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FROM ROMAN TAXATION TO MEDIAEVAL SEIGNEURIE: THREE NOTES (PART II)*

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3. FLODOARD AND THE FRANKISH POLYPTYCHS

NEITHER the *ingum* nor the *condoma*, which this study began by considering, brings us close to the Carolingian seigneurie, with its neat division into demesne and peasant tenures; for the dependent tenure (*mansus*) or the dependent tenant himself has no necessary relation to a bi-partite seigneurial structure. Provided arable land was abundant, the master of a family of serfs with its *peculium* was assured of some revenue. Eighth-century governments estimated wealth by the numbers of these "households" that were possessed by their subjects — a reasonable procedure but one that indicates nothing more than that these households were tributary subjects yielding some revenue to their masters.¹⁰⁸ It took more

* ADDENDA to notes 1-107 of Part I (SPECULUM April 1972, pp. 165-187).

n. 3: See also A. Délage, *La vie rurale en Bourgogne, 1* (Mâcon, 1941), 305-60.

n. 8: Délage, *Vie rurale, 1*, 354-60, tried to demonstrate Bloch's proposition.

n. 53: Partial *inges* are tallied in *particulae* in Schiaparelli, *Codice, II*, 80, no. 155.

n. 67: The plural verb "una condoma . . . qui faciunt" is as interesting as the masculine adjective "singulos condomas" (n. 68).

n. 78: The probable source of Niermeyer's definition of *condamina* is Délage, *Vie rurale, 1*, 452-6.

n. 81: Fabre and others stressed the definition of *conduma* supplied by the mid-eleventh-century Papias glossary: "domus cum curia et ceteris necessariis." This is of no authority, since the word had long ceased to be current.

n. 91: A similarly curious usage of *mancipium* occurs in Hincmar, *Epist. 63**, in MGH, *Epistolae*, viii, 35: "ne . . . census ipse deperat et ipsa villa in alodem vertatur et ecclesiastica mancipia in servos et ancillas disperiantur."

n. 98: The wide range of personal conditions represented by the documented *condomae* suggests a solution to the long debated question whether or not settled barbarians were tax exempt. If one focusses on the governmental origin of the term *condoma* and recalls that the Roman concept of *functio publica* covered military service as well as taxes and other *munera*, then it follows that the question has been distorted by a modern notion of taxation. In the perspective of Roman administrative concepts, a household owing military service was also tributary; it differed from a household of cultivators only in the nature of its *servitium*.

¹⁰⁸ Conc. in Franciam habitum (779-80): "vassus dominicus de casatis 200 mediam libram [in vicinosinam donet], de casatis 100 solidos 5, de casatis 50 vel 30 unciam unam" (MGH, *Legum sect. III, Concilia*, II, 109); *Capit. Liptin.* (743), in MGH, *Capit.*, I, 28; *Capit. Herist.* 13 (779), in *ibid.* p. 50;

than households of dependent peasants to constitute a bi-partite seigneurie.¹⁰⁹

In the third of these notes, we directly attain estate structures of this kind, as well as the type of document through whose pages such seigneuries are chiefly known to us, namely the polyptychs. What is to be presented is a set of passages on the drafting of polyptychs that have hitherto gone unnoticed, even though the source that contains them is well known. After this evidence is introduced, it will be appropriate to examine the other early testimony on polyptychs, particularly that stemming from Roman times, and to reconsider the relations of such documents to the early mediaeval seigneurie.

Flodoard's *History of the Church of Reims*, though written on the eve of the Capetian period, is based on an unusually rich collection of archival and narrative sources from the Frankish past.¹¹⁰ Flodoard seldom transcribed charters in full, but he supplied summary upon summary, constituting a remarkable record. A particularly interesting feature of Flodoard's collection is that it allows us to establish chronological strata of documents, indicating the old types that disappear from usage and the new types making their first appearance; we are enabled to compare the tenth-century archives of Reims with the miscellaneous archival remains that have otherwise come down to us, and to acquire an idea of the relative importance of what we have within the collections from which the surviving pieces descend.

The types of charters summarized by Flodoard from the sixth century to the ninth are generally familiar to us: purchases, exchanges, and gifts of land; episcopal wills; royal privileges of immunity; notices of judgment deciding contested claims to property. The documents possessed by Reims are well represented in the surviving remains from other churches. On the other hand, the first exemplars available to Flodoard considerably antedated those available to us. For example, Flodoard like ourselves had access to several seventh-century episcopal wills, but he also had the wills of St. Remigius and his predecessor, of fifth- and early sixth-century date.¹¹¹ Similarly, the earliest privileges of immunity we have date from 635, whereas the first one mentioned by Flodoard must have been granted before 590; other indirect evidence confirms that immunity privileges were being issued at that time.¹¹²

Boniface, *Epist.* 87 (Pope Zachary, 751), ed. M. Tangl, MGH, *Epistolae selectae*, I, 199. Casata is glossed as *coningium servorum* in Bonif., *Epist.* 60, ed. cit., p. 123. Cf. also *Conc. Tolet.* XVI (693), c. 5, in *Concilios Visigóticos*, ed. J. Vivès (Barcelona-Madrid, 1963), p. 502, prescribing that only a church with ten *mancipia* may have a priest of its own.

¹⁰⁹ Ganshof, "Quelques aspects," and Verhulst, "Genèse" (both cited above n. 9) are right to be exacting in the criteria they set for "classic" seigneuries.

¹¹⁰ Flodoard, *Historia Remensis ecclesiae*, edd. J. Heller and G. Waitz, MGH, *Scriptores in folio*, XIII, 405-599. For a troublesome problem affecting the sections of Flodoard's *History* that interest us, see the Additional Note.

¹¹¹ *Hist.* I. 9 (briefly mentioned), 18 (transcribed). On the latter, A. H. M. Jones, P. Grierson, and J. A. Crook, "The Authenticity of the *Testamentum s. Remigii*," *Revue belge de philologie et d'histoire*, XXXV (1957), 356-73. It may be worth observing that Flodoard's collection of wills does not resume until about a century after Remigius (2. 4).

¹¹² *Hist.* 2. 2; indirect evidence in a charter of 692, referring to one of King Guntram (d. 592), in

In no other case does Flodoard so far anticipate the sources directly transmitted to us than in a type of document that might be called an *ordinatio servitorum*. From Bishop Sonnatius in the early seventh century until the great Hincmar (845-82), Flodoard notes this type of document eight times:

[Sonnatius] colonias etiam villarum quarundam episcopii dispositis ordinavit servitiis.

[Leudegiselus] res etiam quasdam ecclesiae ordinatis disposuit coloniis.

Disposuit etiam [Nivardus] nonnullas ordinatis coloniis villas episcopii.

[Rigobertus] nonnullas etiam episcopii villas, descriptis eorum coloniis servitiisque, rite disposuit.

[Tilpinus] nonnullarum quoque iura villarum dispositis ordinasse coloniis [reperitur].

[Wulfarius] quasdam praeterea villas ecclesiae Remensis rite distributis atque descriptis ordinavit coloniis.

[Ebo] colonias vero nonnullas ecclesiae, descriptis per strenuos viros colonis eorumque servitiis, ordinavit.

[Hincmarus] res praeterea et villas episcopii pene omnes, ordinatis rationabiliter coloniis, describi fecit.¹¹³

Flodoard's language assures us of the homogeneous character of these documents; the verbs *ordinare*, *disponere*, *describere*, and *distribuere* are all treated as synonymous, and a clear distinction is made between the partial *ordinationes* carried out by the earlier bishops and Hincmar's efforts to embrace nearly all the estates of the bishopric. What were these documents? Even if Flodoard's language were less clear, the surviving evidence of Hincmar's activity of this kind — in behalf of the Reims monastery of St. Rémy — would leave us in no doubt: the bishops of Reims were drawing up polyptychs.¹¹⁴ On the evidence of Flodoard, the first bishop of Reims to draw up a polyptych belonged to the opening quarter of the seventh century.¹¹⁵ Like his successors for a long time, Sonnatius did not strive for completeness; he addressed himself to "some" of the episcopal estates. This was not a passive inventory of the *status quo*; it was an *ordinatio*, no doubt respectful of existing custom but nevertheless placing the organization of these estates on a new and presumably a permanent footing.

Julien Havet, *Oeuvres* (Paris, 1896), I, 162, and *Chlotharii II Praeceptio* II, in MGH, *Capit.*, I, 19. The privilege of 635 occurs in Marculf, *Form.* I. 4. Cf. F.-L. Ganshof, "L'immunité dans la monarchie franque," *Société Jean Bodin, Recueils*, I, 2nd ed. (1958), 187-8, who entertains the idea that such charters may reach back as far as Clovis; I doubt this. See further below n. 199.

¹¹³ *Hist.* 2. 5-7, 11, 17-19; 3. 10, ed. cit., pp. 454, 455, 459, 464, 466, 467, 484.

¹¹⁴ Benjamin Guérard, ed., *Polyptyche de l'abbaye de St. Rémy de Reims* (Paris, 1853). On the date of this text, which survives only in an eighteenth-century copy, see H. Leclercq, "Polyptyche," in *Dictionnaire d'archéologie chrétienne et de liturgie*, XIV (Paris, 1939), coll. 1393-5; some parts belong to Hincmar's pontificate, others to as late as 919. Leclercq's article contains a useful list of the published polyptychs (coll. 1387-9).

¹¹⁵ The dates of the bishops in question are as follows: Sonnatius, ca. 610-30; Leudegisel, ca. 630-40; Nivard, ca. 655-73; Rigobert, ca. 690-73; Tilpin, 748-94; Wulfar, 803-16; Ebo 816-35/40; Hincmar, 845-82 (Louis Duchesne, *Fastes épiscopaux de l'ancienne Gaule*, III [Paris, 1915], 84-8). Only four bishops between Sonnatius and Hincmar are not credited with an *ordinatio*.

