

# The aristocracies of Rome in the age of Lothar

by Veronica West-Harling

Contrary to Lombard and Carolingian Italy, there was no Frankish aristocracy in Rome itself. This paper discusses the relations between the Roman aristocracies and the emperor, which need to be seen within the context of the history between the elites of the city and the papacy after the end of Byzantine rule in Rome. Such relations can explain the tensions between the aristocracies and the papacy, which played into the hands of Lothar as he himself tried to support the pro-Frankish elites whenever possible, to provide a counterweight to papal control.

Middle Ages; ninth century; Rome; Emperor Lothar; aristocracies; Pope Paschal I; Pope Sergius II; Pope Leo IV; *Constitutio Romana*.

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*Abbreviations*

Capit. it. = *I capitolari italiani. Storia e diritto della dominazione carolingia in Italia*, ed. C. Az-zara, P. Moro, Roma 1998 Altomedioevo, 1).

CB = *Corpus Basilicarum Christianarum Romae. The Early Christian Basilicas of Rome IV-IX Centuries*, ed. R. Krautheimer, 5 vol., Città del Vaticano 1937-1970.

*Chronicon di Benedetto = Il Chronicon di Benedetto monaco di S. Andrea del Soratte e il Libellus de imperatoria potestate in urbe Roma*, ed. G. Zucchetti, Roma 1920, pp. 1-187 (Fonti per la storia d'Italia, 55).

*Libellus de imperatoria potestate = Il Chronicon di Benedetto monaco di S. Andrea del Soratte e il Libellus de imperatoria potestate in urbe Roma*, ed. G. Zucchetti, Roma 1920, pp. 191-210 (Fonti per la storia d'Italia, 55).

LP = *Le Liber Pontificalis. Texte, introduction et commentaire*, 2 vol., ed. L. Duchesne, Paris 1886-1892.

MGH, AB = *Annales Bertiniani*, ed. G. Waitz, Hannover 1883 (MGH, SS rer. Germ., 5).

MGH, Astronomus, *Vita = Astronomus, Vita Hludowici imperatoris*, ed. E. Tremp, Hannover 1995, pp. 280-555 (MGH, SS rer. Germ., 64).

MGH, ARF = *Annales regni Francorum inde ab a. 741 usque ad a. 829, qui dicuntur Annales Laurissenses maiores et Einhardi*, ed. F. Kurze, Hannoverae 1895 (MGH, SS rer. Germ., 6).

MGH, Capit. I = *Capitularia regum Francorum*, vol. 1, ed. A. Boretius, Hannover 1883 (MGH, Legum sectio, II/1).

MGH, Einhard, *Vita = Einhard, Vita Karoli Magni*, ed. G.H. Pertz, Hannoverae 1883 (MGH, SS rer. Germ., 25).

MGH, Epp. V = *Epistolarum Tomus V*, ed. E. Dümmler et al., Berolini 1899 (MGH, Epistolae Karolini aevi, 3).

MGH, Notker, *Gesta = Notker, Gesta Karoli Magni imperatoris*, ed. H.F. Haefele, Berlin 1959 (MGH, SS rer. Germ. N. S., 12).

MGH, Thegan, *Gesta = Thegan, Gesta Hludowici imperatoris*, ed. E. Tremp, Hannover 1995, pp. 168-277 (MGH, SS rer. Germ., 64).

RF II = *Il regesto di Farfa compilato da Gregorio di Catino*, vol. 2, ed. I. Giorgi, U. Balzani, Roma 1879.

## 1. Introduction: the absence of a visible Frankish aristocracy in Rome

Naturally, Rome is different from the Carolingian kingdom of Italy, in that there was no Frankish aristocracy settled there. In spite of the considerable influence of Carolingian architecture, liturgy or religious reforms in the city, as advocated by Charlemagne and Louis the Pious<sup>1</sup>, there was never even a

<sup>1</sup> About liturgical crossinfluences, the standard classic accounts are those by Cyrille Vogel: Vogel, *Les échanges liturgiques*, pp. 185-295; Vogel, *Les motifs de la romanisation du culte*, pp. 15-41; and Vogel, *La réforme culturelle*, pp. 172-272; and Gy, *L'unification liturgique de l'Occident*, pp. 601-612. More recently, work on the Frankish impact on the Roman liturgy has included Hen, *The royal patronage of liturgy in Frankish Gaul*; Hen, *The Romanization of the Frankish liturgy*; Hen, *Die karolingische Liturgie und Rom*; Hen, *When Liturgy gets out of hand* and the work of McKitterick, *Unity and diversity in the Carolingian Church* and McKitterick, *The Liturgical Past and Papal History*. In Italian see also Carmassi, *La liturgia romana tra il V e il IX secolo*; Albiero, "Secundum romanam consuetudinem". The most recent work on Carolingian architectural influences is by Barelli, *I quadriportici nell'architettura religiosa* and Barelli, *Architettura e tecnica costruttiva*; see also the classic work of Krautheimer: CB, vol. 3, pp. 87-124 (esp. 108-113) and CB, vol. 4, pp. 1-36 (esp. 29-31). More generally, Krautheimer, *Rome. Profile of a City*, and his reviewed considerations: Pace, *La "felix culpa" di Richard Krautheimer* pp. 65-75. For sculpture, see Ballardini, *Scultura per l'arredo liturgico* and Barresi, Pensabene, *La "rinascita carolingia" del IX secolo*. Carolingian silverwork was a favoured form in Rome see Ebern, *Werke liturgischer Goldschmiedekunst*. For painting and iconography, the bibliography

