good reason to think that this is actually an instance of an elite pursuing its agenda through institutional structures, rather than an official class doing the bidding of its master. For one thing, the ultimate beneficiary of all this more-or-less violent activity was not the papacy. By the last decades of the ninth century, our best evidence indicates that many of Farfa's Sabine estates were in the hands of aristocratic families, some based in the Sabina, others in Rome, not least the famously powerful Theophylacts.<sup>258</sup> Toubert saw some of them, at least, as 'assimilated "Franks" . . . or descendants of the old imperial vassals of the ninth century', and argued persuasively, against earlier views, that they did not acquire or hold their lands in the Sabina merely by dint of their statuses as public officials.<sup>259</sup> Certainly, there is anecdotal evidence for a sizeable influx of aristocrats into Italy in general.<sup>260</sup> More directly, the identity of some of the *actores* themselves indicates their membership of aristocratic families. The first mentioned is 'Cyrinus primicerius'. Commentators agree that he is identical with the *primicerius* Cyrinus or Quirinus who appears in Frankish sources as a legate from Rome to Louis the Pious in 823, 824 and 828, and at a court case concerning Farfa

<sup>257</sup> Above, p. 108.

<sup>258</sup> Although substantial evidence for Theophylact lands in the Sabina comes only later, there is mention of Theophylact himself owning lands that had once belonged to Farfa: see Toubert, *Les structures*, p. 973 with n. 2.

<sup>259</sup> Toubert, *Les structures du Latium Médiéval*, in general pp. 991–8, contra Vehse, 'Die päpstliche Herrschaft in der Sabina', pp. 129–36; quotation at p. 995: 'il s'agisse de "francs" assimilés . . . ou de descendants d'anciens vassaux impériaux du IXe siècle . . .'. This leaves open the possibility that these families had originally been beneficiaries of seizures of Farfa's land in the ninth century.

<sup>260</sup> Adrevald of Fleury, *Miracula S. Benedicti*, ch. 18, ed. O. Holder-Egger, MGH SS xv/1 (Hanover, 1887), p. 486: 'primatibus populi ducibusque contigit palacium vacuari, eo quod multos ex Francorum nobili genere filio contulerit, qui cum eo regnum noviter susceptum tuerentur et regerent'.

held at the Lateran in 829. In the latter three instances he is mentioned alongside the *nomenclator* Theophylact, ancestor of the afore-mentioned Theophylact family that had become pre-eminent in Rome by the first decades of the tenth century.<sup>261</sup> Moreover, Gregory of Catino included in the *Chronicon Farfense* a second list headed 'relationes de his quae domnus apostolicus nos investivit et actores eius nobis retulerunt' ('Reports concerning those things which the apostolic lord gave us and his *actores* took back').<sup>262</sup> This does not, as the title might be taken to imply, list estates that could be legitimately recovered by the papacy, but those taken by *actores* and *conductores* in contravention of legal acts by the popes (as is clear from the first mentioned: 'monte Mutella sicut primo temporibus domni Adriani tenuimus, et contradixerunt nobis post haec Guinelapus conductor, et Petrus et Iohannes conductores'). All the properties listed are found in the confirmations of Farfa's properties issued by Pope Stephen IV in 817 and by Lothar in 840.<sup>263</sup> The lists themselves probably date from 815 × 830, but refer to an earlier period – in Cyrinus's case before he became entrusted with embassies to Francia. It is quite possible, though, that they refer to events spread out over a long period. Hilderic's charter demonstrates that encroachments had already occurred by 786, and may well pre-date Itherius and Magenarius's inquest, datable to the time around Charlemagne's visit to Rome in 781. This in turn suggests that the inquest may itself have been prompted by the incursions of Romans into the Sabina. This can only be speculation, since we only have Hadrian's word for the situation surrounding the inquest. But if property rights were already being disordered by men from his own city, Hadrian himself was therefore not driving events, but responding to them. Whenever the seizures took place, they made any legal guarantees the popes had to offer look like so much waste paper, to borrow Federico Marazzi's apt metaphor.<sup>264</sup> What these seizures suggest, in fact, is not that

<sup>261</sup> 'Cyrinus primicerius' in the 829 court case: *RF* II 270 (= Manaresi, no. 38); 'Quirinus subdiaconus' in Astronomer, *Vita Hludowici*, c. 37, p. 420; 'Quirinum primicerium et Theophilactum nomenclatorem' in *ibid.*, c. 42, p. 444; 'Quirinum primicerium ac Theofilactum nomenclatorem' in *ARF*, s.a. 828. For the identities of these two, see L. Santifaller, 'Saggio di un elenco dei funzionari, impiegati e scrittori della Cancelleria Pontificia dall'inizio all'anno 1099', *Bullettino dell'Istituto Storico Italiano e Archivio Muratoriano* 56/1-2 (1940), pp. 1-865, part one, at p. 46; Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', p. 74; Toubert, *Les structures du Latium Médiéval*, pp. 985-7 (who is, however, more pessimistic about identifying this Theophylact with the eponymous family).

<sup>262</sup> *CF* I, p. 299. <sup>263</sup> *RF* II 224 and 282bis.

