

Introduction

In a capitulary, or royal law, probably issued in 810, Charlemagne noted a topic for discussion: "About those claimants [or shouters] who make a big racket in the palace [which reaches] the ears of the lord emperor." This rather elliptical reference encapsulates much that is particular about Charlemagne's rulership and its representation in the sources. First, the reference is not entirely clear: We do not know what was decided should be done about those flocking to the palace, although the language of the law suggests they were in search of justice. While incomplete, the passage is evocative in its indication of direct royal interaction with a range of justice seekers, and its reflection of the successes and limits of imperial power. Charlemagne tried hard to insist on the importance of justice, of his own role as the ultimate arbiter, and the necessity for the protection of the weak. Yet, one consequence of Charlemagne's reforms was to at times overwhelm the court with more business than it could handle. The regulation also underscores the novelty of Charlemagne's rulership: There is no good precedent for this comment in any earlier Frankish legislation. We thus see in this capitulary chapter both the fruit of Charlemagne's often innovative efforts to expand his governance, and the limits and problems associated with those attempts, points conveyed by sources which do not tell us everything that we want to know. All this is characteristic of Charlemagne's rulership.

These features of Charlemagne's political practice – its novelty and success, its limits, and its problematic source base – make it worthy of attention, but also difficult to study. Charlemagne conquered the majority of Western Europe in about twenty years and spent the next twenty trying to rule it, with consequences which persist to this day. That was a political achievement, whatever else it was. The central question examined by this book is how Charlemagne and those who worked with him managed to control the majority of Western Europe for several decades without the

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¹ Capit. I, no. 64, c. 1, p. 153: "De clamatoribus qui magnum impedimentum faciunt in palatio ad aures domni imperatoris." For the date, see Mordek, *Bibliotheca*, p. 1087.



2 Introduction

benefits of modern tools and technology. Charlemagne fascinated his contemporaries, and he has continued to fascinate historians from the time of his death to the present. Studies on every aspect of the man and his reign are extensive; merely listing them would require a volume of several thousand pages. Yet, despite the extent of historical analysis, essential aspects of this pivotal European reign remain unclear. This book is an attempt to clarify at least some of those questions, as they pertain to how Charlemagne, and the men and women who worked with him, exercised power. I aim to offer here a new interpretation of how Charlemagne tried to rule and to what ends, of how he held together the vast and diverse empire he conquered so quickly, of the kind of legacy he left for the rest of the Middle Ages. Charlemagne built on Frankish, Roman, and Christian traditions, but in so doing he created a new kind of empire, one which would have a profound impact on the subsequent history of Western Europe.

The contention that the reign of Charlemagne was pivotal to the course of medieval history is generally accepted; he has not become known as Charles the Great for nothing.² The claim that his reign was a turning point for the development of modern Europe is perhaps more questionable.³ Despite the EU's interest in Charlemagne as a symbol of European community, his brand of unity – forced conversion, violent conquest, intrusive and inefficient legislation – seems hardly useful as a model for a democratic society. 4 Yet, despite the fragility of his achievements and the short lifespan of the polity he created, Charlemagne transformed the post-Roman West into a world which was, arguably for the first time, recognizably medieval Europe. Charlemagne has been called many things, by many people: The "new David" by his favored Anglo-Saxon adviser Alcuin⁵; undoubtedly something much less complementary by the Saxon leader Widukind if we had any access to his reactions. ⁶ But what Charlemagne called himself, consistently and regularly (and this in a reign where consistency and regularity were notably

On the memorialization of Charlemagne as the "great," see Noble, "Greatness Contested," and Dutton, "KAROLVS MAGNVS."

³ For one sensitive attempt to discuss clearly Charlemagne's ties to modern Europe, see Nelson, "Charlemagne: 'Father of Europe?'"

⁴ See www.karlspreis.de/en/home.html, accessed September 12, 2014, for the City of Aachen's vision of what the legacy of Charlemagne means.

For example, see Alcuin, letter 171, pp. 281–3. For analysis of the use of nicknames in general, see Garrison, "The Social World of Alcuin." Also helpful is Garrison's work on the Franks' conception of themselves as the "new Israel": "The Franks as the New Israel?"

