“And how, if you are a Christian, can you hate the emperor?”. Reading a seventh-century scandal in Carolingian Francia.¹

Abstract

A late ninth-century Latin manuscript, Paris BnF Lat. 5095, preserves the unique copy of Anastasius Bibliothecarius's so-called 'Collectanea'. This collection of texts documents the tribulations of Pope Martin and Maximus the Confessor, put on trial by the emperor in Constantinople in 655. This chapter considers the connections between the criticisms of (Byzantine) imperial power presented by these texts, translated into Latin by Anastasius, and the treatment of Carolingian rulers that the Paris manuscript also presents. It suggests that the juxtaposition was made by Hincmar, deposed as bishop of Laon in 871, as part of his determined campaign for reinstatement, resulting in a qualified success in 878.

The value of cross-cultural comparison for investigating themes such as the criticism of rulers is increasingly apparent to modern historians. But was it also appreciated in the early Middle Ages? This paper takes as its focus a late ninth-century manuscript now in the Bibliothèque Nationale in Paris, Paris BnF lat. 5095, which suggestively combines seventh-century Byzantine and ninth-century Carolingian texts that present different forms of ruler criticism. Was this an early medieval exercise in cultural comparison, or something else? To evaluate the purpose of this manuscript dossier, a plausible context for its compilation, and its place in early medieval traditions of ruler criticism, we must first examine its contents; I shall begin with those texts that relate to Byzantium, and more specifically, to the monothelite crisis and its victims.

In the seventh century, the eastern Roman empire entered a prolonged crisis.² As waves of invasion swept over it, and first the Persians, then the Arabs seized control of great tracts of its territory, its emperors responded by attempting to orchestrate ever greater unity at home.

¹ I am grateful to Shane Bobrycki, Imogen Herrad, Emma Hunter, Sihong Lin, Simon Loseby, Rachel Stone and Giorgia Vocino for comments on a draft of this paper, and to the BnF for permitting an examination of Paris BnF lat. 5095. Especial thanks to Stuart Airlie, whose Carlyle lectures inspired this paper, and Jinty Nelson, for advice.

² The best introduction is now Phil BOOTH, *Crisis of Empire: doctrine and dissent at the end of Late Antiquity* (Transformation of the classical heritage 52), Berkeley 2014.

Since the conversion of Constantine the Great, and with renewed energy after the divisive Council of Chalcedon of 451, christological debates had threatened to fracture the symbolic and indeed political solidarity of the empire. The seventh-century Roman or Byzantine emperors and their advisors threw their weight behind sophisticated new doctrines as a way of finding acceptable solutions to these old problems. In particular they promoted the doctrine of monothelitism, which sidestepped the question of the nature of Christ – one or several – in favour of emphasising his single will.

Predictably enough, this new approach simply generated fresh debate and resistance, led by the uncompromising figure of Maximus the Confessor, a fearless and radical Palestinian monk.³ In collaboration with Pope Martin I – a reminder that the late east Roman empire was still part of a world that embraced the Mediterranean and beyond – Maximus organised the Lateran Council of 649. This council comprehensively rejected the emperor's proposed solution of monothelitism, despite the interest embarrassingly shown by previous popes in the doctrine.⁴ Emperor Constans II nevertheless remained intransigent, and both Maximus and Pope Martin were arrested and put on trial in 655, not on doctrinal grounds but for treason.⁵

In addition to material written by the main protagonists themselves, their arrest, condemnation and exile were carefully recorded in Greek by various contemporaries. This material was set in the tradition of classical martyr literature in claiming to represent the actual transcripts of the trials to which Maximus and Martin were subjected. The trials are presented as unjust, and their victims as sainted innocents, bravely standing up for Christian truth and orthodoxy. One of the texts, known as the 'Εξήγησις τῆς γενομένης κινήσεως or in Latin 'Relatio Motionis', drew sharply lines that were often left cautiously blurred in Byzantine texts. In it, Maximus is made to state unequivocally that the emperor had no legitimacy to intervene in church matters. When one of his disciples was accused of denying

³ See now Pauline ALLEN and Bronwen NEIL (eds.), *The Oxford Handbook of Maximus the Confessor*, Oxford 2015.

⁴ Acts of the Lateran Synod of 649, tr. Neil PRICE with Phil BOOTH and Catherine CUBITT (Translated texts for historians 61), Liverpool 2017. Forthcoming research by Sihong Lin promises to shed more light on these Mediterranean connections.

⁵ *Non inferas nobis hic de fide, de duellio nunc scrutaris*: Narrationes, in *Seventh-century popes and martyrs: the political hagiography of Anastasius Bibliothecarius*, ed. and tr. Bronwen NEIL (Studia antiqua australiensia 2.), Turnhout 2006, 196; Paris BnF. lat 5095, fol. 22v. I cite the Latin translation of these texts here and throughout rather than the original Greek, since it is on this translation that this paper concentrates, as will become clear. On the impact of these events in Rome, and their connection to the updating of the *Liber Pontificalis*, see Rosamond MCKITTERICK, *The Papacy and Byzantium in the seventh- and early eighth-century sections of the Liber Pontificalis*, in: *Papers of the British School at Rome* 84 (2016), 241–73.

that the emperor was a priest, Maximus clarified the issue by taking responsibility for it: it was not his disciple but he, Maximus, who had made this assertion, and rightly so because the emperor “neither stands beside the altar, ...nor does he baptise, nor perform the rite of anointing, nor does he ordain bishops and priests and deacons; nor does he anoint churches...”.⁶ The ruler criticism expressed in these texts is real, though subtle. They imply that the emperor has no business interfering with doctrine, they represent the trials themselves as corrupt, and they implicate the emperor in all this. It is imperial officials such as the *sacellarius* who face the most direct attack; but when asked how he could be a Christian if he hated the emperor, Maximus brushed the question aside, without denying the implicit accusation.⁷