<sup>264</sup> Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', p. 76. Thus we need not go along with Marazzi's own suggestion (*ibid.*, p. 77) that, because encroachments into the Sabina from Rome were attended by violence, they must have involved the *superista* – the official at the head of the Roman militia. There were plenty of informal armed forces in Rome in this period, as its own internal politics amply demonstrates. For the enduring

the popes were consistently two-faced, but that the pressure for expansion into the Sabina was coming from the class of *actores/actionarii*. In such a scenario, initiative lay elsewhere than with the popes, who look to have been responding now to the actions of the Roman aristocracy, now to the desires of the Carolingian kings. This helps to explain the widespread perception among commentators of uncertainty in papal policy in this period.<sup>265</sup>

This rather confused situation – with the initiative shifting between different parties, and a strong role for aggressive landowning families as well as for institutions – provides the context for a series of documents which, taken in comparison, fully characterize the distribution of power in central Italy for most of the ninth century, and indicate the extent to which disputes over it could be resolved. The first of these represents the apogee of attempts by the papacy to encapsulate in a formal document the aspirations of the landowning aristocratic families with whose interests it was entangled throughout this period. A bull issued to Farfa by Stephen IV in January 817 should be seen as an attempt to rationalize, under papal leadership, the seizure of control of lands in the Sabina. It offered written confirmation of Farfa's possession of all its properties (*confirmatio omnium bonorum*). But it included a crucial passage which claimed that all the estates listed were parts of the popes' *patrimonium sabinense*, and belonged to the *ius* of the Holy Roman Church. For that reason, the abbey ought to pay a *pensio* of ten gold *solidi* to the Roman church.<sup>266</sup>

In order to understand it properly, several points need to be made about this document. First, it includes the statement that it was issued in response to the abbot of Farfa's petition. Secondly, it purports to be a reissue of an earlier enactment by Pope Hadrian. Thirdly, the estates it lists had mostly been given to Farfa by donors other than the popes – including a number whose acquisition we have covered in detail.<sup>267</sup> But it does,

tradition concerning seizures under Pope Leo, see L. M. Hartmann, 'Grundherrschaft und Bureaukratie im Kirchenstaate vom 8. bis zum 10. Jahrhundert', *Vierteljahrsschrift für Social- und Wirtschaftsgeschichte* 7 (1909), pp. 142–58.

<sup>265</sup> Noble, *Republic of St Peter*, pp. 138–48 characterizes the period 774–81 as 'a time of uncertainty'.

<sup>266</sup> *RF* II 224: 'Hos vaero omnes praefatos fundos vel uncias existentes ex corpore patrimonii nostri sabinensis, iuris sanctae romanae cui deo auctore deservimus aecclesiae habentes, ita sane ut a te tuisque successoribus, singulis quibusque indictionibus pensionis nomine rationibus aecclesiasticis decem auri solidi persolvantur, difficultate postposita. Omnemque qua indigent defensionem seu meliorem praedicta loca, indifferenter vos sine dubio procurantes efficiatur. Nullaque praeterea ad dandam annue pensionem a vobis mora proveniat, sed ultro actionariis sanctae nostrae aecclesiae apto tempore persolvatur.' The document must have been issued very shortly before Stephen's death on 24 January 817: he had been pope for only seven months.

<sup>267</sup> E.g. 'ex fundo germaniciano uncias novem ubi est ecclesia petri': see above, pp. 100–5; 'ex fundo classicellae uncias tres ubi est aecclesia sancti petri': above, p. 82; 'fundum mallianum, in quo est aecclesia sanctae eugeniae': pp. 173–8.

fourthly, include a series of properties given by Hadrian.<sup>268</sup> The notion that this was issued at the request of Farfa's abbot is perhaps formulaic: the topos of petition is common to most privileges of the *confirmatio bonorum* type (it is repeated in the similar Carolingian confirmations that we shall examine shortly), which in any case remain an under-studied form of document. It is, of course, also plausible that an abbot of Farfa might seek a privilege from a pope, without wanting or expecting *this* privilege. The statement that Stephen was repeating provisions of Hadrian is an important indication of the date and context of the measures: that is, that they may date from the same time as (at least the earliest of) the depredations recorded in the *Chronicon Farfense's relationes*. In short, the mention of Hadrian here indicates that he was the first pope of this period to attempt through a document to order formally and in a legalistic way what may well have been a very disordered situation; and this may be the case whether or not we believe that Hadrian's document contained precisely the same provisions as Stephen's. We need here to bring in a statement made in the court hearing of 829 into Farfa's sufferings at the hands of the popes, at which Farfa's advocate Audolf claimed that 'the Lord popes Hadrian and Leo invaded the properties of this monastery by force'.<sup>269</sup> The popes may therefore have been playing a two-handed game in the Sabina: abetting physical seizures of property, but also putting forward legalistic claims aimed at legitimating any power won there.

But what kind of legitimacy were the popes seeking? What rights were they attempting to vindicate? One clue to an answer must certainly lie in the bull's insistence that Farfa pay to the Roman church what it calls *pensio*. Federico Marazzi, while noting that the terms in which this payment was claimed are no different from those describing exactions taken from other properties of the Roman church in this period, has convincingly suggested that we should see it as an ambiguous use by the papacy of language that could be drawn from that of private property owning (in which case *pensio* equated with 'rent') or from that of public rights of exaction (in which the money was a form of public render – a tax or quasi-tax).<sup>270</sup> The hazy definition of these dues made it uncertain what rights the papacy was trying to legitimate – those of a proprietor or those

<sup>268</sup> See above, n. 32.

<sup>269</sup> RF II 270 (= Manaresi, no. 38): 'Domni Adrianus et Leo pontifices per fortia invasissent res ipsius monasterii . . .' On Audolf, see above, pp. 242–3.

<sup>270</sup> Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', pp. 85–90; Marazzi, *I patrimonia Sanctae Romanae Ecclesiae nel Lazio*, pp. 200–6 and 281–8.

of a ruler.<sup>271</sup> Moreover, this may not have been deliberate, since what papal clerks were wrestling with was an evolving notion of lordship, which was in many senses greater than the proprietorial form of power, yet not as extensive as full legitimated rulership; and in their case they were doing so under the influence of late antique models – still available in their archives as they may have been nowhere else in the West by this time – that used the vocabulary of *pensio*, *census* and *tributum* in the context of very different (and by then anachronistic) forms of public power. Whether deliberately or not, though, the papacy's capacity for using ambiguities in legal language to try to extend its rights was unique to it. It may itself constitute one reason why the position of pope and the whole apparatus he headed became *the* predominant object of competition for Rome's elite. It held out the prospect of enjoying a new kind of land ownership, one that blended proprietorship with 'public' rights in a way that presaged the kind of lordship that becomes much more evident across western Europe in the tenth century.