⁶ For Widukind's role in the Saxon wars, see Royal Frankish Annals s.a. 777, p. 48; s.a. 778, p. 52; s.a. 782, pp. 60–2; s.a. 785, p. 70. For analysis, Lintzel, "Die Unterwerfung Sachsens."



> 3 Introduction

lacking) was king, king of the Franks to be precise.⁷ Charlemagne's influence on religion, on art, on the linguistic boundaries in Europe is not to be denied. But his primary influence, his primary preoccupation, was political: His approximately forty-six year effort to rule Western Europe. Studying Charlemagne's rulership then is to study the activity that the man himself most prized.

This analysis of Charlemagne's rulership is built on two foundations. The first of these is the difficulties with the sources and the approach they necessitate to achieve a systematic analysis of political practice. The second is the voluminous historiography on early medieval politics, which has shaped the field thus far and which provides essential tools for a reassessment of a particularly important early medieval ruler. In order to prepare for the examination of rulership to follow, I will look at each of these issues in turn.

Patterns of power

The sources for a political history of the reign of Charlemagne present two primary difficulties. The first of these is the uneven distribution of sources, the second the emphasis on normative evidence. An example can help illustrate the conundrum posed by the sources. A famous capitulary from 802 required all free male subjects over the age of twelve to swear a new oath of loyalty to Charlemagne as emperor, in the wake of his imperial coronation in 800.8 There had been previous oaths of loyalty to the king, some prompted by concern about specific moments of disloyalty. Charlemagne's concentration on the duties and responsibilities of rulership in the years around 800 prompted the imperial coronation, and also gave rise to the new oath. 10 The new oath, as the king's agents, the royal missi, were meant to explain, encompassed a deeper vision of loyalty than had been understood previously.¹¹ One of

On earlier use of the oath: M. Becher, Eid und Herrschaft, pp. 78-85, 195-201. ¹⁰ See analysis of M. Becher, *Eid und Herrschaft*, pp. 201–11; and see further Chapter 7,

⁷ See full discussion of Charlemagne's use of the *rex Francorum* title in Chapter 7, pp. 347–8. ⁸ Capit. I, no. 33, c. 2, p. 92: "De fidelitate promittenda domno imperatori. Precepitque, ut omni homo in toto regno suo, sive ecclesiasticus sive laicus, unusquisque secundum votum et propositum suum, qui antea fidelitate sibi regis nomine promisissent, nunc ipsum promissum nominis cesaris faciat; et hii qui adhuc ipsum promissum non perficerunt omnes usque ad duodecimo aetatis annum similiter facerent."

pp. 347–50, 359–62 on the imperial coronation.

11 Capit. I, no. 33, c. 2, p. 92: "Et ut omnes tradetur publice, qualiter unusquisque intellegere posset, quam magna in isto sacramento et quam multa conprehensa sunt, non, ut multi usque nunc extimaverunt, tantum fidelitate domno imperatori usque in vita ipsius, et ne aliquem inimicum in suum regnum causa inimicitiae inducat, et ne



4 Introduction

the new obligations attendant on all subjects as a result of this oath was the need to swear truthfully in court and avoid perjury. While the imprecation to avoid perjury is common in Frankish legislation, the linking of such a requirement to the oath of fidelity is unprecedented. We have the court records from a case heard in Bavaria by Charlemagne's loyal servant and the local archbishop and *missus* Arn of Salzburg later in 802. In this case, the witnesses are explicitly told that they must tell the truth because of the oath they have sworn to the lord emperor that very year. A Royal order, local implementation: As far as we can see, the capitulary was made effective locally.

Such clarity is rare indeed in the early Middle Ages. The exceptional nature of this case highlights our two persistent problems with the sources for the reign of Charlemagne. First, when we have uneven evidence, how do we generalize? Is the 802 oath situation typical or exceptional? We cannot usually get our evidence to match up sufficiently to analyze particular actions fully, although the cases where we can will figure in the pages to follow. For the more typical situation when we cannot trace the evidence completely, what can we conclude? The second problem relates to implementation of royal commands: Much of the evidence for the study of rulership consists of normative sources (which will be considered in more detail later). Scholars have persistently debated the extent to which the commands issued by Charlemagne were ever put into effect. Royal capitularies in particular demand all sorts of things, but whether any of this ever actually happened is another

alicui infidelitate illius consentiant aut retaciat, sed ut sciant omnes istam in se rationem hoc sacramentum habere." See also Nelson, "Charlemagne and Empire," pp. 229–30.