Two centuries after they were first written, a selection of this Greek material found a new audience, thanks to its translation into Latin by the papal librarian, Anastasius Bibliothecarius (+ c. 878). He included fifteen texts, a set labelled by their first editor Jacques Sirmond in 1620 as the ‘Collectanea’, as part of his impressive translation campaign that also embraced a wide range of Greek hagiographical and conciliar texts.⁸ For some of the works translated by Anastasius, there survives no Greek original; for others, Anastasius’s Latin is either the best text, or else preserves crucial readings.⁹ Tremendous scholarly energy has therefore been devoted to uncovering Anastasius’s motivations in bringing these documents to light, and

⁶ ‘Relatio Motionis’, in *Scripta saeculi VII Vitam Maximi Confessoris illustrantia*, ed. Bronwen NEIL and Pauline ALLEN (Corpus Christianorum. Series Graeca 39), Turnhout 1999, 24-6: *Ergo non est omnis Christianus imperator etiam sacerdos? Et dixi: Non est. Neque enim astat altari, neque post sanctificationem panis exaltat eum dicens: Sancta sanctis. Neque baptizat, neque chrismatis confectionem patrat neque facit episcopos vel presbyteros, aut diaconos, neque linit ecclesias, neque indicia sacerdotii fert, superhumerales scilicet et Evangelium, quemadmodum imperii coronam et purpuram.* Paris lat. 5095, fol. 29v-30r.

⁷ ‘Relatio Motionis’, in *Scripta Saeculi VII*, ed. NEIL and ALLEN, 12: *Et quomodo, inquit, si Christianus es, odio habes imperatorem? Respondens Dei servus ait Et unde hoc claret?*; Paris lat. 5095, fol. 28.

⁸ See Paolo CHIESA and Lucia CASTALDI (eds.), *La Trasmissione dei testi Latini del Medioevo*, vol. II, Tarnuzze 2005, 87-103 for helpful information on Anastasius; it however excludes the *Collectanea* from consideration.

⁹ A guide to the component texts is provided by Silvia DE BELLIS, *I Collectanea di Anastasio Bibliotecario: inquadramento storiografico e nota sulla tradizione manoscritta*, in: *Rivista di storia della Chiesa in Italia* 69:2 (2015), 419-435. I regret that have not been able to consult De Bellis’s unpublished 2014 Florence thesis which apparently includes a full new edition of the ‘Collectanea’. The only complete published edition of the ‘Collectanea’ therefore remains Sirmond’s of 1620, reproduced at two removes in *Patrologia Latina*, ed. MIGNE, vol. 129. However, *Scripta Saeculi VII*, ed. ALLEN and NEIL, edits the texts that concern Maximus, with Anastasius’s Latin on facing page, incorporating some improvements on Sirmond’s edition (in De Bellis’s enumeration, these are texts 10-15). The same Greek texts are juxtaposed with an English translation in: *Maximus the Confessor and his companions: documents from exile*, ed. and tr. Pauline ALLEN and Bronwen NEIL (Oxford early Christian texts), Oxford 2002. The texts concerning Martin (De Bellis’s text no. 9) are edited and translated in: *Seventh-century popes*, ed. and tr. NEIL, along with Anastasius’s two dedication letters.

thereby helping to preserve them for posterity.¹⁰ Most historians would agree that his aim was to make important Greek cultural resources available to Latin speakers, and also to emphasise that the papacy had historically battled to enforce orthodoxy on the heretically-inclined Byzantines. These texts took on a new salience during the so-called Photian schism between Rome and Constantinople, in full swing at just the time that Anastasius was at work.

Yet what historians have often acknowledged without dwelling upon is that the only complete surviving manuscript of Anastasius's translation of these texts – and here we come back to Paris BnF ms lat. 5095 – was not written in Rome, or at least not by someone trained in Roman script. Rather, although it represents a copy of a manuscript very close to Anastasius (it includes his own glosses on the original Greek, alongside slightly later marginal notes), Paris 5095 was written by someone trained at the northern Frankish bishopric of Laon, hundreds of miles to the north.¹¹ As it happens, the only surviving complete copy of the Latin acts of the Lateran Council of 649 whose prelude and aftermath the 'Collectanea' represent also made its way from Saint-Amand to Laon at some point in the later ninth century.¹² Evidently someone at or from Laon was interested in the council and its aftermath.

Who might that have been? An inscription in the Paris lat. 5095 manuscript identifies it as one of several gifted to the cathedral of Laon by Dido, bishop from 882 to 895. Dido had no known connections to Anastasius or even to Rome, and no recorded interest in Greek either, but most historians have treated the inscription as settling the matter. However, just because Dido gave the manuscript to Laon does not mean that he had commissioned it, or even

¹⁰ For a general context, see *Seventh-century popes*, ed. NEIL, as well as Réka FORRAI, 'The interpreter of the popes: the translation project of Anastasius Bibliothecarius', unpublished PhD, CEU, 2008, and her *Anastasius Bibliothecarius and his textual dossiers: Greek collections and their Latin transmission in ninth-century Rome*, in: Stéphane GIOANNI and Benoît GREVIN, eds., *L'antiquité tardive dans les collections médiévales. Textes et représentations*, VI-XIV siècles, Rome 2008, 319-337.

¹¹ See Bernhard BISCHOFF, *Katalog der festländischen Handschriften des neunten Jahrhunderts* vol. 2, Wiesbaden 2004, no. 4351, 105: "Frankreich, IX, 4 Viertel". The manuscript can be consulted via Gallica. Rome, Biblioteca Vallicelliana T IX (s. xi), also has part of the work: it is discussed in DE BELLIS 2015, who also discusses the proximity of the Paris manuscript to Anastasius's original. See also my preliminary discussion of the manuscript in C. WEST, *Knowledge of the past and the judgement of history in tenth-century Trier: Regino of Prüm and the lost manuscript of Bishop Adventius of Metz*, in: *Early Medieval Europe* 24 (2016), 137-169, at 146-7.