permanent imperial missus in Rome, as far as we know. *Missi*, when present, were indeed Franks, like Abbot Wala of Corbie, one of Lothar's most trusted advisors, or Franks who had established themselves in Italy under Lothar, for example the Marquess of Tuscany Adalbert (834-886) and Count Bernard of Verona, who attempted to force through the election of Anastasius as pope in 855, but were defeated<sup>2</sup>. Many Frankish *missi*, both bishops and counts, were sent to Rome by the emperors, especially if there was some quarrel which had to be settled, or indeed a papal appeal to them in case of conflict with the Roman elites. The most famous example was the events of 799, when Pope Leo III was deposed by a large faction of the nobility of the city, and Charlemagne had to send envoys to establish a tribunal before which the pope took an oath of innocence<sup>3</sup>. The same situation arose again during the reign of Pope Paschal, when Louis the Pious in October 823 sent *missi* to deal with the accusations against the pope<sup>4</sup>. Other occasions than elections also led to the presence of *missi* on an ad hoc basis, such as the *placitum* concerning the 829 court case between the papacy and the abbey of Farfa represented by its Abbot Ingoald, with regard to contested properties<sup>5</sup>.

The absence of Frankish settlers from the kind of elite that we have in Northern and Central Italy, in Rome, is very clear. There were, of course, Frankish pilgrims who visited or lived there, including in the *Schola Francorum*, allegedly established by Charlemagne. They may be the Franks whom, sometime between 847 and 852, the pope exhorted to fight *viriliter* against the enemies of the faith and adversaries everywhere, promising those who died in such wars entry into the Kingdom of Heaven<sup>6</sup> – clearly referring to the Saracen incursions. This paper deals exclusively with the city of Rome, as opposed to the papal territory, which is a much more complex and vast issue, and where the Frankish presence was, of course, considerable. And in the city of Rome, we find no evidence of a Frankish aristocratic presence. How can one then assess the Roman aristocracy's association with Lothar?

is enormous, see West-Harling, *Rome, Ravenna and Venice*, pp. 363-374 and the notes with bibliography.

<sup>2</sup> For Wala's mission, see MGH, AB, pp. 11-13, *ad annum* 836 and *The Annals of St-Bertin*, p. 34, note 1 and p. 80, note 4. On the intricacies of this election and the imperial influence on it, including on the presence in Rome of the Emperor Louis's representative, Bishop Arsenius of Orte, a close relative of Anastasius, see LP, vol. 2, pp. 103 and 149, note 4. For Adalbert's career, Fasoli, *Adalberto*, pp. 219-221. For Bernard's see Hlawitschka, *Franken, Alemannen*, pp. 148-151.

<sup>3</sup> LP, vol. 2, pp. 4-8; MGH, Einhard, *Vita*, 28, pp. 32-33; MGH, Notker, *Gesta*, 1.26, pp. 38-39; MGH, Astronomus, *Vita*, 25, p. 358; MGH, ARF, pp. 106-113, *ad annum* 799-800. There is a full literature on the rebellion of 799, of which one could cite Mohr, *Karl der Große, Leo III. und der römische Aufstand von 799*; Becher, *Karl der Grosse und Papst Leo III*; Jarnut, *799 und die Folgen* and Schieffer, *Das Attentat auf Papst Leo III*.

<sup>4</sup> MGH, Astronomus, *Vita*, 36-38, pp. 414-424; MGH, Thegan, *Gesta*, 30, p. 218; MGH, ARF, pp. 161-162, *ad annum* 823; pp. 164-166, *ad annum* 824; West-Harling, *Rome, Ravenna and Venice*, p. 59.

<sup>5</sup> RF II, n. 270, pp. 221-223 (829 I, Roma). On the whole episode, see Costambeys, *Power and patronage*, pp. 334-342.

<sup>6</sup> MGH, Epp. V, n. 28, p. 601.

