KNOWLEDGE OF CANON LAW IN THE FRANKISH KINGDOMS BEFORE 789: THE MANUSCRIPT EVIDENCE

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KNOWLEDGE OF CANON LAW IN THE FRANKISH KINGDOMS BEFORE 789: THE MANUSCRIPT EVIDENCE

Most of the surviving corpus of seventy-two manuscripts and fragments containing Latin canon law dating from before c.800 were written in the Frankish kingdoms in the eighth century. Of the thirteen dating to the sixth and seventh centuries a number are known to have been used in early Carolingian centres such as Lyons, Corbie, and Cologne. A significant proportion of the eighth-century codices, moreover, can be dated to the second half of the eighth century. That is, they coincide in their production with the renewal of the Frankish church in the course of the Carolingians’ rise to power and their expansion of Frankish territory. Such a distribution is perhaps what one might have expected, but it is remarkable, nevertheless, that the origin of these manuscripts should be so exclusively Frankish and so predominantly Carolingian: there are only seven Italian codices of canons dating from before the Frankish conquest of the Lombard kingdom; there are none from Spain (though the Collectio Hispana text was one of those copied by the Franks from, presumably, Spanish exemplars no longer extant) and none actually written in the British Isles.

We need to consider therefore the significance of the chronological and geographical distribution of canon law manuscripts, and to do so not in terms of the transmission of any one, named,
collection, but as evidence of the knowledge and practical use of

canon law generally. It may be contended that the simple existence

of a manuscript from a centre merely establishes that a scribe copied

from an exemplar and that no conclusions can be drawn concerning

whether or not the book was actually read or used. I shall argue that

the little that can be determined concerning the context of the pro-

duction of these books and the existence in them of contemporary
corrections and annotations, support the claim that they represent
knowledge of canon law. The manuscript evidence indeed can offer
precise information about where canon law was known and the
centres from which it was disseminated. Nevertheless, it must
always be remembered that much of the survival of the manuscript
evidence is purely fortuitous and thus one is obliged simply to
make suggestions and formulate hypotheses rather than draw
firm conclusions.

The end of the eighth century seems an appropriate cutting-off
point as far as the limits of this paper are concerned, for it was then
that a new phase in the promotion of canon law was initiated. At
Pavia in 774, Charlemagne had received from Pope Hadrian the
canon law collection known as the Dionysio-Hadriana. The text
was fundamentally that compiled in the sixth century by Dionysius
Exiguus, but with later additions. The first recorded use of this new
collection in the Frankish kingdoms was in 789, when a summary of
pertinent clauses from it formed the opening section of Charle-
magne's Admonitio Generalis. It did not become more widely used,
however, until the first few years of the following century, and its
impact on Frankish canon law as a whole has yet to be fully assessed.
Scholars so far have established that the Dionysio-Hadriana did not
immediately, if at all, become the official collection of canon law in
the Frankish kingdom. The manuscript evidence indicates that
just as the Dionysio-Hadriana was slow to spread, so its authority

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7 Ed. J. Hartzheim, Collectio Dionysio-Hadriana, Concilia Germania, i (Cologne,
1759), pp. 131-235.
8 See H. Wurm, Studien und Text zur Dekretalsammlung des Dionysius Exiguus
(Kanonistische Studien und Texte 16, Bonn, 1939, reprinted Amsterdam, 1964) and
P. Fournier and G. Le Bras, Histoire des Collections Canoniques en Occident depuis les
9 M.G.H. Cap. i, pp. 54-9, and compare ibid., pp. 91-9, 99-102, and 102-4,
where sections of the Dionysio-Hadriana were partially republished in later
capitularies of the early ninth century. For some discussion of this see my The
Frankish Church and the Carolingian Reforms 789-895 (London, 1977), pp. 3-4.
10 See H. Mordek, Kirchenrecht und Reform im Frankenreich (Berlin, 1975)
(whereafter cited as Mordek, Kirchenrecht), pp. 151-61.
11 Especially important is R. Kottje, 'Einheit und Vielfalt des kirchlichen Lebens

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was contested by older collections such as the Quesnelliana, the Sanblasiana, the Hispana, Freising, original Dionysiana, and, in particular, the Vetus Gallica. Not only did these collections continue to be copied; permutations and combinations of them all, including the new Dionysio-Hadriana, were compiled in the ninth century. From the many Carolingian manuscripts of these different compilations extant, it is clear that the proliferation of local and regional collections, characteristic of the Merovingian period, continued into the eighth and ninth centuries. For the later, as for the earlier, centuries, a collection, originally local, could acquire a wider recognition and become more generally used. As Mordek has established, for example, the Vetus Gallica was produced at Lyons in about 600, and was broadcast further in a later redaction proceeding from Autun and subsequently Corbie. The Collectio Frisingensis and the Collectio Wurceburgensis were used in many centres in southern Germany. Nevertheless, however much the impact of the Dionysio-Hadriana may be modified by present and future research, it remains the case that it initiated, as part of the Carolingian ecclesiastical reforms, a new phase in the history of canon law in the Frankish kingdoms. Canon law in the years before use of the Dionysio-Hadriana or amalgamations of the Dionysio-Hadriana with other collections (such as the Dacheriana) became more widespread, was also part of a major reorganization of the church. The manuscripts suggest, however, that its context was rather different from that of the aftermath of the promulgation of the Admonitio Generalis. Then unity was an aim. Before, the overriding consideration was to provide the essential authorities for the maintenance and promotion of ecclesiastical discipline and law for a church which had apparently virtually lost sight of them.