Flodoard testifies to a form of episcopal activity that began in the early seventh century and continued thereafter from pontificate to pontificate until the days of Hincmar. The bishops of Reims regulated the villis of their bishopric, a few at a time, and consigned the results to written form, in documents recognizable to us as polyptychs. To be sure, no details are given about the specific character of the reorganization; we can only guess at it. But, whatever its nature, the reorganization coincided with the drafting of a written record.

The word "polyptych" inevitably brings to our minds the greatest polyptych of all, the one drafted in the early ninth century on the instructions of Abbot Irmino of St. Germain des Prés. The association arises not only from the breadth and excellence of the St. Germain record itself, but also from the magnificent edition of it, with invaluable prolegomena, by Benjamin Guérard, which continues to be a pillar of early mediaeval economic history.¹¹⁶ Just as the admiration of Renaissance humanists for Carolingian minuscule led them to call that script Roman, so have modern historians long tended to read Irmino into the Roman past. Fustel de Coulanges said: "We may perhaps not be too rash in imagining that the Roman tax registers looked like the registers of Abbot Irmino and Archbishop Hincmar."¹¹⁷ The suggestion was modestly phrased but Fustel utilized it thereafter as though it were a rigorously established fact. Others followed suit, with more or less conviction.¹¹⁸ When Tjäder commented on the words *polyptychis publicis* in a Ravenna papyrus of 489, he described them as "registers of landed property that, for each property, contained the name of the owner, the extent of the property, and the taxes to be paid on its account."¹¹⁹ This description, whose third element is roughly true of the St. Germain polyptych but alien to the known Roman records,¹²⁰ typifies the tendency to interpret earlier conditions on the basis of ninth-century evidence.

When seen in its Roman setting, "polyptych" is a word exemplifying how an object may acquire the name of that in which it is contained, much as "envelope" might supersede "letter" but has not. In the British army, personnel records are kept in "jackets," that is, file folders; hence commendations or reprimands are said to be "put in one's jacket." In the case of polyptychs, the original object was quite simply the municipal "census" or *censuales paginae* — the record of persons

¹¹⁶ Cited above n. 11. Leclercq, "Polyptyche," col. 1389, was equally emphatic on Guérard's role.

¹¹⁷ "Le colonat romain," *Recherches sur quelques problèmes d'histoire* (Paris, 1885), p. 84: "Peut-être ne serons nous pas trop téméraires en nous figurant les registres romains de l'impôt d'après les registres de l'abbé Irmino ou de l'archevêque Hincmar." Also p. 175, "our polyptychs, though they come only from Charlemagne's time, have the same value for us as if they had been written several centuries earlier" (citing what turns out to be a post-Irmino addition to the St. Germain polyptych).

¹¹⁸ Cf. Lot, *Impôt foncier*, p. 82. The more misleading consequence of this view was the importation into the late Roman period of institutions attested only by the polyptychs, such as the bi-partite seigneurie, servile and free *mansi*, etc. Fustel was categorical on this point, "Colonat," p. 183: "The colonate always corresponds to a division of the domain into two parts . . ." For an example outside France, see Max Weber, "Die soziale Gründe des Untergangs der antiken Kultur" (1896), in *Gesammelte Aufsätze zur Sozial- und Wirtschaftsgeschichte* (Tübingen, 1924), pp. 300-3. The anachronistic use of the polyptychs has confused the study of late Roman social history.

¹¹⁹ J.-O. Tjäder, *Die nichtliterarische lateinische Papyri Italiens aus der Zeit 445-700*, I (Lund, 1955), 442.

¹²⁰ Prior to the sixth century; for the reason, below at n. 148.

subject to public burdens and the official declarations (*professiones*) of their property.¹²¹ It cannot be known when multi-leaved codices, polyptychs, began to be used for keeping these records. At some time in the fourth century, several municipalities in the diocese of Asiana had the idea of carving their census on stone.¹²² But Vegetius (*ca.* 390) regarded polyptychs as the characteristic term for municipal registers: "The accounts of the whole legion — whether of fatigues or military duties or money — are daily written down in the records (*acta*) almost with greater care than taxes and public duties (*res annonaria vel civilis*) are set down in polyptychs."¹²³ The first law in the Theodosian Code where the word *polyptycha* unmistakably refers to the census dates from 422.¹²⁴ Some years earlier, *polyptycha* makes its first appearance in the Code, in reference to municipal registers where tax receipts could be enrolled for permanent safekeeping.¹²⁵

What is apparent from the texts just cited, and continues to be true in Roman evidence, is that *polyptycha* were not synonymous with "census" narrowly understood as a roll of taxpayers and their property. We would be wrong to conclude that, in Roman sources, such words as *polyptycha*, *publici libri* or *fascēs*, *chartae publicae*, or *vasaria publica* — which are all synonymous — specifically referred to a register resembling the St. Germain record. *Polyptycha*, almost always written in the plural, were varied in content; they included declarations of property transfers,¹²⁶ tax receipts, accounts,¹²⁷ immunities,¹²⁸ in the broadest sense *res an-*

¹²¹ The widespread practice of applying the term "cadaster" to these records is inaccurate and an invitation to anachronism. As shown by André Déléage, "Les cadastres antiques jusqu'à Dioclétien," *Études de papyrologie*, II (1933), 73, a cadaster is a "census of landed property by the state." The late Roman *censualis professio*, however, was not a state census of land; it was a taxpayer's declaration of property—something altogether different. (Incidentally, Déléage indicated, pp. 74-9, that even in modern states thorough cadastration is the exception rather than the rule.) The close association of cadaster, centuriation, and fiscality made by Robert Fossier in his admirable study, *La terre et les hommes en Picardie*, Publications de la Faculté des Lettres et Sciences humaines de Paris-Sorbonne, série "Recherches," LXXVIII (Paris-Louvain, 1968), I, 138-9, is equally misleading. Centuriation served none of the purposes of modern cadastration (Déléage, pp. 201-2), a conclusion unaltered by the important recent work on centuriation; see R. Chevallier, "La centuriation et les problèmes de la colonisation romaine," *Études rurales*, no. 3 (1961), 73-5 (Chevallier did not sufficiently distinguish state rent on public land from proper taxation). The case of Africa, where the *centuria* played the role elsewhere assigned to the *iugum* or *millena*, proves only what is otherwise well known, namely the profound imprint of centuriation on the African countryside.

Ch. E. Perrin, *Recherches sur la seigneurie rurale en Lorraine* (Paris, 1935), p. 593 n. 5, found it particularly indicative of Roman origins that mediaeval *censiers* were given the name *polyptychum* "qui, sous le Bas-Empire, était réservé aux livres du cadastre." As will be seen, this narrow definition of "polyptych" was not really late Imperial. The word was a mediaeval technical term rather than a Roman one, as suggested below n. 142.

¹²² See Déléage, *Capitation*, pp. 163-96.

¹²³ *Epitoma rei militaris* 2. 19, ed. C. Lang (Leipzig, 1885), p. 53. The work is most broadly dated to 388-450, most narrowly to 388-91: *Oxford Classical Dictionary*, 2nd ed. (Oxford, 1970), pp. 1110-11.

¹²⁴ *CTh* II. 28. 13, actually spelled *polyptychi*; *chartae publicae* appears in the law as a synonym.

¹²⁵ 400 *CTh* II. 26. 2 (*ratiocinia publica*).

¹²⁶ 391 *CTh* II. 3. 5 (*censuales paginae*).

¹²⁷ Both items as above n. 125.

¹²⁸ 383 *CTh* III. 10. 8 (*libri publici, civitatum ac provinciarum encantaria*). The need for provinces to have records of this kind arose from the privilege of certain landowners to pay their taxes directly to the provincial government.

nonaria vel civilis.¹²⁹ It may not be excessively general to suppose that when one appeared before the city council to make a declaration to the municipal *gesta*, the declaration was entered in the polyptychs.¹³⁰ Under the pen of Pope Pelagius II (585-6), *polyptycha* refers to a register of letters on theological matters,¹³¹ and Gregory the Great uniquely used the word in the singular, as the term for a book where the roster of the Roman clergy was set down together with the salaries they were paid.¹³²

In spite of the diversity of materials that might be entered into many-leaved books, *polyptycha* and its synonyms nevertheless retained a special affinity to "census," perhaps because the register of contributors and their property was the municipal record *par excellence*. When Theodoric ordered a tax inspection of Savia, the results were to be consigned to polyptychs.¹³³ Much the same kind of transaction may be inferred from a pair of fifth-century laws where an adjustment (*peraequatio*) of taxable property results in changes in the local *vasaria publica* or *polyptycha*.¹³⁴ It is attested that tax adjusters (*peraequatores*) regularly handed over to the local authorities the *codex* in which the results of their inspection were

¹²⁹ As Vegetius put it (n. 123). It appears to follow from his military parallel that the records addressed themselves to public services (*munera civilia*) as well as taxes in the narrower sense of the term (loosely qualified by the name of one of them, the *annona*).

¹³⁰ This was denied by Harold Steinacker, *Die antiken Grundlagen der frühmittelalterlichen Privaturkunden* (A. Meister, ed., *Grundriss der Geschichtswissenschaft*, Ergänzungsband 1; Leipzig-Berlin, 1927), p. 104 n. 1, who maintained that the *gesta* were "completely different" from the *Steuerkataster* (his term for polyptychs in the narrow sense), even though both types of books were in the hands of the same authorities. While this distinction has some support (chiefly in *P. Dipl.* 115-16), it cannot be categorically made, for it is apparent, first, that "polyptych" was not a narrowly technical term and, secondly, that the most common types of documents entered *apud gesta* (namely, records of real property transactions) were of special interest to taxation (see, e.g., *CJ* 8. 53. 30-32; Cassiod., *Variae* 1. 19). On *gesta municipalia*, Oswald Redlich, *Die Privaturkunden des Mittelalters* (Munich-Berlin, 1911) pp. 8-12. It is worth stressing that these archival activities were only just acquiring importance in the later Empire; cf. the nice remark of André Piganiol, *L'Empire chrétien* (Paris, 1946), pp. 409-10.

