CHURCH AND SLAVERY IN EARLY MEDIEVAL GAUL

By

Lukáš Plevko

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Supervisors: Volker L. Menze, Gyorgy Laszlo Gereby

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Abstract

This thesis offers an analysis of how the early medieval Church in Gaul approached slavery. This is done through a close examination of Frankish bishops and their writings. The focus of this thesis is primarily, between the collapse of the western Roman Empire from the year 476 to the seventh century. This period was chosen because it provides a unique window, through which it is possible to look into the actions of the Frankish Church, which played an important political, secular as well as religious role in this period of Frankish history. During this age, the bishops of Gaul did not only tend to the day-to-day needs of their bishoprics but also advised kings, made policies and influenced the culture as a whole within the Frankish realm. The core of this research is a case study, an examination of the last will and testament of Bertram of Le Mans. Bertram was not only an aristocrat descended from old nobility, with significant estate holdings, but also an active bishop who throughout his life used Church finances to buy enslaved Christians from slave traders and allowed them to live on his estates. This case study serves as an example of the way the Church handled slaves during this period. It also highlights how slave customs have changed and evolved under the influence of the Church. This thesis argues that these writings show the first steps taken towards medieval serfdom within the ecclesiastical realm, which occurred much sooner than generally discussed within the scope of medieval society as a whole.

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Introduction

This thesis examines the way in which the early medieval Church interacted with slavery. The era of interest to this thesis consists of early medieval Frankish society, from the fifth century up to the seventh century. This period was chosen because the role of bishops and bishoprics included both the role of ordinary clergy members with all the duties and perks arising from their ecclesiastical rank as well as regional administrators for the Merovingian kings, often playing a key role in Merovingian court intrigues and formative policies. Frankish society was still in its formative period. However, bishops began to gain prominence well before 476 and were well versed in regional administration, a duty which they performed for the Roman Empire beforehand; therefore they were powerful allies for the Merovingian kings who often depended on their support. Bishops were an obvious choice for administrators, as they had experience and education both in law and theology. That is not to imply that bishops would not play an important role in dynastic politics. Bertram was imprisoned for a period of time during the short reign of Theodebert II as a supporter of Chlotar II. Furthermore, Gregory of Tours tells us about the countless times nobles, princes and kings alike sought sanctuary in the Church of Saint Martin and others, which was rarely violated by their pursuers regardless of their rank. For, according to Gregory, only a fool would dare challenge the power of the saint's protection and the few who dared, paid the highest price. Lewis Thorpe, in his introduction to Gregory's *History of the Franks* even notes, that the tomb of St. Martin made Tours an especially significant place of sanctuary for even such "evil" figures such as Guntram Boso, Merovech, and Eberulf.[1]

[1] Gregory of Tours and Lewis Thorpe, The History of the Franks (Penguin Books, 1986), 12
In the case of Merovech, Gregory refused king Chilperic's demand to release his son from the protection of sanctuary and as a result Chilperic raised an army against Tours and ravaged its countryside. *HF* 267-272

For the Germanic tribes of the Frankish kingdom, Christianity was a relatively new religion, and both the Arian and Nicene branches tried to gain an advantage. In the end, Nicene Christianity was adopted in 496 by the Merovingian king Clovis I, who was later baptized in 508. This set Clovis apart from most Germanic leaders, who adopted Arianism. He was thus able to justify war based on this sectarian split, ultimately leading to his unification of most of Gaul under Nicene Christianity.[2] This then further led to the power of Frankish bishops in court politics as judges and administrators for Merovingian kings, often playing a key role in Merovingian court intrigues and formative policies.

This research is particularly focused on the last will and testament of Bertram of Le Mans.[3] This document was chosen because it well represents the new system, where Bertram was not only born to old nobility but also an active bishop. Over his tenure as bishop, he greatly increased the Bishopric of Le Mans's estates and established it as one of the richest and most influential religious institutions in the region. Equally significant for this thesis is Bertram's handling of captives and slaves. On several occasions, Bertram ransomed captives, saving them from slavery, even at the cost of selling Church property. In his 616 will and testament, Bertram ordered the manumission of many slaves, both *barbarian* and Roman in origin, setting for them a set of duties to be performed in the honor of their former master. In this will and testament, we can find the first steps taken towards medieval serfdom, the system that would gradually replace or at least subsidize slavery for the Middle Ages to come, as well as the Church's contribution to that venture.