Let us consider first the indications of the manuscripts of Italian origin. Milan Ambrosiana E. 147 sup. + Vat. lat. 5750, a seventh-century uncial copy of the acts of the council of Chalcedon, contains on pp. 114 and 116 a poem, copied into the manuscript in the eighth century, which deals with the Council of Pavia of 698. The manuscript itself appears to be intimately connected with the ecclesiastical questions discussed at that Council and a product of

14 For example, the Dacheriana; see Mordek, Kirchenrecht, pp. 259–63, and his references.
15 Noted by Fournier and Le Bras, Histoire des Collections Canoniques en Occident, i, pp. 42–50.
16 Mordek, Kirchenrecht, pp. 82–94.
17 Ibid., pp. 147–51.
the practical problems being tackled within the diocese of Pavia in the late seventh century.\textsuperscript{18} Some Verona canon law manuscripts betray an interest taken in them by later readers; Verona LX\textsuperscript{19} and LXI,\textsuperscript{20} for example, contain notes by the archdeacon Pacificus of Verona (d. 848) and Verona LX\textsuperscript{21} was studied by Bishop Rather in the tenth century. Two of the Italian manuscripts on the other hand are of some importance for knowledge of canon law in the Frankish kingdoms, for at an early stage in their history they were transported. St. Paul in Carinthia Stiftsbibliothek 7. 1, a copy of the \textit{Collectio Sanblasiana}, was at Reichenau in the eighth century and contains corrections and additions made in that monastery in the early Carolingian period.\textsuperscript{22} Oxford Bodleian e Museo 100 + 101 + 102, an uncial manuscript of the late sixth or seventh century and containing the collection of the deacon Theodosius, was certainly at Fleury by the ninth century and may have been there from its foundation, that is from 651.\textsuperscript{23} Such movements of

\textsuperscript{18} C.L.A. iii. 26b+c. Only Erfurt, Stadtbücherei Ampl. 2\textdegree. 74 a fragment of the Council of Gangras, uncial s. viii, C.L.A. viii. 1190, Novara, Biblioteca Capitolare 2. LXXXIV, s. viii\textsuperscript{2}, C.L.A. iii. 406, possibly Modena, Archivo Capitolare o. i. 12, s. viii, C.L.A. iii. 369, and the Verona manuscripts discussed below (see nn. 19 and 20) and the canon law collections in St. Paul in Carinthia and Oxford (see nn. 22 and 23) are pre-Carolingian. The other manuscripts of Italian origin are datable to the period after the conquest of the Lombard kingdom by Charlemagne: Aosta, Biblioteca Capitolare c. 103, not in C.L.A. but see Mordek, \textit{Kirchenrecht}, p. 245; Dülken, Katholisches Pfarramt fragment s.n., C.L.A. ix. 1230 and Mordek, \textit{Kirchenrecht}, p. 247; Lucca, Biblioteca Capitolare 490, fos. 288–309, C.L.A. iii. 303b, Mordek, \textit{Kirchenrecht}, p. 240 and L. Schiaparelli, Il codice 490 della Biblioteca Capitolare di Lucca e la scuola scrittoria Lucchese (Rome, 1924); Verona lx, see below n. 21; Verona lxii, a copy of the \textit{Concordia Canonum} of Cresconius of c. 800, C.L.A. iv. 512 and Mordek, \textit{Kirchenrecht}, p. 253.

\textsuperscript{19} C.L.A. iii. 509, a half-uncial manuscript, s. vii/viii, containing the \textit{Acta Synodi Chalcedonensis}, written ‘presumably at Verona’. It belongs to the same group as Verona XXII (20), LIII (51), and Vat. lat. 1322, C.L.A. ii. 450 and 506, C.L.A. i. 8. The last named is a late sixth-century copy of the same text as Verona LX.

\textsuperscript{20} C.L.A. iii. 511, written in uncial and half uncial, s. vii/viii, in the north of Italy, apparently from a Spanish archetype. It contains a \textit{Collectio Canonum} and \textit{Epistome Hispana}.

\textsuperscript{21} C.L.A. iii. 510, written in a late seventh-century Verona cursive, it contains the \textit{Collectio canonum Africana Theodosii diaconi}. On this collection and for a full discussion of this important manuscript see W. Telfer, ‘The Codex Verona LX (58)’, \textit{Harvard Theological Review}, xxxvi (1943) pp. 169–246.

\textsuperscript{22} C.L.A. x. 1457 and Mordek, \textit{Kirchenrecht}, pp. 240–1.

\textsuperscript{23} C.L.A. ii. 255, the collection of the deacon Theodosius, and written, according to Lowe probably in Italy and in the same place as B.N. lat. 11326 (C.L.A. v. 609). There are 141 folios in all, in three volumes of 28, 62, and 51 folios. See Mordek, \textit{Kirchenrecht}, p. 10 n. 39. Owing to Lowe’s tendency to locate those he regarded as ‘better written’ manuscripts to Italy, it is possible that this is in fact a Merovingian rather than an Italian manuscript, and that it is to be linked with the active period of canon law compilation identified by Mordek as occurring c. 600.
manuscripts suggest that Italy was one source of supply for copies of the canons, but that, as we shall see, Italy played a relatively minor role in the transmission of canon law texts to and within the Frankish kingdoms. None of the surviving Italian codices contains any of the Gallic councils except Lucca Biblioteca Capitolare 490, fos. 288–30924 and Verona lxi25 both of which contain the Collectio Hispana. It would appear that the canon law collections available in Italy did not add significantly to those already among the canon law resources within the Frankish kingdom.

Some of these early Frankish collections survive in sixth and seventh codices; all, however, were clearly circulating in the Carolingian period for many later copies are extant.26 The later history of Toulouse, Bibliothèque Municipale 364, for example, written at Albi before 666/7 by Perpetuus, *indignus presbyter*, is linked with the dioceses of Albi and Toulouse and a direct copy made in the early tenth century survives.27 B.N. lat. 12097, fos. 1–225, a sixth-century compilation of Gallican conciliar decrees was drawn on by the eighth century compiler of the ‘Corbie redaction’ of the *Vetus Gallica* and contains marginal notes in early eighth century Corbie pre-caroline cursive minuscule.28 Cologne 212, a codex to which I shall return, a copy made in c. 600 of the *Statuta ecclesiae antiqua*, was one of the books in the cathedral library at Cologne in the time of Archbishop Hildebold, if not earlier.29 Thus, while these volumes, with the compilation of the *Vetus Gallica* itself, testify to an active period of canon law production in Merovingian Gaul, they also add to the substantial weight of evidence concerning

24 See above, n. 18.
25 See above, n. 20. This is an Epitome Hispana rather than the full text.
26 On the many later manuscripts see especially Mordek, *Kirchenrecht*, pp. 238–338.
28 T.L.A. v. 619, written in half uncial and uncial. See Mordek, *Kirchenrecht*, pp. 90–2. Originally the manuscript ended on fo. 139v; it was continued s. vi/vii by a number of scribes. Fos. 225–32, T.L.A. v. 620, were added, possibly at Lyons, in the first part of the eighth century: see below, p. 105.
knowledge of, and reference to, canon law in the early Carolingian period in particular centres.