¹² Laon Bibliothèque Municipale, MS 199: see *Concilium Lateranense a. 649 celebratum*, ed. Rudolf RIEDINGER (*Acta conciliorum oecumenicorum*, Series II, vol. 1), Berlin 1984, xiii-xiv. The manuscript is usually attributed to St-Amand, though note the caution of Denis MUZERELLE, *Manuscripts datés des bibliothèques de France*. II. Laon, Saint-Quentin, Soissons, Paris 2013, 132. For a discussion of this manuscript in its context, see Charles MERIAUX, *From East to West: Constantinople, Rome and northern Gaul in the seventh century*, in: Stefan ESDERS, Yitzhak HEN and Laury SARTI (eds.), *East and West in the early Middle Ages*, Cambridge forthcoming.

acquired it. As Denis Muzerelle has pointed out as part of his re-evaluation of Laon's early medieval manuscripts, Dido's 'gifts' may have been of books already kept in the Laon episcopal rooms that were now being centralised in the cathedral.¹³ If we are looking for the individual most likely to be interested in Anastasius's texts, it is not Bishop Dido but his predecessor Bishop Hincmar of Laon to whom we should pay attention. Unlike Dido, Hincmar was demonstrably interested in Greek, and he was also in contact with Rome during Anastasius's lifetime. Four letters from Pope Vitalian in 668 that are preserved in Hincmar's own writings suggest that he was able to lay hands via intermediaries on rare seventh-century texts, in this case probably sourced from Rome like the 'Collectanea'.¹⁴

Moreover, the accounts of Maximus and Martin's trials would have spoken to Hincmar in a very direct way. Like Martin and Maximus, Bishop Hincmar was exiled, following his deposition from Laon in 871 at the Council of Douzy, the climax of growing tensions between the bishop, the king and his uncle Archbishop Hincmar of Reims.¹⁵ Like Maximus, Hincmar considered that he had been subjected to an unjust show trial in which the judges had been constrained by secular power to come to an unfair verdict; like Maximus, he blamed a ruler – in his case King Charles the Bald, not Constans II – for overstepping the boundaries of his role, whilst focusing his wrath on the ruler's agents; like Maximus, he sought aid and leadership from the papacy. These texts would have been a mirror for his own tribulations.

If Hincmar has never been considered as a potential patron of Paris lat. 5095, it is because of an apparent chronological problem. His deposition at the Council of Douzy took place in the autumn of 871, while the Paris manuscript was, as we know thanks to a reference made by Anastasius in one of the translations it contains, made in or after late 874.¹⁶ But Hincmar did not simply disappear after his deposition as a neat rise-and-fall narrative might demand. Condemned Frankish clerics could be remarkably recalcitrant and difficult to silence, as the cases of Gottschalk, Bishop Rothad of Soissons and Archbishop Gunthar of Cologne had

¹³ MUZERELLE 2013, 20-21.

¹⁴ Rudolf SCHIEFFER, Kreta, Rom und Laon. Vier Briefe des Papstes Vitalian vom Jahre 668, in: Hubert MORDEK (ed.), Papsttum, Kirche und Recht im Mittelalter. Festschrift für Horst Fuhrmann zum 65 Geburtstag, Tübingen 1991, 15-30; Die Streitschriften Hinkmars von Reims und Hinkmars von Laon, 869-871 (Monumenta Germaniae historiae Concilia IV/2), ed. Rudolf SCHIEFFER, Hannover 2002, 14.

¹⁵ For a comprehensive account, see Peter MCKEON, Hincmar of Laon and Carolingian Politics, Chicago 1978; on the dispute, see too Charles WEST, Lordship in Ninth-Century Francia: The Case of Bishop Hincmar of Laon and his Followers, in: Past and Present 226 (2015), 3-40.

¹⁶ Seventh-Century Popes and Martyrs, ed. NEIL, 71, n. 145, based on f. 17v of the Paris lat. 5095 manuscript, *data indictione viii tempore domini Iohannis octavi papae*, i.e. September 874-August 875, assuming the text was correctly copied.

already shown, and as Hincmar knew very well.¹⁷ He was down but not out, and from the moment of his deposition, Hincmar sought to challenge it. In late 871, King Charles lamented that Hincmar and his supporters had not given up their obstinacy (*pervicacia*) following his deposition. Early in 872, Charles explained what he had meant: Hincmar, ‘after his legal and regular deposition’, had sent allies (*propinqui*) to the kingdom of Louis the German, where they were staying under the protection of Louis’s bishops, agitating on Hincmar’s behalf.¹⁸ But Hincmar had also quickly secured initial papal interest in revisiting the matter, as attested by two letters sent by Pope Hadrian II in December 871 (to which Charles’s 872 letter was written in response).¹⁹

It was in the course of these struggles, and in support of them, that Hincmar probably commissioned another manuscript, Paris BnF lat. 1557, at some point after 872. This is a selection of papal letters (in fact the single most important source for both Nicholas and Hadrian II’s letters) designed to complement Paris BnF lat. 9629, a collection of Pseudo-Isidore in a strange A/B-A1 hybrid.²⁰ This joint manuscript’s contents, such as a notorious letter attributed to Pope Gregory IV (+ 844) that significantly appears first here,²¹ certainly

¹⁷ Hincmar’s contact with Gunthar is suggested by shared use of a common source: see *Streitschriften*, ed. SCHIEFFER, 19, n. 34; and by Salzburg, Bibliothek der Erzabtei St Peter, a. IX 32, a manuscript with a Cologne provenance that includes various texts of Hincmar of Laon alongside a letter by Gunthar.

¹⁸ The claim of obstinacy is made in a letter of King Charles the Bald to Pope Hadrian II: *et post depositionem suam et per se et per quoscunque potuit, a sua pervicacia non quievit*, in *Die Konzilien der karolingischen Teilreiche 860-874*, ed. Wilfried Hartmann (MGH Concilia IV), Hannover 1998, 536. The more specific account about Hincmar’s behaviour *post legalem ac regularem depositionem* is *ibid.*, 545, in a section of the letter marked in the manuscript as not having actually been sent to the pope.

¹⁹ Hadrian’s letters are edited in *Epistolae Karolini Aevi V*, ed. Ernst DÜMMLER (MGH Epistolae), Berlin 1928, 738-743, nos. 34-5. See Janet L. NELSON, ‘Not bishops’ bailiffs but lords of the earth’. Charles the Bald and the problem of sovereignty, in: Diana WOOD (ed.), *The Church and sovereignty, c. 590-1918* (Studies in Church History Subsidia 9), Oxford 1991, 23-34, and MCKEON 1978, 151-2 and 162-3.