[2] That is not to say that Arianism disappeared completely. Arianism features prominently in the writings of Gregory of Tours namely *The history of the Franks*, Gregory is very concerned about it, and its evil influence on the people of Gaul. Gregory of Tours and Lewis Thorpe, The History of the Franks (Penguin Books, 1986)
[3] Margarete Weidemann, *Das Testament Des Bischofs Berthramn von Le Mans Vom 27. Marz 616* (Mainz, 1986).

To better understand the development of Christian theology and critical thought on slavery, this thesis begins by examining Pope Gregory the Great's (540-604) Pastoral care and other writings.[4] Gregory, considered by historians the most influential Pope of the 6th century, is a perfect foundational thinker for the purposes of this thesis. In a letter to Montana and Thomas, two papal slaves whose manumission Gregory was ordering, he wrote: "It is wholesome, when people for whom it's their original nature to be free, and who were put under the yoke of servitude by the right of nations are returned to the freedom into which they were born through the benefit of manumission."[5] Alongside the homilies of Gregory of Nyssa, this constitutes some of the harshest criticisms of the institution in early Christian literature.[6] This research then examines Gregory's application of the *paterfamilias* principle on the master-slave relationship and its consequences on salvation that changed the framework of slavery.[7] I argue that connecting the master's salvation to the living conditions and sins of their slaves placed the Church right in the middle of the slave-master relationship. Furthermore, Gregory's insistence on clerical interventions on behalf of slaves in case they were mistreated by their masters will also be examined as evidence of the Church's interference with slavery.

The writings of Augustine of Hippo (354-430) are included here, given their influence on future generations of scholars and theologians, including Pope Gregory the Great. They were fundamental texts for thinkers in late antiquity and the early medieval period and offer both the philosophical and theological justification for slavery within the Christian context.[8]

[4] Gregorius Magnus, *The Book of Pastoral Rule*, trans. George Demacopoulos, St. Vladimir's Seminary Press "Popular Patristics" Series (Crestwood, N.Y.: St. Vladimir's Seminary Press, 2007).
[5] … salubriter agitur, si homines, quos ab initio natura liberos protulit et ius gentium iugo substituit servitutis, in ea qua nati fuerant manumittentis beneficio libertate reddantur *Gregorii I Papae Registum Epistolarum*, ed. Paulus Ewald and Ludovicus Hartmann (Berlin: Weidmann, 1887-91, repr. 1978), 6.12.
[6] Adam Serfass, "Slavery and Pope Gregory the Great," *Journal of Early Christian Studies* 14, no. 1 (2006), p. 77.
[7] Gregory the Great, "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library), p. 633
[8] Margaret Mary, "Slavery in the Writings of St. Augustine," *The Classical Journal* 49, no. 8 (1954)

The whole research project has been done within the scope of the multifaceted nature of unfreedom beginning in this period. The term unfreedom is particularly helpful when approaching the early Middle Ages because of the charged nature of the term slavery. The precise definitions of Roman jurists are often harder to parse as modern scholars such as Wendy Davies point out, the unfree status people found themselves in during the early Middle Ages was so diverse that some of them could fit the definition of slavery of any period, as well as, people who were more akin to later medieval serfs.[9] This diversity occurs because this period gives rise to a whole plethora of subclasses of people who were bonded to a person or an institution. They often lacked strictly defined rights, privileges, or duties, instead, relying on the wills of long-past Bishops or acts of the holy dead to intervene on their behalf. Therefore, speaking in terms of unfreedom is more meaningful: it does not carry the burden of precise definition, instead representing the multitudes of those who were not free. The important shift is the change from the slaves being tied to a specific person or an institution to one where slaves are tied to a less definable "party". This could be a particular piece of land, an estate or a villa, or a rite for the veneration of their *holy patron*. This shift goes hand in hand with the possibility of ownership of property for slaves as well as the ownership of the fruits of their labour, which was becoming more and more prevalent in the early medieval period, leading to an increase in the self-sufficiency of slaves. Adriaan Verhulst made the same observation in his contribution to the tenth Falaran Conference on economic growth in the Early Middle Ages, where he argued that while slavery was still prevalent East of the Rhine thanks to the Frankish conquest of the Slavic peoples, to the west of the Rhine the large slave populations of the 6th and 7th centuries were instead replaced by labour services provided by tenants who had been given land in return

