

# The Body of Pope Formosus

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*Let us cover, oh Silent One, with a sheet  
of fine linen, the stiff, dead profile of our  
Imperfection.*

– F. Pessoa<sup>1</sup>

Since the times of Cesare Baronius, the papacy of Pope Formosus (891–896) and the events of the Cadaver Synod have been considered emblematic of the decadence of the late Carolingian world, and the arrival of an age of darkness and iron.<sup>2</sup> The trial evinced a level of hatred and political vengeance that seems excessive, going beyond the boundaries of political behavior even for an age in which contemporaries saw increasing violence and transgression as signs of a world in decline.<sup>3</sup>

In the course of the trial, the body of Formosus was exhumed from the tomb where it had lain for less than a year. His corpse, still dressed in papal regalia, was propped up on the papal throne, and placed on trial, with a deacon answering the charges on behalf of the dead pontiff. Formosus was convicted, and all his ordinations declared invalid. The three fingers used to form the sign of blessing were cut from his right hand, and the corpse stripped of its papal garments and put into layman's clothing.<sup>4</sup> It is possible that the body was first

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- 1 This article was written with the assistance of fellowships at the Max-Planck-Institut für europäische Rechtsgeschichte, Frankfurt, and Trinity College Library, Dublin. The epigram is from F. Pessoa, *The Book of Disquiet*, Composed by Bernardo Soares, Assistant Bookkeeper in the City of Lisbon, trans. A. Mac Adam (Boston, 1998), p.183.
  - 2 H. K. Mann, *The Lives of the Popes in the Early Middle Ages*, (London, 1925), Vol.4, p.34; and W. Hartmann, *Kirche und Kirchenrecht um 900. Die Bedeutung der spätkarolingischen Zeit für Tradition und Innovation im kirchlichen Recht* (Hannover, 2008), p.5.
  - 3 L. Gatto, *La Condanna di un cadavere. Riflessioni sull'incredibile storia di Papa Formoso*, *Studi Romani* 72 (2004) pp.379–406.
  - 4 M. Borgolte, *Petrusnachfolge und Kaiserimitation. Die Grablegen der Päpste, ihre Genese und Traditionsbildung*, *Veröffentlichungen des Max-Planck-Instituts für Geschichte* 95 (Göttingen, 1995), pp.71–101, p.124; Gatto (s. Anm. 3), p.396. Generally on Formosus: K. Herbers, *Formose*, in: *Dictionnaire historique de la Papauté*, ed. Ph. Levillain (Paris, 1994), pp.691–693; J.-M. Sansterre, *Formoso*, in: *Enciclopedia dei Papi*, ed. M. Bray et al., 3 Vols. (Rom, 2000) Vol.2, pp.41–47; Arthur Lapôte, *Études sur la papauté au IXe siècle* (Turin, 1978); G. Domenici, *Il Papa Formoso, La civiltà Cattolica*

consigned to an unmarked grave, but again disinterred, and thrown into the Tiber.

In order to understand the affair, we have to take note of the political and historical situation in Rome and the post-Carolingian landscape of power. After 885 Charles the Fat had reunited the Carolingian world for the first time since 843, but this vast structure was disunified and proved to be ungovernable.<sup>5</sup> Rather than fight to save Paris from a Viking siege he paid a ransom, and allowed the invaders to continue their depredations in Burgundy. After the deposition of Charles in 887 and his death the following year, the empire was fragmented and the political situation in Italy and Rome grew increasingly dangerous. In the context of political culture and ritual, we see the emergence of papal and imperial claims to unique, unparalleled powers, at a moment when these powers were in fact contested. The historical ramifications of the trial as reflected in histories and chronicles are discussed below, although the strange episode resists explanation. The events of the Cadaver Synod must therefore be examined within other frames of meaning.

Doctrines of law and judgement enveloped the papacy in a golden cloud of transcendence, asserting that it was impossible to judge the pope. Formosus was nonetheless judged and condemned. Punishment of the body of Formosus and attacks on his image cast an eerie light on legal doctrines regarding the papacy, but also lead us to examine the Cadaver Synod in connection with ancient phenomena of *damnatio memoriae* and scapegoating. Finally, the posthumous trial of Pope Formosus reflects the conceptual relations between the body and the law, and between the body and pictorial image, in the early Middle Ages.<sup>6</sup> So this essay moves from events to concepts.

### Supremacy and Abjection

When Leo III anointed Charlemagne as Emperor of the Romans in 800, the pope adopted the magnificent persona of a high priest, appearing as a second Samuel to anoint a new King David.<sup>7</sup> Later popes, namely Nicholas I (858–867)

75 (1924) no.1: pp.106–120 and pp.518–530, no.2: pp.121–135; G. Arnaldi, *Papa Formoso e gli imperatori della casa di Spoleto*, *Annali della Facoltà di Lettere dell'università degli Studi di Napoli* 1 (1951), pp. 85–104; M. Bacchiega, *Papa Formoso. Processo al cadavere* (Foggia, 1983).

5 K. F. Werner, *Les origines (avant l'an mil)* (Paris, 1984), pp.419–420.

6 For the high Middle Ages, the stature of the papal body was explored by A. Paravicini-Bagliani, *The Pope's Body*, trans. D. S. Peterson (Chicago, 2000). Unfortunately few of his conclusions are applicable to the late Carolingian case.

7 P. Classen, *Karl der Große, das Papsttum und Byzanz. Die Begründung des karolingischen Kaisertums, Beiträge zur Geschichte und Quellenkunde des Mittelalters* 9 (Sigmaringen, 1985), pp.54–57; R. Folz, *Le couronnement impérial de Charlemagne*,

and John VIII (872–882), developed this motif of law and ritual, and tightly held on to the privilege of anointing emperors. Nicholas I proudly reminded prelates of the Frankish kingdom that Lothar had been “crowned with the diadem by the apostolic see.”<sup>8</sup> Coronation ceremonies allowed the will of God, conveyed by papal authority, to shine through symbols and gestures. The theory was crystallized just as the reality grew evermore dubious.

Writing to the Byzantine emperor Michael, Pope Nicholas spoke of the dualism of priestly and imperial power, in terms harkening back to the famous distinction of Pope Gelasius I (492–496) between royal power and priestly authority.<sup>9</sup> Although in principle imperial power was not granted by the pope, anointing and crowning by the pope were essentially necessary to make a prince or king into an emperor.<sup>10</sup> Coronation rites, beautifully inscribed in deluxe pontificals for the use of bishops or popes, contained brief reflections on the significance of anointing and crowning. Rituals of coronation were prose poems about the nature of royal and priestly power.

Unfortunately no such rituals survive from late-ninth century Rome.<sup>11</sup> To some extent we can guess what they were like, based on Frankish parallels and later Roman *ordines*. In the *Ordo ad ordinandum regem* for a coronation of Charles the Bald in 848, the king was called a partner, *particeps*, in the bishops’ own office.<sup>12</sup> The ritual contained an exchange of vows, in which the priests and their king promised to be faithful to each other, like spouses. The king was called upon to serve justice, defend the Church, and protect the poor.<sup>13</sup> After a

25 Décembre 800, Trente journées qui ont fait la France 3 (Paris, 1964), pp.118–120.; See also M.E. Moore, *A Sacred Kingdom: Bishops and the Rise of Frankish Kingship, 300–850* (Washington D.C., 2011), pp.277–278.