Reaction to Stephen IV's bull was swift. The very next document in the *Regestum Farfense* is a bull of Paschal I which repeats all the provisions of the preceding document bar one: the requirement for annual payment.<sup>272</sup> This flexible response shows what we can already see a hundred years earlier in the privilege of Pope John VII: that in issuing privileges – even confirmations of property – popes were not making unequivocal expressions of their jurisdiction over a particular area. They were asserting their right to bestow or confirm other rights, but without any necessary implications of territorial rulership. Thus when Louis the Pious, in confirming a whole raft of Farfa's privileges in 820, included those received from popes Hadrian, Stephen and Paschal, he was recognizing not papal jurisdiction over any particular geographical area, but simply the papacy's possession of sufficient authority to affirm rights of various, but unquestionably limited, kinds.<sup>273</sup> In Pope John VII's day these included the right to offer the special kind of protection that St Peter's successor had at his disposal, along with other essentially ecclesiastical benefits, together with

<sup>271</sup> For legitimation of the latter, see P. Fouracre, 'Conflict, power and political legitimation in Francia in the late seventh and eighth centuries', in I. Alfonso, H. Kennedy and J. Escalona eds., *Building Legitimacy. Political Discourses and Forms of Legitimacy in Medieval Societies*, The Medieval Mediterranean: Peoples, Economies and Cultures, 400–1500, 53 (Leiden, 2004), pp. 3–26.

<sup>272</sup> *RF* II 225. This copies verbatim some parts of the earlier bull, but does not repeat the detailed enumeration of estates. Paschal was elected apparently on 25 January 817 (the day after Stephen IV's death), and died on 16 February 824: see *Lives of the Ninth-Century Popes*, trans. Davis, p. 5.

<sup>273</sup> *RF* II 246: my interpretation differs from that of Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', pp. 80–1 with n. 35. It should also be noted that this diploma refers to 'res in territorio Sabinensi, sive in Romania', suggesting that the former was not considered part of the latter.

a strengthening of rights of ownership.<sup>274</sup> There is no reason to believe that this range of benefits had increased significantly by the ninth century. What effect Paschal's act had in the short term is questionable. Commenting on the situation in the *Chronicon Farfense*, Gregory of Catino reported that Farfa was beset 'both by thefts and by various other evil acts by the *actionarii* of the *res publica*, and many ills were inflicted on it by nefarious men', so that in the end Abbot Ingoald agreed to pay the demanded *pensio* to the papacy.<sup>275</sup> His hope that the popes would in return give the abbey its full rights (*plenariae iustitiae*) proved vain, however. This may have been because of papal recalcitrance; but it may also be that although, like many then and since, the abbot had to focus on the pope as the single identifiable authority in the city, the latter possessed in practice little power over the more aggressive elements in the *respublica* (a term which may simply mean any area formerly acknowledging Byzantine authority). Either way, Ingoald then appealed to Lothar, and this, according to Gregory, provoked the latter to issue a privilege in 824.<sup>276</sup> Settling affairs in and around Rome was evidently on his mind in any case, since this was also the occasion of the issuing of the *Constitutio Romana*, a document which marks a departure from the earlier papal-Carolingian 'agreements' by imposing close supervision of papal elections and government within Rome.<sup>277</sup> In Lothar's privilege for Farfa, Abbot Ingoald complained that the abbey had been 'constrained under tribute and payment by the Roman pontiffs' ('sub tributo ac pensione a Romanis pontificibus constrictum'), and many of its possessions 'violently taken away' ('violenter ablatas'); this suggests both that despite Paschal's privilege the requirement for *pensio* expressed in Stephen IV's bull may still have been in the air, and that depredations of property may have been continuing. It does not, interestingly, directly link the latter with the popes. Lothar's actions do seem to have had an effect, because by the time the abbot and his representatives came before a tribunal of royal *missi*, together with Pope Gregory IV, in a formally convened hearing in the Lateran in 829, their complaint was simply one of property loss, not of the imposition of payments.<sup>278</sup> The outcome of this case is also telling. Held at the Lateran in January 829, a tribunal of Carolingian *missi* and the pope saw Abbot Ingoald and his advocate, Audolf (of the Audolfi family examined above), present charters of

<sup>274</sup> On papal protection, see Rosenwein, *Negotiating Space*, pp. 106–9.

<sup>275</sup> *CF* I, pp. 195–6. <sup>276</sup> *RF* II 272; for the date, see above, n. 217.

<sup>277</sup> *Constitutio Romana*, ed. A. Boretius, *MGH Capit.* I, no. 161, pp. 322–4. For full analysis, Geiselhart, *Die Kapitulariensetzgebung Lothars I. in Italien*, pp. 91–114.

<sup>278</sup> *RF* II 270.

Duke Theodicius, and of Desiderius's queen, Ansa, who had exchanged some properties with the Pandone bishop of Rieti, Teuto, and then passed them on to her daughter Ansilberga, and confirmations of these transactions by Desiderius himself, and by Charlemagne. Witnesses swore that the properties had belonged to Farfa 'in the time of the Lombards, and afterwards in the time of the lord emperor Charles'. The judges found decisively in Farfa's favour, but (in a sign of the limitations on the effectiveness of such hearings familiar from our examination of them earlier) Pope Gregory refused point blank to accept the judgement ('quod facere noluit' is the scribe's laconic report), and said that he would appeal directly to the emperor.<sup>279</sup> We do not know if he did, nor what Louis's response might have been – but the hearing took place in January 829, only shortly before the emperor was to be distracted by his reordering of provision for his sons that would contribute to rebellion the following year, and proved a running sore thereafter.<sup>280</sup> Possibly connected with reconciliation after this dispute is the translation from Rome of the relics of St Alexander, son of St Felicitas, to a new altar at Farfa that the pope himself travelled to the Sabina to dedicate.<sup>281</sup>

