

**Bernhard Jussen, Karl Ubl (Hg.), Die Sprache des Rechts. Historische Semantik und karolingische Kapitularien, Göttingen (V&R) 2022, 377 S., 23 Abb. (Historische Semantik, 33), ISBN 978-3-525-31141-7, EUR 85,00.**

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This is an exciting time to be studying Carolingian capitularies, the normative texts issued in considerable volume by the Frankish rulers in the late 8<sup>th</sup> and early 9<sup>th</sup> centuries. Thanks to the »Capitularia« project, a new edition of the capitularies of emperors Louis the Pious and Lothar I will soon be published by the MGH, replacing that of Alfred Boretius dating to the late 19<sup>th</sup> century. Meanwhile, as the editors of this book note, the tools of the digital humanities are providing new ways to study old texts, with the promise of generating fresh insight into a variety of contexts.

This book is the product of a conference in Paris in 2017 that brought these two developments in dialogue, jointly organised by the »Capitularia« project and the »Computational Historical Semantics« project based in Frankfurt. It focuses on the language (*Sprache*) of the capitulary texts: that is, the terminology and phrasing employed within this genre. The participants had a lemmatized corpus of capitularies at their disposal (now hosted at the Latin Text Archive in Berlin<sup>1</sup>), though this was not integral to every paper. The papers are written in German (6), French (3) and English (2).

The introduction, by Bernhard Jussen and Karl Ubl, demonstrates some of the findings to be won through digitally-assisted analysis, which can reveal textual patterns not discernible, or not obvious, to the unaided human eye, no matter how assiduous the reader. Charts and graphics show how words such as *fidelis*, *honor* and *regnum* became more prominent in the capitulary corpus over time, from Charlemagne to Charles the Bald, indicating, perhaps, a shift in the priorities of the ruling circle; meanwhile, comparisons with Roman law show how consistently the capitularies' concept of kinship was narrowly oriented to horizontal and marital relations, rather than the wider kinship network featured in the »Lex Romana Visigothorum«.

Several of the contributions explore different aspects of the capitulary corpus. Gerda Heydemann and Helmut Reimitz look at the sense of history that the capitularies convey. They find much less Frankish history than one might have expected. Under Charlemagne, it was instead the biblical past that is prominent,



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<sup>1</sup> <https://lta.bbaw.de/corpus/capitularies> (10/07/2023).

though the more exegetically-sophisticated court of Louis the Pious later distanced itself from direct references. Steffen Patzold studies the limits or boundaries of the capitulary corpus. He argues that some texts focusing on monastic life, the *capitula monastica*, are not really »capitularies« at all, on the grounds that they were probably not issued by kings, and were usually copied in different kinds of manuscripts from capitularies, properly speaking.

Jennifer Davis looks at how the capitularies referred to other capitularies. She finds that the most common denomination was, indeed, *capitulare*, which implies that contemporaries had a clear sense of the genre of the text, for all that modern historians have struggled to define it. In a strongly philological chapter, Jean Meyers studies the use of the Latin verb *iubere*, a verb of command much more commonly found in the capitularies than the stronger *imperare*, which tells us something about the nature of authority these texts articulated. Finally, Els Rose looks at how the capitularies talked about migrants and travelers, exploring what proves to be a differentiated and subtle range of terms, from *peregrinus* to *advena*, and in the process revealing how much Carolingian rulers worried about individuals' movements.

Other contributions to the book take a more overtly comparative approach, looking at the capitularies in the context of other bodies of evidence. Magali Coumert explores how the capitularies referred to the written Frankish law such as the »Lex Salica«. These references are notoriously vague; this Coumert puts down not to technical incapacity on the part of compilers and scribes, but to a political blockage, expressing an unwillingness to instruct judges too closely. In their chapters, Britta Mischke and Nicolas Perreux both look at how capitularies related to charters, using complementary methodologies. Mischke investigates how charter formulation affected the phrasing of capitularies. It turns out: not much, though intriguingly some English influence can be discerned, presumably via Boniface and Alcuin. Meanwhile, Perreux uses quantitative digital techniques to study differences and similarities at a more abstract level, showing for instance how the terminology of charters evolved over time much more clearly than that of capitularies. A comparison with sermons is the focus of Max Diesenberger's chapter, unpacking some of the similarities between two kinds of text that both functioned as moral exhortation.

The final chapter, and the longest, is by Stefan Esders, on the phrase *fideles Dei et regis*. This Esders classifies as a »zeugma«, a figure of speech that plays on two different meanings of the same word (e. g. »You held your breath and the door for me« – Alanis Morissette). To be a *fidelis* of the king is self-evidently not quite the same as being a *fidelis* of God. One was a relationship based around baptism, the other around an oath of loyalty. Their conjunction in this phrase, argues Esders, shows that Carolingian kings and their advisors acknowledged a division between religious and secular spheres, in order, however, to bridge it. What Esders finds interesting is how this phrase and others like it became



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increasingly common in several genres of text, suggesting a pattern of thinking underlying a distinctive Carolingian semantics of power.

The book is attractively produced and presented, with some colour images; it is a pity, though, that there is no combined bibliography. It is a pity too, as the editors acknowledge (p. 31–32), that a book devoted to the language of the capitularies does not include a study devoted to the vernacular Frankish words that are such a striking feature of the genre, such as *harmiscara*, *exsoniare*, *rewadiare*, and *mannitio*, building on de Sousa Costa's 1993 book on the topic.

The reader of this stimulating book will come away with two impressions. One is that for all the recognised problems in defining this flexible and heterogenous group of texts as a genre, the capitularies share an underlying consistency that unequivocally justifies treating them as a whole. The second is the intellectual energy crackling around the topic at the moment, which draws its spark from the new edition as it nears completion. Coupled with the emerging computational tools at the historian's disposal, we can anticipate winning a clearer understanding than ever before of the evolving ways in which Carolingian rulers sought discursively to steer Frankish society.



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