A striking feature of the eighth-century Frankish manuscripts is how many of them can, however tentatively, be associated with the work of a particular bishop. The few Bavarian codices, for example, witness to individual efforts to form, or acquire, collections of canon law. To the time of Arno, bishop of Salzburg, a friend of Alcuin and celebrated for his zeal in commissioning books to satisfy his intellectual interests and pastoral needs, two books can be attributed: Vienna 418, a copy of the acts of the six oecumenical councils and written in the St. Amand/Salzburg script, belonged apparently from its completion, to Salzburg cathedral library; Clm 5508, a volume containing the collectiones Diessensis and Frisingensis, is also in the Salzburg script of the time of Arno. Both books were quite clearly copied with the practical intention of providing a collection of canon law for episcopal use. The latter portion of Clm 5508, the Collectio Frisingensis, appears, moreover, to be a direct copy of Clm 6243, a late eighth-century volume written in the south-west of Germany in the Lake Constance region, but at Freising by c.800. Presumably Salzburg borrowed the book from Freising in order to copy it. Clm 6243 also incorporated more recent Bavarian material in the form of the proceedings of the Synod of Ascheim (754–63), held while Tassilo was still duke, as well as canons from the council of Verneuil convened by Pippin III. Copied in the Freising episcopal scriptorium at about the same time as the additions made to Clm 6243, was Clm 6434, fos. 41–112, containing the Collectio Hibernensis. Bischoff has attributed both Clm 6243 and Clm 6434 to the Freising episcopal scriptorium established under Bishop Arboe (764–84), the first in a notable succession of zealous bishops who promoted the episcopal library and the activity of the

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33 On the evidence for the collection of books required for pastoral work in Frankish dioceses, see my The Frankish Church and the Carolingian Reforms, 789–895 (London, 1977), pp. 25–44.
scriptorium, which continued to flourish under Bishop Atto (784–811/12). Clm 6434 certainly was copied from an insular exemplar, perhaps to be associated with the arrival of the first bishop, Corbinian. The script itself reveals a strong insular influence at work, many abbreviations are insular in form and some insular letter forms are used by two of the scribes. The Freising scriptorium indeed appears to have had a mixed membership of native Bavarians, Alemans, and apparently Irish or Anglo-Saxons. It is to these newcomers that the introduction of new texts, especially those likely to be useful to missionary and newly established sees, is probably to be attributed. The Freising and Salzburg books witness clearly to this importing of essential texts, as well as to the co-operation between bishops in Bavaria.

A similar picture emerges from a consideration of the codices from Alemannia and Rhaetia. Zürich Staatsarchiv A.G. 19, no. vi, fo. 18 + Solothurn fragment s.n., a fragment of the *Hispana* collection written in Rhaetian minuscule, was possibly produced at Chur in the time of Bishop Remedius. Another Rhaetian book, Stuttgart Landesbibliothek H.B. vi. 113, a copy of the *Vetus Gallica* with a chronological sequence of canons and decretals, was also probably produced at Chur. Little is known about Remedius,

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37 As well as Clm 6434 and 6243 there is the fine copy of the *Dionysio-Hadriana* itself, Clm 6242: see Bischoff, *Schreibschulen*, i, pp. 100–1.
39 *C.L.A.* vii. 1006.
bishop of Chur (?800–6) but it is possible that these two manuscripts constitute evidence of Remedius' pastoral work in his diocese and his efforts to ensure that the church in his care had the essential canons to which his successors could refer. Evidence of interest in canon law in the dioceses of Constance and Basle dates from the ninth century onwards except for the monastery of Reichenau. It possessed the Italian canonical collection, now St. Paul in Carinthia 7. 1 mentioned earlier, and the library catalogue of 821 records seven volumes of canon law possessed by the monastery by that date.41 Further west, Rachio of Strasbourg commissioned a copy of the Collectio Hispana in 788 for the use of St. Mary's church Strasbourg.42 By all accounts it was a fine manuscript, with decorated capitals, colophon, and titles, and initials with fish, leaf, and rope motifs. It was lost in the siege of Strasbourg in 1870 but a manuscript whose contents are textually allied to the known contents of Bishop Rachio's book is Vienna 411, a late eighth-century codex in caroline minuscule recalling early Metz and Weissenburg scripts and written in the east Frankish kingdom near the Rhineland.43 It is not known whence Rachio acquired the Collectio Hispana text or whether Vienna 411 was copied from Rachio's book or from a common exemplar; but the two books again hint at collaboration within a region among bishops active to promote ecclesiastical discipline in their dioceses.

The few canon law manuscripts from the Loire region are rather less communicative. B.N. lat. 1451, the Collectio sancti Mauri,44 copied in the Tours region c.800 indicates only that a copy of

41 P. Lehmann, Mittelalterliche Bibliothekskataloge Deutschlands und der Schweiz, i (Munich, 1918), p. 250. The East Alemannic fragment of the Collectio Hispana, now Clm 29168a + 21653, C.L.A. ix. 1341, written s. viii is too small to attest to anything but knowledge of this text in the region in the eighth century, although it is conceivable that the codex of which these strips are the pitiful remnant may have had some connection with that which provided the exemplar for the book commissioned by Rachio of Strasbourg, see below, n. 42. On Constance, see J. Autenrieth, 'Die kanonisten Handschriften der Dombibliothek Konstanz', in J. Autenrieth and R. Kottje, Kirchenrechtliche Texte im Bodenseegebiet, Vorträge und Forschungen, Sonderband 18 (Constance, 1973), pp. 5–21 and idem, 'The Canon Law Books of the Curia episcopalis Constantiensem from the ninth to the eleventh century', Proceedings of the Second International Congress of Medieval Canon Law, Monumenta iuris canonicorum. Series C: Subsidia i (Rome, 1965), pp. 3–15.

42 C.L.A. vi, 835, the Codex Rachionis, in early caroline minuscule. The inscription on fo. 2, recorded by Lowe, read: 'In anno DCLXXXVII ... et in anno XVIII regnante domno ... Karolo rege ... ego itaque Rachio ... episcopus Argentoratinsis urbis anno v episcopatus mei ... in amore Dei et sancte Marie Argentoratinsis urbis ecclesie hec libro canonum scribere iussi.'