- 8 “Ab apostolica sede diademate coronari.” Hadrian to Primate and Counts of the Kingdom of Lothair, Letter 19, p.722. MGH, Epp. IV, ed. E. Perels (Berlin, 1925)
- 9 P. G. Caron, “Auctoritas sacrata pontificum et regalis potestas”, in: *Mélanges Fritz Sturm*, ed. J.-F. Gerkens et al., 2 Vols. (Liège, 1999), pp.641–654, see p.644. On the Gelasian distinction between royal and priestly spheres: W. Ullmann, *Gelasius I. (492–496). Das Papsttum an der Wende der Spätantike zum Mittelalter, Päpste und Papsttum 18* (Stuttgart, 1981), pp.199–206.
- 10 Y. Congar, *L’Eglise de Saint Augustin à l’époque moderne* (Paris, 1997), p.61. See also B. Schimmelpfennig, *The Papacy*, trans. James Sievert (New York, 1992), p.91.
- 11 Imperial coronation rituals have not survived from the period between Charlemagne (800) and Berengar I (915). *Ordines coronationis imperialis*, MGH, *Fontes Iuris Germanici Antiqui in usum scholarum* 9, ed. R. Elze (Hannover, 1960), pp.ix-x.
- 12 “Et per hanc te participem ministerii nostri non ignores.” G. Lanoë, *L’Ordo de couronnement de Charles le Chauve a Sainte-Croix d’Orleans (6 Juin 848)*, in: *Kings and Kingship in Medieval Europe*, ed. A. J. Duggan (London, 1993), pp. 41–68, quoting p.61.
- 13 During the coronation of Louis the Stammerer in 877 the *ordo*, a set of mutual vows were taken by king and bishops. The king was told: “You should defend, by your royal virtue, the Christian people committed to you by God.” R. A. Jackson, *Ordines Coronationis Franciae. Texts and Ordines for the Coronation of Frankish and French*

brief moment of tension in which a bishop held the crown suspended above a king's head, royalty was imposed on, and belonged to, the king.<sup>14</sup> The imperial diadem rested on the emperor's head as a sign of glory, *signum gloriae*.<sup>15</sup> According to Pauline doctrine, this kingship was granted by God alone, and not by bishops, whose hands (according to their own rituals) were unworthy to convey it, *indignis*.<sup>16</sup> Roman coronation rituals were similar, including the exchange of vows, and the political poetry.

By the time of Formosus, the ability to anoint the emperors was proving to be a curse more than a blessing. Because of their ability to crown the emperor of the west, and their position at the center of the political and religious world, the popes were engulfed in the violent politics of this period of rapid change. In response to tremendous pressures, the popes could only urge others to recognize the centrality of Rome, and the religious majesty of the Vicars of Christ.<sup>17</sup>

The imperial title implied a similar kind of supremacy among rulers. The western emperors of the late Carolingian period sought to stake out as much spiritual and political territory as possible. Louis II, with the assistance of Anastasius Bibliothecarius, declared himself the equal of the Byzantine emperor in a challenging letter to Basil I in 871.<sup>18</sup> Louis II was a bold and effective ruler "who could do what he chose inside his kingdom and destroy all his opponents."<sup>19</sup> The grand style of Carolingian power soon crumbled, as imperial power was broken into smaller pieces by factionalism and fierce competition.

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Kings and Queens in the Middle Ages, 2 Vols. (Philadelphia, 1995–2000), Vol. 1, p.122.

The Pauline doctrine of submission to royal power prevented bishops from assuming that kingship was theirs to give: G. Tellenbach, *Church, State and Christian Society at the Time of the Investiture Contest*, trans. R. F. Bennett (Oxford, 1940), p.65

14 "Accipe igitur coronam regni. quae licet ab indignis. episcoporum tamen manibus capiti tuo imponitur. quamque sanctitatis gloriam et honorem." Lanoë (s. Anm. 12), p.62.

15 As the pope placed a diadem on the emperor's head: "Accipe signum gloriae" according to the earliest surviving imperial ritual (possibly from Mainz, before 960): *Ordines coronationis imperialis* (s. Anm. 11), p.3.

16 "Regnique tibi a deo dati." Lanoë (s. Anm. 12), p.63.

17 The ancient doctrine, since Leo the Great, held that the pope was the Vicar of Peter: M. Maccarrone, *La dottrina del primato papale dal IV all'VIII secolo nelle relazioni con le chiese occidentali*, in: *Settimane di Spoleto VII* (Spoleto, 1960), pp.633–742. By extension, the pope was also Vicar of Christ: W. Ullmann, *Principles of Government and Politics in the Middle Ages* (London, 1961), p.39.

18 Ludovici II. imperatoris epistola ad Basilium I imperatorem Constantinopolitanum missa, MGH, *Epp. Karolini Aevi V*, ed. W. Henze (Berlin, 1928), pp. 385–394.

19 C. Wickham, *Early Medieval Italy: Central Power and Local Society 400–1000* (London, 1981), p.168.

## Fragmentation of Carolingian Order

The political situation of Italy and Rome at the end of the Carolingian Empire was unique in the European scene. Unusual stresses existed there: Moslem armies exacted protection-money from the papacy, and John VIII more than once expressed his amazement that Charles the Fat would not come to protect Rome from Moslems and other forces. In 879 he complained that Rome was assaulted by “pagans as much as by wicked Christians,” *mali christiani*.<sup>20</sup> There were also serious divisions inside Rome.

After years of refusing to come to defend the papal see from its enemies, Charles the Fat marched on Rome and forced Pope John VIII to crown him as emperor in 881.<sup>21</sup> Not long afterward John was assassinated by members of his family, according to the Annals of Fulda: “For at Rome, the bishop of the apostolic see, John by name, was first poisoned by his relatives and then...was struck with a hammer until his skull was bashed in, and died.”<sup>22</sup> Formosus probably had ties to opponents of John’s papacy.<sup>23</sup> The later fortunes of Formosus reveal the contradictions inherent in efforts to construct the papacy as a supreme and stable moral force in a period when the respect of boundaries was at a minimum, and the contest for power at a maximum.

After Charles the Fat was deposed in 887 there was a sudden collapse of imperial power and the old Carolingian world was fragmented into many small *regni*. Historians have recently tried to revise the traditionally grim picture of this period. Simon Maclean argues that the Frankish kingdom, with its characteristic social structures, and its ability to recruit and mobilize the nobility and the episcopate alike, was completely intact up until the death of Charles the Fat, who was a highly effective ruler – and not even overweight. Accordingly, there never was a phase of Carolingian decline, but only a sudden disappearance of the Carolingian family from the scene, ushering in a period of rapid change: “the key factor was not a long process, but a single event.”<sup>24</sup>

According to Chris Wickham, in northern Italy ancient aristocratic families such as the Crecentii, the Tusculani, the Frangipane and the Theophylacti

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20 John VIII to Charles III the Fat, Letter 180, MGH, Epp. VII, ed. P. Kehr (Berlin, 1928), p.144. He complained again of evil Christians later that year: “a malis patimur Christianis” in John VIII to Charles III the Fat, Letter 193, MGH, Epp. VII, ed. P. Kehr (Berlin, 1928), p.155.

21 P. Jaffé, *Regesta Pontificum Romanorum ab condita Ecclesia ad annum post Christum natum MCXCVIII*, 2 Vols. (Leipzig, 1885–1888), Vol. 1, pp.417.

22 *Annales Fuldenses, Anno 883 (Pars V)*, MGH, SS 1, ed. G. H. Pertz (Hannover, 1826), p.398.