[9] Wendy Davies, "On servile status in the early Middle Ages," in M.L. Bush ed., Serfdom and Slavery: Studies in Legal Bondage (London, 1996), pp. 245–46

for their services.[10] This change was gradual, spanning several generations, but as I intend to show, the Will of Bertram has evidence that these tenants were the same peoples (slaves or their descendants) who provided these services previously, hence exposing an avenue of how serfdom began to evolve from slavery much earlier than the 10th century within the ecclesiastical realm.

[10] Adriaan, Verhulst, "Etude comparative du regime domanial classique a l´est et a l´epoque carolingienne," In *LA CROISSANCE AGRICOLE DU HAUT MOYEN ÂGE*, editor Jean-Baptiste Marquette, (Toulouse: Presses universitaires du Midi, Comité départemental du tourisme du Gers, 1990), pp. 87-101

Terminology of "slavery" in late antique context

Before pursuing research further, it is necessary to answer a fundamental question: What is slavery? The definition of late antique slavery can be drawn from Aristotle (384-322 BCE), whose definition was used in the Roman world for a long time: a slave is a human being who had that "very status and role by nature". In other words, slaves comprised domestic property, the so-called "tools before tools."[11] Yet, this definition already faced challenges. Such a contrarian definition comes from a 2nd-century Roman jurist, Florentinus:

> Slavery is an institution of the common law of peoples (*ius gentium*) by which a person is put into the ownership (*dominium*) of somebody else, contrary to the natural order. Slaves (*servi*) are so-called because commanders generally sell the people they capture and therefore save (*servare*) them instead of killing them. The word for property in slaves (*mancipia*) is derived from the fact that they are captured from the enemy by force of arms (*manu capiantur*)[12]

While this indicates that there was already room for debating the technical definition of slavery at the time, the etymology provided by Florentinus has been called into question by modern scholarship, with some, including historian Kyle Harper, arguing that it is entirely fictitious. Nonetheless, it was viewed as meaningful by its contemporaries and remained part of the justification for slavery for many centuries.[13] For example, it can be found reiterated in the *Institutes* of Emperor Justinian (527-565): "Wars arose, and in their train followed captivity and then slavery, which is contrary to the law of nature; for by that law all men are originally

[11] Pol. I.4, 1253b33–1254a8

[12] Digest 1.5.4-5, Eds. T. Mommsen and P. Krueger, *Corpus iuris civilis*, vol. I (Berlin, 1922): servitus est constitutio iuris gentium, qua quis dominio alieno contra naturam subicitur. servi ex eo appellati sunt, quod imperatores captivos vendere ac per hoc servare nec occidere solent

[13] Kyle Harper, ed., "Among Slave Systems: A Profile of Late Roman Slavery," in *Slavery in the Late Roman World, AD 275–425* (Cambridge: Cambridge University Press, 2011), p. 36.

born free."[14] Harper's explanation is that the immense Roman capacity to view the world in militaristic terms allowed them to will the captive narrative "from myth to reality."[15]

The same captive part of this definition was later adopted by Augustine in some of his writings, where he uses the same justification of captives being saved through servitude as opposed to being slaughtered.[16] Augustine argues, just like the Roman jurists, that slavery is an unnatural state resulting from sin. In his view, the corrupting nature of sin, namely Original Sin, is responsible for slavery.[17] This is directly contrary to the Aristotelian argument: if equality before God is paradigmatic for Christian theology, it is impossible for some to have slavery in their nature while others to be free by the same token.

