

BOOK REVIEW

Nótári Tamás: A salzburgi historiográfia kezdetei (The Beginnings of Historiography in Salzburg). Szegedi Középkortörténeti Könyvtár 23. Szeged, Szegedi Középkorász Műhely, 2007. 342 pp.

Tamás Nótári's diverse erudition is now proved again after several occasions by the work that processes the historiography of early medieval Salzburg, presents and explains the Latin sources of the period. The results of the philological analysis of the sources processed provide useful additional information not only for legal historians on the law of Salzburg in the 8th–9th c.; readers interested in politics and ecclesiastical history will also find in it public history background information important to them, which has not been published in Hungarian so far. This review will primarily focus on the key results of the work in terms of legal history; deliberations on philological subjects will be touched upon only to the extent that they bear major significance in legal history.

The monograph is arranged around *Libellus Virgilii*, *Gesta Sancti Hrodberti confessoris*, *Liber confraternitatum*, *Notitia Arnonis*, *Breves Notitiae*, the so-called *Carmina Salisburgenia* and *Conversio Bagoariorum et Carantanorum*, that is, the seven, or six—as *Libellus Virgilii* has been left to us as part of *Breves Notitiae*—most important sources from Salzburg in the 8th and 9th c., following the chronology of the works listed.

On the one hand, the historiography of Salzburg—interpreting this term in an extended form Nótári ranks hagiography, having value of historic source and itself presenting historical facts, estate registers and *carmina* here—is outstandingly rich compared to Bavarian source materials of the period since, albeit, hagiographic works, estate registers and letters were produced also in Freising, Regensburg and Passau, yet, it is only Salzburg that can be proud of *Conversio Bagoariorum et Carantanorum*, this peculiar Salzburg genus mixtum so much typical of Salzburg.¹ On the other hand, after the dethronement of the last duke of the Agilolfing dynasty, Tasilo III by Charlemagne and the winding up of the independent Bavarian Dukedom, Regensburg was no longer to be the duke's seat, and the Bishopric of Salzburg having been raised to the state of

¹ Lhotsky, A.: *Quellenkunde zur mittelalterlichen Geschichte Österreichs*. Graz–Köln, 1963. 155.

archbishopric in 798 had undoubtedly attained primacy by the late 8th c. over the rest of the Bavarian ecclesiastical centres. That is, by then it became de iure the centre of power in Bavaria—so, the emphatic analysis of these sources is justified by the historical/political importance of their place of origin. Furthermore, the late 9th c. sources of Salzburg enrich us with information of unique importance on the history of the Carpathian Basin, the Avars.

The title “The beginnings of the historiography of Salzburg” is explained by the author as follows. Most of the sources that constitute the subject of the analysis were written not primarily with historiographic aim: they constitute records of dispute on estates in the a protocol form, cosmography, legend written under pseudo names with a periodic overtone, list of names, estate and donation catalogues that united Christianity in the community of prayer, poems meant to serve as epitaphs, accompanying letters, or practicing style, the bill of indictment or legitimating material of lawsuits to defend the (alleged or real) jurisdiction of the diocese. All of them contain the historiographic element, but their objective is often, in addition to (or by) recording events taken place, is practical, legitimating-oriented, pragmatic: to determine, record the place, role, significance of Salzburg that had turned from a modest locus the intellectual, secular and ecclesiastical centre of Bavaria in the flow of politics having calmed into history.

The present Salzburg became the centre of provincial Norica, the new unit of the Roman Empire under the name Iuvavum during the reign of emperor Claudius (41–54), and it was during the ruling of Antoninus Pius that it saw its fully blooming period of its dynamic development. Already at this point, the author raises the issue of the continuity of the town and Christianity existing here; he emphasises the circumstance that no written sources have been left to us on the period between the evacuation of Noricum ripense in 488 and the arrival of Rupert at the end of the 7th c. The author highlights Rupert, because his person is of key importance in the history of Salzburg, and the chapter about *Gesta (Vita) Hrodberti confessoris*,² which treats the Rupert legend, is involved in the volume.