The 829 court case is one of several documents which signal that, after half a century of indecision, the Carolingian rulers of Italy had arrived at a firm stance towards the papacy. It is evident also in Farfa's privilege of 824, in the *Constitutio Romana* of the same year, and especially in the privilege issued for the abbey by Lothar in 840.<sup>282</sup> This brings us full circle to the document with which we opened our investigation, and to Lothar, who seems to have been decidedly less friendly towards the papacy as an institution than his father: for example, according to Agnellus, Archbishop George of Ravenna thought that Lothar might help him

<sup>279</sup> It may be significant that a confirmation by Charlemagne was not thought sufficient proof in itself, and had to be backed up by witness testimony; the weakness of Carolingian privileges as proofs in another context is discussed by J. A. Bowman, *Shifting Landmarks. Property, Proof and Dispute in Catalonia around the Year 1000* (Ithaca and London, 2004), pp. 142–3. We should note, nevertheless, that Farfa could never have brought the case at all without such documents, and that in 829 they had an immediacy, as an indication of royal policy, that they lacked when brought into play in court cases a hundred years and more later, as in tenth-century Catalonia.

<sup>280</sup> See M. Costambeys, M. Innes and S. Maclean, *The Carolingian World, 687–888* (Cambridge, forthcoming), chapters 4 and 8; also R. Collins, 'Pippin I and the kingdom of Aquitaine', in P. Godman and R. Collins eds., *Charlemagne's Heir. New Perspectives on the Reign of Louis the Pious (814–840)* (Oxford, 1990), pp. 363–89, at pp. 377–84, and M. de Jong, 'Sacrum palatium et ecclesia. L'autorité religieuse royale sous les Carolingiens (790–840)', *Annales. Histoire, Sciences Sociales* 58/6 (2003), pp. 1243–69. I agree with R. Davis, *Lives of the Ninth-Century Popes (Liber Pontificalis)* (Liverpool, 1996), p. 45, that 'if Gregory appealed to the emperors he was unsuccessful'.

<sup>281</sup> McClendon, *Imperial Abbey of Farfa*, p. 7. <sup>282</sup> RF II 282bis (= D Loth I 51).

'escape from under the power of the Roman bishops'.<sup>283</sup> Both Lothar's 840 diploma for Farfa and that of Louis II in 857 × 859 expressly forbade the imposition of *tributum* or *census* by anyone, including the popes.<sup>284</sup> This put an end too, at least for several generations, to half a century of papal claims regarding its *patrimonia*. Because the possession of *patrimonia*, if understood as property, involved the right to claim dues from the peasantry living there, and because the status of those dues could be cast vaguely as something more than simply rent, the claims to *patrimonia* had been 'the skeleton key with which to unlock the passage to global claims on territories'.<sup>285</sup> As Federico Marazzi notes, the only documents in which such claims transmute into transfers and confirmations of cities and their attendant territories are those of the agreements forged between emperors and popes in this period (he refers specifically to the *Ludowicianum*); and, as we have seen, these may in fact have been 'forged' in a different sense.

Far more reliable, it seems, is the text of the *Constitutio Romana*. Pierre Toubert argued that the *Constitutio* requires 'démythification' – that in fact it had no practical impact, because we find 'no trace in texts later than 824 of any activity by the *missi* whose creation is provided for in the *Constitutio*'. It was, he says, a dead letter.<sup>286</sup> Faith in his argument might be undermined simply by its very dismissive tone, but it can be definitively countered because Toubert was looking, wrongly, for signs of the implementation of the letter of the *Constitutio* – which envisaged permanent imperial envoys in Rome – rather than its spirit – which is that papal officials worked under imperial supervision (whether permanent or intermittent). He is far too quick to dismiss the perfectly good evidence of the 829 court case simply because the *missi* involved seem to have been itinerant rather than permanent,<sup>287</sup> and of the *Libellus de imperatoria*

<sup>283</sup> Agnellus of Ravenna, *Liber Pontificalis ecclesiae Ravennatis*, c. 173, ed. O. Holder-Egger, MGH SRL, pp. 265–391; trans. D. M. Deliyannis, *Agnellus of Ravenna, The Book of Pontiffs of the Church of Ravenna* (Washington, D.C., 2004), p. 300.

<sup>284</sup> The latter is *RF* II 300 (= *DL* II 27). Both include the phrase 'ut nullus pontifex, dux, princeps aut quislibet superioris vel inferioris ordinis rei publicae procurator idem monasterium sub tributo aut censu constitueret'; *RF* II 282bis adds 'sed ita immune et liberum esset, sicuti cetera monasteria infra regna Francorum constituta sunt, id est Luxouiensium, Lirinensium et Agaunensium'. *RF* III 300 has instead 'sed omni quietudine sua defensione atque imperiali tuitione fultum consisteret'.

<sup>285</sup> Marazzi, 'Un laboratorio della dialettica tra diritto privato e controllo territoriale pubblico', p. 89.

<sup>286</sup> Toubert, *Les structures du Latium Médiéval*, p. 1197.

<sup>287</sup> The two presiding judges on this occasion were that archetypal Frankish 'Italian expert' Leo, and a Bishop Joseph. The latter Toubert identifies with a homonymous bishop of Ivrea, but it is also possible that he was the Irishman Joseph 'Scottus', who had been a *missus* for Charlemagne in Rome, Spoleto and Benevento in 787/8. Joseph 'Scottus' accompanied Magenarius to Italy, probably late in 787: *CC*, nos. 82–3, and Appendix, nos. 1 and 2. If he studied under Alcuin in the 770s, as stated by M. Garrison, 'Joseph Scottus', *Oxford DNB*, *s.n.*, then he may conceivably have been born as late as around 760, meaning he was aged about seventy by the time of this court case.

## *Farfa, Italian politics and the Carolingians*

*potestate* because it was written thirty years after the event: not a bad reason for caution, perhaps, but one which, if universally applied, would lead us to exclude a high proportion of all our evidence for the period.<sup>288</sup>

The sources that he is keen to reject in fact demonstrate a fundamental point about the papacy in the mid-ninth century: its susceptibility to the threat or actuality of the overwhelming armed force from the north that could be brought into central Italian affairs.