23 P. Llewellyn, *Rome in the Dark Ages* (London, 1971), p.280.

24 Simon Maclean, *Kingship and Politics in the Late Ninth Century: Charles the Fat and the End of the Carolingian Empire* (Cambridge, 2003), p.79.

succeeded one another in an orderly succession of rise and fall. These families continued to work with priests of the urban *tituli* and the regional nobility to ensure the smooth functioning of public judgement and governance. In spite of the picture of violence and turmoil found in contemporary chronicles, social stability and dispute resolution continued to be the norm. Long absence of effective rulers over Italy following the death of Louis II forced Italian society to rely on small-scale centers of gravity such as noble estates, villages and cities. This did not occur without widespread violence and civil wars.<sup>25</sup> Nevertheless, according to Wickham, it is only histories written by fearful outsiders, such as Liutprand, Flodoard and Thietmar, that create a picture of crisis.<sup>26</sup> This may be an instance of the historical law that ancient pain no longer causes us any suffering. The popes themselves spoke frequently of “blows” and “persecutions” rocking their world.<sup>27</sup> And it was not mere talk. The Leonine Wall built by Pope Leo IV (847–855) had enclosed St. Peter’s since 849. Now in the 880 s John VIII added a new fortress to protect St. Paul’s, which came to be known as *Johannipolis*.<sup>28</sup>

As the Carolingian order came to an end, there was a period of extreme discord and unleashed hatreds, especially if we keep in view the entire space of the Carolingian Empire. As many as six kings took hold of portions of the former Carolingian sphere of power. Some, like Eudes in Provence and Arnulf in Germany, were quite powerful and well-rooted in their regions.<sup>29</sup> Regino of Prüm (†915) believed that the death of Charles the Fat and the division of the empire into small kingdoms was an historical turning point. According to the German monk Regino, the contention of so many nobles of roughly similar claims and equal powers was a great impulse toward war.<sup>30</sup> Disintegration moved farther and faster in the north, but as Giovanni Tabacco explains, Italy suffered a similar “profound disintegration of the public order.”<sup>31</sup>

Concerning the north, Regino tells of a vicious struggle between Rodulfus, Bishop of Würzburg, and the sons of Duke Henry: Adalbert, Adalhard, and Henry. This conflict was animated by fierce discord and absolute opposition.

25 C. Wickham (s. Anm. 19), pp.168–172.

26 C. Wickham, ‘The Romans According to their Malign Custom’: Rome in Italy in the Late Ninth and Tenth Centuries, in: *Early Medieval Rome and the Christian West. Essays in Honour of Donald A. Bullough*, ed. J. M. H. Smith (Leiden, 2000), pp.151–167.

27 John VIII to Charles III the Fat, Letter 180, *MGH, Epp. VII*, ed. P. Kehr (Berlin, 1928), p.144.

28 R. Krautheimer, *Rome: Profile of a City, 312–1308* (Princeton, 2000), pp.117–120.

29 Werner (s. Anm. 5), pp.420–421.

30 “Quae causa magnos bellorum motus excitavit.” *Reginonis Chronicon*, *MGH, SS 1*, ed. G.H. Pertz (Hannover, 1826), Anno 888, p.598.

31 G. Tabacco, *The Struggle for Power in Medieval Italy. Structures of Political Rule*, trans. R. Brown-Jensen (Cambridge, 1989), p.143.

Despite the magnitude of their earthly power and the nobility of their flesh, *nobilitas carnis*, according to Regino, “innumerable persons on each side perished by the sword, and feet and hands were cut off, and the territories subject to them devastated by rapine and burned to the ground with fire.”<sup>32</sup> Contemporaries were clearly dismayed by levels of violence and types of violence that seemed new to them, and the disappearance of familiar landmarks of authority. Dismemberment of public authority was mirrored in the dismemberment of bodies. The Council of Mainz in 888 decried that fact that “bishops and priests and other men of the ecclesiastical order are maimed by the sword and handed over to death with various kinds of pain. Every age and both sexes are consumed by various kinds of death by sword and fire.”<sup>33</sup> The highest clergy were not immune from violence, as we have seen with the assassination of Pope John VIII. Another sign of the times was the murder of Archbishop Fulco of Rheims in 898 at the behest of Count Baldwin II of Flanders, who acted with perfect impunity.<sup>34</sup>

Citadels of law were erected in response to disorder. Many legal compilations were assembled in the late ninth century, frequently incorporating influential forged texts, most notably the *False Decretals* and the *Collectio Anselmo dedicata*.<sup>35</sup> The *False Decretals* were probably developed in the vicinity of Rheims, sometime between 847–852.<sup>36</sup> While intended to strengthen the position of bishops against the interference of kings and archbishops, the forgeries accomplished this by heightening the supremacy and exceptional stature of the papacy. As the power and freedom of the popes steeply declined, their legal stature and religious prominence were thereby heightened and even exaggerated.

32 “In mutuis caedibus prorumpunt, innumerabiles ex utraque parte gladio pereunt, truncationes manuum ac pedum fiunt; regiones illis subiectae rapinis et incendiis solotenus devastantur.” Reginonis Chronicon (s. Anm. 30), Anno 897, p.607.

33 “Episcopi & sacerdotes & caeteri ordinis ecclesiae viri, gladio truncate, & diversis poenarum generibus morti addicti Omnis aetas utriusque sexus, gladio & igne, diverso mortium genere consumpti.” Council of Mainz (888), in: Sacrorum conciliorum nova et amplissima collection, ed. J.D. Mansi, (Paris, 1901–1927, repr. Graz, 1960–1961) Vol.17a, pp.61–74, quoting p.62.

34 M. E. Moore, Prologue: Teaching and Learning History in the School of Rheims, in: Teaching and Learning in Northern Europe 1000–1200, ed. S. Vaughn (Studies in the Early Middle Ages, 8), (Turnhout, 2006), pp.19–49.

35 A brief survey of these collections: C. Van de Wiel, History of Canon Law, (Louvain Theological and Pastoral Monographs 5), (Louvain, 1991), pp.48–61.

36 P. Fournier, Mélanges de droit canonique, ed. T. Kölzer, 2 Vols. (Aalen, 1983), Vol. 1, pp.122–130.



## Rome as a Hostile Environment

Formosus, born in 816, was known as a dutiful child of the Church and an ascetic. He served in important posts under Nicholas I and Hadrian II, and was made bishop of Porto in 864, during the reign of Louis II.<sup>37</sup> Nicholas I sent him to Bulgaria in 868 to direct the project of bringing the Bulgarian kingdom, ruled by Boris, into the Roman church.<sup>38</sup> The Franks hoped to create a Frankish-oriented church in Bulgaria on the model of Bavaria.<sup>39</sup> The visit was highly successful, and Boris asked Pope Nicholas to appoint Formosus as the archbishop of an autocephalous Bulgarian church. Significantly for the future, it was objected that Formosus could not become a bishop in Bulgaria because of canonical strictures against “translation”, that is to say, transfer from one episcopal see to another.<sup>40</sup> There was nothing new about this restriction, but for centuries it had hardly ever been enforced.

As early as the fourth century, with the emergence of councils, and the involvement of Christian emperors in church affairs, it frequently happened that bishops were transferred. The Councils of Nicaea (325) Sardica (347) and Carthage (419) sought to abolish the custom of episcopal transfers, but without success.<sup>41</sup> In the Carolingian period the interventions of kings, popes and emperors meant that the principle was typically ignored.<sup>42</sup> The Bulgarian project foundered over these obstacles, and Bulgaria entered the Byzantine church instead.<sup>43</sup> As an ally of Nicholas I, Formosus made powerful enemies during the ensuing pontificate of Hadrian II (867–872), whom he supported, although these enemies were unable to hurt him until the accession of the next pope, John VIII (872–882).<sup>44</sup>

37 Gatto (s. Anm. 3), p.380.

38 V. Gyuzelev, *The Adoption of Christianity in Bulgaria*, trans. N. Panova (Sofia, 1976), pp.39–43. See also Ch. Diehl, *Byzantium: Greatness and Declin*, trans. Naomi Walford (New Brunswick, 1957), p.265.