Historiography

The subject of early medieval slavery has been a subject of fascination for many scholars. Much of the foundational work for modern research into the subject was done by Mark Bloch. Bloch asked a seemingly simple question: How did slavery come to an end? But the answer was far from simple. His works on the subject, including *Feudal Society* (1939)[18] and a posthumously published essay "How and Why Ancient Slavery Came to an End (1975),"[19] provide a detailed analysis of the decline of slavery towards the end of the first millennia. Among Bloch's chief arguments for its decline were changes in economic demand which made large-scale Roman-style slave estates unfeasible. Bloch also argued that Christian idealism had a severe impact on

[14] *Institutiones*.1.2.2. *Ius autem gentium omni humano generi commune est. nam usu exigente et humanis necessitatibus gentes humanae quaedam sibi constituerunt: bella etenim orta sunt et captivitates secutae et servitutes, quae sunt iuri naturali contrariae (iure enim naturali ab initio omnes homines liberi nascebantur); ex hoc iure gentium et omnes paene contractus introducti sunt, ut emptio venditio, locatio conductio, societas, depositum, mutuum, et alii innumerabiles.*

[15] Kyle Harper, ed., "Among Slave Systems: A Profile of Late Roman Slavery," in *Slavery in the Late Roman World, AD 275–425* (Cambridge: Cambridge University Press, 2011), p.34.

[16] Margaret Mary, "Slavery in the Writings of St. Augustine," *The Classical Journal* 49, no. 8 (1954): 364.

[17] Mary, 364.

[18] Mark Bloch and L. A. Manyon, *Feudal Society* (Chicago: Univ. of Chicago Press, 1970).

[19] Bloch, Marc. "How and Why Ancient Slavery Came to an End." In Critical Readings on Global Slavery, (Leiden, The Netherlands: Brill, 2017)

the supply of slaves following the prohibition of enslavement of other Christians, as well as the lack of foreign non-Christian kingdoms which could be conquered for non-Christian slaves. Therefore, Bloch argued, that through natural processes the population of enslaved peoples decreased between the 6th and 9th centuries.[20] Crucial for this thesis is also Bloch's observation of the positive influence of the pious manumissions, which were championed by the Church, as a possible avenue of the decline of Roman-style slavery in the early Middle Ages.[21]

Another prominent historian who delved into the issue was Georges Duby, who contributed significantly to the understanding of medieval slavery and the role of the Church in this practice. Duby's work emphasizes the complex and multifaceted nature of medieval slavery and primarily focuses on social and economic factors, particularly in agriculture. According to Duby, medieval slavery was not a monolithic institution but varied across regions and social contexts. Much of his work was built upon documents from the Burgundian Monastery of Cluny.[22] Duby's regional approach to historical study showed that in some areas, slavery was primarily based on the capture and enslavement of people. These captives would then be transported and sold all around Europe or even Africa and the Middle East. In others, slavery was rooted in social and economic inequality, often leading to voluntary slavery. Duby's school's chief hypothesis regarding the end of slavery describes a sharp increase during the Carolingian era, followed by an even sharper decline following its end.[23] While a significant portion of Duby's work deals with the high Middle Ages of the 10th century and onward. His

[20] Bloch, Marc. "How and Why Ancient Slavery Came to an End." In Critical Readings on Global Slavery, (Leiden, The Netherlands: Brill, 2017), p. 9.
[21] Ibid. 14-15
[22] Duby, Georges. "The history of systems of values" In *L'historien entre l'ethnologue et le futurologue: Actes du séminaire international organisé sous le auspices de l'Association Internationale pour la Liberté de la Culture, la Fondation Giovanni Agnelli et la Fondation Giorgio Cini, Venise, 2–8 avril 197*1, 251-264. Berlin, Boston: De Gruyter Mouton, 1972.
[23] Georges Duby, *Rural Economy and Country Life in the Medieval West*, trans. Cynthia Postan (Philadelphia, PA: University of Pennsylvania Press, 1998), p. 187-194.

relevance to this thesis is due to his highlighting of the role of the Church in both supporting and opposing slavery.