¹³¹ Jaffé-Ewald, *Regesta pontificum Romanorum*, no. 1055; MGH, *Epist.*, II, 446: "Propter quod praesentium portitoribus, quos fraternitas vestra direxit, et ex codicibus et ex antiquis polypticis scrinii sanctae sedis apostolicae relecta sunt aliqua, quibus evidenter ostenditur nihil eorum quae in vestra posuistis epistola causae trium capitulorum convenire ullatenus aut verisimiliter coaptari."

¹³² *Regist.* 2. 38, ed. cit., I, 135 (to Peter, rector of the Sicilian patrimony, about the monk Cyriacus): "Quod ego credidi, moxque eum in gratiam familiariter recepi, coram clerum polypticum deduxi, presbiterium [i.e., a salary] ei auxi, in loco eum superiori inter defensores posui . . ." Cf. Johannes Diaconus, *Vita Gregorii Magni* 2.30: "Extat usque hodie in sacratissimo Lateranensis palatii scrinio huius confectum temporibus chartaceum praegrando volumen, in quo communis sexus cunctarum aetatum ac professionum nomina tam Romae quam per suburbana civitatesve vicinas, necnon longinquas maritimas urbes degentium cum suis cognominibus, temporibus, et remunerationibus expressius continentur" (*Pat. Lat.*, LXXV, 98). John wrote in the pontificate of John VIII (872-82). The polyptych in question reminds one somewhat of the imperial *notitia* or *laterculi* of dignitaries. Redlich, *Privaturkunden*, p. 13, was mistaken in identifying it with a land register, and Leclercq, "Polyptyche," col. 1382, in calling it a register of the revenues of the church of Rome.

¹³³ Cassiod., *Variae* 5. 44. Where these polyptychs were to be kept or whom they were to be entrusted to is not stated.

¹³⁴ Respectively, 412 *CTh* 13. 11. 13 and 422 *CTh* 11. 28. 13.

recorded.¹³⁵ A characteristic sign of administrative disorganization was that taxes were no longer collected in accordance with the polyptychs.¹³⁶ On the other hand, Justinian treated *demosiai apographai* as documents that were occasionally consulted but not constantly handled; their "custodians" were to produce them when a taxpayer challenged the amount he was charged or the property on whose account he was taxed.¹³⁷ *Polyptycha* are mentioned when property changed hands with transfer of liability to public charges or without, and when the amount of taxation was altered.¹³⁸ Visigothic and Frankish evidence shows that the usage of the term was by no means confined to territories where Roman practices were most uninterruptedly maintained. In Spain, one consequence of a slave's liberation was his entry in *polipticis publicis* as paying taxes in proportion to his *peculium*;¹³⁹ similarly, a Frankish subject proved that he was *bene ingenuus* by not appearing in the *poliptici publici*.¹⁴⁰ Gregory of Tours avoided the term, but his seventh-century epitomator, Fredegar, wrote *polepticus* (accusative plural) where Gregory had said "assessment books" (*libris descriptionibus*).¹⁴¹ Fredegar also substituted *polepticis* for *chartis* in a passage from the Chronicle of Jerome stating that the emperor Hadrian burned tax records.¹⁴² It is not surprising, therefore, that the Carolingian kingdom should have used "polyptych" in the sense that we infer from the St. Germain record.

The history of the word "polyptych" does not explain the passage of such records from late Antiquity to the Middle Ages. Guérard simply took their continuity for granted: the records used to serve for purposes of taxation; then, Roman taxation died out, but the records were retained for purposes of domainial administration by kings, churches, and other large landowners.¹⁴³ The task of proving an evolution of this sort was later undertaken by Josef Šusta, but with insufficient attention to the difference between conjecture and evidence. Inevitably, his conclusion closely resembled that of Guérard:

The retention of these [Roman census] forms is not remarkable in view of the stability of

¹³⁵ 393 *CTh* 13. 11. 5.

¹³⁶ Cassiod., *Variae* 5. 39, about the Visigothic kingdom after it became an Ostrogothic protectorate. This letter and the one cited above n. 133 are the most comprehensive documents about taxation in the *Variae*.

¹³⁷ 545 *NJust* 128. 4.

¹³⁸ *P. Ital.* 10-11 (a. 489), ed. J.-O. Tjäder, as above n. 119; *P. Dipl.* 115 and 116 (a. 540; *P. Dipl.* 116 uses *documentis* where 115 writes *polypticis*); Cassiod., *Variae* 7. 45.

¹³⁹ *LVisig* 12. 2. 13.

¹⁴⁰ Marculf, *Form.* 1. 19, ed. Zeumer, p. 55-6. The variant in *puletico* points to the French derivative "pouillé": Leclercq, "Polyptyche," col. 1382.

¹⁴¹ Fredegar, *Chron.* 3. 80, ed. B. Krusch, MGH, *Script. rer. Merov.*, II, 115, summarizing *Greg.*, *Hist.* 5. 28, and cheerfully killing the assessor whose escape from lynching Gregory related.

¹⁴² *Chron.* 2. 37, ed. cit., p. 62. These two interpolations by Fredegar may well mark the point when "polyptych" came of age as a technical term. (In his excellent survey of polyptychs in late Antiquity, Guérard, *Polyp. Irminon*, I, 18 n. 4, cited Fredegar 2. 37 from Canisius, *Lectiones antiquae*, not knowing that it is from Fredegar. Leclercq, "Polyptyche," col. 1384, used the same passage rather tentatively.)

¹⁴³ Guérard, *Polyp. Irminon*, I, 17-18; he did not attempt to argue the relationship.

the administration of *latifundia*. Until the seventh century, the Frankish monarchy made use of the Roman tax lists. After the downfall of the whole tax system, the tax rolls remained in the hands of bishops and abbots, who used them for purposes of large landownership and turned them into private land registers (*Urbarien*).¹⁴⁴

What Šusta overlooked was that his convictions about the structure and stability of *latifundia* and their owners' usurpatory use of tax records rested on the statements of Schulden and Fustel de Coulanges, and not on primary sources.¹⁴⁵ The consequent weakness of the case was well observed by Charles Holt Taylor, who raised a series of objections; he regarded the continuity from Roman tax records to ecclesiastical polyptychs as highly doubtful and problematic, and urged a more penetrating examination.¹⁴⁶

Šusta had notably failed to perceive that the traces we have of Roman censuses omit one of the salient traits of Carolingian records, namely the detailed listing of dues and services.¹⁴⁷ Nothing of the kind is mentioned by Ulpian or appears on the inscriptions from Asiana, and for good reason. The census was a record of declarations (*professiones*, *apographai*); it served as the assessment base for local levies that varied from year to year, as announced by the annual imperial *delegatio*. On no account, therefore, was the inventory of owners and their property coupled with a fixed tax charge.¹⁴⁸

When did this situation change? Tradition would say, when the Roman tax system broke down, that is, under barbarian rule. The evidence for the usage of the word *polyptycha* has often been taken as an *ipso facto* indication that Roman taxation continually operated along fourth-century lines.¹⁴⁹ But such an inference is quite unwarranted. As early as 412, a Western law states: "We order that places (*loca*) that cannot fulfil their payment (*praestatio*) be equalized so that what they are able to pay is written down with full and complete faith, while that which is impossible is removed from the *vasaria publica*."¹⁵⁰ The law plainly implies that,

¹⁴⁴ "Zur Geschichte und Kritik der Urbarialaufzeichnungen," *Sitzungsberichte der kaiserlichen Akademie der Wissenschaften (zu Wien)*, philol.-hist. Classe, CXXXVIII (1897), 30. His conclusions were closely followed by Redlich, *Privatorkunden*, pp. 12-14. The portions of Šusta's study relating to eighth- and ninth-century German territories have been completely revised by Wolfgang Metz, "Zur Geschichte und Kritik der frühmittelalterlichen Güterverzeichnisse Deutschlands," *Archiv für Diplomatik*, IV (1958), 183-206. Metz regarded the polyptychs as strictly West Frankish (pp. 203-4) and called for renewed study of their relations to late Roman practices (p. 206).

¹⁴⁵ This is apparent simply from consulting his footnotes: Fustel and Schulden in turn based their conclusions on the polyptychs above on 127-28.

¹⁴⁶ "Note on the Origins of the Polyptychs," *Mélanges Henri Perrin*, II, 473-81. I have not been able to consult Professor Taylor's more extensive "Studies in the Relations between the Roman Cadaster and the Frankish Polyptychs" (diss. Harvard University, 1927). The charge of Leclercq, "Polyptyche," col. 1382, that Šusta and Taylor muddled a "sufficiently clear" subject resulted from his supposition that Guérard's account was definitive.

¹⁴⁷ The problem posed by this difference was stressed by Perrin, *Recherches*, 593-4, with n. 1, p. 594.

¹⁴⁸ *Digest*, 50. 14. 4 (Ulpian); for the inscriptions, as above n. 122. The fourth-century papyrus discussed by Déléage, *Capitation*, pp. 73-4, illustrates the accommodation of assessment (in Egyptian *arurae*) to the year's *delegatio*. Cf. below n. 201.

¹⁴⁹ E.g., by Guérard, Šusta, and Lot, *Impôt foncier*, pp. 88-90. Leclercq, "Polyptyche," col. 1384, spoke of "la suppression du système des impositions romaines," implicitly occurring at some time after Marculf; but this suppression is an undocumented event.

