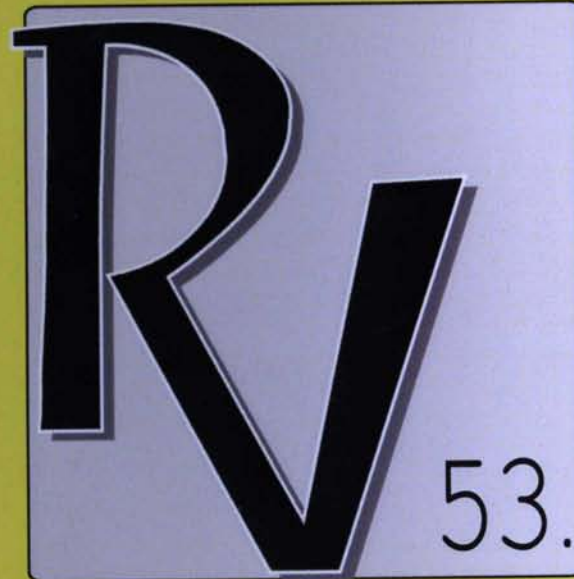




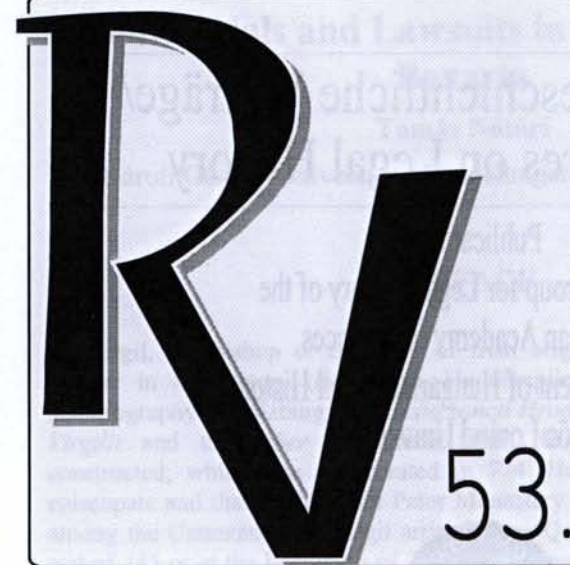
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in Early-Medieval Bavaria

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Show Trials and Lawsuits in Early-Medieval Bavaria

Tamás Nótári

Károli Gáspár University of the Hungarian Reformed Church

PREFACE

Virgil, the bishop of Salzburg of Irish origin (749–784) opened a new chapter in the history of Bavaria. He compiled the earliest works of the historiography of Salzburg: the *Gesta sancti Hrodberti confessoris*, the *Libellus Virgilii* and the *Liber confraternitatum*. He had the Rupert Cathedral constructed, which was consecrated in 774. He extended the rights of the episcopate and that of the Saint Peter Monastery and he organised the mission among the Carantanians.¹ Virgil arrived from Quierzy in Bavaria either at the end of 745 or at the beginning of 746,² after spending two years at the court of the *maior domus*, Pippin III. It was on behalf of him that Virgil started his journey to the duke of Bavaria, Odilo.³ Consequently,⁴ Virgil must have arrived in Quierzy as early as the end of 743 or the beginning of 744 at the time of Odilo was subjugated by the Frank.⁵ Virgil followed the Irish custom of the *peregrinatio pro amore Christi*,⁶ he left his home with his companions including Dobdagrecus (Dubdá-Crich),⁷ who was called *proprius episcopus* in the *Conversio Bagoariorum et Carantanorum*, just like his companion Sidonius. Virgil definitely began his work in Bavaria as an ordained clergyman.⁸

Without going into a detailed discussion of Virgil's origin and activity in Ireland,⁹ it is worth investigating which monastery Virgil and his companion came from. Shortly before his death, in the summer of 784, Virgil had the abbots of the monastery of Iona entered in the *Liber confraternitatum* so that the abbots and the monks in the Saint Peter Monastery in Salzburg would pray regularly for them afterwards. The list contains not only the abbots from Iona: in the first place is Saint Patrick (the apostle of Ireland) the ninth abbot of Iona, Adamnan,

¹ Cf. NÓTÁRI 2005. 24. sqq.; 81. sqq.; 137. sqq.; 153. sqq.; NÓTÁRI 2007. 15. sqq.; 25. sqq.; 60. sqq.; 132. sqq.; 146. sqq.; 236. sqq.; FREUND 2005. 79; DOPSCH 1997. 103. sqq.

² Bonifatius, *epistolae* 68.

³ July of 746 can be assumed as the earliest *terminus ante quem* for the arrival of Virgil in Bavaria.

⁴ *Conversio* 2.

⁵ Cf. *Annales Mettenses priores a. 743*

⁶ Ó NÉILL 1985. 80; BREATNACH 1985. 85.

⁷ *Conversio* 2.

⁸ Bonifatius, *epistolae* 68; 212.

⁹ About this see Ó FIAICH 1985. 17. sqq.; MOISL 1985. 27. sqq.

followed by Keranus (Cíarán), the abbot of Clonmacnoise, and Columban, the abbot of Luxeuil-Bobbio. The list ends with Slébine, the abbot of Iona, who died in 767.¹⁰ If Iona is accepted as Virgil's homeland and it is supposed that he arrived on the Continent as an abbot, the question may arise which monastery was led by him in the meantime since he cannot be considered an abbot of Iona. Paul Grosjean takes side against the thesis that Virgil was Ferg(h)il, the abbot of Aghaboe (Achad Bo),¹¹ and this point is also supported by Herwig Wolfram, who does not preclude the possibility, that Virgil might have had a connection with the monastery of Aghaboe, Trim, or Meath.¹² Apart from the general custom of *peregrinatio*, we are reduced to conjecture as to what personal motive for abandoning Iona Virgil might have had. It cannot be ruled out that the schism that influenced the spirit of the monastery of Iona for a long time might have influenced this decision since the *Liber confraternitatum* lists the names of the counterabbots of Iona too.¹³ We intend to deal with three aspects of the activity of Virgil, the abbot and bishop of Salzburg: the conflict between Bonifacius and Virgil; the determination of the date of Virgil's ordaining; and the debates for the goods and rights of the Saint Peter Monastery and the episcopate of Salzburg, which were noted down by Virgil in the *Libellus Virgili*.

The creation of a unified empire by Charlemagne required quite a number of victims, one of whom was Tasilo III, the last duke of the Agilolfing dynasty reigning in Bavaria for two centuries. The history of his fall may awake the legal historians' interest because the Frank monarch dethroned him not by means of a bloody military defeat but by a legal trial (now called show trial¹⁴) in 788. Before the trial Charlemagne isolated Tasilo both in foreign and home affairs by means of carefully measured diplomatic steps. Finally, putting him under his jurisdiction in 787, he made him his vassal. The main charges brought against Tasilo were *infidelitas*, i.e., unfaithfulness to the liege lord and *harisliz*, i.e., desertion, though the latter was claimed to have been carried out a quarter of a century before the legal trial. The given work aims to enlighten the legal background of this rather opaque case by contouring the historical context.

The difficulties in reconstructing the history of the dethronement of the last Bavarian duke and the fall of the Bavarian Dukedom originate from the character of the sources: we can get information about the events of the period only from Frank descriptive sources, and these texts reproduce the events that reflect the dethronement in 788, from the viewpoint of its legitimation.¹⁵ We can make a

¹⁰ *Liber confraternitatum* 20 Ca 2-c 2; WOLFRAM 1985. 342. sq.; WOLFRAM 1995. 254; LÖWE 1975. 100; GROSJEAN 1960. 92. sqq. About the *Liber confraternitatum* see FORSTNER 1985. 135. sqq.; MCKITTERICK 2004. 70. sqq.; MCKITTERICK 2001. 5. sqq.; FENTRESS, J.-WICKHAM, C. *Social memory*. Oxford, 1992.

¹¹ GROSJEAN 1960. 97. sqq.; 100. sqq.

¹² WOLFRAM 1995. 255.

¹³ GROSJEAN 1960. 92. sqq.; WOLFRAM 1995. 255.

¹⁴ ERLER 1978. 27. sqq.; SCHIEFFER 1997. 167. sqq.; AIRLIE 1999. 93. sqq.

¹⁵ CLASSEN 1983. 235; KRAWINKEL 1937. 47. sqq.; BECHER 1993. 21-87; BECHER 2005. 39.

reconstruction of these events mainly on the ground of two sources: the *Annales regni Francorum* and the *Annales qui dicuntur Einhardi*. Nonetheless others can also help in completing, correcting or contrasting the plot of the trial. Neither the notes of the *Annales regni Francorum*, nor those of the *Annales qui dicuntur Einhardi* originate from the year of the event under analysis, but from later times. The *Annales regni Francorum* was written in two phases: the first lasted from 787 to 795, when the notes of the events of the period between 741 and 795 were added, while during the second phase, which took place after 795, notes were made year by year. For part one (until 795) the author used chronicles that have been partially lost by now.¹⁶ The *Annales* attributed to Einhard were written approximately between 814 and 817 (as a reedition of the *Annales regni Francorum*), and during this working process the author made stylistic corrections, on the one hand, and substantial changes in the evaluation of the events and their emphasis, on the other. Since this source (the *Annales qui dicuntur Einhardi*) came to being two decades later than the *Annales regni Francorum*, it can only be used secondarily.¹⁷ However, we must take the narrations of the *Annales regni Francorum* only *cum grano salis*, since the passages concerning the Bavarian conditions before 788 were defined by the events of 788, i.e., the facts were stylized and manipulated so that they would justify the judgement in the trial against Tasilo.¹⁸ It seems extremely probable to accept the idea that the quite detailed narration concerning Bavaria and Tasilo is a reedition of a chronologically divided royal Frank document, with an almost official language, written in the course of the legal trial, containing the reasoning of the charge and judgement, and on the whole its justification. Consequently, the source presents the events from the highly subjective point of view of Charlemagne, i.e., the winner of the case.¹⁹ We first consider Tasilo's reign and the historical background of the trial; then we try to investigate the Frank-Bavarian conflict and the *sacramenta fidelitatis* of Tasilo. In the end, after highlighting the question of *infidelitas* and of *harisliz* the show trial itself will be analysed.

The protagonists of the Slavonic (and Avar) mission in the 9th century were the Byzantine Empire. On the one side were the Frankish Empire, which relied on the Archbishopric of Salzburg, and the Patriarchy of Aquileia pursuing fairly independent politics.²⁰ This balance was disrupted by the papacy, which was gaining strength, taking firm steps with independent mission policy against the power of the Carolingian dynasty. This threefoldness provided the background of the activity of Methodius known as the Apostle of the Slavs and of his conflict with the Archbishopric of Salzburg and its diocesan bishops. At the Council of Regensburg held in the presence of Louis the German in 870, Adalwin, archbishop

¹⁶ LÖWE 1953. 245. sqq.; KOLMER 1980. 293; HOFFMANN 1958. 38. sqq.

¹⁷ LÖWE 1953. 253; ROB-SANTER 2005. 108.

¹⁸ CLASSEN 1983. 235; KOLMER 1980. 293; ROSENSTOCK 1928. 1. sqq.; KOLMER 2005. 17.

¹⁹ CLASSEN 1983. 235. sq.; KOLMER 1980. 294; KOLMER 2005. 9. sqq.; POHL 2005. 59.

²⁰ REINDEL 1981. 249. sqq.; LÖWE 1948. 3. sq.; EGGERS 1996. 19; BOSL 1964. 1. sqq.

of Salzburg and his bishops passed a judgment on Methodius, a missionary from Byzantium, then papal legate and archbishop of Sirmium. They deemed that by his missionary activity pursued in Pannonia, Methodius infringed the jurisdiction of Salzburg exercised over this territory for seventy-five years, and after that they held him in captivity for two and a half years. It was this lawsuit regarding which the *Conversio Bagoariorum et Carantanorum* was drafted either as a bill of indictment or to legitimate the lawsuit subsequently, but it cannot be clarified.²¹ The tendency of the presentation of the *Conversio* has been characterised quite to the point by Kahl as follows: *Was da getrieben wird, ist nichts anderes als ein waghalsiges Spiel dicht an der Grenze der Wahrheit, gerade noch unanfechtbar für den, der Bescheid weiß, dem Unkundigen jedoch abweichende Kombinationen offenlassend, ja nahelegend, die den Zwecken der Denkschrift ungleich besser entgegenkamen. Man ahnt einen wohlunterrichteten Gewährsmann, der jedoch sehr wohl weiß, was er will, was nicht, und man bedauert, daß er von seinen Kenntnissen keinen besseren Gebrauch gemacht hat. Rafiniertes Verschweigen unerwünschter oder gar „gefährlicher“ Zusammenhänge und Fakten, ähnlich rafinierte Zusammenziehung von Ereignissen, die womöglich weit auseinanderlagen – das sind auch sonst die Hauptmittel, die der Verfasser für seinen Zweck einsetzt.*²²

We first deal with the historical background of the conflict between Methodius and the bishops of Bavaria: the process of Christianization of Carantania, Avaria and Bulgaria. Then, we investigate the activity of Methodius in Pannonia and Moravia, and the reasons for the trial held in Regensburg which led to the most shameful captivity of Methodius.

I. Virgil versus Bonifacius and Odilo

I. 1. Virgil's conflict with Bonifacius

The conflict between Bonifacius and Virgil crystallized around the current problems of Bavaria in the 740's. Nevertheless, the differences in their views were rooted in their different origin, worldview and cultural background. Raising the centres of Bavarian Christianity to bishopric rank that revived during the period of Duke Theodo and Emmeram (Haimhrammus), who worked in Regensburg, Rupert (Hrodbertus), who acted in Salzburg, and Corbinian (Corbinianus), who did service in Freising, would mean great progress also for the dukes of Bavaria which was not abundant in cities.²³ So Duke Theodo went to Rome in 715 or 716 in order to negotiate. Consequently,²⁴ Pope Gregory II

(715–731) commissioned bishop Martinianus and two of his assistants, Gregorius and Dorotheus to assign the exact borders of the three or four episcopates to be established in Bavaria in accordance with Duke Theodo's division of his dukedom among his sons. Their duties also included summoning the nobles and the priests on these territories, among other things, in order to investigate the priests' faithfulness and lawful ordination.²⁵

Pope Gregory II ordered that after taking three bishops' advice the new episcopates' bishops should be chosen, although the right of confirmation stayed within the authority of Rome.²⁶ In the most important episcopal center an archbishopric was to be founded, and the last decision about the archbishop's person, just as in the case of the bishops, was the priority of the Pope. If there was no proper person available, the Pope should be notified, and in this case he himself would send an archbishop to take the position.²⁷ Pope Gregory II's direction partly repeated the resolutions of Council of Braga in 583 and those of the Council of Lateran in 679, referring to the Anglo-Saxon ecclesiastical organization.²⁸ The Pope proceeded pursuant to his predecessors' routine in similar cases, as in the case of the English Church with its center in Canterbury. Namely, he had reservations concerning the local clergy, and he was reluctant to decree the archbishop's ordination, i.e., he wanted to build a system of dioceses that was under the direction of Rome.²⁹ This endeavour was in line with the goals of the Agilolfing-dynasty inasmuch as they aimed at establishing an independent local Church that was free from the influence of the Church of the Frank Empire. Probably as far back as this early stage they intended to make Salzburg the center of the Bavarian Church³⁰ which eventually took place only in 798. It is not known why this episcopal organisation was not established soon after the Pope's resolution, however the discords of the Agilolfing-dynasty and Karl Martell's politics to broaden his power might have played a part in the temporary failure of the plan.³¹

Pope Gregory II's missionary politics concerning German territories confined to entrusting Bonifacius on 15 May 719 with missionary work without naming any particular territory,³² and after ordaining him bishop on 20 November 722 he sent Bonifacius to the countries and territories inhabited by Germans.³³ Later he read his reports and answered his questions.³⁴ Although dioceses had no accurately defined borders, by the time of the rule of Pope

²¹ LOŠEK 2005. 126. sq.

²² KAHL 1985. 112.

²³ REINDEL 1981. 196. sqq.

²⁴ *Liber pontificalis* 19; Paulus Diaconus, *Historia Langobardorum* 6, 44.

²⁵ KOLMER 1999. 13.

²⁶ Cf. Bonifatius, *epistolae* 28; O'NEILL 1985. 79.

²⁷ REINDEL 1975. 96. sq.

²⁸ BAUERREIB 1958. 58.

²⁹ SCHMIDINGER 1985. 93.

³⁰ REINDEL 1981. 226.

³¹ SCHMIDINGER 1985. 93.

³² JAFFÉ 2157; Bonifatius, *epistolae* 12.

³³ JAFFÉ 2160; 2161; Bonifatius, *epistolae* 17; 18; 19; 21; 25.

³⁴ Bonifatius, *epistolae* 24; 26; SCHIEFFER 1980. 149. sqq.

Gregory III (731–741) the age of the *episcopi vagantes* had ended, and their place was taken by bishops with constant residence.³⁵ A year after his accession to the throne, in 732, the Pope himself commissioned Bonifacius, who became an archbishop after the *pallium* was given to him, although he had not taken a diocese, to reorganise the Bavarian Church and to ordain bishops if necessary.³⁶ Bonifacius visited Bavaria as far back as 719,³⁷ and from 733 to 735 he visited all the Bavarian dioceses.³⁸ Pope Gregory III appointed Bonifacius legate and in his letters to the archbishops of Bavaria and Alemannia (Wiggo, Liudo, Rydolt, Phyphylo and Addo) he ordered them to assemble at a place determined by Bonifacius on the banks of the river Danube to consult.³⁹ Bonifacius named four dioceses: Regensburg, Passau, Salzburg and Freising.⁴⁰ These cities not only gained a significant role as secular centers, but their sacred legitimation as far as Regensburg, Salzburg and Freising were concerned was ensured by the missionaries: Haimhrammus, Hrodbertus and Corbinianus as well.⁴¹ The bishops of these four dioceses were not automatically recognised as bishops, although their episcopal rank was not questioned. The place of the bishops were filled by new bishops ordained by Bonifacius: John in Passau, Erembert in Freising, and Gaubald/Gawibald in Regensburg.⁴² In Passau, Vivilo was kept in his place despite reservations, which was confirmed by the Pope, though his confirmation that included a tone of reprimand.⁴³ (Augsburg, which was included into the Bavarian dioceses later, are not mentioned. The Bishopric of Eichstätt including part Bavarian, part Swabian territories that would be founded only in 743/44.⁴⁴) The organization of dioceses by Bonifacius was soon firmly established through promoting local traditions: Saint Emmeram's relics were placed with solemnity in Regensburg, Tasilo had Saint Valentine's relics taken to Passau in 764, Bishop Arbeo placed Saint Corbinian's earthly remnants in Freising in 765 and Virgil arranged for the veneration of Saint Rupert's and his companion's relics in the Cathedral of Salzburg.⁴⁵

The question of establishing an Archbishopric was temporarily left unmentioned, the reason for this was probably that Bonifacius thought it was unnecessary to found a metropolis that joined the bishoprics, so he supervised

³⁵ WOLFRAM 1981. 136. sqq.

³⁶ JAFFÉ 2239; Bonifatius, *epistolae* 26; SCHIEFFER 1980. 153. sqq.; SCHMIDINGER 1985. 94.

³⁷ *Vita Bonifatii* 5.

³⁸ *Vita Bonifatii* 6.

³⁹ JAFFÉ 2247; Bonifatius, *epistolae* 44; LÖWE 1965. 280. sq.

⁴⁰ ERKENS 2005. 24.

⁴¹ SCHMIDINGER 1985. 94.

⁴² *Vita Bonifatii* 7; REINDEL 1981. 229. sq.; SCHIEFFER 1980. 180. sqq.; KOLMER 1999. 14; ERKENS 2005. 25.

⁴³ Bonifatius, *epistolae* 45; JAFFÉ 2251.

⁴⁴ REINDEL 1981. 230. sqq.

⁴⁵ SCHMIDINGER 1985. 95.

the activity of the bishops as the Pope's legate and as a missionary archbishop.⁴⁶ Although he had reached the peak of his influence by this time, certain criticism was formulated against him, and with the deepening conflict between the Frank *maior domus* and the Agilolfings, Odilo and Bonifacius also became estranged since the archbishop joined Karlmann openly.⁴⁷ Pope Zechariah (741–752) sent Sergius as legate to Bavaria, whom Odilo should consider Bonifacius's deputy, and it might have been to the Pope's interest to gain the Bavarian duke as an ally against the Langobards. The mission of Sergius ended unluckily: he appeared in the Franks' camp before the fight between Odilo and his brothers-in-law, Karlmann and Pippin, and warned them in the name of Saint Peter against war: only to be put in prison after the defeat of the duke. After this incident, Zechariah renewed Bonifacius' rank as legate in Germany and in Gallia, yet Bonifacius' respect decreased to such an extent that even the Bavarian bishops ordained by him were reluctant to participate in the council convoked by him.⁴⁸ It was at the end of Bonifacius' career that one of his gravest conflicts occurred: his argument with Virgil.

Virgil and his follower, Sidonius, who worked in Bavaria after 745, were commissioned by Bonifacius to rechristen those Bavarians who received the sacrament of baptism from a local priest with the phrase "*in nomine patrie et filie et spiritus sancti*".⁴⁹ Shortly before this, on 5 November 744 Pope Zechariah appointed Bonifacius legate of Germany and Gallia,⁵⁰ through that he became a mediator between the papacy and the Frank Church.⁵¹ Virgil and Sidonius refused to execute the order; they turned to Rome instead, and the Pope decided the argument in their favour. Therefore, on 1 July 746 he informed Bonifacius that his order was incorrect, and announced that it was sufficient to cleanse those who were christened with the wrong phrase by the touch of his hand, and that christening in the name of the Holy Trinity is valid even if it is delivered by a heretic.⁵² Pope Zechariah's reasoning seems to be plausible since Pope Gregory III had proposed a similar solution for the linguistic problems.⁵³ Nevertheless, if other orders sent to Bonifacius by Gregory II, Gregory III and Zechariah are taken into consideration, Bonifacius' uncertainty and rigour is thus understandable.⁵⁴ Bonifacius definitely knew the ecclesiastical standpoint about the delivery of sacrament by heretics; yet, in this case he set out from the idea that christening without naming the Holy Trinity was invalid, as it was confirmed by previous papal verdicts. The Bavarian priest delivered the

⁴⁶ SCHIEFFER 1980. 184.

⁴⁷ PRINZ 1965. 442. sq.

⁴⁸ SCHMIDINGER 1985. 95; KOLMER 1999. 14.

⁴⁹ Bonifatius, *epistolae* 68.

⁵⁰ Bonifatius, *epistolae* 58; KOLMER 1999. 15.

⁵¹ LÖWE 1965. 279.

⁵² Bonifatius, *epistolae* 68; SCHMIDINGER 1985. 96.

⁵³ Bonifatius, *epistolae* 45.

⁵⁴ Bonifatius, *epistolae* 12.

sacrament in the name of *the homeland, the maiden and the Holy Spirit*, which was justly disapproved by Bonifacius.⁵⁵ Virgil's and Sidonius' resistance might have revolted Bonifacius all the more since the council known as *Concilium Germanicum*, which was held in 742, put the control of christening by priests under episcopal authority.⁵⁶ From his point of view, Virgil's procedure was not reprehensible either since according to Irish customs the delivery of the sacrament was the sovereign right of every priest, and not even the bishops had the right to interfere. Furthermore, he understood that in the case of this priest who used this peculiar formula to christen it was not heresy or a mind yearning for teaching new doctrines, to but simple ignorance.⁵⁷

Bonifacius continued to argue by writing a new letter to the Pope, in which he accused Virgil of heresy concerning the doctrine of *antipodoi*; namely, that there were people living on the other side of the Earth, and they were illuminated by another Sun and another Moon.⁵⁸ The doctrine about the globular figure of the Earth was not in contrast with the opinion of ecclesiastical authorities, such as Augustinus, Isidorus Hispalensis and Beda Venerabilis. Nevertheless, regarding the issue of *antipodoi* Augustinus and Beda Venerabilis refrained from expressing an opinion, and Isidorus unambiguously claimed that it is a creature of imagination.⁵⁹ At the same time, the doctrine of *antipodoi* implied the questioning of the unity of mankind and by that the universality of redemption.⁶⁰ Bonifacius, as a pragmatic and organising mind,⁶¹ had little interest in investigations and speculations about natural science, so in Virgil's accusation his antipathy against the Irish abbot most probably played an important part.⁶² Being aware of these accusations, in his letter written on 1 May 748 Pope Zachariah no longer supported Virgil and Sidonius so unconditionally as he had done before. The fact that he distanced himself also from Sidonius unambiguously shows that his opinion was changed not only by Bonifacius' accusations against Sidonius regarding his cosmological misconceptions. Zachariah summoned Virgil and Sidonius to Rome, and sent a letter to Duke Odilo, who had died in the meantime, in order to secure that Virgil would really set off, and he distanced himself from the claim that he had promised him the bishopric of Salzburg. Instead, he questioned Virgil's clerical authority and ordered that Bonifacius, who was nevertheless encouraged to be conciliatory and gentle, to bring Virgil and the Irish priests concerned to the council, and if they were guilty of heresy, they should be expelled from the Church.⁶³ The

further consequences of the case are not known; Virgil did not set off to Rome, and no schism occurred either. Virgil was possibly given the vacant seat of the bishopric of Salzburg with papal consent, presumably evading the legate Bonifacius. Pippin III's permission for acquiring the diocese of Salzburg, which was necessary both *de facto* and *de iure* after the Bavarian defeat in 743, was available.⁶⁴ The papal *licentia* was obtained presumably by Odilo,⁶⁵ which makes it evident that the Bavarian Duke and Virgil could cooperate well, even against Bonifacius.⁶⁶ (Heinz Löwe brought *Cosmographia*, the work attributed to Aethicus Ister, most probably correctly, into connection with the accusation of the doctrine of *antipodoi*, claiming that Virgil wanted to take sarcastic revenge with this opus written under this pen name after 764 on his former rival, Bonifacius, who died a martyr in 754.⁶⁷)

I. 2. Virgil's ordination

The second chapter of the *Conversio Bagoariorum et Carantanorum* first lists the superiors (bishops and abbots) of the church after Rupert's death, or, departure from Salzburg, and starts to expound Virgil's origin and his activity in Bavaria: [*Sequitur dehinc catalogus episcoporum sive abbatum eiusdem Iuvavensis sedis, quam ewangelicus doctor Roudbertus ab anno adventus eius de Womatia in Bawariam usque in die vocationis suae rexit. Anno nativitatis Domini DCXCI.] Igitur post excessum beatissimi Roudberti pontificis vir carus omni populo egregiusque doctor et seminator verbi Dei Vitalis episcopus sedem Iuvavensem regendam suscepit. Post cuius transitum Anzogolus extitit abbas. Post cuius depositionem predictae sedi adhesit Savolus abbas. Cuius vite finito cursu Ezius abbas successit. Quo migrante de saeculo iterato illa sedes honorata refulsit episcopo Flobargiso. Post quem Iohannes pastorem gessit in sede praefata curam.*⁶⁸

The order of the abbots and bishops in this chapter of the *Conversio* is the following: bishop Rupert, bishop Vitalis, abbot Anzogolus, abbot Savolus, bishop Flobargisus, bishop John and bishop Virgil. The order given in the *Liber confraternitatum* (Hrodperthus episcopus et abbas, Anzogolus abbas, Vitalis episcopus et abbas, Savolus abbas, Izzio abbas, Flobrigis episcopus et abbas, Iohannis episcopus et abbas, Virgilius episcopus et abbas)⁶⁹ and in a verse in *De ordine conprovincialium pontificum* (Hrodbertus episcopus, Vitalis episcopus,

⁵⁵ WOLFRAM 1995. 256.

⁵⁶ *Concilium Germanicum* 2; Bonifatius, *epistolae* 56.

⁵⁷ WOLFRAM 1995. 256.

⁵⁸ Bonifatius, *epistolae* 80.

⁵⁹ Cf. LÖWE 1951. 939. sqq. (Otto Prinz refuses the authorship of Vergil – PRINZ 1993. 1. sqq.)

⁶⁰ WOLFRAM 1981. 143.

⁶¹ LÖWE 1951. 963. sqq.; Ó NÉILL 1985. 77.

⁶² SCHMIDINGER 1985. 97.

⁶³ SCHMIDINGER 1985. 97.

⁶⁴ *Lex Baiuvariorum* 1, 10. Cf. JAHN 1991. 186. sqq.

⁶⁵ Bonifatius, *epistolae* 80; *Breves Notitiae* 8, 5. *Postea vero, cum Virgilius peregrinus donante Ottilone duce suscepit regimen ipsius Iuvavensis sedis et episcopatum ...*

⁶⁶ WOLFRAM 1995. 257; FREUND 2004. 89. sqq.; FREUND 2005. 69.

⁶⁷ WOLFRAM 1995. 257.

⁶⁸ *Conversio* 2.

⁶⁹ *Liber confraternitatum* 14 Aa 1. sqq.

Flobargisus episcopus, Iohannes episcopus, Virgilius episcopus) are different.⁷⁰ Whereas in the *Liber confraternitatum* bishop and abbot Vitalis takes the second place after abbot Anzogolus, according to the *Conversio* Rupert himself appointed Vitalis to be his successor. The aforesaid verse might be responsible for the inverted order of Anzogolus and Vitalis, since this source lists only those of Rupert's successors who received the episcopal rank. Nevertheless, only a little is known about the men listed after Rupert and before Virgil, as a matter of fact sometimes nothing is reported except for their names.⁷¹ The first who was ordained for the episcopacy of Salzburg, which became a bishopric in 739, was bishop and abbot John, who was appointed by Bonifacius, and who is known as the person who received the donations of the nobility. Several sources refer to John's friars long after his death.⁷² Bishop John departed this life on 10 June 746, or as it seems more probable in 747 on the same day.⁷³

In the years after his arrival in Salzburg, Virgil occupied the office of an abbot since, as it is claimed in the *Conversio*, he postponed his ordination to bishop for about two years, and the work was accomplished by Dobdagrecus, who accompanied him to Bavaria.⁷⁴ Virgil's ordination took place in all probability on 15 June 749,⁷⁵ though according to the *Conversio* he was willing to have himself ordained only on 15 June 767, at the constant entreaty of the people and the bishops. Although the day of the ordination was not questionable, its year was a controversial issue for a long time since the two dates mentioned in the *Conversio*, i.e., Virgil's arrival in Bavaria in 745/46 and the period of two years' waiting before his alleged ordination in 767 could not be harmonised. When answering this question, four different points must be taken into consideration: Virgil's place in the order of the Bavarian bishops; the foundation of Otting, which took place in the year of Virgil's ordination, and which was dated by Pippin and Odilo jointly, though without reference to the year.⁷⁶ The statement in the second chapter of the *Conversio* which claims that Virgil took over the direction of the church of Salzburg in 746/47 and he was willing to have himself ordained only two years later "*populis petentibus et episcopis*

regionis illius";⁷⁷ and finally that Virgil's name occurs as *abba(s)* in the documents of the archives.⁷⁸

The minutes of the Council of Dingolfing in 776/77,⁷⁹ which contain the agreement about the community of prayer implemented by the Bavarian bishops and abbots, was signed by the following people: Manno, the bishop of Neuburg; Alim, the bishop of Säben; Virgil, the bishop of Salzburg; Wisurich, the bishop of Passau; Sindbert, the bishop of Regensburg; and Arbeo, the bishop of Freising.⁸⁰ The order of the signatures was determined by the time spent in office, the date of ordination, as determined by the pseudoisidorian collection based on the Western Gothic *Ordo de celebrando concilio*.⁸¹ Therefore, if the people signing the minutes of the Council of Dingolfing followed this order, it seems to be impossible that Virgil was ordained bishop only in the year 767 since Arbeo was presumably ordained in 764, and he is explicitly mentioned as bishop in a text dating from 17 May 765 in the *Traditio Frisingensis*.⁸² Herwig Wolfram argued for 755 as the year of the ordination as far back as 1971 referring among other things to this fact;⁸³ yet, this has not become a generally accepted standpoint in the literature.⁸⁴ (Obviously, the order of the signatures might lead to incorrect conclusions, especially when the signatures of those absent were added to the minutes later.⁸⁵) Nevertheless, in this case those who signed the document were most probably present at its compilation.⁸⁶ The fact that the *Notitia de pacto fraternitatis* in Dingolfing contains the names of the signatory bishops in the order of their ordination is supported by other sources. A letter of donation from 770 contains two lists of the witnesses, in the first one Tasilo III is placed first followed by bishop Alim and Arbeo.

The second list begins with Virgil, and Wisurich is placed second.⁸⁷ Another document from Freising dated 16 November 777 deals with a donation implemented with the approval of the duke and the nobility in the presence of Bishop Virgil. Arbeo, the bishop of Freising, and Odalhart, the bishop of Neuburg, who replaced Manno two months before, are indicated as witnesses.⁸⁸ The founder of Kremsmünster refers to three bishops present: Virgil, Sindbert, the bishop of Regensburg, and Waltrich, the bishop of Passau.⁸⁹ Whereas the *Notitia de pacto fraternitatis* put Wisurich before Sindbert, the founder of

⁷⁰ *De ordine conprovincialium pontificum* 1, 1a-b.

⁷¹ HERMANN 1996. 58. sqq.; WOLFRAM 1995. 252.

⁷² *Breves Notitiae* 8, 13. *monachi sancti Rudberti atque Iohannis; Vita Bonifatii* 7.

⁷³ Bonifatius, *epistolae* 68; 80; 212.

⁷⁴ *Conversio* 2. *Isdem igitur temporibus, scilicet Otilonis ducis Bawariorum, qui tunc subiectus fuit regi Pippino Francorum, venit vir quidam sapiens et bene doctus de Hibernia insula nomine Virgilius ad praedictum regem in Francia loco vocato Karisiaco. Qui propter Dei amorem retinuit eum secum fere duobus annis et comperto eo bene docto misit eum praefato duci Otiloni ac concessit ei episcopatum Salzburgensem. Qui dissimulata ordinatione ferme duorum annorum spatii habuit secum proprium episcopum comitantem de patria nomine Dobdagrecum ad persolvendum episcopale officium. Postea vero populus petentibus et episcopis regionis illius consensit Virgilius consecrationem accipere ordinatusque est a conprovincialibus praesulibus ad episcopum, anno scilicet nativitatis Domini DCCLXVII sub die XVII Kalendas Iulii.*

⁷⁵ WOLFRAM 1995. 258.

⁷⁶ *Breves Notitiae* 13, 1. sqq.

⁷⁷ *Conversio* 2. Cf. HELLMANN 1964. 161. sq.

⁷⁸ WOLFRAM 1995. 258.

⁷⁹ FREUND 2005. 71.

⁸⁰ *Notitia de pacto fraternitatis episcoporum et abbatum Bawaricorum*; cf. JAHN 1991. 512. sqq.

⁸¹ FICHTEAU 1986. 176.

⁸² *Traditio Frisingensis* Nr. 23. Cf. JAHN 1991. 376. sq.

⁸³ WOLFRAM 1971. 297. sqq.

⁸⁴ LÖWE 1975. 111. sq.

⁸⁵ FICHTEAU 1986. 176.

⁸⁶ WOLFRAM 1995. 259.

⁸⁷ *Traditio Frisingensis* Nr. 39.

⁸⁸ *Traditio Frisingensis* Nr. 86.

⁸⁹ WOLFRAM 1995. 377.

Kremsmünster, it placed Wisurich's successor, Waltrih, after Sindbert. Although there are sources from the first half of the year 777 implying that Wisurich was still alive, it can be concluded that at the time of the foundation of Kremsmünster Waltrich had not been in office for a long time.⁹⁰ Following Herwig Wolfram, from the aforesaid facts it can be inferred that Wisurich, the bishop of Passau, to whom reference is made only between 770 and 777, was certainly ordained before Arbeo, and the same stands also for Sindbert, the bishop of Regensburg. Therefore; Virgil's ordination must have taken place before 764/65, consequently, 767, the year indicated in the *Conversio* is incorrect.⁹¹

The *Breves Notitiae* state that Otting was founded in the year when Virgil was ordained bishop, and emphasise that the ceremony took place during the reign of Pippin and his nephew, duke Tasilo: *De cella apud Ottingen. Cellam, que dicitur Ottinga, temporibus domni Pippini regis et Thassilonis ducis nepotis Guntherius quidam comes in pago Chiemingen in propria hereditate sua construxit et ecclesiam pro amore dei et anime sue salute ad sevicium dei et sanctorum eius. Convocavitque illuc Virgilium episcopum eodem anno, quo ad episcopum ordinabatur.*⁹² Double dating (royal and ducal) can be found in other sources from Freising from 754/55 and 760/62.⁹³ After Grifo (Hiltrud's stepbrother), who temporarily seized power, was driven out from Bavaria with Pippin's help, the eight-year-old Tasilo was appointed Duke of Bavaria by Pippin.⁹⁴ Tasilo guardianship was exercised by his mother, Hiltrud until her death in 754, and through her, indirectly by his uncle, Pippin between 754 and 757.⁹⁵ It was in the Imperial Assembly in 757 in Compiègne that Pippin released Tasilo from his guardianship; nevertheless, the sources of official Frank historiography do not disclose this fact.⁹⁶

Referring to Theodor Bitterauf's edition, Herwig Wolfram calls the attention to a piece of the *Traditio Frisingensis*,⁹⁷ and after investigating the textual tradition draws the conclusion that it was possible to use double dating also after 757. Yet, after 763 no instance of this is found. Consequently, it can be stated that the investigated paragraph about the year of Virgil's ordination in the *Breves Notitiae* can by no means refer to the events in 767.⁹⁸ This interpretation is corroborated by the fact that the *Breves Notitiae* call Tasilo Pippin's *nepos*, emphasising his dependence. Moreover, according to the narrative Count Gunther asks King Pippin's permission for the donation with the consent and on

the advice of Tasilo.⁹⁹ From these facts it becomes evident that the foundation of Otting, and Virgil's ordination in the same year, took place probably in the period when Pippin was directly or indirectly Tasilo's guardian; that is, between 748/49 and 757.¹⁰⁰ It can be righteously assumed that the period, of two years according to the *Conversio*, which passed between Virgil's arrival in Bavaria (745/46) and his ordination might have been *one year longer* since the 15th of June in 749 was Sunday, which was an ideal day for the ordination. The fact that Virgil was ordained bishop in the period when the Frank ruler produced great influence on the Bavarian Dukedom unequivocally chimes in with the good personal relationship between Pippin and Virgil.¹⁰¹

Virgil is referred to as *abba(s)* in two sources that give an account of events between 747 and 748: (i) The description of the argument of the *cella sancti Maximiliani* in the *Notitia Arnonis*, which involved Duke Odilo who died on 18 January 748; consequently, the date of the conflict can be defined in 747.¹⁰² (ii) A piece in the *Traditio Frisingensis* about a donation, which was begun by Odilo and ended by Tasilo after his father's death.¹⁰³ Based on these arguments it can be assumed that the period of waiting and delaying mentioned in the *Conversio* can be counted from 747; and that Virgil having acted as an abbot until that time, adhered to both the Irish and the Rupertian tradition that attributed great significance to cloistered life, was ordained bishop of Salzburg on 15 June 749. It was after that he took over the bishop's office from Dobdagrecus, who most probably possessed a bishop's rank of only a general nature, but had not been appointed *de iure* to direct the Bishopric of Salzburg.¹⁰⁴

I. 3. Virgil's conflict with Odilo

Virgil had taken a firm stand to defend the rights of the Saint Peter monastery already as an abbot. The Irish *regula* also demanded this from an abbot who was responsible for the monastery. Nevertheless, Virgil wanted to enforce the requirements of the continental (Frank) system, which was in contradiction with the Irish tradition in several points.¹⁰⁵ Although he had a good personal relationship with Duke Odilo, after taking over the direction of Salzburg, he began an argument concerning the *cella sancti Maximiliani*, i.e., for the goods of the Saint Maximilian friars' house. The *cella sancti Maximiliani* in

⁹⁰ WOLFRAM 1995. 259.