43 C.L.A. x. 1477.

44 C.L.A. v. 528; it is apparently a direct copy of The Hague Museum Meermanno-Westreenianum 10. B. 4 of the year 800.
canons from southern Gaul was preserved in the region and used as an exemplar.\textsuperscript{45} B.N. lat. 1572, in an early Tours minuscule of the second half of the eighth century, the oldest surviving full copy of the canons of the Council of Ephesus,\textsuperscript{46} may have some association with the episcopal see but there is insufficient evidence to establish this. It could equally well have been commissioned by another centre from Tours, as the Tours' scriptorium was an important centre of book production for export.\textsuperscript{47}

The exact origin and early provenance of some among the canon law manuscripts from Burgundy remain obscure. Berlin Phillipps 1749, for example, a late eighth-century copy of the Dionysio-Hadriana with extensive ninth-century corrections, can only be located to a Burgundian centre on the palaeographical evidence.\textsuperscript{48} B.N. lat. 3848B containing the Collectio Herovalliana, was at Flavigny by the late ninth century\textsuperscript{49} and an important eighth-century copy of the Vetus Gallica, Cologne Dombibliothek 91, may well have arrived in Cologne as early as the ninth century.\textsuperscript{50} One or two Burgundian manuscripts can, however, be associated with Lyons itself. Berlin Phillipps 1745 + Leningrad F. v. II. 3, a seventh-century copy of the Dionysiana collection to which decrees of the Gallo-Roman councils have been added, was at Lyons at least by the ninth century; it contains corrections by Florus the Deacon of Lyons as well as Merovingian cursive annotations.\textsuperscript{51} B.N. lat. 12097, fos. 225–32, possibly written at Lyons in the second half of the eighth century, was added to a volume of canon law from various sources, including a number of Gallo-Roman councils and arranged in portions dating from the sixth and seventh centuries. By the late eighth century, however, it was at Corbie.\textsuperscript{52}

\textsuperscript{45} See Mordek, Kirchenrecht, p. 15 n. 63 who lists the other Merovingian collections from southern Gaul of which later copies exist: B.N. lat. 12097, Cologne Dombibliothek 212, Toulouse 364 + B.N. lat. 8901 and Albi 2, Vat. pal. lat. 574 and Gotha Memb. 1. 85, 'The Hague, Museum Meermanno-Westreenianum 10. B. 4, B.N. lat. 1451 and Vat. reg. lat. 1127.

\textsuperscript{46} C.L.A. vi. 530 and see Mordek, Kirchenrecht, p. 43 n. 32. Older fragments of late sixth- or early seventh-century Italian origin survive in Milan, Ambrosiana C. 77 sup., fo. 245, C.L.A. iii. 321 and Turin F. iv. 1, fasc. 4, C.L.A. iv. 451.


\textsuperscript{48} C.L.A. viii. 1063 and see Mordek, Kirchenrecht, p. 245.

\textsuperscript{49} C.L.A. v. 535.

\textsuperscript{50} C.L.A. vii. 1155. This manuscript witnesses to the continuous tradition of local interest in this particular collection into the Carolingian period, see Mordek, Kirchenrecht, pp. 279–80.

\textsuperscript{51} C.L.A. viii. 1061, and Mordek, Kirchenrecht, p. 45.

\textsuperscript{52} C.L.A. v. 610. The last portion of this codex, fos. 225–32, C.L.A. v. 620, contains some Visigothic symptoms in its omission signs. B.N. lat. 12444, possibly a Fleury manuscript (not recorded in C.L.A.) but dated to the late eighth century,
In the manuscripts of north and north-east French origin there are again associations that can be made with particular bishops. Cambrai, Bibliothèque Municipale 679 (619), a copy of the Collectio Hibernensis, was commissioned between 763 and 790 by Bishop Alberic of Cambrai. A note to this effect is written on fo. 75: 'Explicit liber canonum quem domnus Albericus episcopus urbis camaracinsium et adrabatinsium fieri rogavit. Deo Gratias. Amen.' Another possible connection with Cambrai-Arras is suggested by two codices containing the Quesnelliana and written in the same centre: Einsiedeln Stiftsbibliothek 191 (277) and Arras, Bibliothèque Municipale 644 (572). The manuscripts agree in size, decoration, colours of the pigments, text, and shape of the z, though in the Arras book there is one hand reminiscent of the St. Amand type on fos. 109'–13'. There are corrections and additions throughout the Arras volume, indicating that the text was frequently consulted in the eighth and ninth centuries. Its provenance is St. Vaast but it is not known when it arrived or where it was written. The Einsiedeln manuscript contains some corrections in insular hands and was at Constance in the eleventh century. It is a fine north-west Austrasian book and looks a book fit for royal or noble ownership. It may well have been owned or even commissioned by a bishop.

It is possible, too, that Berlin Phillipps 1743, which belonged at some stage to the monastery of St. Remigius at Rheims, is a member of a group of manuscripts probably associated with the bishopric of Bourges, and thus constitutes a precious indication of knowledge of canon law in that diocese.

Other manuscripts from the north of the Frankish kingdom add
to the impression that it is here that there was the most concentrated activity as far as the collection and promotion of canon law was concerned. This of course accords with our knowledge of the importance of the regions to the Carolingians and to the Frankish church. B.N. lat. 1603, containing among other collections, the *Vetus Gallica*, has been connected with the royal court and thereafter the monastery of St. Amand.\(^57\) Gotha Landesbibliothek Mbr. 1. 85 from eastern Austrasia, a copy of the *Collectio Murbacensis*,\(^58\) Brussels Bibliothèque Royale 8780–93, a north Frankish *collectio canonum* of the late eighth century, and two books possibly from Chelles, Gotha Landesbibliothek Mbr. 1. 75 and B.N. lat. 1564\(^59\) are among those that can be cited. Little can be said about the history of these manuscripts but their very existence is telling evidence of the knowledge of canon law and copying of key collections in a number of different centres throughout the region. The Chelles volumes are of particular interest; the nuns of the Chelles scriptorium are known to have written three manuscripts for Archbishop Hildebold of Cologne.\(^60\) It is possible that these other canon-law codices were similarly commissioned by other bishops. They raise the question of whether there were a number of scriptoria called on by particular bishops, in the absence of a competent scribe, or the necessary exemplars in their own see, to provide the texts they needed. The case of Corbie can be considered in this context.