See also further discussion of the career of Arn of Salzburg in Chapters 1 and 5, pp. 69–77 and 243–59 respectively.

See also my discussion of this example: J.R. Davis, "A Pattern for Power," pp. 235–6.
 For example, Wormald, "Giving God and King Their Due," especially pp. 549–50 (pp. 333–5 in the reprint); Innes, "Charlemagne's Government," pp. 77–80, 82; and Mordek, "Karolingische Kapitularien," pp. 44–9 (pp. 74–9 in the reprint), to name just a few.

¹² Capit. I, no. 33, c. 4, p. 92: "Secundo, ut nullus homo neque cum periuri neque alii ullo ingenio vel fraude per nullius umquam adolationem vel praemium neque servum domni imperatoris neque terminum neque terram nihilque quod iure potestativo permaneat nullatenus contradicat neque abstrahere audeat vel celare; et ut nemos fugitivos fiscales suos, qui se iniuste et cum fraudes liberas dicunt, celare neque abstrahere cum periurio vel alio ingenio presumat"; see also c. 9, p. 93 and c. 36, p. 98 of the same capitulary.

pp. 69–77 and 243–59 respectively.

14 TF no. 186, pp. 178–9: "Tunc praedicti missi dominici Arn archiepiscopus et Aduluuinus episcopus atque Orendil iudex ipsos homines qui hoc testificaverunt in medium vocaverunt et per sacramentum fidelitatis quem domno Karolo magno imperatori ipso praesente anno iuraverunt adtestati sunt eos, ut omnimodis absque ulla fraude vel ingenio ita ut veracissime de ipsa causa scirent ita in palam adnuntiarent."



Introduction 5

question entirely.¹⁷ While we have much evidence for rulership under Charlemagne, it is often normative and frequently uneven.

There is a solution to the conflict between the limitations of our evidence and the desideratum of a more complete analysis of what Charlemagne did and why he did it. This solution is to look for patterns of rulership in the evidence, that is, trends in how Charlemagne and his advisors approached the political issues they faced. 18 Working across different kinds of sources, across the involvement of different individuals, and across time, we can discern persistent trends in how the king and his court handled political affairs. In approaching the sources for the reign of Charlemagne, I have tried to search out such patterns, that is, tendencies in how king and court responded to political situations. To return to the example of the oath: The new oath expresses a broad vision of royal responsibility, which we can also see elsewhere, such as in the capitulary legislation more generally, letters written in the name of the king, histories, theological investigation undertaken at royal direction, and so on.¹⁹ By finding the same political response in so many places, we can begin to hypothesize that this is more than just a politically expedient decision at one moment in time, and is rather a characteristic response from Charlemagne and his advisers to the problems of rule they faced. Such a tool of analysis cannot entirely change the normative bias of the sources, but it does provide a window into practice by offering a sense of the structure of political behavior. This study builds on such tendencies of political response to formulate the interpretation of political practice offered here.

In attempting to elucidate patterns of rulership, I have focused on tendencies that we can link to the king himself, on consistent trends, and on broad directions in how the king and his closest advisers exercised power. To that end, I have looked not just for characteristic tools, such as the oath, but for the deeper forces behind it, such as concern about loyalty, the broad conception of the oath and what this implies about

¹⁷ On the challenges of the sources, see Schieffer, "Die Einheit."

Despite the similarities in terminology Wendy Davies' excellent study takes a different approach to the investigation of political questions: W. Davies, Patterns of Power in Early Wales. The collection Hill and Swan (eds.), The Community, the Family and the Saint. Patterns of Power in Early Medieval Europe, despite the title, is not especially focused on issues of the exercise of power.

¹⁹ In other capitularies (or in this case, texts related to the capitularies): *Capit*. I, no. 121, pp. 239–40 and discussion of Buck, *Admonitio und Praedicatio*, pp. 157–68; in letters written in the king's name: for instance, Alcuin, letter 93, pp. 136–8; in histories: for example, the Annals of Lorsch s.a. 794, SS 1, pp. 35–6; part of the text is also available in: *Codex Vindobonensis* 515, ed. Unterkircher, p. 33 for a partial entry: this is one of the most extensive discussions of legislation in court histories, discussed in Chapter 4, pp. 197, 203–4; in theological investigations at royal order, for instance: Keefe, "An Unknown Response."