39 The *Annals of Fulda* noted the developing exchanges between Bulgaria and the Frankish rulers, for instance: *Annales Fuldenses (Pars Tertia)*, MGH, SS 1, ed. G.H. Pertz (Hannover, 1826) Anno 866, p.379; Anno 867, p.380.

40 Gatto (s. Anm. 3), pp.381–382.

41 R. P. Gabriel Pan. Papanicolaou, *La translation des Éveques dans la tradition canonique de l’Eglise* (Thessalonica, 2003), pp.57–58. The Council of Sardica (343) also rejected episcopal translation: pp.75 and 77–79.

42 S. Scholz, *Transmigration und Translation. Studien zum Bistumswechsel der Bischöfe von der Spätantike bis zum Hohen Mittelalter* (Cologne, 1992); M. E. Sommar, *Hincmar of Reims and the Canon Law of Episcopal Translation*, *Catholic Historical Review* 88 (2002) 429–445.

43 Gyuzelev (s. Anm. 38), p.51.

44 Hadrian’s wife and daughter were murdered in a scandal involving his opponent Arsenius. Llewellyn (s. Anm. 23), pp.277–278.



In 876 Bishop Formosus was deposed and excommunicated by John VIII and a Roman council, on charges that he had conspired with Boris to become bishop in Bulgaria, that he harbored ambitions to become pope, and that he had been a traitor to Charles the Bald. He was even accused of having a hand in the murder of Hadrian II's family.<sup>45</sup> The charges were presented in a letter addressed to all the "Archbishops, Bishops, Abbots, Priests and all judges and all the people established throughout Gaul and Germany."<sup>46</sup> A later synod was directed not only at Formosus, but those affiliated with him. Sentence was passed on a vague party of his followers, said to be simoniacs, fornicators, traitors, and the sacrilegious: the *Formosiani*.<sup>47</sup>

Many of the *Formosiani*, especially those who had been ordained by Formosus, fled for safety to Lambert of Spoleto. The crisis seemed to pass quickly. Following the assassination of John VIII, Marinus I (883–884) became pope: the charges against Formosus were dropped, and he was reinstated as Bishop of Porto. Formosus managed to live quietly in his bishopric under the next two popes, Hadrian III (884–885) and Stephen V (885–891), until he himself was made pope in 891. At that point the charges of ambition and uncanonical translation haunted him again. According to his critics, it was in his blood, so to speak. The *Annals of Fulda* sourly noted that his patron Pope Marinus himself held another bishopric before becoming the pope in Rome, "against the statutes of the canons."<sup>48</sup>

Just prior to the accession of Formosus, Guy of Spoleto was crowned emperor by Pope Stephen V in 891. Stephen must have hoped that the power of Spoleto would be able to protect him in Rome, in the widespread warfare following the Carolingian collapse.<sup>49</sup> When Formosus entered his papacy, he was similarly oriented toward Spoleto. He crowned Guy's son Lambert as co-emperor in the following year, but then began to negotiate with Arnulf, the King of Germany. Like everyone involved in these events, Guy played his role only a short while and died thereafter.

45 P. Partner, *The Lands of St. Peter: The Papal State in the Middle Ages and the Early Renaissance* (London, 1972), pp.68–69.

46 John VIII, Letter 9, MGH Epp. VI, pp.326–329. See also Mann (s. Anm. 2), Vol.4, p.66.

47 "Contra Formosianos, simoniacos, moechos, proditores, sacrilegos." *Acta Synodalia de Formoso episcopo*, ed. E. Dümmler, in: *Auxilius und Vulgarius. Quellen und Forschungen zur Geschichte de Papstthums im Anfänge des zehnten Jahrhunderts* (Leipzig 1866), pp.157–161, quoting p.157.

48 "Iohannes pontifex Romanus decessit, in cuius locum Marinus, antea episcopus, contra statuta canonum subrogatus est." *Annales Fuldenses, Anno 882 (Pars IV)*, p.397. See also Partner (s. Anm. 45), p.75.

49 Gatto (s. Anm. 3), p.391.

Arnulf came to Italy in 895/896, ostensibly to help Formosus, but hoping to obtain the title of emperor and to rule Italy.<sup>50</sup> According to the *Chronicon* of Regino of Prüm: “Arnulf entered Italy, came to Rome, and with the consent of the high pontiff took the Roman city with arms.”<sup>51</sup> Ageltrude, the widow of Guy of Spoleto, tried to defend the city. Arnulf drove off her troops and entered the city in triumph, crossing on the Milvian Bridge.<sup>52</sup> Then Arnulf “was taken up with great honor by Formosus, bishop of the Apostolic See, and being crowned before the tomb (*confessio*) of Saint Peter, was made emperor.”<sup>53</sup> The chronicler Benedict of Mt. Soracte noted darkly that he would keep silent about “how much and what kind of tension” then existed between Pope Formosus and the people of Rome.<sup>54</sup>

### The Cadaver Trial and the Annals

Neither Formosus nor Arnulf lived to see the outcome. Arnulf was struck with paralysis as he marched toward Spoleto, and was taken to Germany where he survived as an invalid for another year.<sup>55</sup> Formosus died in 896. In an atmosphere of abandonment the notorious Cadaver Synod took place in January 897.<sup>56</sup> Its awful character caused the trial to be widely reported by historians.<sup>57</sup> The *Annales Alamannici* tell in one compressed entry of the anointing of Arnulf as emperor, his subsequent illness, the death of Formosus and the theatre of his posthumous trial. The annalist connected all these events as signs of ill omen: a terrible famine, *fames validissima*, and the ominous collapse of the ancient Lateran Basilica. The *Annales Alamannici* gave the following account of the Cadaver Trial:

And thereafter Stephan put Pope Formosus out of his tomb, and placed him in the Apostolic throne, and a deacon was delegated to answer for him, and his apostolic

50 Hartmann (s. Anm. 2), p.16; Wickham (s. Anm. 19), p.170.

51 “Arnolfus secundo Italian ingressus, Romam venit, et urbem Romanam cum consensu summi pontificis armis cepit.” Reginonis Chronicon (s. Anm. 30), Anno 896, p.607.

52 Llewellyn (s. Anm. 23) p.291.

53 “Arnolfus civitatem ingressus, a Formoso, apostolicae sedis praesule, cum magno honore susceptus est, et ante confessionem sancti Petri coronatur, imperator creatur.” Reginonis Chronicon (s. Anm. 30), Anno 896, p.607.

54 “Quanta et qualia intentio inter romanos et Formosus papa, modo taceamus.” Benedicti Sancti Andreae Monachi Chronicon, MGH, SS 2, ed. G.H. Pertz, (Hannover, Jahr?) p.714.