Lothar's comprehensive privilege of 840 must therefore be seen as one stage in a process that had begun in 775. This shows that rights covered by privileges were themselves subjects of on-going negotiations: the act of granting any combination of exemption, immunity and protection guaranteed that such gestures would be revisited, either later in the same ruler's reign, or under his successors. These instruments were often ways not of imposing a finished policy, but of testing rights and the extent of royal power.<sup>289</sup> They operated best when aimed at institutions that were themselves capable of entering into such relationships across a longer term than families or individuals. Through this process 824, 829 and 840 saw attempts in which Lothar and Farfa combined to limit the ambitions in the Sabina of the Roman elite and the papacy.

The latter's assault had made the Sabine elite heavily dependent on Farfa. This combined with the gradually changing logic of their relationship in the ninth century, as a kind of 'event horizon' of donations was reached: the local aristocracy now having been bound tightly to the abbey (and the abbey to the aristocracy), property began to act in a different way as the medium of that relationship. It was increasingly the subject of transactions aimed at managing the relationship that was now established, through leases, purchases and sales by the abbey. Nonetheless, the relationship that the royal privileges established in a different direction, between the abbey and the Carolingian kings or emperors in Pavia, meant that the local elite's fortunes were also now closely dependent on those rulers.

These rulers had a decisive impact on the elite in Rome. Although much of what has been said here argues against such a creation, it is still significant that those who envisage the construction of a papal state by Popes Hadrian and Leo date its demise to the 820s. It is not the case that from that period the Franks were 'too distracted to protect Rome'.<sup>290</sup>

<sup>288</sup> *Libellus de imperatoria potestate*, ed. G. Zucchetti, *Il Chronicon di Benedetto monaco di S. Andrea del Soratte e il Libellus de imperatoria potestate in urbe Roma*, *Fonti per la storia d'Italia* 55 (Rome, 1920), pp. 190–210.

<sup>289</sup> For the renewal of such grants, see Rosenwein, *Negotiating Space*, p. 216.

<sup>290</sup> Noble, *Republic of St Peter*, p. 334–5, with quotation at p. 334.

Rather, the 820s mark the point at which the Frankish rulers' uncertainty as to how to intervene in central Italy ceased, and they started to impose themselves on the situation in such a way as to balance the competing forces there. These were moves that should be seen in terms of strictly contemporary notions of political organization, in which what was at stake was not statehood in the modern sense, but a structure that resolved the competing calls on the allegiances of individuals and groups, and channelled the rights that flowed reciprocally from those allegiances. The notion that ultimate power in Rome, in its hinterland, and across the whole of central Italy, lay with the Carolingian rulers is not in itself new, and while nineteenth-century historians may have taken an overly constitutional view of the way that power operated, the essential proofs of the Carolingians' pre-eminence are still valid. Quite apart from documents like the *Constitutio Romana* that regulated affairs in Rome, and even the workings of its bishop, there are clear cases in which ultimate judicial authority lay with the Carolingians or their representatives, as in the 829 hearing already mentioned.<sup>291</sup>

The logic of Farfa's dependence on Carolingian privilege was most apparent on the death of Abbot Sichard in 842, when Lothar entrusted the monastery to Bishop Peter of Spoleto.<sup>292</sup> It is not clear in what relation he stood to the abbey, though we should not assume that this was a situation of unwanted dominance from outside: Peter was able to organize, and to persuade Lothar to confirm, the monks' election of Abbot Hilderic in 844, and it was he who successfully petitioned Louis II in 864 to make his contribution to Farfa's attempts at estate rationalization in the Massa Torana.<sup>293</sup> Farfa's relations with the fairly distant bishop of Spoleto need not have been antagonistic, as an agreement struck with an earlier bishop seems to confirm.<sup>294</sup> Louis II remained attentive to Farfa's rights, though his stance towards Rome and the papacy was rather less pointedly disapproving than that of his immediate predecessor. By the time he issued his major privilege for the abbey, some time between 857 and 859, Louis may have been trying to cultivate good relations with the pope (whether Benedict III, who died on 10 April 858, or his successor Nicholas II, elected two weeks later), not least because papal support

<sup>291</sup> Nineteenth-century notions of Carolingian power are referred to by Noble, *Republic of St Peter*, pp. 278–84: dismissing them is part of his argument for a kind of 'joint rulership' between Carolingians and papacy over 'the Republic'. But his analysis stops at 825, and so does not take account of the 829 tribunal (Manaresi, no. 38).

<sup>292</sup> *CF* I, p. 207–8 and 209–10. I read the tone of these passages differently from Fischer, *Königtum*, pp. 142–3, and McClendon, *Imperial Abbey of Farfa*, p. 9.

<sup>293</sup> *RF* II 287 for Hilderic's election; *RF* III 302 for Louis II's donation.

<sup>294</sup> *RF* II 251 (= Manaresi, no. 32).

was helpful in his tense relations with his brothers.<sup>295</sup> Nonetheless, the document still retains clauses from Lothar's privilege, for example exempting the abbey from the levying of *tributum aut censum* by any 'pontifex, dux, princeps, etc.', or prohibiting such people from disturbing its property.<sup>296</sup> The emperor followed this up, indeed, with renewed confirmations of Farfa's property in 864 and 872.<sup>297</sup> It was clearly in Louis II's interests not to let Farfa fall under the control of either the papacy, the Roman elite or the Guideschi duke of Spoleto. His capacity to intervene militarily to keep the balance of power is very evident from his 860 intervention in Spoleto, to which his privilege for Farfa may well have been a deliberate precursor.<sup>298</sup>

The tradition of privileging Farfa in this way, and for much the same reasons, was maintained by Charles the Bald in 875 and Charles the Fat in 883.<sup>299</sup> The breakdown of Carolingian power after 887/8 removed any vestige of imperial protection. The only similar diploma under the Italian kings is that of Berengar in 920.<sup>300</sup> But the Ottonians were keen to renew the privileges: Otto I's came in 967, Otto II's in 981, and Otto III issued no fewer than six.<sup>301</sup>