²⁰ The post quem dating of Paris lat. 1557 is based on a letter of Pope Hadrian II (no. 36) included in the manuscript. For the manuscript’s status as a source of papal letters, Detlev JASPER and Horst FUHRMANN, *Papal letters in the early Middle Ages* (History of medieval canon law 2), Washington DC 2001, 125-6.

²¹ On the Gregory IV text (JE +2579), see Clara HARDER, *Pseudoisidor und das Papsttum: Funktion und Bedeutung des apostolischen Stuhls in den pseudoisidorischen Fälschungen* (Papsttum im mittelalterlichen Europa 2), Cologne 2014, 180-212, with particular attention to the manuscript transmission, arguing strongly that it is a Pseudo-Isidorian forgery.

buttressed Hincmar's case that episcopal depositions were matters for the pope alone.²² No wonder that both manuscripts were later mutilated, with some crucial folios removed.²³

Despite Hincmar's best efforts, manifested in manuscripts such as Paris lat. 1557/9629, a new bishop of Laon was elected in 876, and after substantial delays eventually consecrated in 877. Yet the chosen candidate, Hedenulf, was one of Hincmar's own clerics, quite probably a sympathiser and certainly a reluctant occupant of the see.²⁴ And at the Council of Troyes in 878, Hincmar's dogged persistence finally met with success, as he was restored to his position by Pope John VIII. Admittedly, according to the Annals of St-Bertin, this was only a qualified restoration: Hedenulf remained formally bishop of Laon, while Hincmar was merely permitted to sing mass and to have part of the bishopric's revenues.²⁵ He was not mentioned in the minutes of the synod, or in one of the versions of the synod's canons, feeding the impression of a figure whose doomed appeal shows simply that he had lost touch with reality.²⁶ But all these texts were probably composed or at least edited by Hincmar of Reims, and other synodal participants might have seen things differently. Hincmar of Laon indeed appears in the subscription list of an alternative version of the council's canons as the bishop

²² For the connection between the manuscripts, see John CONTRENI, *Codices Pseudo-Isidoriani: the date and provenance of Paris, B.N. MS lat. 9629*, in: *Viator* 13 (1982), 1-14. Eric KNIBBS, *Pseudo-Isidore in the A1 recension*, in: Karl Ubl and Daniel Ziemann (eds.), *Fälschung als Mittel der Politik? Pseudoisidor im Licht der neuen Forschung: Gedenkschrift für Klaus Zechiel-Eckes* (Monumenta Germaniae Historica Studien und Texte 57), Wiesbaden 2015, 86 with n. 15, shows the marginal notes in this manuscript are probably not Hincmar's, contrary to Contreni's hypothesis. Klaus ZECHIEL-ECKES, *Frühe Pseudoisidor-Rezeption bei Hinkmar von Laon: ein Fragment des verloren geglaubten 'Unterschriftenwerks' vom Juli 869*, in: *Deutsches Archiv* 66 (2010), 19-54, edits a fragment of Hincmar of Laon's Pseudo-Isidore collection in Bern Burgerbibliothek cod. 451 that shares some variants with Paris lat. 9629 (e.g. 45, line 168).

²³ JASPER and FUHRMANN 2001, 126.

²⁴ *Papstregesten 800-911 IV*, iii, 872-882, ed. Veronika UNGER (Die Regesten des Kaiserreichs unter den Karolingern 751-918 (987) 4), Cologne 2013, no. 159 (Jan 876), granting permission to elect. MGH *Epistolae IX*, Form. 17 (March 876), available online at <http://www.mgh.de/datenbanken/epp/results?id=Form17>, confirming Laon's choice of Hedenulf. Hedenulf's ordination is commemorated in Trier, Stadtbibliothek 2500: see John CONTRENI, Scottus and Bede, in: James MCEVOY and Michael DUNNE (eds.), *History and eschatology in John Scottus Eriugena and his time*, Leuven 2002, 132. Hedenulf's effort to resign is noted in the *Annales Bertinienses*, ed. GRAT, 229. Hedenulf is mentioned as a Laon cleric in *Die Briefe des Erzbischofs Hinkmar von Reims*, ed. Rudolf SCHIEFFER, based on preparations by Ernst PERELS and Nelly ERTL (MGH *Epistolae Karolini Aevi VI/ii*), Wiesbaden 2018, 334 with n. 32.

²⁵ *Annales Bertinienses*, ed. GRAT, 228-229. Nelson's invaluable English translation of the Annals links the phrase *vim facientibus quibusdam episcopis et consentiente rege* to the preceding clause about the excommunication of Lothar's son Hugh, but might it refer to Hincmar of Laon's reinstatement?

²⁶ *Minutes: Die Konzilien der karolingischen Teilreiche 875-911*, ed. Wilfried Hartmann, Isolde Schröder and Gerhard Schmitz (MGH *Concilia V*), Hannover 2014, 92-5 (Text A); canons, 102-5 (Text F). The editors suspect Hincmar's hand in Text A (*ibid.*, 78), while Text F may derive from Reims manuscripts. Losing touch: Horst FUHRMANN, *Einfluss und Verbreitung der pseudoisidorischen Fälschungen von ihrem Auftauchen bis in die neuere Zeit*, Stuttgart 1972-4, vol. 3: "Als verstehe er die Welt nicht, hatte sich August 878 der blinde exlex Hincmarus...noch einmal an Johannes VIII gewandt", 672.

of Laon, and he subscribed to charters in that capacity for the monastery of St-Gilles and St-Philibert of Tournus too.²⁷ A continuator of the chronicle of Ado of Vienne saw Hincmar's restoration to the see as the council's main decision, and a letter calendared by Flodoard suggests that Hincmar of Reims's recollection of the Council of Troyes's decision on this matter may not have exactly tallied with Pope John VIII's.²⁸

If Hincmar of Laon's restoration to his see was complicated, it was because there was a hitch. Subsequent to his deposition, and perhaps as a consequence of his stubborn refusal to accept it, he had been blinded. The Annals of St-Vaast point the finger at "Boso", a common name but who the context makes likely to have indicated Boso of Vienne; a later tradition however blames a count Sunuarius from the Spanish march, and further claims that the count was excommunicated at the 878 council of Troyes by Pope John VIII as a consequence.²⁹ In his own account, presented in 878, Hincmar diplomatically avoids naming the perpetrator, and is vague on the date, placing it around four years after his deposition, that is c. 875.³⁰ Perhaps the intention was to put a brutal end to Hincmar's subversive research; perhaps it was to persuade the clerics of Laon finally to proceed to electing a replacement.

