

## Regni divisio

(ca. Feb. 831)

[ed. Alfred Boretius, Victor Krause, *MGH Capitularia regum Francorum* 2 (Hannover, 1897) 20–24]

Translated by

•

Courtney M. Booker

University of British Columbia

(cbooker@interchange.ubc.ca)

–February, 2008–

[To be used for teaching purposes only. Please do not cite or reproduce without permission]

Cf. the shaded sections with the text of the *Divisio regnorum* (806), ed. Alfred Boretius, *MGH Capit. I* (Hannover, 1883), 126–130; trans. D.C. Munro, in Paul E. Dutton, *Carolingian Civilization: A Reader*, second ed. (Peterborough, 2004), 146–151.

---

In the name of the Lord God and our savior Jesus Christ. Louis, ordained emperor augustus by divine providence, to all the faithful of the holy church of God and to all the Catholic people, namely present and future, of the races and nations set under our power and guidance.

5 We wish it to be known to all your shrewdness that we have decreed to make such a division of the kingdom entrusted to us by God among our dear sons Pepin, Louis, and Charles, so that after our departure from this life each one of them may avail to know—if divine piety shall wish them to be our heir—which portion was allotted to him by us for the purpose of holding and ruling. We wish to describe and designate this division in this way, so that each one, in accordance with our ordination,  
10 may strive to defend with the aid of God the frontiers of his kingdom, which extend out to foreigners, and work to preserve peace and fraternal charity among themselves. It has pleased us to make such an ordination and kind of division.

15 I. Moreover, we have arranged this disposition [of territory] in such a manner that if, after our departure from this light anyone of them shall meet the day of his death before his brothers, and leaves behind such a son, whom the people wish to elect so that he may succeed his father in his

kingdom, we wish that the uncles of the boy shall permit the son of their brother to rule in the kingdom which his father, their brother, held. But if they will not have such a son, then we wish that that part of the kingdom, which the same one had, be divided equally among the brothers who remain alive.

20

2. It indeed has pleased us to decree and command in the case of our aforesaid sons, for the sake of the peace and concord which we desire to be perpetual among them, that no one of them shall presume to invade the frontiers or boundaries of his brother's kingdom, or fraudulently enter to disturb his kingdom or to diminish his territory, but preferably each of them shall help his brother, just as the suitability of time shall permit, and shall bear aid to him against his enemies, so far as the occasion may demand and he may be able.

25

3. Nor shall any one of them receive a vassal of his brother, who may flee to him for any cause or crime whatsoever, nor shall he intercede for that one, because we desire that any man who sins and needs intercession shall flee either to the holy places or to official men within the kingdom of his lord, and thence shall receive [from them] fitting intercession.

30

4. Likewise we command that if any free man shall have deserted his lord against the will of the latter and shall have gone from one kingdom into another, the king himself shall not receive him nor consent to his vassals receiving the man or daring unjustly to retain him. We decree that this ought to be observed not only with respect to free men but also to fugitive slaves, so that no occasion may remain for disputes. Moreover, we command that none of these three brothers, our sons, while enduring in the flesh, make a man of ours or of anyone else swear an oath of fidelity to him, and by this turn him from us or from his other lord through an oath of whatever kind and draw him to himself.

35

40

5. Wherefore it seems fitting to us to command that after our departure from this life the vassals of each one of them shall receive benefices only in the kingdom of his lord and not in the kingdom of another, lest at any time, if it was otherwise, some trouble might arise. But each one of their vassals shall have, without contradiction, any inheritance that may fall to him in whatsoever kingdom he may happen to hold lawfully.

45

6. And each free man, after the death of his lord, shall be allowed to commend himself within these three kingdoms to whomsoever he chooses; likewise the same goes for those who have not yet commended themselves to anyone.