6 Introduction

royal visions of Frankish society, and so on. I have also attempted to look for patterns we can link to Charlemagne himself by isolating trends that are reflected in many kinds of sources, are not linked to specific individuals, and are reflected consistently throughout the reign. This does lead to an emphasis on the structural rather than the personal in the evaluation of governance undertaken here, but has the advantage of allowing us to discern patterns in uneven sources. I use here any source which can shed light on political practice, from laws, to archaeology, to court poetry. I have, however, almost entirely focused on sources actually contemporary with the reign itself; this is a study of Charlemagne's rulership constructed from the sources produced during that reign.²⁰ The implication of this methodology is that patterns that we can see in so many sources from so many places can be tied to the king, for he was the one factor that was consistent as all else – author, genre, location, and so forth - changed. Thus, I argue that the patterns I will analyze in the pages that follow can be fairly claimed to reflect the king's actions and ideas, and not just those of his advisers. This does not of course mean that such patterns reflect only the king's actions and ideas, but that we can use them as a way to approach the rulership of Charlemagne himself.

I have sought out patterns that are consistent throughout the reign, as one of the ways to make sure that the patterns discussed here are indeed fully attested and linked to Charlemagne. This is the ideal situation in the discernment of a pattern, but it is subject to a persistent complication in the sources. They improve radically around the year 790, with a further increase in certain kinds of material around 800. ²¹ I will argue that this is not just a matter of source survival, but a real change in rulership that occurs in 790. ²² This does mean that many of the patterns we will examine in this study cannot be seen before the years around 789. I will point out cases where we can in fact detect the patterns earlier in the reign and I will discuss the early years of the reign as a prefiguration of

There will of course be exceptions, such as archaeological material that is difficult to date precisely, or Einhard, whose biography postdates Charlemagne's death, but whose testimony cannot be ignored, or occasional information from the Astronomer on Southern events we otherwise would not know much about.

²¹ This is evident in the capitularies (with the *Admonitio generalis*, *Capit*. I, no. 22, pp. 53–62 and *AG*, inaugurating the process of religious reform and much else that will be characteristic of the capitularies), the (possible) beginning of the Royal Frankish Annals, the compilation of the *Codex Carolinus* and the *Opus Caroli*, changes in how charters are given, and so on. See further discussion of the chronology of the reign in Chapter 7.

For an important argument about documentary change rather than social change, albeit in a later period, see Barthélemy, *La société dans le comté de Vendôme*, especially chapter 1; Barthélemy, *La mutation de l'an mil*, chapters 1 and 2.



Introduction 7

what was to come.²³ Nonetheless, most of the evidence applicable to a study of governance comes from the quarter century beginning around 790, and thus, while I will insist on consistency for a royal action or idea to be considered characteristic, this often inevitably means consistency from 790 or so on.

Of course, the people who made up the court also varied over time. I am endeavoring to use sources that are not linked to any one person alone. The Carolingian court which advised Charlemagne was composed of a constantly shifting combination of people, as we will see further later. ²⁴ Even if a particular person at court was frequently involved in one issue, looking for patterns across time and genre allows us to minimize the danger that an identifiable tendency of rule is due to just one person. The effort to discover patterns of rulership linked to the king and court and not just to individuals is facilitated by the fact that most texts emanating from the court were the product of collaboration rather than the fruit of a single author's individual work. ²⁵

In sum, then, the methodology of this study is predicated on identifying patterns of political response, which can turn the scattered and often normative sources surviving from the period into a firmer foundation on which to build our analysis of Charlemagne's political practice. In considering here how Charlemagne tried to rule, I will use these persistent patterns of power as a tool to structure the investigation of political practice. This methodology for studying political history allows us to make full use of the available evidence while still taking account of the irregular survival of sources and their prescriptive bias. Analyzing patterns of power as a window into the sources will enable this book to offer a systematic political evaluation of Charlemagne's rulership despite the lack of systematic evidence.

The historiography of early medieval politics

The time is ripe for a reassessment of Charlemagne's rulership because of the many achievements in the field of early medieval political history over the last few decades. In order to situate this book within the development of the field and in relation to recent historiography, we must first step

²³ See especially Chapter 8, pp. 381–96.