55 M. Deanesly, *A History of Early Medieval Europe, 476–911* (London, 1963), p.566.; Hartmann (s. Anm. 2), pp.16–17.

56 Gatto (s. Anm. 3), p.396; Mann (s. Anm. 2), Vol. 4, p.79.

57 It is possible that the Cadaver Synod enacted the long-delayed revenge of Ageltrude, Gatto (s. Anm. 3), p.404.

vestment was stripped off, and dragged across the basilica; and blood was flowing from his mouth, and he was thrown into the river.<sup>58</sup>

The *Annales Laubacensium* repeated the strange detail of blood flowing from the pope's mouth, as if the body of Formosus was still suffering:

Stephan put Pope Formosus out of his sepulchre and placed him upon the throne, and a deacon was established for him, so that he might give the defense; and having deposed him, he had the pope dragged across the basilica and thrown into the river; and gore was flowing out of his mouth onto the pavement.<sup>59</sup>

The Bavarian continuations of the Annals of Fulda provide the following observations, at Anno 896:

At Rome Pope Formosus died on the holy day of Easter; in his place Boniface was consecrated, who was attacked by gout and is said to have survived only two weeks. In his place a pope called Stephan [VI] succeeded, a man of notorious reputation (*vir fama infamandus*), who in unheard-of fashion put his predecessor, Formosus, out of his grave, had him deposed using an advocate to make his response, and buried outside the usual place where popes are buried.<sup>60</sup>

Stephen thus removed Formosus from the sanctified series of papal bodies that were accumulating in St Peter's and other Roman churches. Special liturgies and commemorations focused on those papal graves, and decorations and images were amassed there on an enormous scale. The rows of papal tombs were the guarantee of Petrine succession and legitimacy, and Formosus had to be taken out of the series.<sup>61</sup>

58 "Basilica in Lateranis maiori parte cecidit: et postea Stephanus papa formosum de sepulchro eiecit et in apostolica sede locavit, et diaconum pro eo constituit ad respondendum, et apostolicam exiit vestem, et traxit per basilicam; et sanguis de ore eius fluebat; et in flumen proiectus est." *Annales Alamannici*, MGH, SS 1, ed. G.H. Pertz (Hannover, 1826), Anno 896, p.53.

59 "Et Stephanus papa Formosum de sepulchro eiecit eumque super locavit, atque diaconum pro eo constituit, ut responsum dedisset, et eo devicto, fecit papam per basilicam trahere atque in flumen proicere; et ex ore eius cruor per pavimenta fluebat." *Annales Laubacensium pars tertia*, MGH, SS 1, ed. G. H. Pertz (Hannover, 1826), Anno 896, p.53.

60 "At Roma Formosus papa defunctus est die sancte pasche; [in cuius locum consecratur Bonifacius, qui podagrico morbo correptus vix XV dies supervixisse reperitur]. In cuius sedem successit apostolicus nomine Stephanus, vir fama infamandus, qui antecessorem suum, Formosum videlicet, inaudito more de sepulchro eiectum et per advocatum suae responsionis depositum, foras extra solitum sepulturae apostolicus locum sepeliri precepit." *Annales Fuldenses*, Anno 896 (Pars V), p.412. Translation, here adjusted: *The Annals of Fulda*, trans. Timothy Reuter, *Ninth Century Histories 2* (Manchester, 1992), Anno 896, p.135.

61 M. Borgolte (s. Anm. 4); Louis Duchesne, *The Beginnings of the Temporal Sovereignty of the Popes, A.D. 754–1073*, trans. Arnold Harris Mathew (London, 1908), pp.199–201.

Later, according to the pro-Formosan author Auxilius, during the night there was a great thunderstorm, and the level of the Tiber began to rise. A monk of the monastery of St Acontius near Porto was warned in a dream by the ghost of Formosus that his body would be found along the shore, and so it was. The body was recovered and quietly buried in the monastery.<sup>62</sup>

### Body – Image

Stephen had revived the ancient Roman practice of *damnatio memoriae*, which bubbled to the historical surface like a submerged river. When an emperor died in imperial Rome, the Senate could vote for *consecratio* – proclaiming the emperor divine, *divus* – or else for *damnatio*, as in the case of Caracalla, Commodus, and Alexander Severus, all of whom were condemned as enemies of the state.<sup>63</sup> *Damnatio memoriae* refers to the wholesale destruction of statues, the hammering away of names from inscriptions.<sup>64</sup> According to Jean Gaudemet, such rituals of praise or blame reveal the contradictions of the imperial regime. *Consecratio* divinized someone who had mastered the earth, while *damnatio* gave vent to political hatreds. Mutilation of corpses was part of the ritual.

When Commodus was assassinated in A.D. 192, an epic struggle ensued. Pertinax briefly held power but was killed and his corpse decapitated. Pescenius Niger then emerged. He lost to Septimius Severus. Niger was killed in A.D. 194, his corpse decapitated, and the head displayed at Rome.<sup>65</sup> A further enemy of Septimius Severus, Clodius Albinus, was likewise killed, his corpse decapitated, the body trampled with horses, left for carrion, and ultimately thrown into the Tiber River.<sup>66</sup> Portraits and statues of such failed rivals were then toppled or ruined: *damnatio* was an attack on the image and the body.

The practice continued in Christian times. Constantine often had his rivals condemned as enemies of the state, *hostis*. Maxentius was declared *hostis* when he opposed Constantine at the battle of the Milvian Bridge. Having drowned in

62 “Ad medium ferme noctis, qua ibi praecipitatus fuerat, concrepantibus tonitruis et coruscationibus crebris insurgentibus ualidissima inundatione excreuit fluius...” Auxilius, In defensionem sacrae ordinationis Papae Formosi, in: Dümmler (s. Anm. 47), p.72. Discussion in Borgolte (s. Anm. 4), p.125.

63 F. Vittinghoff, *Der Staatsfeind in der römischen Kaiserzeit: Untersuchungen zur “damnatio memoriae”* (Bonn, 1936).

64 J. Gaudemet, *Institutions de l’antiquité* (Paris, 1967), pp.500–501; and J. Béranger, *Recherches sur l’aspect idéologique du principat* (Basel, 1953).

65 E. R. Varner, *Mutilation and Transformation: Damnatio memoriae and Roman Imperial Portraiture* (Leiden, 2004), p.157.

66 Varner (s. Anm. 65), p. 158.

the Tiber during the fighting, his body was dragged from the river and mutilated, the head cut off and displayed in Rome. The senate imposed a sentence of *damnatio*, and images of Maxentius were thrown down.<sup>67</sup> Eric Varner remarks that attacks on statues during a *damnatio* were apparently as energetic and violent as if the person himself were being victimized. In a portrait of Maxentius, the eyes were attacked with a hammer, as were the nose and ears. Many ruined portraits were further dishonored by being thrown into the Tiber (the usual fate of arena victims).<sup>68</sup> The trial of Formosus reflects all the elements of classical *damnatio*: the declaration as *hostis*, mutilation of the corpse, disposal in the Tiber, and the destruction of images. This became part of the meaning of the Tiber.

In the old Constantinian basilica of St Peter's, Formosus had commissioned a series of portraits of himself and his predecessors, painted on circular wooden plaques.<sup>69</sup> The portraits are mentioned by Benedict of Mt. Soracte, who said that Formosus renewed the church of the prince of the Apostles by filling it with pictures.<sup>70</sup> The series of portraits were ultimately destroyed in 1607 in the course of rebuilding St Peter's, although described and sketched by artistic visitors. Because of these later accounts, we know that the anti-Formosan faction destroyed a fresco portrait of Formosus in the Oratory of Monte Celio. Formosus was portrayed there with a layman, possibly the emperor Arnulf. The painting was discovered in 1689 and a sketch made of it by Ciampini.