In the analysis of the sources—primarily in the examination of *Gesta sancti Hrodberti confessoris* and two *notitiae*—Nótári finds out what explains the changing of the name of the town from Iuvavum to Salzburg. The Bavarians took under their control the salt exploitation in the vicinity of the town, Reichenhall, which, commenced in the times before Roman epoch though,

² See also Nótári, T.: *Gesta Hrodberti*. In: *Classica–Mediaevalia–Neolatina*. Ed. L. Havas et E. Tegye. Debrecen, 2006. 131. sqq.; On Bishop Virgil’s Litigations in Bavaria. *Acta Juridica Hungarica*, 48 (2007) 49. sqq.

terminated in the 2nd c. (The simultaneously existing names of Reichenhall in Latin and German: Salinae and Halla, which were supplemented by the name of the river running nearby: Salzach and resulted in the change of name.) Salt exploitation was recommenced in the early 8th c. but salt wells (putea) were already very deep; it was possible to lift salt only with proper scooping instruments, and this required a huge volume of wood, which were floated down the river Salzach next to Salzburg to the salt wells, and to the lead pans suitable for boiling salt. Referring to the archaeological sources, and the simultaneous use of the Latin and German terminology examined by him, the author draws the conclusion that as early as in the period of the Agilolfingers Salzburg had an industrial type of salt exploitation and in this economic development the monasterium sancti Hrodberi had an outstanding part.³ Before characterising the years Rupert spent in Salzburg, Nótári makes a detour to tell that it was after extended diplomatic negotiations that Rupert left his bishop's seat, Worms and went to Bavaria at the invitation of Duke Theodo. One of the most interesting sections of the work is from which readers learn of the reasons for his leaving Worms: he belonged to the kinship of the Merowing dynasty and the "opposition nobility" of the Carolingians. The wife of Theodo of Agilolfing origin was a Merowing princess; so, being herself an ardent enemy of the Carolingians she found that bishop Rupert was a political ally. Rupert reorganised the Christian community, and in 798 Salzburg became an archbishopric, which was not received with uniform appreciation among Bavarian bishops; so, there was an increased need for legitimising the primacy of Salzburg by Rupert. He founded churches and monks' communities (e.g., cella Maximiliani and the nuns' cloister in Nonnberg); yet, before his death he left for Worms where he died at an uncertain time, in 715, as Nótári dates the event.

Notitia Arnonis is the record of Arn, bishop of Salzburg, which contains the list of the estates and donations obtained earlier by the bishop's diocese from the years approx. between 788 and 790. This "assets inventory" was made in order for the new ruler, Charlemagne ascending the throne to confirm the donations. Without having knowledge of the political situations evolving in the background the bishop's records would be "up in the air". The author, however, fills this gap; the chapter depicts a new and exciting historical conflict: the reader can learn of the dramatic conflict between the last ruler of the Bavarian Dukedom, Tasilo III and the Frankish king: Nótári provides an insight into the details of the show trial and dethronement of the duke in 788 in Ingelheim. And how is bishop Arn related thereto? In the political isolation of Tasilo by

³ Cf. Nótári T.: Salzburg neve a kora középkori forrásokban (The Name of Salzburg in Early Medieval Sources). *Collega*, 2005/1. 48. sqq.

Charlemagne, in addition to the Bavarian “opposition nobility”, bishop of Arn played an outstanding part too. The antipathy against Tasilo was aroused by the fact that the oath of allegiance made by Tasilo, who had been “released” from the guardianship to his uncle, Pippin, formed the basis of “a personal relation of dependence rather than a relation manifested on the level of public law, but was far from being a vassal’s relation”, and he was not willing to keep to his oath of allegiance even after having made hostages, including his own son, to Charlemagne. The Bavarian secular and ecclesiastical dignitaries also cast it in Tasilo’s eyes that following his wife’s advice, who in order to take revenge for her father’s dethronement urged her husband to turn against the Franks, entered into alliance with the Avars, who were located outside the *ius gentium* boundaries of the Christians of the time, and, therefore, Tasilo was also considered one who turned against the Christian world. All this did not amount to sufficient accusation for dethronement: he was accused of having committed *harisliz* too; which meant arbitrarily leaving the royal army, and the Bavarians claimed that Tasilo fled from the combat against Aquitania in 757; referring to his illness he returned to Bavaria from the theatre of war.⁴

The author asserts that it is beyond doubt that the displacement of the Agilolfing dynasty was not legally well-founded. He also examines, however, to what extent the judgment passed on Tasilo can be considered lawful, and how the accusations against him can be grouped and qualified. It raises doubt regarding the lawfulness of the dethronement of the dynasty, points out Nótári, that Charlemagne was forced, years after the decision was passed, to have Tasilo taken out from the monastery and have him resign from dukedom in 794 at the council in Frankfurt in the name of himself and all of his descendants.⁵ Consequently, it was not in the theatre of war but through the instrument of *iurisdictio* that Charlemagne obtained power over Bavarian land; it was on the occasion of seizing power that the bishopric had to make “an inventory of donations” and have it approved by the king. That is how the record of the bishop of Arn is connected with both the ecclesiastical and public history of Salzburg, which record contains the donations granted by dukes, noblemen and other persons in chronological and geographical order. This source is signifi-

⁴ Krawinkel, H.: Untersuchungen zum fränkischen Benefizialrecht. *Forschungen zum deutschen Recht*, II/2. Weimar, 1937. 47. sqq.

