

Recording social and legal conditions in early medieval rural society in Francia and Central Italy: denominations, lists, status, and judgements.

The paper addresses the problem of the legal and social status of individuals by focusing on investigation procedures, denominations and trials dealing with the status, bonds of dependency and mobility of peasants in early medieval rural society. The main sources are land inventories, formularies, instructions from capitulars and a small number of court cases dealing with the legal status of dependent peasants. Beyond the legal distinction between free and unfree and the freedom granted by enfranchisement, which it inherited from Antiquity, Western society multiplied personal status denominations in the 8th and 9th centuries, before moving towards a certain lack of distinction regarding the general vocabulary of dependence, and the appearance of new markers of individual status.

Keywords: social status, bonds of dependency, social and spatial mobility, polyptychs and land inventories, early medieval rural society, Central Italy, Carolingian Francia.

1. Putting things in order. Inventories and lists in the Carolingian period

During the Carolingian period, *putting in order (ordinare)* was one of the important qualities expected of a good manager within royal and monastic administration. These actions took the form of written descriptions of land ownership, income and customary fees, lists of persons, geographical locations or items, and recapitulative sums. These modes of action were determined by the ideal of stability (in the image of God's Creation) which was at the heart of the building of a *Christian respublica* undertaken by the first Carolingians. Paternalism and the Christian ethos came together in an absolute conservatism. It urged everyone, especially the weak and ordinary people, to stay in their place. Together with the law and court decisions, the inventory of people and things was simultaneously a mirror and a powerful agent of social control. In the hands of landlords, description played a threefold role, as a means of restoring order, of archiving the status and economic position of peasants, and of maintaining the social order. It contributed to the reproduction of this order and of production relations. The principle of dominance and the unequal relations of vertical reciprocity between a lord and his subjects (obedience and symbolic recognition of dominance in exchange for domestic benevolence) were the fundamental bases of a good economy. At the same time, however, by naming individuals or describing tenures and obligations, the setting down of subordination ties in writing was a crucial point of confrontation between the interests of the lords, who resisted any kind of change, and subjects' aspiration to escape from their statutory condition and obligations, by using the usual weapons of the weak, either by formal means such as judicial disputes or by informal means such as avoiding charges, bribing intermediaries and – as an ultimate weapon – flight and migration.¹

Inquiries into the status and obligations of dependants were all the more effective if they were accompanied by an inventory or a census. Like a court verdict,² denomination made it possible to mark or note for the future the situation of dependents that had the boldness to

try to escape the web of status and obligations. At Courtisols, in May 847, Hincmar's inventory carefully reproduces the judgment according to which unfree men and women were sentenced to pay again the *servitium* owed by the slaves (*rewadiare*); their names and those of their relatives were included in a separate list of *serui* and *ancillae noviter repressi*.³ While other inventories are less explicit, it is noted here that the status of a dependent is the subject of an ongoing dispute (*calumniatus*),⁴ that some slaves have «exonerated themselves from the *servitium*»⁵ or that they must be claimed in court (*ad requirendum*)⁶. Inventory officers also reported when a tenant was legally substituted for another (*vicaratus*)⁷ or when he was relieved of the responsibility of a holding (*relevatus*)⁸. The manorial steward (*minister, iudex* or *villicus, actor*) had to be able to investigate, inventory, describe, list, calculate and account for people's status and manorial income. In the Carolingian capitularies, the action of listing is expressed by the verbal forms *breuiare*, *adbreuiare* (intensive prefix), and *inbreuiare* (locative prefix: *enlist*). The result of this operation is expressed by the noun *breuis*, which designates compendiums or summaries, as well as lists. Historically, the Latin adjective *breuis*, meaning *short* in time or space, is first attested as a substantive in the second century AD in the language of Roman jurists. It became frequent in patristic Latin from the end of the 5th century AD onwards with the adoption of the doctrine of the inalienability of ecclesiastical goods derived from the law on *res sacrae* and imperial properties. The systematic elaboration of *breuia*, surveys and inventories to control their inalienability was a natural consequence of this doctrine. In the 6th century AD, the use of lists is mentioned in the Rule of St. Benedict and in the correspondence of Gregory the Great. The operation implied an ordering (*ordinare, ordinatio*) prior to the description (*descriptio*) or list (*breue*). These written lists made it possible to name or represent the essential qualities of an object in order to fix and preserve them in the future.⁹

In Gaul, this administrative practice appears for the first time in the 7th century in a letter from Bishop Ruricius of Nevers (†655) to Bishop Didier of Cahors (†655). Ruricius recommended to his colleague two officers who were to visit a small property located in the diocese of Cahors, in order to investigate and draw up a list of the local dependents and then collect the income from the rights that belonged to the Church of Nevers. The operation thus simultaneously involved putting the lordship in order (*ordinare, ordinatio*) and the payment of charges. These two operations had a performative value: by collecting the charges, the bishop consolidated their legitimacy. The administrative record made it possible to define the essential qualities of the dominated object (a plot of land, individual or obligation) by fixing it in order to preserve it in the future. The use of the written word testifies to the persistence of the principles of ownership of ancient Roman law, which is also confirmed by the reminder of the thirty-year prescription rule in the field of land use and personal status. In Marseilles, the oldest inventory drawn up around 740 by a secular officer, the *vidame (vicedominus)* Ansemund, concerned a vast seigniorial sector located in the central mountains of Provence, the *ager* of Chaudol, which was the object of the disputes between the Church of Marseilles and the *dukes and patricians* of Provence during most of the 8th century. This lost description is part of a series of about ten polyptychs of the properties of the Church of Marseilles written between 740 and the end of the 9th century by bishops. Two of them have survived in their entirety (813-814 and 835).¹⁰

From AD 700 onwards, the biographies of the bishops of Rheims provide the first mention of written descriptions of holdings and their occupants at the level of a *villa*, recording judicial claims over fugitive *mancipia*, slaves and *coloni*. At the same time, material traces survive of nominative lists intended for the collection of taxes in Saint-Martin de Tours.¹¹