The lost fresco evidently fits into a series of portrayals of pope and emperor under the aegis of Christ or Peter – the most famous of these being the two mosaics made for Pope Leo III in the Triclinium of the Lateran (likewise lost, but recorded in drawings) of Charlemagne and Pope Leo. In the first of these, Christ is seated, flanked by a kneeling St Peter and Constantine. Peter receives the keys of heaven and Constantine a banner. In the second mosaic, St Peter was seated and handed a banner to Charlemagne on his left, and a pallium to Pope Leo on his right. This mosaic was probably made in 798/799.<sup>71</sup> the monumental

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67 A. Demandt, *Geschichte der Spätantike. Das Römische Reich von Diocletian bis Justinian* (Munich, 1998), p.46. Varner (s. Anm. 65), pp.215–216.

68 Varner (s. Anm. 65), p.6.

69 T. C. Bannister, *The Constantinian Basilica of Saint Peter at Rome*, *Journal of the Society of Architectural Historians* 27 (1968), pp.3–32; esp. p. 7; H.K. Mann, *The Portraits of the Popes*, *Papers of the British School at Rome* 9 (1920), pp.159–204. See p. 163. On the imperial and papal ramifications of St Peter's basilica during Carolingian times, Krautheimer (s. Anm. 28), pp.113–117.

70 “Renovavit Formosus papa aeclesia principis apostolorum Petri, Picture tota.” Benedict of Mt. Soracte: *Benedicti Sancti Andreae Monachi Chronicon* (s. Anm. 54), p.714.

71 Krautheimer (s. Anm. 28), pp.115–116; Llewellyn (s. Anm. 23), p.246 wrongly names the central figure in both mosaics as Christ.

program spoke of the significance of imperial and papal cooperation, and celebrated the new Franco-Roman alliance.<sup>72</sup>

Strangely, the figures in the Monte Celio fresco were reversed. Christ stood in the center, flanked by Peter on the right and Paul on the left. Rather than look out in monumental frontality, Christ looks directly left to Paul. Behind Paul, farther to the left, stands Hippolitus, and to the right of St Peter is Laurentius. Thus bizarrely we seem to have Christ and the Apostles flanked by anti-popes, and kneeling before them, with positions reversed, a condemned pope and an anti-emperor, Formosus and Arnulf.<sup>73</sup>

Fundamental to the practice of classical *damnatio* was the *rescissio actorum*, declaring null and void the acts and decisions of the individual.<sup>74</sup> The act of nullification appears to lie at the heart of the Cadaver Synod. The fingers of blessing were cut from the corpse, a literalization of *rescissio*. The right hand, the pontifical instrument and symbol par excellence, was the instrument of the sacramental actions that Stephan wished to rescind: ordinations of clergy (especially the hated *Formosiani*) and perhaps even the act of imperial coronation that had benefitted Arnulf. The creative gestures of the papal hand were overturned by mutilation.<sup>75</sup>

An anthropological term for such actions is scapegoating: to declare some person or thing to be an enemy and source of pollution, and to expel it by ritual means, to bring about purification and to enact a victory over chaos and death.<sup>76</sup> Stripping the corpse of Formosus was further intended as an unmasking: to expose the identity of an imposter lurking underneath the papal regalia.<sup>77</sup>

## Law and the Body

*Damnatio* sought to destroy the body and the potency of its image. The punishment of a corpse in the context of a trial, however, suggests further dimensions. The trial of Formosus highlights the extent to which early medieval

72 T. F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State, 680–825* (Philadelphia, 1984), pp.323–324.

73 According to Ladner, the object in Arnulf's hand is a short sword. Gerhard Ladner, *Die Papstbildnisse des Altertums und des Mittelalters* (Vatican City, 1941).

74 Gaudement, *Institutions*, p.501.

75 The hand as “instrument of ambiguity.” J. Le Goff and N. Truong, *Une histoire du corps au Moyen Âge* (Paris, 2003), pp.177–178.

76 M. Eliade, *The Myth of the Eternal Return, or Cosmos and History*, trans. W. R. Trask (Bollingen Series XLVI), (Princeton, 1954), pp.60–61.

77 On the anthropology of masking and unmasking in the Middle Ages: J.-C. Schmitt, *Le Corps, les rites, les rêves, le temps. Essai d'anthropologie médiévale* (Paris, 2001), pp.211–237.

law, including canon law was something done to the body – early medieval law pertained to the body more than the soul or mind. It confirms the opinion of Jacques Le Goff that “this was an extroverted world, oriented toward exterior tasks and material ends or rewards, [when] Men could be judged only according to their acts, not according to their feelings.”<sup>78</sup>

That the external and the visible were the province of the law was expressed in the precept *De occultis non iudicat Ecclesia*: the Church does not judge what is hidden.<sup>79</sup> This principle could be found in the False Decretals and the *Collectio Anselmo dedicata*, in the Epistle of Zepherinus: *De occultis enim cordis alieni temere iudicare peccatum est*.<sup>80</sup> In confession and penance, it is true that hidden sins and internal states were considered important, such as the sensation of guilt or the fervor of accepting correction. Nevertheless confession and penance came into play when social or religious order had been disrupted by tangible sins.<sup>81</sup> Handbooks of penance were focused primarily on sins of the body, involving sex, food, or violence. These were met with a corresponding range of physical penances. Sins of the mind were recognized by a person’s behavior or appearance. According to the *Penitential of Cummean*, “He who long harbours bitterness in his heart shall be healed by a joyful countenance and a glad heart.”<sup>82</sup> This seventh-century Irish penitential circulated widely in late-ninth and tenth century Europe, and was a major source for other penitentials.<sup>83</sup> Isidore of Seville recognized the connection between memory, reflection, intention, and sin; but the flesh was the actual location of sin: “we do not in fact sin except by seeing, by hearing, by smelling, by seizing and touching.”<sup>84</sup>

We know that from antiquity, animals were punished for crimes, and lifeless objects associated with a crime could be considered offensive and might be

78 J. Le Goff, *Time, Work, & Culture in the Middle Ages*, trans. Arthur Goldhammer (Chicago, 1980), p.113.

79 S. Kuttner, *Ecclesia de occultis non iudicat: Problemata ex doctrina poenali decretistarum et decretalistarum a Gratiano usque ad Gregorium papam IX*, in: *Actus Congressus iuridici internationalis Romae* (Rome, 1936), Vol. 3, p.22.

80 *Collectio Anselmo Dedicata*: see J.-C. Besse, *Histoire des textes du droit de l’Église au moyen-âge de Denys à Gratien. Collectio Anselmo Dedicata, Étude et Texte* (Paris, 1960), p.5. For the False Decretals, see: P. Hinschius, *Decretales Pseudo-Isidoreanae et Capitula Angilramni* (Leipzig, 1863), p.132.

81 “The penitential process was a means by which the church guarded a system of order”: H. Dörries, *The Place of Confession in Ancient Monasticism*, *Studia Patristica* 5 (1962) pp.284–311.

82 “Qui diu amaritudinem in corde retinet, hilari uultu et leto corde sanetur”, in: *The Irish Penitentials*, ed. L. Bieler, *Scriptores Latinae Hiberniae*, Vol. V (Dublin, 1963), pp.120–121.