It is tempting to deduce that Paris lat. 5095 must have been compiled in the narrow time-frame between the completion of Anastasius's translation and Hincmar's blinding. But if Hincmar himself would not have been in a position to compile Paris lat. 5095 after his blinding, his various supporters, including exiled Laon clerics, still were. And mutilation might not have dampened the bishop's interest in the Latin translation of the travails of

²⁷ Canons: Konzilien der karolingischen Teilreiche 875-911, ed. Hartmann, Schröder and Schmitz, 135 (Text K), based on the *Collectio Tricassina*. Charters: Ibid. 137 for St-Gilles, and 147 for Tournus, where Hincmar's subscription appears directly above Hedenulf's, also identified as bishop of Laon. The monks of Tournus also added both Hincmar and Hedenulf's subscriptions to an earlier charter, perhaps at this council: *ibid.*, 4. The editors found this puzzling: "Warum der seit Douzy 871 abgesetzte B. Hinkmar von Laon (858-871) hier unterschreibt, ist unerklärlich", but it may simply reflect ambiguity about Hincmar's position. The original charter is unfortunately lost, ruling out any palaeographical inquiry. On these charters, see Isabelle CARTRON, *Les pérégrinations de Saint-Philibert. Genèse d'un réseau monastique dans la société carolingienne*, Rennes 2010, 133-140.

²⁸ Flodoard, *Historia Remensis Ecclesiae*, ed. Martina STRATMANN (MGH Scriptores 36), Hannover 1998, 273, a letter *de Hincmari quoque Laudunensis episcopi depositione vel restitutione, qualiter actum sit*. The pope continued to issue instructions about Hincmar of Laon after the council, but we do not know their content: *ibid.*, 315 and 316.

²⁹ *Annales Vedastini*, ed. Bernhard von SIMSON (Monumenta Germaniae Historica, Scriptores Rerum Germanicarum 12), Hannover 1909, 43. Later account: Konzilien der karolingischen Teilreiche 875-911, ed. Hartmann, Schröder and Schmitz, 286, *apud Trekas...comes Sinuarius a pontifice Romano.... excommunicatus est, eo quod Igmari Laudunensis episcopi oculus eruerit*. The source is the 'Vita Theodardi', written in the eleventh century though drawing on earlier documentation.

³⁰ Konzilien der karolingischen Teilreiche 875-911, ed. Hartmann, Schröder and Schmitz, 98, *per duos annos...duobis annis ferme peractis insuper caecatus sum*.

Martin and Maximus. Quite the contrary, it could have further heightened their relevance: for Maximus and one of his disciples had been cruelly mutilated after their trial in an attempt to remove the threat they represented (the miraculous partial cure of the disciple might especially have caught Hincmar's attention).³¹ The potential of these venerable texts as weapons in the hands of Hincmar and his allies, aware of the potential to represent him as an almost martyred figure, may have sparked unease on the part of his uncle Hincmar of Reims, who made enquiries with Italian contacts about the "canons of Pope Martin".³² A seventh-century dispute took on one meaning in a ninth-century Rome embroiled in a dispute with Byzantium; in the hands of an exiled, deposed and mutilated bishop north of the Alps, it began to resonate quite differently.

If the connections between Hincmar of Laon and the 'Collectanea' presented so far are merely plausible, consideration of the remaining contents of Paris lat. 5095 surely clinches the question.³³ Written in the same hand as the monothelite material, and on parchment prepared in the same fashion, we find here a treasure trove of material plainly connected to Hincmar of Laon. Alongside extensive and increasingly ill-tempered correspondence between Hincmar and his uncle and later nemesis, Hincmar of Reims, there are also some of Hincmar of Laon's compilations of papal pronouncements, mostly taken from the Pseudo-Isidorian collections but including too some citations from Pope Nicholas I.³⁴ We also find the canons of the Council of Tusey 860, a text that Hincmar of Reims claimed had been interpolated by

³¹ 'Hypomnesticum', in Seventh-century popes, ed. Neil, 236: *abscisae fuerint praetiosae...linguae ac manus*, referring to Maximus and his disciple Anastasius. Anastasius managed nevertheless to continue writing by tying slender twigs to his stump, and according to two witnesses was miraculously also able to keep speaking without a tongue "by divine grace".

³² Flodoard, *Historia*, 21, 278, in which Hincmar of Reims enquired of Bishop John of Arezzo about the *canones Martini papae*, dated to 875-6. The editor suggests this is a reference to Martin of Braga, but Pope Martin seems equally plausible given the chronological context. The oldest manuscript of Anastasius's 873 Latin translation of the Second Council of Nicaea (787), Paris BnF lat. 17339 (s. ix), was also copied not in Rome but in Francia, or at least by a Frankish scribe. Hincmar of Reims in turn made a copy of it (now Vatican Reg. lat. 1046), but he was unimpressed by its contents: *Septima grecorum synodus falsa et reiecta*. See *Concilium Universale Nicaenum Secundum*, ed. Erich LAMBERZ (Acta Conciliorum Oecumenicorum series II, Volume III), xl, with n. 174.

³³ Brief description in *Catalogus codicum manuscriptorum bibliothecae regiae, pars tertia, tomus quartus*, 39. An excellent description of the the Latin texts is provided in *Streitschriften*, ed. SCHIEFFER, 60-1, with the comment at 61 that the manuscript is "von einer Hand geschrieben".

³⁴ The letters are now available in *Briefe des Erzbischofs Hinkmar*, ed. SCHIEFFER, nos. 257, 257a, 258, 258a 259a; the Pseudo-Isidorian material is in *Streitschriften*, ed. SCHIEFFER.