⁹¹ WOLFRAM 1995. 260.

⁹² *Breves Notitiae* 13, 1–2.

⁹³ *Traditio Frisingensis* Nr. 7–9b

⁹⁴ *Annales regni Francorum* a. 748; *Annales qui dicuntur Einhardi* a. 748; *Annales Mettenses priores* a. 749

⁹⁵ WOLFRAM 1968. 160.

⁹⁶ See NÓTÁRI 2005. 43. sqq.; KLEBEL 1955. 193. sqq.; KIENAST 1990. 80. sqq.

⁹⁷ *Traditio Frisingensis* Nr. 22.

⁹⁸ WOLFRAM 1995. 261.

⁹⁹ *Breves Notitiae* 13, 10. *Postea vero una cum consilio et consensu Thassilonis ducis peciit domnum Pippinum regem ...*

¹⁰⁰ WOLFRAM 1995. 262.

¹⁰¹ WOLFRAM 1995. 262. Cf. HAIDER 1972. 35. sqq.

¹⁰² *Notitia Arnonis* 8, 7. *Cepit autem Virgilius abba hanc ipsam causam querere ad Orilonem ducem ...*

¹⁰³ *Traditio Frisingensis* Nr. 3.

¹⁰⁴ WOLFRAM 1995. 262.

¹⁰⁵ WOLFRAM 1995. 263. sq.

Pongau was founded by Saint Rupert with the consent of Duke Theodo and with the cooperation of the brothers Tonazanus and Urso, but it was soon destroyed by the invading Slavs.¹⁰⁶ According to the first part of the *Libellus Virgilii* that is in the *Breves Notitiae*¹⁰⁷ the place on which the friar's house was built had been found by Tonazanus, Rupert's servant, and by Ledi, the Duke's servant.¹⁰⁸ After arriving home from the Franks from his exile in 741, Odilo gave the fortune of Saint Maximilian to his faithful assistant minister Ursus/Urso, who followed him to exile, in order to rebuild the friars' house, which was derelict for a long time. (Probably it was not only Ursus who had a position of trust around the Duke, but also his predecessors, the members of the *genealogia Albina* had had a closer relationship with dukes Theodo and Theodbert before.¹⁰⁹)

The relation of the *Notitia Arnonis* about this event is less perspicuous and logical. After the establishment of the monastery, Tonazanus and Urso sent their successors, Vurmhari and Cissimo (the *Libellus Virgilii* mentions Tonazan's and Ledi's successors, Wernharius and Dulcissimus¹¹⁰) to the Saint Peter monastery in Salzburg in order to study. After growing up, they asked Rupert to permit them to dispose over half of the estate that was donated to the monastery by their predecessors as a life interest. Rupert permitted this, however, he stipulated that the other half of the estate belonged to the Saint Peter monastery. Later on Vurmhami and Cissimo secured for their successors the life interest of the estate that was owned by them; yet, the subordination to Salzburg continued until the time of the rule of Odilo.¹¹¹ Urso, Odilo's assistant minister asked for the whole of the estate as *beneficium*, and Odilo fulfilled this request and he seized the estate from the monastery of Salzburg by force. Abbot Virgil demanded that the estate should be returned by the Duke, who wanted to offer his estate in Laufen as replacement, but the abbot did not accept this. So Odilo kept the estate that was seized from the monastery unrightfully for himself: *Tunc quoque Urso cappellanus Otilonis petiit, ut ei ipsas res ex integro daret in beneficium, et ita Otilo fecit et tulit per vim de monasterio Salzpurch. Cepit autem Virgilius abba hanc ipsam causam querere ad Otilonem ducem, et Otilo voluit illud comparare cum eo, quod habuit ad Laufom, et hoc Virgilius nullatenus consensit, et ita Otilo permansit retinendo iniuste, quod de Salzburch monasterio subtraxit.*¹¹²

Virgil does not mention the re-establishment of the *cella* in the second chapter of *Libellus Virgilii* which is the core of the *Breves Notitiae*, and which deals with Pongau and the *cella sancti Maximiliani*.¹¹³ He confines himself to relate that Odilo gave the *cella Maximiliani* and its estates as *beneficium* to his

assistant minister, Ursus.¹¹⁴ This event took place before Virgil's arrival in Bavaria, without episcopal approval. The lack of the episcopal approval is presumably a sign of Odilo's effort to restrict the episcopal influence on donations related to ducal rights, and to enlarge his sphere of power by the donation of estates to monasteries and to churches.¹¹⁵ Virgil took definite steps to separate the ecclesiastical/episcopal and the secular/ducal benefices and the rights connected to them, in spite of his good relationship and cooperation with Odilo. Virgil gives a picture about the conflict with Ursus which is biased and not without contradiction.¹¹⁶ Ursus, the assistant minister of the Duke was a member of the *genealogia Albina*, the members of which were dedicated to God and Saint Maximilian by Duke Theodbert, when Rupert consecrated a church at the same place, Pongau: *In peregrinatione Otilonis fuit cum eo quidam presbiter capellanus eius Ursus nomine, qui de illa genealogia erat supradictorum hominum de Albina, quos Theodbertus dux tradidit deo et sancto Maximiliano ad Pongo, quondam domnus Rudbertus episcopus illam ibi ecclesiam dedicavit.*¹¹⁷

Moreover, he emphasised that Duke Theodbert donated the *cella Maximiliani* to Rupert and to his episcopal residence: ... *quod Theodbertus dux, ut predictum est, dedit sancto Maximiliano et domno Rudberto episcopo ad sedem suam.*¹¹⁸ It cannot be ascertained, whether it was Virgil himself who mentioned the residence in connection with Rupert, who did not find and did not establish a residence in Salzburg, or it is a result and interpolation of the editorial work on the *Breves Notitiae*.¹¹⁹ In order to find an excuse for Duke Odilo, Virgil later adds that Odilo did not know that the church in Pongau was built and consecrated by Rupert with the donations of Theodo and Theodbert and the friars' house and the people living there were donated to the bishopric of Salzburg by Duke Theodbert: *Et Otilo dux nescius erat, qualiter domnus Rudbertus eundem locum ad Pongo primo cepit construere et ecclesiam ibi edificavit et consecravat concedentibus ducibus Theodone et Theodberto filio eius. Sed et hoc nescivit, quod Theodbertus dux ipsos homines ibidem tradidit et ipsam cellam cum omni traditione suo confirmavit sancto Rudberto episcopo ad sedem Iuvavensem episcopatus sui.*¹²⁰ Odilo might have been soon informed about the legal situation; despite this, he refused to gratify Virgil's demand that he should return the *cella Maximiliani* that he had formerly given to Ursus. According to the *Breves Notitiae*, Odilo's reason for this was that he did not want to disappoint his assistant minister: *Postea vero, cum Virgilius peregrinus*

¹⁰⁶ *Notitia Arnonis* 8, 1-4; *Breves Notitiae* 3, 15; 8, 2. Cf. DOPSCH 1997. 100. sq.

¹⁰⁷ *Breves Notitiae* 3, 1-16.

¹⁰⁸ *Breves Notitiae* 3, 1. sqq.

¹⁰⁹ JAHN 1991. 204.

¹¹⁰ *Breves Notitiae* 3, 1.

¹¹¹ *Notitia Arnonis* 8, 5-6.

¹¹² *Notitia Arnonis* 8, 6-7.

¹¹³ *Breves Notitiae* 8, 1-15.

¹¹⁴ *Breves Notitiae* 8, 4. *Deditque Otilo dux, ut hic predictum est, Urso presbitero suo hoc ipsum ad Albinam et ipsam cellam in beneficium.*

¹¹⁵ JAHN 1991. 205; JAHN 1988. 400. sqq.

¹¹⁶ Cf. WANDERWITZ 1985. 358. sq.

¹¹⁷ *Breves Notitiae* 8, 1.

¹¹⁸ *Breves Notitiae* 8, 2.

¹¹⁹ DOPSCH 1997. 99; JAHN 1991. 207³⁵⁴.

¹²⁰ *Breves Notitiae* 8, 3.

donante Otilone duce suscepit regimen ipsius Iuvavensis sedis et episcopatum, cognita ista supradicta causa venit ad Otilonem ducem et dixit ei omnem hanc causam ab initio per ordinem rogavitque eum secundum iustum iudicium hoc reddere sancto Petro ad ipsam sedem. Sed Otilo noluit eundem Ursum presbiterum suum contristare neque tollere ei illud beneficium.¹²¹ After this, Virgil tried to obtain the half of the estate found by Rupert and the duke's servants, Tonazan and Ledi for the church. The other servant's name in the *Notitia Arnonis* was the same as that of the assistant minister, Ursus/Urso.¹²²

Virgil's struggle was not against Duke Odilo, but he wanted to oppose the Bavarian custom according to which the ecclesiastical properties that were established by the donations of the duke and the nobility were returned to the successors of the establishing family, or, as in the case of Pongau, to the 'discovering' family, as feudal tenure.¹²³ It was indirectly due to the reforms of Bonifacius, who was Virgil's great enemy, that Virgil could take firm steps in order to defend the rights of the bishopric and the Saint Peter monastery, since only after Bonifacius' reform did it become possible to strictly separate ducal and episcopal monasteries and churches in Bavaria.¹²⁴ In the case of the friars' house in Pongau, we cannot talk about *ab ovo* ducal or episcopal establishment, since the bishopric of Salzburg had not existed at the time of the establishment of the *cella Maximiliani*, and Bavaria did not have a bishop who was ordained according to the canon. Odilo urged the establishment of monasteries under ducal authority and he entrusted non-Bavarian bishops with the consecration in order to defend his rights and in order to exclude the bishops' arising claim to authority.¹²⁵ Since Virgil was reluctant to accept the estate in Laufen that was offered as replacement for the estate in Pongau, Odilo had to give half of the demanded estate to Virgil, where the bishop consecrated a church in order to represent the legal claim.¹²⁶ At the same time, Ursus built a church in Oberhalm with the help of the Duke, and this was consecrated by a roaming bishop, Liuti, who did not have jurisdiction. Nevertheless, Virgil placed the church which he called 'discord' (*Discordia*) under *excommunicatio* and banned his priests from service there.¹²⁷ The *Libellus Virgilii*, and by this also the *Breves Notitiae*, discloses only that this situation was unaltered while Bishop Virgil was alive.¹²⁸ It is worth mentioning that Virgil's procedure and standpoint in the argument about the legal authority over the *cella Maximiliani* was much closer to Bonifacius' ideology that represented continental views than to the Irish

customs, widespread in Virgil's homeland, which left the right of disposal over monasteries in the hand of the establishing clans.¹²⁹

Virgil defended the rights of the bishopric with the same resolution in the conflict related in the third part of the *Libellus Virgilii* that developed around the friars' house established by Count Gunther in Otting.¹³⁰ In the year of Virgil's ordination a *cella* and a church were established in Otting on his estate in the district of Chiemgau. He asked the bishop to come in order to reveal his intention to summon there friars and to appoint an abbot to lead them and to give a part of his estate to provide for them.¹³¹ Virgil asked under whose jurisdiction the abbot and the friars would belong and whose *dominium* it would be. Count Gunther refused to answer, so Virgil refused to consecrate the church, the monastery and to ordain the abbot until he received information about the status of the monastery under the canon law.¹³² Therefore Gunther considered the case and promised that the monastery would be established pursuant to the regulations in the canon law and he would place the monastery, the church and their fortune under the authority of the bishopric of Salzburg if Virgil was willing to consecrate the church, which was accepted by Virgil and he consecrated the whole place and the *basilica* to Saint Stephen.¹³³ Consequently, the Count gave the church and all its possessions to the bishop by handing *per pallium altaris*, in order for him to govern it in accordance with the regulations of the canon (*ad regendum secundum canones*) like the other churches in the diocese.¹³⁴

According to the report of the *Libellus Virgilii*, the bishop received the jurisdiction over the monastery and church of Otting, i.e., the argument ended more successfully than the confrontation with Odilo's assistant minister, Ursus, a few years before. Nevertheless, the question may arise whether this report corresponds to the facts.¹³⁵ Many decades later, at the time of the writing and edition of the *Breves Notitiae* the author of the passage inserted a sentence at the end of the chapter, which recounted that there was yet another a negotiation and a legal procedure between Arn and Wenilo concerning the church of Otting, in the presence of Richolf and Gerold, the ministers of Charlemagne.¹³⁶ According to this, the jurisdiction over the church remained contested and the final decision was reached only after Tasilo's dethronement in 788.¹³⁷ The litigants included Arn, the bishop of Salzburg and Wenilo, a member of the clan of Gunther, who

¹²¹ *Breves Notitiae* 8, 5–6.

¹²² *Breves Notitiae* 8, 6. ... tunc autem cepit Virgilius episcopus medietatem inde querere propter illum servum sancti Rudberti Tonazanum nomine, qui hoc ipsum primo cum Latino vicino suo invenit.

¹²³ JAHN 1991. 208.

¹²⁴ JAHN 1991. 209.

¹²⁵ JAHN 1991. 210.

¹²⁶ *Breves Notitiae* 8, 7–9.

¹²⁷ *Breves Notitiae* 8, 10–11.

¹²⁸ *Breves Notitiae* 8, 11. Et ita excommunicata permansit, quo u. sive Virgilius episcopus vixit.

¹²⁹ WOLFRAM 1985. 334; O'NEILL 1985. 78.

¹³⁰ *Breves Notitiae* 13, 1–7.

¹³¹ *Breves Notitiae* 13, 1–2.

¹³² *Breves Notitiae* 13, 3.

¹³³ *Breves Notitiae* 13, 4–5.

¹³⁴ *Breves Notitiae* 13, 6–7.

¹³⁵ JAHN 1991. 289.

¹³⁶ *Breves Notitiae* 13, 13. Rursus placitum est habitum de ipsa ecclesia Arnonis et Wenilonis coram Richolfo et Geroldo legatis domini Karoli regis.

¹³⁷ WANDERWITZ 1985. 359.

were the legal successors.¹³⁸ The *Notitia Arnonis* also mentions the arguments concerning Otting, and based on this account it can be rightly assumed that these possessions were illegally seized from ecclesiastical authority under the rule of the Agilolfings, and only the court constituted by the ministers (*missi*) of Charlemagne returned them to the bishopric of Salzburg: *Cella, que vocatur z'Ottinga, quam construxit Guntharius comis in iure hereditario in pago Chimingaoe in honore sancti Stephani protimartiris, et quod ei Tassilo dux concessit in beneficio ... Ipsam vero cellam iniuste abstractam domnus rex pro mercedis sue augmentum (sic!) iterum revocandam absque ulla contradictione concessit.*¹³⁹

With regard to the establishment by Gunther the only thing the *Notitia Arnonis* refers to is the permission of the duke; therefore, the count might have assigned Otting to the monastery of Saint Peter. However, nothing is said of the role of the bishop and the importance of the regulations in the canon law. This practice, namely, that the ducal *licentia / permissio* was sufficient to establish an *Eigenkirche / Eigenkloster* was fully in compliance with the Bavarian custom of the time.¹⁴⁰ Virgil tried to document the truth of his standpoint in the minutes in the *Libellus Virgilii* in the case of the *cella Maximiliani* in Pongau and also in the case of Otting. Nevertheless, his efforts to assert the ecclesiastical/episcopal legal claim, as it turns out from the collation of the different sources, was unsuccessful. Virgil based the rights of the church and the friars' house in Pongau on the consecration by Rupert without referring to the regulations in the canon law. On the other hand, he demanded in the case of Otting that Count Gunther should renounce his rights regarding the church before and a prerequisite for the consecration, and based his arguments on the canon, thus reasoning for the legality of the ecclesiastical authority in two different ways.¹⁴¹

Pope Gelasius I (492–496) had already made efforts to limit the rights of the secular establishers: according to his decree the bishop could only consecrate a church if Rome had given a permission and the establishers had to give up their rights before the consecration. They had to deposit the funds to supply the established church in custody, and as early as the 4th and 5th centuries they had to accept the legal authority of the bishop over self-established churches, their possessions and the priests serving there.¹⁴² These directives could not be completely effective, especially on the territories where the ruling (royal or ducal) power was based on the ecclesiastical benefices. The regulations of the canon could only be enforced somewhat imperfectly in Bavaria before the arrival of Bonifacius: the duke could dispose arbitrarily over the ecclesiastical institutions established by him, and the authority over the church was an

important constituent of ruling power.¹⁴³ The Langobard tradition was similar to the Bavarian, the establishers of the churches and cloisters retained the legal authority over the institutions established by them thus supporting the financial safety of their successors who chose an ecclesiastical career. This was ensured by making a contract on returning the authority, which paved the way for the development of the so called priest clans. It was Charlemagne who put an end to this situation that was contrary to the canon law both in Bavarian and Langobard territories. Nevertheless, the bishoprics established by Bonifacius and his ecclesiastical reform in Bavaria gave the opportunity to Virgil to enforce the authority that was due to him pursuant to the canonical decrees, though his effort was not always successful as it can be seen in the case of Pongau and Otting. At the same time, Bonifacius did not define the borders of the dioceses; therefore, it was the bishops themselves who had to put an end to the *Eigenkirche* and *Eigenkloster* system that was under the authority of the secular establishers and integrate the benefices into their own bishopric.¹⁴⁴

A process similar to that in Bavaria had taken place on Frank territories years before, after the Council of Chalcedon, and the Councils of Orléans and Arles in 511 granted extensive authority to bishops,¹⁴⁵ vesting them with the right to appoint and dismiss the abbots of the cloister in their dioceses, to consecrate churches, altars and to ordain priests and to determine and observe the rules of life in the cloisters, which allowed them to supervise the benefices of the cloister. The establisher and his family could not retain or receive the authority over the church or cloister established by him, only the institutions established by the king were exempted to a certain extent; they could pursue their own management and administration.¹⁴⁶ Although cloisters were established in the first half of the 7th century in the Frank Empire; i.e., the Notre Dame cloister in Luxeuil, Rebaix and Soissons, where the establishers could keep their authority and the cloister could freely dispose over the donations, these privileges were based on the bishop renouncing the rights which belonged to him *de iure canonico*. The Carolings made successful efforts to gain authority over more cloisters since they regarded them a strong source of their power. The Bavarian dukes followed only the practice of the Frank *maiores domus*, who possessed royal prerogatives. The legal state of the Irish cloisters augmented this tendency since the cloisters organised the Irish way could choose the bishop who was asked for the consecration, and in certain cases the bishop himself, who fulfilled the abbot's function at the same time, tried to organise an independent diocese for the cloister.¹⁴⁷

¹³⁸ JAHN 1990. 201. sqq.; JAHN 1991. 290.

¹³⁹ *Notitia Arnonis* 6, 24–25.

¹⁴⁰ JAHN 1991. 290.

¹⁴¹ JAHN 1991. 291.

¹⁴² EWIG 1988. 111. sq.

¹⁴³ JAHN 1991. 292.

¹⁴⁴ JAHN 1991. 293.

¹⁴⁵ EWIG 1988. 110. sqq.; 134. sqq.

¹⁴⁶ JAHN 1991. 294.

¹⁴⁷ JAHN 1991. 295. sq.

In the Bavarian tradition it was necessary to have the ruler's permission to establish a cloister. This involved ducal defence, but at the same time the dukes disposed over the cloisters that were established by them or with their contribution, i.e., the cloisters were entirely integrated into the Bavarian feudal system. Bonifacius's reform tried to end this practice by the restoration and creation of the episcopal authority, and this effort gave rise to an unresolvable conflict between the duke, the nobility and the bishops. Nevertheless, there is no point in supposing a serious political conflict between the bishop and the duke, as it was not true in the case of Odilo and Virgil either. Bonifacius's reform did not end the *Eigenkirche* system of the nobility since the wider circle of the clan was excluded from the inheritance and the right of disposal by the *traditio* given to the bishopric, which subsequently returned the church as a *beneficium* to a certain member of the family who gave the donation. This was recorded in a conclusive deed valid in court. What they did was place the *Eigenkirche* system under episcopal authority and influence the order of inheritance with the help of the regulations of the canon law. It depended on the power of the establishers and donators how long this situation subsisted. In most cases – to fulfill the essence of the *traditio* – the bishopric was given the church in question with all its possessions.¹⁴⁸

The cases related in the *Libellus Virgilii* and the consequences drawn from them make several tendencies clear which occurred during the reign of the two last members of the Agilolfing dynasty. It cannot be considered accidental that the Bavarian bishoprics were held together under the Archbishopric of Salzburg only after Charlemagne's takeover in 798, since the establishment of the archbishopric would have considerably infringed the rights of the dukes and impaired the possibility to interfere with the abbots' and bishops' decisions. It would have deprived the dukes of their rights to chair the councils.¹⁴⁹

Virgil's activity in Bavaria, his argument with Bonifacius and his struggle for the possessions of the Saint Peter monastery and the bishopric of Salzburg is peculiar; it does not lack contradictions in certain points which, after all, tend towards synthesis in their relationship with each other. Virgil could fight for the enforcement of the canon law only by building on the basis that was laid by his great enemy, Bonifacius, by following the tradition that was Frank in mentality rather than Irish, and while doing so he created the first spiritual golden age of Salzburg.

II. Tasilo Versus Charlemagne

II. 1. Tasilo' dukedom

Tasilo was born in 741 as son of the Bavarian duke Odilo, who belonged to the Alemann branch of the Agilolfing dynasty (the family's male line died out around 736) and his wife, Hiltrud of Frank origin (Carl Martell's daughter, Karlmann's and Pippin's sister). After her father's death Hiltrud, ignoring her brothers' opposition and urged by her step-mother Swanahilt, a relative of the Bavarian Royal Family (whom Carl Martell brought with him from his 725 Bavarian military campaign and made his second wife), married Odilo.¹⁵⁰ In Odilo's lifetime after the war that had broken out between the brothers-in-law in 743 (ending with Bavarian defeat) in 745 Pippin put Virgil, who later turned out to be Tasilo's greatest supporter, into the episcopal chair of Salzburg.¹⁵¹ In 748, the year of Odilo's death, the Carantanian Slavs asked for Frank and Bavarian help against the Avars – just like in 741/42 when the Carantanian duke Boruth repelled the Avar attack also with Bavarian assistance,¹⁵² and thus the opportunity of an eastern mission was opened up for the Bishopric of Salzburg.¹⁵³ In 749, Hiltrud's half-brother, Grifo attempted to seize power in Bavaria, and a number of nobles (including Lautfid and count Suitger) also joined him. Pippin defeated the rebels and made the eight-year-old Tasilo – who was under the guardianship of his sister – duke of Bavaria.¹⁵⁴ In 754 Hiltrud died, so Tasilo was placed directly under the guardianship of his uncle.¹⁵⁵

Pippin released Tasilo from his guardianship in 757, at the Imperial Assembly held in Compiègne, although the sources of official Frank historiography do not refer to it.¹⁵⁶ At the same time they (the *Annales regni Francorum*, the *Annales qui dicuntur Einhardi* and other chronicles) emphasize Tasilo's vassal *commendatio*, i.e., they report that Tasilo with the Bavarian nobility in the Saint-Denis Monastery, swear over the relics of Dionysius, Rusticus and Eleutherius allegiance not only to Pippin but also to his sons Charlemagne and Karlmann. In addition, he ceremoniously swore an oath over the tombs of St. Martin and Germanus that he would remain faithful to the Frank monarch and his successors for the rest of his life.¹⁵⁷ These accounts, however, should be trusted only with strong reservations.¹⁵⁸

¹⁵⁰ REINDEL 1967. 124; ERKENS 2005. 22.

¹⁵¹ WOLFRAM 1968. 159.

¹⁵² *Conversio* 4. Cf. SZÁDECZKY-KARDOSS 1998. 266. sqq.

¹⁵³ LÖWE 1937. 17. sq.; BECHER 2005. 41.

¹⁵⁴ *Annales regni Francorum* a. 748; *Annales qui dicuntur Einhardi* a. 748; *Annales Mettenses priores* a. 749

¹⁵⁵ WOLFRAM 1968. 160.

¹⁵⁶ KLEBEL 1955. 193. sqq.; KIENAST 1990. 80. sqq.

¹⁵⁷ *Annales regni Francorum* a. 757 *Et rex Pippinus tenuit placitum suum in Compendio cum Francis; ibique Tassilo venit, dux Baioariorum, in vasatico se commendans per manus, sacramenta iuravit multa et innumerabilia, reliquias sanctorum manus imponens, et fidelitatem promisit regi Pippino et supradictis filiis eius, domno Carolo et Carlomanno, sicut vassus recta mente et firma devotione per iustitiam, sicut vassus dominos suos esse deberet. Sic confirmavit supradictus Tassilo supra corpus Dionysii, Rustici et Eleutherii necnon et sancti Germani et sancti Martini, ut omnibus diebus vitae eius sic conservaret, sicut sacramentis promiserat; sic et eius homines maiores natu, qui erant cum eo, firmaverunt, sicut dictum est, in locis superius nominatis et in aliis multis; Annales qui dicuntur Einhardi a. 757 In Compendio ... ubi tunc populi sui generalem conventum habuit. Illuc et Tassilo dux Baioariorum cum primoribus gentis suae venit et more Francico in manus regis in vassaticum manibus suis semetipsum commendavit fidelitatemque tam ipso regi Pippino quam filiis eius Karlo et Carlomanno iureiurando supra corpus sancti Dionysii promisit et non solum*

¹⁴⁸ JAHN 1991. 299. sq.

¹⁴⁹ WANDERWITZ 1985. 360; KOLMER 1999. 15; ERKENS 2005. 23.

If the Bavarian duke accompanied by his nobility had really taken a vassal oath of allegiance before his uncle Pippin, the relations of the Bavarian Dukedom with the Frank Empire would have been placed on a completely new basis of public law, i.e., on strong dependence, and the self-conscious Bavarian nobility would have been subordinated to the Franks. Moreover, Tasilo could not have retained his authority before his subjects.¹⁵⁹ It cannot be ignored that the form of vassal commendation mentioned by the Frank *Annales* became a custom only in the third quarter of the 9th century.¹⁶⁰ The Bavarian law of order imposed the obligation of allegiance before the Frank (from 751 Caroling) king on the duke, and the oath of allegiance towards Pippin and his sons taken by Tasilo meant nothing else but the confirmation of the right of inheritance acknowledged also by the pope. The fact that in those times the *duces* defeated by the Franks would have been obliged to take an oath of allegiance, give hostage and admit the Frank *dicio* makes the vassal subordination of Tasilo improbable, and so nothing would have motivated Pippin to bring Tasilo, with whom he had a really good relation, into such a humiliating situation.¹⁶¹ It is worth considering the *Annales Mettenses priores* that came to existence after Charlemagne had been crowned emperor, more specifically its account of the 757 events: it only mentions the oath of allegiance sworn by Tasilo and his nobility but not the vassal *commendatio*.¹⁶² It is extremely probable that after Bavaria was completely annexed in 794, the later Frank propaganda, rather tendentiously, did not feel it necessary to repeat the version partially forged before.

Tasilo had to express somehow in his oath the relations between the Bavarian duke and the Frank king which was loose both personally and in terms of public law and was by no means of vassal kind and had already been maintained for decades.¹⁶³ We cannot declare with complete certainty that the Bavarian nobility would really have sworn an oath to Pippin together with Tasilo. However, it seems probable that the Frank tradition refers to it in order to testify to those who stood by Charlemagne's side during Tasilo's fall, and by doing that, broke the obligatory loyalty to their legal lord, the Bavarian duke. Only another oath of allegiance, namely the one to the Frank king could be their excuse. So Frank historiography

ibi, sed etiam super corpus sancti Martini et sancti Germani simili modo sacramento fidem se praedictis dominis suis diebus vitae suae servaturum est pollicitus. Similiter et omnes primores ac maiores natu Baiarii, qui cum eo in praesentiam regis pervenerant, fidem se regi et filii eius servaturos in praedictis venerabilis locis promiserunt.; Annales Lobienses a. 756 (!) Thassilo quoque dux Bahvariorum iuravit fidelitatem domno Pippino in Compendio palatio.; Chronicon Vedastinum a. 757 Quo anno placitum agens in Compendio villa publica, Tasilonem regno Francorum sacramentis conciliat, spondentem se fidelem esse ipsi regi contra (=cuncta) per tempora.

¹⁵⁹ BECHER 1993. 35. sqq.

¹⁵⁹ WOLFRAM 1975. 72; JAHN 1991. 336.

¹⁶⁰ KRAWINKEL 1937. 47. sqq.

¹⁶¹ KOLMER 1980. 297. sqq.; ERKENS 2005. 28.

¹⁶² *Annales Mettenses priores a. 757 Eodem anno rex Pippinus tenuit placitum suum in Compendio villa publica, in qua etiam Tassilo dux Bavariarum fuit. Quem pro fidei firmitatis causa et eius homines maiores natu, qui erant cum eo, domnus Pippinus iurare sibi fecit supra sanctissima corpora sancti Dionisii, Rustici et Eleutherii necnon et sancti Germani et sancti Martini, spondentes se fideles esse Pippino regi et filii eius omnibus diebus vitae suae.* About the *Annales Mettenses* see HOFFMANN 1958. 42.

¹⁶³ CLASSEN 1983. 235; KOLMER 1980. 298; JAHN 1991. 338.

traced the conflict of Tasilo and Charlemagne back to matters of the past with a view to legitimate the Frank king's solely political motivation.¹⁶⁴

It would be a mistake suggested just by these Frank sources to consider the Compiègne events to be the reason for the future conflict. The truly decisive turn in Frank-Bavarian relations was caused by the Frank policy of expansion and came only after Charlemagne's accession to the throne. The confrontation with the Bavarian duke became important only in 781. During his whole reign, Pippin made efforts to maintain balanced relations with his sister Hiltrud and his cousin Tasilo, so in this light the Caroling-Agilolfing conflict cannot be considered as one that thematized European politics for decades. Without Pippin's help Tasilo could not have obtained his dignity as Bavarian duke; and also he could not have controlled the tension provoked by Grifo. In case of serious tension the times of guardianship could not pass in peace for the young duke. Finally, after Charlemagne's victory annihilating Langobard self-government, the independent Bavaria could not have remained in its full integrity. From 766 the Bavarian charters were dated exclusively in accordance with the years of Tasilo's reign, the duke issued laws by himself and could practice his rights of clerical organisation. Therefore, it can be stated that until 787 Tasilo reigned without direct Frank interference, managed his foreign and home affairs, which steps, of course, did not preclude the consideration of the Frank alliance.¹⁶⁵

In order to throw light on Tasilo's role in the Aquitanian campaign and his rejection to take part in it, it is expedient to review the background of the events. After the 757 oath of allegiance, the official Frank sources remain silent for a while about the Frank-Bavarian affairs; they prefer dealing with Pippin's home politics and the Saxon conflicts. The emperor, however, was soon engaged in the Aquitanian conflict: Pippin wanted to force Waifar, the Aquitanian duke, who had long been in alliance with the Bavarians, to renounce his rights over the church benefices, and to extradite Frank refugees from his country, but Waifar did not want his principal sphere of authority to be violated so much, so he could not meet the demand, which unambiguously meant war. Without much ado, Pippin forced the Duke of Aquitania down to his knees, who then surrendered but wanted to lay Pippin's demands before the Aquitanian *placitum*, the Frank monarch seemed to be satisfied with these conditions at first sight.¹⁶⁶ The abandonment of the church prerogatives would have certainly shaken the principal power that was effectively defended by Waifar with all means at his disposal, in its very basis. Accordingly, the Frank interpretation evaluated his method as fraudulence, his reign as tyranny. Only shortly before his death, in 768 could Pippin achieve that, the Aquitanian

¹⁶⁴ JAHN 1991. 339. sqq.; BECHER 1993. 40. sqq.

¹⁶⁵ JAHN 1991. 341; BECHER 1993. 42. sqq.; KRAWINKEL 1937. 51.

¹⁶⁶ *Continuationes Fredegarii 41; Annales Mettenses priores a. 760; Annales regni Francorum a. 760 Tunc Pippinus rex, cernens Waifarum ducem Aquitaniorum minime consentire iustitias ecclesiarum partibus, quae erant in Francia, consilium fecit cum Francis, ut iter ageret supradictas iustitias quaerendo Aquitania.*

nobles got rid of the duke by themselves.¹⁶⁷ When after his father's death he again started a war with Aquitania, his brother Karlmann rejected the promised support,¹⁶⁸ this unambiguously shows that Pippin's offensive policy counted as strongly dubious even among the Frank nobility.¹⁶⁹

In May 763, at the Frank Imperial Assembly held in Nevers near the Loire, adopted a decision on starting the fourth Aquitanian campaign. The Frank army overran Aquitania with much power, swept along its whole territory, destroyed and burnt numerous monasteries and settlements.¹⁷⁰ According to the official Frank sources at first, Tasilo took part in the military acts but later saying he was ill, returned to Bavaria. The alleged fact that his *harisliz* in those times did not cause any serious political reactions is also shown by the fact that Pippin's court historiographer Nibelung did not regard it worth mentioning.¹⁷¹ The Frank sources originating from after 788, in order to legitimate Tasilo's show trial, considered his reluctance to participate in Pippin's cruel campaign to be the breaking of the 757 oath of allegiance. Moreover, they stressed that having forgotten the monarch's good deeds, led by evil thoughts the duke returned to Bavaria with the intention to never face the king again.¹⁷² The later, though a lot more objective in rendering the *Annales Mettenses priores* and the *Annales Maximiani* inform only about the fact that Tasilo left the army in secret, without the king's permission and returned to Bavaria. However, both of them remain silent about Pippin's good deeds and Tasilo's fraudulence.¹⁷³ Tasilo perhaps broke his oath towards the Frank monarch, yet, contrary to the later Frank rendering his act could by no means be evaluated as a deed punishable with the death sentence. Only later, particularly because of the events in 788, the Frank propaganda wanted to find, (and if unable to find, then create) such evidence or provable facts against the Bavarian duke by which they could legitimate his dethronement caused by political reasons.¹⁷⁴

At an Imperial Assembly in Worms, 764 Pippin laid the case of Waifar and Tasilo (the dukes who refused to obey him) before the nobility. However, because of the severe weather conditions from December, 763 till March, 764 which made

the provision of the army very difficult and exhausted all their supplies,¹⁷⁵ he was unable to start the planned campaign against Bavaria either in 764 or in 765.¹⁷⁶ It is possible that his consultants persuaded him out of a two-front war, which would have seriously weakened the Frank Empire, sorely tried as it was as a result of the Aquitanian campaign. In order to solve the conflict between Pippin and Tasilo, Pope Paul I also acted as a mediator, because in his evolving conflict with the Langobard monarch he needed an ally from beyond the Alps, and a Frank-Bavarian collision would not have suited his plans.¹⁷⁷

Pippin's death in 768 precipitated the Caroling power into deep crisis, the *bellum Aquitanicum* ending in Charlemagne's victory showed the disagreement between Charlemagne and Karlmann. The crisis is also reflected in the charters of the period, as in order to strengthen the Frank monarch's legitimacy the chancellery started using the formula "*gratia Dei*".¹⁷⁸ Tasilo intended to turn the weakening of the Frank Royal Power to his dukedom's advantage. The Bavarian-Langobard alliance had been presumably established long before this by the marriage of Tasilo and Liutpirg, the daughter of Desiderius. During his travel to Italy in 768/69 Tasilo made closer friends with the Langobards¹⁷⁹ and tried to find a way to the Pope as a possible ally. The Italian orientation was motivated among others by the fact that before his death Pippin had managed to conquer Aquitania and integrate it into his empire and also to have Waifar, Tasilo's past ally killed.¹⁸⁰ When in 769 Charlemagne wanted to liquidate the Aquitanian opposition once and forever, his brother Karlmann left the Frank army.¹⁸¹

By 770 the widow mother queen, Bertrada, Charlemagne's and Karlmann's mother created a rather unstable alliance system that would still consolidate the affairs for a while:¹⁸² she tried to settle the discord between Pope Stephen III and the Langobard king, Desiderius. Furthermore, through the marriage between Desiderius' daughter and Charlemagne she made an effort to stabilize the Frank-Langobard relations as well. This marriage surely did not win the Pope's approval; nevertheless, in 771 he had to agree with Desiderius, which at the same time

¹⁶⁷ *Continuationes Fredegarii* 42. sqq.