But the abbey's later ninth-century situation is in general much harder to follow, for reasons already mentioned in the examination of elite families: the nature of the documentation changes – and in any case becomes much thinner – making it harder to trace lines of patronage, dependence and political affiliation. By the 880s, the diminution of the Carolingians' capacity to impose solutions in central Italy – even by the mere threat of intervention – is very apparent. Charles the Fat's privilege for Farfa of 883 dwells not on the danger of pontifical encroachment into the abbey's rights, but on depredations already carried out by the Guideschi dukes of Spoleto, Lambert and Guy, and by other 'pravi homines'.<sup>302</sup> Simon Maclean's judgement is pithily accurate here: 'Whereas a king like Louis II had harboured serious (though ultimately fruitless) ambitions in the south of the peninsula, Charles the Fat's influence even in central Italy was only as good as his unstable relationship with the *duces* of Spoleto.'<sup>303</sup> Charles's privilege for Farfa was in fact one

<sup>295</sup> For a summary of Louis II's relationship with Pope Benedict III, see *Lives of the Ninth-Century Popes*, trans. Davis, pp. 162–3.

<sup>296</sup> *RF* III 300. <sup>297</sup> *RF* III 303 and 307.

<sup>298</sup> On Louis's stance towards Spoleto, see Delogu, 'Lombard and Carolingian Italy', pp. 311–12.

<sup>299</sup> *RF* III 318 and 330. <sup>300</sup> *RF* III 371.

<sup>301</sup> Otto I: *RF* 404; Otto II: *RF* 406 and 407; Otto III: *RF* 413, 424, 425, 429, 431 and 437. See further Toubert, *Les structures du Latium médiévale*, p. 985 with n. 2.

<sup>302</sup> *RF* III 330.

<sup>303</sup> S. Maclean, *Kingship and Politics in the Late Ninth Century. Charles the Fat and the End of the Carolingian Empire* (Cambridge, 2003), p. 96.

of several attempts to bring on to his side major institutions in central Italy in the face of a rebellion by Guy in the summer of 883. It was only temporarily successful.<sup>304</sup>

The Guideschi can in fact be seen as one element in a reconfiguration of power in central Italy that marks the end of this study. In general it is a development that is much more obscure to us, because Farfa's affairs were by the late ninth century producing far fewer documents – at least of the type Gregory of Catino preserved – than they had earlier, and this lack is compounded by the end of the *Liber Pontificalis* biographies and consequent obscurity of events in Rome in that period, traceable only through the very uneven survival of papal letters. What seems to have happened is this: the death of Louis II removed the last Carolingian with the where-withal realistically to threaten intervention in central Italy. The Sabine aristocracy remained closely bound to Farfa, but both came under pressure as new powers arose. In particular, the advent of the Guideschi as dukes of Spoleto introduced a new force into the region that was not plugged into existing patronage networks and sought, instead, to bolster their position through alliances with the powers in Rome.<sup>305</sup> When after 875 the Carolingian rulers, Charles the Bald and Charles the Fat, were distracted and the dukes of Spoleto and popes actively hostile, Farfa and the Sabine aristocracy found themselves short of friends. The final element in a mixture poisonous for the traditional landowners and their abbey was a change in the character of the Saracen presence in the region in the last decades of the ninth century. From irregular raiding, however occasionally severe, a new generation of warbands came to settle, systematically to exploit the countryside of the parts of central-southern Italy that they could reach.<sup>306</sup> In 897 or 898 they drove the monks from Farfa and occupied the abbey. Hugh of Farfa was in no doubt that the abbey's properties suffered the same fate as its buildings, writing of 'the evil destruction of the properties of our monastery, which were given mercifully by the pious, dispersed cruelly by the impious'.<sup>307</sup> As a whole, the text of his work, the *Destructio*, leaves open the possibility that the latter were not only the Saracens, but included more local men.<sup>308</sup>

<sup>304</sup> See L. Feller, 'Aristocratie, monde monastique et pouvoir en Italie centrale au IXe siècle', in R. Le Jan ed., *La royauté et les élites dans l'Europe carolingienne* (Lille, 1998), pp. 325–45; and E. Hlawitschka, 'Die Widonen im Dukat von Spoleto', *QFLAB* 63 (1983), pp. 20–92.

<sup>305</sup> E. Hlawitschka, 'Die politischen Intentionen der Widonen im Dukat von Spoleto', in *Il ducato di Spoleto*, Atti del IX congresso internazionale di studi sull'alto medioevo (Spoleto, 1983), pp. 123–47, esp. pp. 131–8.

<sup>306</sup> See Toubert, *Les structures du Latium médiéval*, pp. 970–3, and his references.

<sup>307</sup> *Destructio monasterii Farfensis*, in *CF* 1, pp. 25–53, at p. 27. <sup>308</sup> *Ibid.*, esp. pp. 29–32.

## *Farfa, Italian politics and the Carolingians*

The monks' traditional supporters among the local aristocracy may by that time have suffered a similar fate, because when the Farfa documentation reappears in the later 920s it includes a significant new element: much of the land in the Sabina was now in the hands of families based in Rome, not least the Theophylacts.<sup>309</sup> While we cannot be precise about when these Roman families acquired their lands in the area, it must date broadly to the period of least activity in the patronage of Farfa – that is, between the mid-880s and the 910s – and must probably be connected with the disruption caused by the Saracens, even allowing that the Roman aristocracy may itself have suffered at their hands. This would certainly bear out Chris Wickham's contention that the period c.880–c.920 saw a rise to individual hegemony over many Italian *civitates* of single factions or families; in this sense, Rome was not unlike many others.<sup>310</sup>

It would be easy to paint this outcome in a traditional way as a failure of Carolingian rule. It has, furthermore, often been cast in terms of political structure: what the dynasty created was a robust state, the cohesion of which was threatened after the demise of their direct rule.<sup>311</sup> But we should be wary of imposing too much of a system on our reading of events. The death of Louis II removed from the scene any figure sitting as a focus for loyalty on a level above the major aristocratic families, including those in Rome. Within the latter's geographical range, what Louis and his predecessors had sought to do was to strike a balance between competing aristocracies on what was, for the dynasty as a whole, an important, but always a frontier, region. It would be harsh to condemn them for not maintaining that balance for more than four generations.