Hincmar of Laon, and which Hincmar of Laon himself cited on other occasions.³⁵ There is material written by Hincmar of Reims, too, but tellingly in an incomplete, fragmentary state.³⁶ Taken as a whole, the manuscript has Hincmar of Laon's fingerprints all over it.

What these Carolingian texts share with the monothelite material in the 'Collectanea' is a bearing on kingship – and on criticism of kings.³⁷ In common with most of Pseudo-Isidore, the collection from which they were chiefly taken, most of the papal letters selected by Hincmar do not mention kings or emperors directly; but, in establishing the religious sovereignty of the pope, they are at least indirectly relevant. The absence of the king from the Council of Tusey makes a similar indirect point: councils have no need of imperial or royal authorisation. More direct are the extracts from Pope Nicholas I's writings included in Hincmar of Laon's so-called 'Pittaciolus', a compilation of papal texts that takes up fol. 60v-fol. 78 of the manuscript. These extracts were taken from Nicholas's letters to Emperor Michael of Byzantium from the 860s – texts that did not widely circulate in Francia, and that one suspects the manuscript compiler may have acquired from the same source as Anastasius's 'Collectanea'; in other words, the papal circle itself. These papal letters ostentatiously instruct and correct the emperor, much as Pope Martin I had attempted to do centuries earlier. A complete letter of Pope Nicholas that is also included in the manuscript, concerning the restoration of Bishop Rothad of Soissons who after deposition had successfully taken his appeal to Rome in 864, would have served as an inspiring example for the deposed bishop of Laon.³⁸

Still more overtly related to the theme of criticizing the ruler are the manuscript's remaining Carolingian texts, all written, as already mentioned, in a single hand. The ill-tempered correspondence between Hincmar and his uncle is dominated by discussion of the former's

³⁵ Peter MCKEON, *The Carolingian Councils of Savonnières (859) and Tusey (860) and their background*, in: *Revue bénédictine* 84 (1974), 75-110, thought it possible the list represented a combined council, and that Hincmar of Laon was innocent of deliberate deceit. But Wilfried HARTMANN, *Unterschriftslisten karolingischer Synoden*, in: *Annuaire Historiae Conciliorum* 14 (1982), 124-139, at 134-7, convincingly argues for Hincmar's deliberate interpolation. Citation: *Streitschriften*, ed. SCHIEFFER, 40.

³⁶ Schieffer's recent edition of Hincmar's letters shows how Paris lat. 5095 has a profile different from Reims manuscripts. In particular, some of Hincmar of Reim's side of the correspondence with his nephew is preserved not here but in a separate manuscript, Vatican Pal. Lat. 296, which probably derives from the Reims archive. The version of the Edict of Pitres in Paris lat. 5095 also lacks an epilogue associated with Hincmar of Reims.

³⁷ The unity of these texts was already noted in a different light by Seventh-century popes, ed. NEIL, 137: "All the documents in Parisinus latinus 5095, except for the extract from St Augustine's questions on the Trinity, pertain to matters of ecclesiastical governance in Gaul, Rome and Byzantium, and their collator thus shares a common interest with Anastasius". In fact the Augustine extract is simply part of Hincmar's letter to Hincmar of Reims.

³⁸ JASPER and FUHRMANN, *Papal letters in the early Middle Ages*, 93-4.

relation with King Charles the Bald. Charles's imperial pretensions – which were further stimulated by Hincmar's struggle against him – are documented by the inclusion of the Edict of Pitres of 864, the grandest of the Carolingian royal capitularies.³⁹ And the risks posed by a renegade ruler to the church are vividly illustrated by an uncompromising though fragmentary letter from Hincmar of Reims concerning Charles's son, the rebel prince Carloman, excommunicated for ravaging church properties.

Last but not least, there is the *pièce de résistance* – the celebrated Quierzy letter written by West Frankish bishops to King Louis the German, in response to his invasion of the West Frankish kingdom in 858, for which this manuscript is the only complete surviving medieval witness.⁴⁰ Hincmar of Reims doubtless played a leading role in writing this letter, but it was nevertheless a collective effort. In it, the West Frankish bishops firmly refused to attend a meeting with the invading king, pointing out that it was too short notice and that “whoever orders the impossible makes himself ridiculous”. They carefully but very frankly instruct the invading king in his royal duties, and warn him of the heavy consequences of neglecting them. “Examine your conscience”, they urged. And they continue:

“We have heard so many so cruel and abominable things have happened in the dioceses on the routes through which you came, some of which we have experienced and some of which we fear to experience, and we lament with those who have experienced and are seeing them. These things are worse than the calamity and misery that we suffer from the pagans [*pagani*: Vikings], since they are carried out by Christians against Christians, by kin against kin [*parentes*], by a Christian king against a Christian king, by a brother against a brother, against all divine and human laws.”

The bishops then recounted the story of Louis's ancestor, Charles Martel, and how Charles was now burning in hell for his actions. And in case King Louis was missing the point, they warned him that “As many people as you destroy by your bad example, people who ought to

³⁹ On the imperial pretensions evoked by 871 and its aftermath, see NELSON 1991, 31-2, pointing out that Charles presented himself as a new Justinian. On the Edict of Pitres, see MACLEAN, forthcoming.

⁴⁰ Die Konzilien der karolingischen Teilreiche 843-859, ed. Wilfried HARTMANN (Monumenta Germaniae Historiae Concilia III), Hannover 1984, 403-427. Full translation by Charles West with assistance from Robert Heffron, Harry Mawdsley and Richard Gilbert, and advice from Janet L. Nelson: <http://turbulentpriests.group.shef.ac.uk/wp-content/uploads/2018/02/The-858-Quierzy-letter.pdf>. For discussion of 858, see Eric GOLDBERG, *Struggle for Empire: kingship and conflict under Louis the German*, Ithaca 2006, 248-262; Sophie GLANSBORFF, tr and ann., *Diplômes de Louis le Germanique*, Limoges 2009, 246-8; Janet L. NELSON, *Charles the Bald*, London 1992, 187-91; Steffen PATZOLD, *Episcopus. Wissen über Bischöfe im Frankenreich des späten 8 bis frühen 10 Jahrhunderts*, Ostfildern 2008, 271-2 and 524-5.

have been built up in goodness by you, under so many it will be necessary for you to be tormented in the future world in punishment”.