## 2. *What constitutes the “Roman aristocracy”?*

Before we go back briefly to the previous reigns to examine this, let us look first of all at who constitutes this group, “the Roman aristocracy”. Several historians have described the genesis of this elite, showing how the Late Antique senatorial class had gradually abandoned Rome in the 6<sup>th</sup> century, and had been replaced by the Byzantine *exercitus* or *militia*, the officials of the Byzantine army from all over the Greek and Eastern world who, over the seventh century, came gradually to settle in the city, and to incorporate more and more of the local fighting and defence groups<sup>7</sup>. While at first under the command of Greek officers and dukes, this militia gradually became increasingly involved in the political fights of the papacy with the Byzantine Empire then with the Lombards, and fought for the defence of the popes and the city in the seventh and early eighth centuries. This group found itself increasingly under the financial power of the popes, who were tasked with distributing imperial pay, but often ended up making up for its absence, and more and more paying in the form of land leases. They gained an increasing amount of land and rights from the Church, as well as becoming the new elite around the popes, gradually replacing the Byzantine rulers of the Duchy of Rome as the Eastern Empire control over it disintegrated during the first half of the eighth century. As a result, they also become the ruling elite through political and judicial power, men increasingly known as the *iudices de militia* or *optimates de militia*<sup>8</sup>. Often, the family groups to which they belonged was also that from which came the other non-priestly elite of the Lateran, the *iudices de clero*, such as the notaries, *defensores* and so on, a clerical elite but in minor orders, with the same lifestyle and political ambitions as the other members of the same family.

## 3. *The first Carolingians, the popes and the Roman elites*

After 750 and the end of the Byzantine duchy of Rome, with no Byzantine emperor left to control the city but instead gradual control of the city being devolved by the first Carolingians to the popes, the Roman political and social elites found themselves with no political master to serve and depend on, except the pope<sup>9</sup>. They consequently became the main component of the Lateran papal administration, as judges and the highest financial, military and

<sup>7</sup> Di Carpegna Falconieri, *La militia a Roma*, pp. 559-583 as well as the classic Brown, *Gentlemen and Officers*. Now see also Delogu, *Roma all'inizio del Medioevo*, pp. 123-125, pp. 197-204.

<sup>8</sup> Marazzi, *Aristocratie et société*, pp. 89-125 and Marazzi, *I “Patrimonia Sanctae Romanae Ecclesiae” nel Lazio*. See also Toubert, *Scrinium et palatium* and now Delogu, *Roma all'inizio del Medioevo*, pp. 209-254, pp. 307-312, pp. 347-352.

<sup>9</sup> Wickham, *Medieval Rome*, pp. 186-190; West-Harling, *Rome, Ravenna and Venice*, pp. 112-125, pp. 149-168.

political functionaries, the *vestararius*, the *superista* and/or *magister militum*, the *primicerius* etc. They were now the group in charge of the defence and the government of the city, controlling large properties granted to them on long emphyteutic leases by the papacy, and consequently gained considerable wealth for men like the *superista* and *magister militum*, or the *vestararius*. This group was not just united by its functions of defence, its political interests and its wealth, but also by family links, developed through multiple marriage alliances between members, including the family of the popes themselves. The Roman aristocracy's policies depended heavily on these multiple marriage alliances between its members, a style of alliance increasingly incompatible with the newly-developed Carolingian theology of Christian marriage supported by popes like Nicholas I and John VIII in the second half of the ninth century, hence provoking major clashes between the popes and this secular elite which refused to accept the new canonical rules, leading to the exiling of whole family groups, as it did under John VIII<sup>10</sup>.

Adapting to the need to work for a new master, the pope, led to a considerable increase in the fighting for position among these elites, above all in attempting to control papal elections and to place their own candidates from the various noble factions of Rome on the see of Peter. The debacle associated with the choice of a pope who was actually a layman in 767, Constantine II, on account of his brothers' control of Rome, led Pope Stephen III in 769 to set up a ruling which ensured that the clergy alone was allowed to elect the new pope<sup>11</sup>. This was respected until the election of Pope Stephen IV in 816. Charlemagne had attempted to control the situation in Rome from afar, but the coup of the aristocracy against Pope Leo III (who was not one of them), when they deposed and imprisoned him in 799, showed this to have been ineffectual. Leo III was only restored through Charlemagne's direct intervention in Rome, and was followed by the banishment and, after Charlemagne's death, the execution by that pope of several of the large number of conspirators. In an attempt to regulate against such situations, and as part of his confirming the status quo between the empire and the pope, Louis the Pious in his treaty of 817, known as the *Ludovicianum*<sup>12</sup>, had accepted that the pope could be

<sup>10</sup> On this vast topic, it is sufficient to cite the literature around the Lothar II and Hinemar, see Stone, West, *The divorce of King Lothar and Queen Theutberga*, and Heidecker, *The Divorce of Lothar II*. More specifically for the Roman conflicts Betti, *Sull'uso del titolo di Senatrix*, pp. 627-660 and especially Betti, *Papa Giovanni VIII e l'aristocrazia romana*, pp. 165-174, and now also Betti, *The Social Reproduction of the Roman aristocracy*.

