

The Capitulary of Koblenz, 860

Charles West, June 2020

This capitulary records a meeting between the Carolingian kings Louis the German, Charles the Bald and Lothar II at Koblenz on the River Rhine in 860. It was convened to draw a line under Louis's invasion of Charles's kingdom in 858. A great deal of the text was consciously copied from a capitulary drawn up at the Council of Meerssen in 851, which had been attended by Louis, Charles and Lothar II's father, Lothar I (I have put these sections in a smaller font).

The Latin contains some distinctly non-classical words (*forconsiliare*, *misfacere*, *alodes*, *bannire*) and is not always strictly grammatical. The complete text is preserved only in early modern editions, but a number of medieval manuscripts have extracts from it, including [Vatican Pal. lat. 582](#) fol. 84v,¹ Paris BnF lat. 9654 fol. 79v,² and Munich SB Clm 3853 fol. 268v. The oath of Louis is independently recorded in the Annals of Fulda, and the oath of Charles in a work by Hincmar of Reims.

This is a draft (and somewhat hasty) translation, intended to give those without Latin access to the text, and those with basic Latin some guidance in interpreting it for themselves. If you spot any howlers, please do let me know!

Edition: MGH *Capitularia* vol. II

[https://www.dmgh.de/mgh_capit_2/index.htm#page/\(152\)/mode/1up](https://www.dmgh.de/mgh_capit_2/index.htm#page/(152)/mode/1up)

TRANSLATION

Declaration of the lord Charles³

You know that some men less fearful of God than was necessary as if with good intention invited our brother Louis in that year [858], that he should come into our kingdom in the way you know; and you know well how God and your faithfulness aided us. After this, with God's help this our dearest nephew [Lothar II] worked to bring about peace between us as there rightly should be, and so that as the bishops advised he [Louis] might return to that love and fraternal concord without which no Christian can be saved. Afterwards he [Louis] sent his envoys to us, and informed us first of a message (*missaticum*) that seemed to us impossible. [p. 154] Then, since we did not accept that message, his envoys told us of another message. Since this seems to us to be salvatory according to God and useful according to the world, we wish to tell you of it. And if it seems to you as it seems to us, with your counsel we will accept it and as far as God concedes, we will bring it into effect.

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These are the names of the bishops who in the year 860, on 5 June in the *secretarium* of the basilica of Saint Castor, considered along with noble and faithful laity the treaty (*firmitas*) which the glorious kings Louis and Charles and Lothar made amongst themselves on the 7th

¹ <https://capitularia.uni-koeln.de/en/mss/vatikan-bav-pal-lat-582/>

² <http://www.leges.uni-koeln.de/en/mss/codices/paris-bn-lat-9654/>

³ It is unclear whether this 'Declaration' was part of the original text.

June in that same monastery, and who accepted the capitulary to be maintained by everyone:⁴ Hincmar [of Reims], Gunthar [of Cologne], Altfred [of Hildesheim], Saloman [of Konstanz], Adventius [of Metz], Atto [of Verdun], Franco [of Liège], Theuderic [of Cambrai], Luitbert [of Münster], Gebehard [of Speyer], Christian [of Auxerre], Abbot Wulfard, Abbot Witgar.

These are the names of the laymen:⁵ Conrad,⁶ Everard,⁷ Adalard,⁸ Arnust,⁹ Warner,¹⁰ Luitfrid,¹¹ Rudolf,¹² Erkingar,¹³ Giselbert,¹⁴ Ratbod,¹⁵ Arnulf, Hugh,¹⁶ again Conrad, Luithar,¹⁷ Beringar, Matfrid,¹⁸ Boso,¹⁹ Sigeri,²⁰ Hartman, Liuthard, Ricuin, Wigeric, Hunfrid,²¹ Bernold, Atto, Adalbert, Burchard,²² Christian, Leutulf, Hessi, Heriman, again Rudolf, Sigeward.