¹⁵⁰ *CTh* 13. 11. 13.

by this time, records of payments due were by no means foreign to the tax registers; as much is suggested by the law of 400 that mentions the registry of tax receipts.¹⁵¹ Where a law of 391 about changes in ownership speaks of "tax liability" (*capitatio*), its fifth-century *Interpretatio* substitutes "payment" (*solutio*).¹⁵² In the days of Cassiodorus, an entry of payments in the *polyptycha* was perfectly standard; his "formula by which tax liability (*census*) is relieved for him who possesses an overburdened *casa*" authorizes the petitioner "ut, si ita est, tot [i.e., the amount of relief] solidos tributarios . . . faciatis de vasariis publicis diligenter abradi."¹⁵³ In short, the technical contrast between the Roman records known to us and that of St. Germain was overcome well back in Roman times, probably in the later fourth century. The change may testify to a breakdown of some sort, but not one attributable to the clumsiness of the governments of barbarian kings.¹⁵⁴

An equally important difference has been thought to exist in the contrast between *polyptycha* maintained by "public" municipalities and those utilized by "private" ecclesiastical landlords. In Šusta's account, the continuity of polyptychs into the Middle Ages was due to the (wholly imaginary) usurpations of latifundiaris, who appropriated the *publici libri* for the purposes of their private administrations.¹⁵⁵ Here again, though the evidence is not so clear-cut as in the case of payments, we are better advised to seek in the Roman period for the transformations in question, rather than to assume a change brought about by the incapacity of barbarian kings.

Perhaps the most significant evidence on this subject is supplied by the reading of a law of 400 given by the *Interpretatio*. Where the original phraseology is "quando insertae securitates ratiociniis publicis continentur," the *Interpretatio* says, "si securitates ratiociniis publicis vel in polyptychis exactorum continentur."¹⁵⁶ The reference to "the polyptychs of the collectors" was added in order to supply an expression that was better suited to current circumstances than *ratiocinia publica*. The books in question were the ones where receipts were registered; in the eyes of the *Interpretatio*, these were normally in the hands of the *exactores*, the men most immediately responsible for tax collection. Justinian portrayed *demosiai apographai* as having been in the possession of "custodians" (*phylakes*), a non-technical term that might refer as readily to a landowner's agent as to a

¹⁵¹ As above n. 125. The phrase *delegatio solita* in 385 *CJ* I. 55. 4 is also interesting.

¹⁵² *Ist.* to *CTh* 11. 3. 5. That the invariable meaning of *capitatio* is "tax liability" will be shown in my study "Caput and Colonate" (above n. 12).

¹⁵³ *Variae* 7. 45 (above n. 138).

¹⁵⁴ Further research is needed in order to establish what this change entailed. A scheme by which a fixed tax charge is set upon land is less advantageous to the government than one by which property assessment serves simply as the yardstick for the apportionment of levies that may vary from year to year.

¹⁵⁵ Šusta, "Zur Geschichte," pp. 8-9, 12. Redlich, *Privatorkunden*, pp. 12-13, and Perrin, *Recherches*, pp. 393-4, agreed with him in locating upon private estates (*fundi excepti*, they said, in a phrase that is alien to late Roman sources) the development that would be significant for the Middle Ages. This settled the problem before it was even raised.

¹⁵⁶ *Ist.* to *CTh* 11. 26. 2. On the date and nature of the *Interpretatio*, see Jean Gaudemet, *Institutions de l'Antiquité* (Paris, 1967), pp. 748-50; the interpreters introduced "des solutions qui répondent à la pratique occidentale du Vè siècle."

public official.¹⁵⁷ In the first years of the seventh century, the rector of the Appian patrimony of the Roman church was ordered "to delete and remove from his letters (*breves*)" the estate complex previously described and "to hand over the whole of it to the title (*nomen*) of the aforesaid church of Blessed Paul the Apostle."¹⁵⁸ Another letter of Gregory the Great suggests that these "briefs" were the estate records — *polyptica exactorum* — for which each administrator was personally responsible. The *defensor Romanus* had delayed carrying out a donation that Gregory had ordered him to make, on the grounds "that the *notitia* of the same donation had not been deleted *de pollyptychis*"; Gregory rejected the excuse "since the *pagina* of our command [i.e., a previous letter] could amply suffice for your defense."¹⁵⁹ The *pollyptycha* in question were the accounts Romanus was personally responsible for; he claimed that, as long as the donated property was "on his books," he could not carry out the pope's order to transfer it to another owner.

As recent research has shown, it is erroneous to suppose that the categories of "public" and "private" remained neatly distinguished in the later Roman Empire until Merovingian crudity broke them down.¹⁶⁰ The earliest Italian papyrus we have contains the record of the accounting made in 445 or 446 to the *praepositus saeri cubiculi* Laurentius by his personal estate agent in Sicily, the *tribunus Pyrrhus*. One of the items Pyrrhus had been responsible for consisted of 75 *solidi* "***one titrici sive hordei, quod ante barbarico fisco praestabatur."¹⁶¹ Here, evidently, was a *titulus* of taxation that formerly weighed on one of Laurentius' estates; it had been worth one pound of gold to the government, plus one-twenty-fourth for the collector. In one way or another — no doubt quite legitimately — Laurentius had obtained that this public tax be converted into an item of private rent. A papyrus of 489 relates to a donation by King Odoacer to the *vir inluster* Pierius. Odoacer had "vowed" to confer revenues of 690 *solidi* upon Pierius; he had already given him a Sicilian *massa* paying 450 *sol.* and a Dalmatian island paying 200, and now gave him various properties in Sicily to cover the balance of

¹⁵⁷ As above n. 137.

¹⁵⁸ Greg. Magn., *Regist.* 14. 14 (a. 604), ed. cit., II, 432.

¹⁵⁹ *Ibid.* 9. 199 (a. 599), ed. cit., II, 188; the previous letter is 9. 49 (p. 75).

¹⁶⁰ P. W. A. Immink and H. J. Scheltema, *At the Roots of Medieval Society* (Institutet for sammenlignende Kulturforskning, ser. A, 24; Oslo, 1958), esp. pp. 45-77, 87, 137-51; Immink, "Propriété ou seigneurie? À propos des 'baux perpétuels' des formules d'Angers et de Tours," *Tijdschrift voor Rechtsgeschiedenis*, xxix (1961), 416-31. Both these works address themselves very directly to the problems modern commentators have with these categories in the later Empire. What our studies badly need is a historical manual of late Roman public law; the works on "vulgar" law (e.g., Ernst Levy, *West Roman Vulgar Law: The Law of Property*, Philadelphia, 1951), important though they are, leave one at sea regarding the most important source of legal change, namely governmental regulations.

¹⁶¹ *P. Ital.* 1; the mutilated word ending in *-one* might be *praestatione*, but the available space seems too small and *quod* does not agree. Cf. Hardy, *Large Estates*, pp. 51-3; the papyri from the Apion estates show that what the peasants paid was distinguished on collection as tax or rent, but that actual payment of taxes to the state proceeded from the central estate bureaux. This was not a "private" abuse but normal practice. Under the circumstances, there need not have been any correspondence between peasant "tax" payments and actual state income.

40 *sol.* in annual revenues.¹⁶² Although these lands might be supposed to come from the ex-imperial, now royal *patrimonium*, it is difficult to see how the revenues in question, when on the state's books, had differed from receipts of taxation.¹⁶³ To be sure, when the agents of Pierius took possession of the royal gift, they declared to the magistrates of Syracuse that they were ready to make annual payment of the *fiscalia competentia* for these lands; but we have no assurance that any such payments were called for by the municipality. The declaration, which also entailed "the deletion of the former *dominium* from the *polyptica publica* and the insertion of our *dominium*," may well have been the formality necessary to entitle the new owner to assume the role of public collector of taxation (*exactor*) vis à vis the cultivators of his land.¹⁶⁴ In any event, the statement of "readiness to pay *fiscalia competentia*" had disappeared from the formulary by 540.¹⁶⁵

Although a number of authors have spoken weightily about large landownership in the late Roman state,¹⁶⁶ hardly any subject continues to be more obscure in its practical details. A few passages in Procopius' *Gothic Wars* allow us to glimpse an Italian countryside where title to revenues was shared between the monarch, on whose behalf taxes were collected, and a handful of proprietors — few enough to be all detained in the king's company — who were in receipt of rents. When the monarch chose, the total revenue fell into his hands; the tax collectors were capable of cleanly intercepting the landlords' rents.¹⁶⁷ Moreover, when pressed to do so by the king, the landlords were able, merely by sending word, to divest themselves of their lands in favor of the tenants.¹⁶⁸ The situation Procopius outlines is characterized by extreme absenteeism on the part of the owners, by the liquidity of their revenues, and by the apparent independence of the tenants, who could be transformed into owners at a nod. For all practical purposes, there was only a single flow of revenue from the lands in question:

¹⁶² *P. Ital.* 10-11.

¹⁶³ On the *patrimonium*, Stein, *Bas-Empire*, II, 51-2, 206, whose distinction between imperial and state revenues deserves to be questioned. As a department of domainial administration, the *patrimonium* came into existence more or less simultaneously in West and East during the last years of the fifth century, and (as appears from the *Variae*) was a much more vigorous and responsive branch than the old *res privata*. On the public use of domainial receipts, 431 *CTH* II. 1. 36.

¹⁶⁴ The transfer of tax liability simultaneously with ownership was prescribed by 391 *CTH* II. 3. 5 (itself a remarkably belated amplification of Constantine's law on land sales, *Fragm. Vatic.* 35, in *FIRA* II, 469-71). Owing to the obligatory character of the formulary, it cannot be inferred that the proprietor was necessarily taxed, especially when one knows that the royal *patrimonium* was the former owner; cf. *Var.* 8. 23, also a gift from the *patrimonium*.

¹⁶⁵ *P. Dipl.* 115-16 (a. 540). A striking trait in the formulary of the post-Reconquest sales is the declaration that the properties are "liberas iulivatas ab omni nexu fisci populi privati ut et ab aere alieno ceterisque honoribus sed et a titulo dotali aut tutelario nomine alienas" (*P. Dipl.* 118; also 114, 120-3). Does the fiscal part of this declaration mean that the lands are tax free? Cf. *Var.* 8. 25.