What is remarkable is the survival of Farfa as a community with a discrete identity, not only, during the ninth century, by periodic reaffirmation of its protection by the Carolingians and its developing relationship with the local elite, but even after the collapse of direct Carolingian power and the sack of the abbey itself: the community fled three ways, to Rome, Rieti and S. Hippolytus in Fermo, but reconstituted itself at its original site after 930. By that time its relationship with Rome had certainly changed: many of its lands were in the hands of the Theophylacts, but it had also itself come to hold properties inside the city, as we have seen. There is every sign, moreover, that the abbey's community continued to draw on the Sabine elite. The literally poisonous internal politics of the abbey from the 930s, related with undisguised

<sup>309</sup> See LL 82, and Toubert, *Les structures du Latium médiéval*, pp. 972–4.

<sup>310</sup> Wickham, *Early Medieval Italy*, p. 57. <sup>311</sup> This is, for instance, the view of *ibid.*, pp. 57–9.

distaste by both Hugh of Farfa and Gregory of Catino, points to a significant degree of local recruitment, and at least an element in the community hostile to a programme of reform initiated in Rome.<sup>312</sup> This in turn may suggest that the local elite was not traduced entirely by aristocrats based in Rome, and that it entered the tenth century diminished, in a new guise, but intact. But since we cannot trace direct continuity from the families of the early to mid-ninth century it is certainly possible, especially given the politically fluid situation, that new indigenous families were coming to prominence in the Sabina at the turn of the tenth century.

Farfa's experience seems to have differed in significant ways from that of other, more-or-less comparable, Italian monasteries. We saw in chapter 1 that perhaps the most direct comparators to Farfa are those founded at a similar time, or in similarly politically liminal areas: Nonantola (which Hugh of Farfa explicitly compared with his abbey<sup>313</sup>), Monte Amiata, San Vincenzo al Volturno. The first two of these both received privileges very like those issued for Farfa by successive Carolingians, although in both cases many, especially the earliest, do not survive, so that we only have the word of later diplomas that Charlemagne, for instance, supported those abbeys in this way.<sup>314</sup> San Vincenzo is slightly different, because of its location in the duchy of Benevento, but the Carolingians were keen to offer confirmations of possession for those properties that fell inside their *regnum*.<sup>315</sup> If this and the sack of San Vincenzo by Saracen raiders in 881 represent superficial similarities with Farfa, the divergences of experience are far more important: despite its evident wealth by the mid-ninth century, San Vincenzo was not politically important in the way Farfa was. It was not endowed nearly so extensively by the dukes of Benevento as was Farfa by the dukes of Spoleto, and its position on a frontier was such that political protagonists bypassed rather than engaged with it.<sup>316</sup> Nonantola was brought under papal protection, and then under the power of the aristocracy in control in nearby Modena, represented above all by Guy, bishop of Modena and abbot of Nonantola in the

<sup>312</sup> Succinct summaries of events can be found in Schuster, *L'imperiale abbazia*, pp. 100–1, and McClendon, *Imperial Abbey of Farfa*, pp. 10–11; see also Toubert, *Les structures du Latium médiéval*, pp. 978–98.

<sup>313</sup> *CF* 1, p. 31.

<sup>314</sup> Privileges for Nonantola: D Karl 28 (= BM d37), a confirmation by Karlmann of Bavaria of the privileges issued by his predecessors, including immunity and protection. The crucial documents for Monte Amiata are *CDA* 1, 77, 78 and 115 (= BM 639, 640, D Loth I 33 respectively).

<sup>315</sup> See above, pp. 71–3.

<sup>316</sup> I am here summarizing the conclusions of Wickham, 'Monastic lands and monastic patrons', esp. pp. 146–7.

mid-tenth century.<sup>317</sup> Monte Amiata, meanwhile, saw its abbacy handed over by Louis II in 853 to a layman, Adalbert I, marquis of Tuscany.<sup>318</sup> Only the Farfa community both resisted complete domination by an aristocratic family and maintained its political profile. This may be because Farfa's landholdings came from a more diverse range of sources than these of other houses, so that it was not over-dependent on one particular relationship. Moreover, while it certainly benefited from the willingness of the Carolingians to express their readiness to defend its interests, it was not tied to the ruling dynasty in the way that some north European monasteries were, with massive land grants and the scope for direct intervention by the benefactor that accompanied them.<sup>319</sup>

#### CONCLUSION

Farfa's political role operated in a similar way to the royal monasteries of Francia in one respect: it provided a way for the local elite to plug into the structure of Carolingian government. Moreover, it was important enough for that elite to experience that government at a very high level, as disputes could be taken to the royal *missi* themselves. But the differences with north European examples are surely more important. In the Sabina, the initiative for political action rested far more with the local elite than it did in the Frankish heartlands. The paradox of their political position is that, seen simply within the Carolingian Italian kingdom, these families' potential for wielding power looks quite extensive. Any ruler needed them to make his rule felt in the region, but was not so close as to be able to impose himself consistently. Although the Carolingians countered this to some extent by basing a king or sub-king in Pavia this was still, in early medieval terms, a long way away, so the Sabina's political situation can be seen as bearing out Michael Mann's point that 'all extensive societies were in reality "territorially federal"'.<sup>320</sup> But two things prevented this elite from realizing that potential. One is the relatively modest size of each family, its holdings very largely confined to the Sabina. That in itself might have propelled families with similar interests to pool resources in a monastery. The other factor, however, was

<sup>317</sup> V. Fumagalli, *Terra e società nell'Italia padana*, 2nd edn (Turin, 1976), pp. 80–123; Fumagalli 'Vescovi e conti nell'Emilia occidentale da Berengario I a Ottone I', *Studi medievali* 3rd ser., 14/1 (1973), pp. 137–204. See also the letter of Pope Sergius I to the abbot of Nonantola: H. Zimmermann ed., *Papsturkunden 896–1046*, vol. 1 (Vienna, 1988), no. 25.