¹⁶⁸ Einhardus, *Vita Karoli magni* 5.

¹⁶⁹ WOLFRAM 1968. 162; JAHN 1991. 371.

¹⁷⁰ *Continuationes Fredegarii* 47.

¹⁷¹ JAHN 1991. 372.

¹⁷² *Annales regni Francorum* a. 763 Pippinus rex habuit placitum suum in Nivernis et quartum iter faciens in Aquitaniam. Ibiq[ue] Tassilo dux Baioariorum postposuit sacramenta et omnia, quae promiserat, et per malum ingenium se inde seduxit, omnia benefacta, quae Pippinus rex avunculus eius ei fecit, postposuit; per ingenia fraudulenta se subtrahendo Baioariam petiit et nusquam amplius faciem supradicti regis videre voluit.; *Chronicon Vedastinum* a. 763 Quo anno Pippinus quarto iter fecit in Aquitaniam, ibique Tasilo fatiem eiusdem regis fugiens, benefacta eius cum sacramentis postposuit.

¹⁷³ *Annales Mettenses priores* a. 763; *Annales Maximiani Continuatio* a. 764 (!)Hiemps magnus (sic!) erat, et Tassilo de Aquitania clam de hoste se subtraxit.

¹⁷⁴ KOLMER 1980. 305; BECHER 1993. 45–51.

¹⁷⁵ *Annales Iuvavenses maiores* a. 763; *Annales Iuvavenses minores* a. 763. About the *Annales Iuvavenses* see BRESSLAU, H. *Die ältere Salzburger Annalistik*. Abhandlungen der Preussischen Akademie der Wissenschaften, Jahrgang 1923. Phil.-Hist. Klasse Nr. 2. Berlin, 1923.

¹⁷⁶ *Annales regni Francorum* a. 764; *Annales qui dicuntur Einhardi* a. 764 Propter dua bella, Aquitanicum iam olim susceptum et Baioaricum propter Tassilonis ducis defectionem suscipiendum.; WOLFRAM 1968. 163; OELSNER 1975. 383.

¹⁷⁷ JAHN 1991. 373. sq.; LÖWE 1937. 47; CLASSEN 1983. 236; REINDEL 1967. 221; BECHER 1993. 49. sqq.

¹⁷⁸ ERKENS 2005. 37; ERKENS 1998. 24. sqq.; WOLFRAM 1967. 215. sqq.

¹⁷⁹ JARNUT 1982. 119.

¹⁸⁰ JAHN 1991. 392.

¹⁸¹ *Annales regni Francorum* a. 769 Domnus Carolus gloriosus rex iter peragens partibus Aquitaniae, eo quod Humaldus voluit rebellare totam Wasconiam etiam et Aquitaniam, et cum paucis Francis auxiliante Domino dissipata iniqua consilia supradicti Humaldi. Et in ipso itinere iungens se supradictus magnus rex cum germano suo Carlomanno in loco, qui dicitur Duasdives. Inde Carlomannus se revertendo Franciam iter arripiens, domnus Carolus benignissimus rex ivit ad Aequolesinam civitatem ...; *Annales qui dicuntur Einhardi* a. 769; *Annales Mettenses priores* a. 769; Einhardus, *Vita Karoli magni* 5.

¹⁸² FREUND 2005. 73.

weakened the Frank influence in Rome.¹⁸³ During the gradually culminating discord between the brothers, in December, 771 Karlmann suddenly died. His widow Gerberga, together with their children and some followers fled to Desiderius, since Charlemagne had seized power over the whole Frank territory.¹⁸⁴ Soon after this, Pope Stephen III also died and these two deaths opened the way for Charlemagne: after occupying his brother's territories he made peace with Karlmann's followers, among them with Fulrad, the abbot of Saint Denis.¹⁸⁵ It was around this time that Charlemagne broke up his marriage with Desiderius' daughter and sent her back to her father, which provoked both personal and political discord.¹⁸⁶ Soon after this he married Hildegard, great-granddaughter of the Alemann duke Gottfried, Odilo's great-grandcousin, i.e., Tasilo's relative. Hildegard's mother, Imma was count Gerold's wife, who also belonged to the Agilolfing clan, more precisely to its Middle-Rhein Alemann branch.¹⁸⁷ Hildegard was the only Agilolfing lady who could be taken into account from the point of view of a marriage that was politically of utmost importance. Therefore, we can hardly suppose that this wedding was arranged without Tasilo's knowledge and will. (It is worth mentioning that after Tasilo's dethronement Charlemagne ordered Hildegard's brother, Gerold to be his representative, *praefectus* in Bavaria.¹⁸⁸) The marriage was a pledge of a Caroling–Agilolfing alliance (the *amicitia* settled in 771/72, prepared by Sturm, the abbot of Fulda) which also contained public law obligations.¹⁸⁹ The *amicitia* intended for many years, survived even the fall of Tasilo's father-in-law, Desiderius, and within its confines the Frank troops took part in the 778 Aquitanian campaign. However, as soon as it fulfilled its task desired by Charlemagne, it disintegrated.¹⁹⁰

The Bavarian delegation appeared before Pope Adrian I, who had come to the throne in 772. Threatened by Desiderius' demands of power, the Pope wanted the Bavarian delegation to act as mediators of his interests towards Charlemagne. Putting the future alliance into a sacral form, at Pentecost of 772 the Pope baptized and appointed the successor to the Bavarian throne, Theodo,¹⁹¹ and thus as the highest moral authority he approved the latter's future demands for the Bavarian

Dukedom, which had been made for many centuries (and were accepted also by the Merowings), and elevated him to a king-like status.¹⁹² (The king-like status is also proved by the epitheta "*electissimus*",¹⁹³ "*eminentissimus*",¹⁹⁴ "*nobilissimus*",¹⁹⁵ "*religiosissimus*",¹⁹⁶ "*gloriosus*",¹⁹⁷ "*gloriosissimus*"¹⁹⁸ and "*inlustrissimus*"¹⁹⁹ in some contemporary sources.²⁰⁰) Tasilo could obtain Theodo's baptism only through the alliance previously concluded with Charlemagne, but in return he had to distance himself from his father-in-law, Desiderius: because of the *amicitia* binding the Bavarian duke with the Frank monarch and the *conpaternitas* binding him to the Pope, he had to observe the destruction of the Langobard state with folded arms.²⁰¹ Having settled his foreign affairs, Tasilo gained opportunity to focus attention on his own military aims, namely on the rebelling Carantanians, whom he defeated that year. The idea of the Carantanian mission was also supported by bishop Virgil, who entrusted the *episcopus chori*, Modestinus with the practical realization of the task, with conversion and consecration.²⁰² The victory over the Carantanians was of great advantage to Tasilo's authority and entered him into the list of the most important Christian rulers of the Middle Ages, which is also demonstrated by a letter of the period that mentions him as New Constantinus (a common trope of the medieval ideal of a king).²⁰³

In the first phase of the campaign against the Langobards Charlemagne attempted to occupy the capital, Pavia in vain. The *Annales Mettenses priores* accuses Desiderius of the same charge that it brings later, in 788, against Tasilo: he had ungratefully forgotten about the king's good deeds whose benevolence made him able to accede to the throne.²⁰⁴ After occupying Pavia, Desiderius and his family came under Charlemagne's power, but his son and co-reigner Adelchis managed to escape to Constantinople. The Langobard nobility surrendered to the Frank king, who returned home leaving the occupying troops behind.²⁰⁵ In 774

¹⁸³ WOLFRAM 1987. 101. sqq.; WOLFRAM 1988. 161. sq.; LÖWE 1937. 50; JARNUT 119. sq.

¹⁸⁴ *Annales regni Francorum* a. 771 *Et eodem anno Carlomannus rex defunctus est in villa, quae dicitur Salmontiacus, prid. Non. Decembr. Domnus rex Carolus venit ad Corbonacum villam, ibique venientes Wilcharius archiepiscopus et Folfadus capellanus cum aliis episcopis ac sacerdotibus, Warinus et Adalhardus comites cum aliis primatibus, qui fuerunt Carlomanni; uxor vero Carlomanni cum aliquibus paucis Francis partibus Italiae perrexerunt.* *Annales Mettenses priores* a. 771; ABEL–SIMSON 1969. I. 98. sqq.; REINDEL 1967. 173.

¹⁸⁵ ABEL–SIMSON 1969. I. 100.

¹⁸⁶ ABEL–SIMSON 1969. I. 94. sqq.; SCHMID 1983. 287.

¹⁸⁷ Cf. MITTERAUER 1963. 8. sqq.

¹⁸⁸ JAHN 1991. 466.

¹⁸⁹ *Vita Sturmi* 22. *Illis quoque temporibus, suscepta legatione inter Karolum regem Francorum et Tassilonem Noricae provinciae ducem per plures annos inter ipsos amicitiam statuit.*

¹⁹⁰ *Annales regni Francorum* a. 772; *Annales Mettenses priores* a. 772; ABEL–SIMSON 1969. I. 12. sqq. JAHN 1991. 468.

¹⁹¹ *Annales Admontenses* a. 772 *...Theodo filius eius Romae baptizatus est.*

¹⁹² ERKENS 2005. 33. sq.; FREUND 2005. 75; BECHER 2005. 41.

¹⁹³ *Traditio Frisingensis* Nr. 7.

¹⁹⁴ *Traditio Frisingensis* Nr. 39.

¹⁹⁵ *Traditio Frisingensis* Nr. 100; 106.

¹⁹⁶ *Traditio Frisingensis* Nr. 102.

¹⁹⁷ *Traditio Frisingensis* Nr. 31; 121b

¹⁹⁸ *Traditio Frisingensis* Nr. 32; 55; 75.

¹⁹⁹ *Traditio Frisingensis* Nr. 13; 19; 20; 24a; 24b; 28; 33; 38; 39; 41; 44; 46; 47; 48; 49; 50; 52; 56; 59; 60; 61; 62; 63; 64; 65; 66; 70; 74; 84; 86; 90; 95; 96; 97; 98; 118.

²⁰⁰ WOLFRAM 1967. 162; 169. sqq. Cf. ERKENS 2005. 30.

²⁰¹ REINDEL 1967. 131; WOLFRAM 1968. 166; JAHN 1991. 470. sq.; FREUND 2005. 77; BECHER 2005. 41.

²⁰² *Annales Admontenses* a. 772; *Conversio* 5; LÖWE 1937. 51. sq.; REINDEL 1967. 171; WOLFRAM 1968. 165; WOLFRAM 1987. 143. sqq.

²⁰³ *Epistolae variorum* Nr. 1, 497. *Tribuat Dominus victoriam Dassiloni et omni populo eius, sicut dedit regi Constantino filio Helenae...* Cf. EWIG 1955. 22; 33. sqq.; DOPSCH 1997. 107. sq.; ERKENS 2005. 34.

²⁰⁴ *Annales regni Francorum* a. 773; a. 774; *Annales Mettenses priores* a. 773

²⁰⁵ *Annales regni Francorum* a. 774 *Et revertente domno Carolo rege a Roma, et iterum ad Papiam pervenit, ipsam civitatem coepit et Desiderium regem cum uxore et filia vel cum omni thesauro eius palatii. Ibique venientes omnes Langobardi de cunctis civitatibus Italiae, subdiderunt se in dominio domni gloriosi Caroli regis et Francorum. Adalgisus filius Desiderii regis fuga lapsus mare introiit et Constantinopolim perrexit. Tunc gloriosus domnus Carolus rex, ipsa Italia sub iugata et ordinata, custodia Francorum in Papia civitate dimittens*

Charlemagne signed a pact with Pope Adrian, which later in 781 might have contributed to the Pope's siding with Charlemagne against Tasilo.²⁰⁶ After these events the Frank sources do not mention any changes in the Frank-Bavarian affairs. The *amicitia* signed in 772 lasted at least until 778 or even 781. The idea to liquidate the independent Bavarian Dukedom might have come to Charlemagne's mind; however, the 776 Langobard, and the 776–780 Saxon rebellions and fights with the Arabs occupied all his power.²⁰⁷

In 778 Charlemagne was seriously defeated by the Arabs,²⁰⁸ and the rebelling Saxons intruded even into Frank territories. These two facts significantly diminished the monarch's reputation as a commander, which he wanted to restore later by defeating the Saxons.²⁰⁹ In 781 Charlemagne went to Rome, according to the sources in order to pray at the apostles' tombs. However, it seems more probable that the aim of his journey was first and foremost to strike an alliance with Pope Adrian in order to increase his authority.²¹⁰ Meanwhile the Pope, at duke Arichis' advice tried to find a common defence with the Frank king against the Neapolitans and Constantinopolitans, who were attacking his territories in Beneventum. Pope Adrian wanted to get the territories occupied by the Langobards back from Charlemagne, and Charlemagne held out the prospects of giving back the territories in Sabinum.²¹¹ In return, the Pope baptized the king's son, who received a name with a definite programme-giving content: Pippin.²¹² Charlemagne appointed his sons, Pippin and Louis, kings of Italy and Aquitania and the Pope anointed them.²¹³ With this act the Carolings finally got their already legalized place among the European dynasties, a few years after the anointing of Theodo, the successor to the Bavarian throne. The king and the Pope started dealing with each other's affairs as their own, as it was noted by the Pope in his letter written in May or June, 781.²¹⁴ Charlemagne made Pope Adrian entirely side with him also against the Bavarian duke, and his decision seems to have been made easier by the fact that duke Arichis as husband of Adalperga, daughter of Desiderius, was also Tasilo's brother-in-law. At the same time, the head of the Church saw an opportunity to end

cum uxore et reliquis Francis Deo adiuvante cum magno triumpho Franciam reversus est; Annales Mettenses priores a. 774

²⁰⁶ ABEL–SIMSON 1969. I. 160.

²⁰⁷ *Annales regni Francorum a. 776; Annales Mettenses priores a. 776; Annales qui dicuntur Einhardi a. 776*

²⁰⁸ *Annales regni Francorum a. 778; Annales qui dicuntur Einhardi a. 778*

²⁰⁹ Paulus Diaconus, *Historia Langobardorum* I, 20. *Atque iam ex illo tempore ita omnis Herolorum virtus concidit, ut ultra super se regem omnimodo non haberent.*

²¹⁰ *Annales regni Francorum a. 780 Tunc sumpto consilio, ut iter perageret orationis causa partibus Romae, una cum uxore sua domna Hildegarde regina; Annales qui dicuntur Einhardi a. 780; Annales Mettenses priores a. 780; ABEL–SIMSON 1969. I. 376. sqq.*

²¹¹ JAHN 1991. 522.

²¹² FREUND 2005. 78.

²¹³ *Annales regni Francorum a. 781 Et supradictum iter peragens celebravit pascha in Roma. Et ibi baptizatus est domnus Pippinus, filius supradicti domni Caroli magni regis, ab Adriano papa, qui et ipse eum de sacro fonte suscepit; et duo filii supradicti domni Caroli regis uncti sunt in regem a supradicto pontifice, hi sunt domnus Pippinus et domnus Hludowicus reges, domnus Pippinus rex in Italia et domnus Hludowicus rex in Aquitaniam; Annales qui dicuntur Einhardi a. 781; Annales Mettenses priores a. 781; FREUND 2005. 83.*

²¹⁴ *Codex Carolinus* 595. 67. *...quia causa vestra nostra sit et nostra vestra.*

the conditions prevailing in Bavaria; namely, that due to the lack of a metropolitan area, the duke chaired the local synods and decided questions concerning dioceses. With these measures the Pope withdrew his moral support from Tasilo, the only duke to exercise independent ruler's rights on the territory of the past Frank Empire of the Meroving age – and thus the Pope sided with the Frank power for good.²¹⁵ On the occasion of the same visit to Rome, the king betrothed Hrodrud, his daughter with the Constantinopolitan *basileus*, Constantine VI (Eirene's son), who was still under guardianship because of his age. This step counted as a definite sign of alliance in the politics of the period. Thus Charlemagne assured himself from this side too, so that in case of a Bavarian conflict, (most probably already planned by him at that time) Constantinople would not support his enemies.²¹⁶

II. 2. Iuramenta fidelitatis

Simultaneously with this, realising the impending danger, Tasilo sent a delegation (whose members included Alim, the bishop of Säben, counts Megilo and Machelm and abbot Atto) to Rome. However, Charlemagne impeded them on their way to the Pope and let only bishop Alim and abbot Atto go on.²¹⁷ At the same time, it cannot be excluded that Tasilo fell victim to an error with respect to Atto's intention, who as far back as 772 during his visit to Rome had made good friends with Pope Adrian, and it is very likely that even in 786 he primarily wanted to urge his promotion as a bishop. In a few years he did receive the Freising Bishopric.²¹⁸ In order to settle the overhanging Frank-Bavarian conflict, the Pope sent two bishops to Bavaria, so that he could reconcile the two cousins, whereas Charlemagne's deputies had to remind Tasilo of his oath of allegiance sworn to Pippin and Charlemagne.²¹⁹ The Bavarian duke, in order to strengthen the peace made with the Frank king, after receiving hostages from Charlemagne as a means of guaranteeing his safety, went to Worms, where they mutually proved their intentions with expensive gifts. According to the *Annales Petaviani* and the *Annales Mosellani*, the meeting passed in perfect order and peace.²²⁰ The *Annales regni Francorum* state, however, that Tasilo was forced to go to meet Charlemagne in Worms where he promised obedience and loyalty to the king and his sons. In addition, he gave twelve hostages, whom bishop Sindperht caused to be detained in

²¹⁵ JAHN 1991. 523. sq.

²¹⁶ *Annales Mosellani a. 781; ABEL–SIMSON 1969. I. 383. sqq.*

²¹⁷ ABEL–SIMSON 1969. I. 383. sq.

²¹⁸ JAHN 1991. 525.

²¹⁹ ABEL–SIMSON 1969. I. 394. sqq.

²²⁰ *Annales Petaviani a. 781 Sine hoste fuit hoc annus, nisi tantum Vurmacia civitate venerunt Franci ad placitum; et ibi fuit Taxilo, dux de Bavaria, magnaue munera praesentavit domno regi, et per suum comitatum rediit ad patriam; Annales Mosellani a. 781 Et reversus est rex in Francia et colloquium cum Dasilone, et magnum Francorum conventum id est magis campum apud Wormosiam habuit civitatem.*

Frank custody in Quierzy.²²¹ The *Annales Mettenses priores* again provide a totally different version: Tasilo was not forced to approve his oath of allegiance in Worms but with the help of bishop Sindperht he gave back the hostages he had received.²²² After this, Tasilo once again attempted to get in contact with Rome. Under count Machelm's guidance he sent a delegation to Italy but they died of the devastating fever in Rome.²²³

In 781 there came a decisive change in Frank-Bavarian relations: within the frame of his attempts to subordinate the territory of the former Meroving Empire, Charlemagne tried to curtail the independence developed by Tasilo. Through the alliance with the pope and the *basileus* he isolated Bavaria, and through the oath of allegiance enforced in Worms he somewhat tried to integrate it into the sphere of Frank power. However, the terminology (*comigatus*²²⁴) describing Tasilo's release presupposes Frank claim for power,²²⁵ even if he did not demand from the duke, contrary to the statement of the *Annales qui dicuntur Einhardi*²²⁶ total subordination.²²⁷ The changes outside Bavaria may also have contributed to the fact that in 782 an Avar delegacy appeared at the assembly held at the source of the river Lippe, but we have no information about their aim except for the general *pacis causa*.²²⁸

During the 780's Tasilo's system of alliance based on personal relations was shaken by several deaths: on the one hand, important churchmen, that is Arbeo, the bishop of Freising, Virgil, the bishop of Salzburg, and Oportunus, abbot of Mondsee, on the other hand, queens, Hildegard and Bertrada, whose persons constituted guarantee of the status quo, passed away.²²⁹ The disintegration of this system enabled Charlemagne to isolate Tasilo both in home and foreign affairs. Arn, whom a few years later Tasilo had entrusted with leading the delegation to Rome, became the head of the Salzburg diocese.²³⁰ The Bishopric in Freising was taken by Atto, who, similarly to Arn, can be considered one of the winners of the Frank takeover that took place in 788, *de iure* in 794. Furthermore, concerning both of them we cannot exclude the hypothesis that they could have been among the accusers in the lawsuit against Tasilo conducted in Ingelheim.²³¹

In 784 a military collision took place in the area of Bolzano between the Bavarian troops and count Hrodperht who had been sent there by the Frank

²²¹ *Annales regni Francorum* a. 781; LÖWE 1937. 61. sq.

²²² *Annales Mettenses priores* a. 781

²²³ WOLFRAM 1968. 168; ABEL-SIMSON 1969. I. 397.

²²⁴ *Annales Petaviani* a. 781

²²⁵ ABEL-SIMSON 1969. I. 397.

²²⁶ *Annales qui dicuntur Einhardi* a. 781

²²⁷ JAHN 1991. 527; BECHER 1993. 51–58.

²²⁸ *Annales regni Francorum* a. 782... *similiter et Avari illuc convenerunt, missi a cagano et iugurro*; *Annales qui dicuntur Einhardi* a. 782; SZÁDECZKYKARDOSS 1998. 269; POHL 2005. 64.

²²⁹ FREUND 2005. 84; BECHER 2005. 42.

²³⁰ FREUND 2005. 81.

²³¹ ABEL-SIMSON 1969. I. 449. sqq.; JAHN 1991. 528. (This hypothesis about the role of Arn was recently rejected by FREUND 2005. 88.)

monarch, and in the same year the Saxons and some of the Friesians revolted against Charlemagne. Hrodperht looted, destroyed and burnt down the border fortress of Bolzano.²³² This Frank provocation motivated Tasilo to form an alliance with his eastern neighbours, the Avars and after that he started an attack on Hrodperht, who belonged to the Frank unit. With this step the illusionary good relations between Charlemagne and Tasilo ended, and with queen Hildegard's death the influence keeping the Frank monarch back from taking measures against his Bavarian brother-in-law also ceased to exist. The drama ending in Tasilo's dethronement was irresistibly coming to its culmination.²³³

Before the conflict broke out, the Frank monarch had gone to Rome both to settle the Italian affairs and to negotiate with the delegates of the *basileus* of Constantinople.²³⁴ However, he was surely planning to subordinate and liquidate the still independent Bavarian and Beneventan dukedoms, the latter lying at the point of interaction of Bavarian, Frank and Constantinopolitan authorities.²³⁵ While Charlemagne was staying in Rome, Romoald, son and co-reigner of Arichis, the Beneventan duke, approached him and gave presents to the king to keep him from occupying the dukedom. Besides, Romoald declared that Arichis seemed to be ready to meet the Frank demands. However, neither the king nor the Pope regarded their promises as authentic and Charlemagne entered Beneventum with the Pope's approval, who had significant interests in expanding his authority in South Italy and so was even inclined to sacrifice his former ally, Tasilo to the Frank monarch. In order to avoid an armed collision, Arichis, besides numerous gifts gave hostages including his sons, Romoald and Grimoald, and swore an oath of allegiance to Charlemagne, and in return the Frank king did not destroy the dukedom with his army.²³⁶ Accordingly, Beneventum remained a dukedom but only as part of the Frank Empire. Charlemagne, however, interfered more with its affairs, as in March, 787 he gave immunity to the Bishopric of Beneventum. In this way, he withdrew it from the duke's power, significantly violating his cardinal rights. Moreover, he donated a number of Beneventan towns to the Pope, as if tearing them apart from the dukedom. The negotiations with the Constantinopolitan delegates ended in failure; what is more, Charlemagne broke the engagement between his daughter and the Constantinopolitan *basileus*, and by this he sowed the seeds of a further conflict.²³⁷

To prevent the outburst of a nearing discord, Tasilo sent Arn, the bishop of Salzburg and Hunrih, the abbot of Mondsee to Rome with the order to ask the Pope to be his mediator.²³⁸ Beyond doubt, Tasilo wanted to continue the independent

²³² *Annales regni Francorum* a. 784; ABEL-SIMSON 1969. I. 477. sq.; BECHER 2005. 42.

²³³ LÖWE 1937. 63; CLASSEN 1983. 239; JAHN 1991. 531.

²³⁴ *Annales regni Francorum* a. 786

²³⁵ Cf. BERTOLINI 1967. 609–671.

²³⁶ *Annales regni Francorum* a. 787; ABEL-SIMSON 1969. I. 557. sqq.; WOLFRAM 1968. 169.

²³⁷ JAHN 1991. 535; ABEL-SIMSON 1969. I. 567. sqq.

²³⁸ *Annales Maximiani Continuatio* a. 787; *Chronicon Vedastinum* a. 787; ABEL-SIMSON 1969. I. 572. sqq.; LÖWE 1937. 64. sqq.; WOLFRAM 1968. 169; WOLFRAM 1999. 21; FREUND 2005. 86.

Bavarian policy, using the wording of the *Annales qui dicuntur Einhardi*, peace and mutual understanding,²³⁹ but for Charlemagne the existence of a last dukedom independent in home and foreign affairs on the territory of the Frank Empire became more and more inconvenient. Pope Adrian allegedly tried to mediate on Tasilo's behalf efficiently, and Charlemagne would also have been inclined to sign an agreement immediately. However, Tasilo's delegates presumed that they lacked the authority to accept the conditions suggested by Charlemagne.²⁴⁰ As a reaction, the Pope threatened Tasilo and his followers with excommunication if the Bavarian Duke were to refuse to keep his oath to Pippin and Charlemagne and warned him that in order to avoid bloodshed, he should fully obey the king, his sons and the Frank people.²⁴¹ If he were not to do so, then he, the Bavarian Duke should take responsibility for all devastations done by the *bellum iustum* lead by the Franks i.e., the pope threatened Tasilo with Frank intervention.²⁴² The papal pressure decisively contributed to the Bavarian Duke's fall.

From Rome Charlemagne went to Worms, where he gave an account of the negotiations with Tasilo at the synod of clerical and non-clerical leaders, and through the envoys he called upon the Bavarian Duke to appear before him. Tasilo, however, just like his brother-in-law, Arichis, rejected it; instead he gave hostages and gifts to the Frank monarch.²⁴³ Charlemagne decided to end this discord having lasted for years between him and Tasilo by force, and marched with his army against Bavaria. He pitched camp at Lechfeld above Augsburg and placed another Frank troop at the Danube at Pförring. Meanwhile, Pippin went against Bolzano. Bavaria was blockaded by superior Frank military forces from all sides against which any opposition would have been in vain.²⁴⁴ According to the *Annales regni Francorum*, the Bavarian nobility approved of Charlemagne's measures,²⁴⁵ but it

seems extremely probable that it was opportunism rather than the natural sense of rights that prevailed on them.²⁴⁶ According to the *Annales regni Francorum* Tasilo had to appear in Charlemagne's camp in Augsburg, and on 3 October 787 in addition to confessing his alleged sins he was obliged to swear an oath of allegiance to the Frank monarch, owing to which Charlemagne became Bavaria's liege lord. He had to give twelve hostages and his son and co-reigner, Theodo as the thirteenth, although he could keep his dukedom as a *beneficium*: *Tunc praespiciens se Tassilo ex omni parte esse circumdatum et videns, quod omnes Baioarii plus essent fideles domno rege Carolo quam ei et cognovissent iustitiam iamdicti domni regis et magis voluissent iustitiam consentire quam contrarii esse, undique constrictus Tassilo venit per semetipsum, tradens se in manibus domni regis Caroli in vassaticum et reddens ducatum sibi commissum a domno Pippino rege, et recredit se in omnibus peccasse et male egisse. Tunc denuo renovans sacramenta et dedit obsides electos XI et tertium decimum filium suum Theodonem.*²⁴⁷

The dukedom's *redditio* was allegedly carried out in such a way that Tasilo handed to Charlemagne a stick ending in a human figure and a spear as symbols of full vassal subordination to the Frank reign.²⁴⁸ The oaths taken by Tasilo to Charlemagne may be summarized as follows: he more or less probably swore an oath of allegiance in 757, and certainly in 781; then in 787 he subjected himself as a vassal to Charlemagne. The authors of the sources traced back to and explained the 757 oath on the basis of the 787 vassal oath, or to be more precise, they consciously misinterpreted it.²⁴⁹ Let us review what the substance of the oaths of allegiance could be. The essence of the oath of allegiance was without doubt *fidelitas*, although it is fairly difficult to reconstruct the content of this notion. It can mean relations between two people that bind them to assist each other with *Rat und Tat*, facilitate one another's advantage, and prevent any harm to them.²⁵⁰

One cannot, however, formulate a static definition as the content of the oaths depended on the person and position of the subjects concerned.²⁵¹ In the 8th century different kinds of allegiance oaths may appear in the sources: after 786 or 792 (the dating is disputable) the subject's oaths became customary again because at that

²³⁹ *Annales qui dicuntur Einhardi* a. 787

²⁴⁰ *Annalium Tiliannorum pars altera* a. 787

²⁴¹ POHL 2005. 63. sq.; FREUND 2005. 86. sq.

²⁴² *Annales regni Francorum* a. 787 *Ibi que venientes missi Tassiloni ducis, hii sunt Arnus episcopus et Hunricus abba, et petierunt apostolicum, ut pacem terminaret inter domnum Carolum regem et Tassilonem ducem. Unde et domnus apostolicus multum se interponens, postulando iamdicto domno rege. Ez ipse domnus rex respondit apostolico, hoc se voluisse et per multa tempora quaesisse, et minime invenire potuit; et proferebat statim fieri. Et voluit supradictus domnus rex in praesentia domni apostolici cum ipsis missis pacem firmare; et remnuentibus supradictis missis, quia non ausi fuissent de eorum parte ullam firmitatem facere. Apostolicus vero cum cognovisset de instabilitate vel mendacia eorum, statim supra ducem eorum vel suis consentaneis anathema posuit, si ipse sacramenta, quae promiserat domno Pippino regi et domno Carolo itemque regi, non adimpleret. Et obstans supradictos missos, ut contestarent Tassilonem, ut non aliter fecisset, nisi in omnibus oboediens fuisset domno regi Carolo et filiis eius ac genti Francorum, ut ne forte sanguinis effusio provenisset vel lesio terrae illius; et si ipse dux obdurato corde verbis supradicti apostolici minime oboedire voluisset, tunc domnus Carolus rex et suus exercitus absoluti fuissent ab omni periculo peccati, et quicquid in ipsa terra factum eveniebat in incendiis aut in homicidiis vel in quaecumque malitia, ut hoc super Tassilonem et eius consentaneis evenisset et domnus rex Carolus ac Franci innoxii ab omni culpa exinde permansissent. Haec verba expleta, missi Tassiloni absoluti sunt. Et tunc in invicem sibi domnus apostolicus atque domnus gloriosus rex Carolus valedicentes, benedictione adsumpta oratione peracta Franciam iamdictus praecelsus rex reversus est. Cf. JAHN 1991. 537.*

²⁴³ Einhardus, *Vita Karoli magni* 10; ABEL-SIMSON 1969. I. 595. sqq.; BUND 1979. 388. sqq.

²⁴⁴ *Annales Laurissenses* a. 787; Einhardus, *Vita Karoli magni* 11.

²⁴⁵ *Annales regni Francorum* a. 787

²⁴⁶ JAHN 1991. 538.

²⁴⁷ *Annales regni Francorum* a. 787 *Tunc praespiciens se Tassilo ex omni parte esse circumdatum et videns, quod omnes Baioarii plus essent fideles domno rege Caolo quam ei et cognovissent iustitiam iamdicti domni regis et magis voluissent iustitiam consentire quam contrarii esse, undique constrictus Tassilo venit per semetipsum, tradens se manibus in manibus domni regis Caroli in vassaticum et reddens ducatum sibi commissum a domno Pippino rege, et recredit se in omnibus peccasse et male egisse. Tunc denuo renovans sacramenta et dedit obsides electos XII et tertium decimum filium suum Theodonem. Cf. Annales Iuvavenses minores, maximi a. 787; Annales Maximiani Continuatio a. 787; ABEL-SIMSON 1969. I. 600; WOLFRAM 1968. 171; KOLMER 1980. 296. sqq.; JAHN 1991. 538; SZÁDECZKY-KARDOSS 1998. 274; BECHER 2005. 42.*

²⁴⁸ WOLFRAM 1968. 170. sq.; GAUERT 1962. 214. sqq.

²⁴⁹ CLASSEN 1983. 245.

²⁵⁰ EHRENBERG 1877. 111. sq.

²⁵¹ KOLMER 1980. 299; BECHER 1993. 78. sqq.

time the participants of a conspiracy tried to excuse themselves by claiming that they had not taken an allegiance oath to Charlemagne.²⁵² It gave reason for obliging every subject older than twelve to take an oath.²⁵³ The texts of the oath are not known. In the *Legationis Edictum* of 789, in the *sacramentum fidelitatis* to be taken to the king and his sons, the juror promises to remain faithful for the rest of his life but the details are not expressed: *quia fidelis sum et ero diebus vitae meae sine fraude et malo ingenio*.²⁵⁴ A *capitulare* originating from 802 contains some enumeration that was binding on the jurors of the *sacramentum fidelitatis*,²⁵⁵ however, the difference between the subject and (vassal) allegiance oaths cannot be defined more precisely.²⁵⁶ The sources inform about a number of oaths that can be interpreted as that of allegiance. Thus, for example, the *Annales Mettenses priores* relates when describing the events of 755 that the Langobard king Aistulf broke the *fides* promised to Pippin when he broke into Rome contrary to law and his oath, so as a conciliation he had to yield a part of his treasure to the Frank monarch, and while giving hostages he had to repeat his oath to remain faithful to the Frank power forever (*semper esse fidelem*) and promise that he would pay tax annually.²⁵⁷ The *Annales regni Francorum* concerning 775 also gives an account of the Langobards breaking their oath, whereas regarding 777 it informs us of similar events concerning the Saxons.²⁵⁸ The wordings of the different *Annales* are very similar, so one can conclude that after the settlement of the armed conflicts with the given tribe or state those who had subjected themselves to the Frank monarch promised sometimes taxes, often hostages, but in each case, *fidelitas*.²⁵⁹

The texts of Tasilo's oaths are not known to us. They can be inferred most easily from the cases of their breaches: including the rejection of paying taxes and *contumacia*, the attempt of getting out of Frank power (*dicione abstrahere*) either by revolts or by military acts. At the same time, the breaking of the prohibition of arbitrary military actions also meant a breach of *promissiones*, *sacramenta* and *fidelitas*, since nobody was allowed to start an attack without the Frank king's permission. On the grounds of the above, it may be stated in all probability that the juror (taking the oath of allegiance) was usually obliged to acknowledge the Frank chief power, and he had to abstain from everything that would cause its breaking. Nevertheless, it cannot be concluded that as a main rule he would have been obliged to provide an army; furthermore, his autonomy in home and foreign policy

²⁵² *Capitulare Missorum* a. 792 vel 786 Nr. 25. 1.

²⁵³ *Capitulare Missorum* a. 792 vel 786 Nr. 25. 4; KOLMER 1980. 300.

²⁵⁴ *Duplex Legationis Edictum* a. 789 ...*quia fidelis sum et ero diebus vitae meae sine fraude et malo ingenio*

²⁵⁵ *Capitulare Missorum Generale* a. 802 Nr. 33. 2. sqq.

²⁵⁶ KOLMER 1980. 300; BECHER 1993. 87.

²⁵⁷ *Annales Mettenses priores* a. 755 ...*sacramenta iterum renovans obsidesque tribuens promisit se partibus Francorum semper esse fidelem et annale tributum*

²⁵⁸ *Annales regni Francorum* a. 775 Hrodgaudus Langobardus fraudavit fidem suam et omnia sacramenta rumpens et voluit Italiam rebellare.; a. 777 ...*vel fidelitatem supradicti domni Caroli regis et filiorum eius vel Francorum*.

²⁵⁹ KOLMER 1980. 301. About the different aspects of *sacramenta* see BECHER 1993. 94. sqq.

was not affected either.²⁶⁰ The rebellion against Frank dominance, i.e., the breaking of the allegiance oath brought about different sanctions, and eventually resulted in annexing the given state into the Frank Empire. Consequently, the obligation of *fidelitas* appeared among other things to be an important means of relations between the states. However, it is only one of the fields of its application; none the least significant was it for proving the subjects' loyalty and creating vassal relations within the country, yet a common element of all these was the promise of *semper fidelis esse*.²⁶¹

II. 3. Tasilo's dethronement

The show trial against Tasilo took place in Ingelheim in 788: at the meeting of the Franks and *nationes* subordinated to them²⁶² according to the *Annales regni Francorum*,²⁶³ and the rest of the Bavarian *principes* according to the *Annales Mettenses priores*.²⁶⁴ Tasilo had to appear, too.²⁶⁵ According to the *Annales Nazariani* after Tasilo appeared in Ingelheim, Charlemagne had duchess Liutpirg, the children and the treasures taken away from Bavaria. Moreover, to make his humiliation complete, Tasilo had to appear before the king weaponless.²⁶⁶ At the trial held in the presence of the Frank *optimates*, the Bavarians "loyal" to Charlemagne accused Tasilo of serious charges,²⁶⁷ claiming that he had refused to keep his oath even after he had placed hostages, including his son, at the king's disposal. He carried out all these deeds on his wife's suggestion; similarly, the duchess, to revenge her father's dethronement, urged her husband to enter into an alliance with the Avars.²⁶⁸ This alliance was of utmost importance as the Avars lived outside the Christian world and the *ius gentium* of the period; consequently, whoever united with them, faced the whole Christian world.²⁶⁹ Tasilo could not reject any of the charges, since getting in contact with other nations was part of his independent foreign policy, and he formed these relations at his discretion, which was of course interpreted by the Frank monarch as unfaithfulness.²⁷⁰

However, these charges would not have been enough for sentencing Tasilo to death and depriving him and his successors of the dukedom, and for passing the

²⁶⁰ MITTEIS 1958. 48. sq.; 57.

²⁶¹ KOLMER 1980. 302.

²⁶² *Chronicon Moissiacense* a. 788

²⁶³ *Annales regni Francorum* a. 788. Cf. KRAWINKEL 1937. 48. sq.

²⁶⁴ *Annales Mettenses priores* a. 788

²⁶⁵ ABEL-SIMSON 1969. I. 620. sqq.; LÖWE 1937. 63. sqq.; KOLMER 1980. 311; WOLFRAM 1968. 173; WOLFRAM 1987. 187. sqq.