¹⁶⁶ For a recent example of what is generally said, see A. H. M. Jones, "Rome," in *Third International Conference of Economic History, Munich 1965* (Paris, 1969), pp. 100-1; cf. Max Weber, *op. cit.* (n. 118), who said much the same.

¹⁶⁷ Procopius, *Wars* (Loeb edition) 7. 6. 5-7, 7. 13. 1.

¹⁶⁸ *Ibid.* 7. 22. 20-21, cf. 7. 18. 20-23. These proceedings were reversed by Justinian's Pragmatic Sanction of 554, c. 2 (ed. cit. [n. 27], p. 799), entitling owners to recover their properties and *coloni*.

under normal circumstances, the landlords and the government shared it between themselves; extraordinarily, the government kept it all.

The testimony of Procopius is incompatible with the modern view according to which great private landowners in the late Roman Empire turned their backs upon the state and prospered in their egoistic, fortified *latifundia*. On the contrary, Procopius makes it evident that, in sixth-century Italy, the revenues of great men were so intimately bound up with those of the state that, at the blink of an eye, the state could swallow them whole. Far from there having been antagonism between large landowners and the later Roman state, the two went hand in hand. One may even venture that this was so because such ownership had long ceased to be "private" in any sense that classical Roman law would have recognized.¹⁶⁹ A church, a *vir inluster*, or any other large landowner was, in all likelihood, a public institution, whose support by the proceeds of taxation was endorsed by the state as a sacred obligation.¹⁷⁰

In such a perspective, the question how "public" tax rolls turned into the records of "private" estates becomes a comparatively minor part of the broader problem of the transformations undergone by ownership and rents in the late Roman state, under the pressure of tax legislation. That this problem relates to the Roman Empire, and not to the barbarian kingdoms, is beyond doubt. The evidence on polyptychs, though scant, amply proves the point. The earliest "private" polyptych we hear of — admittedly from a ninth-century source — is a register of the patrimonies and estates of the Roman church that was associated with the name of Pope Gelasius (492–6) and utilized by Gregory the Great.¹⁷¹ More important than this is the preserved fragment of a polyptych of the church of Ravenna (*P. Ital.* 3), which deserves close scrutiny.¹⁷²

¹⁶⁹ Cf. Hardy, *Large Estates*, pp. 67–71, discussing "private" prisons in sixth-century Egypt. He regarded the abundant evidence for their existence as odd in view of the laws forbidding them; the laws would seem to have been easily flouted. Another view of the matter might recognize that we have no clear idea of what the legislator meant by "private." As a result, the papyri need not testify to violations of the law; they would simply document prisons that were "public," no matter how "private" they look to us. The same reasoning might be applied to the contrast between law and practice in the matter of *bucellarii*.

¹⁷⁰ In a case he would lose Symmachus pleaded (*Relatio* 16. 19): "Semel . . . delata compendia desinunt esse tributium, et quod a principio beneficium fuit, usu atque aetate fit debitum." A century later this doctrine was officially endorsed by Theodoric: (*Variae* 3.39) "praestante tempore municipalia sit pro lege," and (4.20) "illud conscientiae nostrae reponitur, quod de fisco sub antiqua solemnitate praestetur." Also, compare 468 *N Anth* 3 with 326 *CTh* 10. 8. 3. In a setting where landowners (above nn. 161–2) and churches (above n. 20) directly benefited from tax proceeds, such utterances acquire special significance. See also Immink, *At the Roots*, pp. 54–7, 66–77, and "Propriété ou seigneurie," pp. 424–9.

¹⁷¹ Joann. Diac., *V. Greg. Magn.* 2.24, "cunctorum patrimoniorum praediorumque reditus ex Gelasiano polyptycho, cuius nimirum studiosissimus videbatur pedissequus, adaeavit" (*Pat. Lat.* LXXV, 96–7). This ninth-century text is the only evidence we have on the Gelasian polyptych; as was seen (n. 132), another polyptych handled by Gregory was of a different kind. A letter of Gelasius using the language of tax inspections, and reminiscent of Gregory's letters about domainial administration, was published by Paul Ewald, "Die Papstbriefen der Britischen Sammlung," *Neues Archiv*, v (1880), 510 n. 2.

¹⁷² *P. Ital.* 3 = *P. Dipl.* 137.

The papyrus in question has no indications of provenance or date; but all the Italian papyri descend from the church of Ravenna, and the document has been dated to the mid-sixth century on palaeographic grounds. Tjäder plausibly suggested that, "like the foregoing P. 2 and the following P. 4–5 it has to do with the reorganization of the church's properties after the Gothic War."¹⁷³ The document is not a "polyptych" in one respect: the fragment comes not from a codex, but from a roll, horizontally disposed, with the ends at right angles to the ends of writing. Another formal trait is of exceptional interest. The last line of the text, which extends across the roll and states the total of dues owed by the lands earlier listed ("hens 888, chickens 266, eggs 8880, etc.") is written in the "lengthened" script characteristically used for the final lines of extracts from *gesta municipalia*, whereas the body of the text has little in common with the script of the *gesta*.¹⁷⁴ The fragment is such that we cannot be completely sure that any entry is complete in itself. The text begins with a list of dues lacking the names of the properties and the peasants responsible from them; for example, "praestat solidos numero GII [= 8], siliquis GII, in xeniis lardi pondo CLX, anseres II, gallinas XG [= 16], ova CLX, per ebdomada operas III." The second main portion is introduced by the words, "In the territory of Padua"; it names a number of places, mostly called *colonia*, and the men responsible for them (for example, "Colonia Valeriaea per Quintulum et Sabinionem"); and goes on to an inventory of payments owed in money and produce, similar to the first. The second set of entries, however, does not mention labor service, either because the final column is lost or because none was exacted — we cannot tell.¹⁷⁵

Almost every problem of seigneurial origins is encountered in *P. Ital.* 3, a document that unquestionably stems from a "Roman" rather than a "barbarian" land. The short list of properties "in the territory of Padua" excludes the possibility that the papyrus shares with the inscriptions from Asiana the trait of being a municipal record; this is a partial register, most likely a "private" one. On the other hand, the final line in *gesta*-script imparts to it an official flavor; Tjäder calls the papyrus "möglicherweise zu einem Gestaprotokoll gehörend."¹⁷⁶ The contents, which omit details about the consistency of the *coloniae* and insist rather upon the payments owed, are very suggestive of the *polyptica exactorum* mentioned in the *Interpretatio* to *CTh.* 11. 26. 2.¹⁷⁷ This line of reasoning leads to the conclusion that *P. Ital.* 3 was some sort of extract from *publici libri*, officially delivered to the agents of the church of Ravenna to assist the church's collection from its tenants. If, as has been suggested, the state regarded the revenues of landlords as being as "solemn" an obligation as the taxes owed to itself, such a measure of cooperation between "public" and "private" agencies would have

¹⁷³ Tjäder, *Nichtlit. Pap.*, i, 185. On the provenance of the papyri, i, 18–23.

¹⁷⁴ *Ibid.*, pp. 185, 124–6.

¹⁷⁵ In his attempt to fill the gaps of this text, Guérard, *Polyp. Irminon*, i, 921, proceeded somewhat freely. E.g., he suggested that (on the model of Irmino) the first line should read "[Brevis de] territorio Patavino," but Marini's facsimile shows that "Brevis de" cannot be added unless one assumes that an upper line has been cut away.

¹⁷⁶ *Nichtlit. Pap.*, i, 184.

¹⁷⁷ Above at nn. 156–9.

been entirely normal. In effect, all revenues that flowed upward from the land would have been "public"; the distinction between tax and rent, which we take seriously but their vocabulary ignored,¹⁷⁸ would have depended only upon the identity of the recipient.

Two further points arise from *P. Ital.* 3: first, the listing of labor services and its implication for the structure of estates; secondly, the large place accorded to payments in money. Current historians rightly stress the importance of the question when landlords began to develop their demesnes, the *mansus indomiticatus* of the Carolingian polyptychs; they reject the unproved assumption of Fustel de Coulanges and others that Roman estate structures were identical to those of bi-partite Carolingian seigneuries where demesne cultivation was carried out by the labor service of the dependent tenants holding *mansu*.¹⁷⁹ It is worth emphasizing that *P. Ital.* 3, Roman though it is, nevertheless belongs to the sixth century; the conditions it portrays cannot be projected into the fourth-century past. On the other hand, the document unquestionably testifies that several *coloniae*, or their cultivators, owed labor service every week, some of it at the high (slave's) rate of three days.¹⁸⁰ If that service was to profit the landlord, it had to be performed somewhere. The same fragment, moreover, contains the words *in domnico* in a mutilated context. Tjäder interpreted "to the fisc," that is, the government;¹⁸¹ this is a possible reading, perhaps the preferable one, but the alternative that *domnico* refers to the landlord cannot be summarily excluded.

While labor service anticipates the dues of Carolingian seigneuries, the large place accorded to money rents in *P. Ital.* 3 — an average of more than four *solidi* each for eighteen tenancies (excluding fractions of *solidi*) — is indicative of the Italian conditions earlier inferred from Procopius, namely the liquidity of revenues. The geese, hens, bacon, and so forth, numerous as they are, are uniformly listed as *zenia*, "gifts." The ninth-century biographer of Gregory the Great tells us what the pope did with this produce as it came in: he gave it away to the poor.¹⁸² What is more, the same author suggests that Gregory made an effort to

¹⁷⁸ The confusion extended particularly to such terms as *pensio*, *census*, *reditus*, which indifferently applied to private and public contexts; *tributum* might also be used for private revenue. For a parallel situation, see W. C. Neale, "Reciprocity and Redistribution in the Indian Village," in K. Polanyi et al., ed., *Trade and Market in the Early Empires* (Glencoe, Ill., 1957), pp. 291-2, discussing the perplexity of British administrators in attempting to impose a firm distinction between rent and tax. One might argue from 529 *CJ* 11. 48. 20 that the categories were well differentiated, but that would avoid the problem.