83 Fournier (s. Anm. 36), 2:73–75; see also Hartmann (s. Anm. 2), p.73.

84 Isidore of Seville, *Sententiae* (2.28), ed. Pierre Cazier, *CCSL* 111 (Turnhout, 1998), p.147.



punished.<sup>85</sup> We are familiar with the brutal doctrine of inherited guilt and punishment in Greek tragedy – in which ancient faults were rooted in the body.<sup>86</sup>

### The Pope is Not Judged

A further problem raised by the Cadaver Synod is the doctrine that the pope could be judged by no man: therefore, alive or dead, how was it possible for Formosus to be judged? Doctrines of Petrine authority give a further twist to the case of Formosus. Not long before the Cadaver Synod, Nicholas I had given new luster to the ancient doctrine of papal supremacy, strengthened by the appearance of the False Decretals, known in Rome by 864, and the further influence of the *Collectio Anselmo dedicata*, the *prima pars* of which was dedicated to “the primacy and dignity of the Roman pontiff.”<sup>87</sup> The *Collectio Anselmo dedicata* with its enormous accumulation of law was a masterful blend of erudition and creativity, intended to preserve the past while responding to new conditions and problems.<sup>88</sup> Like the pseudo-Isidorean Decretals, the *Collectio Anselmo dedicata* was one of the compilations that Nicholas I and John VIII “loved to invoke, to the extent that they had a powerful influence on their spirits.”<sup>89</sup>

The doctrines were known much earlier. Pope Leo III (795–816) was threatened with mutilation by his enemies in Rome. He travelled to Paderborn to face the charges of perjury and adultery at an assembly summoned by Charlemagne. Alcuin reminded the assembly that no man has the authority to judge the pope.<sup>90</sup> He referred to a doctrine first developed in the early sixth-century in a group of documents called the Symmachian Forgeries, especially the *Silvestri Constitutum*.<sup>91</sup> Reference to the Symmachian doctrine of papal

85 Adducing examples from ancient Greece, ancient Jewish law, and the late Middle Ages: W. Woodburn Hyde, *The Prosecution and Punishment of Animals and Lifeless Things in the Middle Ages and Modern Times*, University of Pennsylvania Law Review and American Law Register 64 (1916), pp. 696–730.

86 J.-P. Vernant and P. Vidal-Naquet, *Myth and Tragedy in Ancient Greece*, transl. J. Lloyd (New York, 1990), pp.81–82.

87 The influence of pseudo-Isidore on Nicholas I is detailed in Fournier (s. Anm. 36), 1:170–184. See also Besse (s. Anm. 80), p.4. and A. García y García, *Historia del derecho canonica, 1: El primer milenio*, Instituto de Historia de la teología española, Subsidia 1 (Salamanca, 1967), pp.301–305.

88 Hartmann (s. Anm. 2), pp.143–149; Congar (s. Anm. 10), pp.62–63.

89 Fournier (s. Anm. 36), Vol.2, p.190.

90 Schimmelpfennig (s. Anm. 10), p.91.

91 W. T. Townsend, *The So-Called Symmachian Forgeries*, *Journal of Religion* 13 (1933), pp.165–174. See also P.A.B. Llewellyn, *The Roman Church during the Laurentian Schism: Priests and Senators*, *Church History* 45 (1976), pp.417–427.

invulnerability to judgement allowed Leo to clear himself by oath in St Peter's, where two days later he crowned Charlemagne as emperor.

The *Silvestri Constitutum* gained currency in the late Carolingian world by its inclusion in the *Dionysio Hadriana* and subsequently in Pseudo-Isidore.<sup>92</sup> The *Silvestri Constitutum*, a forgery that claimed to be the results of a synod held in Rome under Sylvester I in the presence of Constantine, declared that "no one can judge the first See," *Nemo enim iudicabit primam sedem*. The ultimate judge cannot be judged – neither by an emperor, by any cleric, by kings, nor by the people.<sup>93</sup> According to the forgery: "No high priest will be judged by anyone, as it is written: the disciple is not above the master."<sup>94</sup>

The doctrine failed to help Pope Martin I (649–653). Following the Lateran Synod of 649, Martin was arrested and taken to Constantinople, to stand trial for treason. Martin was chained, beaten, and condemned to death, although the sentence was commuted to exile. The abuse of Martin caused the papacy to reconfigure its relation to imperial power and to reassert the Gelasian doctrine of papal supremacy in matters of religion.<sup>95</sup> These long-ago events were considered timely and topical in late Carolingian Rome, and relevant documents (the *Commemoration* of Theodore Spoudaeus) were translated into Latin by Anastasius Bibliothecarius.<sup>96</sup> Pope Nicholas I had these old miseries in mind when he quoted from the *Constitutum Silvestri* in a letter to the Byzantine emperor.<sup>97</sup>

It was impossible for any bishop, abbot, king, or community to judge a pope, because his position was above that of every "disciple."<sup>98</sup> This dilemma may

92 D. Jaspers and H. Fuhrmann, *Papal Letters in the Early Middle Ages* (Washington, D.C., 2001), p.69: citing Fuhrmann, *Einfluß und Verbreitung der pseudoisidorischen Fälschungen* 3 Vols. (Stuttgart, 1972–1973), Vol.3, nos. 234, 348 and 416.

93 C.27: "Neque ab Augusto, neque ab omni clero, neque a regibus, neque a populo iudex iudicabitur." P. Coustant, *Epistolae romanorum pontificum, et quae ad eos scriptae sunt a S. Clemente I usque ad Innocentium III quotquot reperiri potuerunt* (Paris, 1721, reprinted Farnborough Hants, 1967), col.52 – Nb.: text is in a separately-paginated appendix of doubtful works.

94 C.6: "Neque praesul summus a quoquam iudicabitur: quoniam scriptum est, Non est discipulus super magistrum." Coustant (s. Anm. 93), col.47.

95 C. Azzara, *L'ideologia del potere regio nel papato altomedievale (secolo VI-VIII)*, (Spoleto, 1997), p.141.

96 P. Allen and B. Neil, *Maximus the Confessor and his Companions* (Oxford, 2002), pp.19–20. See also W. Brandes, *Juristische Krisenbewältigung im 7. Jahrhundert? Die Prozesse gegen Papst Martin I. und Maximus Homologetes*, in: *Fontes Minores* 10, ed. L. Burgmann (Forschungen zur Byzantinischen Rechtsgeschichte), (Frankfurt, 1998), pp.141–212. Wolfram Brandes directed my attention to this case.

97 Nicholas I to Emperor Michael, Letter 88, MGH, Epp.VI, p.466.

98 By 833 the doctrine of papal unjudgeability was additionally heightened by the concept of fullness of power, plenitudo potestatis. This was contained in "Epistle 7 of Vigilius," one of the False Decretals: Hinschius (s. Anm. 80), p.712. See *Cambridge History of*

have suggested the procedure of the Cadaver Synod, which made it possible for one pope to judge another, and thus to circumvent the Symmachian doctrines. Behind the ghastly method of the trial was a crude display of exceptional power. When Stephan VI deposed a former pope and abused his corpse, his actions betrayed a sense of impunity and invulnerability to judgement. Indeed, Stephan's actions and the Cadaver Trial were ironically saturated by the same doctrines that were elevating papal authority.

### Body and Corpse

The Cadaver Trial reveals a level of doubt and discord about the position of the popes in the constellation of power at the end of the ninth century, as the old Carolingian social body endured a crisis and ceased to exist. The trial also reveals a certain ambiguity in the meaning of the personal body in post-Carolingian society, and the veneration normally accorded to a dead body. Here again, ancient concepts enveloped the trial.