Corbie appears to have been the centre in which the ‘Corbie redaction’ of the *Vetus Gallica* identified by Mordek was compiled.\(^61\) An important factor in the linking of this compilation with Corbie, however, has been the association of a small group of canon-law manuscripts with the work of the scriptorium responsible for the ‘a–b’ script commonly located at Corbie, and more specifically to the ‘Corbie nuns’.\(^62\) T. A. M. Bishop in his unpublished Lyell


\(^{59}\) C.L.A. x. 1543, viii. 1208, and v. 529. The Gotha fragment see Mordek, *Kirchenrecht*, pp. 242 and 453, is one of the *Dionysiana* written in a centre ‘under Anglo-Saxon influence’, and in the hand responsible for B.N. lat. 2110, 2706, and 12207, C.L.A. v. 541, 547, and 634.


lectures on the script of Corbie, delivered in Oxford in 1975, addressed himself to the problem of the appearance of ‘a–b’ script in the same codices as Corbie Caroline minuscule and the difficulty of locating the script with any certainty exclusively to Corbie. He suggested that the script may have been inspired by Abbot Adalhard and that the nuns responsible could have been those under the leadership of Theodrada, abbess of Notre Dame at Soissons.\footnote{On Theodrada and her family see L. Weinrich, Wala, Graf, Mönch und Rebell (Lübeck and Hamburg, 1963), pp. 11–13. No documentary evidence survives to lend weight to this hypothesis; the a–b manuscripts themselves, produced in an intensely active period perhaps twenty years long from c.780 onwards, are our sole evidence. Some of the a–b codices other than those containing canon law are listed in C.L.A. vi. pp. xxxv–xxxvi. Bishop has suggested that a–b is a reactionary script, encouraged and promoted by Theodrada’s brother Abbot Adalhard of Corbie. The number of discrepancies in the relationship between a–b manuscripts and those of known Corbie origin supports the hypothesis that the a–b scriptorium is to be located elsewhere; no a–b manuscript is a copy of a known Corbie text and none of the a–b manuscripts has a definitely Corbie provenance. The script was an artificial one, designed to suppress the identity of the individual. See also D. Ganz, ‘The Merovingian library at Corbie’, in H. Clarke and M. Brennan, Columbanus and Merovingian Monasticism (Oxford, 1981), pp. 153–72, who observes from his study of early Corbie scripts that ‘The highly calligraphic and artificial script of Luxeuil was not Corbie’s model’. If the scriptorium responsible for the a–b manuscripts was not Corbie, then Mordek’s suggestion of Luxeuil being an intermediary in the route taken by the Vetus Gallica from Lyons and Autun to the ‘Corbie’ redaction would appear to have little to support it, at least as far as the palaeographical evidence is concerned: see Mordek, Kirchenrecht, pp. 88–9.} The canon-law manuscripts written in the ‘a–b’ script are Berlin Hamilton 132, B.N. lat. 8921 (+ Rheims Bibliotheque Municipale 2102) and B.N. lat. 3836.\footnote{C.L.A. vii. 1047. The Berlin manuscript, now in the Staatsbibliothek der Preussischen Kulturbesitz, is written mainly in a–b minuscule with additions or completions in a number of different Caroline hands, and from fo. 252, Caroline minuscule of s. viii;} see Mordek, Kirchenrecht, pp. 273–4. B.N. lat. 8921, C.L.A. v. 574, belonged to the cathedral of Beauvais in the thirteenth century and is a copy of the Dionysio-Hadriana. B.N. lat. 3836, C.L.A. v. 554, the Collectio Sambasiana, has some entries on fos. 101–104 in a Caroline minuscule contemporary with the main text. It may be that the unnumbered Trier fragment of the Vetus Gallica, C.L.A. Suppl. 1809, not ‘definitely attributed to Corbie’ (Mordek, Kirchenrecht, p. 87) but written in a pre-Caroline minuscule reminiscent of the a–b script, may be an early example of this women’s scriptorium’s work, or else an independent example of one of the many transitional types of script current in Merovingian Gaul before the triumph of Caroline minuscule. The fragment is the earliest witness to the ‘Corbie-redaction’ of the Vetus Gallica.
together, and on fo. 247v the proceedings of Gregory II's synod of 721 are entered in an abbreviated form, a common addition to manuscripts containing the *Vetus Gallica*. A note on fo. 262v in the top right-hand margin in a north Frankish Caroline minuscule, which might be Rheims script, suggests a later Rheims provenance. Nothing is known of a Rheims scriptorium before the ninth century. It is possible that the eighth-century bishop Tilpin (753–800) was obliged to have the books he needed copied elsewhere and that the Hamilton Berlin manuscript was one of those he acquired.65 There is of course nothing to substantiate this suggestion, but given the episcopal connections of so many of the manuscripts discussed above, it seems the likeliest context in which to place the 'a-b' codices.

So far, it has only been possible to provide a general historical context for the acquisition of canon-law texts. With the books associated with Cologne, however, one may be rather more precise. The books concerned are Cologne Dombibliothek MSS. 210, 212, and 213. Cologne 210 is a copy of the *Canones Hibernenses*, possibly written in a centre with insular connections, for it preserves the insular form of the abbreviations for autem and est. It is decorated with compass-drawn initials ornamented with leaf, bird, fish, and human-face motifs and is datable to the second half of the eighth century. It is not known when it came into Cologne cathedral library but for reasons outlined below it is most likely that it did so soon after it was written.66

Cologne 212 is an important early general collection of canons with the addition of decrees from many Gallo-Roman and early Merovingian councils, written in Gaul between 590 and 604.67 It is of importance for a number of its texts, including post-Theodosian novellae (of Valentinian 111), a list of the provinces and main cities of Gaul, and the names of the bishops who attended the Councils of