Nelson, "Was Charlemagne's Court a Courtly Society?" and discussion later.

One of the clearest examples of such a process of collaboration is the composition of the Opus Caroli; on which see von den Steinen, "Entstehungsgeschichte der Libri Carolini"; Freeman and Meyvaert, "Opus Caroli regis contra synodum: An Introduction," pp. 17–33. While Theodulf composed the core of the text, the court, the king included, also weighed in.



8 Introduction

back a bit to older interpretations of the reign of Charlemagne and how these have evolved, before widening our lens to include scholarship on the early Middle Ages more broadly.

Unsurprisingly, for a king called Charles the Great, much scholarship on Charlemagne sees him as the high point of Carolingian or early medieval rulership, extolling his cultural achievements, his military successes, his political competence.²⁶ A reaction to the glorification of Charlemagne set in, particularly with the publication of Heinrich Fichtenau's Das Karolingische Imperium in 1949.²⁷ Written by an Austrian in the devastating years of National Socialism and its aftermath, the book took a far darker view of Charlemagne's leadership. Rather than seeing Charlemagne's rule as setting the foundation for later states, ²⁸ Fichtenau conceived of Charlemagne as a limited, often ineffective, king, whose few military achievements had overshadowed a reality of minimal political success. There is much in Fichtenau's portrait of Charlemagne to be valued. For instance, his depiction of Charlemagne as the heart ("Mittelpunkt") of the empire is excellent.²⁹ And the moral stance of a scholar in his circumstances rejecting the myth of a cultic leader can only be celebrated. Yet, Fichtenau often went too far in minimizing both what Charlemagne attempted and what he actually achieved.

However, it is Fichtenau's Charlemagne that has been most persuasive in the second half of the twentieth century and early years of the twenty-first. Some of this has to do with a broader move away from political history, which stemmed from, among other causes, a distrust of political power. ³⁰ For a post-Foucault, post-Holocaust academy, the kind of royal power Charlemagne claimed to wield could only be suspect. As Stuart Airlie has aptly observed, there is something of the "panopticon" in a king who could add as an agenda item to be discussed at an assembly the question of whether the Franks were truly Christian. ³¹ Even in the

²⁶ The generally positive approach to Charlemagne continues to be a feature of serious works, such as Barbero, Charlemagne: Father of a Continent.

²⁷ Fichtenau, Das Karolingische Imperium; soziale und geistige Problematik eines Grossreiches.

For example, Fichtenau, Das Karolingische Imperium, pp. 87–8; in English trans. pp. 77–8.
 Fichtenau, Das Karolingische Imperium, p. 38; in English trans. p. 29 (my translation here).

See, for instance, the approach to power adopted by Searle, *Predatory Kinship*, emphasizing its transgressive and violent aspects.
 On the panopticon-like qualities of Carolingian governance, see Airlie, "The Palace of

On the panopticon-like qualities of Carolingian governance, see Airlie, "The Palace of Memory," p. 5. The discussion of whether the Franks are truly Christian can be found in *Capit.* I, no. 71, c. 9, p. 161.



Introduction 9

context of the long-standing concern with baptism at the court, ³² this is a remarkable issue to address in a legislative format, not to mention the impossibility of the assembly reaching any kind of useful conclusion on the matter (we have the notes from the subsequent discussion; the lay aristocrats and clerics the king had gathered chose not to address that particular question).³³ Another factor behind the scholarly embrace of Fichtenau is the terms in which earlier historians celebrated Charlemagne's actions, not just the celebration itself. Previous scholarship, which tended to assume consistent state structures, delegated authority, and a quasi-modern bureaucracy, has now been, rightly, rejected.³⁴ More recent work on political history has emphasized ritual over institutions, and the analysis of individual textual accounts rather than an effort to reconcile them (developments we will return to). All of this has been seen to be contradictory to a view of Charlemagne as an active and effective ruler. Some would go so far as to suggest that the imputation of effectiveness in and of itself presupposes modern concepts of political control that are inappropriate in an early medieval context.³⁵

These concerns about modern concepts have had a deep impact on the field. Much early medieval political history of late has been shaped, explicitly or not, by wider academic debates, especially about power and marginality. One of the impacts of literary theory and postmodernism on historical scholarship has been to inculcate a distrust of central power, and to encourage in its stead a focus on how margins can illuminate the center, how the odd, the grotesque, the divergent, can best reveal a society. In the case of early medieval political history, these academic currents have produced work that aims to explore political life without reference to constitutions, structures, institutions, and normative sources. This is a reasonable goal, given not only trends in other disciplines, but as a reaction to previous historiography that created a vision of bureaucratic power that was out of place in a medieval context.