Patristic and medieval authors often adapted Paul's distinction between *corpus* and *caro*, body and flesh.<sup>99</sup> The Greek *soma*, equivalent to the Latin term *corpus*, was for Paul the physical and external aspect of a person, which could rise in the resurrection. Christ joined believers to his body, forming them into a spiritual body. *Corpus* was the hopeful phase of physical reality. The Greek term *sarx*, however, equivalent to the Latin *caro*, referred to the wretched mortality of physical form. *Sarx* is man at a distance from God, burdened by earthly goods and pursuits.<sup>100</sup> The flesh of the body has a tendency toward death and passing-away.<sup>101</sup> It is sexualized.<sup>102</sup> From a Pauline perspective, mutable, perishable flesh enslaves the body – but the body could also be liberated from the flesh, to become something holy and spiritual, on the way toward resurrection.<sup>103</sup>

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Medieval Political Thought, c.350-c.1450, ed. J.H. Burns (Cambridge, 1988), pp.282 and 433; and J. Canning, A History of Medieval Political Thought, 300–1450 (London, 1996), p.32. The popes claimed the right to rule all churches: “Et quia cunctarum divina dispensatione ecclesiarum curam gerimus.” Gregory IV, Letter 14, MGH, Epp. V, pp.72–81; see p.73. Jaspers and Fuhrmann (s. Anm. 92), p.103; Schimmelpfennig (s. Anm. 10), p.101.

99 See texts assembled by X. Léon-Dufour, Dictionary of the New Testament, trans. T. Prendergast (San Francisco, 1983), pp.117 and 197–198.

100 P. Bornkamm, Paul, trans. D.M.G. Stalker (Minneapolis, 1995), p.133.

101 L.Cerfaux, Le Christ dans la théologie de saint Paul (Paris, 1954), p.212.

102 Le Goff (s. Anm. 75), p.43.

103 “Flesh is a power that enslaves,” Bornkamm (s. Anm. 100), p.133; and H. Leitzmann, The Beginnings of the Christian Church trans. B. Lee Woolf (London, 1937), p.155.

The Carolingian world adopted the idea that the flesh was the prison of the spirit.<sup>104</sup> *Caro* suggested loss and alienation, while *corpus* was a body set free from worldly corruption, secretions or death. Thus the term *corpus* could serve to express many social and religious realities. The bodies of the saints possessed a dry integrity and did not rot away.<sup>105</sup> This was likewise the case for theoretical bodies above the level of the individual.

At least since Otto von Gierke, historians of political thought noted the penchant of the early medieval world for bodily metaphors for the conceptualization of social realities, and Henri de Lubac established the central importance of *corpus mysticum* to the understanding of ecclesiastical and soteriological unity. Theologians from Paul to Athanasius, and from Tertullian to Gregory the Great, described the church as the body of Christ.<sup>106</sup> Recent studies in patristics have revealed just how extensive was the interest in actual bodies as well as ideal *corpora*.<sup>107</sup> In the Carolingian era, with thinkers such as Agobard, society was frequently identified with an ideal theoretical *corpus*.<sup>108</sup> According to Ambrosius Autpertus (†784), the church exists in history as a *generale corpus*.<sup>109</sup> The Council of Paris in 829 observed that “the universal holy Church of God is one body, whose head is Christ.”<sup>110</sup> Arguments in favor of papal supremacy were arguments about ideal *corpora*. Rome was the *caput* or head of the social *corpus*.<sup>111</sup> According to Haymo of Auxerre and Hraban Maur, Peter received the keys of heaven in the name of all bishops – and all bishops were unified in the body of St Peter.<sup>112</sup>

These transcendental concepts of social unity had been challenged by the assassinations, mutilations, and civil wars of the post-Carolingian era. If Christian society was one body, *unum corpus*, what could explain a political

104 Schmitt (s. Anm. 77) pp.345–352; this was “l’époque du grand renoncement au corps” Le Goff (s. Anm. 75), p.37.

105 G. de Nie, *Le Corps, la fluidité et l’identité personnelle dans la vision du monde de Grégoire de Tours*, in: *Aevum inter Utrumque. Mélanges offerts à Gabriel Sanders*, ed. M. Van Uytvanghe and R. Demeulenaere, pp.75–87.

106 H. R. Drobner, *The Fathers of the Church: A comprehensive Introduction*, trans. S. S. Schatzmann (Peabody, 2007), p.414. See also Congar (s. Anm. 10), p.33; Ullmann (s. Anm. 17), pp.92–96.

107 A. Pettersen, *Athanasius and the Human Body* (Bristol, 1990); P. Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York, 2008).

108 O. Gierke, *Political Theories of the Middle Age*, trans. F. W. Maitland (Boston, 1958), pp.10 and 103.

109 Congar (s. Anm. 10), p.48.

110 “Quod ecclesia unum corpus, eiusque caput Christi est,” cited in Congar (s. Anm. 10), p.52.

111 On the metaphor of head and body: Le Goff (s. Anm. 75), pp.175–176.

112 Congar (s. Anm. 10), p.59.

world of competing warlords and kings, competing candidates for the imperial throne, and the presence within the Christian world of pagans and *mali christiani*? In order to remain viable, the notion of Christian unity would have to become more theological and abstract, and less political: more eucharistic and less imperial.

From its second (or third) grave in St. Aconta, the body of Formosus continued its itinerary: a council in Rome under Pope Theodore II maintained that the translation of Formosus from Porto to Rome had after all been legitimate, and that all his acts of ordination should be considered valid. Theodore then brought the body of Pope Formosus back to St Peter's.<sup>113</sup> The corpse was unearthed and reclothed in papal garments. A consecrated host was placed in his mouth, restoring Formosus to communion with the Church. With candles and incense burning, and as clerics and the people sang Psalms and hymns, Formosus was lain to rest again in St. Peter's among the papal bodies, his fourth and presumably final burial.<sup>114</sup> Liutprand tells us that as the body of Formosus entered St Peter's, the images of the saints nodded as he was carried past: the images recognizing and honoring the body.<sup>115</sup> But death remained near at hand. Theodore II was pope for a scant twenty days, when he died in the winter of 897.

#### Abstract

The posthumous trial of Pope Formosus in 897 is a sad moment in the history of the papacy, seeming to epitomize a dark period of ecclesiastical history. In Europe of the post-Carolingian era, ca. 888–900, many traditional sources of unity and cooperation had collapsed, presenting an unsettling picture of the world as viewed from Rome. Within Rome, events were equally strange and lacking restraint. As a late revival of the Roman practice of *damnatio memoriae*, the trial helps us to understand the sphere of law, as well as the religious and political mentality of Europe during a period of crisis in post-Carolingian Europe. The trial reveals the rise of political extremism and fanatical hatreds during a period when traditional sources of political order were in decline or disappearing. Carolingian social doctrine had insisted on politico-religious unity and used the image of the body, *corpus*, to express the character of Christian society. As the Carolingian Empire fell apart, social unity was no longer possible, and the ensuing crisis affected concepts of law, and the social

113 Jaffé (s. Anm. 21), 1:441.

114 "Nec multo post Theodoro papa iubente clerus ac populus cum psalmis et ymnis, cereis et thimiamatibus" Auxilius (s. Anm. 62), p.72.

115 "Sanctorum quaedam imagines hunc in loculo positum venerabiliter salutarunt" Liutprand of Cremona, Antapadosis (I.31), in: Liuprandi Cremonensis, Antapodosis, Homelia paschalis, Historia Ottonis, Relatio de legatione constantinopolitana, ed. P. Chiesi, CCCM 156 (Turnhout, 1998), p.24.

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and religious imagination. These conflicts were expressed by the attack on the body of Pope Formosus: a demand for political order gave rise to absolute divisiveness.