<sup>11</sup> LP, vol. 1, pp. 464-465. For the events of Pope Stephen III and Constantine's succession, see LP, vol.1, pp. 468-469; see also Hallenbeck, *Pope Stephen III: why was he elected?*, pp. 287-299. LP, vol. 1, pp. 468-476 and pp. 478-480, has the narrative about Toto and Constantine, and Christopher and Desiderius; see Bertolini, *Roma di fronte a Bisanzio*, pp. 622-660; West-Harling, *Rome, Ravenna and Venice*, pp. 155-156; *The Lives of the Eighth-Century Popes*, pp. 86-87; McKitterick, *The damnatio memoriae of Pope Constantine II (767-768)*, pp. 231-249.

<sup>12</sup> On the *Ludovicianum*, see ed. in MGH, Capit. I, n. 172, pp. 352-355; *The Lives of the Eighth-Century Popes*, pp. 231-233; see discussions in Hahn, *Das Hludovicianum*, and Noble, *The Republic of St. Peter*, pp. 299-308.

elected by the whole of the Roman people, i.e. including the Roman secular aristocracy, with the papal ruling of 769 being quietly dropped. The Romans would, however, have to obey the ruling which demanded an imperial check on the procedure of the election and its legitimacy. Stephen IV was the first pope to be thus elected in 816<sup>13</sup>. As a result of a serious crisis under his successor Paschal I, of which more below, Emperor Louis sent Lothar to Rome to sort out the election situation for good, which led to the promulgation of the *Constitutio Romana* in 824<sup>14</sup>. This new “treaty” between the empire and the pope reiterated the various clauses of the *Ludovicianum*, but it firmly forbade the taking of office by the new pope until his election had been ratified by the imperial missus. Lothar attempted to make the imperial *missus* permanent in Rome, though it may seem that he was not successful in that respect. This is shown by the fact that there was *missus* present at the time of any papal election bar one (Pope Valentine in 827), as a result of which popes like Paschal in 817 and Leo IV in 847, could offer the excuse of not having been able to submit their election to imperial scrutiny to prove its legitimacy because there was no *missus* present<sup>15</sup>. Popes had to wait for a *missus* to arrive, as did Gregory IV in 828<sup>16</sup>. In addition, the *Constitutio* also regulated the power of the dukes and officials in Rome, subject to papal authority but checked by the *missi* to ensure that they did their job well; should they not so so, they would be reported to the pope by the *missi* and, if the latter did not remedy the fault, they would then be reported to the emperor himself.

#### 4. Lothar’s support of the Roman aristocracies: the crisis of Pope Paschal I

What was Lothar’s specific engagement with the secular aristocracies of Rome? He never attempted to place any of his men in the city, even those of his main advisors in Italy such as Lambert, Eberhard, Wala or Hugh of Tours<sup>17</sup>. Yet, reading between the lines of his actions, Lothar appears to have

<sup>13</sup> LP, vol. 2, p. 49.

<sup>14</sup> The *Constitutio Romana* is edited in MGH, Capit. I, n. 161, pp. 322-324. See Noble, *The Republic of St. Peter*, pp. 308-322. In a more general way on the issues of Louis the Pious and Lothar’s government in Italy see Gantner, *A Brief Introduction*; Jarnut, *Ludwig der Fromme*; and the work of Elina Screen: Screen, *Lothar I in Italy* and Screen, *Carolingian Fathers and Sons*. More specifically too on the relations between Lothar and Louis II and the at first seamless transition in terms of their advisors, see Bougard, *La cour et le gouvernement* and Delogu, *Strutture politiche*.

<sup>15</sup> For Paschal see MGH, ARF, pp. 145-148, *ad annum* 817: for Leo IV see LP, vol. 2, p. 107.

<sup>16</sup> MGH, ARF, pp. 173-174, *ad annum* 827.

<sup>17</sup> On the main figures of power around Lothar in Italy in the 830s and 840s, there is a considerable literature, starting with Hlawitschka, *Franken, Alemannen* and Predatsch, *Migration im karolingischen Italien*, esp. pp. 357-359; Depreux, *Prosopographie*; Jarnut, *Ludwig der Fromme*, pp. 359-360; and Screen, *Lothar I in Italy*. For specific names, see also now the database of the PRIN project *Ruling in hard times. Patterns of power and practices of government in the making of Carolingian Italy: Languages and Agents of Power in Carolingian Italy* (LAPCI) < <https://carolingianitaly.it/la-banca-dati/> > [01/03/2024] and the database MedIta-NunC, Medieval Italian Nuns’ Corpus, of the project ITNUN: Veronica West-Harling, *Family*,

been supporting the Roman aristocracy as an alternative to the pope, or rather he offered imperial authority as an alternative to papal power. I should like to use three examples of this policy.