Juxtaposed in this way, the thematic coherence of Paris lat. 5095, centred around critiques of bad rulership from Byzantine and Carolingian traditions, is evident. So too, though, are certain differences between the component texts. As Bronwen Neil has argued, the ruler criticism in the ‘Collectanea’ was “heavily veiled”, even self-censored.⁴¹ In this it fits within Byzantine traditions of ruler criticism which tended to avoid overt attacks on reigning emperors, but that did not necessarily mean that more indirect criticism was not possible or effective. The emperor is portrayed off stage, but listening to proceedings from behind a lattice – a criticism that had been made of wicked Roman empresses.⁴² The Carolingian approach, most elaborately represented in this manuscript by the Quierzy letter of 858, was quite different.⁴³ Here the bishops also criticise the ruler’s agents. But they also openly and directly admonish the ruler too, and openly warn him as well. They remind Louis the German of his previous commitments, written and spoken; and they bring to mind the hour of his death,

‘when your soul will depart your body, and will leave behind the whole world and all power and all riches and the body itself, and will go forth naked and desolate, without the help of a wife or children, and without the support and company of your retinue [*drudores*] and vassals [*vassi*]’.

⁴¹ Bronwen NEIL, ‘Silence Is Also Annulment’: Veiled and Unveiled Speech in Seventh-Century Martyr Commemorations, in: Han BALTUSSEN and Peter DAVIS (eds.), *The Art of Veiled Speech. Self-Censorship from Aristophanes to Hobbes*, Philadelphia 2015, 233-250.

⁴² ‘Narrationes’, in *Seventh-Century Popes*, ed. NEIL, 200: *quatenus prospiceret imperator per cancellos triclinii sui*. Cf. Paul MAGDALINO, *Basileia: the Idea of monarchy in Byzantium, 600-1200*, in: Anthony KALDELLIS and Niketas SINIOSSOGLU (eds.), *The Cambridge Intellectual History of Byzantium*, Cambridge 2017, 575-598; but compare the bracing comments of Anthony KALDELLIS, *The Byzantine Republic: people and power in New Rome*, Cambridge 2015. On critique of Justinian, see Mischa MEIER, *Das andere Zeitalter Justinians: Kontingenzerfahrung und Kontingenzbewältigung im 6. Jahrhundert n. Chr.*, Göttingen 2004, 427-443; and Peter Sarris’s new translation of Procopius’s *Anecdota*.

⁴³ Key recent treatments: Janet L. NELSON, *History writing at the courts of Louis the Pious and Charles the Bald*, in: Anton SCHARER and Georg SCHEIBELREITER, ed., *Historiographie im frühen Mittelalter* (Veröffentlichungen des Instituts für Österreichische Geschichtsforschung 32), Vienna 1994, 435-442; Janet L. NELSON, *Bad kingship in the earlier Middle Ages*, in: *The Haskins Society Journal* 8 (1996), 1-26; Mayke DE JONG, *Admonitio and criticism of the ruler at the court of Louis the Pious*, in: François BOUGARD, Régine LE JAN, and Rosamond MCKITTERICK (eds.), *La culture du haut moyen âge, une question des élites?*, Turnhout 2009, 315-338; and Gerd ALTHOFF, *Kontrolle der Macht: Formen und Regeln politischer Beratung im Mittelalter*, Darmstadt 2016.

Of course, this 858 text was written in special circumstances; Louis was an invading king, even if the bishops were careful not to take a position on the legitimacy of his claim. But Hincmar of Reims helpfully indicated in a separate, later letter that the Quierzy text was sent not only to Louis the German, but also to the West Frankish king Charles the Bald himself – and that it had been written with him in mind, too.⁴⁴ The Quierzy letter is not criticism of rulers from outside, nor criticism from victims; it is criticism from partners in rule, produced from within the ruling system, as part of a public dialogue. Sometimes it was wise to veil critique as a kind of ‘safe criticism’, for instance through dreams;⁴⁵ but kings such as Charles the Bald, whose rule had begun with a clear commitment to consensual rulership at Coulaines in 843, could accept a degree of ‘free speech’, at least from their bishops. In this, the Quierzy text stands within Carolingian traditions that had been developed a generation earlier – and at the beginning of a tradition that would be further developed in subsequent centuries.⁴⁶

The ostensible contrast within the covers of a single manuscript between a Carolingian culture of open political criticism with the more cautious methods used in seventh-century Byzantium, where emperors were powerful and ruthless enough to arrest, imprison and exile popes, let alone other opponents, is striking. Yet we may doubt whether this was a comparison which would have interested Hincmar of Laon and his circle, or to which they would have subscribed, even though it was Hincmar’s manuscript (or so I have argued) that brings it to the fore, and without which manuscript our knowledge of the monothelite crisis would be impoverished. Despite the bishop’s attested interest in Greek culture, the purpose of Hincmar or his supporters in compiling Paris lat. 5095 seems rather to have been aggregative than comparative.⁴⁷ Hincmar was not interested as we may be in seeing difference, he was interested in seeing continuity.

⁴⁴ Konzilien der karolingischen Teilreiche 843-859, ed. HARTMANN, 403.

⁴⁵ On oneirocriticism, see Paul E. DUTTON, *The politics of dreaming in the Carolingian Empire*, Lincoln Nebr. 1994.

⁴⁶ See Bjorn WEILER, ‘Clerical admonitio, letters of advice to kings and episcopal self-fashioning, c. 1000 - 1200’, in: *History* 102 (2017), 557-575. See also work by Ryan KEMP, for instance *Advising the King: Kingship, Bishops and Saints in the works of William of Malmesbury*, in: Rodney THOMSON, Emily DOLMANS and Emily WINKLER (eds.), *Discovering William of Malmesbury*, Woodbridge 2017, 65-79, emphasising the impact of “the political discourse of the Carolingians” on William’s expectations of rulers (p. 78). On traditions of ‘free speech’, see the forthcoming work by Irene VAN RENSWOUDE on *parrhesia*.