Lists and inventories were therefore powerful instruments of social control and conflict resolution. In order to bring an end to the antagonisms and political and military conflagrations generated by the division of the empire between the heirs of Louis the Pious, experts drew up a list of the *pagi* and abbeys that belonged to each party. The technique of geographical listing was also frequently used on a larger scale to delimit a disputed territory by listing places, landmarks or outstanding landscape features. While the expression of living memory gave probative force to oral testimonies, such written lists made it possible to retrace the trip made by investigators and to trace the boundaries of the disputed territory. The list functioned as a theatre of memory in which the order of succession of places drew the framework of a geographical space. It was therefore a cognitive tool for representing, preserving and communicating the make-up of space. The table and the order of succession of the 112 chapters of the Prüm polyptych of 893 record for the future the itineraries of the groups of monks who travelled through the properties of the monastery to create a description of them. This method of description was still in use in 1222, when the former abbot of Prüm, Cesarius of Mylendonk, was entrusted with making a copy of the inventory drawn up at the end of the 9th century and enshrined the ancient document in a series of more than 200 glosses written from a socio-spatial perspective.¹²

The nominative list was a much simpler, yet equally effective, cognitive tool, which made it possible to reconstruct and name the statutory provenance (*origo*) of individuals and to commemorate a legal act or status. The royal ordinances contained in the Carolingian capitularies made it possible to draw up a nomenclature of the lists that were to be drawn up and brought to the Palace by agents or envoys of the public authorities, on a regular basis or in times of crisis.¹³ Most of these ephemeral documents have completely disappeared: lists of those who took the royal oath, a *pagus*-sized census of free men, lists of displaced persons or criminals, lists of beneficiaries of royal property, etc. A few nominal lists were included in charters on the occasion of transfers of property involving slaves or persons legally fixed on the ground, who passed from the *dominium* of one lord to that of another on the occasion of a transfer of property.¹⁴

In order to find rare vestiges of the systematic efforts made by the aristocratic elites to control rural populations, one must turn to the land inventories drawn up in the 8th-10th centuries, the polyptychs.¹⁵ The procedure used by the surveyors generally consisted in describing the obligations and burdens fixed by custom on the basis of a set of questions whose answers were standardized by the use of a formulary. Mention of the legal status or seigniorial situation of individuals was generally made for adults. It should be noted that in most of the manorial inventories of Francia, the number and the qualification of the domestic slaves fed by the lord were omitted, contrary to the seigniorial census practices at work at the time in Central and Northern Italy.¹⁶

In the Early Middle Ages, nominative lists and descriptions were privileged tools of seigniorial domination. They adapted to the dual character of medieval *dominium*: domination

over the land (German: *Grundherrschaft*) and domination over the person (whether a man, *homo*, or lord, *dominus*). This domination could be joined or disjoined in space:

- Joined, it encompassed the land and its inhabitants within the same *potestas*. The forms *manere*, *manentes*, *mansus* and *mansionarius* express this notion of residence and sedentariness of the inhabitants subject to a lord, in the context of landed lordship.
- Disjoined, it reflected the existence of a bond of personal subordination involving a slave, who was the private property of his master, or a person who had *given himself* to a lord (*votivi homines*), or else situations of mobility: the presence of dependents of another lord within a seigneurie (*extranei*) or the departure of dependents to other places (*forenses*, *forastici*).¹⁷

Among the richest polyptychs containing information on people are the inventory of the tenures and slaves of the monastery of Farfa, in the Sabina area, the *descriptio mancipiorum* of the Church of Marseilles ordained by the local bishop Wadald, in Provence, and the polyptychs of Saint-Germain-des-Prés and Saint-Remi of Rheims in north-western Francia.

2. Counting people. Manorial inventories in central and northern Italy and southern Gaul

The documentation concerning the management of dependent populations in the large land holdings owned by the monasteries of central and northern Italy in the 8th and 9th centuries is relatively abundant, and includes fragmentary texts from Mount Cassino in central Italy and lists produced by the monks of Farfa and S. Vincenzo al Volturno.¹⁸

The earliest and richest document concerns the possessions of Santa Maria di Farfa¹⁹ and dates from the last years of the 8th century or the very beginning of the 9th.²⁰ With varying degrees of precision and content, this document, entitled *De servis huius monasterii et substantiis eorum*, lists the persons, animals and tenures held by the abbey on the highlands on the border between Abruzzo and Sabina. The drafters of the document do not wish to fix the amounts of work required or the structure and areas of the seigniorial lands and tenures. The names of the individuals and their places of residence are «the first elements of interest to Farfa: it is a question of knowing who, at a given place, is a servant of the monastery. The identity of the slave is determined by his *substantia* (the family farm allocated to him) and (...) by the position he holds within a household».²¹ According to a common practice in Carolingian Italy, generally not found north of the Alps, the inventory includes both slave-tenants and their families, with their *substantia*, and domestic slave *prebendiers* living around a manor house. The description of the family farms begins with the name of the owner and his location within the territorial jurisdiction of the monastic seigneurie. His name and residence alone are apparently sufficient to identify and therefore control him. When the inquirer is in a position to provide these details, he then states the name of his wife, that of his sons and daughters, and possibly those of co-residents.²² While family identity is retained in this description, this aspect is absent in the enumeration of the families of domestic slaves in the Forcone manor. The inventory deconstructs family ties by dividing individuals into five distinct groups: (1) thirteen male slaves, artisans or gardeners; (2) eleven male children, identified by their personal name and that of their mother or, in three cases, of their father; (3) thirty *good-working* women identified by name; (4) twenty-six other *poor-working* women identified by name; three of them *veterans*; (5) thirteen female children identified by their