The first example goes back to the succession of Pope Leo III, when we are told that the numerous noblemen who had been arrested and banished to the Frankish court by Leo for their rebellion in 799, were allowed to return to Rome<sup>18</sup>. This occurred as a result of Pope Stephen IV's trip to Rheims to crown Louis the Pious in 816, but was confirmed by his successor Paschal in 817<sup>19</sup>. However, Paschal, like Leo III was another clerical pope not issued from the noble elite, and he provoked a not dissimilar reaction among the Roman aristocracy<sup>20</sup>. He entered into conflict with some of that elite, leading to a crisis in 823, a crisis which came about, says the *Libellus de imperatoria potestate in urbe Romae*, because «all great men of Rome supported Lothar»<sup>21</sup>. The date of the writing of the *Libellus* has been placed variously between the end of the ninth and the early tenth century, and therefore not contemporary with the events, and it is generally accepted that it put forward a view favourable to the imperial party (more specifically the Spoletan one), so it may include some exaggeration with regard to the general consensus, but it is unlikely to have invented the majority support, if not the unanimity. The *Liber Pontificalis*, in its usual disingenuous manner, blanks out almost completely on this episode, which, fortunately, we know in reasonable detail from the Frankish sources, notably the *Royal Frankish Annals* and the Astronomer in his biography of Louis the Pious, which both give us the “official” Frankish Court version of contemporary events<sup>22</sup>. They say that the Emperor Louis was told that the *primicerius* Theodore and his son-in-law the *nomenclator* Leo had been decapitated in the Lateran because «they had always been loyal to Lothar»; it was generally said that Pope Paschal had been a part of this, or that it had been done on his order or advice. The papal legates John bishop of Silva Candida and Benedict archdeacon of the Roman Church, came to Louis to offer excuses for the accusations and to bring an account of the inquiry or, say the *Royal Frankish Annals*, to exonerate the pope of the false rumour. It was said by

*Power, Memory: Female Monasticism in Italy from 700 to 1100* now at < <https://www.unive.it/pag/19343/> > or < <https://itnun.saame.it/> > [01/07/2023]; Paziienza, West-Harling, *Networking nuns*, pp. 9-39. Specifically on Lambert and Hugh of Tours, see now Veronese, *Un franco (anzi due) in Brianza*, pp. 155-163; on Eberhard and the marquesses of Friuli, see Hlawitschka, *Franken, Alemannen*, pp. 169-172 (Eberhard) and 276-277 (Unruoch); Krahwinkler, *Friaul im Frühmittelalter*, pp. 197, 245-266, 273; Hlawitschka, *Unruochinger, fränkische Adelsfamilie*, col. 1261; Fees, *Eberardo, marchese del Friuli*; Kershaw, *Eberhard of Friuli, a Carolingian lay intellectual*; Schmidinger, *Eberhard, Markgraf von Friaul*; and Werner, *Bedeutende Adelsfamilien im Reich Karls der Grosse, Excursus I: Die Unruochingen*, pp. 133-137.

<sup>18</sup> MGH, Astronomus, *Vita*, 25, p. 358.

<sup>19</sup> LP, vol. 2, p. 49.

<sup>20</sup> West-Harling, *Rome, Ravenna and Venice*, pp. 119, 124. On Paschal see Goodson, *The Rome of Pope Paschal I*, pp. 28-34.

<sup>21</sup> *Libellus de imperatoria potestate*, p. 197.

<sup>22</sup> MGH, ARF, pp. 161-162, *ad annum* 823; MGH, Astronomus, *Vita*, 37, pp. 416-420; MGH, Thegan, *Gesta*, 30, p. 218.

the Roman people, adds Thegan, the other biographer of Louis the Pious and generally known as hostile to Lothar, that the pope had ordered these killings, as well as those of another two Lateran functionaries, the *superista* Florius and Sergius. The *Royal Frankish Annals* say that the emperor, unconvinced by their account, sent his own envoys to Rome, Adelung abbot of St Vaast and Count Hunfred of Chur, to investigate the accusation which the Roman people had brought against Paschal of being the murderer of several men. In the Lateran palace, in presence of the *missi*, 34 bishops, priests and deacons, Paschal took an oath of innocence of having ordered the killings. However, the *missi* said on their return, the pope had defended with great vigour the murderers because they belonged to the *familia Sancti Petri*. Moreover, he had said that the two men killed had got their just deserts and had been justly slain because they had been guilty of *lèse-majesté*. He refused to hand over the murderers and pardoned them. The emperor, not able to pursue further a vindication of the slain, although strongly wishing to do so, decided to desist from pursuing the inquiry. But the bad feeling in Rome continued, and Thegan says that when Paschal died, the Roman people refused to have him buried at St Peter's and that they only did so when ordered by his successor Pope Eugenius.