66 C.L.A. viii. 1161. The manuscript contains most of the 'A form' of the Collectio Hibernensis, from Book 1 to Book 38, chap. 18, with the sentences numbered seriatim rather than being divided into books. It is a further indication of the lively interest in canon law at Cologne in the first half of the eighth century that the scribe or compiler of Cologne 210 added much material from councils and papal decretals, material very similar to that found in the Vetus Gallica, which subtly changed the characteristics of the Hibernensis in its earliest form. In other words, the Cologne compiler built formally on the Hibernensis by adding what was current and relevant in canon law in the Frankish kingdom at the time; the additions on the functions and status of bishop and priest are particularly interesting. I am grateful to Maurice Sheehy for kindly letting me see a copy of parts of his forthcoming edition of the Collectio Hibernensis.
67 C.L.A. viii. 1162.
Orange (441) and Vaison (442). On fo. 1v, the inscription *In dei nomen Hildebaldus*, indicates that the volume was in Cologne's library by the time of Hildebrand's incumbency (785–819). Another entry on fo. 117v, however, *Sigibertus bindit libellum*, written in the same hand as the entry, *Sigibertus scripsit*, on fo. 143 of Cologne 213, a codex dated to the first half of the eighth century, suggests that Cologne 212 and 213 were at Cologne by c.750. These two manuscripts are crucial in an assessment of Cologne's knowledge of canon law in the early Carolingian period. Sigibert, to judge from his script, was a Northumbrian. We see him recording his work as a scribe in one collection of canon law, Cologne 213, a copy of the *Sanblasiana* compilation, and noting *Sigibertus bindit* in the other, the Frankish codex Cologne 212. Chroust, and following him, Lowe, at a loss as to what the supposedly Latin word *bindit* meant, proposed that it was a mistake for *vendit*. *Bindit = vendit*, present indicative active of *vendere*, is conceivable in the right context, for the confusion of b and v is quite common in early medieval Merovingian Gaul and Spain, though it is not common in the initial position. But it is highly doubtful that an English scribe would perpetrate such a vulgarism. The context, moreover, makes it unlikely that *vendit* was intended; a scribe on selling a book would hardly record the fact in the present tense. We are left therefore with *bindit* as the intended word, and not found in dictionaries of early medieval Latin. There is, however, a possible solution, given the nationality of the scribe. There is an Old English word *bindan* (to bind up) and the noun *binde* meaning bundle with a Latin form found in British sources *binda -um*, bundle. Ducange records later use of a verb *binden* (Lat. *bindare*) in the sense of tying together, and the phrase *bindas aut ligaturas*. Although one would have expected an Anglo-Saxon scribe to know, and use, the verb *ligare*, the usual word for book-binding, it is possible that Sigibert is an unusually early example of a scribe pillaging the vernacular and making a Latin word out of the Anglo-Saxon *bindan*. That is, that what he recorded in Cologne 212 was that he had tied it into a bundle in order to make a loose collection of quires or gatherings more secure in book form. Of greater importance for the origin of Cologne 213

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68 See Mordek, Kirchenrecht, pp. 80–1 and F. Maassen, Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgang des Mittelalters (Graz, 1870), pp. 574–85.
70 Also noted in the Mittellateinische Wörterbuch, i, A–B, ed. O. Prinz (Munich, 1967) is *binda, bindae = fascia*. I am grateful to Richard Sharpe of the Medieval Latin Dictionary from British Sources for answering my query on *bindit*. I am bound to
and the whereabouts of Sigibert, however, is the fact that Cologne 212 bears no sign of ever having been removed from Frankish Gaul. If Sigibert was in this region recording his work in the volume it is likely that he was on the Continent when he wrote Cologne 213.

Palaeographically, Cologne 213 is something of a puzzle. Its script is, to use Julian Brown's terminology, a hybrid minuscule of Type A (Northumbrian) Phase 2, written with a slanted pen lifted between minims, rounded letter forms, feet on the minims, and oc (that is half-uncial) form of a. There are also some examples at the ends of pages of a tall narrow cursive minuscule and occasionally the use of set minuscule tending to hybrid. Experts on Anglo-Saxon script consider the manuscript to be of Lindisfarne or Echternach origin, and the book to belong palaeographically and art historically to the group formed by the Lindisfarne Gospels (B.L. Cotton Nero D. iv), Durham Cathedral Library A. II. 17, the Echternach Gospels (B.N. lat. 9389), the Book of Kells (Trinity College Dublin 58(A.I.6)), and B.L. Royal B vii. Both the traditional dating of the Lindisfarne Gospels to 698 and the attribution of Durham A. II. 17 to the Lindisfarne scriptorium have recently been challenged by Dáibhi Ó Cróinín. The date of Lindisfarne could be as late as 721; that is, Eadfrith of Lindisfarne, its scribe, could have written it at any stage before his death in 721 rather than, as is usually supposed, before he was consecrated bishop in 698. Even if the Lindisfarne Gospels, acknowledged as probably the earliest in the group, cannot be dated much later than the traditional date, the tendency of a script, once canonized, to become remarkably fixed, make a date for Cologne 213 of anywhere between the early eighth century and the mid-eighth century conceivable, a date not at odds with the decoration. The illumination of Cologne 213 is very fine, with a whole-page frontispiece with initial D and border, and larger acknowledge that in his view, the linguistic (as distinct from the contextual) arguments for my suggestion are not strong. Professor Pieter Gerbenzon made an alternative suggestion that the Old Frisian word bindan was Latinized and raised the possibility of Sigibert being a Frisian convert. Little is known of any 'Frisian script' but pertinent here is the work of R. Drögereit, Werden und der Heliand (Essen, 1951) on the script of the Frisian Liudger and the importance of Werden as a possible centre of book production, reviewed by B. Bischoff, Anzeiger für deutsches Altertum und deutsche Literatur, lxvi (1952–3), pp. 7–12, who points out that the manuscripts in insular script discussed by Drögereit are to be dated c.800 and later; and by R. Kottje in Annalen des Historischen Vereins für den Niederrhein, 151–2 (1952), pp. 405–9.


initials on other pages with interlace, spiral, animal, and bird-head motifs. It does not, however, solve the problem of the origin of the manuscript. None of the scholars who have published work on the scriptorium of Echternach has included Cologne 213 as one of its early products, but Echternach is a likely source. A more attractive possibility, as Micheli suggested, is that Cologne itself may have been the 'atelier' where Cologne 213 was produced. A further connection in the history of the manuscript, or at least its scribe, is suggested by O'Cróinín's hypothesis concerning another of the books in the group with which Cologne 213 has been linked, namely Durham Cathedral Library A. 11. 17. He proposes that either the cell established by the Northumbrian Eanmund, one of whose inmates was the celebrated Irish scribe Ultan, or the English settlement of Rath Maelsigi in Ireland, about which too little is known, could have produced Durham A. 11. 17. For our purposes, it may be the case that Sigibert, the scribe of Cologne 213, had had some connection with Ireland.