personal name and that of the mother or, in one case, of the father. In Farfa, the realities of the social relations of dominance dictate the form of the inventory. The family unit is naturally chosen by the inquirers to identify the lineages of slave-tenants who hereditarily reside in their own farm and ensure their own (*substantia*) means of subsistence through their work. The other slaves, who depended for their living on seigneurial fodder, lived for the most part in conjugal families that achieved the stability of marriage. In the Forcone manor house, the large surplus of women among the workers probably reflects the existence of a specifically female artisanal activity, probably a textile workshop in which mostly unmarried women were employed. The framework of interpretation applied by the monks of Farfa to the case of their domestic slaves shows that the promotion of institutional marriage by Christianity among servile groups had not eroded the institution of slavery as far as social relations of production on large monastic estates is concerned. The choice to convert an increasing amount of slave labour to the system of hereditary tenure from late antiquity onwards has more to do with the stability of slave households than with religious ideals (although, of course, both motivations went in the same direction). At Farfa, the main reason for counting *mancipia* was certainly the maintenance of the monastery's working capital, tenures, individuals and livestock.

In the South of Gaul, the inventories created by the emissaries of the bishops of Marseilles during the 9th century were based on objectives similar to those we have just seen in relation to Farfa.²³ The general title of the Marseilles inventories – *Descriptio mancipiorum* – shows that in these inventories it was above all a question of recording and preserving for the future the legal bonds implied by the legal status of colonists defined in the Theodosian Code. Its application implied the creation of registers of slave-tenants and of free settlers established in a holding (*colonica*) without the right to move freely. The loss of the right to move, regardless of one's personal legal status as a free or unfree individual, simultaneously froze peasant lineages within the lord's family and within the lord's space of domination. As we have seen in relation to the Farfa list, the *descriptio mancipiorum* is articulated according to the place of residence and the name of the holder (free or unfree *mancipia*) who is in charge of “managing” (*regere*)²⁴ the holding. The description focuses on the extended family group and the co-residents. It specifies the degrees of kinships and the age groups to which its members belong: adults, young people, girls and boys between the ages of 3 and 10 years and suckling children, (*at uber*) without gender distinctions or names. As in Farfa, enumerating *mancipia* enabled the administrators to take into account the demographic and social constraints that weighed on the estates, and which could threaten the continuity of tenure and the availability of labour. In order to preserve the rights of the ecclesiastical establishments in Marseilles, it was crucial to maintain a male and a member of the lordly *familia* at the head of each *colonica*, despite the gaps in the population caused by low life expectancy and infant mortality; at the same time, attempts were made to repopulate the holdings emptied of their occupants by mortality or by the flight of dependents. The presence of numerous “flags” in the manuscript²⁵, related to vacant or empty tenures, testifies to the copyist's interest in this aspect of the resettlement of the *villae*. The information on the age (or age groups) and sex of the children in the census provided a pragmatic response to the demographic regime of these populations, which was characterized by the very high mortality rate for children up to the time of weaning. The age range of the children – from 3 to 10 years – and the separate

mention of young people offered a view of the future of the estate and presumably enabled preventive action to be taken. When death struck the person in charge of a *colonica* without a young man being able to take over, his widow would be brutally *relieved*; the administrators would replace the defaulting couple with a new male tenant, generally an unfree man established there by the lord's orders. The high level of peasant mobility in these Provençal estates is reflected in the vocabulary of the polyptych by the use of words indicating a gap between dependency and residence: the description systematically mentions the foreigner/*extraneus* (or *extranea*), who settled in a family or on a seigneurial holding by marriage, while continuing to be dependent on another lord. Contrary to the practices observed in Saint-Germain-des-Prés and Saint-Remi de Rheims, the Marseilles inquirers did not use a distinctive term to designate emigrants. However, these were particularly numerous: some of them, who were registered as individuals to be claimed in court (*ad requirendum*), had left the tenures without authorization, in disregard of the residence obligation dating back to the status of *coloni* in the Late Roman Empire. The brutality of manorial officers and the geographical context, marked by the presence of mountainous open areas, may explain the powerful drive towards emancipation and spatial mobility within the lordly *familiae* of Marseilles. At the same time, it is likely that a process of emigration was also taking place, which was either directed or tolerated by the manorial officers and the monks, as shown by the large number of *foranei* in the census recorded in the northern polyptychs.²⁶ In Provence, at the beginning of the 9th century, the *descriptio mancipiorum* ordered by Bishop Wadald testifies to the breakdown of this network of domination: in many *colonicae* the tenants were missing, and in many *villae* individuals or entire families – including children – who had escaped the web of domination, had to be legally claimed before tribunals.²⁷

3. Descriptions and lists in the polyptych of Saint-Germain-des-Prés between the 9th and 12th centuries²⁸

The polyptych of the Parisian monastery of Saint-Germain-des-Prés was commissioned by Abbot Irminon between 823 and 828, and is preserved in an original manuscript. Its material composition reflects the parallel intervention of ten scribes. These were probably the commissioners who travelled through the monastery's estates during two rounds of local enquiries and on the basis of two main formularies. The local rolls were then brought together by the central administrators of the monastery to be reread and corrected. As we shall see, lists of persons were taken from the archives and inserted into the local descriptions at the time of this centralization. After some revisions in the 9th century, and up until the 12th century, the Irminon manuscript served as a medium for transcribing important events relating to the abbey's patrimony or the social domination it exercised.²⁹