The crisis precipitated the setting up of the *Constitutio Romana*, as Lothar was sent off to Rome by Louis to sort out the problem. Paschal died and for once, as the imperial *missus* Wala was in Rome, he confirmed the election of the first of several aristocratic popes, Eugenius III, in 824<sup>23</sup>. Lothar was lavishly received by Eugenius and crowned emperor. The Astronomer says that Lothar

complained of those things which had befallen, namely, why those who had been loyal to the emperor and the Franks had been destroyed with unjust and violent death; why those who had survived had been held a laughing-stock to the rest; and how such serious charges were cried out against the Roman pontiffs and judges.

He continued saying that «it was discovered that the estates of many had been unjustly confiscated, either by the ignorance or idleness of certain pontiffs, and also by the blind and rapacious greed of the judges»<sup>24</sup>. Even more damning is the account of the *Royal Frankish Annals*: Louis sent Lothar to Rome so that he would make in his stead binding decisions with the new pope and the Roman people on whatever the occasion demanded. Lothar ordered the affairs of the Roman people, which «for a long time had been confused due to the wickedness of several popes». As a result of his intervention «all who had been injured by the loss of their fortune were marvelously consoled by the return of their possessions», brought about by Lothar's appearance on the scene<sup>25</sup>. Therefore, and this is again the Astronomer, by restoring what things had been wrongfully taken away, Lothar caused great joy for the Roman peo-

<sup>23</sup> MGH, *Astronomus, Vita*, 38, pp. 422-424.

<sup>24</sup> *Ibidem*.

<sup>25</sup> MGH, ARF, pp. 164-166, *ad annum* 824.

ple. To summarise: Lothar's interaction with the Roman aristocracy involved the solving of a crisis which had seen the latter attacked and deprived of its possessions by Pope Paschal I, with the return by Lothar of these possessions to them. This could be seen as, first of all, the successful application of the *Constitutio Romana*, whereby the Romans were to be loyal to the pope in the first instance, but if unhappy with his judgment, they would be allowed to appeal to the emperor for justice – in this case the unjustified condemnation of those who had been loyal to the emperor and the confiscation of lands belonging to them. Secondly, the Frankish perception was that the emperor was able and willing to intervene to support those who, in Rome, were loyal to him – and these, we gather, were fairly numerous.

To take a slight deviation, I should like to suggest that this is also what the court case brought by the abbey of Farfa – though outside the city itself but with property and influence in it – suggests. This related to Lothar's intervention in his judgment in favour of the abbey of Farfa and against the Church of Rome in 829<sup>26</sup>. In 817 Pope Stephen IV had confirmed the properties of the abbey of Farfa in the Sabina to Abbot Ingoald, but had imposed an annual payment of 10 gold solidi because he claimed that according to Roman law, these were part of the papal patrimony in Sabina; Paschal I confirmed the diploma<sup>27</sup>. But in 829, Ingoald claimed that the payment was not justified because, according to Lombard law, the lands had been granted to Farfa in full property by Anselperga daughter of King Desiderius and abbess of San Salvatore of Brescia, and that the properties had, in addition, been confirmed as benefitting from the imperial immunity of Farfa by Charlemagne and by Louis<sup>28</sup>. Pope Gregory IV did not accept the ruling and a *placitum* was set up in the Lateran for Louis' *missi*, Bishop Joseph and Count Leo, in the presence of various officials including Frankish *vassi imperiales* and Lombard *gastaldi*, to deal with the case. Article 5 of the *Constitutio Romana*, which allowed the people of Rome to choose which law they wanted to live under, Roman, Frankish or Lombard, granted them access to the appropriate courts. Lothar came to Rome in 829 and heard Ingoald's appeal, which had said that the pope had taken away the freedom of the abbey («ablata pristina libertate») and requested a tribute and pension, and had removed «multas possessiones (...) violenter ablatas». This was unacceptable on the basis of the «antiqua langobardorum regum praecepta», and the imperial immunity<sup>29</sup>. In 829-830 the two emperors Louis the Pious and Lothar confirmed the privileges of the Lombard kings and of the emperors Charlemagne and Louis, and in 840 Lothar would grant a privilege in which he once again confirmed to Farfa the full possession of its properties and the full imperial immunity<sup>30</sup>. The case of Farfa may seem to

<sup>26</sup> RF II, n. 270, pp. 221-223 (829 I, Roma) and see note 5 above.

<sup>27</sup> RF II, n. 225, pp. 186-187 (817 II 1).

<sup>28</sup> RF II, n. 272, pp. 224-225 (829-830).

<sup>29</sup> RF II, n. 272, pp. 224-225 (829-830).

<sup>30</sup> RF II, n. 272, pp. 224-225 (829-830); n. 282bis, pp. 233-238 (840 XII 15, *Cadiniaco villa*).

have taken me away from my specified purpose of dealing exclusively with the city of Rome: one may speculate that such a debate over the choice of legal system would apply largely to the inhabitants of the papal territory rather than to those of the city of Rome itself. There were certainly some Lombards in the city, though, as we saw, no Franks other than the pilgrims – but there were far more candidates for claiming Lombard or Frankish legal rights in such areas as the Sabina (Roman as well as Lombard Tuscia). But it shows at least how the *Constitutio Romana* was applied in practice – at least in the presence of the emperor or his *missi* – and the ruling would be used again to support the claims of Farfa at a later date, in another conflict, which once again relied on Farfa's right to be subject to Lombard and not Roman law.