The problem of using a too bureaucratic frame to understand Charlemagne has been a frequent critique of the work of François-Louis Ganshof. Ganshof knew more about how Charlemagne ruled than any

³³ Capit. I, no. 72, pp. 162–4.

³⁵ See further pp. 412–13.

³² On the concern about baptism at the Carolingian court, see now Keefe, Water and the Word. I would like to thank Jinty Nelson for discussing with me the links between this capitulary chapter and the court's sustained interest in baptism.

See the useful discussion in Innes, *State and Society*, pp. 5–9.

³⁶ There is a helpful exploration of these issues in the context of medieval history in: Freedman and Spiegel, "Medievalisms Old and New."

For some useful observations on the development of the field, see Warner, "Reading Ottonian History."



10 Introduction

other modern historian. 38 His work and its implications therefore warrants some sustained attention here. Ganshof argued that Charlemagne had a vision of empire that he attempted to enforce. This vision was shaped by a deep sense of the responsibilities of Christian kingship, but found its political expression in efforts to regularize, centralize, and standardize power, to develop clear standards of office holding, and to carefully and piecemeal build on tradition, not as a matter of a precise plan, but as a general trend in his rule. 40 In Ganshof's view, this vision eventually failed, 41 but it animated much of what Charlemagne tried to do, even as the king and his men scrambled to respond to the succession of everyday events and frequent crises. 42 Underlying Ganshof's work were the assumptions that power needed to be exercised regularly in

and the Frankish Monarchy, pp. 303–11.

See in particular, Ganshof, "Charlemagne's Programme of Imperial Government";

Ganshof, "The Impact of Charlemagne": Ganshof, "The Institutional Franciscos":

Several of Ganshof's most important studies are gathered in his *The Carolingians and the Frankish Monarchy*, but there is not a complete collection of all his articles, as useful as that would be. There is a good, though not exhaustive, bibliography in *The Carolingians and the Frankish Monarchy*, pp. 303–11

Ganshof, "The Impact of Charlemagne"; Ganshof, "The Institutional Framework."

40 Perhaps best summed up in Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint, which I cite here): "To have a clear line of conduct and keep to it is one thing, but it is quite another to follow out a complete and detailed programme. Charlemagne had, indeed, certain lines of conduct that he followed persistently. The facts presented are sufficient to this as regards his foreign policy. It is also true as regards political, administrative, and juridical institutions. Charlemagne wanted to improve their efficiency so as to bring about a more complete fulfillment of his wishes and to achieve greater security for his subjects. But one cannot make out a real programme in his actions. He resorted to shifts; he adopted and improved what was already existing. This is true of the institution of the missi, true also of the royal court of justice, of the royal vassality and of the 'immunity'. Occasionally he created something new, but without troubling about a general scheme. His reforms were empiric and at times went through several stages of development as in the case of the organisation of the placita generalia which was roughly outlined at the beginning of the reign but did not assume a definite shape until about the year 802, and also the use of writing in recording administrative and juridicial matter, prescribed by a series of distinct decisions relating to particular cases ... One is often tempted to turn Charlemagne into a superman, a farseeing politician with broad and general views, ruling everything from above; one is tempted to see his reign as a whole, with more or less the same characteristics prevailing from beginning to end. This is so true that most of the works concerning him, save for the beginning and the end of his reign, use the geographical or systematic order rather than a chronological one. The distinctions that I have tried to make between the different phrases of his reign may, perhaps, help to explain more exactly the development and effect of Charlemagne's power; they may help us to appreciate these more clearly. Perhaps, also, the features that I have noted bring out the human personality in the statesman and lead to the same results." Ganshof's emphasis on adaptation is also important and will be followed here.

¹¹ In particular, Ganshof, "The Last Period of Charlemagne's Reign"; "Charlemagne's Failure," and full discussion later.

⁴² See, in particular, Ganshof, "Charlemagne" for the impact of daily events and constant problems.