In the two formularies used at the beginning of the 9th century to describe the property of Saint-Germain-des-Prés, the inquirers built their inventory at the *villa* level to confirm and maintain local customs. The *lex villae* thus lies at the very core of the manorial system. This is reflected in many northern polyptychs by the use of models to define tenants' obligations and burdens. Through a simple system of reference (*solvit similiter*), a standard holding makes it possible to group together all the peasants who are assigned similar burdens across different

farms. This description focuses on the tenant in charge, whose name and status are carefully stated. The holder of the model-tenure is often a 'notable' of the village, such as the mayor or another seigniorial officer. In the Saint-Germain-des-Prés and Saint-Remi of Rheims polyptychs (discussed below), the wife of the head of the *mansus* or his extended family are then associated with him. The status of his descendants is determined by local norms (worst status of the parents, transmission by the mother, etc.). While the names of the father and mother are always stated, in these two documents children are either listed simply according to their sex or named precisely. The census is not exhaustive since it only concerns the dependents of Saint-Germain, whose names and legal statuses are carefully recorded. Among those living in the *mansus*, there were also inhabitants who had no subordinate relationship with the abbey. These men and women, who did not belong to the *familia* of the monastery, are mentioned in cursory fashion. Their partner and their children are simply alluded to (*uxor/infantes qui non sunt sancti Germani*), or passed over in silence. These omissions explain gender imbalances in the polyptychs and the artificial over-representation of single individuals or one-parent families. Birth and residence in the seigneurie (both on the lord's land and in his *familia*) were the keys to the listing. Among the migrants who entered the landed lordship, the vocabulary of the lists distinguished between the *advena*, who passed from the *dominium* of an outside lord to that of Saint-Germain, and the *extraneus*, who instead remained under the dependence of another lord. The inventory also specifies the place of origin of the *coloni* of Saint-Germain-des-Prés who were born on other estates owned by the abbey.

These methods of conducting local enquiries and of recording them in written form were an effective means of reproducing social relationships of domination and of preserving the structure of the manors by establishing the tenants' obligations and listing the heirs and family lineages. These documents, however, were difficult to keep up to date because of the lack of new surveys. With the exception of marginal corrections or additions, the polyptychs do not show any evidence of complete and systematic renewal. Was collective recollection sufficient perhaps to solve individual problems? The threat of reading "the old polyptychs" out in public was used to counter peasants' complaints about the aggravation of seigniorial charges or disputes over their legal status. Where children's names had been omitted, a local investigation could probably trace back their status one or two generations to determine the status of a holding or of its occupants.

While land inventories made it possible to effectively frame the inhabitants of the *mansus*, the techniques used by the administrators made it difficult to identify temporary or marginal situations: vacancy or temporary occupation of a holding, land that was outside the manorial system, dependants who were missing at the time of the survey or who had left the territorial jurisdiction of the manor, etc. Generally speaking, these situations were managed by means of lists of persons drawn up and kept separately. In Saint-Germain-des-Prés, several of these lists were inserted by the scribes at the end of the chapter, as a continuation of the land inventory, or in parts of the manuscript which had been left blank. Name discrepancies between these lists and the body of the description suggest that they may have been produced with a slight time-lag with respect to the local survey.

The unsystematic nature of these lists, the lack of standardization of the forms and the diversity of the vocabulary used to qualify the status of persons demonstrate that they were

not drawn up according to an overall and systematic action plan, such as the survey that made it possible to draw up the polyptych. They were undoubtedly occasional surveys developed in response to specific initiatives or situations. Their presence in the central archives allowed the commissioners to complete the main inventory in an opportunistic manner.

From the end of the 9th century to the beginning of the 12th, the manuscript of the Irminon polyptych was regularly used to keep track of significant events: lists of properties, records of land donations and lists of people owing wax-tribute to the lighting service of Saint-Germain, inventory of liturgical ornaments, etc. The manuscript, which was kept in the monastic library, became an object of admiration, a living mirror and protective shield for the monastery's patrimony. Are the locations chosen by religious communities to store these *documentary sediments* accidental? I think not. A particular type of manuscript, such as a chapter or refectory book, which contains pious readings, copies of the monastic rule or statutes, would frequently come to include other documentary traces linked to the life of the local community: obituaries and lists of anniversaries, regulations or accounts of monastic offices, land registers, lists of dependents or church tributaries etc.

4. Recording bondage in the margins. The case of the polyptychs of Saint-Pierre-des-Fossés (early 10th century) and Saint-Germain-des-Prés (10th-12th centuries)

The early 10th-century polyptych from Saint-Pierre-des-Fossés is itself an example of documentary sedimentation on a prestigious medium. The monks transcribed two land inventories on the guard sheets of the most precious book in their collection, a copy of the Bible produced by the famous scriptorium of Tours in the 825s. The first inventory gives the number of manses, the legal status of their inhabitants, along with the amount of taxes and work services they were required to provide. The tenants of the manses are counted as a whole, without being named or designated by their legal status. These legal distinctions have faded away. By residing on the holdings of St. Peter's, they are now considered to fall beyond the old distinctions between free and unfree, as *men (homines)* of the monastery. On the other hand, the scribe uses personal names to list the men of St. Peter's *owing the chevage (cavaticarii Sancti Petri)* and the dependents living in Clichy (*Familia de Cliciaco*). After the text of the polyptych, four scribes filled in the empty spaces on folio 408 to complete the list of the local *familia*, describe land acquisitions or income, transcribe notices of conditional self-tradition to St. Peter and draw up lists of names of families belonging to the monks. In the 10th century, the list remained the preferred tool for controlling and perpetuating personal dependency.³⁰

Most of the marginal additions to the Irminon polyptych are intended to preserve and defend the rights exercised over the servile population and those who had devoted themselves to the lighting service of St. Germain. They keep the trace of self-traditions, draw up lists of names of the serfs in given places, or trace their genealogy over several generations. These insertions are made without any geographical connection to the original descriptions. The blanks and empty pages in the original polyptych are used to trace conflicts concerning personal status and to preserve the future rights of the abbey.