¹⁷⁹ Ganshof, "Quelques aspects," pp. 73-91; Verhulst, "Genèse," pp. 140, 144-7. For Fustel's assumption, above n. 118. Fossier, *La terre et les hommes en Picardie*, 1, 137, illustrates the persistence of the view that the second-century estates documented by the famous African inscriptions (*FIRA* 1, 484-98) had bi-partite structures. It has long been pointed out that the trivial amount of labor service demanded of African tenants excludes the idea of their having participated in demesne cultivation; failing this, there is no clear basis for inferring a bi-partite structure.

¹⁸⁰ For three days as the slave's rate, *Lex Baiuvar.* 1, 13 (below n. 200) and the St. Germain polyptych.

¹⁸¹ *Nichtlit. Pap.*, 1, 187 line 10.

¹⁸² Ioann. Diacon. *V. Greg. Magni*, 2.26: the more delicate commodities entering the church's storehouses went to the widows of hardy Celtic warriors. So PL 104 in the action preference for money

commute to cash the revenues of all the Roman establishments he was responsible for: "cunctorum patrimoniorum praediorumque reditus ex Gelasiano polyptycho . . . adaverit."¹⁸³ It is difficult to see a common measure between practices of this kind and the structure of Carolingian estate management. The transformation that must be conjectured between the form of management portrayed by the Italian sources and that attested by the Frankish polyptychs consists in a commutation from rents in money to rents in kind, that is, one that operated in a direction wholly opposite to that of Gregory the Great. But the problem has a more profound dimension that can only be suggested here. Italian estates, whether answering to the government or to other landlords, were overlaid by a complex structure of leases, in which tenants holding on favorable terms, contractors (*conductores*) posting bond for cash rents, and still other intermediaries stood between the landlord and the peasants actually cultivating the ground.¹⁸⁴ Complexities of this kind can even be documented in Poitou in the early eighth century.¹⁸⁵ Between landlords demanding money rents and the produce that the land will yield, an element of marketing has to exist that Carolingian seigneuries almost completely avoided. In a manner that remains to be discovered, the chain of intermediaries interposed between the landlord and his cultivators appears to have been the principal "market" by which the labor of thousands of cultivators, often located hundreds of miles away from masters they never saw, was turned into gold in the landlord's chests.¹⁸⁶

¹⁸³ As above n. 171. Gregory's contemporary, the emperor Maurice, apparently commuted Egyptian wheat for gold: Johnson and West, *Byzantine Egypt*, p. 238 (on the basis of John of Nikiu). The tendency toward commutation to gold, which is strongly marked from the fourth century onward, is usually represented with satisfaction by modern authors as a salutary return to normality (e.g., Jones in *Third Int. Conf.*, p. 104). Its economic consequences deserve to be studied without such preconceptions.

¹⁸⁴ See Mommsen, "Bewirtschaftung" (above n. 81); A. H. M. Jones, "Church Finance in the Fifth and Sixth Centuries," *Journal of Theological Studies*, N.S. XI (1960), 84-94. Additional evidence occurs in *Variae* 2. 24-5, 5. 31, 39. 6; Justinian's legislation, especially on church property; the *Codez Bavarus*, ed. M. Fantuzzi, *Monumenti Ravennati*, 1 (Venice, 1801), 1-84; and elsewhere. The main problem of interpretation resides in the confusion of public and private legal themes, as well as the imprecision of terminology (e.g., who was a *possessor*?).

¹⁸⁵ An astonishing *epistola cautionis* of 721, in *Actus pont. Cenom.* (above n. 68), pp. 240-1. It shows that the *pagenses* of Ardin had eight *conductores* above them, who were themselves the *imiores* of the bishopric's agent for that vill and answered (directly, it seems) to the episcopal *vicedominus*; the *conductores* owed unequal shares of a total payment of 400 *sol.*, representing the annual *inferenda* (a, or the, tax) of Ardin granted by Childeric II to Le Mans (cf. a charter of 669 in *Actus*, pp. 219-20). The charter further suggests — though the point is not clear — that the church of Le Mans held individual *breves* indicating the *servicium* of each tribute-paying *pagensis*. The commentary of these charters by F. Lot, "Un grand domaine à l'époque franque: Ardin en Poitou," *Cinquanteaire de l'École pratique des Hautes-études*, BEHE, fasc. 231 (Paris, 1922), pp. 118-25, is not exhaustive.

¹⁸⁶ It was presumably the task of the *conductores* of Ardin (n. 185) to convert the *servicium* of the *pagenses* of Ardin into a money payment to Le Mans cathedral. Note also Greg. Turon., *Hist.* 7. 28, where public officials avail themselves of a money lender in order to cover their payments to the king, and 8. 26, in which Waroc the Breton asks to farm the *tributa* of Vannes "nullo admonente" (a phrase from tax terminology that needs interpretation). With its warrants for gold (*delegatoria*, above n. 40) and official schedules stating gold equivalences for commodities with a view to *coemptio* (*Variae* 1. 3. 22), Italy offered considerable scope for the existence of "paper" gold in the form of tax debts and credits. The role of *negotiatores* in the tax machinery deserves special attention (*Edict.*

These observations lead to the most delicate, and possibly the most important, contrast between Carolingian polyptychs and the earlier texts that have just been discussed, which retain a close relationship to Roman taxation. While the latter, regardless of whether their provenance is governmental or "private," have a distinctly administrative character, the Carolingian polyptychs are unmistakably agrarian; though drafted by and for ecclesiastical landowners, they have an intimate and obvious relationship to practical agriculture. One recalls the justly famous passage from Charles the Bald's Edict of Pitres (864) in which peasants were told that they had to cart marl whether they wanted to or not, because the obligation was contained in the polyptychs.¹⁸⁷ How different this is from the Roman records! The *professiones* described by Ulpian and surviving in the Asian inscriptions; the *polyptyca* referred to by Vegetius and the laws; the Gelasian polyptych of the Roman church; the ones ordered to be drafted in Savia by Theodorik; *P. Ital.* 3; the *libri descriptionum* drawn up for King Chilperic; and the *poleptica* mentioned by Marculf's Formulary and the *Leges Visigothorum*:¹⁸⁸ all these might serve to establish ownership, liability to public charges, and ultimately the actual payment of taxes or rents. But they were not the records of a landlord directly interested in regularizing the labor of his men and, possibly, improving the cultivation of his lands. The contrast, therefore, between the Roman and the later Frankish records is not one of diplomacy or even of law. The formal elements of Frankish polyptychs have Roman sources;¹⁸⁹ the inclusion of payments in census records, and the possession of "public" registers by "private" landlords, were thresholds that had been crossed before the barbarian epoch. The change in which the birth of the seigneurie may lie consists in the contrast between a landlord like Gregory the Great, whose commutations increased the distance between himself and his peasants, and one like his near-contemporary, Bishop Sonnatius of Reims, who directly "organized the *coloniae* of certain villas of the bishopric, by establishing their services."¹⁹⁰

After a long detour, we have returned to the extracts from Flodoard with which we began. What has been attempted up to now has been to set these extracts in the context of the history of polyptychs. An equally relevant context is the history of the seigneurie, a subject that recent historians have treated very differently from Fustel de Coulanges and those depending upon him. Their object, in the words of Verhulst, is to establish that "the 'classic' domainial regime [that is, the one documented by the Carolingian polyptychs] . . . was only the momentary end-point of an essentially mediaeval evolution,"¹⁹¹ and not the continuation

Theod. 149; *Variae* 2, 26, 30, 38, 5, 35; *Just., Sanct. Pragm.* 18, 26). We are still far from making sense of this evidence, which puts in question how, in effect, the sixth-century economy worked.

¹⁸⁷ *Capit. Pist.* 29, in *MGH, Capit.* II, 323.

¹⁸⁸ Respectively, above nn. 148; 123-6, 128, 134-5; 171; 133; 172-81; 50 and 141; 139-40. The list is in chronological order.

¹⁸⁹ Taylor, "Note on the Origins" (above n. 146), denied this, but he was comparing fourth-century documents with ninth-century ones; cf. Perrin, *Recherches*, p. 593, n. 6.

¹⁹⁰ As above n. 119.

¹⁹¹ "Genèse," p. 138.

of age-old, or at least Roman, practices of large landownership. Consequently, they have stressed that the word *mansus* in the sense of a dependent tenure is first attested towards the middle of the seventh century;¹⁹² that the seigneurial dues specified by ninth-century records can be directly related to Merovingian laws, preserved in *Lex Baiuvariorum*, that prescribed the obligations in tribute and labor service owed by royal and ecclesiastical *coloni* and slaves;¹⁹³ and finally that when the geographical zone where the "classic" Frankish seigneurie flourished is distinguished from zones where other types prevailed, the former is found to coincide with the territories most intimately associated with the Frankish kings.¹⁹⁴ In short, the conclusion whose contours are beginning to emerge is that the seigneurie was governmental in origin and that it constituted a Merovingian adaptation of Roman fiscality.¹⁹⁵

Although it is premature to consider this conclusion as being securely established, one cannot help observing that it supplies a highly suitable setting for the interpretation of our passages from Flodoard. For what these passages imply is that the "ordaining" of an estate was not a passive registry of the *status quo* but a positive reorganization, the sort of moment when, on a given vill, diversity and incoherence in the size of peasant tenures and in the amount of their services were superseded by roughly uniform *coloniae* (or *mansi*) owing uniform services and dues.¹⁹⁶ However the vill had been managed until then, the *ordinatio* to which it was subjected provided it with the structures that we associate with the rural seigneurie.