⁵ See Nótári T.: III. Tasziló trónfosztása – adalékok egy koraközépkori koncepció perhez (Tassilo III’s dethronement—remarks on an early-middle-age show trial). *Jogtudományi Közlöny*, 2005/12. 503. sqq.; Tassilo III’s dethronement – remarks on an early-middle-age show trial. *Publicationes Universitatis Miskolciensis. Sectio Iuridica et Politica*, 23 (2005) 65. sqq.; Infidelitas and Harisliz—On the Dethronement of Tasilo III. *Jogelméleti Szemle*, 2008/1.

cant not only in terms of legal history, since it provides an enumeration of land register nature on the conditions of estates of the period, it is unique also in linguistic terms: from among the texts examined by the author "this is the text that bears the signs of grammatical and stylistic deterioration before the period of the Carolingians."⁶

Breves Notitiae are also connected with Arn, and also contain the enumeration of the estates ad donations obtained; albeit, they come from a later period, the years between 798 and 800. The enumeration was produced due to the fact that the Bishopric of Salzburg was raised to the state of archbishopric in 798; Pope Leo III granted pallium to Arn, thereby making him the leader of the new archbishopric. In Breves Notitiae (Brief records) the author does not confine himself to making the estate register public; he gives a profound description of the events that had preceded the process of the town becoming an archbishopric. Salzburg was raised to the state of archbishopric in the years after Tasilo's dethronement, at Charlemagne's request. Nótári provides an overview of the key points of the relations between bishop of Arn, Charlemagne and the papacy; and their political/historical significance in the process of Salzburg being raised to the state of archbishopric. From among these events the presentation of the following are especially exciting, and explored in-depth by the author: the assassination against Pope Leo III in 799; the precedents, circumstances and consequences of the meeting between the people and the king in Paderborn. Referring to the fact that Charlemagne did not take any firm action against the opponents of the Pope, the author makes it probable that the king was in some form involved in the assassination.

Contrary to Peter Classen's opinion⁷—who claims that after the assassination the Pope and the king spent several months together—Nótári deems it is expedient to deliberate, and supports it with Einhard's records, that Leo III must have stayed only for a few days in Paderborn, but—the author makes it probable—that during this time they negotiated on the establishment of the empire, then, accompanied by bishop Arn, the Pope continued his journey to Rome. Arn was still in Rome (as a member of the entourage of Charlemagne) when in December 800 Leo III was forced to take a ceremonial cleansing oath.

⁶ Cf. Nótári, T.: Remarks on the 8th Century Registers of Salzburg. *Novy Sad Faculty of Law. Collected Papers* 2008/3. 401. sqq.; *Jogtörténeti adalékok a VIII. századi salzburgi (birtok)jegyzékekhez* (Legal and Historical Remarks on the Registers of Salzburg from 8th Century). *Állam- és Jogtudomány*, 49. 2008/1. 99. sqq.; Personal status and social structure in early medieval Bavaria. *Acta Juridica Hungarica*, 50. 2009/1. 85. sqq.

⁷ Classen, P.: *Karl der Große, das Papsttum und Byzanz. Die Begründung des karolingischen Kaisertums*. Sigmaringen, 1985. 42. sqq.

The author points out that Arn enjoyed the trust of Charlemagne much more than the rest of the Bavarian bishops, which was even more reinforced by Arn assuming commitment in the events preceding his crowning emperor in 800.⁸ As the Bavarian bishoprics subjected to Salzburg did not agree with Arn having become archbishop and Salzburg having been made archbishopric, Salzburg attempted to support the disputed primacy; as part of that they relied on the Rupert tradition and the estate register at that time no longer supplemented merely by duke's donations. It is in this point Nótári sees the key difference between *Breves Notitiae* and *Notitia Arnonis*. *Breves Notitiae*, however, differ from the record by Arn referred to in the previous chapter not only in this respect: *Breves Notitiae* is not merely a list of donations but a peculiar "genus mixtum", namely, the enumeration contains narrative, historical passages too, and so becomes similar to *Vita Hrodberti* and *Epistola Theotmari*.⁹

Conversio Bagoariorum et Carantianorum (The conversion of the Bavarians and the Carantanians) written in 870 might have been sent by Adalwin, archbishop of Salzburg to Louis the German.¹⁰ As a precedent to the written pleading, the author mentions the missionary activity performed by Constantine (Cyrill) and Methodius considered the apostles of the Slavs on the territory of Moravia and Pannonia in the 860's; the judgment passed on Methodius at the Council of Regensburg held in 870 by archbishop Adalwin and his bishops. As the archbishop and his diocesan bishops felt that the missionary activity carried out by Methodius on the territory of Pannonia injured the jurisdiction Salzburg had exercised for seventy-five years; in accordance with the judgment

⁸ See also Wavra, B.: *Salzburg und Hamburg. Erzbistumsgründung und Missionspolitik in karolingischer Zeit*. Berlin, 1991; Abel, S.–Simson, B.: *Jahrbücher des fränkischen Reiches unter Karl dem Großen I–II*. Berlin, 1883. II. 163. sqq.; Nótári T.: III. Leó pere és az Salzburgi Érsekség megalapítása (Trial of Pope Leo III and the Foundation of the Archbishopric of Salzburg). *Collega*, 2005/4. 55. sqq.