On folio 19 of the description of the estate of Gagny, located near the Marne, three hours' walk west of Saint-Germain-des-Prés, a late 10th-century hand has transcribed under the chapter sum the record of the judgment issued by Abbot Walo, who died in 979, against the mayor of Antony and his brother. Antony is situated to the south of the monastery, two and a half hours away on foot:

At the time of the Lord Abbot Walo, there were two brothers in Antony's villa, one of whom, named Guntfred, was our mayor, while the other was named Fulbert. (These two men) prided themselves on being noble. Lord Walo added them (to our patrimony), saying that they were to be serfs (*servi*) of St. Germain, and making them pay back the *chevage* in return. This Gunfred had two sons and seven daughters. Fletoldus received (as wife) one of his daughters, named Ermintrud, who gave back her *chevage* in the same way.

On the back of the same folio (19), other hands have inserted genealogies of female servants (*ancillae*) belonging to Saint-Germain in Antony, as well as a series of genealogies of women residing in Vieilles-Marolles, a estate of the abbey located 80 km south-east of the monastery.³¹

The nominative lists incorporated into the polyptych of Irminon at the beginning of the 9th century reflect a variety of situations that do not fit the model of the classical bipartite *villa*:

- dependents required to pay the *chevage* (5 cases),
- men and women dedicated to the lighting service of St. Germain (2 cases),
- serfs of both sexes in a *villa* (1 case),
- list of all female serfs (*ancillae*) and women with the status of *lidae* (half-free, 3 cases)
- men and women paying a tribute for leaving the landed lordship in which they were born (1 case)
- peasants occupying arable land in addition to their holding.

In the 11th-12th century insertions, the indication of individuals' legal status disappears in favour of simple nominative enumerations of men and women arranged by geographical location. The use of lists to determine legal statuses and to constrain individuals was thus adapted to the evolution of forms of servitude, from the serfs of the 9th-10th centuries to the *homines* of the 11th-12th centuries.³²

5. The polyptychs of Saint-Remi of Rheims (9th-12th centuries)

The polyptych of Saint-Remi of Rheims is preserved in the form of a composite dossier consisting of several inventories from the 9th-12th centuries. The original pieces disappeared in the fire which damaged the abbey's library in the 18th century. Only scholarly copies made in the 17th and 18th centuries remain. Analysis has made it possible to identify the different parts of this record. Five chapters date back to the beginning of the 9th century. Shortly after 847, Archbishop Hincmar had a systematic inventory made of eighteen seigneuries assigned to the monks of Saint-Remi. This polyptych was completed in the second half of the 9th century with four chapters describing new acquisitions. At the end of the 10th century, two inventories were added to this set describing the goods of two small religious

institutions attached to Saint-Remi, Saint-Timothée and Saint-Côme of Rheims. Finally, the file copied in the 17th and 18th centuries also incorporated two tax-censuses drawn from the monks' land holdings in the 11th and 12th centuries.³³

The ambitions pursued by Hincmar in the mid-9th century were on a completely different scale from those of Abbot Irminon. Irminon had confined himself to describing the patrimony of Saint-Germain assigned to the monks. In Rheims, the archbishop undertook to describe «almost all the goods and *villae* of the bishopric», according to the formula used by the historiographer of the Church of Rheims, Flodoard, in the 10th century³⁴. This included at least the properties belonging to the bishopric and those of the monasteries directly attached to the *episcopium*, such as Saint-Remi, and perhaps also the possessions of the other monasteries situated in the bishopric of Rheims. Hincmar's talent and zeal for inventorying and describing is also reflected in the instructions dictated to the parish priests during the diocesan synod of 852 in the form of a list of seventeen questions concerning the jurisdiction of the tithe, the condition of religious buildings and church furnishings, bells, books and liturgical objects, priestly vestments, and so on. It should be noted that some of these inventories of parish church treasures have been incorporated into the descriptions of the *villae*.

The Hincmar polyptych also stands out on account of the scope of the census of the individuals making up the population of the seigneuries of Saint-Remi. Whereas in Saint-Germain-des-Prés, the inventory is centred on the tenures and occasionally supplemented by individual lists, without a specific formulary or plan, the Hincmar polyptych responds to predefined rules and seeks to record the entire population of a village. The descriptive scheme simultaneously includes an inventory of the tenures and their customs, and lists that systematically enumerate the dependents on the scale of a *villa* according to their manorial status (tenants, non-tenants), their personal dependency ties (men from Saint-Remi, newcomers), their legal status and their place of residence (residents, dependents who have left the territorial jurisdiction of the seigneurie). In the two most populous estates of Saint-Remi, Courtisols (730 adults) and Viel-Saint-Remi (544 adults), the survey of holdings and inhabitants follows the following plan:

Courtisols	Viel-Saint-Remi
Custom of the <i>manses</i> and list of tenants in charge: names and legal statuses	Custom of the manses and list of tenants in charge: names and legal statuses
Nominative list of cohabitants of the <i>manses</i> : names and legal statuses of adults, number of children	Nominative list of the entire <i>familia</i> of the seigneurie residing inside or outside the territorial jurisdiction. The list is drawn on the basis of the extended family and the tenants and their households, brothers and sisters cohabiting with them without holding tenure, neighbours (<i>accolae</i>) who do not hold tenure and reside on their own farm, and dependents who have left the seigneurie to reside elsewhere (<i>forenses</i> , <i>forastici</i> , <i>foranei</i>): names and legal statuses of adults,
Nominative list of dependents residing outside the territorial jurisdiction of the seigneurie (<i>forenses</i> , etcetera) and their children: names and legal statuses of adults, name of children	

	number of children
	Separate list of <i>accolae</i> : names and legal statuses of adults
Nominative list of a group of women who have been granted personal freedom by a charter: names of women and their children	
Nominative list of serfs of both sexes residing inside (domestic slaves) or outside the seigneurie and their children: names and legal statuses of parents and children	
Nominative list of <i>newly taken over</i> serfs of both sexes (<i>servi nouiter repressi</i>): names and legal statuses of parents and children	

The local surveys carried out by Hincmar thus cover the two components of medieval *dominium*: the land granted in tenure, and the people living on the lord's land.³⁵

In the middle of the 9th century, in the seigneuries of Saint-Remi de Rheims, it was the principle of the worst condition of the parents that prevailed in the case of marriage between persons of different legal status. It imposed servitude on children born of the union between a free person and an unfree one. This was the rule set in the Late Middle Ages by the custom of Vitry for the serfs of Champagne.