If we are to understand why the bishops of Reims reorganized only a few of their villas at a time, and why they set about doing so in the early seventh century, we should begin by realizing that the properties owned by a bishopric were a variable mass. The rule against the alienation of church property was well established, but it was not so construed as to exclude transfers from one church complex to another within a bishopric.¹⁹⁷ Moreover, the patrimony was continually increasing from gifts, bequests, and purchases; and the normal circumstances of life guaranteed that, at any given time, a church's title to a certain proportion of

¹⁹² Ganshof, "Quelques aspects," pp. 82-5. I do not know why the occurrence of the term in *Form. Arvern.* 6, ed. Zeumer, p. 31, is not mentioned; this is the oldest of the formularies, dated to the mid-sixth century by Franz Beyerle, "Die süddeutschen Leges und die merowingische Gesetzgebung (Volksrechtliche Studien, II)," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germ. Abt.* XLIX (1920), pp. 397-8.

¹⁹³ Below nn. 200-1.

¹⁹⁴ Verhulst, "Genèse," pp. 149-60.

¹⁹⁵ This is also the argument of Alexander Bergengruen, *Adel und Grundherrschaft im Merowingerreich* (Wiesbaden, 1958), esp. pp. 86-101, against the weakly supported thesis of continuity from Roman to Frankish fisc stated, e.g., by H. Pirenne, "Le fisc royal de Tournai," *Mélanges . . . F. Lot*, pp. 641-8.

¹⁹⁶ The question how these uniformities originated is a good one (above n. 24). The extent to which they remain visible in the ninth-century polyptychs is a strong point against a direct descent from Roman registry.

¹⁹⁷ Inalienability, J. Gaudemet, *L'Église dans l'Empire romain* (Paris, n.d.), pp. 302, 308-11; C. de Clercq, *La Législation religieuse franque*, I (Louvain-Paris, 1930), pp. 29, 34, 60, 64. Transfers of cathedral property to new foundations: *Actus pont. Cenom.*, pp. 84-8 (a. 571, 581) 105-6 (a. 616).

its lands would be in dispute.¹⁹⁸ Consequently, the vills securely in a bishopric's possession constituted only a part of its whole property. Ever since the closing decades of the sixth century, the Frankish kings had taken to granting churches privileges of immunity, surrendering to them all royal profits from their lands and excluding royal officials from their confines. The church of Reims had benefited from a privilege of this sort in the pontificate of Egidius (deposed 590).¹⁹⁹ Moreover, at a time we can only guess at, the Merovingians issued one or more laws prescribing the services of royal and ecclesiastical peasants in elaborate and circumstantial detail.²⁰⁰ These royal laws were, quite simply, permanent *delegationes*, the lineal descendants of the annual *delegatio* issued long ago by the Roman emperors, as adjusted in form to the needs of the world of tributary subjects that had superseded the Empire of tributary cities.²⁰¹ The one example of such a

¹⁹⁸ Flodoard, *Hist.* 2. 3, 2, 4-7, 10, continually documents purchases, gifts, and exchanges. We simultaneously hear of *evindiciones*, successfully ending lawsuits (2. 4-6, 10). Naturally, not all such decisions could have gone in the church's favor, but failures rarely left traces in the archives.

¹⁹⁹ Although Frankish immunity is not a neglected subject (for a recent *mise au point*, Ganshof, as above n. 112), its beginnings and its relations to Roman practices deserve reconsideration, especially in the light of Cassiod., *Variae* 1. 26, 2. 30, 4. 26, 7. 45, 10. 26 (also 4. 14, cf. 5. 14. 6). The current view that church lands were taxed in Roman (or Byzantine) lands requires qualification; too little account has been taken of the fact that, even when churches enjoyed extensive tax exemption, the continued inflow of tax-burdened property by gift and bequest had the result of keeping them involved in taxpaying. The Merovingian privileges, though meant *inter alia* to obviate this disadvantage, still needed surveillance (e.g. Desiderius of Cahors, *Epist.* 2. 17, in *Corp. Christ.*, ser. Lat., cxvii, 331).

²⁰⁰ The only surviving traces of these ordinances are in *Lex Baiuvariorum* 1, 13 and (considerably altered) *Lex Alamannorum* 21-2 (22-3), on whose derivation see Beyerle, "Süddeutschen Leges," pp. 318-19, 426-32, developing Brunner's ideas. For a Carolingian text illustrating the same practice, i.e., royal enactment of peasant services, see *Capitulum in pago Cenomannico datum* (a. 800), in MGH, *Capit.*, 1, 81-2. Boutruche, *Seigneurie et féodalité*, 1, 97-8, stated that these edicts "ont imposé aux mannes des charges variables"; they are in fact addressed to persons (*condomae* without being so called), and not to *mansæ*.

The valuable accounts of Felix Dahn, "Zum merowingische Finanzrecht," *Germanistische Abhandlungen* . . . Konrad von Maurer (Göttingen, 1893), pp. 363-4, and G. Waitz, *Deutsche Verfassungsgeschichte*, 11, part 2, 2nd ed. (Berlin, 1882), pp. 279-82 stressed that the *agraria* and *pascuaría* (mentioned in *Chlotharii II Praeceptio* 11, in MGH, *Capit.*, 1, 19) were charges of a private character, quite distinct from land taxes. This would take the rules of *LBaiuu.* out of the tax category, since what they begin by prescribing is precisely *agrarium* and *pascuarium*; cf. Greg. Turon., *Vit. s. Iuliani* 17. They had the impression that accepting these as taxes would imply that the kings had title to the land (*Bodenregal*), something they strongly denied. Provided the personal character of taxation is recognized, no such consequences need follow. Cf. *Var.* 5. 14. 6, which is relevant.

²⁰¹ To my knowledge, the identification of these laws with *delegationes* has not been made hitherto. Unfortunately, we have no direct evidence on the appearance of imperial *delegationes*, on which, in general, J. Karayannopoulos, *Das Finanzwesen des frühbyzantinischen Staat* (Munich, 1958), pp. 87-90. The transition from annually changing *delegationes* (above n. 148) to largely permanent ones is presupposed by the practice of permanent tax charges on land (above at nn. 150-54).

Perrin, *Recherches*, p. 594 n. 1, concluded that mediaeval polyptychs originated from the combination of two previously distinct documents, the Roman cadaster (above n. 121) and the *lex saltus*, or custom of the estate. This suggestion encounters two objections. *Lex saltus* alludes to the famous African inscriptions (above n. 179), which are of too early a date to be relevant. Secondly, the listing of dues and services in polyptychs need not have joined the census declaration in a single step. Step one was

Frankish ordinance that we possess can be related backward to laws of 382 and 390, as well as forward to the polyptych of Prüm.²⁰² When taken together, these various elements did not have to result in the bi-partite Carolingian seigneurie. The essential thing is that, occasionally, they could and did. Armed with security of ownership, a privilege of immunity, and the sanction of a permanent *delegatio*, Bishop Sonnatius and his successors set out to organize the vills of their bishopric and to record the results.

It is not as though something so rudimentary had been involved as the settlement of peasants on family plots. Discussions of the *mansus* often invoke the Germanic practice described by Tacitus as though it were a pre-mediaeval example of such holdings: "Slaves in general are not allotted, as we allot them, to special duties in the establishment. Each has control of his own house and home."²⁰³ This German preference for housing slaves would be one of the distant anticipations of the *mansus* as a "single-family farm."²⁰⁴ The curious thing is that Tacitus' sentences can be related to the *mansus* in the entirely opposite way, provided the *mansus* is envisaged from the standpoint of the landlord rather than from that of the tenant, as a form of seigneurial management rather than of peasant settlement. Tacitus wrote: "Ceteris servis non in nostrum morem, descriptis per familiam ministeriis, utuntur." The precise implications of this for Roman management in Tacitus' day need not detain us.²⁰⁵ For our purposes, the essential is that *ministerium* is a close relative of the word *servitium* in its mediaeval acception.²⁰⁶ We read in Flodoard that Rigobert of Reims organized quite a few vills of the bishopric by regulating its *coloniae* and *servitia*: "Nonnullas etiam episcopi villas, descriptis earum coloniis servitiisque, rite disposuit."²⁰⁷ Tacitus' phrase was *ministeria per familiam describere*. The eighth-century bishop might well have said that this was precisely what he had done to the episcopal estates; he had organized the *familia* of his church along Roman lines.

the appearance of tax payments in the declaration (already done in the fifth century), while step two was the transformation of these taxes into something resembling what we encounter in the Frankish texts. Perrin, who was not primarily interested in this subject, generally went too far with Šusta in emphasizing developments in "private" estates. On the other hand, his work is indispensable for several aspects not touched upon here, such as the inquests on which polyptychs were based.

²⁰² See *CTh* 11. 16. 15 and 18, whose list of *munera sordida* appears to be closely related to the *delegatio*; three of the *munera* appear in the extract from *LBaiuu.* For *legatis atque allectis sumptus*, cf. *Collectio Sangallensis* 34-5, ed. Zeumer, pp. 418-19; for *pontium vel viarum constructio*, cf. MGH, *Dipl. Karol.*, 1, 132, no. 92 (a. 775). The principal item in the extract not accounted for by Roman regulations consists of *andengas legitimas*, on which see Ch. E. Perrin, "De la condition des terres dites *ancingae*," *Mélanges* . . . F. Lot, pp. 619-40, who, however, did not speculate on its origins. For relations with the polyptych of Prüm, W. Metz, "Die hofrechtlichen Bestimmungen der *Lex Baiuvariorum* 1, 13 und die fränkische Reichsgutverwaltung," *Deutsches Archiv*, xii (1956), 187-96.

²⁰³ *Germania* 25, tr. Harold Mattingly (Penguin, 1948), p. 121.

²⁰⁴ Herlihy, "Carol. *Mansus*," p. 85 with n. 4.

²⁰⁵ On the subject, see K. D. White, *Roman Farming* (Ithaca, N. Y., 1970), pp. 352-6, 403-4; the sense is a division of labor among the slaves, with no idea of housing them on individual plots.

²⁰⁶ Cf. Bloch, *Mé. Hist.*, 1, 333, noting that *servitium* lost its intimate link with slavery. The term *familia* also was less precise in a mediaeval context.