²⁶⁶ *Annales Nazariani* a. 788; JAHN 1991. 541.

²⁶⁷ *Annales Mettenses priores* a. 788

²⁶⁸ Einhardus. *Vita Karoli magni* 11; *Annales Laureshamenses* a. 788; SZÁDECZKY-KARDOSS 1998. 274. sq.; POHL 1988. 314. sq.; WOLFRAM 1968. 173.

²⁶⁹ LÖWE 1937. 67; WOLFRAM 1968. 172.

²⁷⁰ JAHN 1991. 542.

dukedom into Charlemagne's hands. They had to adduce thus the duke's former alleged guilt, among others *harisliz*, i.e., the desertion from the (king's) army done during the 757 Aquitanian campaign.²⁷¹ The legal background of the accusation, as shown by further analysis, was not fully established merely by the arbitrary leaving of the army, since *harisliz* as a *crimen* was punishable by death only from the 9th century onwards.²⁷² After pronouncing Tasilo guilty, Charlemagne's "benevolence" and "relative emotions" made him prevent the execution of the death sentence. Tasilo had to request permission to spend the rest of his life in a monastery where he could repent of his sins and could thus at least ensure his salvation: *Tunc dominus rex Carolus congregans synodum ad iamdictam villam Ingilenhaim, ibique veniens Tassilo ex iussione domni regis, sicut et ceteri vassi eius; et coeperunt fideles Baioarii dicere, quod Tassilo fidem suam salvam non haberet, nisi postea fraudulens apparuit, postquam filium suum dedit cum aliis obsidibus et sacramenta, suadente uxore sua Liutbergane. Quod et Tassilo denegare non potuit, sed confessus est postea ad Avaros transmisisse, vassos supradicti domni regis ad se adortasse et in vitam eorum consiliasse; et homines suos, quando iurabant, iubebat, ut aliter in mente retinerent et sub dolo iurarent; et quid magis, confessus est se dixisse, etiamsi decem filios haberet, omnes voluisset perdere, antequam placita sic manerent vel stabile permetteret, sicut iuratum habuit; et etiam dixit, melius se mortuum esse quam ita vivere. Et de haec omnia conprobatus, Franci et Baioarii, Langobardi et Saxones, vel ex omnibus provinciis, qui ad eundem synodum congregati fuerunt, reminiscens priorum malorum eius, et quomodo dominum Pippinum regem in exercitu derelinquens et ibi, quod theodisca lingua harisliz dicitur, visi sunt iudicasse eundem Tassilonem ad mortem. Sed dum omnes una voce adclamarent capitale eum ferire sententiam, iamdictus dominus Carolus piissimus rex motus misericordia ab amore Dei, et quia consanguineus eius erat, contenuit ab ipsis Dei ac suis fidelibus, ut non moriretur. Et interrogatus a iamfato clementissimo domno rege praedictus Tassilo, quid agere voluisset; ille vero postolavit, ut licentiam haberet sibi tonsorandi et in monasterio introeundi et pro tantis peccatis paenitentiam agendi et ut suam salvaret animam.*²⁷³

The duke's *tonsuratio* took place on 6 July 788 and then he was exiled to Jumièges. Similarly, his sons, Theodo and Theodbert, his wife, Liutpirg and his daughters, Cotania and Hrotrud were presumably locked up in different monasteries, strictly separated from each other. This way, the Agilolfing dynasty was prevented from being maintained by marriages.²⁷⁴ Charlemagne exiled all the

nobles loyal to Tasilo, the captured dominion was left not to *duces* but to *comites*, and so he completed the system of *comitatus* in Bavaria too.²⁷⁵

The narration of the different *Annales* seems to be too harmonic and complete to reflect reality: Tasilo's defence is totally missing and his confession makes an implausibly remorseful impression as well.²⁷⁶ Following Matthias Becher's train of thought, let us take a closer look at the different versions of some Annals about the plot of the trial. When reading the narration of the *Annales regni Francorum* on the process of the trial, it becomes remarkable that it is free from any gaps: the conduct of those present seems too composed, the charges are flooding as it were by themselves, the accusers are obscured, the king sinks into passivity, the only action he takes is to obtain mercy for the accused, and the duke moves to monastery voluntarily, on its own initiative and not on the king's order. This rightly arouses suspicion that the author did not want to document actual events but to enhance Charlemagne's nimbus: to stylise the king, who brought Bavaria under his power, into an ideal Christian ruler.²⁷⁷ In contrast with the *Annales regni Francorum* conveying official Frank propaganda, a more realistic description can be read in the *Annales Laureshamenses* since here it is the conspiracy against the Franks and the alliance with the Avars entered into on the advice of the duke's evil wife that make the duke's former confidants to testify against their lord, which eventually leads to the death sentence delivered by the Franks and reduced only owing to Charlemagne's intervention. The events here seem more plausible, lifelike; the image depicted of the passive Frank ruler, however, is again favourable, this is presumably due to the personal sympathy of the author, Richbod, bishop of Trier, who was on intimate terms with Charlemagne.²⁷⁸ The Annals of Murbach (*Annales Nazariani*) presents a version completely different from with the *Annales regni Francorum*. This work cannot be called a consistently anti-Carolingian source though. It relates that Charlemagne has Tasilo's family carried off from Bavaria to Frank territory, has the duke disarmed, and then, after his *tonsuratio*, has him locked up in a monastery as a convict. Here the king does not withdraw into the background, and does not hide behind the Bavarians or Franks who accuse the duke but he himself hears the duke's case and passes the judgment. And his judgment is to lock up the duke in a monastery, and not a death sentence reduced only by benevolence to confinement.²⁷⁹

Both the legal establishment of his children's being locked up in monasteries and Bavaria's annexing into the Caroling Empire are extremely dubious, since after Tasilo's *tonsuratio* his sons should have taken over the dukedom pursuant to the

²⁷¹ KOLMER 1980. 318. sq.

²⁷² KOLMER 1980. 325; JAHN 1991. 542.

²⁷³ *Annales regni Francorum* a. 788. Cf. *Annales Laureshamenses* a. 788

²⁷⁴ ABEL-SIMSON 1969. I. 627. sq.; JAHN 1991. 543; KOLMER 1980. 314.

²⁷⁵ *Annales regni Francorum* a. 788. Similiter et filius eius Theodo deiudicatus est et tonsoratus et in monasterio missus, et pauci Baioarii, qui in adversitate domni regis Caroli perdurare voluerant, missi sunt in exilio; Einhardus, *Vita Karoli magni* 11; cf. JAHN 1991. 543.

²⁷⁶ KOLMER 1980. 313.

²⁷⁷ BECHER 1993. 64. sqq.; BECHER 2005. 43. sq.

²⁷⁸ BECHER 1993. 66. sq.; BECHER 2005. 44. sq.

²⁷⁹ BECHER 1993. 67. sqq.; BECHER 2005. 46. sqq.

Lex Baiuvariorum, which assures the Agilolfing right of inheritance: *Dux vero praeest in populo, ille semper de genere Agilolfingarum fuit et debet esse, quia sic regni antecessores nostri concesserunt eis; qui de genere illorum fideles regi erant et prudens ipsum constituiebant ducem ad regendum populum illum.*²⁸⁰ The demand made by Tasilo's children and wife for the Bavarian Dukedom was not disputed, but their personal status was altered so that *de iure* they were not entitled to realize their demand.²⁸¹ Charlemagne, of course, would have had the opportunity to sentence the rest of the family like Tasilo to death, but he must have been deterred from this drastic method, so he contented with the *Klostertod*. Locking Tasilo up in a monastery, however, created a rather dubious situation of public law in Bavaria, which is clearly shown by some units of the *Traditio Frisingensis* as well. It occurred that on 20 February 789, in the presence of bishops Atto and Oadalhart, a *traditio* was dated pursuant to Tasilo's reign,²⁸² whereas in another one they mention Charlemagne's conquest over Bavaria and Tasilo's turning cleric as an event that had happened two years before.²⁸³

The rearrangement of the Bavarian government may give the impression that Charlemagne might still have taken some rights of the Agilolfing dynasty into consideration, since he nominated his brother-in-law, Gerold of Agilolfing origin *praefectus* of Bavaria.²⁸⁴ After 788 some dioceses delivered numerous registers of tenures to the Frank monarch, the *Breviarium Uolfi* of Niederalteich and the *Notitia Arnonis* of Salzburg originate from these times.²⁸⁵ These records list the grants donated by the Bavarian Duke and by other nobles and common people, and since the Bavarian dukes still kept their rights over these lands even after the *traditiones*, the abbots and bishops expected Charlemagne to release these benefices from the Bavarian dukedom. Charlemagne did meet their demands, granted the listed benefices completely to the Church, abolishing the previously existing ecclesiastical/ducal *condominium*, supposedly as a means of compensation for the resolute support of the church during his action taken against Tasilo. By questioning the legitimacy of the *traditiones* carried out by Tasilo, he created juridical insecurity which he later eliminated by confirming the lists handed over to him. Simultaneously, he gained insight into the Bavarian possessions and it cannot be excluded that he used the same method with the Bavarian clerical and non-clerical tenants too, winning with it a number of thankful followers.²⁸⁶

After organizing the Bavarian possessions and suppressing the rebellion in Regensburg,²⁸⁷ Charlemagne made an attempt to give the liquidation of the Agilolfing dominance a final and legal form: in 794 Tasilo was taken from his

monastery to a council in Frankfurt, where in the presence of clerical and non-clerical nobles, and the Pope's envoys he had to renounce his dukedom on his and his successors' behalf.²⁸⁸ (The sources do not make any further mention of Tasilo, the only thing they inform us about is that the once Bavarian Duke died as an ordinary monk on 11 December of a year unknown to us.²⁸⁹) The question may arise, why the traces of the last event cannot be found either in the *Annales regni Francorum*, or in the *Annales qui dicuntur Einhardi*. The fact that after six years Charlemagne still needed for Tasilo to entirely give up all his own and his family's demands would have impugned the lawfulness of the sentence made in 788; namely, the dethronement of the whole Agilolfing dynasty. Consequently, the applicable passages of law ensuring the right of inheritance for the Agilolfings lost their validity as well.²⁹⁰ In order to legitimate his method, probably between 788 and 794 Charlemagne entered a passage into the *Lex Baiuvariorum* ordering that should the duke, whom he nominated head of the dominion, be so reckless, defiant, arrogant and rebellious that he would disobey the king's order, then he should lose the grant of dukedom, be deprived of the hope of heavenly joy, and lose even his salvation: *Si quis autem dux de provincia illa quem rex ordinaverit tam audax aut contumax aut levitate stimulatus seu protervus et elatus vel superbus atque rebellus fuerit, qui decretum regis contempserit, donatum dignitatis ipsius ducati careat, etiam insuper spe supernae contemplationis sciat se esse condemnatum et vim salutis amittat.*²⁹¹ The reference made to the loss of salvation is not likely to allude to the threat of the 787 papal excommunication,²⁹² but much rather to the final punishment of Tasilo locked up in the monastery. This interpretation is even more probable, because in the light of the trial of 788, the accumulation of insulting attributes that describe the duke (*contumax, elatus, superbus, levitate stimulatus, rebellus*) seems quite plausible.²⁹³

It is beyond any doubt that setting aside the dynasty of Agilolfings was not legally established. How legal Tasilo's conviction can be regarded, and how the charges brought against him can be grouped and evaluated is, however, worth analyzing. Opinions differ as to whether the sentence was based primarily on the allegedly committed *harisliz*,²⁹⁴ meaning possibly *crimen maiestatis*, or whether *harisliz*, like the other charges brought against the duke, belonged to the category of *infidelitas*, constituting together the reasons of the case.²⁹⁵ In the early Middle Ages, the notion of *crimen maiestatis* occurs last in the *Etymologiae* of Isidorus

²⁸⁰ ERKENS 2005. 24; *Lex Baiuvariorum* 3, 1.

²⁸¹ KOLMER 1980. 314.

²⁸² *Traditio Frisingensis* Nr. 125.

²⁸³ *Traditio Frisingensis* Nr. 127a; JAHN 1991. 546.

²⁸⁴ Einhardus, *Vita Karoli magni* 13; BECHER 2005. 39; JARNUT 1991. 17. sq.

²⁸⁵ LOŠEK 1990. 80. sqq.; LOŠEK 2005. 126. sq.; LOŠEK 2006. 72. sqq.

²⁸⁶ *Annales Iuvavenses maximi* a. 793; WOLFRAM 1987. 190; JAHN 1991. 548. sq.

²⁸⁷ *Annales qui dicuntur Einhardi* a. 792; *Annales Mosellani* a. 792

²⁸⁸ *Concilium Francofurtense* a. 794; ABEL-SIMSON 1969. II. 63. sqq.; KOLMER 1980. 326. sq.; WOLFRAM 1987. 192; JAHN 1991. 550.

²⁸⁹ *Necrologium Tegerense* 156; *Necrologium Weltenburgense* 382.

²⁹⁰ *Lex Baiuvariorum* 3, 1; cf. KOLMER 1980. 316.

²⁹¹ *Lex Baiuvariorum* 2, 8a

²⁹² ROSENSTOCK 1928. 26. sqq.

²⁹³ KOLMER 1980. 317.

²⁹⁴ ROSENSTOCK 1928. 39.

²⁹⁵ DAHN 1977. 55.

Hispalensis, the last summarizer of the antique inheritance;²⁹⁶ then it is out of use for a longer period of time, and only the *Annales regni Francorum* uses it concerning the conspirators against the pope after Charlemagne was crowned Emperor.²⁹⁷ This usage, however, seems to be related to the Caroling Renaissance that attempted to renew the antique tradition, especially in Italy.²⁹⁸ The *Annales qui dicuntur Einhardi*, originating also from the period following the crowning, names Tasilo *maiestatis reus*²⁹⁹ but it is this very important idiom that is missing from the relevant part of the *Annales regni Francorum* written earlier. Consequently, with much certainty it is the result of some later additions.³⁰⁰ The 801 entry of the *Capitulare Italicum* also defines *harisliz* as *crimen maiestatis*, but this *capitulare* served for filling in the gaps between the Roman and Langobard law: *De desertoribus. Si quis adeo contumax aut superbus extiterit, ut dimisso exercitu absque iussione vel licentia regis domum revertatur, et quod nos teudisca lingua dicimus herisliz fecerit, ipse ut reus maiestatis vitae periculum incurrat et res eius in fisco nostro socientur.*³⁰¹ This way, it created a special *mixtum compositum*, a state of facts mixing the elements of the Roman *crimen maiestatis* and German *harisliz*, resulting in beheading and forfeiture of property.

The 810 *Capitulare Aquisgranense*³⁰² and the 811 *Capitulare Bononiense*³⁰³ refer to *harisliz* as a state of fact but do not use *crimen (laesae) maiestatis* in this respect.³⁰⁴ On the basis of all this one may agree that in 788 Tasilo was not convicted of high treason. The sources of the time do not support this hypothesis: German law does not contain the fact of *harisliz*. One may come across such notion first in 788, and only later does it occur more frequently in the texts, Roman law is used only after 800 and mainly in the area beyond the Alps. Moreover, if Tasilo had been sentenced to death as *reus maiestatis*, the 794 declaration of abdication would not have been necessary.³⁰⁵ Although Bavarian people were bound by the provisions of the *Lex Baiuvariorum*,³⁰⁶ the nobility was exempted from it, and no punishment was applicable to the duke either, except for the abovementioned passage³⁰⁷ entered between 788 and 794. At the same time, Bavarian law, contrary to the Frank legal sources, did not contain any paragraphs sanctioning *infidelitas* and the breaking of the oath, but calling the enemy into the territory of the country

was considered a major sin; and it cannot be excluded that this fact was also taken as a basis for convicting the Bavarian Duke, who was already in vassal relations with the king.³⁰⁸ The sources emphasize many times Tasilo's breaking of the oath of allegiance, it being *infidelitas*.³⁰⁹ This charge is supported by Tasilo's foreign affairs, namely his negotiations with the Avars, which violated Frank interests.³¹⁰ (In later centuries all of these were deemed as breach of the oath of alliance and were punished by death and forfeiture of property.³¹¹) Although we cannot state that *harisliz* was deemed as *crimen maiestatis*, since every legal *testimonium* concerning it originates from the times after 801. The charge of *harisliz* had been created by Charlemagne and put on the stage as an act of *infidelitas*; therefore, the imperial council sentenced Tasilo to death as *fraudator fidei*.³¹²

By the vassal *commendatio* taken in Lechfeld, which helped Tasilo to make the Frank military action against Bavaria illegitimate, he was able, albeit at the expense of grave humiliation, to retain his dukedom and by that to upset Charlemagne's plans to fully integrate Bavaria. *Infidelitas* brought up as a charge in the trial in Ingelheim would not have stood by itself; therefore, Charlemagne was forced to produce another count of the indictment: and that was *harisliz* equal to treason. On the other hand, as we have seen, neither the *Annales regni Francorum* contain any earlier references to this state of facts (either concerning Tasilo or in any other context), nor the sources independent of the official version allude to this term or action in any form, not even in relation to the events of 788. For this reason, *harisliz*, i.e., desertion allegedly committed in 763, is nothing else but fiction; and it was an attempt to make legitimate the charge *infidelitas*, which called for *harisliz* and feudal subordination, which occurred only in 787. As prerequisites, Frank propaganda distorted the events of earlier decades, the memory and especially legal classification of which were anyway fading away among the increasingly less contemporaries. Looking at the events from another aspect, however, we can presume that the charge of *infidelitas* would have been enough to condemn Tasilo, this is what the very nature of show trial's suggests. By stressing *harisliz* Frank propaganda most probably wanted to lay special emphasis on the subordinate position of the nobility now subjected to the king, and on their obligation to wage war arising from that.³¹³

In the end of our analysis it became clear, what kind of processes led to this final show trial. The Frank monarch's power politics was not necessarily in need of a military conflict for the sake of annexing Bavaria into his empire after he had finished with his enemies and competitors. It seemed enough to isolate the

²⁹⁶ Isidorus Hispalensis, *Etymologiae sive origines* 5, 26, 25. *Maiestatis reatus tenentur hi, qui regiam maiestatem laeserunt vel violaverunt, vel qui rem publicam prodiderunt vel cum hostibus consenserunt.*

²⁹⁷ *Annales regni Francorum* a. 801. *Post paucos ... dies iussit eos, qui pontificem anno superiore deposuerunt, exhiberi; et habita de eis questione secundum legem Romanam ut maiestatis rei capitis dampnati sunt.*

²⁹⁸ ROSENSTOCK 1928. 38. sq.

²⁹⁹ *Annales qui dicuntur Einhardi* a. 788. *Tassilo ut maiestatis reus capitali sententia damnatus est*

³⁰⁰ ROSENSTOCK 1928. 39.

³⁰¹ *Capitulare Italicum* a. 801 Nr. 98. 3.

³⁰² *Capitulare Missorum Aquisgranense* I. a. 810 Nr. 64. 13.

³⁰³ *Capitulare Bononiense* a. 811 Nr. 74. 4.

³⁰⁴ KOLMER 1980. 320.

³⁰⁵ KOLMER 1980. 321.

³⁰⁶ Cf. *Capitulare Aquitanicum* a. 768 Nr. 18. 10. *Ut homines eorum legis habeant, tam Romani quam et Salici, et si de alia provincia advenierit, secundum legem ipsius patriae vivat.*

³⁰⁷ *Lex Baiuvariorum* 2, 8a

³⁰⁸ KOLMER 1980. 322. sqq.

³⁰⁹ *Annales regni Francorum* a. 788. *Tassilo fidem suam salvam non haberet ... postea fraudulens apparuit; Concilium Francofurtense* a. 794 Nr. 28. 3. *fraudator fidei*

³¹⁰ *Annales regni Francorum* a. 788; Einhardus, *Vita Karoli magni* 11; *Annales Laureshamenses* a. 788; SZÁDECZKY-KARDOSS 1998. 274. sq.; POHL 1988. 314. sq.; WOLFRAM 1968. 173.

³¹¹ HAGEMANN 1974. 44.

³¹² KOLMER 1980. 325.

³¹³ BECHER 2005. 48. sqq.

dukedom with cunning diplomatic means, and win over a group of Bavarians to his side in the coming trial. During the proceedings Tasilo was not only charged with *harisliz*, but he was accused of serious unfaithfulness (*infidelitas*) breaking of the oath of allegiance in 757 and 781, in addition to the vassal oath in 787. Executing the death sentence would not have brought the desired result for Charlemagne since through Tasilo's execution he would not have been able to annex Bavaria *ipso iure*. At the same time, by locking up Tasilo and his family in monasteries, the Frank monarch had the opportunity to deal with the masterless dukedom as he wished. The unclarified state of the legal situation and Charlemagne's not completely legitimate dominance over Bavaria are clearly shown by the declaration taken from Tasilo at the 794 Council in Frankfurt, which sets forth that he renounces all demands in relation to Bavaria on his own and his family's behalf.

III. Methodius Versus Adalwin

III. 1. Mission among Carantanians

The Carantanians were the first Slavonic people who established relations with the Bavarian Dukedom and the Frankish Empire. What happened was that prince Boruth called the Bavarians to help him against the Avars³¹⁴ probably in 741/42,³¹⁵ and the victory over the Avars led to the rule of the Bavarians over the Carantanians.³¹⁶ Somewhat before 743 the Carantanian prince³¹⁷ Boruth was forced to send his son, Cacatius and his nephew, Cheitmar as hostages.³¹⁸ There they were given Christian instruction by Lupo, a priest from Salzburg.³¹⁹ After Boruth's death, about 750, the Bavarians let his son, Cacatius already turned Christian and made by the Slavs their prince go home on the orders of the Franks and at the request of the Slavs.³²⁰ However, three years later Cacatius died, and at the request of the Slavs and with Pippin's permission Boruth's nephew, Cheitmar (752–769) by then also a Christian and sent back by the Bavarians became the

³¹⁴ SCHELLHORN 1964. 104; DOPSCH 1997. 101. sqq.

³¹⁵ *Conversio 4. Non multo post tempore ceperunt Humi eosdem Quarantanos hostili sedicione graviter affligere. Fuitque tunc dux eorum Boruth nomine, qui Hunorum exercitum contra eos iturum Bagoariis nunciari fecit rogavitque eos sibi in auxilium venire. Illi quoque festinando venientes expugnaverunt Hunos et obfirmaverunt Quarantanos servitutique eos regum subiecerunt similiterque confines eorum. Cf. SZÁDECZKY-KARDOSS 1998. 266. sq.*

³¹⁶ DOPSCH 1997. 102; WOLFRAM 1979. 73. sqq.; DOPSCH 1976. 27. sqq.; POHL 2005. 59.

³¹⁷ KAHL 1985. 116; DOPSCH 1997. 102.

³¹⁸ Cf. KAHL 1980. 44.

³¹⁹ *Conversio 4. Duxeruntque inde secum obsides in Bawariam. Inter quos erat filius Boruth nomine Cacatius, quem pater eius more christiano nutrire rogavit et christianum facere; sicut et factum est. Et de Cheitmaro filio fratris sui similiter postulavit.*

³²⁰ *Conversio 4. Mortuo autem Boruth per iussionem Francorum Bawarii Cacatium iam christianum factum petentibus eisdem Sclavis remiserunt et illi eum ducem fecerunt.*

prince of the Carantanians.³²¹ Cheitmar's godfather, Lupo the priest, sent his nephew, Maioranus ordained in Salzburg to accompany Cheitmar, who exhorted the prince that in the course of fulfilling his Christian obligations he should be obedient and humble towards the monastery of Salzburg,³²² the *Conversio* intended to describe the result of this process as a kind of feudal relation.³²³ Cheitmar promised to follow the exhortation, and performed his service and received instruction there from year to year until the end of his life.³²⁴ It is worth paying some attention to the following points: The orders of the Franks played a major role in the release of both Cacatius and Cheitmar;³²⁵ Lupo and Maioranus were no more than simple priests; and we do not find any reference to the fact that they were assigned to stay beside the Carantanian princes upon the instruction of the Bishopric of Salzburg, as for Maioranus, some sort of attachment to Salzburg, the place of his one-time ordainment can be discovered, and accordingly he exhorted also Cheitmar to be faithful to the monastery.³²⁶ If there had been a closer relation between Cacatius and Cheitmar, Lupo and Maioranus, and Salzburg, which was elevated to the rank of bishopric in 739, then the author of the *Conversio* would have certainly not failed to emphasise that, so it is fairly probable that the initial steps of the Christianization of the Carantanians were made by the Franks, presumably by Pippin himself, and not by the Bavarian Church.³²⁷

Significant results were achieved by Salzburg, now actively joining the mission, only after bishop Virgil, on Cheitmar's call, commissioned Modestus *episcopus chori* to lead the mission.³²⁸ Then, after Modestus died in 763, in spite several pagan revolts (*carmula*), Virgil successfully carried on with the missionary work among the Carantanians, which was considerably eased by the military victory of prince Tasilo III in 772 over the Carantanians, completely breaking their

³²¹ DOPSCH 1997. 103. sqq.; SCHELLHORN 1964. 104; *Conversio 4. Sed ille postea tercio anno defunctus est. Iterum autem permissione Pippini regis ipsis populis petentibus redditus est eis Cheitmar christianus factus.*

³²² *Conversio 4. Cui etiam Lupo presbyter ordinatus de luvavense sede in insulam Chemingi lacus, que et Auva vocatur, dedit ei nepotem suum nomine Maiorandum ad presbyterum iam ordinatum. Et quia compater eius erat idem Lupo presbyter, docuit eum, ut ad luvavense monasterium se devota mente ad christianitatis officium subdidisset. Quem suscipientes idem populi ducatum illi dederunt. Ille vero secum habens Maiorandum presbyterum in luvavensi monasterio ordinatum ad presbyterum. Qui admonuit eum ad ipsum monasterium suum caput declinare in servitium dei. Et ille ita fecit ac promisit se ad ipsam sedem servitutum. Sicut et fecit atque annis singulis ibidem suum servitium persolvebat et inde semper doctrinam et officium christianitatis percepit, usque sum vixit.*

³²³ DOPSCH 1987. 307. sq.

³²⁴ WOLFRAM 1979. 86. sq.; DOPSCH 1987. 307; DOPSCH 1997. 107; *Conversio 4. Et ille ita fecit ac promisit se ad ipsam sedem servitutum. Sicut et fecit atque annis singulis ibidem suum servitium persolvebat et inde semper doctrinam et officium christianitatis percepit, usque dum vixit.*

³²⁵ POHL 2005. 65.

³²⁶ KAHL 1985. 114.

³²⁷ KAHL 1985. 115.

³²⁸ *Conversio 5. Peractis aliquantibus temporibus prenomatus dux Carantanorum petiit Virgilium episcopum visitare populum gentis illius eosque in fide firmiter confortare. Quod ille tunc minime adimplere valuit, sed sua vice misso suo episcopo nomine Modesto ad docendam illam plebem ...*

opposition.³²⁹ After Carantania had been annexed to Bavaria (although it was allowed to keep its own princes), nothing hindered the mission pursued by the Bishopric of Salzburg and supported by the Dukedom of Bavaria³³⁰ and later joined by the Bishopric of Freising.³³¹ Although the *Conversio* does not refer to the active participation of the papacy, most probably Salzburg was backed by Rome's *tacitus consensus* in extending its territory because a part of Carantania lay on the territory of the Patriarchy of Aquileia, who was to busy with absorbing the bishoprics of Istria and therefore was not carrying out missionary work in this region.³³² Later on, when Ursus, the patriarch of Aquileia wanted to renew Aquileia's rights to Carantania, the Archbishop of Salzburg, Arn adduced to the privileges granted by Pope Zechariah (741–752), Pope Stephen II (752–757) and Pope Paul I (757–767) which had annexed Carantania to Salzburg, and in 811 Charlemagne as umpire designated the River Drava cutting across Carantania as the border between the two dioceses.³³³ The original copies of the aforesaid papal charters have not been preserved; however, their existence cannot be questioned because it well fits into the character of Virgil's thorough procedure precisely preparing the mission that he had Carantania acknowledged by three consecutive popes as a territory subject to the supremacy of the Bishopric of Salzburg. Furthermore, it is not probable that Archbishop Arn, who maintained good personal relations with Charlemagne, would have dared to refer to charters that had never existed against Patriarch Ursus who was very much aware of the legal background.³³⁴ In the mission performed among the Carantanians by Salzburg in the 8th century, the papacy undertook almost no role at all; however, this situation considerably changed by the 9th century.

III. 2. Mission among the Avars

Before looking at the events of the mission among the Avars, it is worth briefly outlining Charlemagne's military actions against the Avars that eventually led to the termination of their independent statehood. The news of Tasilo's alliance with the Avars cannot be considered exclusively a fabrication of Frankish propaganda.³³⁵ This is apparent from the reaction of the Avars after Tasilo III had been removed. The Avars attacked not only Bavaria at that time already subjected to Carolingian rule but also Friaul tied to the Carolings too. That is, they acted as

revengers on behalf of both the Duke of Bavaria and Desiderius, Duchess Liutpirc's father, as they were probably obliged to do so also by the protection and defiance alliance entered into with Tasilo.³³⁶ Their attack, however, was beaten off by Charlemagne.³³⁷ Although the Avars tried to enter into negotiations with Charlemagne to make him acknowledge the western frontiers of their empire, these negotiations failed to produce any result.³³⁸ Following this, in September 791, the Frank army, including Alemann, Bavarian, Frisian, Saxon and Slavonic troops started from Regensburg towards Avaria.³³⁹ The Franks, with whom the Avars did not intend to fight, reached the River Raba without considerable resistance. However, from here they had to retreat due to an epidemic that decimated both soldiers and horses, and only the attack led by Pippin from the south-west yielded some success.³⁴⁰ Then internal war broke out among the Avars during which both the *khagan* and the *jugurr* were killed.³⁴¹ In 795, at the order of Eric, the *comes* of Friaul, first, Woinimir (*Wonymyrus Sclavus*), Pippin broke into the Ring and plundered it.³⁴² In 796 the *tudum* and his suite assumed Christianity in Aachen in front of Charlemagne.³⁴³ Therefore, the new *khagan* had to submit to Frank rule, but against expectations no peaceful times ensued in the Avaricum partly because of the attempts at achieving independence made by the *tudum* in 797, 799, and 802, and partly because of the conflicts between the Avars and Slavs.³⁴⁴ Later, the Avars led by the *kapkan*, who were harassed by the Slavs, petitioned Charlemagne to settle between Savaria and the Danube.³⁴⁵ After the *kapkan*'s death, the *khagan* Abraham visited the emperor and asked him to renew the office of the *khagan*, a request that was satisfied by the emperor, who thought that he could resolve the

³²⁹ *Annales Iuvavenses maximi* a. 772; WOLFRAM 1968. 157. sqq.; 165. (About the *Annales Iuvavenses* see BRESSLAU, H. *Die ältere Salzburger Annalistik*. Abhandlungen der Preussischen Akademie der Wissenschaften, Phil.-Hist. Klasse Nr. 2. Berlin, 1923.)

³³⁰ STÖRMER 1987. 207. sqq.

³³¹ SCHELLHORN 1964. 105.

³³² DOPSCH 1987. 308.

³³³ *Salzburger Urkundenbuch* II. Nr. 3; EGGERS 1996. 24. sqq.

³³⁴ DOPSCH 1987. 309.

³³⁵ Reindel considers these charges merely as fiction of the Frankish propaganda. Cf. REINDEL 1960. 138. sqq.

³³⁶ DEÉR 1966. 756.

³³⁷ *Annales regni Francorum* a. 788; SZÁDECZKY-KARDOSS 1998. 274; WOLFRAM 1987. 253. sqq.

³³⁸ *Annales qui dicuntur Einhardi* a. 791 *Facta est haec expeditio sine omni rerum incommodo, praeter quod in illo, quem rex ducebat, exercitu tanta equorum lues exorta est, ut vix decima pars de tot militibus equorum remanere dicatur*. Cf. SZÁDECZKY-KARDOSS 1998. 277; WOLFRAM 1987. 254.

³³⁹ Cf. POHL 1988; SZÁDECZKY-KARDOSS 1998. 279; WOLFRAM 1987. 255–257.

³⁴⁰ *Annales qui dicuntur Einhardi* a. 791; *Annales Laureshamenses* a. 791 *Sed et ille tunc eius exercitus quem Pippinus filius eius de Italia transmisit, ipse introivit in Illyricum et inde in Pannonia, et fecerunt ibi similiter, vastantes et incendentes terram illam, sicut rex fecit cum exercitu suo ubi ipse erat*. Cf. POHL 1988. 316. sq.; SZÁDECZKY-KARDOSS 1998. 279. sq.; WOLFRAM 1987. 257. sq.

³⁴¹ *Annales regni Francorum* a. 796 ... *civili bello fatigatis inter se principibus ... chagan sive luguro intestina clade addictis et a suis occisis* ... Cf. POHL 1988. 317–318; SZÁDECZKY-KARDOSS 1998. 286; WOLFRAM 1987. 257.

³⁴² *Annales regni Francorum* a. 791; cf. POHL 1988. 319–320; SZÁDECZKY-KARDOSS 1998. 286. sqq.; WOLFRAM 1987. 258.

³⁴³ *Annales qui dicuntur Einhardi* a. 796 *Tudum etiam ille, de quo superius mentio facta est, fidem dictis suis adhibens ibidem ad regem venit ibique cum omnibus qui secum venerant, baptizatus ac remuneratus post datum servandae fidei sacramentum domum rediit, sed in promissa fidelitate diu manere noluit nec multo post perfidia suae poenas dedit*. Cf. SZÁDECZKY-KARDOSS 1998. 288.

³⁴⁴ POHL 1988. 321; WOLFRAM 1987. 293; DEÉR 1966. 772. sqq.

³⁴⁵ *Annales regni Francorum* a. 805 *Non multo post capcanus, princeps Hunorum, propter necessitatem populi sui imperatorem adiit, postulans sibi locum dari ad habitandum inter Sabariam et Carnunum, quia propter infestationem Slavorum in prioribus sedibus esse non poterant. Quem imperator benigne susceptus erat enim capcanus christianus nomine Theodorus et precibus eius adnuens muneribus donatum redire permisit*. Cf. POHL 1988. 302–304; SZÁDECZKY-KARDOSS 1998. 306; WOLFRAM 1987. 259.

Avar–Slav conflict by unifying the Avars, though this was attained only in the year 811 as a result of the armed intervention of the Franks.³⁴⁶

It seems worthwhile to examine the motivation of Charlemagne's campaign against the Avars. When doing this it is expedient to take a look at the sources dating from roughly the same period. The official propaganda, relating the preparations for the campaign portrays the unbearable, evil behaviour of the Avars against the Christian population as the reason for armed intervention, a behaviour against which it was impossible to obtain lawful satisfaction through envoys. In concordance with this, when they reached the River Enns, they organised litanies and celebrated masses, trying to obtain God's intervention for the army to remain intact, be victorious, avenge the Avars. When the Avars caught sight of the army they became terrified by God's will.³⁴⁷ This passage is in harmony with the wording reminiscent of the Old Testament of the earlier source, the *Annales Laureshammenses*, which contains descriptions of the campaign against the Avars: "The Lord inspired awe in them when they caught sight of him."³⁴⁸ The *Annales Mettenses priores*, originating from the imperial court some time around 805 takes the material of the *Annales regni Francorum* as its basis, its style is more pathetic though;³⁴⁹ the Langobard *Rhythmus de Pippini regis victoria Avarica* does likewise.³⁵⁰

The *Historia Langobardorum codicis Gothani* wants to legitimize the stealing of the Avars's treasures by asserting that this was only taking back the holy vessels previously stolen by the Avars.³⁵¹ So it can be clearly seen that official propaganda intended to show the campaign against the Avars in the light of the *bellum iustum*, obscuring its political, non-religious motivations which became highlighted only later in the revised versions of the *Annales regni Francorum* and

the *Vita Karoli Magni* by Einhard. This ideological explanation seems to come from Charlemagne himself. In a letter sent to his wife, Fastrada, from the camp near the Enns after 7 September 791 he relates two important events: the success of his son, Pippin's military manoeuvre, starting from Italy towards Pannonia, and the religious ceremonies held in the camp.³⁵² It is enough to compare one of his sentences to the relevant loci of the *Annales regni Francorum* and the *Annales Mettenses priores*. The similarity of the composition makes it obvious that the ideology of the campaign against the Avars originates from the emperor himself.³⁵³ Thus Charlemagne appears in the role of the *defensor ecclesiae* spanning the whole of the Middle Ages.³⁵⁴ Alcuin writes to Pope Leo III about the outrageous deeds of the Avars in a similar way in 796 after the second sack of the *Ring*.³⁵⁵ In 796 Charlemagne sent a belt and a Hun sword as a present to Offa, king of Mercia, as two symbols of the Avar power which were given to him by way of divine goodness.³⁵⁶ Later sources deviate from this contemporary representation of the Avar wars, and place the emphasis on the political, territorial and material motives, overshadowing their religious, missionary aspects.³⁵⁷ The negative image of the Avars appearing in the earlier sources is by no means based on the Franks' contemporary experience, but much rather on certain literary *topoi* which were employed with great predilection by official propaganda having an end in itself. Paulus Diaconus's *Historia Langobardorum* was perfectly suitable for this or Fredegar's *Chronicles* for that matter; works which must have been known in Charlemagne's court. The archaising tendency of these sheds unfavourable light on the Avars by identifying them with the Huns. However, the characteristics attributed to the Avars by these sources are valid concerning the description of the Avars before 626, yet they lack any real grounds when describing the Avars of the eighth century.³⁵⁸

The falsity of official propaganda, namely, the reports about the Avar danger threatening the existence of Christianity, is also shown by the fact that if Charlemagne had really fought a deadly battle with such a dangerous enemy as he

³⁴⁶ *Annales regni Francorum* a. 805 Et misit caganus unum de optimatibus suis, petens sibi honorem antiquum, quem caganus apud hunos habere solebat. Cuius precibus imperator adensum praebeuit et summam totius regni iuxta priscum eorum ritum caganum habere praecepit.; a. 811 Imperator in tres partes regni sui totidem exercitus misit ... alterum in Pannonias ad controversias Hunorum et Sclavorum finiendas ... fuerunt etiam Aquis adventum eius expectantes, qui de Pannonia venerunt, canizauci princeps Avarum et tudum et alii primores ad duces Sclavorum circa Danubium habitantium, qui a ducibus copiarum, quae in Pannoniam missae fuerunt, ad praesentiam principis iussi venerunt. Cf. SZÁDECZKY-KARDOSS 1998. 307. POHL 1988. 323; WOLFRAM 1987. 216.