At Courtisols, the inventory of the servile population specifies the names of the adults and children. The reasons for this genealogical precision are clarified by a document inserted in the chapter: after the final sum of the chapter, the writer copied the record of a judgment rendered during a judicial assembly on May 13, 847 against several families of Courtisols who claimed to be free of birth (*ingenui*). The local court of aldermen (*scabini*), presided over by two emissaries of the bishop, investigated their genealogy, concluding that they must have been «rightly *servi* and *ancillae*, since their grandmothers had been bought with the lord's money». Eyewitnesses chosen from among the free men of the village confirmed the acquisition of the two women, and the accused were condemned to resume the «service they had unjustly withheld and neglected». In order to avoid further claims of this sort, the inquirers drew up a list of all the unfree individuals at Courtisols, specifying the names of the adults and children, as well as those of the newly taken over serfs. At the same time, women who had been fully emancipated and their children were included in another list that protected them from any further contestation. The survey thus marks a paroxysmal moment of tension within the local community: it helped freeze the legal status of each individual and to reject the claims of those seeking to break through statutory barriers and escape servitude. In a general climate of suspicion fostered by the judicial inquiry, this document underlined the superiority of the born-free peasants, who alone were deemed fit to testify. Hincmar's conservatism reflects the clerical elites' desire to guarantee the status-based order that unfree people had sought to transgress.³⁶

As a purchaser of forced labour at the beginning of the 9th century, the Church of Rheims knew how to handle the tool of personal emancipation, without undermining the strength of the ties that attached the new freedmen and their offspring to her. The social vocabulary that fixes the status of those freed and their offspring, by recalling the deed (chart, letter) that emancipated them (*cartularii*, *epistolarii*), and its inscription in nominative lists, testifies to the desire to restrict the scope of individual emancipation and to perpetuate the bonds of dependency by making the condition of the *cartularii* and *epistolarii* hereditary. During the census, the inhabitants presented themselves to the inquirers grouped by legal status (freeborn, freed, unfree) and by family. The serfs of Courtisols were not miserable people who might seek salvation by fleeing. On the contrary, these serf-tenants were prosperous peasants; some of them were qualified as shepherds and took advantage of the large expanses of heathland characteristic of this region of Champagne; another two had *made sons-in-law* by marrying daughters who were heirs of free tenants. Beyond the purpose of controlling the servile group, the methods used to register dependents aimed to ensure the cohesion of the *familia* by projecting the bonds of dependency of the *men of Saint Remi* beyond the territorial limits of the monastic lordships. They bear witness to the persistence of a rural society still marked by the antithesis between the freeborn and the unfree and by distinctions in legal status.

The social practices separating free and freed in the Hincmar polyptych do not seem to have been widespread in the region of Rheims. They are only sporadically attested in inventories from the late 9th and 10th centuries. Moreover, *epistolarius* is a hapax. The description of Condé-sur-Marne, made after its donation by Charles the Bald in 861, classifies the peasants according to two statutory categories: *coloni*, *servi* and *ancillae*.³⁷ The use of the term *colonus*, in place of the word *ingenuus* found in Condé's description, is perhaps a legacy of the vocabulary used by royal officials before the donation of 861. It should be noted that Hincmar commonly uses the term in his works to designate freeborn peasants. It is possible that the use of *ingenuus* to refer to free tenants in the central chapters of Hincmar's polyptych reflects the tensions created among the rural population by the application of the worst-case rule to children born of unions between free and unfree spouses in Champagne, and by the lawsuits brought against fugitive serfs.

Lists of migrants (*forenses*) were still being drawn up in the late 9th and 10th centuries. Migrants could thus keep their status as men and women depending on Saint-Remi by paying a *chevage*. This kind of patronage enabled them to resist the attempts made by other lords to impose personal domination on them. Registration was no longer carried out on the basis of the original seigneurie of the migrants, but rather on the basis of more extensive territorial jurisdictions. In 861, the *forenses* of the Condé-sur-Marne group of estates, which included several places in the Marne valley, were listed in two geographical groups, on either side of the river Vesle. A century later, in the polyptych of the small abbey of Saint-Timothée, located in the suburbs of Rheims, the migrants were grouped together in a single list, followed by the sworn men who certified the whole document, and by a list of the serfs attached to the monastic officers.

In the late 10th and 11th centuries, the *forenses* were completely absorbed into monastic families, which brought together, under the patronage of a saint, individuals linked

to religious institutions by various bonds of personal dependency: self-tradition, *chevage*, etc. In the urban environment, as in the case of the men of Saint Vaast in Arras, those people who were under the protection of the Church took advantage of their residence on land belonging to the saint or of their personal condition as dependents to escape the jurisdiction of the ordinary courts and claim the general privilege of tax exemption on commercial transactions granted to religious institutions.