##### 5. *Lothar's support of the Roman aristocracies: Pope Sergius II and Benedict*

My second example involving Lothar's links with the Roman aristocracy is the much-debated issue of Pope Sergius II's brother Benedict. Sergius became pope in 844, after another tumultuous election<sup>31</sup>. Once again there was no *missus* present in Rome and, once again Lothar was furious that the ruling of the *Constitutio Romana* had not been followed. In this instance, both the *Liber Pontificalis* and the *Annals of St Bertin*, contemporary with the events and the latter written at this point further away from the direct entourage of Louis the Pious, tell us that he was indeed furious enough to send his son Louis himself to Rome, together with Archbishop Drogo of Metz as a *missus*<sup>32</sup>. They were received by the pope on 8 June 844, but although the latter proclaimed the legitimacy of the election, Louis and Drogo convoked a synod which met between 10 and 15 June to confirm this by having a new election – even as Louis's army was stationed at the gates of Rome and doing what a medieval army did best, namely wreaking havoc on the citizenry. The synod reelected Sergius, who anointed and crowned Louis as King of the Lombards, and finally he and his army left Rome for Pavia, to the great relief of its inhabitants, claims the *Liber Pontificalis*<sup>33</sup>.

It is the next part of the story which needs telling, however. Sergius, for a variety of reasons which could be hidden under the umbrella of ill-health, came to be increasingly erratic in his behaviour, to the extent that the actual government was taken over, on his own decision, by his brother Benedict in 846. The *Liber Pontificalis*, who hated Benedict with a passion, and accused him of every crime from wanton destruction of church property to simony,

<sup>31</sup> LP, vol. 2, pp. 86-87; MGH, AB, p. 30, *ad annum* 844.

<sup>32</sup> Gantner, *A King in Training?*; Gantner, *Louis II and Rome*; Gantner, *The Saracen Attack on Rome*. I am very grateful to Clemens Gantner for allowing me to read the last two papers in pre-publication pdfs.

<sup>33</sup> LP, vol. 2, pp. 87-91.

called it a power grab, while Benedict defined it himself as exercising the «primacy and lordship at Rome» or even exercising the «monarchy at Rome»<sup>34</sup>. There are several possible interpretations of this, the most commonly favoured being that Benedict may have been, in reality, the “permanent *missus*”, with his power being delegated to him by the Emperor Lothar. Did Lothar make Benedict an imperial deputy? Benedict’s actions, to a certain extent, could be seen as justifying this assumption. For example, he was said to have taken away the property of various churches «with imperial permission and instruction». The result was that «in three years there remained no monastery in Rome or outside it which had not lost its property». He was accused of simony, having “sold” bishoprics, in one case for as much as 2000 mancuses, and the *Liber Pontificalis* said that «no church incumbency was granted by the brothers except at a price». Now we know that, while this was happening, as soon as Benedict took over, papal legates were sent to Guy of Spoleto asking for his help in fighting the Saracen attacks on Rome, which Benedict of Soracte tells us<sup>35</sup>. By 846-847 Rome was being regularly attacked, and attempts were made to create some kind of defence, partly as a response to the information passed on by Marquess Adalbert of Tuscany, who informed the pope about the enemy’s movements, and partly as a response to the easy taking of Ostia and Porto by the Saracen armies. It may well be that Benedict, whether as some kind of imperial legate or indeed as a representative of the military aristocratic elite of the city, was attempting to raise money, not for himself but for the defence of the city, including by using church property and funds. If so, he may have been doing what he thought was the emperor’s will, and representing the kind of secular aristocratic government that Lothar seems to have encouraged in the city. The *Liber Pontificalis*’ hostility towards Sergius, and especially towards his brother, clearly one of the great aristocrats, was fuelled by Benedict’s claim to rule over Rome on the grounds of having such power given to him by the Franks and the emperor. Benedict seems to have attempted to set up a form of secular power in the city, building and rebuilding walls and other buildings, in the process taking away the properties of various churches «with imperial permission and instruction», and selling ecclesiastical offices. Was Benedict an imperial deputy, dealing with an ad hoc difficult situation on account of the pope’s incapacity, or was he a proto-Theophylact, who made a first attempt at setting up a secular government in Rome? It may be no coincidence that, dealing with the increasingly serious Saracen attacks on the city, both the military aristocracy and the other inhabitants may have felt that an incapacitated pope was not the best person to lead its defence – hence the interest in a man who was building walls and defensive structures.

Supporting such a view may be the other famous example of Lothar’s interaction, this time with Sergius II’s successor Leo IV. In 847, the emperor

<sup>34</sup> LP, vol. 2, pp. 97-99.