Cologne 213 also contains glosses in both Old English and Old High German of the early part of the eighth century that have been identified by Hofmann as part of a group round Echternach and Cologne, that is, the area of the Northumbrian mission of Willibrord. It seems most probable that the scribe Sigibert himself

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73 Illustrated, for example, in Alexander, Insular Manuscripts, pls. 60 and 61.
75 G. Micheli, L'Enluminure du haut moyen âge et les influences irlandaises (Brussels, 1939), p. 51 who described this atelier as 'hiberno-northumbrien'. A. Chroust, Monumenta Palaeographica. Denkmäler der Schreibkunst des Mittelalters, ii. i (Munich, 1911), pl. 8, discusses the origin of Cologne 213 and notes in the text some Latin forms customary in Merovingian Gaul.
76 Ultan is praised by Aethelwulf in his De abbatibus, c. 19, ed. A. Campbell (Oxford, 1967).
77 J. Hofmann, 'Altenglische und althochdeutsche Glossen aus Würzburg und dem weiteren angelsächsischen Missionsgebiet', Beiträge zur Geschichte der
had been a member of Willibrord's familia and one of the Anglo-Saxon followers of the missionary that Willibrord brought with him from Northumbria or Ireland. Although it was with Northumbria that Willibrord maintained close links during his mission on the Continent, it was from Ireland, where he had been a disciple of the Anglo-Saxon Ecgberct, that he embarked on his great enterprise. Thus the possibility of Irish influence in the lower Rhine Missionsgebiet, perhaps taking the form of the provision of some texts, cannot be excluded. It is to this that the introduction of the Canones Hibernenses to the Cologne area, represented by the copy in Cologne 210, is perhaps to be attributed. What may be supposed is that after the death of Willibrord in 739, or the loss of the metropolitan status of Utrecht in 732, Sigibert moved to Cologne. But in what sort of context should the production of Cologne 213 and acquisition of Cologne 210 and 212 be understood?

Dagobert I had confided the church of Utrecht to the archbishop of Cologne with the obligation to preach the Gospel to the pagan Frisians. This task the bishops at that time, according to a letter Boniface of Mainz later wrote to Pope Stephen II, appear not to have done. With the advent of the Northumbrian Willibrord, Utrecht became his archiepiscopal see and it was from there that the Anglo-Saxons conducted their mission to the Frisians. Only some time after 732 did Utrecht cease to be a metropolitan and revert to suffragan status in the ecclesiastical province of Cologne. Nevertheless, even if Cologne's interest in missionary activity continued to be lukewarm (and it is by no means certain that it did) its contacts with Willibrord and his familia, and presumably Echternach as well, were maintained. The lands Willibrord possessed in the diocese of Cologne certainly meant he maintained some links with the archbishop, and an Echternach charter records he and

denischen Sprache und Literatur, lxxxv (1963), pp. 27–131. Hofmann identifies a further group of glosses in the southern English area of activity under Boniface and his followers, namely in Hesse, Würzburg, and Fulda.

79 Ó Crónin, for example, n. 72 above, p. 360, has pointed to the possibility of Irish origin for the Paschal tables in B.N. lat. 9527, fo. 201 + B.N. lat. 10399, fos. 35–6, C.L.A. v. 585 and B.N. lat. 10837, fos. 34–41 and 44, C.L.A. v. 606a, both of which have an Echternach provenance.
80 R. Rau (ed.), Briefe des Bonifatius. Willibald's Leben des Bonifatius (Darmstadt, 1968), Ep. 169, pp. 338–42, and compare Ep. 60, pp. 174–8, with the news of the establishment of the archbishopric of Cologne with Boniface as archbishop in 745. It never came to anything, a Frank was enthroned in Cologne, and Boniface's centre of activity moved to Mainz.
Archbishop Regnfred (732–747) acting together.81 The close relations enjoyed between Willibrord, his familia, and their Northumbrian homeland, moreover, makes the continuing presence of Northumbrians in the diocese of Cologne more explicable. A number of the early codices in Cologne’s cathedral library, nos. 43, 165, 166, fragment s.n. as well as 210 and 213, bear signs of insular influence and Cologne’s insular connections.82

Cologne itself had been since the time of Kunibert an important Arnulfing stronghold in Austrasia.83 Political support for the Carolingians (Bishop Hildegar met his death on Pippin III’s Saxon campaign in 753) was combined with participation in the drive for ecclesiastical reform. Regnfred of Cologne attended the Concilium Germanicum convened in 742,84 which had as one of its aims the restoration of ecclesiastical discipline.85 The shadowy Agilulf, archbishop from 747 to 753, attended the synod of 747 at which it was decided that in subsequent synods to be held every year the canonical decrees, the laws of the church, and the rule of regular life should be upheld and renewed.86

The years round the earliest Frankish reform councils therefore may be the most appropriate ones in which to date the first evidence of knowledge of canon law in the diocese of Cologne, and thus the


82 C.L.A. viii. 1148, 1158, 1160, 1164 respectively.


84 His name is recorded in the preface to the conciliar proceedings, ed. R. Rau, Briefe des Bonifatius. Willibald’s Leben des Bonifatius (Darmstadt, 1968), p. 378. Schieffer proposed a date of 743 for the Concilium Germanicum, but his suggestion has not met with general agreement.

85 Concilium Germanicum, c. 11b, Statuimus per annos singulos synodum congregare, ut nobis presentibus canonum decreta et ecclesiae iura restaurerent, et religio Christiana emendetur. The ‘apostolic canons’ were cited as authority in clause III, Rau, ed. cit. p. 378 n. 84.

production of Cologne 213. That Cologne preserved the tradition of canonical expertise is already well known from the considerable number of theological texts and canonical collections produced from the time of Hildebold onwards. What I have suggested concerning the involvement of Cologne and its bishops in missionary and reform activity and the acquisition of necessary texts, however, indicates that Hildebold was in fact building on the hitherto unsung achievements of his predecessors.

Cologne 213 raises further questions. Even if not written in Northumbria itself but on the Continent, was its exemplar (presumably an Italian book) a manuscript in the library at Lindisfarne or Wearmouth-Jarrow or did Sigibert find it in a Continental centre? Are we to suppose, in the absence of any copies of canon law in insular script known to have been produced in England that their ghosts are apparent in copies made from them that do survive? It is certainly striking how many canon-law manuscripts dating from before 800 reveal signs of insular influence in some form or other—in letter forms, abbreviations, spelling, text type, and decoration. Or are we to conclude that the Anglo-Saxons acquired their knowledge of canon law on the Continent and it was from thence that in the ninth century it became more widely circulated in England? It does not seem plausible, but the extant manuscripts may shed some light.