Oath of King Louis

From now and for as long as I live, I will be an aid (*adiutor*), with true counsel and according to what is reasonably and healthily possible for me, to this my brother Charles and my nephews Louis and Lothar and Charles,²³ to the will of God and the status and honour and defence of the holy church, and to our common salvation and honour, and the salvation (*salvamentum*) and peace of the Christian people committed to us, and to the conservation of law and justice and right reason, [p. 155] as much as God gives me understanding and ability, and they listen to me and seek it from me, to help them maintain their kingdom. And neither will I give bad advice against them in respect of their life or limbs or kingdoms, on condition that they make and keep a similar promise towards me. Thus may God and these holy relics help me.

Capitulary to be kept by everyone²⁴

1. That there should henceforth be an abolition of all previous wickednesses and oppositions and attacks and evil machinations and plots and harmful actions between and involving ourselves, and may it be

⁴ Here are the names of the bishops, followed by the names of the laymen, who met in advance to prepare the text on the nones of June. Note that they come from all three of the Frankish kingdoms represented at the conference.

⁵ For these identifications I have consulted Karl Heidecker, *Kerk, huwelijk en politieke macht* (Amsterdam 1997), pp. 216-219. Not all of the names can be identified.

⁶ Brother of Judith, uncle of Charles the Bald.

⁷ Probably Count Eberhard of Friuli.

⁸ Seneschal, uncle of Charles the Bald's wife (WF)

⁹ Marchio of Bavaria.

¹⁰ Count in kingdom of Louis the German.

¹¹ Son of Hugh count of Tours; uncle of Lothar II.

¹² Abbot of Saint-Riquier, uncle of Charles the Bald.

¹³ Count in Alemannia and Alsace

¹⁴ Count in Maasgau, brother-in-law of Lothar II.

¹⁵ Noble in kingdom of Charles the Bald.

¹⁶ Cousin of the kings, lay-abbot of St Germain in Auxerre.

¹⁷ Count in Saxony.

¹⁸ Son of Matfrid of Orleans.

¹⁹ Brother of Theutberga and Hubert.

²⁰ Count in kingdom of Lothar II.

²¹ Count in kingdom of Charles the Bald.

²² Count in kingdom of Louis the German.

²³ Lothar II and his brothers, King Louis II of Italy and Charles of Provence.

²⁴ Much of this capitulary is borrowed from the Capitulary of Meerssen, issued in 851.

entirely removed from our hearts along with all the malice and rancour, so that nothing henceforth will come in remembrance of or to avenge any wickedness or opposition or insult or taunt.

2. That with the Lord's help, there will remain henceforth and always such a kindness of true love between us, 'from a pure heart and a good conscience and an unfeigned faith' [1 Tim 1:5], without any tricks or pretence, so that no one will wish harm or advise against the kingdom of his peer, or his followers or what pertains to the safety and prosperity and honour of the kings, nor accept wilfully invented lies and slander through hidden whisperers.

3. That each of us will faithfully help his brother whenever it is needed and he is able to do so, either himself or through a son or through his followers, in advice and assistance, so that he will be able to have the kingdom, followers, prosperity and royal honour that is owed to him. And each will truthfully compete to demonstrate to the other that he is saddened in brotherly fashion by the adversity of his brother, if that happens, and that he rejoices in his prosperity. And if one brother should die, the surviving brother will maintain this faith, just as we now have confirmed that we will maintain henceforth, to the children of his brother.

4. And since peace and tranquillity is often disturbed through wandering men, irreverent through tyrannical custom, we wish that if such a man comes to us so that he can escape account and justice for what he has done, none of us will accept or keep him for any purpose, except so that he might be brought to right reason and owed emendation. And if he escapes right reason, we shall all together pursue him, in whosever kingdom he has entered, until he shall be brought to right reason or destroyed out of the kingdom.