⁹ Lošek, F.: *Notitia Arnonis und Breves Notitiae*. In: *Quellen zur Salzburger Frühgeschichte*. Veröffentlichungen des Instituts für Österreichische Geschichtsforschung 44, Mitteilungen der Gesellschaft für Salzburger Landeskunde, Ergänzungsband 22. Hrsg. v. Wolfram, H. Wien–München, 2006; Nótári T.: Két forrás a kora középkori Salzburgból, *Notitia Arnonis – Epistola Theotmari* (Two Sources from Early Medieval Sources: *Notitia Arnonis – Epistola Theotmari*). *Aetas*, 2004/2. 72. sqq.

¹⁰ Wolfram, H.: *Salzburg, Bayern, Österreich. Die Conversio Bagoariorum et Carantanorum und die Quellen ihrer Zeit*. Mitteilungen des Instituts für österreichische Geschichtsforschung, Ergänzungsband 31. Graz–Wien–Köln, 1995. 193; Lošek, F.: *Die Conversio Bagoariorum et Carantanorum und der Brief des Erzbischofs Theotmar von Salzburg*. MGH Studien und Texte 15. Hannover, 1997. 6; Nótári T.: *Conversio Bagoariorum et Carantanorum*. *Aetas*, 2000/3. 93. sqq.; Nótári, T.: *Show Trials and Lawsuits in Early-Medieval Bavaria. Rechtsgeschichtliche Vorträge*, 53. Budapest, 2008. 66. sqq.

they held him in custody for two and a half years, and he was released merely owing to the Pope's intervention. The text analysed by the author was generated as a bill of indictment or a document to serve the subsequent legitimating of the lawsuit—that is, as deeds to legitimate claims of Salzburg in Moravia and Pannonia; which “conceal undesirable and ‘dangerous’ connections and facts and relate events far from each other with a considerable amount of cunning.”¹¹

Before expounding the accusations formulated in *Conversio*, Nótári outlines the development of the mission among the Carantanians and in Pannonia; then, gives an overview of the activity performed by Constantine and Methodius on these territories. He makes a detour to describing briefly the missionary activities performed by the Pope, the *basileus* and the eastern Frankish ruler in Bulgaria in order to make the historic background complete, and so that the reader could become familiar with the circumstances of the lawsuit of Methodius held in Regensburg. The background of the accusations and the further progress of Methodius's teachings are expounded by the author in the mirror of the political conditions of the papacy, the Frankish kingdom and the Moravian duke. This Latin text is highlighted among the Bavarian sources presented in the volume owing to the fact that it comes from the period preceding the migration of nations and our conquest of key importance in Hungarian history, and—using the words of Samu Szádeczky-Kardoss—“the Avar Chaganat was a forerunner of the later Hungary”.¹²

It should be pointed out that the public interested in Bavarian ecclesiastical, legal and political history has already had the opportunity to become familiar with the translations of the early medieval sources into Hungarian, published in the author's former volume for the first time;¹³ and in this monograph, by analysing, in addition to the sources translated earlier, several other early medieval texts he introduces the reader to the history of early medieval Bavarian historiography and legal history.

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¹¹ Kahl, H.-D.: Virgil und die Salzburger Slawenmission. In: *Virgil von Salzburg – Missionar und Gelehrter*. Hrsg. v. Dopsch, H.–Juffinger, R. Salzburg, 1985. 112; Nótári, T.: Die Geschichte des Ingo bei Enea Silvio Piccolomini. In: *Studia Iuridico-philologica I. Studies in Classical and Medieval Philology and Legal History*. Hungarian Polis Studies 14. Debrecen, 2007. 283.

¹² Szádeczky-Kardoss S.: Az avar történelem forrásai 557-től 806-ig (The Sources of the Avar History from 557 to 806). Budapest, 1998. 9; Nótári, T.: On the Avar-related chapters of the *Conversio Bagoariorum et Carantanorum*. *Chronica*, 5 (2005) 26. sqq.

¹³ Nótári T.: Források Salzburg kora középkori történetéből (Sources from the History of Early-Medieval Salzburg). Szeged, 2005. *passim*