<sup>35</sup> *Chronicon di Benedetto*, pp. 150-151.

ordered the pope to begin building a wall around St Peter's<sup>36</sup>. The *Liber Pontificalis* tells us that the pope asked Lothar, his spiritual son, for help to do so, upon which the emperor sent money for that purpose. The gates were inscribed with Leo's name as the author of the work «in the time of the glorious emperor Lothar», but we know from the Capitulary of Lothar of 847 that it was in fact the emperor who had ordered the building of the wall, even while Sergius II was still alive, though this was not begun until 848. Thus the *Liber Pontificalis'* spin on the story, making the pope the instigator of the defence and Lothar his financial backer as a dutiful son, is flatly contradicted by the actual documented capitulary which orders the pope to build the wall, not the other way round. Even if one agrees, in the end, that it was a collaborative decision, this shows, once again, that the *Liber Pontificalis* was always putting forward the papal initiative, not the imperial one – which may well have been what Benedict was, in fact, already doing, before Leo IV. One more indication of the Lothar's support of the secular “government” in Rome.

These examples, the only ones we have, would appear to show that the relationship between Lothar and the aristocratic elite of Rome was a good one – confirming perhaps the *Libellus'* view that they were loyal to the emperor, even into the upper echelons of the papal administration. Such a view may need to be nuanced through the final case study that I should like to propose.

#### 6. *Lothar's supporters and spies: the affair of the two superista*

Just like with Paschal I's men who accused Theodore and Leo of colluding with the Franks, we have a second case dealing with the issue of alleged disloyalty to the pope in the affair of two high-ranking military officers under Leo IV, Gratian and Daniel. According to the *magister militum* Daniel, the *magister militum* and «outstanding *superista* and counsellor» Gratian was saying things showing him to be disloyal to the Franks, notably that the Romans should call on the Greeks, make peace with them and expel the Franks from Rome. A worried emperor (Louis now, after the death of Lothar that year) went to Rome and called together a synod of all the Roman dignitaries and noble Franks. Daniel accused Gratian of treason, Gratian refuted the accusation and, perceiving it to have been «made by envy», claims the *Liber Pontificalis*, the «clement emperor», while appearing to give way and have Daniel «given to Gratian» to be tried «according to Roman law as had been laid down by the emperors of old» (presumably meaning according to the Roman law of defamation), in reality asked Gratian «with humble supplication» to give him back Daniel, whom he then pardoned<sup>37</sup>. Behind the emperor's

<sup>36</sup> LP, vol. 2, pp. 115; 123-125; 135. Lothar's capitulary in Capit. it., n. 33 (203), cap. 7, p. 153. On this discussion see West-Harling, *Rome, Ravenna and Venice*, pp. 419-420 and Gantner, *The Saracen attack on Rome*; and more generally for Leo IV, Herbers, *Papst Leo IV*.

<sup>37</sup> LP, vol. 2, p. 134; West-Harling, *Rome, Ravenna and Venice*, p. 165.

humble request to Gratian, there is no doubt that we can hear a disguised order, which is a way of allowing the emperor to pardon Daniel, his own spy, whom he clearly needed because he did not trust Leo IV and other members of the Lateran government, and because he wanted to ensure than anyone who heard other rumours would not be afraid of whistleblowing.

## 7. *Conclusions*

In conclusion, I would propose that the interaction between Lothar and the Roman secular aristocracy was, broadly speaking, one of support for their mutual benefit, and that Lothar, whenever possible, took the side of these elites against the pope. As the *Libellus* claims: «according to custom power was greater (under Lothar, who), having strong men from the city itself, with knowledge of ancient imperial law, suggesting to Caesar and intimating to him that he should restore the ancient rule of the emperors». Very prudently, he never tried to impose his men directly in the city, unless we can call Benedict an imperial deputy of sorts, and unless we discount his spies like Daniel. From Lothar's point of view, Rome's allegiance was essential since he was the emperor, and his main means of controlling it was through the papal elections, for which he attempted to enforce the *missi's* approval. From the point of view of the Romans, they had taken an oath of loyalty to the emperor – and indeed it was the emperor to whom they submitted. This can be understood from their refusal to swear such an oath to his son Louis, who was only King of the Lombards until his imperial coronation in 850<sup>38</sup>. Giving allegiance to the emperor – and that above the pope, who saw himself as the ruler of Rome – was acceptable for the aristocratic elite, indeed it became a way of attempting to reinforce their own power in the city, other than the by now common *cursum honorum* in the papal administration. This was to lead to the effective rule by Theophylact from the 900s, as soon as both papal and Carolingian power were seriously on the wane, and the Roman nobility could once again try to bring about a secular government.

<sup>38</sup> MGH, AB, p. 38, *ad annum* 850 – but, significantly, the imperial coronation is not mentioned in the LP, vol. 2, p. 90.

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