³⁴⁷ *Annales regni Francorum* a. 791 ... propter nimiam malitiam et intolerabilem, quam fecerunt Avari contra sanctam ecclesiam vel populum christianum, unde iustitias per missos impetrare non valuerunt...; DEÉR 1966. 726. sqq.; SZÁDECZKY-KARDOSS 1998. 278. sq.

³⁴⁸ *Annales Laureshamenses* a. 791 Et terruit eos Dominus in conspectu suo. Cf. Iud. 4, 15.

³⁴⁹ *Annales Mettenses priores* a. 791 ... ut iniuriam, quam perpetraverunt Avari in populum christianum, cum Dei auxilio ulcisceretur, nam saepe legatos suos pro eodem negotio in illas partes direxit, sed iustitiam de iniquitate, quam commiserant Avari, impetrare non potuit.; HOFFMANN 1958. 42. sqq.

³⁵⁰ *Rhythmus de Pippini regis victoria Avarica* – Multa mala iam fecerunt ab antico tempore / Fana Dei destruxerunt atque monasteria, / Vasa aurea sacrata, argentea, fictilia, / Vestem sacram polluerunt de ara sacratissima, / Linteamenta levitae sanctimonialium / Muliebribus tradata suadente demone. Cf. SZÁDECZKY-KARDOSS 1998. 292.

³⁵¹ *Historia Langobardorum codicis Gothani* 9. Illi, qui ab inicio malorum stirpe progeniti inimici ecclesiarum, persecutores christianorum semper fuerunt, per isto ... domino Pippino seu et patri suo solatium supra dicto Abari sunt evacuati et superati et sanctae ecclesiae defensatae ... et multa vasa sanctorum, quae illi crudeles et impii rapuerunt, per istum defensatorem ad propriam reversa.

³⁵² DEÉR 1966. 728; BIEHL 1937. 45. sqq.

³⁵³ Carolus Magnus, epist. = Alcuin, epist. 20. Nos autem, Domino adiuvante, tribus diebus laetantias fecimus ... Dei misericordiam deprecantes, ut nobis pacem et sanitatem atque vicoriam et prosperum iter tribuere dignetur.; *Annales regni Francorum* a. 791 ... ubi constituerunt laetantias faciendi per triduo missarumque sollemnia celebrandi, Dei solatium postulaverunt pro salute exercitus et adiutorio domini nostri Iesu Christi et pro victoria et vindicta super Avaros.; *Annales Mettenses priores* a. 791 ... ubi triduanum ieiunium cum letaniis et missarum sollemniis celebrare precepit, Deum humiliter postulantes, ut suum exercitum in illo itinere cum pace dimisisset.

³⁵⁴ About the concept of *defensor ecclesiae* see HIRSCH 1963. 22–46; EWIG 1956. 7–73; RÜNGELER 1937. 39. sqq.

³⁵⁵ Carolus Magnus, epist. = Alcuin, epist. 93. Nostrum est secundum auxilium divinae pietatis sanctam undique ecclesiam ab incursu paganorum et ab infidelium devastatione armis defendere foris, et intus catholicae fidei agitatione munire.

³⁵⁶ Carolus Magnus, epist. = Alcuin, epist. 100. ... unum balteum et unum gladium Hunicum ... quatenus ubique in populo christiano divina praedecetur clementia et nomen domini nostri Iesu Christi glorificetur in aeternum. Cf. SZÁDECZKY-KARDOSS 1998. 287.

³⁵⁷ DEÉR 1966. 731.

³⁵⁸ DEÉR 1966. 757.

tried to present, then after defeating them he would probably have completely annihilated and destroyed the Avars, which would not have been surprising, taking the narrow concepts of medieval humanism into account.³⁵⁹ The emperor employed much milder and humane methods than in the case of the Saxons, against whom he repeatedly implemented mass-executions and mutilations. They generally liberated the captives taken from the population unhurt,³⁶⁰ increasing the chances of conversion by this humanistic behaviour, which was probably due to Alcuin's benevolent influence that can be expressed by his sentence: "*Fiat indulgentia et remissio*".³⁶¹ In order to discuss the missionary tasks, a local council was held in Pippin's camp in 796, where Paulinus, the Aquileian Patriarch and Arn, the bishop of Salzburg were present.³⁶² The chief objects of the council were the methods to be employed in converting and baptising the Avars. They agreed on the following principles:³⁶³ baptism should be voluntary in each case; and the preacher has to reach the desired results by persuasion and not by terror.³⁶⁴ The priest has to decide after how much time, or delay the holy baptism can be administered, but the number of days should not exceed forty. Traditionally, baptism can be administered at Easter or Lent, but under special circumstances the adults can be baptised on any Sunday. Only in mortal danger is it possible to deviate from Sunday. Those baptised in the name of the Holy Trinity need not be baptised again. Those who were baptised by ignorant priests, who did not say the baptising formula, only washed their body with water should be regarded as unbaptised and should be baptised. In these principles one can trace Alcuin's influence who tries to encourage his friend, Arn to preach Divine Forgiveness rather than collect the tithe, and warns him that the newly christened souls must get stronger before setting the yoke of taxation on them.³⁶⁵ He also reminds Arn that it was the aggressive collection of the tithe that endangered the success of the mission among the Saxons too.³⁶⁶ At the same time, he turns to Charlemagne to remit the payment of tithe on Avar territory, a request that was probably satisfied by the emperor.³⁶⁷ It is not by chance that the institution of the reduced, the so called Slavonic tithe persisted for three centuries.³⁶⁸

³⁵⁹ DEÉR 1966. 767.

³⁶⁰ *Annales Laurehamenses a. 791...et captivos, viros, et mulieres et parvulos, innumerabile multitudinem exinde ducebat ...*

³⁶¹ Alcuin, *epist.* 118.

³⁶² ZAGIBA 1964. 280; WOLFRAM 1987. 261; WOLFRAM 1999. 22. sq.; EGGERS 1996. 26.

³⁶³ *Conventus episcoporum ad ripas Danubii*, cf. SZÁDECZKY-KARDOSS 1998. 291–292.

³⁶⁴ ZAGIBA 1964. 284.

³⁶⁵ Cf. DIESENBERGER–WOLFRAM 2004. 86. sq.

³⁶⁶ Alcuin, *epist.* 107. *Et esto praedicator pietatis, non decimarum exactor, quia novella anima apostolicae pietatis lacte nutrienda est, donec crescat et roboretur ad acceptionem solidi cibi. Decimae, ut dicitur, Saxonum subverterunt fidem.* Cf. ZAGIBA 1964. 282.

³⁶⁷ Alcuin, *epist.* 110. *Scimus, quia decimatio substantiae nostrae valde bona est, sed melius est illam amittere, quam fidem perdere.*

³⁶⁸ See TREMEL 1966. 109–113; ZAGIBA 1964. 282.; SZÁDECZKY-KARDOSS 1998. 294. sq.; DIESENBERGER–WOLFRAM 2004. 87.

There is no clear information, however, about the way in which the Danubian Council divided the conquered Avar territories among the dioceses, meant to fulfill the missionary duties. The sixth chapter of the *Conversio* is probably based on a contemporary document reporting the three-fold division among Aquileia, Passau and Salzburg, drawn up by Pippin in 796 and later confirmed by Charlemagne.³⁶⁹ However, there is no precise decision on the assignment of the region between the Enns and the Raba to the Bishopric of Passau, although the text of the *Conversio* would allow this conjecture, as one can read here about the activities and properties of the Salzburg bishopric, which stretched to the West from the Forest of Vienna, and even to the North from the Danube.³⁷⁰ It is a fact though that during the rearrangement of the *Ostland* they designated the Raba as the natural border between the jurisdictions of Passau and Salzburg.³⁷¹ Nevertheless, missionary work did not immediately start once they had defined the basic principles of the task. In order to defeat the Roman aristocracy's resistance against Pope Leo III as well as to discuss the building of St. Paul's Cathedral and the rising of Salzburg to the rank of an archbishopric, Charlemagne sent twelve ambassadors in late 797 including Arn, Paulinus, the Patriarch of Aquileia and Fardulf, the Abbot of Saint Denis. As a result of this diplomatic mission Arn received the *pallium* from Pope Leo on 20 April 798. Then after returning from Rome, he was ordered by the emperor to travel to the conquered territories and conduct missionary work there. As missionary work did not suit Arn's personality, following the Salzburg tradition, he entrusted the direct execution of the task to a missionary bishop, Theoderich. Bishop Theoderich (probably after the Council of Traismauer in June 799) was led by Arn and Gerold I to the site of his activity, Carantania and the conquered Avaria, which mainly fell into the sphere of influence of the *tudun*, who had submitted himself to Charlemagne.³⁷²

³⁶⁹ *Conversio 6. Qui inde revertens partem Pannoniae circa lacum Pelissa, inferioris ultra fluvium, qui dicitur Hrapa, et sic usque ad Dravum fluvium et eo usque, ubi Dravus fluit in Danubium, prout potestatem habuit, praenominavit cum doctrina et ecclesiastico officio procurare populum, qui remansit de Hunis et Sclavis in illis partibus. Arnoni Iuvavensium episcopo usque ad praesentiam genitoris sui Karoli imperatoris. Postmodum ergo anno DCCCIII Karolus imperator Bagoariam intravit et in mense Octobrio Salzburg venit et praefatam concessionem filii sui iterans potestative multis adstantibus suis fidelibus confirmavit et in aevum inconvulsam fieri concessit.*

³⁷⁰ *Conversio 11.*

³⁷¹ DVORNIK 1964. 94. sq.; WOLFRAM 1987. 267; WOLFRAM 1999. 23; SÓS 1973. 27.

³⁷² *Conversio 8. Interim contigit anno videlicet nativitatis domini DCCXCVIII Arnem iam archiepiscopum a Leone papa accepto pallio remeando de Roma venisse ultra Padum eique obviasse missum Caroli cum epistola sua mandans illi ipso itinere in partes Sclavorum ire et exquirere voluntatem populi illius et praedicare ibi verbum Dei. Sed quia hoc facere nequivit, antequam responsum referret suae legationis, festine perrexit ad imperatorem et retulit ei, quidquid per eum dominus Leo papa mandavit. Inde rediens nuntiavit imperatori, quod magna utilitas ibi potuisset effici, si quis inde habuisset certamen. Tunc interrogavit illum imperator, si aliquem habuisset ecclesiasticum virum, qui ibi lucrum potuisset agere Deo. Et ille dixit se habere talem, qui Deo placuisset et illi populo pastor fieri potuisset. Tunc iussu imperatoris ordinatus est Deodericus episcopus ab Arnone archiepiscopo Iuvavensium. Quem ipse Arn et Geroldus comes perducentes in Sclavinam dederunt in manus principum commendantes illi episcopo regionem Carantanorum et confines eorum occidentali parte Dravi fluminis, usque dum Dravus fluit in amnem Danubii. Cf. SCHMIDINGER 1985. 92–101; WOLFRAM 1979. 109–111; WOLFRAM 1987. 261; WOLFRAM 1999. 25. sq.; WAVRA 1991. 190.*

Undoubtedly, the thought of the mission among the Avars had already been formulated by Rupert when heading for the East from Worms. However, soon admitting that his intention was unrealistic, he settled in Salzburg as the *Gesta Hrodberti* reveals.³⁷³ All indications are that the thought of converting the Avars came from Charlemagne himself, at least the sources do not consist of any reference that the papacy had either commissioned or urged Salzburg or another diocese to fulfill this task. Salzburg's central role in the mission seems fairly logical. This diocese had the most experience in the Christianization of recently occupied heathen territories, such as Carantania. Among the Bavarian bishoprics Salzburg had the most funds. Also we should not forget about Arn who was given free hand regarding the details of conversion by the ruler, who was aware of his excellent organising skills. Arn as a metropolitan would have had the opportunity to establish a bishopric on the territory of the mission, which he could have subjected to his own control. However, he was satisfied with assigning a missionary bishop, an *episcopus chori* to Avaria, just like his predecessor, Bishop Virgil did in the case of Carantania. By this act he ensured that he would have direct influence on and intervention in the affairs of the mission because the power of the *episcopus chori* depended entirely on the diocesan bishop or the archbishop to whom he was absolutely subjected to.³⁷⁴ To establish a bishopric on the territory of the Avaricum would not have seemed a proper action for several reasons: The political structure of the territory was not stable enough, the Franks had not fully beaten off the Avars' opposition, the concurrent Avar dignitaries would not have been able to properly support missionary work, nor the geographical location of the territory would have been suitable for setting up a bishop's seat pursuant to canon law.³⁷⁵

The third chapter of the *Conversio* does not sustain that the Avars were completely driven out from their settlements, but instead, those who were willing to accept Christianity were made tax-payers, *tributarii* of the Frank kings.³⁷⁶ At first sight, one could take the expression *tributarii* as referring to the Avar leaders, and the *tributum* paid by them could be interpreted as the gifts that they had previously offered as well. However, one must consider the fact that Avar envoys appeared at an Imperial Assembly for the last time in the year 822, so one can infer the existence of a subordinated but in certain respects independent Avar vassal state until then.³⁷⁷ It seems more likely, though, that the expression *tributarii* designates,

³⁷³ See BEUMANN 1972. 166. sqq.; SCHMITT 1983. 95. sqq.

³⁷⁴ Zacharias, *epist.* A 747. *Chorepiscopus vero civitatis episcopus ordinet, cui ille subiectus est.*

³⁷⁵ WAVRA 1991. 199.

³⁷⁶ *Conversio* 3. *Actenus praenotatum est, qualiter Bawari facti sunt christiani seu numerus episcoporum et abbatum conscriptus in sede Iuvavensi. Nunc adiciendum est, qualiter Sclavi, qui dicuntur Quarantani, et confines eorum fide sancta instructi christianique effecti sunt, seu quomodo Huni Romanos et Gothos atque Gepidos de inferiori Pannonia expulerunt et illam possederunt regionem, quou. sive Franci ac Bawari cum Quarantanis continuus affligendo bellis eos superaverunt. Eos autem, qui oboediebant fidei et baptismum sunt consecuti, tributarios fecerunt regum et terram, quam possident residui, adhuc pro tributo retinent regis u. sive in hodiernum diem.* See OLAJOS 2004. 487; 491. sqq.

³⁷⁷ WOLFRAM 1995. 276.

in accordance with its usage in other documents of the time, those free inhabitants who had to do different services to the *fiscus dominicus* both in kind and finances, and who could even be made present together with the land they inhabited. Thus, both the social and economic conditions of the free Avars, who had lived under the rule of leaders of their own nation dependent of the Frank king, deteriorated after the disappearance of these leaders.³⁷⁸ Despite the decline in their condition, the presence of the Avar population in the Carpathian basin in the ninth century cannot be questioned, their presence being mentioned by Regino,³⁷⁹ Constantinus Porphyrogenitus³⁸⁰ and other authors.³⁸¹ It is interesting that Walter Pohl does not refer to this locus of the *Conversio* in his monograph's chapter: "*Wohin verschwanden die Awaren?*"³⁸² Conversely, he takes over the ancient Slavonic proverb: "*Sie verschwanden wie der Obor, der weder Sippen, noch Nachkommenschaft hat*", also quoted by Herwig Wolfram.³⁸³

It is worth casting a glance at the role played by the papacy in Salzburg's missionary plans and activity in Pannonia. Neither Arn, nor his successors considered it necessary to have their jurisdiction over Pannonia confirmed by the Pope, and the reasons for that can be unambiguously explored. During the pontificate of Leo III the papacy reached the nadir of its power when in 799 its enemies made an attempt on the Pope's life, and formally deprived him of his dignity.³⁸⁴ Later, however, he managed to escape, and sought shelter with Charlemagne who was staying in Paderborn. The ruler let him return to Rome accompanied by a huge entourage.³⁸⁵ Arn became a member of the committee competent to pass a decision on the charges, *perjurium* and *adulterium*, brought regarding the conflict between the Pope and his enemies. However, as Leo III was unable to prove his innocence convincingly during the investigation, on 23 December 800 he was forced to take a ceremonial cleansing oath.³⁸⁶ In this period Arn was able to become more thoroughly acquainted with the Pope, so he did not deem it necessary to ask the head of the Church having lost both his power and reputation to confirm his claim to titles regarding Pannonia, which had been quite effectively guaranteed by Charlemagne.³⁸⁷ As we have seen the thought of the

³⁷⁸ DEÉR 1966. 782.

³⁷⁹ *Reginonis abbatis Prumiensis Chronicon cum continuatione Treverensi a. 889 Et primo quidem Pannoniorum et Avarum solitudines pererrantes, venatu ac pastione victum cotidianum quaeritant...* About Regino see SZÁDECZKY-KARDOSS 1999. 168; KRISTÓ 1998. 89. sqq.

³⁸⁰ Constantinus Porphyrogenitus, *De administrando imperio* 30, 67–71. Cf. OLAJOS 2001. 498. sq.

³⁸¹ *Notitia episcopatum* Nr. 5; *Additio patriarchiorum thronorum* p. 28; Nilus Doxopates, *Notitia patriarchatum* p. 269. sq.; *Vita Constantini–Cyrilli cum translatione Sancti Clementis* 8; Cf. DUJČEV 1971. 121; BONA 1966. 279. sqq.

³⁸² POHL 1988. 323. sqq.

³⁸³ WOLFRAM 1979. 73; POHL 1988. 323. sqq.

³⁸⁴ ZIMMERMANN 1968. 27. sqq.

³⁸⁵ ABEL–SIMSON 1969. II. 163. sqq.

³⁸⁶ *Annales regni Francorum* a. 800; CLASSEN 1985. 42. sqq.; KERNER 1977/78. 131. sqq.; SCHIEFFER 2001. 107. sqq.

³⁸⁷ DOPSCH 1987. 312; *Conversio* 10.

mission came from the ruler himself, and during the implementation thereof neither approval, nor help was requested from the Pope.

In 828/29, while reorganising the *Ostland*, the River Rába was designated as the natural border between the territories of the authority of Salzburg and Passau,³⁸⁸ and from that time the Archbishopric of Salzburg achieved considerable results in its missionary work in Pannonia.³⁸⁹ After having been expelled from his country by Mojmir I (approx. 822–846) around 833, Priwina fled to the Franks, he was introduced to Louis the German by Ratbold, assumed Christianity in the Saint Martin church in Traismauer (Treisma), and established his own principality in Pannonia with Louis the German's help in 838/39.³⁹⁰ In addition to this region, Louis the German granted further territories to Priwina in 847.³⁹¹ The centre of his estate in Upper Pannonia reaching at least to the present town of Pécs was Mosapurc (Mocsárvár), on the place where the present Zalavár is located.³⁹² So in the principality of Priwina (and of his nephew, at the same time coruler, Rastislav) the missionaries from Salzburg consecrated more than thirty churches with the assistance of the local nobility in the next few years.³⁹³ While Salzburg exercised its local rights through wandering bishops during the Carantanian mission, Pannonia was quite frequently visited by the archbishops themselves, Adalram (821–836), Liupram (836–859) and Adalwin following Arn in the archbishop's seat,³⁹⁴ to consecrate churches and to ordain a priest for each church.³⁹⁵ The Mission in Pannonia was connected with the Carolingians until 867. Pippin and Charles assigned this territory to Salzburg, and Louis the German bestowed several benefices upon the Archbishopric of Salzburg, which supported his power and implemented several political tasks in the missionary in Carantania and Pannonia.³⁹⁶ Priwina's death, who was assassinated by the Moravians in 860/61, did not interrupt the missionary work, because his son, Chozil continued to maintain the long-time close relations with Salzburg. Changes came only in 864

when Constantine's and Methodius's activity in Moravia produced its effect on Chozil's principality too.³⁹⁷ To counterbalance the influence of the missionaries from Byzantium, in 864/65 Archbishop Adalwin increased the intensity of the missionary work,³⁹⁸ and within a short time, with the duke's assistance, who at this time was still faithful to the Eastern Frankish Empire and the Archbishopric of Salzburg, he consecrated twelve churches.³⁹⁹

III. 3. Mission in Bulgaria

An outline of the conflict between Pope Nicholas I and Patriarch Photios evolved on Bulgaria's ecclesiastical affiliation will help to understand how the papacy's attention turned towards the Slavonic mission, and, in this context, the position taken by Methodius towards the Pope, the Byzantine emperor and the Eastern Frankish ruler as well as the Archbishopric of Salzburg and its bishops. The Bulgarians assumed Christianity in the second half of the 9th century, during the reign of khan Boris I. The progress of the missionary work carried out among them faithfully reflects the current conflict between Rome and Byzantium. The Bulgarians, who had a relatively low population, came from a Turk ethnic group, had subjected the Slavonic people to their rule, and settled on the territory of the one-time Moesia, Scythia, Thracia and Macedonia during the rule of Krum (803–814) and Omurtag (814–831).⁴⁰⁰ The proportion of the Christian population that survived the Bulgarian conquest cannot be determined. On the other hand, in order to reinforce his rule Krum, relied on the Slavs, who were more open to Christianity, against the Bulgarian boyars. This, however, led to the persecution of the Christians and fierce counterreaction during the reign of his son, Omurtag. Since the Bulgarians were afraid that the Christians would establish too close relations with the neighbouring Byzantium having great power. As part of the persecution Christians living on several territories bordering on Byzantium were transferred to the northern parts of the Bulgar lands. Khan Boris (852–889) took further actions to support Christianity. His decision might have been motivated by the following reasons: Firstly, through the clergy loyal to the prince he would be able to influence the population, and the centralised ecclesiastical organisation could be instrumental in driving back the Bulgarians; secondly, the Christian religion seemed to provide a channel for merging the Slavs and the Bulgarians; thirdly, the Christian ruler's wide power made known to Boris both in Byzantium and the Frankish Empire seemed undoubtedly tempting to the khan.⁴⁰¹

³⁸⁸ WOLFRAM 1987. 267; SÓS 1973. 27.

³⁸⁹ BOSL 1964. 6; EGGERS 1996. 26.

³⁹⁰ *Conversio 10. In cuius spacio temporis quidam Priwina exulatus a Moimaro duce Maravorum supra Danubium venit ad Ratbodum. Qui statim illum praesentavit domno regi nostro Hludowico, et suo iussu fide instructus baptizatus est in ecclesia sancti Martini loco Treisma nuncupato, curte videlicet pertinenti ad sedem Iuvavensem. Qui et postea Ratbodo commissus aliquod cum illo fuit tempus. Interim exorta est inter illos aliqua dissensio. Quam Priwina timens fugam inivit in regionem Vulgariam cum suis et Chozil filius eius cum illo. Et non multo post de Vulgariis Ratimari ducis adiit regionem. Illoque tempore Hludowicus rex Bagoariorum misit Ratbodum cum exercitu multo ad exterminandum Ratimarum ducem. Qui diffusus se defendi posse in fugam versus est cum suis, qui cedem evaserunt. Et praedictus Priwina substitit et cum suis pertransiit fluvium Sava ibique susceptus a Salachone comite pacificatus est cum Ratbodo;* SÓS 1973. 29. sqq.; BOSHOF 1997. 142; EGGERS 1996. 18.

³⁹¹ *Conversio 12. Pervenit ergo ad notitiam Hludowici piissimi regis, quod Priwina benivulus fuit erga Dei servitium et suum. Quibusdam suis fidelibus sepius ammonentibus concessit illi in proprium totum, quod prius habuit in beneficium exceptis illis rebus, quae ad episcopatum Iuvavensis ecclesiae pertinere videtur ...*

³⁹² See BOGYAY 1960. 52. sqq.; SÓS 1964. 222. sqq.; BOSHOF 1997. 143.

³⁹³ *Conversio 11–13;* DOPSCH 1987. 315; WOLFRAM 1995. 321. sqq.; ZAGIBA 1946/47. 59.

³⁹⁴ SCHELLHORN 1964. 109.

³⁹⁵ *Conversio 13. Et singulis proprium dedit presbyterum ecclesiis ... quibus constituit proprios presbyteros.*

³⁹⁶ DOPSCH 1987. 316.

³⁹⁷ WOLFRAM 1979. 56; 138; DOPSCH 1987. 316.

³⁹⁸ WOLFRAM 1995. 330. sqq.

³⁹⁹ *Conversio 13.*

⁴⁰⁰ RUNCIMAN 1930. 1. sqq.; ANGELOV 1980. 84. sqq.

⁴⁰¹ DOPSCH 1987. 322.

As he did not want to assign missionary work in his country to the Byzantine Church, by that he would have strengthened the hegemony of the *basileus*, the khan of the Bulgars met Louis the German, Eastern Frankish ruler in 862, in Tulln, and managed to enter into an agreement with him on several points. The Bulgarians would make troops available to the Frankish king against the Moravians, and the Frankish missionaries would begin their missionary work in Bulgaria.⁴⁰² In 863/64, however, the famine ravaging the Bulgarians made it impossible to implement these plans. In response to the looting carried out by the Bulgarians on the territory of Byzantium, the emperor, Mikhael III (842–867) dealt Bulgaria a heavy blow both at sea and on land, and forced khan Boris to unconditional surrender.⁴⁰³ In the peace treaty entered into between Byzantium and Bulgaria they determined that Byzantine missionaries would soon begin missionary work among the Bulgarians. As the first step of Christianization Boris assumed Christianity in Byzantium in 864. In baptism he was given the name Michael as the godfather's duty was undertaken by Mikhael III with political implication.⁴⁰⁴ After that Boris forwarded a letter to Photios, Patriarch of Constantinople,⁴⁰⁵ in which he wanted to get answers to his fairly practical questions regarding the missionary work. It is, by all means, worth giving an outline of the content of Photios's aforesaid letter written⁴⁰⁶ at the end of 864 or the beginning of 865 and sent to khan Boris I.⁴⁰⁷ It clearly reveals why the highly educated patriarch's reply letter written at a high theological level did not give sufficient answers to the questions concerning the Bulgarians, and why Boris urged by the dissatisfaction felt over this guidance turned to the Pope with his problems regarding the Christian religion and religious life expecting Rome to give help.⁴⁰⁸ The questions addressed by the Bulgarian legation have been lost. The Pope's reply letter (*Responsa Nicolai Papae I. ad Consulta Bulgarorum*, that is, Pope Nicholas I's letter) written in the Autumn of 866, however, has been completely preserved.⁴⁰⁹ With some effort the questions can be reconstructed from the answers.

Photios's letter consists of one hundred and fourteen chapters, and in terms of its content it can be divided into two main units: a dogmatic⁴¹⁰ and a political–didactic⁴¹¹ part.⁴¹² At the beginning of the letter, the patriarch first expounds that Christianity stands on a much higher level than heathenism, and to present the essence of Christian teachings he quotes the Nicene-Constantinopolitan Creed, then

gives a brief survey of the history of the seven general councils.⁴¹³ After this historic detour, he seems to forget that his letter's addressee is a khan recently converted to Christianity who is most probably neither interested in the Byzantine theologians' subtle dogmatic argumentation, which he possibly cannot even understand, nor in need of them at all in the given political situation he is facing.⁴¹⁴ In this part of the letter the patriarch does not fail to exhort the ruler emphatically to be faithful to his decision both to convert himself and to get his people to convert to Christian faith,⁴¹⁵ and cautions him against giving room to heretical deviations. Also he warns him of the dangers that would be brought about if he yet wanted to return to his forefather's faith. As it was customary for neophyte kings in the Middle Ages, he sets emperor Constantine to Boris as a role model for a ruler. Furthermore, he exhorts him that his steadfast adherence should be directed to the Byzantine Church, and he should not take any steps towards Roman Christianity, which is referred to by the patriarch in each case with some suspicious detachment.⁴¹⁶

Although the second part of the letter, which we can safely call a didactic, instructive sort of section (it provides guidance of a general nature for Boris and his people on Christian teachings to be followed⁴¹⁷) that lacks originality, it amply draws on the works of the major representatives of prince's mirror, a genre so rich in Byzantine literature.⁴¹⁸ While writing this peculiar *Fürstenspiegel*, Photios undoubtedly used the sources of the Old and New Testament and certain ecclesiastical authors, but to no less extent can reliance on classical Greek literature be discovered, especially on two speeches attributed to Isocrates (*ad Demonicum*, *ad Nicocleam*).⁴¹⁹ In his exposition the patriarch reconciles the instructions of classical philosophy and Christian morality to support his exhortation addressed to the recently converted ruler and his people.⁴²⁰ He makes the evangelical command of love for God and our fellow men⁴²¹ the basis of his guidance on the khan's personal conduct of life;⁴²² and directly in connection with that he calls the addressee's attention to Aristotle's idea of *kalokagathia*.⁴²³ He emphasises the importance of prayer in two chapters,⁴²⁴ and specifically underlines that the ruler's primary obligation is to build churches.⁴²⁵ He repeats *topoi* adopted also by classical philosophy which state that the ruler shall pay attention to his conduct⁴²⁶

⁴⁰² *Annales Bertiniani* a. 864; cf. DVORNIK 1964. 119; ZAGIBA 1964. 292.

⁴⁰³ *Annales Bertiniani* a. 866; *Annales Fuldenses* a. 863; RUNCIMAN 1930. 104.

⁴⁰⁴ DOPSCH 1987. 323.

⁴⁰⁵ See DVORNIK 1963. 94–107.

⁴⁰⁶ See DVORNIK 1926. 190.

⁴⁰⁷ Photios, *epist.* 8. 102. col. 628–696.

⁴⁰⁸ DVORNIK 1964. 121. sq.; BURR 1964. 41.

⁴⁰⁹ NORWOOD 1946. 271–285.

⁴¹⁰ Photios, *epist.* 8. 1–22.

⁴¹¹ Photios, *epist.* 8. 23–114.

⁴¹² DUJČEV 1971. 108.

⁴¹³ BURY 1912. 338.

⁴¹⁴ HERGENRÖTHER 1867. 601.

⁴¹⁵ Photios, *epist.* 8. 19.

⁴¹⁶ DUJČEV 1971. 110.

⁴¹⁷ HERGENRÖTHER 1867. 602.

⁴¹⁸ See KRUMBACHER 1897. 456–457; 463–464; 491.

⁴¹⁹ DUJČEV 1971. 110. sq.

⁴²⁰ DUJČEV 1971. 111.

⁴²¹ Matth. 22. 38–40.

⁴²² Photios, *epist.* 8. 23.

⁴²³ Aristot. *EN* 5. 1. 16.

⁴²⁴ Photios, *epist.* 8. 25–26.

⁴²⁵ Photios, *epist.* 8. 27.

⁴²⁶ Photios, *epist.* 8. 30.

and manner of speaking,⁴²⁷ shall avoid needless giggling,⁴²⁸ obscenity,⁴²⁹ cursing and defamatory speech,⁴³⁰ and shall be very careful in choosing his friends.⁴³¹ Whatever he does, the ruler shall premeditate all of his actions,⁴³² and, if necessary, he shall listen to and accept his advisors' opinion.⁴³³ The patriarch does not fail to emphasise that the Christian ruler shall avoid hatred, which is considered a highly heinous sin,⁴³⁴ and fraud even against his enemies;⁴³⁵ he shall make an effort to keep his promises,⁴³⁶ and restrain his temper and anger.⁴³⁷ He exhorts him to be moderate in the affairs of love⁴³⁸ and drinking.⁴³⁹ He proposes that he should keep away from unabashed and rakish amusement,⁴⁴⁰ and urges him to give thanks only to God for all good and success,⁴⁴¹ and that he should endeavour to use his talent given by nature for the benefit of his subjects and fellow-men,⁴⁴² and should not pass judgements on others.⁴⁴³

The second part of Photios's exhortation expounds the exercise of the ruler's rights. The patriarch attempts to outline the portrait of an ideal ruler composed of a peculiar mixture of Christian and heathen ideas. Boris shall both live his life in the spirit of Christianity, and as a sovereign he is primarily obliged to take care of his subjects' salvation,⁴⁴⁴ and the subjects' gain in faith will measure and prove the ruler's own virtue.⁴⁴⁵ In the recently converted country the implementation of the model presented by the patriarch must have been utterly helpful for establishing a state organisation following the pattern of Byzantine *theokratia* based on the coordinated action of a closely intertwined State and Church. Photios, on the other hand, resolutely marked the limit beyond which the ruler authorised to exercise secular power was not allowed to have any say in the Church's internal affairs.⁴⁴⁶ For the avoidance of any doubt, the letter makes it clear that only harmonised action and cooperation between the State and the Church can create the unity, *homonoia* of a Christian people.⁴⁴⁷ The ruler is obliged to make just amends and

⁴²⁷ Photios, *epist.* 8, 31.

⁴²⁸ Photios, *epist.* 8, 32.

⁴²⁹ Photios, *epist.* 8, 33.

⁴³⁰ Photios, *epist.* 8, 35.

⁴³¹ Photios, *epist.* 8, 36–37; DUJČEV 1971. 112.

⁴³² Photios, *epist.* 8, 29; 48.

⁴³³ Photios, *epist.* 8, 49.

⁴³⁴ Photios, *epist.* 8, 51–52.

⁴³⁵ Photios, *epist.* 8, 71; 89.

⁴³⁶ Photios, *epist.* 8, 76–77.

⁴³⁷ Photios, *epist.* 8, 84–87.

⁴³⁸ Photios, *epist.* 8, 91–94.

⁴³⁹ Photios, *epist.* 8, 95.

⁴⁴⁰ Photios, *epist.* 8, 100–101.

⁴⁴¹ Photios, *epist.* 8, 113.

⁴⁴² Photios, *epist.* 8, 66.

⁴⁴³ Photios, *epist.* 8, 68; DUJČEV 1971. 113.

⁴⁴⁴ Photios, *epist.* 8, 19.

⁴⁴⁵ Photios, *epist.* 8, 90; Isocr. *Nic.* 9.

⁴⁴⁶ Photios, *epist.* 8, 28.

⁴⁴⁷ Photios, *epist.* 8, 27; DUJČEV 1971. 113.

administer justice to those who have suffered wrong;⁴⁴⁸ furthermore he shall act resolutely and hard against those who have caused damage to the community, and shall be forbearing and merciful towards those who do harm to his own person.⁴⁴⁹ Strict laws shall be in force in the country; however, the subjects shall be led pursuant to the principles of humanity.⁴⁵⁰ Compliance with the laws shall be enforced merely by threatening with sanctions, that is, by raising awareness of the possibility of being punished rather than by punishment.⁴⁵¹ Excessive rigour shall be by all means avoided; the ruler shall make an effort to win his subjects' benevolence since a government based on that stands on a much safer ground than the one that intends to wring obedience from the people merely by intimidation.⁴⁵²

In the argumentation on the administration of justice, the author of the letter briefly outlines the key attributes of a good judge,⁴⁵³ and urges Boris to make efforts to come into possession of them.⁴⁵⁴ Further on, he gives the ruler advice on political realism stressing that he shall not stop keeping armed forces on the alert, because should he fail to do so, he might face a lot of problems and unpleasant surprises.⁴⁵⁵ Internal quarrels and uprisings shall be strictly put down because the victory thereof would threaten the country with falling back to heathenism and the State with being wound up.⁴⁵⁶ No specific advice, however, is given in the Patriarch's letter on actions to be taken in such cases, which makes it probable that the letter was written shortly before the pagan uprising actually taking place in Bulgaria, because it is right to assume that otherwise his guidance regarding this subject area would not stay on the level of mere generality.⁴⁵⁷ The forces instigating hostility and discord shall be hammered into unity, and channeled into action against possible external enemies.⁴⁵⁸

After having outlined the patriarch's letter we can establish that his exhortation and guidance touch on too profound issues senseless and unintelligible for Boris not well-versed in dogmatics, on the one hand; and, as regards everyday religious life, they move too much on the level of generalities, *topoi* taken over from classical and Christian prince's mirror, on the other. Consequently, they do not have any practical use for a ruler who intends to Christianize his country. So it is no wonder that one year after his conversion, in August 866, Boris sent his delegates, his kinsman, Petrus, and two boyars, Iohannes and Martinus to Pope Nicholas I (858–867).⁴⁵⁹ Loaded with rich presents meant to be given to the Pope and the

⁴⁴⁸ Photios, *epist.* 8, 34.

⁴⁴⁹ Photios, *epist.* 8, 38.

⁴⁵⁰ Photios, *epist.* 8, 42.

⁴⁵¹ Photios, *epist.* 8, 43.

⁴⁵² Photios, *epist.* 8, 41.

⁴⁵³ Photios, *epist.* 8, 54.

⁴⁵⁴ Photios, *epist.* 8, 59.

⁴⁵⁵ Photios, *epist.* 8, 104.

⁴⁵⁶ Photios, *epist.* 8, 62.

⁴⁵⁷ DUJČEV 1971. 115.

⁴⁵⁸ Photios, *epist.* 8, 62.

⁴⁵⁹ DVORNIK 1964. 123. sq.

churches of Rome, including the weapons by which Boris had beaten off the recent pagan uprising, they arrived in Rome. Simultaneously, Boris turned again to Louis the German in a letter, and informed him that after having converted his people to Christian faith he would seek to maintain an alliance with him, and asked him to provide ecclesiastical books and means necessary for liturgy.⁴⁶⁰ The delegacy handing over a letter to the Pope which requested answers to his questions and guidance on both the true articles of faith and the most basic issues of everyday Christian life was received by Nicholas I with great pleasure since he saw it as an assurance that the letter sent by Photios had not solved the khan's questions, and had not dispelled his doubts, and that is why now the ruler desired to approach the Roman Church.