The largest group of manuscripts among the extant codices of canon law dating from before 800 is in fact that made up of manuscripts written on the Continent but with insular symptoms. Vat. pal. lat. 577, a copy of the first redaction of the Dionysiana may be one of the collections used by missionaries in the Mainz region. It contains the Saxon baptismal vows and also an entry on fo. 73v which has the character of Fulda script. Fragments of the Dionysiana in a set minuscule of the Northumbrian type reminiscent


88 A. Strewe (ed.), Die Canonessammlung des Dionysius Exiguus in der ersten Redaktion (Berlin and Leipzig, 1931). B. Bischoff, ‘Panorama der Handschriftlichenüberlieferung aus der Zeit Karls des Grossen’, in W. Braunfels (ed.), Karl der Grosse. Lebenswerk und Nachleben, ii Das Geistliche Leben (Düsseldorf, 1965), pp. 233–54 at p. 248 n. 119 and compare Mordek, Kirchenrecht, pp. 242 and 254. As well as some miscellaneous collections among the ‘insular’ manuscripts, the named collections they contain are the Sanblasiana, Quesnelliana, Dionysiana, Vetus Gallica, and the Collectio Hibernensis. There is one codex containing the Dionysio-Hadriana, a late eighth-century codex in Munich, Clm 14517, C.L.A. ix. 1303 and Bischoff, Schreibschulen, i, pp. 250–1. It was written in south-west Germany.
of the Moore Bede (Cambridge University Library, Kk. 5. 16) but dating from the late eighth century, survive in Würzburg, where there is also a volume of excerpts from the Collectio Hibernensis (among other texts) written in an Anglo-Saxon centre on the Continent. Other texts from the Würzburg region, or at least the Bonifacian area of activity contain the Quesnelliana and Vetus Gallica collections; and Rhineland, even Lorsch connections have been proposed for Vienna Oesterreichisches Nationalbibliothek 2141 and 2147, written in the same hand c. 780 and again copies of the Quesnelliana. Insular influence, whether Anglo-Saxon or Irish is not clear, is evident in a Vetus Gallica text in Brussels, Bibliothèque Royale 10147-44. It is written in pre-caroline minuscule but its occasional lapse into insular abbreviations may point to an insular exemplar. The other contents of the manuscript are of interest. As well as the canons, it contained excerpts from penitentials, the tract De officiis ecclesiasticis, an antiphonary and a sacramentary, suggesting that we may here be dealing with a north Frankish episcopal handbook which, judging from its script and texts, could have been produced not far from Liège. There are many other examples that could be cited. Phillipps 17849 too has some insular abbreviations and odd spelling and appears to have been written in a Continental centre or else was copied from an insular exemplar. It, like Cologne 213, is a text of

89 Würzburg Universitätsbibliothek, M.P. Misc. F. 3 + 3a + M.P. TH. F. 5 + 13 + 37 + 38 + 60 + Q. 2 (binding fragments), C.L.A. ix. 1401.
91 C.L.A. x. 1503 and 1506, and B. Bischoff, Lorsch im Spiegel seiner Handschriften (Munich, 1974), pp. 120-1. The insular signs are in both script and abbreviations; Vienna lat. 2147 is also written on membrane prepared in the insular manner. It is worth noting that the four earliest manuscripts of the Quesnelliana, Arras 644, Einsiedeln 191, Vienna 2141, and Vienna 2147 all bear insular symptoms of one kind or another. Compare the list of Quesnelliana texts in Mordek, Kirchenrecht, pp. 238-40.
93 The Liège connection was suggested by Andrieu, cited by Mordek, Kirchenrecht, p. 276, without further details.
94 Compare, for example, the manuscripts cited above, nn. 2, 52, 53, and 91. To be added are the codices and fragments containing the Canones Hibernenses such as Cologne 210, above n. 66, and Trier Stadtbibliothek 137, fos. 48-61, written in Irish half-uncial of s. viii, C.L.A. ix. 1368. See, too, R. Reynolds, 'Excerpts from the Collectio Hibernensis in three Vatican manuscripts', Bulletin of Medieval Canon Law, N.S. v (1975), pp. 1-9.
the *Sanblasiana*.\(^95\) Investigation of the text transmission of some of these collections, particularly of the *Quesnelliana* and *Sanblasiana*, may well be able to establish a greater surety concerning the means by which they were introduced from Italy into the Frankish kingdoms. In the case of the *Sanblasiana*, for instance, it could have been over the Alps through Reichenau and St. Gall, as is suggested by Phillipps 17849, conceivably from south-west Germany, and St. Paul in Carinthia 7.1, the Italian codex at Reichenau by the eighth century (above, p. 100). But an alternative could be that the *Sanblasiana* was one of the texts brought from Italy by Northumbrian or Irish pilgrims and introduced to the Continent from thence by the Anglo-Saxon missionaries. Much must remain speculation until further work can be done, but certainly the surviving manuscript evidence suggests that the Anglo-Saxons may have been responsible for introducing particular collections of canon law to the Franks.

The Anglo-Saxons' most important contribution, however, as the manuscript evidence makes clear, was the stimulus, organization and reform fervour they contributed to the Frankish ecclesiastical reforms. In their new dioceses as well as in the older Frankish sees, the Anglo-Saxon missionaries from both north and south of the Humber initiated afresh the making of new collections of canon law and the copying of old ones. But, as with the Frankish reform movement generally where there was a Frankish initiative led by such stalwarts as Chrodegang of Metz,\(^96\) so it is not only the Anglo-Saxons who can be credited with the revival of interest in canon law. We have seen that in individual dioceses a number of Frankish bishops made the effort to acquire and commission for their own use a reputable collection of canon law. Theirs was an effort contemporary with, and no doubt influenced by, the drive for ecclesiastical reform led by Boniface and the Carolingian mayors of the palace to ensure, among other things, the knowledge and proper observance of the law of the church.

**Rosamond McKitterick**

\(^95\) Mordek, *Kirchenrecht*, p. 241. The manuscript was bought by H. P. Kraus of New York in 1971.