

LAW AND AUTHORITY IN THE EARLY MIDDLE AGES

The barbarian law codes, compiled between the sixth and eighth centuries, were copied remarkably frequently in the Carolingian ninth century. They provide crucial evidence for early medieval society, including the settlement of disputes, the nature of political authority, literacy, and the construction of ethnic identities. Yet it has proved extremely difficult to establish why the codes were copied in the ninth century, how they were read, and how their rich evidence should be used. Thomas Faulkner tackles these questions more systematically than ever before, proposing new understandings of the relationship between the making of law and royal power, and the reading of law and the maintenance of ethnic identities. Faulkner suggests major reinterpretations of central texts, including the Carolingian law codes, the capitularies adding to the laws, and Carolingian revisions of earlier barbarian and Roman laws. He also provides detailed analysis of legal manuscripts, especially those associated with the *leges-scriptorium*.

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LAW AND AUTHORITY IN THE
EARLY MIDDLE AGES

The Frankish Leges in the Carolingian Period

THOMAS FAULKNER



Cambridge University Press
978-1-107-08491-9 — Law and Authority in the Early Middle Ages
Thomas Faulkner
Frontmatter
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CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107084919

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First published 2016

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

Names: Faulkner, Thomas, 1983– author.

Title: Law and authority in the early middle ages : the Frankish leges in the Carolingian period / Thomas Faulkner.

Description: Cambridge, United Kingdom : Cambridge University Press, 2016. |

Series: Cambridge studies in medieval life and thought : fourth series |

Includes bibliographical references and index.

Identifiers: LCCN 2015040824 | ISBN 9781107084919 (hardback) |

ISBN 9781107446892 (paperback)

Subjects: LCSH: Law, Frankish. | Carolingians.

Classification: LCC KJ320.F38 2016 | DDC 340.5/5–dc23

LC record available at <http://lcn.loc.gov/2015040824>

ISBN 978-1-107-08491-9 Hardback

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ABBREVIATIONS

<i>Annales Bertiniani</i>	<i>Annales Bertiniani</i> ed. G. Waitz (Hannover, 1883), MGH SRG V
<i>Ansegis, Ans</i>	<i>Der Kapitulariensammlung des Ansegis</i> ed. G. Schmitz (Hannover, 1996), MGH Capitularia regum Francorum, Nova series
<i>Annales Xantenses</i>	<i>Annales Xantenses</i> ed. B. von Simson (Hannover, 1909), MGH SRG XII
<i>ARF</i>	<i>Annales Regni Francorum</i> ed. F. Kurze (Hannover, 1895), MGH SRG VI
<i>Ben Lev</i>	Benedictus Levita's collection
BN Lat.	Bibliothèque Nationale de France, Paris, manuscrit Latin
Capit.	Capitulary
Capit.	<i>Capitularia Regum Francorum</i> ed. A. Boretius and V. Krause (Hannover, 1883–97), MGH Legum sectio II, 1–2
<i>Chronicon</i>	Freculf of Lisieux, <i>Historiarum Libri XII</i> ed. M. Allen (Turnhout, 2002), Frechulfi Lexoviensis episcopi opera omnia. Corpus Christianorum. Series Latina CLXIXA, pp. 9–724
<i>Codex Laureshamenses</i>	<i>Codex Laureshamensis</i> ed. K. Glöckner (Darmstadt, 1974)
<i>CodTh</i>	<i>Theodosiani libri XVI cum Constitutionibus Sirmondianis: et leges novellae ad Theodosianum pertinentes</i> ed. T. Mommsen and P. Meyer (Berlin, 1905)
Conc.	Concilia, Legum Sectio III