The *Responsa Nicolai Papae I. ad Consulta Bulgarorum*, i.e., the letter written by Pope Nicholas I in the Autumn 866, has been completely preserved; however, the questions put by the Bulgarians, the *consulta* had been lost. So their number, original form can be deduced only from the Pope's responses. As the Pope's letter divides the responses into one hundred and six chapters, researchers were inclined, perhaps too hastily, to assume that the letter of the Bulgarians consisted of the same number of questions.⁴⁶¹ Another point that is worth considering is the language of the questions as we cannot preclude that the ruler sent his questions in Greek to the Pope, who was of course familiar with this idiom too. On the other hand, we may assume that the official translation of the letter was made by Anastasius Bibliothecarius since in documents available to us there are several references to his translator's skills and quite accurate translating technique strictly adhering to the original text.⁴⁶² On these grounds, we can accept the system of questions (*consulta*) reconstructed on the basis of the responses (*responsa*) by Ivan Dujčev,⁴⁶³ which counts one hundred and fourteen questions, to which the Pope summed up his responses in one hundred and six chapters. Albeit, the responses lack any system whatsoever, it can be taken for granted that we should not impute this to the Pope. He most probably only followed the order of the questions and gave his responses accordingly. The only modification he made was arranging his responses to several questions following each other and deemed coherent in terms of content into a single chapter.⁴⁶⁴ On the other hand, if two or more questions referred to a single subject, and such questions were scattered in the letter, the Pope kept to the original order, and at the relevant point only referred back to the question already discussed.⁴⁶⁵ The phrases "*in prima quaestionum vestrarum fronte*", "*praeterea*", "*porro dicitis*" and "*postremo*" occurring in the responses

⁴⁶⁰ DÜMMLER 1887–1888. II. 188.

⁴⁶¹ DÜMMLER 1887. II. 190.

⁴⁶² *Nicolai I. Papae epistolae* 191; 240; 487; 488.

⁴⁶³ DUJČEV 1965. 129.

⁴⁶⁴ Cf. *Responsa* 7; 51; 63; 69; 98.

⁴⁶⁵ Cf. *Responsa* 36; 39; 45; 47; 63; 100.

make it probable that the original order of the questions (*consulta*) was adhered to.⁴⁶⁶

After determining the order of the *consulta*, we can make an attempt to systematise the questions in terms of subject matter. As a matter of fact, several questions are related to the Christian religion, its everyday practice, the many ways of integrating heathen customs into Christianity, legal order and ecclesiastical organisation.⁴⁶⁷ Regarding this subject area, the most cardinal definition of the document is that the ruler's utmost goal is to preserve the unity of faith in his country.⁴⁶⁸ They ask how they should wear the cross; if they could kiss it;⁴⁶⁹ if it is obligatory to receive the sacrament when visiting the church;⁴⁷⁰ if those baptised by false priests can be considered Christians, or should they be baptised again;⁴⁷¹ if they should have repentance for punishing false priests too strictly;⁴⁷² if severe punishment of the subjects revolting against the ruler can be deemed a sin. (Fifty-two heathen dignitaries rose against the ruler putting ideas of heathenism on their banner, and Boris exterminated them and all their offshoots;⁴⁷³ what should be done with those who refuse Christianity, and remain obstinate to heathenism.⁴⁷⁴

The next group of questions concern worship. What should be done when they cannot completely perform prayer at the military camp?⁴⁷⁵ When sitting at the table, if there is no priest or deacon present, is it allowed to cross oneself, and start eating thereafter?⁴⁷⁶ Is it such a great sin indeed, as the Greeks assert, to pray in the church not with arms crossed on one's chest?⁴⁷⁷ Is it prohibited, again as Greek teachings claim, to appear to receive Holy Communion ungirdled?⁴⁷⁸ In periods of drought, is it allowed to pray for rain and observe a fast?⁴⁷⁹ Is it considered a sin indeed, as the Greeks assert, to eat from the meat of an animal killed by an eunuch?⁴⁸⁰ Should women stay in the church with covered or uncovered head?⁴⁸¹ How many times a day should a layman pray?⁴⁸² When is it prohibited to appear to receive the sacrament? Can someone whose nose or mouth is bleeding receive the sacrament?⁴⁸³ How many days after the birth of a child can a woman enter the

⁴⁶⁶ DUJČEV 1965. 138.

⁴⁶⁷ DUJČEV 1965. 139.

⁴⁶⁸ *Responsa* 106.

⁴⁶⁹ *Responsa* 7.

⁴⁷⁰ *Responsa* 9.

⁴⁷¹ *Responsa* 14–15.

⁴⁷² *Responsa* 15–16.

⁴⁷³ *Responsa* 17.

⁴⁷⁴ *Responsa* 41.

⁴⁷⁵ *Responsa* 38.

⁴⁷⁶ *Responsa* 53.

⁴⁷⁷ *Responsa* 54.

⁴⁷⁸ *Responsa* 55.

⁴⁷⁹ *Responsa* 56.

⁴⁸⁰ *Responsa* 57.

⁴⁸¹ *Responsa* 58.

⁴⁸² *Responsa* 61.

⁴⁸³ *Responsa* 65.

church?⁴⁸⁴ Should a married priest be expelled or kept?⁴⁸⁵ Is a priest sinful of adultery entitled to administer the sacrament or not?⁴⁸⁶ What should be done when someone receives news of the enemy's attack during prayer, and does not have time to finish the prayer?⁴⁸⁷ What procedure shall be applied against those who have risen against Christianity but are willing to do penance voluntarily, which they have been prohibited to do by the Byzantine priesthood?⁴⁸⁸ Is it deemed a sin when a widow is forced to become a nun?⁴⁸⁹ Is it allowed to pray for parents who died as heathens?⁴⁹⁰ May a Christian hunt together with a heathen person, and may a Christian eat from the meat of the game so killed together?⁴⁹¹ Is it allowed to bury suicides, and is it allowed to offer sacrifice for them?⁴⁹² Is it allowed to bury Christians in the church?⁴⁹³ Must those killed in action be brought home if their parents and comrades want to do so?⁴⁹⁴ Who may be given alms?⁴⁹⁵ Must force be applied against heathens who are reluctant to assume Christianity?⁴⁹⁶ What should be done with the Mohammedan books they possess?⁴⁹⁷

Several questions concern holidays, ecclesiastical festivals and periods of fast.⁴⁹⁸ Is it allowed to wear the sign of the cross also in Lent,⁴⁹⁹ and receive the sacrament every day?⁵⁰⁰ Is it allowed to perform any work on Saturday and Sunday?⁵⁰¹ On the holidays of which apostles, martyrs, confessors and virgins, must one refrain from serf's work?⁵⁰² Is it allowed to sit in judgement and pass death sentences on the holidays of the saints and in Lent?⁵⁰³ Is it allowed to travel or engage in battle on Sundays and holidays and in Lent, of course only when it is required by necessity?⁵⁰⁴ Is it allowed to hunt,⁵⁰⁵ play games and have amusement,⁵⁰⁶ and marry and hold a feast in the period of Lent?⁵⁰⁷ What should be done with those who have had sexual intercourse with their wives during Lent?⁵⁰⁸

⁴⁸⁴ *Responsa* 68.
⁴⁸⁵ *Responsa* 70.
⁴⁸⁶ *Responsa* 71.
⁴⁸⁷ *Responsa* 74.
⁴⁸⁸ *Responsa* 78.
⁴⁸⁹ *Responsa* 87.
⁴⁹⁰ *Responsa* 88.
⁴⁹¹ *Responsa* 91.
⁴⁹² *Responsa* 98.
⁴⁹³ *Responsa* 99.
⁴⁹⁴ *Responsa* 100.
⁴⁹⁵ *Responsa* 101.
⁴⁹⁶ *Responsa* 102.
⁴⁹⁷ *Responsa* 103.
⁴⁹⁸ DUJČEV 1965. 140.
⁴⁹⁹ *Responsa* 8.
⁵⁰⁰ *Responsa* 9.
⁵⁰¹ *Responsa* 10.
⁵⁰² *Responsa* 11.
⁵⁰³ *Responsa* 12; 45.
⁵⁰⁴ *Responsa* 36; 46.
⁵⁰⁵ *Responsa* 44.
⁵⁰⁶ *Responsa* 47.
⁵⁰⁷ *Responsa* 48.
⁵⁰⁸ *Responsa* 50.

Is it allowed for husband and wife to fulfill their marital obligations on Sunday?⁵⁰⁹ How many times a year is it allowed to deliver baptism?⁵¹⁰ During which periods shall one refrain from eating meat,⁵¹¹ is it allowed to eat meat on the day of baptism, and for how many days after christening shall one give up eating meat;⁵¹² and, finally, is it allowed to eat early morning?⁵¹³

None the less interesting are the questions from which we can indirectly obtain considerable additional information on the ancient religion and beliefs, way of life and legal order of the Bulgarians. The Bulgarians' dynamistic-manaistic beliefs,⁵¹⁴ that is, the faith in an impersonal and mystical vital force abiding in men and animals, most frequently located in the head and carried by the blood, can be deduced from the questions whether animals not killed with a knife but simply struck dead may be eaten.⁵¹⁵ Most probably the same subject area is addressed by the question inquiring whether they may continue to wear their turbanlike headwear spun from linen, deemed prohibited by the Greeks especially in the church;⁵¹⁶ and with what should they replace the horsetail used so far in battles as a banner,⁵¹⁷ since primitive peoples' attributed *mana* to the tail of certain animals.⁵¹⁸ The question regarding a stone endowed with curing effect, found during the period of heathenism might have come from similar ideas too.⁵¹⁹ According to the *consulta*, eating certain animals and birds was considered taboo.⁵²⁰ It also concerned taboos when they asked the Pope how long after the birth of a child a woman might not go to church,⁵²¹ and how long their husbands might not have intercourse with them.⁵²² The question whether women are allowed to stay in church with covered or uncovered head⁵²³ might have come from the tabooistic nature of hair, especially long hair known from several examples.

The issue of sanctioning heathen subjects unwilling to assume Christianity and offering sacrifices to idols, the *Responsa* describes that in certain cases the sacrifice was the first fruits⁵²⁴ of the produce,⁵²⁵ was raised by the delegacy before the Pope.⁵²⁶ They also inquired if the ill might continue to wear certain amulets

⁵⁰⁹ *Responsa* 63.
⁵¹⁰ *Responsa* 69.
⁵¹¹ *Responsa* 4.
⁵¹² *Responsa* 69.
⁵¹³ *Responsa* 60.
⁵¹⁴ About manism see WAGENVOORT, H.: *Roman Dynamism. Studies in Roman Literature, Culture and Religion*. Leiden 1956; ROSE 1951. 109. sqq.; ROSE, H. J.: *Ancient Roman Religion*. London 1948.
⁵¹⁵ *Responsa* 91.
⁵¹⁶ BEŠEVILIEV 1981. 358.
⁵¹⁷ *Responsa* 71.
⁵¹⁸ BEŠEVILIEV 359.
⁵¹⁹ *Responsa* 62. Cf. VÁMBÉRY 1879. 249.
⁵²⁰ *Responsa* 43.
⁵²¹ *Responsa* 68.
⁵²² *Responsa* 64.
⁵²³ *Responsa* 58.
⁵²⁴ Cf. NIELSSON 1911. 71; BEŠEVILIEV 1981. 386.
⁵²⁵ *Responsa* 89.
⁵²⁶ *Responsa* 41.

they attributed curing effect to round their neck.⁵²⁷ They also put some questions to the Pope with regard to the notion of days suitable and unsuitable for fighting and traveling as well as the rituals, magic words and dances related to them; notably, if this practice could be made part of a people's life converted to Christianity,⁵²⁸ to which of course the answer was no.⁵²⁹ In heathen faith, after their death, suicides usually become harmful spirits, and to prevent them from returning they were not given the burial in accordance with customary ceremonies, or, in certain cases, no burial at all. So it was not by chance that one of the questions raised the point whether suicides should be buried, and if any kind of *sacrificium* should be delivered for them.⁵³⁰ They buried those who died by natural death with due tribute to their memory raising a tomb over them; and they brought home the corpses of those killed in action.⁵³¹ Christian conversion, however, was not able to wind up the ancient religion immediately. The fact that the mission ran into opposition at several places is unambiguously indicated by the occurrence of a pagan revolt shortly before the delegacy was sent, which was put down and the fifty-two dignitaries involved in it were executed by Boris.⁵³² This is clearly stated in the *Responsa* too.⁵³³

At several points the *Responsa* adverts to the Bulgarians' way of life and customary law before Christianity. So, for example, it unanimously reveals that polygamy was a generally accepted custom, otherwise they would not have asked the Pope if a man might have two wives at the same time.⁵³⁴ It was customary for the fiancé to give the fiancée gold and silver objects, oxen, horses and other valuable goods as dowry before the conclusion of marriage.⁵³⁵ After her husband's death a widow was not allowed to marry again, and to prevent that in any case she was forced to live the rest of her life as a nun.⁵³⁶ However, it was presumably a generally accepted practice that a man who became a widower married again as the *consulta* includes a question whether this practice might be maintained.⁵³⁷ With regard to the items of the *consulta* that supply data on religious beliefs we have already mentioned that the Bulgarians wore a turbanlike headgear made of linen.⁵³⁸ The other typical article of their clothing was *femoralia* presumably similar mostly to trousers, which was worn both by men and women.⁵³⁹ The development of Bulgarian legal order took a decisive turn by assuming Christianity, but the

⁵²⁷ *Responsa* 79. Cf. BERTHOLET 1926. 315–317.

⁵²⁸ *Responsa* 34; 35.

⁵²⁹ BEŠEVLIJEV 1981. 382–384.

⁵³⁰ *Responsa* 98. Cf. HIRZEL 1908. 75.

⁵³¹ *Responsa* 100.

⁵³² RUNCIMAN 1930. 105.

⁵³³ *Responsa* 18. Cf. BEŠEVLIJEV 1971. 37–41.

⁵³⁴ *Responsa* 51.

⁵³⁵ *Responsa* 49.

⁵³⁶ *Responsa* 87.

⁵³⁷ *Responsa* 3.

⁵³⁸ *Responsa* 66.

⁵³⁹ *Responsa* 59. Cf. BEŠEVLIJEV 1981. 396.

Responsa supplies important information on the customary law of the period preceding it. A slave who escaped from the owner, if caught, was severely punished;⁵⁴⁰ a slave slandering his master was treated the same way,⁵⁴¹ but the sources do not reveal anything else about the actual content of the sanction.⁵⁴²

Similarly, a free man who fled from his country was severely punished, but the actual sanction is again unknown to us.⁵⁴³ In this respect it is worth noting that the frontiers of the country were strictly guarded. Guardsmen failing to fulfill their duty and allowing either free men or slaves to flee were punished by death.⁵⁴⁴ Death was the punishment of murderers of kinsmen.⁵⁴⁵ Similarly, a severe, presumably qualified death penalty was imposed on those who murdered their fellow-soldier,⁵⁴⁶ or who were caught committing adultery with a strange woman.⁵⁴⁷ They sanctioned negligent manslaughter,⁵⁴⁸ theft,⁵⁴⁹ if a subject charged with theft or robbery was unwilling to admit his crime, the judge was allowed to wring confession from him by force,⁵⁵⁰ and abduction.⁵⁵¹ They punished those who castrated others,⁵⁵² who brought false charges,⁵⁵³ and who gave deathly poison to others.⁵⁵⁴ Women treating their husband badly, committing adultery and slandering their husband were threatened to be punished by abandonment, also incurred *eo ipso*.⁵⁵⁵ Uprising was punished by death, which penalty was inflicted not only on the perpetrators but their families too.⁵⁵⁶

Furthermore, there are several highly important questions that concern the ecclesiastical organisation: Is it possible to assign a patriarch to the head of the Bulgarian Church?⁵⁵⁷ Who shall ordain the patriarch?⁵⁵⁸ How many patriarchs are there actually?⁵⁵⁹ Which patriarch comes right after the Pope of Rome in the church hierarchy?⁵⁶⁰ And, finally, is it true what the Greeks assert that chrism is made exclusively in their country, and is taken from there everywhere else around the world?⁵⁶¹ Special attention should be paid to a certain aspect of the question

⁵⁴⁰ *Responsa* 21.

⁵⁴¹ *Responsa* 97.

⁵⁴² Cf. BEŠEVLIJEV 1981. 414.

⁵⁴³ *Responsa* 20.

⁵⁴⁴ *Responsa* 25.

⁵⁴⁵ *Responsa* 24; 26; 29.

⁵⁴⁶ *Responsa* 27.

⁵⁴⁷ *Responsa* 28.

⁵⁴⁸ *Responsa* 30.

⁵⁴⁹ *Responsa* 31.

⁵⁵⁰ *Responsa* 86.

⁵⁵¹ *Responsa* 32.

⁵⁵² *Responsa* 52.

⁵⁵³ *Responsa* 84.

⁵⁵⁴ *Responsa* 85.

⁵⁵⁵ *Responsa* 96.

⁵⁵⁶ *Responsa* 17.

⁵⁵⁷ *Responsa* 72.

⁵⁵⁸ *Responsa* 73.

⁵⁵⁹ *Responsa* 92.

⁵⁶⁰ *Responsa* 93.

⁵⁶¹ *Responsa* 94.

regarding the assignment of the patriarch: Did it manifest Boris's efforts to attain the establishment of a patriarchy for his country,⁵⁶² or he simply intended to obtain information on the structure of the ecclesiastical hierarchy?⁵⁶³ The former option seems to be more probable because by the assignment of the patriarch the Bulgarian Church could have been made completely independent of Byzantium by the ruler, and it would have been less strictly and closely subjected to the Roman Church.⁵⁶⁴ The Pope, however, very diplomatically evaded Boris's request, and without even mentioning the possibility of obtaining the dignity of patriarch, he held out the prospect of appointing an archbishop to the head of the Bulgarian Church in the future. As a matter of fact, only in case he received a proper report from his delegates on the conditions of Bulgarian Christianity.

Simultaneously with his letter and missionary work, Pope Nicholas began to deal with the issue of developing an independent Bulgarian ecclesiastical organisation. In 860, Photios, Patriarch of Constantinople, in accordance with the practice generally accepted and applied by the five patriarchs, asked Pope Nicholas to acknowledge his own, somewhat contested election. The Pope made the granting of his approval subject to the acknowledgement of the papal claim to the Illyricum and Thessaloniki, that is, almost the whole of the Balkans including Bulgaria.⁵⁶⁵ Although until March 862 Photios seemed to be willing to fulfill this claim, at a council held in Rome in 863 the Pope deprived him of his dignity and threatened him with excommunication presumably he expected Photios's successor, Ignatios to be more permissive regarding the issue of the Balkans.⁵⁶⁶ With respect to the Bulgarian mission, Pope Nicholas set out from the conviction that the territory of the Balkans was directly subject to the Pope's supremacy. However, he did not ordain the patriarch requested by Boris to Bulgaria. He merely held out the prospect of setting up an archbishopric independent of Byzantium.⁵⁶⁷ Missionary work was commenced by the delegacy sent off to Bulgaria under the leadership of Formosus of Porto, the later pope (891–896), and Paulus of Populonia.⁵⁶⁸

Louis the German, whom was called on by the Bulgarian delegacy in Regensburg, also pledged himself to send missionaries to Bulgaria. However, the preparations took too long, and the Frankish delegation led by Ermenich, bishop of Passau arrived in the Balkans only in the spring 867 where the Roman missionaries getting ahead of them had already begun to convert, preach and baptise.⁵⁶⁹ Gravely disappointed in his hopes, Ermenich waited for Louis the German's permission, and returned to Passau.⁵⁷⁰ The conflict that manifested itself regarding the

Bulgarian mission revealed the tensions between the papacy and the Eastern Frankish Empire.⁵⁷¹ Photios, however, was not willing to tolerate Rome's intervention into his sphere of authority; and, therefore, at a Council of Constantinople in 867 he had Pope Nicholas I removed, of which the Pope, who died in the meantime, was not informed.⁵⁷² In the same year, however, the assassination of the *basileus*, Michael III and the removal of Photios completely changed the political constellation, and the plans of Pope Nicholas I concerning Bulgaria seemed to attain the stage of implementation after his death. Affairs reached a crisis when Rome did not keep Pope Nicholas's promise to set up an independent Bulgarian archbishopric.⁵⁷³ Khan Boris turned to Pope Adrian II (867–872) with the request to appoint Formosus Archbishop of Bulgaria, but the Pope saying that he could not transfer Formosus as bishop to another diocese did not fulfill the claim.⁵⁷⁴ Certainly the actual cause must have been the influence of the anti-Formosus faction in Rome that produced an affect on the Pope.⁵⁷⁵ A similar thing happened to deacon Marinus, who later became Pope (882–884), when he was not appointed to be the Bulgarians' archbishop due to Adrian II's opposition; and deacon Sylvester proposed by the Pope to take the archbishop's seat was refused by khan Boris.⁵⁷⁶ Beside personal conflicts, most certainly the Pope's reluctance must have been due to the fact that he wanted to keep Rome's direct supremacy over the Balkans, which would have been hugely limited by setting up the archbishopric. That is why the papacy could not reap the fruits of its missionary policy pursued in this region.⁵⁷⁷

Disappointed in the Roman Church, khan Boris turned to Basileios I (867–886) and patriarch Ignatios, and restored his relations with Byzantium. This was made official by the Council of Constantinople 869/70. At one of the last meetings of the Council, after having expelled the delegates of Rome, Bulgaria was placed under the control of the Patriarchy of Constantinople, and soon Ignatios ordained an archbishop and several bishops for the Bulgarians.⁵⁷⁸ Boris expelled the Roman missionaries from his country, and Bulgaria, already as an independent archbishopric, resisted Pope John VIII's (872–882) later attempts to win the country back to Rome.⁵⁷⁹ In the course of the missionary work commenced during the reign of khan Boris (just like through the stages of Methodius's fate, who performed conversion among the Moravians) Bulgaria served as a playground for power politics between Rome and Byzantium, and the Eastern Frankish Empire competing with each other. However, the Roman Church, setting off with better

⁵⁶² RUNCIMAN 1930. 110.

⁵⁶³ DUJČEV 1965. 142.

⁵⁶⁴ HERGENRÖTHER 1867. II. 650.

⁵⁶⁵ DVORNIK 1948. 91. sqq.

⁵⁶⁶ DOPSCH 1987. 325.

⁵⁶⁷ *Responsa* 72–73.

⁵⁶⁸ GROTZ 1970. 101. sqq.

⁵⁶⁹ *Annales Fuldenses* a. 866; a. 867; LÖWE 1987. 228.

⁵⁷⁰ *Annales Fuldenses* a. 867; DVORNIK 1964. 122.

⁵⁷¹ DOPSCH 1987. 326.

⁵⁷² DVORNIK 1948. 91. sqq.

⁵⁷³ DOPSCH 1987. 326.

⁵⁷⁴ KOSZTOLNYIK 1997. 215.

⁵⁷⁵ GROTZ 1970. 230. sq.; DÜMMER 1887–1888. II. 192. sq.

⁵⁷⁶ GROTZ 1970. 209. sq.

⁵⁷⁷ DOPSCH 1987. 327.

⁵⁷⁸ DVORNIK 1948. 132. sqq.; EGGERS 1996. 25.

⁵⁷⁹ DVORNIK 1948. 210. sqq.; RUNCIMAN 1930. 120. sq.; DOPSCH 1987. 328.

chances owing to the Bulgarian's fear of the hegemony of Byzantium and thanks to Pope Nicholas I's agility and *Responsa*, in a few years' time lost its advantage gained in this respect because patriarch Ignatios, the successor of Basileios I and Photios was willing to raise Bulgaria to the rank of an independent archbishopric, which Pope Nicholas I and Pope Adrian II were from first to last reluctant to do.

III. 4. Trial of Methodius in Regensburg

The Moravian prince Rastislav (846–870), nephew of Mojmir, who was driven away by the Frankish ruler after he had joined Karlmann, who revolted against his father, Louis the German,⁵⁸⁰ acquired considerable independence.⁵⁸¹ First, he tried to obtain missionaries for his country from Rome. Then, after he failed with the Pope,⁵⁸² in 862 he turned to the *basileus*, Michael III to ask for missionaries teaching and converting in Slavonic for his country where several other, Roman, Greek and German missionaries had already acted.⁵⁸³ Rastislav was, of course, attracted not only by liturgy in Slavonic: One of his political aims was to maintain closer relations with Byzantium with a view to counterbalance the Frankish influence;⁵⁸⁴ and he could safely do that because Byzantium was geographically separated from his country by Bulgaria. So, due to the geographical distance, a political alliance would not be threatened with the danger of Byzantium's hegemony.⁵⁸⁵ Accordingly, he followed the way many other rulers did: He made efforts to loosen the relation with the country converting his people, so that conversion could not become the means of conquest.⁵⁸⁶ The *basileus* (not to overshadow his relations maintained with the Frankish king and the Bavarian bishops) did not intend to set up an independent diocese on this territory, and so (contrary to the Moravian prince's request) instead of a bishop or an archbishop, he appointed the brothers Constantine and Methodius to be the heads of the missionaries.⁵⁸⁷

Methodius and Constantine (or, as he is known by his monk's name he adopted a few weeks before his death: Kyrillos, that is, Cyril⁵⁸⁸) born in Thessaloniki as the children of an affluent family from Byzantium, having the social standing they had were excellently educated; and as their home country was populated mostly by Slavs who settled there, mastered, in addition to their mother tongue, Greek, Slavonic too. Later the elder brother, Methodius occupied a high office in the government, whereas the younger brother, Constantine went to Constantinople to continue his studies.⁵⁸⁹ There he soon obtained the degree of professor of philosophy,⁵⁹⁰ and after that he performed missionary work among several peoples, such as, for example, the Avars and the Khazars.⁵⁹¹ After the brothers pursued their missionary work for three years (according to the *Vita Methodii*),⁵⁹² for forty months (according to the *Vita Constantini*), or for four and a half years (according to the *Vita Constantini-Cyrilli cum translatione Sancti Clementis*, i.e., the Italian legend),⁵⁹³ the time seemed to have come for setting up an ecclesiastical organisation independent of the Franks.⁵⁹⁴ It can be assumed that this effort came from the prince rather than Constantine and Methodius.⁵⁹⁵ The brothers attempted to return to Constantinople to take the necessary steps.⁵⁹⁶ Heading for Venice, their journey took them to Chozil's court where they were received with great respect.⁵⁹⁷ And, contrary to the about-turns of the leadership of Rastislav, then his nephew and successor, Svatopluk I (870–894) motivated by current political interests, the prince most certainly continued to support Methodius in the promotion of Slavonic liturgy, with honest conviction (he himself mastered Glagolitic script).⁵⁹⁸ This is rendered probable also by the fact that after Constantine's death Chozil urged the Pope, Adrian II to send Methodius back to Pannonia and appoint him archbishop, while later the Moravian prince gave no assistance to revive missionary work in Slavonic.⁵⁹⁹ Acknowledging the opportunity offered to Rome by the activity of the missionaries sent from Byzantium to the Moravians, that is, that he could subject Pannonia and Illyria to direct papal supremacy, Pope Nicholas I invited the brothers (as Chozil's delegates⁶⁰⁰) just staying in Venice to Rome.⁶⁰¹ However, by the time

⁵⁸⁰ *Annales Bertiniani* a. 861

⁵⁸¹ See BOSL 1964. 12; HERMANN 1965. 125. sqq.

⁵⁸² RICHTER 1985. 283.

⁵⁸³ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 7. Philosopho autem reverso Constantinopolim, audiens Rastislavus, princeps Moravie, quod factum fuerat a Philosopho in provincia Gazarorum, ipse quoque genti sue consulens ad predictum imperatorem nuntios misit, insinuans hoc, quod populus suus ab ydolorum quidem cultura recesserat et christianam legem observare desiderabat, verum doctorem non talem habent, qui ad liquidum eos et ad perfectum legem ipsam edoceat; rogare se ut talem ad partes illas hominem dirigat, qui pleniter fidem et ordinem legis et viam veritatis populo illi ostendere valeat. Cuius precibus annuens imperator, eundem supra nominatum Philosophum ad se venire rogavit eumque illuc, id est in terram Sclavorum, simul cum Methodio germano suo transmisit, copiosis valde de palatio suo datis expensis; SCHELLHORN 1964. 107; DOPSCH 1987. 317; RICHTER 1985. 282; EGGERS 1996. 19.

⁵⁸⁴ GRIVEC 1960. 61.

⁵⁸⁵ DOPSCH 1987. 318.

⁵⁸⁶ H. TÓTH 2003. 96.

⁵⁸⁷ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 14.

⁵⁸⁸ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 10. Cum autem idem Philosophus, qui et Constantinus, diem transitus sui imminere sibi sensisset, ex concessione summi pontificis inposuit sibi nomen Cyrillus ...

⁵⁸⁹ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 1. Tempore igitur, quo Michael imperator Nove Rome regebat imperium, fuit quidam vir nobili genere, civitate Thessalonica ortus, vocabulo Constantinus, qui ob mirabile ingenium, quo ab ineunte infantia mirabiliter claruit, veraci cognomine Philosophus est appellatus. Hic cum adolevisset atque a parentibus fuisset in urbem regiam ductus essetque insuper magna religione ac prudentia peditus, honorem quoque sacerdotii ibidem, ordinante Deo, est adeptus.

⁵⁹⁰ H. TÓTH 2003. 10. sqq.; BERNHARD 1987. 24.

⁵⁹¹ BOSL 1964. 15. sq.; H. TÓTH 2003. 36. sqq.

⁵⁹² *Vita Methodii* 5; PASKALEVSKI 2006. 14. sqq.; 65. sqq.

⁵⁹³ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 7.

⁵⁹⁴ About the different legends of Constantine and Methodius see BUJNOC 1972. 39. sqq.; 127. sqq.; 167. sqq.

⁵⁹⁵ KOSZTOLNYIK 1997. 216; DITTRICH 1962. 96. sqq.

⁵⁹⁶ DOPSCH 1987. 319; LÖWE 1982. 631. sqq.

⁵⁹⁷ BOSL 1964. 17; BURR 1964. 41; EGGERS 1996. 20.

⁵⁹⁸ H. TÓTH 2003. 115.

⁵⁹⁹ *Vita Methodii* 5; DOPSCH 1987. 320.

⁶⁰⁰ RICHTER 1985. 286.

they arrived, the Pope had been dead for more than a month.⁶⁰² His successor, Adrian II desired to continue this policy: As after the assassination of Michael III and the removal of patriarch Photios it was no longer possible for the brothers to return home,⁶⁰³ and on 14 February 869 Constantine died in Rome.⁶⁰⁴ The Pope made Methodius the papal legate commissioned to convert the Slavs in Pannonia and Moravia, then, by consecrating him bishop he ordained the Greek missionary Archbishop for Sirmium, the capital of one-time Illyria.⁶⁰⁵

Having been taught a lesson by the failure of the Bulgarian mission, Adrian II made a concession on celebrating the liturgy in Slavonic, presumably owing to the influence of Anastasius Bibliothecarius.⁶⁰⁶ Albeit several questions have arisen concerning the originality of the letter that contains this licence, and characterises Methodius as a man of great knowledge. It threatens those who reviled at liturgical books in Old Bulgarian with excommunication, and is addressed to Rastislav, Svatopluk I and Chozil; diplomatic circumstances and current ecclesiastical politics support the authenticity of the letter and the licence contained therein.⁶⁰⁷ If as they had originally planned Constantine and Methodius had been able to return to Byzantium and bring news on their achievements in organising the church in Moravia and Pannonia, then Rome most certainly would have been once and for all forced to waive its claim to both territories. Probably that is why the Pope made a concession to the missionaries, and appointed Methodius a legate through Chozil's good offices.⁶⁰⁸

It is undecided whether Chozil's action was motivated by his commitment to the person of the missionaries and Slavonic liturgy,⁶⁰⁹ or to his long-term political ambitions.⁶¹⁰ In any case, it was him who initiated Methodius's ordainment to be archbishop with the Pope.⁶¹¹ Methodius's appointment to be the archbishop of Pannonia was to the seat of Saint Andronikos,⁶¹² which suited both Chozil's power

⁶⁰¹ SCHELLHORN 1964. 113; *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 8. *His omnibus auditis, papa gloriosissimus Nicolaus valde letus super his, que sibi ex hoc relata fuerant, redditus, mandavit et ad se illos litteris apostolicis venire invitavit. ... Mox igitur iter aggressi, duxerunt etiam secum aliquantulos de discipulis suis, quos dignos esse ad episcopatus honorem recipiendum censebant; sicque Romam post aliquot dies applicuerunt.*

⁶⁰² *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 9. *Sed cum ante non multos dies supradictus papa Nicolaus transisset ad Dominum, secundus Adrianus, qui illi in pontificatu successerat ...*

⁶⁰³ About the relation between Photios and Constantine see GRIVEC 1964. 156. sqq.

⁶⁰⁴ BOSL 1964 17; SCHELLHORN 1964. 113; RICHTER 1985. 268; EGGERS 1996. 20.

⁶⁰⁵ BOSL 1964. 17. sq.; BURR 1964. 42; BERNHARD 1987. 25; RICHTER 1985. 287; EGGERS 1996. 21. sqq.

⁶⁰⁶ *Vita Methodii* 8; H. TÓTH 2003. 131.

⁶⁰⁷ DOPSCH 1987. 329.

⁶⁰⁸ *Vita Methodii* 8. *Kozel vero ad apostolicum mittens rogavit eum, ut sibi cederet Methodium beatum doctorem nostrum et dixit apostolicus: Non tibi tantum, sed omnibus partibus illis Slovenicis mitto illum magistrum a Deo et a sancto apostolo Petro, primo successore et clavigero regni coelestis.*

⁶⁰⁹ *Vita Constantini-Cyrilli cum translatione Sancti Clementis* 15.

⁶¹⁰ PIRCHEGGER 1912. 307. sqq.

⁶¹¹ *Vita Methodii* 8.

⁶¹² *Vita Methodii* 8. *Excepit autem illum Kozel cum magno honore et iterum misit eum ad apostolicum et viginti viros honestos, ut illum ordinaret in episcopatum in Pannonia in sedem sancti Andronici apostoli e LXX, quod eitiam factum est.*

goals and the papacy's objectives regarding the Slavs. However, the seat of Saint Andronikos was Sirmium, the ecclesiastical and secular centre of the one-time Western Illyria. And by that Adrian II manifested fully in harmony with Nicholas I's intentions that he wanted to make Sirmium, as it belonged most probably to the Bulgarian power sphere, the *metropolia* of the entire Slavonic territory. That is, he wanted to extend Methodius's powers not only to Pannonia and Moravia but also to Bulgaria.⁶¹³ As a matter of fact, Methodius was not able to take his seat in Sirmium; the centre of his activity was most probably at Chozil's headquarters, Mosapurc.⁶¹⁴ By ordaining Methodius, the Pope expressed his territorial jurisdiction claim to all of Illyria. Now this was diametrically opposed to the jurisdiction of the Archbishopric of Salzburg obtained in the meantime, which had performed missionary work in Moravia and Pannonia for decades. And the archbishop of Salzburg learned of this grievance from the report of *archipresbyter* Rihpald, who had fled from Mosapurc.⁶¹⁵

At the beginning of 870, when the hostilities between Rastislav and his nephew, Svatopluk I flared up,⁶¹⁶ Svatopluk surrendered Methodius to his enemies. It is contested that it was not in Pannonia⁶¹⁷ but on Moravian territory where Methodius was cast into captivity.⁶¹⁸ The bishops of Bavaria took legal action against him in Regensburg in the presence of Louis the German. Ignoring his dignity as archbishop in the lawsuit, they charged him with teaching unlawfully on the territory that belonged to the Archbishopric of Salzburg.⁶¹⁹ In the very same year, Svatopluk, who had seized power, surrendered his uncle to the Franks, who cast him into captivity, but Svatopluk himself soon fell into the captivity of the Franks too, and was charged with high treason.⁶²⁰ Slavomir instigated an uprising against the rule of the Franks, and came to power for a few months; then, after somewhat obscure negotiations carried out with the Franks, Svatopluk was raised to his country's throne again.⁶²¹ Methodius pleaded that he had been given licence by the Pope to do so, and insisted on the position that Pannonia and Moravia, as part of the Illyricum, were directly subject to the Pope's jurisdiction, and charged the Bavarian church dignitaries, primarily the bishop of Passau and the archbishop of Salzburg, with having exceeded their territorial jurisdiction driven only by ambition and greed.⁶²² Examining the legal claims of the two opposing parties, the

⁶¹³ DOPSCH 1987. 331.

⁶¹⁴ H. TÓTH 2003. 133.

⁶¹⁵ BOSL 1964. 43; EGGERS 1996. 34; H. TÓTH 2003. 137.

⁶¹⁶ Cf. EGGERS 1996. 31. sq.

⁶¹⁷ RICHTER 1985. 287.

⁶¹⁸ GRIVEC 1960. 91. sqq.; BOSL 1964. 18; BURR 1964. 44. sqq.

⁶¹⁹ SCHELLHORN 1964. 111; EGGERS 1996. 32; OLAJOS 2001. 492. Cf. *Vita Methodii* 9.

⁶²⁰ RICHTER 1985. 287.

⁶²¹ *Annales Fuldenses* 871 *Interea Zuentibald, cum nullis crimina, quae ei obiecta fuerant, probare potuisset, a Karlmanno dimissus et muneribus regis honoratus in regnum suum rediit, ducens secum Karlmanni exercitum quia Scagamorum expugnatus ...*

⁶²² *Vita Methodii* 9. *Ego quoque, ai intellegere, vestrum id esse, abscederem, sed sancti Petri est; et in veritate, si vos propter ambitionem et appetitum antiquos fines praeter canones exceditis, prohibentes institutionem divinam.* BURR 1964. 50; EGGERS 1996. 32. sq.