<sup>318</sup> *CDA* 1, 131bis and 132. <sup>319</sup> Innes, *State and Society*, p. 181 for the example of Lorsch.

<sup>320</sup> M. Mann, 'The autonomous power of the state: its nature, causes and consequences', *Archives Européennes de Sociologie* 25 (1984), pp. 185–213; repr. in J. Hall ed., *States in History* (Oxford, 1986), pp. 109–36, at p. 129.

the fact that this elite *cannot* be seen only within the context of the old Lombard, now Carolingian, realm. Of all the myriad local upper classes of the Carolingian world, it had most to do with that unusual group of aristocrats based in Rome and entangled with the papacy.

The Sabine landowners might therefore be characterized as an elite on a frontier, like many others on the fringes of empire. They differed from those others, however, because their frontier gave no scope for expansion, and necessitated no automatic military footing.<sup>321</sup> There is some evidence for members of the Sabine elite being expected to contribute to Carolingian military aggression: we have seen that Paul was accused of having deserted Pippin's campaign in Benevento in 801, and his relatives Probatas and Picco participated apparently in Duke Guinichis's ill-fated expedition the following year. But the Farfa documents contain none of the kind of precarial leases that some northern monasteries issued as part of their military obligations to the king.<sup>322</sup> There are only eleven leases, properly speaking, in the *Liber Largitorius* for the whole period to 840,<sup>323</sup> and even once they become more common in the mid-century, they nearly all specify renders in money, produce or labour services.<sup>324</sup> This is not to say that violence was not part of the experience of the Sabine elite; simply that it was not the aggressive, expansionist violence witnessed on most frontiers of the Carolingian realm in this period.

Central Italy was a region with a relatively high density of elite groups of differing self-identities, competing for resources in what was effectively an enclosed space, bounded by Lombards and then Franks to the north, Lombards, Byzantines and, increasingly, Muslims to the south. In the search for extra resources, there seems (on the evidence for *gualdi*, *curtes* and *massae* examined in chapter 5) to have been few uncultivated lands left to exploit, there were no margins into which to expand, and there were no marginal groups to conquer: significant increases in wealth could only be won in competition with peer elite groups within central Italy. It is for this reason above all that Farfa was so important: because it came to be a major repository for the resource – land – that was the principal target of elite competition in this region and period. For much of the eighth and the first half of the ninth century, this was a competition in which the potential sources of hegemonic power were all external to the region – in Pavia, in the Frankish royal villas and in Constantinople. These were powers that were regularly courted, and that periodically

<sup>321</sup> J. M. H. Smith, 'Fines imperii: the marches', in *NCMH* II, pp. 169–89, esp. pp. 181–2.

<sup>322</sup> See Fouracre, *Age of Charles Martel*, pp. 137–45; Halsall, *Warfare and Society*, pp. 72–6.

<sup>323</sup> *LL* 1–12, not counting no. 7, which is a commendation by a group of peasants.

<sup>324</sup> *LL* 15–38.

intervened.<sup>325</sup> The jostling between local groups that happened in the intervals between those interventions came into its own once the prospect of interruption by outside forces diminished or disappeared, as it did in the case of the Franks after the death of Louis II. By that point, the balance of forces in the region had tilted in favour of elite groups based in Rome. They were therefore in the best position to take advantage when the most unpredictable of the external forces at play – the Muslims from north Africa – decisively disrupted the region to the extent of undermining basic patterns of property owning. When the smoke cleared, it was the elite families hegemonic in Rome, the Theophylacts and their relatives the Crescentii, who emerged as beneficiaries. The irony is that their rise to dominance in the Sabina signalled also their take-over of power in Rome. The Theophylacts' victory marked the end of the contest between aristocratic factions that had occupied most of the ninth century and had impelled much of the effort to expand the Roman elite's lands.

One of the most remarkable things about these developments is the relative unimportance in them of the figure of the bishop of Rome. It is true that expropriations of land in the Sabina are often documented as having been made by papal *actionarii*; but as we have seen there is evidence, equally, that these seizures ran counter to the efforts of individual popes. What they signal, then, is the variety of interests and priorities under the surface of an apparently monolithic institution like the papacy. This is one reason why it is hard to conceive of the papacy as running a 'state' in any meaningful sense in this period: its entanglement with local aristocrats looks like a precocious form of political organization that would become very widespread in the tenth century, and is best described in terms of lordship. Another reason to deny it coherence as a polity is precisely the existence of Farfa's privileges, which speak ultimately of the incontestable superiority of the Carolingians, expressed most distinctly in the *Constitutio Romana*. Immunities like Farfa's lay at the root of much of the troubled political development of Italy in the post-Carolingian period. Farfa's was the first. In certain other parts of the peninsula – and ironically, from the papal point of view – immunities boosted the secular power of bishops. But monasteries and those who controlled them were also often the beneficiaries. Some were like Farfa: institutions in which

<sup>325</sup> Note that the notion that Constantinople simply abandoned Italy in the eighth century is erroneous. It failed to respond to some pleas for intervention – in 751, for instance – because it could not, being absorbed with its own immediate defence; but when opportunity allowed, it was more than ready to intervene – as it did, unsuccessfully, in 787: see McCormick, 'Byzantium and the West', pp. 366–7.

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coalesced numbers of different interests, fed into it by the full gamut of their patrons. But Farfa is unusual, perhaps unique, in that in the eighth and ninth centuries those interests all tended in the same direction. It suited all patrons, whether local landowners or dukes of Spoleto, that the abbey behaved like a genuinely corporate body, independent of any particularist interest and under the protective banner of the highest possible level of authority: the Carolingian emperors. Things would be very different in the tenth century.

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