5. Similar action is to be taken about someone who is reprimanded or excommunicated by a bishop for some capital and public crime, or who commits a crime before excommunication and then changes kingdom and royal regime (*regis regimen*) so he does not receive the due penance, or so if he has received it he does not carry it out legitimately. Sometimes someone brings with him for incest his relative or a nun or an abducted woman, whom it is not licit for him to have. When the bishop to whose care this pertains has made this known to us, let this man be diligently sought out, nor may he find any opportunity of delaying or hiding in the kingdom of one of us, so that he may return to his bishop along with his diabolic plunder whom he took with him. And then he will either receive the penance that is owed for whatever public crime, or he will be compelled to carry out legitimately the penance he has already received.

6.²⁵ That none of the bishops will separate someone who has sinned from the church and from Christian communion, until after he has warned him according to the gospel precept that he should return to emendation and repentance. If the sinning person who has been warned remains uncorrected and does not wish to return to repentance, let the bishop himself or through his ministers approach the royal or state power (*regiam vel rei publicae potestatem*), [p. 156] so that he may be compelled to return to emendation and repentance. If he cannot be thus brought to correction, then let him be segregated from ecclesiastical communion by a medicinal separation, according to the church laws.

7. That reasonable mercy shall be shown to those men who sinned against God and the holy church and ourselves, in disturbances such as those that happened in previous years, if they ask for it, truthfully recognising themselves, and wish henceforth to be truly faithful to us, and to abide in our kingdoms peacefully and quietly and lawfully, in obedience to justice – mercy not only in forgiving what they have done and in the concession of property, but also in the bestowal of honours, according to what is reasonably possible for us.

²⁵ This chapter and the three that follow (7, 8 and 9) were written fresh for the Koblenz meeting.

8. What the ecclesiastical and Christian laws and the capitularies of our progenitors contain about plunder and depredations and conspiracies and seditions and the abduction of women, let them be observed in all things by everyone.

9. What other capitularies of those progenitors say about the honour and immunity and conservation of the holy church, and about the royal honour and vigour, and the law and justice of the people committed to us, let them be kept in all things by everyone.

10. That our faithful followers, each one in his order and status, will be truly confident in us, that we will henceforth not condemn nor dishonour nor oppress nor afflict with undeserved tricks any of them, and with the common counsel of them, that is those who are truly our faithful followers, and according to the will of God and communal salvation, we shall offer assent for the restoration of the holy church of God and the state of the kingdom and to the royal honour and the peace of the people committed to us – on condition, that these followers do not only not contradict us nor resist carrying out these tasks, but are also truly faithful and obedient and true helpers and cooperators, with true counsel and sincere help in carrying these things out, as everyone in his order and status ought by right to be to his ruler and his lord.

11. That thus together, we brothers and our nephew will join together with each other, and with our faithful followers, and they with us, and all together with God, and so that He will be well inclined towards us, we shall make offerings to Him with devoted gifts. And every one of all of us will acknowledge without an excuse or justification in which ways we have acted or consented to action against His commands and the decrees of His saints, whether individually or communally, against the ecclesiastical order and the status of the kingdom. And we will bring them out in the open, and none of us will spare in worldly fashion his friend or his relative or his ally, nor indeed himself, so that he may be able to spare them spiritually and salvifically. For as we set out in the previous chapter, we will set about emending matters with all our strength, with true counsel and sincere help in the common struggle, as quickly as we reasonably can.

12. And if one of our subordinates in whatever order and status leaves or withdraws from this agreement, or speaks against this common decree, the lords (*seniores*) with those truly faithful to them will carry it out according to the will of God and law and just reason, whether the person resisting and speaking against divine counsel and command and this agreement wishes to or not. [p. 157] And if one of the lords leaves or withdraws from this agreement or speaks against this common decree – which may it not happen – then when many followers or our lords and the magnates of the kingdoms come together, let it be discerned with God's favour what should be done about the person who, duly warned, perseveres in his incorrigibility, with the advice of those lords who have kept the agreement and the judgement of the bishops and common counsel.

And so that these chapters written above shall be more resolutely and inviolably observed by us, with God's help, and so that it will be believed more certainly that we shall observe them, we sign here with our own hands.