6. Conclusions

A comparison between the descriptions drawn up in Italy and Provence in the 8th and 9th centuries and the polyptychs of North-West Francia's monasteries shows that the diversity in terms of how lords managed their power' conditioned the way in which men and lands were counted and described. In many regions outside the heart of the Frankish world (between the Loire and the Rhine), the *dominus* was at the centre of a network of personal links that made it possible for him to dominate men and lands. Beyond the power he exercised over the land and people he had inherited, the lord was therefore at the centre of a network of dependency. To translate this concept correctly in terms of institutions and space, one would have to speak of "familial (or domestic) lordship", were it not that our everyday language assigns such a different meaning to "family" today. In the Northwest, the land and the social relations of production that made it fertile were at the heart of the exercising of lordship, at least as far as large royal and ecclesiastical estates are concerned. Therefore, according to Pierre Toubert's formula, "there is no manorial system without corvée".³⁸

The two cognitive tools that had been used during the Early Middle Ages to control and fix rural populations, the description and the list, were replaced from the 11th century onwards by new documentary instruments: the custom record and the franchise charter, to determine inhabitants' obligations, and the cartulary, to keep track of the entries and exits of personal servitude. These new methods of registration reflect a society in which domination was expressed both territorially – by being exercised unconditionally and indifferently over all the inhabitants of a landed seigneurie deemed to be dependent on a lord (according to the French adage abrogated in 1789: «there is no land without a lord») – and personally, on the basis of the individual bond established between men and women and a prestigious protector such as the king or the patron saint of a religious institution. In Saint-Germain-des-Prés, the 12th-century cartularies are strongly focused on space. To describe the duties of the *manants* within a landed seigneurie, it was no longer necessary to use inventories and nominal lists. These obligations were deduced in relation to each individual from the local customary law established in a political space, the seigniorial *ban power*. In Touraine, in the second half of the 11th century, traces of personal servitude hitherto left in the margins of the monastic communities' administration or liturgy books were gradually replaced by cartularies. The *Book of the Serfs* of Marmoutier, which includes a core text from the 1070s and additions up to 1097, reproduces a series of almost contemporary originals. It was used to preserve Marmoutier's rights over its dependents or conditional freedmen by collecting the documents constituting the abbey's rights.³⁹ The listing was only sporadically justified in the case of Church tributaries or *serfs de corps*, whose inferior condition was the result of personal servitude.

¹ J.-P. DEVROEY, *Puissants et misérables: système social et monde paysan dans l'Europe des Francs (V^e - IX^e siècles)*, Bruxelles 2006.

² See J.L. NELSON, *Dispute Settlement in Carolingian West Francia*, in W. DAVIES et P. FOURACRE (eds), *The Settlement of Disputes in Early Medieval Europe*, Cambridge 1986, pp. 45-64.

³ *Le polyptyque et les listes de cens de l'abbaye Saint-Remi de Reims (IXe-XIe s.): Edition critique*, J.-P. DEVROEY (ed.), Reims 1984, pp. 27, 29. See below.

⁴ *Das Polyptychon von Saint-Germain-des-Prés. Studienausgabe*, D. HÄGERMANN, K. ELMSHÄUSER, A. HEDWIG (eds), Köln-Weimar-Wien 1993, pp. 157, 158, 195.

⁵ *Il regesto farfense compilato da Gregorio di Catino e pubblicato dalla Società romana di storia patria*, I. GIORGI et U. BALZANI (eds.), vol. 5, Roma 1879-1914, pp. 265, 273, 275; *Il « Liber Floriger » di Gregorio da Catino. Parte I: testo*, M.T. MAGGI BEI (ed.), Roma 1984, pp. 188, 196, 198. The formula used by San Vincenzo del Volturno in the 854 plea against the inhabitants of Val Trita is similar: 'se subtraunt de ipso servicio'.

⁶ *Descriptio mancipiorum ecclesie Massiliensis*, L. DELISLE, A. MARION (eds), *Cartulaire de l'abbaye de Saint-Victor de Marseille*, vol. 2, Paris 1857, pp. 633, passim (Collection des cartulaires de France 9).

⁷ DEVROEY, *Polyptyque de Saint-Remi* cit., pp. 48-51.

⁸ DELISLE, *Cartulaire* cit., pp. 651, 652, 654.

⁹ DEVROEY, *Puissants* cit. ID., *Ordering, measuring, and counting: Carolingian rule, cultural capital and the economic performance in Western Europe (750-900)*, unpublished paper 2009; J.-P. DEVROEY & N. SCHROEDER, *Mettre l'empire en réseau. Approvisionner et manger à la table de Charlemagne*, in R. GROSSE & M. SOT (eds), *Charlemagne: les temps, les espaces, les hommes. Construction et déconstruction d'un règne*, Turnhout 2018, pp. 353-370 (Haut Moyen Âge 34).

¹⁰ F.-L. GANSHOF, *Les avatars d'un domaine de l'Église de Marseille à la fin du VIIe et au VIIIe siècle*, in: *Studi in onore di Gino Luzzatto*, Milano 1949, pp. 55-66; J.-P. DEVROEY, *Élaboration et usage des polyptyques: quelques éléments de réflexion à partir de l'exemple des descriptions de l'église de Marseille (VIIIe-IXe siècles)*, in *Akkulturation: Probleme einer germanisch-romanischen Kultursynthese in Spätantike und frühem Mittelalter*, Berlin 2004, pp. 436-472.

¹¹ S. SATO, *The Merovingian Accounting Documents of Tours. Form and Function*, in "Early Medieval Europe", 9 (2000), pp. 143-161.

¹² J.-P. DEVROEY, *Gérer et exploiter la distance. Pratiques de gestion et perception du monde dans les livres fonciers carolingiens*, in *Les élites et leurs espaces: mobilité, rayonnement, domination du VIe au XIe s. Rencontre de Göttingen, 3-5 mars 2005*, Turnhout 2007, pp. 49-66; L. KUCHENBUCH, *De la demeure à l'habiter? Remarques à propos de l'hypothèse d'une spatialisation du social au Moyen Âge (1035; 893/1222)*, in J. MORSEL (ed.), *Communautés d'habitants au Moyen Âge: (XIe-XVe siècles)*, Paris 2018, pp. 43-72.

¹³ DEVROEY & SCHROEDER, *Mettre l'Empire* cit.

¹⁴ Regional survey in R. LE JAN, *Entre maîtres et dépendants: réflexions sur la famille paysanne en Lotharinge, aux IXe et Xe siècles*, in *Campagnes médiévales: l'homme et son espace. Etudes offertes à Robert Fossier*, Paris 1995, pp. 277-296.