⁴⁷ For his interest in Greek, see MUZERELLE 2013, 23, who associates Laon BM 444 with Hincmar of Laon, “un esprit brillant, aventureux et entreprenant”.

Ruler critique was not a purely abstract question for a cleric such as Hincmar who believed he had been wrongly deposed, and perhaps mutilated, on the say of a ruler. And the way material is combined in this manuscript suggests to me that Hincmar had parted company from those of his contemporaries whose purpose in ruler criticism was fundamentally collaborative and part of a shared endeavour. Carolingian political culture was deeply pluralist, with different and often opposing strands of thought on kingship as on much else besides.⁴⁸ Hincmar of Laon and his followers were drawing increasingly close to more radical perspectives promoted by the Pseudo-Isidorian forgeries, on which the bishop relied heavily, and to whose elaboration he may have contributed.⁴⁹ Looked at as a whole and placed in its most likely political context, Paris lat. 5095 is a dossier that is more confrontational than didactic, fully in keeping with Hincmar of Laon's own well-attested readiness to confront and indeed to infuriate a king who would have been surprised to hear that royal anger was a twelfth-century phenomenon.⁵⁰

Indeed this manuscript looks like the foundations of a law suit, for which Hincmar and his supporters were hunting out and appropriating precedents. It elides hundreds of miles and hundreds of years to document a timeless tale of persecuting rulers and suffering clerics. Decontextualised in this way, the dialogic, situational nature of these texts was obliterated. Constans II, Michael, Charles the Bald, and even the rebel Carloman: all were just so many erring secular rulers, who needed to be chastised by bishops, and, above them, by the pope. For it was the pope, not the lay ruler, around whom Hincmar's notion of authority conspicuously revolved – the pope whose letters are so abundantly cited, their authoritative statements artfully juxtaposed with instructions to and illustrations of misbehaving kings and

⁴⁸ Cf. Hans Hubert ANTON, Synoden, Teilreichsepiskopat und die Herausbildung Lothringens (859-870), in: Stephanie HAARLÄNDER and Georg JENAL (eds.), *Herrschaft, Kirche, Kultur. Beiträge zur Geschichte des Mittelalters. Festschrift für Friedrich Prinz zu seinem 65. Geburtstag*, Stuttgart 1993, 83-124, on supposed "theokratischen Vorstellungen" of Lotharingian bishops.

⁴⁹ It is significant that extracts from Lateran 649, selected perhaps because "das Konzil von einem Papst und gegen den Kaiser einberufen worden war", also ended up in a manuscript of Pseudo-Isidore associated with Hincmar of Laon: Concilium, ed. RIEDINGER, xv. The manuscript is Yale, Beinecke 442, the oldest witness to the so-called Cluny recension of Pseudo-Isidore. On this recension's connections to Hincmar of Laon, see Karl-Georg SCHON, Eine Redaktion der pseudoisidorischen Dekretalen aus der Zeit der Fälschung, in: *Deutsches Archiv* 34 (1978), 500-511, who argues that Hincmar of Laon used a version of Pseudo-Isidore in this form. Hincmar however had access to a remarkable range of Pseudo-Isidorian material: see KNIBBS 2015, esp. pp. 94-5, and ZECHIEL-ECKES 2010.

⁵⁰ On royal anger, see for instance Gerd ALTHOFF, *Ira regis: prolegomena to a history of royal anger*, and Geneviève BÜHRER-THIERRY, Just Anger or vengeful anger? The punishment of blinding in the early medieval west, in: Barbara ROSENWEIN (ed.), *Angers Past. The social uses of an emotion in the Middle Ages*, Ithaca NY 1998, 59-74 and 75-91. On King Charles's anger, see NELSON 1992, 14.

rulers.⁵¹ This is what I think makes this manuscript taken as a whole a witness to a more far-reaching *Kaiserkritik* than any of its individual component texts. Hincmar was not merely seeking to change individual rulers' decisions, nor playing the episcopal role of kings' advisor; he was, more decidedly even than Maximus the Confessor, trying to put rulers in their place, and he assembled various texts that might help him do that.

In the end, the popes let Hincmar down. Hadrian II and John VIII were too concerned with securing Frankish support against Saracen attacks on Rome to put their weight behind the deposed bishop. Hadrian II effectively caved in on the question of Hincmar's restoration on the first signs of King Charles's obduracy, kicking the question into the long grass.⁵² They were evidently unable to offer any protection against the bishop's brutal mutilation, which, whoever the perpetrator, seems unlikely to have occurred without the king's at least tacit consent, and about which Hincmar of Reims remained discredibly discreet.⁵³ The criticisms that Hincmar and his circle made of Frankish kingship, drawing on a range of intellectual traditions, were met with violence as well as counter-argument. John VIII restored Hincmar at the Council of Troyes in 878, but only up to a point, in an awkward and ambiguous compromise. If a disappointed Hincmar had any inkling that he was in the last year of his life, perhaps he drew comfort from hearing the words and deeds of sterner popes of ages past as they criticised erring rulers of different kinds. Perhaps, though, he never gave up plotting his comeback.

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⁵¹ Laon also had a copy of the *Liber Pontificalis*, Laon BM 342, which was updated to the pontificate of Nicholas. See *Le Liber Pontificalis*, ed. Louis DUCHESNE, vol. I, Paris 1955, clxxvii, who placed it as a Class B manuscript. Like Paris lat. 5095, this manuscript was given by Dido to the cathedral: MUZERELLE 2013, 166-7.

⁵² On Charles's defence, see NELSON 1991 and MCKEON 1978, 153-5. Hadrian's letter, copied into Paris BnF lat. 1557, still insisted that Hincmar had the right to come to Rome, but agreed that another council in Francia would be required to resolve the matter definitively.

⁵³ Cf. Christine KLEINJUNG, To fight with words: the case of Hincmar of Laon in the *Annals of St Bertin*, in: Rachel STONE and Charles WEST (eds.), *Hincmar of Rheims. Life and Work*, Manchester 2015, 60-75.