Declaration of the lord King Louis at Koblenz, in the German language (*lingua theodisca*)

1. You know what happened in this kingdom. And therefore we met here, so that we might discuss the will of God and the state of the holy church and ours and your common salvation and honour, and the peace of the Christian people, with the help of God and the counsel of our faithful followers.

2. And we entrusted this to bishops and other faithful followers, that they should establish how we should unite to follow through what we have declared. And we wish that you should know that, as they established and showed us in writing,²⁶ we are in turn united as brothers

²⁶ I.e., a reference to the preceding capitulary.

ought rightly to be, and we together with this our nephew, and he with us, and we accept his brothers too, our nephews, with ourselves in this agreement of unity, provided that they carry out and observe this agreement towards us.

3. And you know that we do not wish anyone to deliver messages between us henceforth except those that are pleasing to God and that pertain to our common salvation and our honour – so that we should be what brothers ought to be with each other, and uncles and nephews, and nephews with uncles. And if there is anyone who tries to do this, let him be brought into the middle to give account, and let him there be reprimanded, so that no one attempts to do something similar again.

4. And we wish that the churches and the houses of God and the bishops and the men of God, clerics and monks and nuns, shall have such protection and honour as they had in the time of our ancestors.

5. And we wish that you and all our faithful followers will have such a law and justice and such safety in our kingdoms, as your ancestors had in the time of our ancestors; and that we shall have such honour and right power in our royal name with you, as our ancestors had with your ancestors. And let justice and law be kept by all. And let poor people have the protection that was the custom and law in the time of our ancestors, and as our faithful followers have commonly agreed and showed us in writing, and we consented to their advice and commonly wish to observe. And if anyone wishes to disturb this, let him be received by none of us, unless to be brought to give right reason or for the reasonable concession of forgiveness.

6. [p. 158] And from this day and henceforth, we ban with the bann of God and our own word the rapine and plundering which now many carry out through custom as if by law, so that no one will dare to do it any more. And let everyone abide within their homeland with peace and without oppressing the poor and their neighbours, and let them come to the army or the law court or the royal court, fully prepared, and come from his household so that he can travel in peace and stay with us and return to his household.²⁷ And whoever transgresses against this, we wish that this shall be emended in the transgressor according to the custom of our ancestors and as is contained in their capitularies.

7. And we similarly ban conspiracies and the abduction of women, both widows and girls and nuns, from the word of God and our own, so that no one will dare to do this in our kingdoms. And whoever dares to do it, let him be forced to make amends according to the law, and as is contained in the capitularies of our progenitors.

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The lord Charles declared the same things in the Romance language, and then summarised most of it in the German language.

After this, the lord Louis said to his brother the lord Charles in the Romance language, ‘Now, if it pleases you, I wish to have your word about those men who came to my faith’.²⁸

And the lord Charles said in a louder voice in the Romance language, ‘Those men who acted against me as you know, and went over to my brother – I forgive them for what they did

²⁷ I.e., should come to the court with provisions, rather than seizing them en route.

²⁸ I.e., the men in Charles’s kingdom who supported Louis in his failed 858 invasion.

against me, on account of God and love for him and for his grace. And I concede to them their lands (*alodes*) which they inherited and which they obtained and which they had from the donation of our lord, except those land that came by my donation, if they make a promise to me that they will be peaceful in my kingdom and live there as Christians ought to live in a Christian kingdom. On condition that my brother similarly concedes to those of my faithful who did not act against him and helped me when I needed it the property that they have in his kingdom. And about those properties (*alodes*) that they have by my donation, and those honours, as I will better discuss with him, I will act by my will to whose who will return to me.

And the lord Lothar said in the German language that he agreed with the chapters read out above, and promised that he would observe them.

And then the lord Charles again in the Romance language warned about peace, and prayed that they should go safe and sound with the grace of God, and that they would see them again safely, and put an end to the declarations.