50

7. Concerning gifts and sales, such as are wont to be made, we command that none of these three brothers shall acquire, by gift or purchase from any individual, real estate in the kingdom of another, that is, land, vineyards, forests, and serfs already bound to the soil, or other things comprised under the category of inheritable property, except gold, silver, jewels, arms, clothing, serfs not bound to the soil, and such things as are recognized to be saleable. But we have decided that this should not be forbidden to other free men.
8. If, moreover, women, as often happens, shall be sought in legitimate marriage by men from another kingdom, the just demands of those requesting these women shall not be denied, for they shall be allowed both to give and receive women, and thus to join peoples together. The women in question shall retain possession of their property in the kingdom which they left, although they need to live in another in order to be with their husbands.
9. Concerning the hostages who have been given as pledges and who have been sent by us to different places to be guarded, we desire that that king in whose kingdom they are kept not permit them to return to their native land without the consent of the brother from whose kingdom they were taken. In the future each brother shall mutually aid the other in receiving hostages, if one brother shall have made a reasonable request of another. Also we order the same concerning those who have been sent into exile for their crimes or who shall be sent.
10. If a strife, dispute, or controversy over the boundaries or limits of the kingdoms should arise between the parties that cannot be settled or ended by the witness of people, then we desire that, in order to settle the doubtful question, the will of God and the truth of the matter shall be sought by the standard (*vexillum*) of the cross, lest such a contention be settled by violence or judicial combat. If, indeed, any vassal from one kingdom, in the presence of his lord, shall have accused a vassal from another kingdom of infidelity against the brother of his lord, let his lord send him to the brother so that he may prove what he has said concerning the vassal of the latter.
11. Above all, moreover, we order and command that the three brothers in person shall undertake in common the care and defense of the church of Saint Peter, just as it was done formerly by our great-grandfather, Charles, and by our grandfather, Pepin, and by our father, emperor Charles of blessed memory, and afterwards by us, so that with the aid of God they may strive to defend it against its enemies and may cause it to have its deserved rights, as far as shall be in their power and as reason shall demand. Likewise, also, concerning the other churches which shall be under their power, we command that these shall have their proper rights and honor, and the pastors and rectors of venerable places shall have power over the property which pertains to the holy

90 places themselves in whichever of those three kingdoms the possessions of those churches shall  
be.

12. But if there be any infringement upon these statutes and conventions by any accident or through  
ignorance—and we hope this will not be the case—we command that [our sons] shall strive as  
95 quickly as possible to remedy the matter in accordance with justice, lest at any time by delay a  
greater evil arise.

13. Moreover, all of these things, which we have so arranged and set forth in order, we have so  
decreed, that so long as it may please the divine majesty to preserve our life, our power shall be  
100 the same over the kingdom preserved by God and over that empire as it has been up to this time  
in all our royal and imperial rule and ordination and domination, and so that we may enjoy the  
obedience of our beloved sons and of our peoples beloved by God, with all the submission which  
is due to a father from his sons and to an emperor and king from his peoples. And if anyone of  
these, our three sons, desiring to please in the first place omnipotent God and afterwards us  
105 through [their] very great obedience, shall merit in all honesty this good will, so that it shall be  
pleasing to bestow this power, this greater honor to him, we wish—insofar as it remains in our  
power [to do so]—that his kingdom, honor, and power be enlarged from the portion of his  
brother who shall not have taken care to please [God and us]. And we shall accomplish such a  
thing for him inasmuch as he shows himself by his own merits to be worthy.

110 14. In the last place, it seems to us that this ought to be commanded so that any decrees or  
agreements which may be profitable and useful to them, which we may wish to add in the future  
to these our decrees and precepts, shall be observed and obeyed by our beloved, aforesaid sons,  
just as we have commanded that these decrees and prescriptions [themselves] shall be obeyed  
115 and observed.

For Aquitaine all of . . . between the Loire and the Seine and beyond the Seine twenty eight  
territories, that is, Châlons, Meaux, Amien, and Ponthieu up to the sea.

120 For Bavaria all of Thuringia, Ripuaria, Geldern, Saxony, Frisia, Ardennes, Haspengau, Brabant,  
Flanders, Mempiscon, Menen, Hainaut, Osterbant, Artois, Thérrouanne, Boulogne-sur-Mer, Quentovic,  
Cambrai, Vermandois.

125 For Alemannia all of Burgundy, except that which was given to Pepin, all of Provence, and all of  
Gothia, and from the midst of Francia Waren, Ungen, Mézières, Porcien, Reims, Laon, Moselgau,  
Trier.