Pope and the archbishop of Salzburg and his bishops, we can establish the following: On the grounds of their several decades long missionary work Salzburg and Passau could undoubtedly lay morally well-founded claims to this territory. However, for the aforesaid reasons, they had not had it approved by Rome, and while during the reign of Charlemagne the king's or the emperor's permit was sufficient, during the last thirty years of the 8th century the Eastern Frankish ruler no longer had the influence over the papacy that he used to have at the beginning of that century. Salzburg could righteously refer to the certificates issued by Pope Zechariah, Pope Stephen II and Pope Paul I to support its claims to Carantania;⁶²³ however, with respect to Pannonia and Moravia the privileges granted by Charlemagne⁶²⁴ was not accepted by the papacy. So making use of this gap in the law the Pope was able to enforce his claims to the entire Illyricum.⁶²⁵

In Methodius's lawsuit held in the presence of Louis the German, (in the autumn of 870, in Regensburg) Adalwin, archbishop of Salzburg presided the proceedings in a fairly low key. In addition to him, we have knowledge of the attendance of Anno, bishop of Freising and Ermenrich, bishop of Passau, and of the latter's quite desperate outbursts against Methodius almost coming to blows.⁶²⁶ During the trial, in the heat of the dispute, Methodius fully aware of his Byzantine intellectual superiority called his prosecutors rough,⁶²⁷ and Ermenrich being indignant at his scornful tone almost attacked Methodius with his horsewhip, but he was prevented from doing so, as the Pope's letter *Ad deflendam pravitatem* reveals.⁶²⁸ Although Methodius referred to the powers bestowed on him by the Pope, the Council of Regensburg declared the deprivation of his dignity, and he was held in captivity for two and a half years under severe circumstances (as the *Vita Methodii* records it) at a Swabian monastery, probably in Ellwangen,⁶²⁹ in a cold, uncovered cell.⁶³⁰ Anno, bishop of Freising several times prevented Methodius from turning to the Pope because of the insults suffered by him.⁶³¹ From

⁶²³ LÖWE 1987. 229.

⁶²⁴ *Conversio* 10. *Karolus imperator reiecit Hunnis episcopatus dignitatem Iuvavensis ecclesiae rectori commendavit. Anroni videlicet archiepiscopo et suis successoribus tenendi perpetualiter atque regendi perdonavit.*

⁶²⁵ BURR 50. sq.; DOPSCH 1987. 332. sq.

⁶²⁶ LÖWE 1987. 232; EGGERS 1996. 33; Maß 1964. 214. sqq.

⁶²⁷ *Vita Methodii* 9.

⁶²⁸ BURR 1964. 44; LÖWE 1987. 233; MAB 1964. 216; ZIEGLER 1964. 312. sqq.; MMFH III. 168. *Cuius enim, ut non dicamus episcopi, secularis cuiusquam, immo tyranni seviciam temeritas tua non excessit vel bestialem feritatem non transcendit, fratrem et coepiscopum nostrum Methodium carceralibus penis afficiens et sub divo diutius acerrima hiemis et nimborum immanitate castigans atque ab ecclesie sibi commisse regimine subtrahens et adeo in insaniam veniens, ut in episcoporum concilium tractum equino flagello percuteres, nisi prohibetur ab aliis?*

⁶²⁹ *Vita Methodii* 9.

⁶³⁰ EBERL 2006. 9. sqq. About the different localisations of the monastery see BURR 1964. 48; 52. sq.; DOPSCH 1987. 333; LÖWE 1987. 234; HAUCK 1954. 724; ZIEGLER 1953. 369. sqq.

⁶³¹ MMFH III. 169. *Nolumus tamen nunc exagitare, que gesseris, ne cogamur infideliter promulgare, quod convenit, verum Dei omnipotentis et beatorum principum apostolorum Petri et Pauli atque nostre mediocritatis auctoritate interim communione Christi ministeriorum et sacerdotum tuorum te privamus et, nisi cum presenti Paulo venerabili episcopo vel cum eodem sanctissimo fratre nostro Methodio Romam cum ipso audiendus occurreris, non deerit iusta damnatio, ubi talis et tanta fuerit inventa presumptio, nec pondus*

this we can deduce that the captivity in the monastery was supervised by Anno.⁶³² Later Methodius managed to contact Pope Adrian II through secret delegates and letters, but the Pope appeared to be quite irresolute, and, according to all indications, did not reply to the letters of either the Bavarian bishops or Louis the German or Methodius.⁶³³ Towards Rome archbishop Adalwin tried to keep up the appearance from first to last that he had nothing to do with the entire case, nor was aware of it.⁶³⁴

Pope John VIII, who ascended the throne on 14 December 872, energetically intervened in the dispute, and both in his letter addressed to Louis the German,⁶³⁵ and through his legate, the bishop of Ancona, resolutely informed the ruler, the archbishop of Salzburg and his bishops that the rights of the Holy See obtained over Illyria, through *patrimonium Petri*, had not terminated either due to the time elapsed or changes in the territory, and at least one hundred years would have been needed for these rights to lapse.⁶³⁶ In his epistle *Audacia tua*, the Pope summoned Anno, bishop of Freising, whom he called the *instigator* and *auctor* of the proceedings against Methodius,⁶³⁷ to appear in Rome in order to clear himself concerning their unlawful proceedings against Methodius, and for the period they held Methodius in captivity he suspended the exercise of his bishop's rights.⁶³⁸ In his letter *Ad deflendam pravitatem*, the Pope criticised Ermenrich, bishop of Passau in an indignant voice for his violent action, and commanded him to account for his acts in Rome, and until then forbade him to exercise his bishop's rights and consecrate the Eucharist, and, in case he were reluctant to go to Rome, he threatened him with excommunication.⁶³⁹ The charges brought against the bishops asserted that they had unlawfully sat in judgement over an archbishop whom they prevented from appealing to the Pope, and treated him unfairly and humiliatingly.⁶⁴⁰ In his letter addressed to Adalwin, the Pope instructed the archbishop to lead Methodius to Pannonia, and make sure that he could take his archbishop's seat again: Adalwin being the reason for Methodius having been

apostolice sedis auctoritatis frustrabitur, ubi tam gravis molis pravitas immensitas conprobatur; EGGERS 1996. 41; MAB 1964. 216. sqq.

⁶³² LÖWE 1987. 236.

⁶³³ SCHELLHORN 1964. 117. sq.

⁶³⁴ KOSZTOLNYIK 1997. 217.

⁶³⁵ JAFFÉ II. 2970.

⁶³⁶ JAFFÉ II. 2976.

⁶³⁷ MMFH III. 169. sq. *Insper et, cum proprium sancti Petri hominem esse te diceris, adeo ut patrimonii in Germania siti curam gereres, istius fratri et coepiscopi quin potius et missi nostri, de quo nobis maior cura debebatur, vincula et insectiones non solum et fidelis minime nunciasti, sed Rome, cum super eo interrogareris a nostris, te illum nosse mentiendo negasti, cum cunctarum afflictionum sibi a vestratibus illatarum ipse inceptor, ipse instigator, immo ipse fueris auctor.*

⁶³⁸ MMFH III. 169. sq. *De quibus omnibus, nisi adeo fuerit eiusdem venerandi episcopi condicio sana effecta, ut ipse possit omnem suam oblivioni propter Deum iniuriam tradere, Romam rationem redditurus indifferenter occurre; alioquin post mensem Septembrium tamdiu communicandi nullam habeas omnino licentiam, quamdiu non obediendo tuam erga nos ostenderis pertinaciam;* EGGERS 1996. 43.

⁶³⁹ MMFH III. 168.

⁶⁴⁰ SCHELLHORN 1964. 120.

deprived of his dignity, shall ensure that he returns.⁶⁴¹ The Pope reserved the right to pass the final decision in the case.⁶⁴² Archbishop Adalwin might have fulfilled this duty before he died on 14 May 873; Ermenrich departed this life on 26 December 874, Anno in 875; so, as the *Vita Methodii* puts it, they were not able to avoid St Peter's judgement.⁶⁴³

In the following it is worth looking more profoundly at the charges recorded in the *Conversio* that were brought against Methodius in the Council of Regensburg. As a matter of fact it cannot be ascertained if the *Conversio* was drafted as a bill of indictment in the lawsuit or in order to legitimize it subsequently.⁶⁴⁴ In his 1979 edition, Herwig Wolfram, on the grounds of the relevant sentence in chapter fourteen of the *Conversio*,⁶⁴⁵ accepted 871 as the year of drafting;⁶⁴⁶ in his monograph in 1995, however, he modified his position, and based his determination on the medieval form of calculation, which demands that the year indicated in the text should be added to the years passed; accordingly, he finally declared that 870 was the year of dating.⁶⁴⁷ In his edition Fritz Lošek shared this position.⁶⁴⁸

Regarding the person of the author deductions can be made only from some references made in the work; however, it is not possible to identify him with absolute certainty. Wolfram deems it probable that archbishop Adalwin himself might have been the *auctor*, but he phrases his view rather cautiously.⁶⁴⁹ On the other hand, it can be ascertained with utmost probability from a passage in the first person which can be read in the fifth chapter that the author came from Salzburg, Bavaria.⁶⁵⁰ Archbishop Adalwin's authorship is supported by the following considerations: Another formulation in the first person singular directly follows the point of the text where Adalwin is named; so the writer might have named himself.⁶⁵¹ Similarly, one can ponder over the fact that the attribute *piissimus* is used in the text of the *Conversio* as the epitheton of only two persons, and they are

⁶⁴¹ JAFFÉ II. 2975.

⁶⁴² LÖWE 1987. 236. sq.

⁶⁴³ *Vita Methodii* 10; BURR 1964. 56; MAB 1964. 221; EGGERS 1996. 44.

⁶⁴⁴ SCHELLHORN 1964. 118.

⁶⁴⁵ *Conversio* 14. *A tempore igitur, quo dato et praecepto domini Karoli imperatoris orientalis Pannoniae populus a Iuvavensibus regi coepit praesulibus usque in praesens tempus sunt anni LXXV...*

⁶⁴⁶ WOLFRAM 1979. 15; 141.

⁶⁴⁷ WOLFRAM 1995. 193.

⁶⁴⁸ LOŠEK 1997. 6; LOŠEK 2005. 124. sqq.

⁶⁴⁹ WOLFRAM 1995. 197.

⁶⁵⁰ *Conversio* 5. ... *orta seditione, quod carmula dicimus. Cf. Lex Baiuvariorum* 2, 3. *Si quis seditionem excitaverit contra ducem suum, quod Baiuvarii carmulum dicunt.*

⁶⁵¹ *Conversio* 9. ... *et adhuc ipse Adalwinus archiepiscopus per semetipsum regere studet illam gentem in nomine Domini, sicut iam multis in illis regionibus claret locis.; 10. Enumeratis itaque episcopis Iuvavensium conamur, prout veracius in chronicis imperatorum et regum Francorum et Bagoariorum scriptum reperimus, scire volentibus manifestare.*

Adalwin⁶⁵² and Louis the German:⁶⁵³ possibly the author and the addressee of the work.⁶⁵⁴

The *Conversio* formulates the charges against Methodius as follows: "*Usque dum quidam Graecus Methodius nomine noviter inventis Slavinis litteris linguam Latinam doctrinamque Romanam atque litteras auctores Latinas philosophice superducens vilesce fecit cuncto populo ex parte missas et evangelia ecclesiasticumque officium illorum, qui hoc Latine celebraverunt.*"⁶⁵⁵ The *Excerptum de Karentanis* refers to the same in a short sentence: "*Hoc enim observatum fuit, usque dum nova orta est doctrina Methodii philosophi.*"⁶⁵⁶ The apposition *philosophus* used with reference to Methodius in the *Conversio* was originally Constantine's permanent *epitheton ornans*,⁶⁵⁷ and in his letter *Industriae tuae* Pope John VIII (872–882) also called Constantine a philosopher (*Constantino quodam philosopho*).⁶⁵⁸ It indicates Constantine's growing esteem that, in his letter addressed to bishop Gauderich, Anastasius Bibliothecarius calls him *tantus et talis revera philosophus*, and then *mirabilis vere philosophus* and *sapientissimus vir*;⁶⁵⁹ and in Anastasius Bibliothecarius's usage of Constantine's name and the attribute *philosophus* was so much intertwined that he never mentioned him without this apposition.⁶⁶⁰ So, for example, in his *epistola* written in 875 to Charles the Bald he calls him *magnus vir* again,⁶⁶¹ and in the translation of the files of the Council of Constantinople 869 *Constantinus philosophus* is qualified as *magnae sanctitatis vir*,⁶⁶² by him.⁶⁶³ Herwig Wolfram, although with respect to Constantine he does not doubt that the *epitheton* '*philosophus*' was flattering, considers this *appositio* attached to Methodius's name a libel having a damning, defamatory sense.⁶⁶⁴ Wolfram's statement that the *Conversio* assigned Constantine's *epitheton* to his brother, Methodius is most certainly sound, but the assertion that this *appositio*, in accordance with Christian Latinity, bears a negative overtone cannot be accepted in this form; as it was shown by Ludger Bernhard too.⁶⁶⁵ As a matter of fact, it is possible to identify a trend in the Middle Ages both in Latin and Greek literature that rejected philosophy and the Antique heritage in general, but much more dominant was the range that strived to integrate, receive the philosophy and

⁶⁵² *Conversio* 9. ... *anno nativitatis Domini DCCCXXI Adalrammus piissimus doctor sedem Iuvavensem suscepit regendam.*

⁶⁵³ *Conversio* 12. *Pervenit ergo ad notitiam Hludowici piissimi regis, quod Privina benivolus fuit erga Dei servitium et suum.*

⁶⁵⁴ LOŠEK 1997. 6.

⁶⁵⁵ *Conversio* 12.

⁶⁵⁶ *Conversio* 1/E.

⁶⁵⁷ WOLFRAM 1979. 138.

⁶⁵⁸ MGH EE VII. Nr. 255.

⁶⁵⁹ MGH EE VII. Nr. 15.

⁶⁶⁰ About the relations between Anastasius Bibliothecarius and Constantine see H. TÓTH 2003. 126.

⁶⁶¹ MGH EE VII. Nr. 13.

⁶⁶² MGH EE VII. Nr. 5.

⁶⁶³ Cf. BURR 1964. 52; BERNHARD 1987. 25.

⁶⁶⁴ WOLFRAM 1979. 23; 138.

⁶⁶⁵ BERNHARD 1987. 28.

literature of the Antiquity into Christianity, which was backed by Augustine as the most significant *auctoritas* of patristics from the Golden Age,⁶⁶⁶ who deemed it was righteous to use the attribute *philosophus* with regard to any person having expertise in any intellectual activity.⁶⁶⁷

According to the *Excerptum de Karentanis* Methodius brought in *nova doctrina*; in the twelfth chapter of the *Conversio* three points crystallise, the arguments against Methodius were formulated around these: He engaged a negative conduct towards (i) the *lingua Latina*, (ii) the *doctrina Romana*, and (iii) the contempt of the *litterae auctores Latinae*.⁶⁶⁸ These three elements never questioned by the Western Church and its missionaries were presented by Methodius as valueless for the entire people, that is, *philosophice superducens*. As we have seen the term *philosophus* itself did not connote a disparaging overtone; in its wider sense preserved from the Antiquity, it was a synonym of a *man of intellect acting professionally, with expertise*.⁶⁶⁹ On the other hand, the verb *superducere* calls for further explanation: both in its basic and figurative sense⁶⁷⁰ the meaning *to cover over, to cover with, to lay a cover over* provides the starting point.⁶⁷¹ In the terminology of forgiving sins we often meet the synonyms of 'to cover', 'to hide' (*abscondere*,⁶⁷² *tegere*,⁶⁷³ *operire*⁶⁷⁴), while the meaning 'to conceal', 'to hide' might occur in the strictest sense of the word; as, for example, in Cassiodorus's comments on Psalm 118 and Psalm 135,⁶⁷⁵ in which he refers to the relevant scene of the *Exodus*,⁶⁷⁶ and in Wipo's *Gesta Chuonradi I. imperatoris*, in which the author relates the flight of Aribert, bishop of Milan.⁶⁷⁷ On these grounds, the phrase *philosophice superducere* of the *Conversio* can be translated as *to cover with learned argumentation, or to conceal under the guise of education*.⁶⁷⁸

A good example for Methodius's philosophic argumentation is served by the dispute his brother, Constantine carried on in Venice with his adversaries, the Latin

⁶⁶⁶ Cf. Aug. *trin.* 14, 2. ...*exemplo Pythagorae qui cum ausus non fuisset sapientem profiteri, philosophum potius, id est amatorem sapientiae se esse respondit, a quo id nomen exortum ita deinceps posteris placuit ut quantalibet de rebus ad sapientiam pertinentibus doctrina quisque vel sibi vel aliis videretur excellere non nisi philosophus vocaretur.*

⁶⁶⁷ BRUNHÖLZL 1975. 17.

⁶⁶⁸ KRONSTEINER 1997. 149. sqq.; BERNHARD 1987. 30; EGGERS 1996. 78.

⁶⁶⁹ CURTIUS 1961. 215.

⁶⁷⁰ Notker Balbulus, *Gesta Caroli Magni imperatoris* I, 21. *Suggerebant ei praefati patres, ut, quia diabolica se illusione deceptum cognosceret, acrioribus ieiuniis et contritione cordis elemosinarum largitate momentaneum illud peccatum superducere, extenuare vel abluere niteretur.*

⁶⁷¹ BERNHARD 1987. 35.

⁶⁷² Ps. 31, 1. *Beatus cui ... absconditum est peccatum*

⁶⁷³ Ps. 31, 1. *Beati ... quorum tecta sunt peccata in Psalterium Gallicanum. Cf. Biblia Sacra iuxta Vulgatam versionem* I. 804.

⁶⁷⁴ Ps. 84, 3. *Remisisti iniquitates plebis tuae, operuisti omnia peccata eorum.*

⁶⁷⁵ Cassiodorus 884B *Legimus sancti Moysi vultum ita a domino fuisse clarificatum, ut eum Israeliticus populus respicere non valeret; unde velamine superducto loquebatur ad eos.*

⁶⁷⁶ Exod. 34, 29. sqq.

⁶⁷⁷ *Quadam nocte quidam de familiaribus archiepiscopi collocavit se vice ipsius in lecto, quo ipse iacere solebat, et superducto coopertorio latuit, ut ita falleret custodes.* (TRILLMICH 1961. 600. Quodet by BERNHARD 1987. 36.)

⁶⁷⁸ BERNHARD 1987. 36.

bishops, priests and monks, who demanded that he should give an explanation why and how he had created an independent writing for the Slavs, albeit neither the apostles, nor the popes, nor the Fathers of the Church had done that ever before.⁶⁷⁹ At their request, firstly, he replied with several rational arguments adducing to a host of passages from the Bible; namely, that in the East, beyond the frontiers of the Roman and Byzantine Empire there were numerous peoples who praised God in their own language and used their own writing. Secondly, he showed that the doctrine of *triglossia* deriving from Isidorus Hispalensis,⁶⁸⁰ the adherents of which he called *the disciples of Pilatus, Pilatiani*, was diametrically opposed to the Holy Scripture itself since by that they placed themselves on a common platform with the judge who had falsely condemned Jesus.⁶⁸¹ As a matter of fact, the *Vita Constantini* interprets the writing invented by the saint as a product of divine manifestation; it considers the arguments of those who oppose it, i.e., the adherents of *triglossia, teaching-of-three-languages*, arguments that derive from the devil, and puts the reception of the brothers by the Pope in the most favourable light.⁶⁸² The objectives of the brothers visiting Rome (Constantine brought along the relics of St. Clement, pope and martyr, too)⁶⁸³ was adjudged favourably by Pope Adrian II, who gave licence to Methodius to celebrate Mass in Slavonic on his missionary territory,⁶⁸⁴ with the proviso that he should recite the Gospel and the Creed in Latin.⁶⁸⁵

After Pope John VIII had achieved that the Archbishopric of Salzburg released Methodius from captivity, and placed him back to his dignity as archbishop,⁶⁸⁶ he prohibited him to celebrate liturgy in Slavonic.⁶⁸⁷ The violation of this prohibition was what provided the opportunity for the Bavarian bishops to make charges once more against Methodius through Svatopluk's fiduciary clerical, Iohannes (de Venetiis)⁶⁸⁸ in Rome for disseminating heretical tenets contrary to those accepted by the Church. Thereupon, in his letter *Praedicationis tuae* John VIII summoned his legate,⁶⁸⁹ after he had resolutely exhorted him in a letter that he was allowed to offer the Holy Sacrament of the Mass only in Latin or Greek and use Slavonic exclusively in the sermon.⁶⁹⁰ As a result of his visit paid to the Pope, Methodius

⁶⁷⁹ H. TÓTH 2003. 121. sqq.

⁶⁸⁰ H. TÓTH 2003. 92.

⁶⁸¹ *Vita Constantini*—Cyrilli cum translatione Sancti Clementis 15; 16. Cf. DEVOS—MEYVAERT 1964. 68. sq.

⁶⁸² *Vita Constantini*—Cyrilli cum translatione Sancti Clementis 14. About the triglossia see also DUJČEV 1964. 76. sqq.

⁶⁸³ Cf. See also ESSER 1964. 126. sqq.; H. TÓTH 2003. 124.

⁶⁸⁴ SCHELLHORN 1964. 113. sq.

⁶⁸⁵ KOSZTOLNYIK 1997. 216; EGGERS 1996. 78.

⁶⁸⁶ Cf. MMFH III. 169; 191.

⁶⁸⁷ H. TÓTH 2003. 147.

⁶⁸⁸ About the identification of Iohannes de Venetiis see GRIVEC 1960. 105; BOSHOF 1997. 144.

⁶⁸⁹ MGH EE VII. Nr. 201. *Audivimus, quod non ea, que sancta Romana ecclesia ab ipso apostolorum principe didicit et cotidie predicat, tu docendo doceas et ipsum populum in errorem mittas ... ad nos de presenti venire procures, ut ex ore tuo audiamus et veraciter cognoscamus doctrinam tuam.*

⁶⁹⁰ MGH EE VII. Nr. 201. *Audimus etiam, quod missas cantes in barbara, hoc est in Slavina lingua, unde iam litteris nostris per Paulum episcopum Anconitanum tibi directis prohibuimus, ne in ea lingua sacra missarum sollemnia celebrares, sed vel in Latina vel in Graeca lingua, sicut ecclesia Dei toto terrarum orbe diffusa et in*

attained that John VIII granted him licence to celebrate the entire Holy Mass in Slavonic.⁶⁹¹ In his letter *Industriae tuae* addressed to prince Svatopluk I, the Pope expounds that the writing invented by Constantine, the philosopher is not contrary in any respect to the Bible since the Lord should be glorified by each nation and in each language; and that has given licence to Methodius to celebrate mass in Slavonic.⁶⁹² Methodius was of course instructed to hold liturgy for the prince in Latin,⁶⁹³ whereas Slavonic was meant to be used only for the common people⁶⁹⁴ not having command of the Latin language. To this end the Pope also assigned a bishop called Wiching, who celebrated mass in accordance with the Latin Rite, to assist him.⁶⁹⁵ This linguistic duality is indicated also by the term *ex parte* in the relevant sentence of the *Conversio*.⁶⁹⁶ Methodius cleared himself before the body convoked by the Pope also of the charges which asserted that he celebrated mass not in adherence to the Gospel, the teachings of the Apostles and the form bequeathed by the fathers; and that he prayed the Nicene-Constantinopolitan Creed improperly, omitting the term *filioque*; that is, the teaching of the Latin Church that the Holy Spirit proceeded from the Father and *the Son*, as it was expounded by John VIII in his letter written to Svatopluk.⁶⁹⁷

The dogmatic background of the *filioque* controversy can be summed briefly as follows. After the Council of Constantinople 381 proclaimed that the Holy Spirit was consubstantial with the Father and the Son, the relation between the three divine persons had to be clarified. This could crystallise in the process of determining the origin of the second and third divine persons. When setting up this explanation (especially but not exclusively) the Western Fathers of the Church inclined to define the Holy Spirit as proceeding, in order to avoid mingling the substance of the second and third persons, not only from the Father but also from the Son.⁶⁹⁸ This view was supported by Augustinus's reasoning that all the qualities that do not express any difference between the divine persons are common in all the three.⁶⁹⁹ On the basis of all these, so to speak as a natural consequence, did the Western Church include the term *filioque* in the confessions of the

omnibus gentibus dilatata cantat. Praedicare vero aut sermonem in populo facere tibi licet, quoniam psalmista omnes ammonet Dominum gentes laudare et apostolus: „Omnis”, inquit, „lingua confiteatur, quia dominus Iesus in gloria est Dei patris.”

⁶⁹¹ BOSL 1964. 20; BERNHARD 1987. 40.

⁶⁹² MHG EE VII. Nr. 255; EGGERS 1996. 60. sqq.

⁶⁹³ KOSZTOLNYIK 1997. 219; ZAGIBA 1946/47. 63. sq.

⁶⁹⁴ About the expression *populus* see HELLMANN 1964. 161. sqq.; 166.

⁶⁹⁵ MHG EE VII. Nr. 255. ...*si tibi et iudicibus tuis placet missas Latina lingua magis audire, precipimus, ut Latine missarum tibi sollemnia celebrentur.*

⁶⁹⁶ *Conversio* 12.

⁶⁹⁷ MGH EE VII. Nr. 255. ...*Methodium venerabilem archiepiscopum vestrum interrogavimus corampositis fratribus nostris episcopis, si orthodoxe fidei symbolum ita crederet et inter sacra missarum sollemnia caneret, sicuti sanctam Romanam ecclesiam tenere ... constat. Ille autem professus est se iuxta evangelicam et apostolicam doctrinam, sicuti sancta Romana ecclesia docet et a patribus traditum est, tenere et psallere. Nos autem illum in omnibus ecclesiasticis doctrinis et utilitatibus orthodoxum et proficuum esse repperientes vobis iterum ad regendam commissam sibi ecclesiam Dei remisimus.*

⁶⁹⁸ BERNHARD 1987. 43.

⁶⁹⁹ Aug. *trin.* 15, 48.

Apostles' Creed beside the formulation *qui ex patre procedit* with regard to the Holy Spirit, which was uttered first presumably in the Council of Braga 675, and was accepted in that same year in the Council of Toledo that restored unity with the Arian Goths, and was finally made compulsory for Latin Christianity by being adopted by Charlemagne. The controversy between the Latins and the Greeks was referred to Pope Leo III, who accepted that the Holy Spirit proceeded from the Father and the Son, but did not deem it appropriate to transform the Creed in such fashion adverting to the point that in addition to this tenet there were several fundamental dogmas that could not be inserted in the text of the Creed, and that this amendment would produce obtuseness and confusion in popular beliefs.⁷⁰⁰

After that, the conflict seemed to be settled for half a century. Then patriarch Photios, primarily driven by personal political ambitions, thematised the *filioque* dispute again. In 858, the *basileus*, Michael III removed patriarch Ignatios from his seat, and placed Photios in his position, who asked Pope Michael I to give his consent to this because of the conflict that had evolved within the Church concerning this action, but the Pope was not willing to. In 863 qualified his appointment to be patriarch unlawful, and deprived him of his dignity instead. Thereupon, Photios turned to the Frankish ruler, and wanted to have Michael I dethroned as a heretic by adducing to the term in the Creed that, in his view, could be considered only an aberration in Western Latin Christianity, being contrary to the teaching of the Bible;⁷⁰¹ i.e., to *filioque*. And in the counter-synod held in 867 the patriarch had the dethroning and excommunication of the Pope proclaimed.⁷⁰² In their charges the Bavarian bishops made assertions on Methodius's heretic teachings on the essence of the Holy Trinity; i.e., that in the masses celebrated by him Methodius omitted the reference from the Creed that the Holy Spirit proceeded from the Father and *the Son*.⁷⁰³ The rightness of the teaching proclaimed by Methodius was verified by John VIII in his letter *Industriae tuae*; and the fact that Methodius did not add the term *filioque* to the Creed recited in the Mass could not have been a stumbling-block for the Pope either because in Rome the *credo* was continued to be prayed in the mass without this term for several centuries thereafter.⁷⁰⁴ The question might arise that if Methodius unambiguously rejected the *filioque* doctrine, how he was able to protect the true nature of his faith before the Pope. On the other hand, it should be added that several of the Greek Fathers of the Church made efforts to clarify the relation between the second and the third divine persons. For example, around 360, in his letter written to Serapion, Athanasios expounded that the Holy Spirit was connected to the Son by the same relation as the Son to the Father.⁷⁰⁵ Also a formulation equal word for word to the

⁷⁰⁰ BERNHARD 1987. 43.

⁷⁰¹ Cf. *Ioh.* 15, 26.

⁷⁰² H. TÓTH 2003. 119.

⁷⁰³ *Vita Clementis* 17; *Vita Methodii* 12.

⁷⁰⁴ BERNHARD 1987. 45.

⁷⁰⁵ Athanasius, *epist. ad Serapionem* (PG 26. 580.)

Latin phrase *qui a patre filioque procedit* can be found in Cyrillus Alexandrinus's work entitled *Thesaurus de Sancta et Consubstantiali Trinitate*.⁷⁰⁶ Accordingly, when producing evidence of the rightness of his preaching Methodius was able to remain fully in harmony with the thinking of the Eastern Greek Church too. So the Pope reacknowledged his archbishop's rank granted by Adrian II, and licensed his further activity on the territory assigned to him.⁷⁰⁷ However, it is worth noticing that it was to the Moravians and not to Pannonia that Methodius returned, and that later archbishop Theotmar (873–907) most certainly attained that conversion in Pannonia should be performed by Salzburg under Rome's supervision.⁷⁰⁸

From these events we can deduce the fierce conflicts between Methodius and Svatopluk. All the more because Svatopluk turned to John VIII seeking permission, among others, for placing his country directly under the protection of the papacy;⁷⁰⁹ and by his said desire,⁷¹⁰ which the Pope did fulfill, made his conviction and orientation unambiguously clear: Although an archbishop from Byzantium served liturgy in Slavonic in his country, his principality belonged under the authority of Rome.⁷¹¹ Methodius's life was made hard most probably not only by Svatopluk but also by Wiching, appointed bishop of Nitra in 880,⁷¹² whom even the Pope did not stand by against all odds, as it comes out from John VIII's letter *Pastoralis sollicitudinis* addressed to Methodius.⁷¹³ Wiching wanted to take the archbishop's seat of the Moravian Church and encouraged by the Bavarian clergy, launched several campaigns of slander against Methodius asserting that in the controversy it was him the Pope had agreed with in secret, and in order to prove that he did not shrink back even from trying to support this by a forged papal letter.⁷¹⁴

The reason for the conflict should be looked for not so much in Methodius' person but in his effort to build an ecclesiastical organisation around his fundamental idea: the liturgy in Slavonic, which met with the opposition of the

clergy who supported the Latin language. This is indicated by the fact that after Methodius died on 6 April 885 the Latin party immediately took firm action. The letter *Quia te zelo* coaxed from Pope Stephen V by Wiching with accusations against Methodius was received by Svatopluk in the autumn 885.⁷¹⁵ It strongly limited the use of Slavonic in liturgy,⁷¹⁶ and confirmed that the Moravian Church belonged directly under the authority of Rome.⁷¹⁷ And in 886 they attained that Wiching, formerly excommunicated by Methodius but praised by the Pope in his letter *Quia te zelo*,⁷¹⁸ was appointed archbishop.⁷¹⁹ All this greatly helped Svatopluk to extend his independent power. Methodius named Gorazd, who was of Moravian origin, and not one of his adherents from Byzantium for his successor.⁷²⁰ However, after Methodius's death Svatopluk partly had the disciples executed, and partly expelled them from Moravia, because they had become uncomfortable for his political orientation.⁷²¹ Several of them were allowed to stay in Bulgaria and were given the opportunity to cultivate the intellectual heritage of Constantine and Methodius.⁷²²

⁷⁰⁶ Cyrillus Alexandrinus, *Thesaurus de Sancta et Consubstantiali Trinitate* (PG 75. 585.)

⁷⁰⁷ MGH EE VII. Nr. 255. *Nos autem illum in omnibus ecclesiasticis doctrinis et utilitatibus orthodoxum et proficuum esse repperientes vobis iterum ad regendam commissam sibi ecclesiam Dei remisimus. Contemptis aliis seculi huius principibus beatum Petrum apostolici ordinis principem vicariumque illius habere patronum et in omnibus adiutorem ac defensorem pariter cum nobilibus viris fidelibus tuis et cum omni populo terre tue amore fidelissimo elegisti.*

⁷⁰⁸ KOSZTOLNYIK 1997. 218.

⁷⁰⁹ MGH EE VII. Nr. 255.

⁷¹⁰ About the protection of the papacy requested by the Langobards see JARNUT 1982. 118. sq.

⁷¹¹ RICHTER 1985. 289.

⁷¹² BOSHOF 1997. 145; EGGERS 1996. 60. Cf. BOSL 1964. 11. sq.

⁷¹³ MMFH III. 211. sq. *Verum auditis per tuas litteras variis casibus vel eventibus tuis, quanta compassione tibi condoluerimus, ex hoc advertere poteris, in quo te coram nobis positum sancte Romane ecclesie doctrinam iuxta sanctorum patrum probabilem traditionem sequi debere monuimus et tam symbolum quam rectam fidem a te docendam et predicandam subdimus nostrisque apostolicis litteris glorioso principi Spilentopulcho, quas ei assersisse delatas, hoc ipsum significavimus, et neque alie littere nostre ad eum directe sunt, neque episcopo illi palam vel secreto aliud faciendum iniunximus, et aliud a te peragendum decrevimus, quanto minus credendum est, ut sacramentum ab eodem episcopo exigeremus, quem saltem levi sermone super hoc negotio allocuti non fuimus. Ideo cesset ista dubietas ... Ceterum de aliis temptationibus, quas diverso modo perpersus es, noli tristari.*

⁷¹⁴ BOSL 1964. 19; H. TÓTH 2003. 150.

⁷¹⁵ MMFH III. 217. sqq.

⁷¹⁶ H. TÓTH 2003. 164.

⁷¹⁷ RICHTER 1985. 290.

⁷¹⁸ MMFH III. 221. sq. *In qua et Wichingum venerandum episcopum et carissimum confratrem ecclesiastica doctrina eruditum repperimus et ideo eum vobis ad regendam sibi commissam a Deo ecclesiam remisimus, quia fidelissimum eum tibi et pro te satis sollicitum in omnibus agnovimus.*

⁷¹⁹ DITTRICH 1962. 272. sqq.

⁷²⁰ *Vita Methodii* 17; GRIVEC 1960. 142. sqq.

⁷²¹ BOSL 1964. 22; KOSZTOLNYIK 1997. 221; EGGERS 1996. 69. sqq.

⁷²² DOPSCH 1987. 335.

ABBREVIATIONS

I. Abbreviations of sources

Aethicus Ister, *Cosmographia* Ed. O. Prinz, Monumenta Germaniae Historica, Quellen zur Geistesgeschichte des Mittelalters 14. München 1993.

Alcuin, *Epistulae* Ed. E. Dümmler. Monumenta Germaniae Historica, Epistulae 4. Berlin 1895.

Annales Admontenses Ed. W. Wattenbach. Monumenta Germaniae Historica, Scriptores 9. Hannover 1851.

Annales Bertiniani Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores rerum Germanicarum Hannover 1883.

Annales Fuldenses Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 1. Hannover 1826; Ed. F. Kurze–H. Häfele. Monumenta Germaniae Historica, Scriptores rerum Germanicarum Hannover 1891.

Annales Iuvavenses maximi Ed. H. Bresslau. Monumenta Germaniae Historica, Scriptores 30/2. Hannover 1934.

Annales Iuvavenses maiores Ed. H. Bresslau. Monumenta Germaniae Historica, Scriptores 30/2. Hannover 1934.

Annales Iuvavenses minores Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 1. Hannover 1826.

Annales Laureshamenses Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 1. Hannover 1826.

Annales Lobienses Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores 13. Hannover 1881.

Annales Maximiani Continuatio Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores 13. Hannover 1881.

Annales Mettenses priores Ed. B. Simson. Monumenta Germaniae Historica, Scriptores rerum Germanicarum 10. Hannover–Leipzig 1905.

Annales Mosellani Ed. J. M. Lappenberg. Monumenta Germaniae Historica, Scriptores 16. Hannover 1859.

Annales Nazariani Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores rerum Germanicarum 1. Hannover 1826.

Annales Petaviani Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 1. Hannover 1826.

Annales qui dicuntur Einhardi Ed. F. Kurze. Monumenta Germaniae Historica, Scriptores rerum Germanicarum 6. Hannover 1895.

Annales regni Francorum Ed. F. Kurze. Monumenta Germaniae Historica, Scriptores rerum Germanicarum 6. Hannover 1895.

Annalium Tiliatorum Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 1. Hannover 1826.

Augustinus, *De trinitate* Ed. B. Dombart–A. Kalb. Corpus Christianorum, Series Latina 47–48. Turnhout 1981.

Biblia Sacra iuxta

Vulgatam versionem I. Ed. R. Weber. Stuttgart 1975.

Bonifatius, *Epistolae* Ed. M. Tangl. Monumenta Germaniae Historica, Epistulae selectae. Berlin 1916.

Breviarius Uolfi Ed. K. Roth. Beiträge zur deutschen Sprach-, Geschichts- und Ortsforschung 3, 11. 1854.

Breves Notitiae Ed. F. Lošek. Mitteilungen der Gesellschaft für Salzburger Landeskunde 130. 1990; In: Quellen zur Salzburger Frühgeschichte. Veröffentlichungen des Instituts für österreichische Geschichtsforschung 44; Mitteilungen des Instituts für österreichische Geschichtsforschung Ergänzungsband, 22. Hrsg. v. H. Wolfram. Wien–München 2006.

Capitulare Aquitanicum Ed. A. Boretius–V. Krause. Monumenta Germaniae Historica, Capitularia 1–2. Hannover 1883–1897.

Capitulare Bononiense Ed. A. Boretius–V. Krause. Monumenta Germaniae Historica, Capitularia 1–2. Hannover 1883–1897.

Capitulare Italicum Ed. A. Boretius–V. Krause. Monumenta Germaniae Historica, Capitularia 1–2. Hannover 1883–1897.

Capitulare Missorum

Aquisgranense Ed. A. Boretius–V. Krause. Monumenta Germaniae Historica, Capitularia 1–2. Hannover 1883–1897.

Capitulare Missorum Generale Ed. A. Boretius–V. Krause. Monumenta Germaniae Historica, Capitularia 1–2. Hannover 1883–1897.

Cassiodorus, *Variae epistolae* Ed. Th. Mommsen. Monumenta Germaniae Historica, Auctores Antiquissimi 12. Berlin 1894.