Abbreviations

<i>DA</i>	<i>Deutsches Archiv für Erforschung des Mittelalters</i>
<i>Diplomata Belgica</i>	<i>Diplomata Belgica ante annum millesimum centesimum scripta</i> ed. M. Gysseling and A. C. F. Koch, Volume 1, (Brussels, 1950)
<i>EHR</i>	<i>English Historical Review</i>
<i>EME</i>	<i>Early Medieval Europe</i>
<i>Epp.</i>	<i>Epistolae merovingici et karolini aevi</i> (Hannover, 1892–1939)
<i>Epit. Aegid., EpA</i>	<i>Epitome Aegidii</i> , also edited in <i>Brevarium Alarici</i> ed. G. F. Haenel (Leipzig, 1848)
<i>Form.</i>	<i>Formulae Merovingici et Karolini Aevi</i> ed. K. Zeumer (Hannover, 1886), MGH Legum sectio V
<i>Isid.</i>	Extracts from Isidore of Seville's <i>Etymologiae</i> concerning law, edited in J. Tardif, 'Un abrégé juridique des Étymologies d'Isidore de Séville' in: <i>Mélanges Julien Havet. Recueil de travaux d'érudition dédiés à la mémoire de Julien Havet (1853–1983)</i> (Paris, 1895), pp. 673–81
<i>Lex Alemannorum, Al</i>	<i>Leges Alamannorum</i> ed. K. Lehmann 2nd edition (Hannover, 1966), MGH Leges nationum Germanicarum V, 1
<i>Lex Bav, Bav</i>	<i>Lex Baiuvariorum</i> ed. E. de Schwind (Hannover, 1926), MGH Leges nationum Germanicarum V, 2
<i>Lex Burgundionum, Burg</i>	<i>Liber Constitutionum</i> , in <i>Leges Burgundionum</i> ed. L. R. de Salis (Hannover, 1892), MGH Leges nationum Germanicarum II, 1
<i>Lex Ribuaria, Rib</i>	<i>Lex Ribuaria</i> ed. F. Beyerle and R. Buchner (Hannover, 1951), MGH Leges nationum Germanicarum III, 2
<i>Lex Romana Burgundionum, Rom. Burg.</i>	<i>Lex Romana Burgundionum</i> in <i>Leges Burgundionum</i> ed. L. R. de Salis (Hannover, 1892), MGH Leges nationum Germanicarum II, 1
<i>Lex Salica, Sal</i>	<i>Pactus Legis Salicae, Lex Salica</i> ed. K. A. Eckhardt (Hannover, 1962–9), MGH Leges nationum Germanicarum IV, 1–2

Abbreviations

<i>Libri Duo</i>	Regino of Prüm, <i>Libri duo de synodalibus causis et disciplinis ecclesiasticis</i> . ed. F. Wasserschleben (Leipzig, 1840)
<i>LRV</i>	<i>Breviarium Alarici</i> ed. G. F. Haenel (Leipzig, 1848)
MGH <i>Oorkonden Werden</i>	Monumenta Germaniae Historica <i>De oudste partikuliere Oorkonden van het Klooster Werden</i> ed. D. P. Blok (Assen, 1960)
PL	<i>Patrologia cursus completus series Latina</i> ed. J.-P. Migne (Paris, 1841–64)
ProL. Settimane	Prologue Settimane di studio del Centro Italiano di Studi sull'Alto Medioevo
SRG	Scriptores rerum Germanicarum in usum scholarum separatim editi
SRM	Scriptores rerum Merovingicarum ed. B. Krusch and W. Levison
SS <i>Thegan</i>	Scriptores in folio Thegan, <i>Gesta Hludowici, Thegan: Die Taten Kaiser Ludwigs. Astronomus: das Leben Kaiser Ludwigs</i> ed. E. Tremp (Hannover, 1995), MGH SRG 64, pp. 167–279
TRHS <i>Urbare Werden</i>	<i>Transactions of the Royal Historical Society</i> <i>Die Urbare der Abtei Werden an der Ruhr</i> ed. R. Kötzschke (Bonn, 1906)
<i>UrkLD</i>	<i>Die Urkunden Ludwigs des Deutschen, Karlmanns und Ludwigs des Jüngeren</i> ed. P. Kehr (Berlin, 1934), MGH Diplomatum Karolinorum I
<i>Urkundenbuch Niederrhein</i>	<i>Urkundenbuch für die Geschichte des Niederrheins</i> ed. T. J. Lacomblet Volume 1, (Düsseldorf, 1840)
Vat. Reg. Lat.	Biblioteca Apostolica Vaticana, Codex Reginensis Latinus
ZRG GA	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung</i>