¹⁵ List in R.H.C. DAVIS, *Domesday Book: Continental Parallels*, in J.C. HOLT (ed.), *Domesday Studies: Papers read at the NOVO-centenary conference of the Royal Historical Society and the Institute of British Geographers, Winchester, 1986*, Woodbridge 1987, pp. 15-40.

¹⁶ See below.

¹⁷ J.-P. DEVROEY, *Des migrations bien encadrées dans les seigneuries rurales carolingiennes: L'exemple de l'abbaye de Saint-Germain-des-Prés (823-828)*, in *Anthroponymie et migrations dans la Chrétienté médiévale*, Madrid 2010, pp. 15-39.

¹⁸ Survey and classical analysis in G. LUZZATTO, *I servi nelle grandi proprietà ecclesiastiche italiane dei secoli IX e X*, Pisa 1910, pp. 3-45.

¹⁹ *Il regesto farfense compilato da Gregorio di Catino e pubblicato dalla Società romana di storia patria*, I. Giorgi et U. Balzani (eds.), vol. 5, Roma 1879-1914; *Il « Liber Floriger » di Gregorio da Catino. Parte I: testo*, M.T. MAGGI BEI (ed.), Roma 1984. On the documentation from Farfa and Gregory of Catino's work methods, as well as the patrimonial networks and the relations of power and patronage of the abbey, see M. COSTAMBEYS, *Power and Patronage in Early Medieval Italy. Local Society, Italian Politics and the Abbey of Farfa, c.700 - 900*, Cambridge 2007.

²⁰ On the conditions for establishing the list and its date, see F. BOUGARD, *La justice dans le royaume d'Italie de la fin du VIIIe siècle au début du XIe siècle*, Rome 1995, p. 379.

²¹ L. FELLER, *L'anthroponymie de la servitude en Italie centrale aux VIIIe-IXe siècles*, in M. BOURIN & P. CHAREILLE (eds.), *Genèse de l'anthroponymie moderne. Tome V, 1, Intégration et exclusion sociale: lectures anthroponymiques. Serfs et dépendants au Moyen Âge (VIIIe-XIIIe siècle)*, Tours 2002, pp. 7-29.

²² *Ibidem*.

²⁴ The same formula was used at Farfa, COSTAMBEYS, *Power* cit., p. 191.

²⁵ In the form of a small circle with a cross through it.

²⁶ *Foranei*: dependents who had left the seigneurie to reside elsewhere. See below.

²⁷ DEVROEY, *Élaboration* cit.; M. ZERNER, *Enfants et jeunes au IXe siècle, la démographie du polyptyque de Marseille (813-814)*, in "Provence Historique", 31 (1981), pp. 355-384; ID., *Sur la croissance agricole en Provence*, in *La croissance agricole du Haut Moyen Âge. Chronologie, modalités, géographie*, Auch 1990, pp. 153-167; R. FAITH, *Farms and families in ninth-century Provence*, in: « Early Medieval Europe », 18 (2010), pp. 175-201.

²⁸ HÄGERMANN, *Polyptychon von Saint-Germain* cit.

²⁹ J.-P. DEVROEY, *Problèmes de critique autour du polyptyque de l'abbaye de Saint-Germain-des-Prés*, in H. AT SMA (ed.), *La Neustrie: les pays au nord de la Loire de 650 à 850: colloque historique international*, Sigmaringen 1989, pp. 441-465; ID., *Au-delà des polyptyques: Sédimentation, copie et renouvellement des documents de gestion seigneuriaux entre Seine et Rhin (IXe-XIIIe siècles)*, in *Décrire, inventorier, enregistrer entre Seine et Rhin au Moyen Âge*, Paris 2013, pp. 53-86.

³⁰ DEVROEY, *Au-delà* cit., pp. 70-71. *Das Polyptychon und die Notitia de areis von Saint-Maur-des-Fossés: Analyse und Edition*, D. HÄGERMANN, A. HEDWIG (eds), Sigmaringen 1990, pp. 96-97.

³¹ HÄGERMANN, *Das Polyptychon von Saint-Germain* cit., pp. 96-97.

³² *Ibidem*, pp. 36-39.

³³ DEVROEY, *Au-delà* cit., pp. 76-80.

³⁴ *Flodoard von Reims. Die Geschichte der Reimser Kirche*, M. STRATMANN (ed.), MGH SS, 36, Hannover 1998.

³⁵ J.-P. DEVROEY, *La démographie du polyptyque de Saint-Remi de Reims*, in P. DEMOUY & C. VULLIEZ (eds.), *Compter les Champenois*, Reims 1997, pp. 81-94.

³⁶ J.-P. DEVROEY, *Libres et non-libres sur les terres de Saint-Remi de Reims: la notice judiciaire de Courtisols (13 mai 847) et le polyptyque d'Hincmar*, in « Journal des Savants » (2006), pp. 65-103; J. BARBIER, *De minimis curat praetor: Hincmar le polyptyque de Saint-Remi de Reims et les esclaves de Courtisols*, in G. CONSTABLE & M. ROUCHE (eds.), *Auctoritas. Mélanges offerts au professeur Olivier Guillot*, Paris 2006, pp. 269-279.

³⁷ DEVROEY, *Polyptyque de Saint-Remi* cit., pp. 65-69.

³⁸ P. TOUBERT, *Il sistema curtense: la produzione e lo scambio interno in Italia nei secoli VIII, IX e X*, in: *Storia d'Italia*, Annali 6, *Economia naturale, economia monetaria*, Torino 1983, p. 6.

³⁹ *Le livre des serfs de l'abbaye de Marmoutier ... suivi de chartes sur le même sujet et précédé d'un essai sur le servage en Touraine par Ch. L. Grandmaison*, A. SALMON (ed.), Tours 1864. D. BARTHÉLEMY, *Qu'est-ce que le servage en France au XIe siècle ?*, in « Revue Historique », 187 (1992), pp. 233-284.