Chronicon Moissiacense Ed. G. H. Pertz. Monumenta Germaniae Historica, Scriptores 2. Hannover 1829.

Chronicon Vedastinum Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores 13. Hannover 1881.

Codex Carolinus Ed. W. Gundlach. Monumenta Germaniae Historica, Epistolae 3. Berlin 1892.

Concilium Dingolfingense Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 1. Hannover–Leipzig 1906.

Concilium Francofurtense Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 2/1. Hannover–Leipzig 1906.

Concilium Germanicum Ed. R. Rau. Quellen zur deutschen Geschichte des Mittelalters 4b. Darmstadt 1968.

Concilium Romanum Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 2/1. Hannover–Leipzig 1906.

Concilium Sardonicense Sacrorum Conciliorum nova et amplissima collectio 3. Ed. J. D. Mansi. Graz 1960. Graz 1960.

Constantinus Porphyrogenitus,

De administrando imperio, Ed. Gy. Moravcsik–R. J. H. Jenkins. Corpus fontium historiae Byzantinae 1–2. Dumbarton Oaks 1962.

Continuationes Fredegarii Ed. B. Krusch. Monumenta Germaniae Historica, Scriptores 2. Hannover 1888.

Conventus episcoporum

ad ripas Danubii Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 2/1. Hannover–Leipzig 1906.

Conversio Bagoariorum

et Carantanorum Ed. W. Wattenbach. Monumenta Germaniae Historica, Scriptores 11. 1854; Ed. F. Lošek. Monumenta Germaniae Historica, Studien und Texte 15. Hannover 1997.

De ordine conprovincialium

pontificum Ed. E. Dümmler. Monumenta Germaniae Historica, Poetae Latini 2. Berlin 1884.

Einhardus, *Vita Karoli magni* Ed. O. Holder-Egger. Monumenta Germaniae Historica, Scriptores rerum Germanicarum Hannover 1911.

Gesta s. Hrodberti confessoris Ed. W. Levison. Monumenta Germaniae Historica, Scriptores rerum Merovingicarum 6. Hannover–Leipzig 1913.

Gregorius II., *Litterae decretales* Ed. J. Merkel. Monumenta Germaniae Historica, Leges in folio 3. Hannover 1863.

Historia Langobardorum

codicis Gothani Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores rerum Langobardicarum Hannover 1878.

Isidorus Hispalensis,

Etymologiae sive origines Ed. W. M. Lindsay. Oxford 1911.

Jaffé *Regesta pontificum Romanorum*. Ed. Ph. Jaffé. Graz 1956.

Lex Baiuvariorum Ed. E. v. Schwind. Monumenta Germaniae Historica, Leges nat. Germ. 5, 2. Hannover 1926.

Liber confraternitatum

sancti Petri Salisburgensis vetustior Ed. S. Herzberg-Fränk. Monumenta Germaniae Historica, Necrologia 2. Berlin 1904; Das Verbrüderungsbuch von St. Peter in Salzburg. Ed. K. Forstner. Codices Selecti 51. Graz 1974.

Liber pontificalis Ed. L. Duchense. Le liber pontificalis 1. Paris 1886.

Necrologium Tegernseense Ed. F. L. Baumann. Monumenta Germaniae Historica, Necrologia 3. Berlin 1905.

Necrologium Weltenburgense Ed. F. L. Baumann. Monumenta Germaniae Historica, Necrologia 3. Berlin 1905.

Notitia Arnonis Ed. F. Lošek. Mitteilungen der Gesellschaft für Salzburger Landeskunde 130. 1990; In: Quellen zur Salzburger Frühgeschichte. Veröffentlichungen des Instituts für österreichische Geschichtsforschung 44; Mitteilungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 22. Hrsg. v. H. Wolfram. Wien–München 2006.

Notitia episcopatum Ed. G. Parthey. Berlin 1866.

Notitia concilii Rispacensis Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 2/1. Hannover–Leipzig 1906.

Notitia de pacto fraternitatis

episcoporum et abbatum

Bawaricorum Ed. A. Werminghoff. Monumenta Germaniae Historica, Concilia aevi Karolini 2, 1/1. Hannover–Leipzig 1906.

Notker Balbulus,

Gesta Caroli Magni imperatoris Ed. H. F. Haefele. Monumenta Germaniae Historica, Scriptores rerum Germanicarum NS 12. Berlin 1959.

Paulus Diaconus,

Historia Langobardorum Ed. G. Waitz. Monumenta Germaniae Historica, Scriptores rerum Langobardicarum Hannover 1878.

Regino, *Chronica* Ed. F. Kurze. Monumenta Germaniae Historica, Scriptores rerum Germanicarum Berlin 1890.

Responsa Nicolai Papae I.

ad Consulta Bulgarorum Ed. E. Perels. Monumenta Germaniae Historica, Epistulae 4/4. Berlin 1925.

Rhythmus de Pippini regis

victoria Avarica Ed. E. Dümmler. Monumenta Germaniae Historica, Poetae Latini 1. Berlin 1881.

SUB Salzburger Urkundenbuch I. Hrsg. v. W. Hauthaler. Salzburg 1910. II. Hrsg. W. Hauthaler u. F. Martin. Salzburg 1916.

Traditio Frisingensis Ed. Th. Bitterauf. Quellen und Erörterungen zur bayerischen und deutschen Geschichte, Neue Folge 4–5. München 1905–1909.

Traditio Pataviensis Ed. M. Heuwieser. Quellen und Erörterungen zur bayerischen und deutschen Geschichte, Neue Folge 6. München 1930.

Vita Clementis Magnae Moraviae Fontes Historici 2. Brno 1967.

Vita Constantini–Cyrilli

cum translatione Sancti Clementis Magnae Moraviae Fontes Historici 2. Brno 1967.

Vita Methodii Magnae Moraviae Fontes Historici 2. Brno 1967.

Vita Sturmi Ed. P. Engelbert. Veröffentlichungen der Historischen Kommission für Hessen und Waldeck 29. Marburg 1968.

Vita Bonifatii auctore Willibaldo Ed. W. Levison. Monumenta Germaniae Historica, Scriptores rerum Germanicarum in usum schol. 57. Hannover–Leipzig 1905.

II. Bibliographical abbreviations

ABEL–SIMSON 1969. Abel, S.–Simson, B.: *Jahrbücher des fränkischen Reiches unter Karl dem Großen I–II*. Berlin 1883. (Neudruck 1969.)

AIRLIE 1999. Airlie, S.: *Narratives of triumph and rituals of submission: Charlemagne's mastering of Bavaria*. In: Transactions of the Royal Historical Society, 6th series 9. 1999.

ANGELOV 1980. Angelov, D.: *Die Entstehung des bulgarischen Volkes*. Berlin 1980.

BAUERREIß 1958. Bauerreiß, R.: *Kirchengeschichte Bayerns I*. St. Ottilien 1958².

BECHER 1993. Becher, M.: *Eid und Herrschaft. Untersuchungen zum Herrescherethos Karls des Großen*. Vorträge und Forschungen Sonderband 39. Sigmaringen 1993.

BECHER 2005. Becher, M.: *Zwischen Macht und Recht. Der Sturz Tassilos III. von Bayern 788*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. L. Kolmer–Chr. Rohr. Regensburg 2005.

BERNHARD 1987. Bernhard, L.: *Die Rechtgläubigkeit der Slawenmissionare aus römischer Sicht*. In: Der heilige Method, Salzburg und die Slawenmission. Hrsg. v. Th. Piffel–Perčević u. A. Stirnemann. Innsbruck–Wien 1987. 24.

BERTHOLET 1926. Bertholet, A.: *Amulette und Talismane*. In: Die Religion in Geschichte und Gegenwart. Tübingen 1926.

BERTOLINI 1967. Bertolini, O.: *Carlomagno e Benevento*. In: Karl der Große. Lebenswerk und Nachleben I. Düsseldorf 1967.

BEŠEVLEV 1971. Beševlev, V.: *Zur Frage der slavischen Einsiedlungen im Hinterland von Thessalonike im 10. Jahrhundert*. In: Serta slavica in memoriam A. Schmaus. München 1971.

BEŠEVLEV 1981. Beševlev, V.: *Die protobulgarische Periode der bulgarischen Geschichte*. Amsterdam 1981.

BIEHL 1937. Biehl, L.: *Das liturgische Gebet für Kaiser und Reich*. Veröffentlichungen der Görres-Gesellschaft, Sektion für Rechts- und Staatswissenschaft 75. Paderborn 1937.

BOGYAY 1960. Bogyay, T. von: *Die Kirchenorte der Conversio Bagoariorum et Carantanorum. Methoden und Möglichkeiten ihrer Lokalisierung*. Südost-Forschungen 19. 1960.

BÓNA 1966. Bóna, I.: *Cundpald fecit. Der Kelch von Petőháza und die Anfänge der bayrisch-fränkischen Awarenmission in Pannonien*. AArch. 18. 1966.

BOSHOF 1997. Boshof, E.: *Die Passauer Mission*. In: 1000 Jahre Ostarrichi – Seine christliche Vorgeschichte. Mission und Glaube im Austausch zwischen Orient und Okzident. Pro Oriente 19. Innsbruck–Wien 1997.

BOSL 1964. Bosl, K.: *Probleme der Missionierung des böhmisch-mährischen Herrschaftsraumes*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

BREATNACH 1985. Breatnach, P. A.: *Über Beginn und Eigenart der irischen Mission auf dem Kontinent einschließlich der irischen Missionare in Bayern*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

BRUNHÖLZL 1975. Brunhölzl, F.: *Geschichte der lateinischen Literatur des Mittelalters I*. München 1975.

BUJNOC 1972. Bujnoc, J.: *Zwischen Rom und Byzanz*. Slavische Geschichtsschreiber I. Graz–Wien–Köln 1972.

BUND 1979. Bund, K.: *Thronsturz und Herrscherabsetzung im Frühmittelalter*. Bonner Historische Forschungen 44. Bonn 1979.

BURR 1964. Burr, V.: *Anmerkungen zum Konflikt zwischen Methodius und den bayerischen Bischöfen*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

BURY 1912. Bury, J. B.: *A History of the Eastern Roman Empire from the Fall of Irene to the Accession of Basil I (802–867)*. London 1912.

CLASSEN 1983. Classen, P.: *Bayern und die politischen Mächte im Zeitalter Karls des Großen und Tassilos III.* In: Ausgewählte Aufsätze. Vorträge und Forschungen 28. Sigmaringen 1983.

CLASSEN 1985. Classen, P.: *Karl der Große, das Papsttum und Byzanz. Die Begründung des karolingischen Kaisertums*. Sigmaringen 1985.

CURTIUS 1961. Curtius, E. R.: *Europäische Literatur und lateinisches Mittelalter*. Bern–München 1961³.

DAHN 1977. Dahn, F.: *Die Könige der Germanen IX. 2. Die Baiern*. Hildesheim 1977.

DEÉR 1966. Deér, J.: *Karl der Grosse und der Untergang des Awarenreiches*. In: Karl der Grosse. Lebenswerk und Nachleben I. Hrsg. v. W. Braunsfels. Düsseldorf 1966.

DEVOS–

MEYVAERT 1964. Devos, P.–Meyvaert, P.: *La date de la première rédaction de la „Légende Italique“*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

DIESENBERGER–

WOLFRAM 2004. Disenberger, M.–Wolfram, H.: *Arn und Alcuin 790 bis 804: zwei Freunde und ihre Schriften*. In: Erzbischof Arn von Salzburg. Hrsg. v. M. Niederkorn-Bruck–A. Scharer. Veröffentlichungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 40. Wien–München 2004.

DITTRICH 1962. Dittrich, Z. R.: *Christianity in Great-Moravia*. Groningen 1962.

DOPSCH 1976. Dopsch, H.: *Adel und Kirche als gestaltende Kräfte in der frühen Geschichte des Südostalpenraums*. Carinthia 166. 1976.

DOPSCH 1987. Dopsch, H.: *Slawenmission und päpstliche Politik – Zu den Hintergründen des Methodios-Konfliktes*. In: Der heilige Method, Salzburg und die Slawenmission. Hrsg. v. Th. Piffel-Perčević u. A. Stirnemann. Innsbruck–Wien 1987.

DOPSCH 1997. Dopsch, H.: *Rupert, Virgil und die Salzburger Slawenmission*. In: 1000 Jahre Ostarrichi – Seine christliche Vorgeschichte. Mission und Glaube im Austausch zwischen Orient und Okzident. Pro Oriente 19. Innsbruck–Wien 1997.

DUJČEV 1964. Dujčev, I.: *Note sulla Vita Constantini-Cyrilli*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

DUJČEV 1965. Dujčev, I.: *Die Responsa Nicolai Papae I. ad consulta Bulgarorum als Quelle für die bulgarische Geschichte*. In: Medioevo Bizantino-Slavo I. Roma 1965.

DUJČEV 1971. Dujčev, I.: *Au lendemain de la conversion du peuple Bulgare*. In: Medioevo Bizantino-Slavo III. Roma 1971.

DÜMMLER 1887–1888. Dümmler, E.: *Geschichte des ostfränkischen Reiches I–III*. Leipzig 1887–1888.

DVORNIK 1926. Dvornik, F.: *Les Slaves, Byzance et Rome au IX^e siècle*. Paris 1926.

DVORNIK 1948. Dvornik, F.: *The Photian Schism*. Cambridge 1948.

DVORNIK 1963. Dvornik, F.: *The Patriarch Photius and the Roman Primacy*. Chicago Studies 2. 1963.

DVORNIK 1964. Dvornik, F.: *Byzantium, Rome, the Franks, and the Christianisation of the Southern Slavs*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

EGGERS 1996. Eggers, M.: *Das Erzbistum des Method. Lage, Wirkung und Nachleben der kyrillomethodianischen Mission*. Slavistische Beiträge 339. München 1996.

EHRENBERG 1877. Ehrenberg, V.: *Commendation und Huldigung*. Weimar 1877.

ERKENS 1998. Erken, F.-R.: *Der Herrscher als gotes drūt. Zur Salralität des ungesalbten ostfränkischen Königs*. Hist. Jb. 118. 1998.

ERKENS 2005. Erken, F.-R.: *Summus princeps und dux quem rex ordinavit. Tassilo III. im Spannungsfeld von fürstlichem Selbstverständnis und königlichem Auftrag*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. Kolmer, L.–Rohr, Chr. Regensburg 2005.

ERLER 1978. Erler, A.: *Herzog Tassilo vor dem Königsgerecht in Ingelheim*. Beiträge zur Ingelheimer Geschichte 27. 1978.

ESSER 1964. Esser, A.: *Wo fand der hl. Konstantin-Kyrill die Gebeine des hl. Clemens von Rom?* In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

EWIG 1955. Ewig, E.: *Das Bild Constantins des Großen in den ersten Jahrhunderten des abendländischen Mittelalters*. Historisches Jahrbuch 75. 1955.

EWIG 1956. Ewig, E.: *Zum christlichen Königsgedanken des Mittelalters*. In: Das Königtum. Seine geistigen und rechtlichen Grundlagen. Hrsg. v. Th. Mayer. 1956.

EWIG 1988. Ewig, E.: *Die Merowinger und das Frankenreich*. Stuttgart–Berlin–Köln–Mainz 1988.

FICHTENAU 1986. Fichtenau, H.: *Die Reihung von Zeugen und Konsentienten*. In: Beiträge zur Mediävistik 3. Stuttgart 1986.

FORSTNER 1985. Forstner, K.: *Das Salzburger Skriptorium unter Virgil und das Verbrüderungsbuch von St. Peter*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

FREUND 2004. Freund, S.: *Von den Agilolfingern zu den Karolingern. Bayerns Bischöfe zwischen Kirchenorganisation, Reichsintention und karolingischer Reform (700–847)*. Schriften zur bayerischen Landesgeschichte 144. München, 2004.

FREUND 2005. Freund, S.: *Von Tassilo zu Karl dem Großen. Die Salzburger (Erz-)Bischöfe und die Reichspolitik*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. L. Kolmer–Chr. Rohr. Regensburg 2005.

GAUERT 1962. Gauert, A.: *Das Zepter Herzog Tassilos III*. Deutsches Archiv für Erforschung des Mittelalters 18. 1962.

GRIVEC 1960. Grivec, F.: *Konstantin und Method. Lehrer der Slaven*. Wiesbaden 1960.

GRIVEC 1964. Grivec, F.: *Erlebnisse und Forschungsergebnisse*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

GROSJEAN 1960. Grosjean, P.: *Virgile de Salzbourg en Irlande*. Analecta Bollandiana 78. 1960.

GROTZ 1970. Grotz, H.: *Erbe wider Willen. Hadrian II. (867–872) und seine Zeit*. Wien–Köln–Graz. 1970.

H. TÓTH 2003. H. Tóth I.: *Cirill-Konstantin és Metód élete, működése*. (Life and Work of Cyrill-Constantine and Methodius.) Szeged 2003³.

HAGEMANN 1974. Hagemann, H. R.: *Vom Verbrechenskatalog des altheutschen Strafrechts*. Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung 91. 1974.

HAIDER 1972. Haider, S.: *Zur Baugeschichte des Salzburger Virgil-Domes*. Mitteilungen des Instituts für österreichische Geschichtsforschung 80. 1972.

HAUCK 1954. Hauck, A.: *Kirchengeschichte Deutschlands*. Berlin–Leipzig 1954⁸.

HELLMANN 1964. Hellmann, M.: *Der Begriff „populus“ in der Conversio Bagoariorum et Carantanorum*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

HERGERÖTHER 1867. Hergenröther, J.: *Photius, Patriarch von Konstantinopel I*. Regensburg 1867.

HERMANN 1965. Hermann, E.: *Slawisch-germanische Beziehungen im südostdeutschen Raum von der Spätantike bis zum Ungarnsturm*. Veröffentlichungen des Collegium Carolinum 17. München 1965.

HERMANN 1996. Hermann, K. F.: *Geschichte der Erzabtei St. Peter zu Salzburg I*. Salzburg 1996.

HESSLER 1978. Hessler, W.: *Complacitatio*. Zeitschrift für bayerische Landesgeschichte 41. 1978.

HIRSCH 1963. Hirsch, H.: *Der mittelalterliche Kaisergedanke in den liturgischen Gebeten*. In: Heidenmission und Kreuzzugsgedanke in der deutschen Ostpolitik des Mittelalters. Hrsg. v. H. Beumann. Wege der Forschung 70. Darmstadt 1963.

HIRZEL 1908. Hirzel, R.: *Der Selbstmord*. Archiv für Religionswissenschaft 11. 1908.

HOFFMANN 1958. Hoffmann, H.: *Untersuchungen zur karolingischen Annalistik*. Bonner Historische Forschungen 10. Bonn 1958.

JAHN 1988. Jahn, J.: *Tradere ad Sanctum. Politische und gesellschaftliche Aspekte der Traditionspraxis im agilolfingischen Bayern*. In: Gesellschaftsgeschichte 1. 1988.

JAHN 1990. Jahn, J.: *Virgil, Argeo und Cozroh. Verfassungsgeschichtliche Beobachtungen an bairischen Quellen des 8. und 9. Jahrhunderts*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 130. 1990.

JAHN 1991. Jahn, J.: *Ducatus Baiuvariorum. Das bairische Herzogtum der Agilolfinger*. Monographien zur Geschichte des Mittelalters 35. Stuttgart 1991.

JARNUT 1982. Jarnut, J.: *Geschichte der Langobarden*. Stuttgart–Berlin–Köln–Mainz 1982.

JARNUT 1991. Jarnut, J.: *Genealogie und politische Bedeutung der agilolfingischen Herzöge*. Mitteilungen des Instituts für österreichische Geschichtsforschung 99. 1991.

KAHL 1980. Kahl, H.-D.: *Zwischen Aquileia und Salzburg. Beobachtungen und Thesen zur Frage romanischen Restchristentums im nachvölkerwanderungszeitlichen Binnen-Noricum*. In: Die Völker an der mittleren und unteren Donau im fünften und sechsten Jahrhundert. Hrsg. v. H. Wolfram u. F. Daim. Wien 1980.

KAHL 1985. Kahl, H.-D.: *Virgil und die Salzburger Slawenmission*. In: Virgil von Salzburg – Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

KERNER 1977/78. Kerner, M.: *Der Reinigungseid Leos III. vom Dezember 800. Die Frage seiner Echtheit und frühen kanonistischen Überlieferung*. Zeitschrift des Aachener Gerichtvereins 84/85. 1977/78.

KIENAST 1990. Kienast, W.: *Die fränkische Vasallität. Von den Hausmeiern bis zu Ludwig dem Kinde und Karl dem Einfältigen*. Frankfurt a. M. 1990.

KLEBEL 1955. Klebel, E.: *Bayern und der fränkische Adel im 8. und 9. Jahrhundert*. In: Grundfragen der alemannischen Geschichte. Mainvorträge 1952. Vorträge und Forschungen 1. 1955.

KOLMER 1980. Kolmer, L.: *Zur Kommendation und Absetzung Tassilos III.* Zeitschrift für bayerische Landesgeschichte 43. 1980.

KOLMER 1999. Kolmer, L.: *Regensburg oder Salzburg? Die Christianisierung der Bayern und die Errichtung kanonischer Bistümer*. In: 1200 Jahre Erzbistum Salzburg. Die älteste Metropole im deutschen Sprachraum. Hrsg. v. H. Dopsch–P. F. Kramml–A. S. Weiß. Salzburg 1999.

KOLMER 2005. Kolmer, L.: *Tassilo überschreiben*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. L. Kolmer–Chr. Rohr. Regensburg 2005.

KOSZTOLNYIK 1997. Kosztolnyik Z.: *Róma és a területi egyház küzdelme a közép Duna-medencében a 9. század folyamán*. (Struggle between Rome and the Local Church in Middle-Danube-basin in the 9th century.) Aetas 1997/2–3.

KRAWINKEL 1937. Krawinkel, H.: *Untersuchungen zum fränkischen Benefizialrecht*. Forschungen zum deutschen Recht II/2. Weimar 1937.

KRISTÓ 1998. Kristó Gy.: *Regino és a magyar honfoglalás*. (Regino and the Hungarian Conquest.) In: Studia varia. Tanulmányok Szádeczky-Kardoss Samu nyolcvanadik születésnapjára. Szeged 1998.

KRONSTEINER 1997. Kronsteiner, O.: *Die Übersetzungstätigkeit des hl. Method in der Salzburger Kirchenprovinz*. In: 1000 Jahre Ostarrichi – Seine christliche Vorgeschichte. Mission und Glaube im Austausch zwischen Orient und Okzident. Pro Oriente 19. Innsbruck–Wien 1997.

KRUMBACHER 1897. Krumbacher, K.: *Geschichte der byzantinischen Literatur*. München 1897.

LHOTSKY 1963. Lhotsky, A.: *Quellenkunde zur mittelalterlichen Geschichte Österreichs*. Graz–Köln 1963.

LOŠEK 1990. Lošek, F.: *Notitia Arnonis und Breves Notitiae. Die Salzburger Güterverzeichnisse um 800*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 130. 1990.

LOŠEK 1997. Lošek, F.: *Die Conversio Bagoariorum et Carantanorum und der Brief des Erzbischofs Theotmar von Salzburg*. Monumenta Germaniae Historica, Studien und Texte 15. Hannover 1997.

LOŠEK 2005. Lošek, F.: *Sieben Fragen zu sieben ausgewählten lateinischen Denkmälern des Salzburger Frühmittelalters – Gemeinsamkeiten und Unterschiede*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. L. Kolmer–Chr. Rohr. Regensburg 2005.

LOŠEK 2006. Lošek, F.: *Notitia Arnonis und Breves Notitiae*. In: Quellen zur Salzburger Frühgeschichte. Veröffentlichungen des Instituts für österreichische Geschichtsforschung 44; Mitteilungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 22. Hrsg. v. H. Wolfram. Wien–München 2006.

LÖWE 1937. Löwe, H.: *Die karolingische Reichsgründung und der Südosten. Studien zum Werden des Deutschtums und seiner Auseinandersetzung mit Rom*. Forschungen zur Kirchen- und Geistesgeschichte 13. Stuttgart 1937.

LÖWE 1948. Löwe, H.: *Der Streit um Methodius. Quellen zu den nationalkirchlichen Bestrebungen in Mähren und Pannonien im 9. Jahrhundert*. 1948.

LÖWE 1949. Löwe, H.: *Die Herkunft der Bajuwaren*. Zeitschrift für bayerische Landesgeschichte 15. 1949.

LÖWE 1951. Löwe, H.: *Ein literarischer Widersacher des Bonifatius, Virgil von Salzburg und die Kosmographie des Aethicus Ister*. Akademie der Wissenschaften und Literatur in Mainz. Abhandlungen der geistes- und sozialwissenschaftlichen Klasse 11. 1951.

LÖWE 1953. Löwe, H.: *Die Reichsannalen*. In: *Deutschlands Geschichtsquellen im Mittelalter. Vorzeit und Karolinger II*. Weimar 1953.

LÖWE 1965. Löwe, H.: *Bonifatius und die bayerisch-fränkische Spannung. Ein Beitrag zur Geschichte der Beziehungen zwischen dem Papsttum und den*

Karolingern. In: Zur Geschichte der Bayern. Hrsg. v. K. Bosl. Wege der Forschung 60. Darmstadt 1965.

LÖWE 1975. Löwe, H.: *Salzburg als Zentrum literarischen Schaffens im 8. Jahrhundert*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 115. 1975.

LÖWE 1982. Löwe, H.: *Cyrrill und Methodius zwischen Byzanz und Rom*. Settimane di studio del Centro italiano di studi sull' alto medioevo 30. 1982.

LÖWE 1987. Löwe, H.: *Ermenrich von Passau, Gegner des Methodios. Versuch eines Persönlichkeitsbildes*. In: Der heilige Method, Salzburg und die Slawenmission. Hrsg. v. Th. Piffl-Perčević u. A. Stimemann. Innsbruck-Wien 1987.

MANITIUS 1911. Manitius, M.: *Geschichte der lateinischen Literatur des Mittelalters I*. München 1911.

MARÓT 1947. Marót K.: *Zum römischen Managlauben*. Egyetemes Philológiai Közlöny 69. 1947.

MAB 1964. MAB, J.: *Bischof Anno von Freising*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

MAYER 1919. Mayer, E.: *Italienische Verfassungsgeschichte von der Gothenzeit bis zur Zunft Herrschaft I–II*. Leipzig 1919.

MCKITTERICK 2001. McKitterick, R.: *Social memory, commemoration and the book*. In: Reading and the Book in the Middle Ages. Ed. by S. Ridyard. Sewanee Medieval Studies 11. 2001.

MCKITTERICK 2004. McKitterick, R.: *Geschichte und Gedächtnis im frühmittelalterlichen Bayern*. In: Erzbischof Arn von Salzburg. Hrsg. v. M. Niederkorn-Bruck–A. Scharer. Veröffentlichungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 40. Wien–München 2004.

MITTEIS 1958. Mitteis, H.: *Lehnrecht und Staatsgewalt*. Darmstadt 1958.

MITTERAUER 1963. Mitterauer, M.: *Karolingische Markgrafen im Südosten. Fränkische Reichsaristokratie und bayerischer Stammesadel im österreichischen Raum*. Archiv für österreichische Geschichte 123. Wien 1963.

MOISL 1985. Moisl, H.: *Das Kloster Iona und seine Verbindungen mit dem Kontinent im siebenten und achten Jahrhundert*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

NIELSSON 1911. Nielsson, M. P.: *Primitive Religion*. Tübingen 1911.

NORWOOD 1946. Norwood, F. A.: *The Political Pretensions of Pope Nicolas I*. Church History 15. 1946.

NÓTÁRI 2005. Nótári T.: *Források Salzburg kora középkori történetéből*. (Sources from the Early Medieval History of Salzburg.) Szeged 2005.

NÓTÁRI 2007. Nótári T.: *A salzburgi historiográfia kezdetei*. (Beginnings of the Historiography of Salzburg.) Szegedi Középkortörténeti Könyvtár 23. Szeged 2007.

OELSNER 1975. Oelsner, L.: *Jahrbücher des fränkischen Reiches unter König Pippin*. Berlin 1975.

OLAJOS 2001. Olajos T.: *A IX. századi avar történelem görög nyelvű forrásai*. (Greeak Sources of the Avar History of the 9th Century.) SzKK 16. Szeged 2001.

OLAJOS 2004. Olajos, T.: *La question de la survivance avare: les sources grecques et latines de l'histoire des Avars ou IX^e siècle*. In: Philomathestatos. Studies in Greek and Byzantine Texts presented to J. Noret for his sixty-fifth birthday. Ed. by B. Janssens–B. Roosen–P. van Deun. Orientalia Lovaniensia Analecta 130. Leuven–Paris 2004.

Ó FIAICH 1985. Ó Fiaich, T.: *Virgils Werdegang in Irland und sein Weg auf dem Kontinent*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

Ó NEILL 1985. Ó Neill, Pádraig P.: *Bonifaz und Virgil – Konflikt zweier Kulturen*. In: Virgil von Salzburg – Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

PASKALEVSKI 2006. Paskalevski, S.: *Die Vita des Heiligen Methodius*. Bulgarische Bibliothek Neue Folge 12. München 2006.

PIRCHEGGER 1912. Pirchegger, H.: *Karantanien und Unterpannonien zur Karolingerzeit*. Mitteilungen des Instituts für österreichische Geschichtsforschung 33. 1912.

POHL 1988. Pohl, W.: *Die Awaren – Ein Steppenvolk in Mitteleuropa 567–822 n. Chr.* München 1988.

PRINZ 1965. Prinz, F.: *Frühes Mönchtum im Frankenreich. Kultur und Gesellschaft in Gallien, den Rheinlanden und Bayern am Beispiel der monastischen Entwicklung (4.–8. Jahrhundert)*. München–Wien 1965.

PRINZ 1993. Prinz, O.: *Die Kosmographie des Aethicus Ister*. Monumenta Germaniae Historica, Quellen zur Geistesgeschichte des Mittelalters 14. München 1993.

REINDEL 1960. Reindel, K.: *Die staatsrechtliche Stellung des Ostlandes im frühmittelalterlichen Bayern*. Mitteilungen des oberösterreichischen Landesarchivs 7. 1960.

REINDEL 1967. Reindel, K.: *Das Zeitalter der Agilolfinger*. In: Handbuch der Bayerischen Geschichte I. Hrsg. v. M. Spindler. München 1967.

REINDEL 1975. Reindel, K.: *Die Organisation der Salzburger Kirche im Zeitalter des hl. Rupert*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 115. 1975.

REINDEL 1981. Reindel, K.: *Politische Geschichte Bayerns im Karolingerreich*. In: Handbuch der bayerischen Geschichte I. Hrsg. v. M. Spindler. München 1981².

RICHTER 1985. Richter, M.: *Die politische Orientierung Mährens zur Zeit von Konstantin und Methodius*. In: Die Bayern und ihre Nachbarn I. Veröffentlichung der Kommission für Frühmittelalterforschung 8. Hrsg. v. H. Wolfram u. A. Schwarz. Wien 1985.

ROB-SANTER 2005. Rob-Santer, C.: *Die Darstellung des Feindes in der karolingischen Geschichtsschreibung. Historie zwischen Tradition und Innovation*. In: Tassilo III. von Bayern. Großmacht und Ohnmacht im 8. Jahrhundert. Hrsg. v. L. Kolmer–Chr. Rohr. Regensburg 2005.

ROSENSTOCK 1928. Rosenstock, E.: *Unser Volksname Deutsch und die Aufhebung des Herzogtums Bayern*. Mitteilungen der schlesischen Gesellschaft für Volkskunde 29. 1928.

RUNCIMAN 1930. Runciman, S.: *A History of the first Bulgarian Empire*. London 1930.

RÜNGELER 1937. Rüngeler, J.: *Das Bild Karls des Großen in der zeitgenössischen Annalistik und in der Gedichts- und Briefliteratur*. Gütersloh i. Westf. 1937.

SCHELLHORN 1964. Schellhorn, M.: *Erzbischof Adalwin von Salzburg und die Pannonische Mission*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 104. 1964.

SCHIEFFER 1980. Schieffer, Th.: *Winfried-Bonifatius und die christliche Grundlegung Europas*. Freiburg i. Br. 1980.

SCHIEFFER 1997. Schieffer, R.: *Ein politischer Prozeß des 8. Jahrhunderts im Vexierspiel der Quellen*. In: Das Frankfurter Konzil von 794. Kristallisationspunkt karolingischer Kultur I. Politik und Kirche. Quellen und Abhandlungen zur mittelhochrheinischen Kirchengeschichte 80. Mainz 1997.

SCHIEFFER 2001. Schieffer, R.: *Arn von Salzburg und die Kaiserkrönung Karls des Großen*. In: Bayern und Italien. Politik, Kultur, Kommunikation (8.–15. Jahrhundert). Festschrift für K. Reindel zum 75. Geburtstag. Hrsg. v. H. Dopsch–S. Freund–A. Schmid. München 2001.

SCHMID 1983. Schmid, K.: *Zur Ablösung der Langobardenherrschaft durch die Franken*. In: Gebetsgedanken und adliges Selbstverständnis im

Mittelalter. Ausgewählte Beiträge. Festgabe zu seinem sechzigsten Geburtstag. Sigmaringen 1983.

SCHMIDLINGER 1985. Schmidinger, H.: *Das Papsttum und die bayerische Kirche – Bonifatius als Gegenspieler Virgils*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

SÓS 1964. Sós, Á.: *Ausgrabungen von Zalavár*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

SÓS 1973. Sós, A.: *Die slawische Bevölkerung Westungarns im 9. Jahrhundert*. Münchener Beiträge zur Vor- und Frühgeschichte 22. 1973.

SZÁDECZKY-KARDOSS 1998. Szádeczky-Kardoss S.: *Az avar történelem forrásai 557-től 806-ig*. (Sources of the Avar History from 557 to 806.) Budapest 1998.

SZÁDECZKY-KARDOSS 1999. Szádeczky-Kardoss, S.: *Histoire des Avars et leur héritage en Europe*. In: Les Hongrois et l'Europe – Conquête et intégration. Párizs–Szeged 1999.

TREMEL 1966. Tremel, F.: *Der Slawenzehnt als Quelle der Siedlungsgeschichte*. Annales Instituti Slavici I/2. 1966.

TRILLMICH 1987. *Quellen des 9. und 11. Jahrhunderts zur Geschichte der Hamburgischen Kirche und des Reiches*. Neu übertragen von W. Trillmich. Berlin 1961.

VÁMBÉRY 1879. Vámbéry, H.: *Die primitive Cultur des Turko-tatarischen Volkes*. Leipzig 1879.

WANDERWITZ 1985. Wanderwitz, H.: *Der Libellus Virgilii und das Verhältnis von Herzog und Bischöfen in Bayern*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

WAVRA 1991. Wavra, B.: *Salzburg und Hamburg. Erzbistumsgründung und Missionspolitik in karolingischer Zeit*. Berlin 1991.

WOLFRAM 1967. Wolfram, H.: *Intitulatio I. Lateinische Königs- und Fürstentitel bis zum Ende des 8. Jahrhunderts*. Mitteilungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 21. Graz–Wien–Köln 1967.

WOLFRAM 1968. Wolfram, H.: *Das Fürstentum Tassilos III., Herzogs der Bayern*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 108. 1968.

WOLFRAM 1971. Wolfram, H.: *Der Zeitpunkt der Bischofsweihe Virgils von Salzburg*. Mitteilungen des Instituts für österreichische Geschichtsforschung 79. 1971.

WOLFRAM 1975. Wolfram, H.: *Grenze und Mission. Salzburg vom heiligen Rupert zum heiligen Virgil*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 115. 1975.

WOLFRAM 1979. Wolfram, H.: *Conversio Bagoariorum et Carantanorum. Das Weißbuch der Salzburger Kirche über die erfolgreiche Mission in Karantanien und Pannonien*. Wien-Köln-Graz 1979.

WOLFRAM 1981. Wolfram, H.: *Die Zeit der Agilolfinger. Rupert und Virgil*. In: Geschichte Salzburgs I. Hrsg. v. H. Dopsch. Salzburg 1981.

WOLFRAM 1985. Wolfram, H.: *Virgil als Abt und Bischof von Salzburg*. In: Virgil von Salzburg. Missionar und Gelehrter. Hrsg. v. H. Dopsch u. R. Juffinger. Salzburg 1985.

WOLFRAM 1987. Wolfram, H.: *Die Geburt Mitteleuropas. Geschichte Österreichs vor seiner Entstehung*. 378–907. Wien 1987.

WOLFRAM 1995. Wolfram, H.: *Salzburg, Bayern, Österreich. Die Conversio Bagoariorum et Carantanorum und die Quellen ihrer Zeit*. Mitteilungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 31. Graz-Wien-Köln 1995.

WOLFRAM 1999. Wolfram, H.: *Arn von Salzburg und Karl der Große*. In: 1200 Jahre Erzbistum Salzburg. Die älteste Metropole im deutschen Sprachraum. Hrsg. v. H. Dopsch–P. F. Kramml–A. S. Weiß. Salzburg 1999.

ZAGIBA 1946/47. Zagiba, F.: *Die Salzburger Missionäre als Pflege des Choralgesanges bei den Slawen im IX. Jahrhundert*. Mitteilungen der Gesellschaft für Salzburger Landeskunde 86/87. 1946/47.

ZAGIBA 1964. Zagiba, F.: *Die Missionierung der Slaven aus „Welschland“ (Patriarchat Aquileja) im 8. und 9. Jahrhundert*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

ZIEGLER 1953. Ziegler, A. W.: *Methodius auf dem Weg in die schwäbische Verbannung*. Jahrbücher für Geschichte Osteuropas. Neue Folge 1. 1953.

ZIEGLER 1964. Ziegler, A. W.: *Der Konsens der Freisinger Domherren im Streit um Methodius*. In: Cyrillo-Methodiana. Zur Frühgeschichte des Christentums bei den Slaven 863–1963. Hrsg. v. M. Hellmann–R. Olesch–B. Stasiewski–F. Zagiba. Graz 1964.

Rechtsgeschichtliche Vorträge/

Lectures on Legal History

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