²⁰⁷ As above n. 113. The remarks of Perrin, *Recherches*, p. 605 with n. 3, on the term *descriptio* leave out of account its long past in the vocabulary of taxation.

The important point here is not ideological; it hardly mattered whether the action was "Roman" or something else. The utility of Tacitus lies in reminding us that housed slaves cultivating their own plots — *mansī* in the guise of single-family farms — are a quite primitive form of management. The "classic" Frankish seigneurie, with its organic bond between tenures and demesne, was far from primitive. It was an act of creative adaptation within a countryside whose economic life continued to be pervaded by Roman tax law. That law burdened the peasant households with their obligations; it entitled the church to a share of their work; and it supplied the documentary forms for systematic inventory and enrolment. What was done with these inherited assets was not predetermined. One might simplify the relationship by long-term lease and commutation, accepting a loss of gross revenue provided the returns in gold were increased, as was the practice on the Mediterranean shores. Whether from necessity or by choice, those who drew up the Frankish polyptychs took the course of looking upon themselves as estate managers rather than collectors of treasure.²⁰⁸ They drew nearer to their peasants, proportioned the size of the *coloniae* which the slaves and tributaries held to that of the *servitia* they owed, and not only maintained the dues in kind but also provided for the productive use of labor services. The structure they created in this way set a pattern for the future. With Flodoard in hand, we may be entitled to conclude that this synthesis was first achieved in the opening quarter of the seventh century.

* * *

Whether or not future research will confirm the suggestion just made about the birth of the "classic" seigneurie is not a matter of vital importance. The interest that these pages have shown in the *mansus* and the seigneurie has been secondary to their concern with a much more obscure subject, namely sixth-century taxation. It has been shown that the *uigum* did not prefigure the *mansus*; rather, its use by Cassiodorus illustrates the wide extent to which persons and institutions directly benefited from tax proceeds. In the word *condoma*, moreover, the government had already coined a term describing its subject households, slave and free; the term could be used when households were a charge upon the state or when they carried out their duties of cultivating the land or performing some other public service. The conclusion appears to follow that peasant households were not taxed on their land; rather, they fulfilled their personal tax obligation to the state by cultivating the soil, if that is what they were called on to do. Finally, it has been seen that sixth-century polyptychs listed charges alongside the names of properties and that, without losing their "public" character, they were available to such landowners as the churches of Rome and Ravenna.

Although these observations bear on the mediaeval future, the area where they

²⁰⁸ For the possibility that necessity was the cause, see Étienne Fournial, *Histoire monétaire de l'Occident médiéval* (Paris, 1970), p. 52: "Ces trouvailles [of the seventh century] administrent la preuve du repli général de l'économie franque. Le commerce à longue distance tend à lui échapper. D'une économie encore ouverte aux échanges, on est passé aux alentours de 650 à une économie régionale de subsistance."

require most of all to be complemented is the sixth century itself. The phenomena that have been encountered allow us to glimpse a countryside where the everyday round of economic life was intimately related to tax law, but what we can see is a trifle by comparison with the remaining shadows. In a similar context, Immink recommended "d'abandonner une fois pour toutes l'habitude d'appliquer les doctrines romanistes aux situations qui ne s'y prêtent apparemment pas."²⁰⁹ This is sensible; in several encounters with the orthodox distinction between "public" and "private" we have had occasion to confirm the wisdom of this view. One cannot long remain content, however, with simply describing individual situations. There was system in the sixth-century countryside and in the laws that largely determined its workings, even though Romanist doctrines are of no help in formulating hypotheses about what that system was. Side by side with research into the operations of sixth-century taxes, continued attempts will have to be made to supply a wider and coherent setting for such findings as those that have just been offered.

ADDITIONAL NOTE

The Composition of the Episcopal History of Reims

In the foregoing pages, Flodoard has been spoken of as the author of the passages of the *History* that interest us. He used archival sources, but the summaries are his work; it was he who had personally consulted the charters. On the whole, this is the currently accepted doctrine, enshrined for a long time already in the critical edition of Heller and Waitz.²¹⁰ It may be correct, but one observation forces this doctrine to be at least questioned.

The eight passages quoted earlier self-evidently reflect a homogeneous manner of summarizing a certain type of document. The paragraphs in which these sentences are embedded have the same homogeneity of style, suggesting identity of authorship. As a result, one cannot help being surprised to discover that one paragraph — one only — is copied word for word from the Life of Bishop St Nivardus by Altman of Hautvilliers.²¹¹ The attribution to Altman of the anonymous *Vita* was made by Sigibert of Gembloux; Altman was a contemporary of Hincmar, who wrote him a letter.²¹² Hence the oddity of Flodoard's *History*: the eight paragraphs are homogeneous, presumably representative of Flodoard's manner of summarizing the archives of Reims, but one of them — wholly indistinguishable in style — flowed verbatim from a hagiography written about a century before him.

²⁰⁹ "Propriété ou seigneurie" (n. 160), p. 419.

²¹⁰ MGH, *Scriptores in folio*, XIII, 406.

²¹¹ Flod., *Hist.* 2. 7, ed. cit., p. 455-6, where the borrowings are indicated by smaller type; they extend to other subjects than summaries of charters. *Vita s. Nivardi* 6, ed. W. Levison, MGH, *Scriptores rerum Merov.*, v, 163-4. Levison simply noted its use by Flodoard (p. 159).

²¹² Sigibert of Gembloux, *De scriptoribus ecclesiasticis* 98, in *Pat. Lat.*, cix, 569. Hincmar's letter to Altman, summarized by Flodoard, *Hist.* 3. 28, ed. cit., p. 552. We cannot be certain that this is the same Altman, but the identification appears highly probable; apparently, Altman "aspirare velle ad beneficia et negocia secularia, quae non convenient eius professioni et salutem."

Such an anomaly as this may be explained in several ways. The stylistic criterion may be an insufficient basis for denying that Flodoard simply copied Altman and elsewhere wrote like him. Yet, in a parallel passage concerning a period closer to Flodoard's lifetime, the sentences used to describe analogous achievements have a different sound.²¹³ Another course is to attack Sigibert's attribution of the *Vita Nivardi* or to suppose that the *Vita* we have is an augmented version into which passages from Flodoard's *History* were interpolated. While such views should not be rejected before examination, they have no immediately compelling force. The final possibility is that Altman and Flodoard used a common source — namely a ninth-century summary of the archives of Reims, or even a first version of the episcopal history of the diocese. If this were true, a completely new theory would have to be devised regarding the composition of Flodoard's *History*. Developing such a theory from internal evidence alone would be an arduous task.

For the purpose of discussing polyptychs, the problem of composition is not a vital matter. The archives of Reims are no less valuable if summarized in the ninth century than in the tenth. The only danger is that a ninth-century summarizer, such as Hincmar or his clerics, might have been less impartial than Flodoard; but, at least in this case, a charge of dishonesty or forgery would have to be laid before it need be considered. Flodoard's *History* is an exceptionally interesting source and well worth further study. The problem of its composition awaits a solution.

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²¹³ *Hist.* 4. 11, ed. cit., p. 576, "Replentur igitur ecclesiae diversa bonis uberrimis tam horrea quam promptuaria, disponuntur cuncta tum rationabiliter, tum misericorditer predia, sed et quaedam reparantur ab eo vel instituntur municipia." Compare the last clause with the sentences quoted at n. 113.

THE GEOMETRICAL KNOWLEDGE OF MEDIAEVAL MASTER MASONS

BY LON R. SHELBY

DURING the past one hundred and fifty years numerous scholars have searched for the geometrical canons which supposedly were used by master masons in the design and construction of mediaeval churches. But in this search for one of the keys to an understanding of mediaeval architecture, these scholars have seldom asked themselves what was the actual character and content of the geometrical knowledge which a mediaeval master mason might have been expected to possess. This paper attempts to answer that question.

The idea that geometry played a fundamental role in the mediaeval masons' craft is by no means the invention of modern scholars; it was a notion commonly held by mediaeval masons themselves. The thirteenth-century French master mason, Villard de Honnecourt, touched on the matter in the "Preface" to his *Sketchbook*: "Villard de Honnecourt greets you and bids all those who work with the devices found in this book to pray for his soul and to remember him. For in this book one will find good advice concerning the proper technique of masonry and the devices of carpentry. You will also find the technique of drawing — the forms — just as the art of geometry requires and teaches it." In another place Villard commented, "Here begins the technique of the forms of drawing, just as the art of geometry teaches them for working more easily. And on other sheets are those of masonry."² Although he does not quite say it, the implication seems to be that "on other sheets will be found the technique of the forms (*li force des traits*) of masonry, likewise as taught by the art of geometry."

An even stronger assertion of the essential role of geometry in the masons' craft was made around 1400 by the unknown author — probably a cleric — who compiled a historical introduction to the "Articles and Points of Masonry" which set forth the customs and regulations pertaining to the masons' craft in England at this time. Although this introduction contains overlays of "clerical" learning,

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¹ H. R. Hahnloser, ed., *Villard de Honnecourt* (Vienna, 1935), p. 11: "Wilar de Honocort v(ou) salue (et) si proie a tos ceus qui de ces engiens ouverront, c'on trovera en cest livre q(u)'il proient por s'arme (et) qu'il lor soviengne de lui. Car en cest livre puet o(n) trover grant conseil de le grant force de maconerie (et) des engiens de carpenterie, (et) si troveres le force de le portraiture, les traies, ensi come li ars de iometrie le (com)ma(n)d(e) (et) ensaigne."

² *Ibid.*, p. 91: "Ci comence li force des traies de portraiture si com li ars de iometrie les ensaigne. por legierem(en)t ouvrier. (et) en l'autre fuel s(un)t cil d(c) le maconerie." What Villard could have meant by the "technique of the forms of masonry as taught by the art of geometry" will become clear, it is hoped, in the course of this paper.