The Church played a key role in the manumission of slaves, with many churches and monasteries owning slaves and freeing them as an act of charity. Despite these efforts, however, slavery persisted in medieval Europe, and the Church's influence on its abolition was limited, mainly because the abolition of slavery was not a significant focus of the medieval Church. There were a number of reasons for this, though of particular importance is the fact that unfree status on Earth was not seen as an obstacle to eternal. Duby argues that this was further due in part to the economic and social structures of the time, which made it difficult to imagine a society without unfree labour. Additionally, the Church itself was deeply embedded in these structures. The crux of Duby's work revolves around the use of slaves in agriculture. It is generally agreed among historians that the so-called "feudal revolution" of the first millennia had the most profound impact on the large-scale agricultural slave estates which just about disappeared after this event. The term "feudal revolution," stands for the massive change in society brought about by violence caused by castle-dwelling knights upon the peasants of the declining Carolingian empire around the year 1000. This, in turn, led to massive disruption in public order and impacted the free and unfree alike.[24] However, slavery persisted in other spheres and, for a time, co-existed with medieval serfdom, this co-existence is what makes it so difficult to answer Bloch's question of "how and why medieval slavery came to an end", especially since the economic impact of the "feudal revolution" which made the large-scale

[24] Bisson, T. N. "The 'Feudal Revolution.'" *Past & Present*, no. 142 (1994): 6–42.
The term has also been historically criticized by Dominique Barthélemy (1992), who saw the changes as a continuity of ongoing changes rather than a revolutionary event. His work is recently gaining traction and is being expanded upon by modern scholars such as Charles West, who in his book *Reframing the Feudal Revolution: Political and Social Transformation Between Marne and Moselle, C. 800–C. 1100 (*2013) attributes most of the changes to society brought about in the year 1000 to the ongoing impact of Carolingian reforms, which lasted even after the downfall of their dynasty, furthering the case against the term "revolution" in favour of "continuity" as suggested by Barthélemy.
West, Charles. 2013. *Reframing the Feudal Revolution: Political and Social Transformation Between Marne and Moselle, C. 800–C. 1100*. Cambridge: Cambridge University Press.

slave estates inviable according to Bloch, did not equally impact other more fringe aspects of slavery, nor other regions outside the Merovingian sphere of influence.

In response to the works of Bloch and Duby, Marxist historian Pierre Dockes questioned the hypotheses put forward by Bloch and Duby in his book *Medieval Slavery and Liberation*, in particular, their assessment of the economic circumstances of the downfall of slavery.[25] In a chapter titled "Questions to Historians about Economism,"[26] he criticized the economic reasons for the downfall of medieval slavery put forward by Bloch, namely that medieval slavery became unprofitable in the context of large-scale agricultural production, which he finds unlikely. However, Dockes' work was criticized by others, including historian Clarence E. Walker, because while it offers a critique of established scholarship, it does not actually offer other plausible explanations for changes in the market economy of medieval Europe.[27] That is not to imply that Bloch's poorly supported claim of the inefficiency of slave labour was not scrutinized further in later scholarship, namely by historian Ross Samson. Samson disagreed with Bloch's claim that large-scale slavery was inherently inefficient and unsustainable, he rather argued that it was the interference of the Church, which repeatedly advocated for the return of reproductive and marital rights of slaves from their masters, which led to a decrease in popularity of such endeavours and made manumissions in favour of servile tenancy more appealing.[28]

The most recent scholarship largely agrees with the analysis made by Bloch specifically concerning the impact of the "feudal revolution" on large-scale agricultural slave estates and expands upon it. Historian Alice Rio argues a variety of factors in parallel brought slavery to

[25] Pierre Dockès, *Medieval Slavery and Liberation* (London: Methuen, 1982).
[26] Walker, Clarence E., "MEDIEVAL SLAVERY AND RELIGION (Book Review)," review of Medieval Slavery and Liberation , by Pierre Dockès. The Journal of Ethnic Studies; Vol. 12, Iss. 2, (Summer 1984): 128.
[27] Ibid.
[28] Ross Samson, "The End of Early Medieval Slavery," essay, in *The Work of Work: Servitude, Slavery, and Labor in Medieval England*, ed. Allen J. Frantzen and Douglas Moffat (Glasgow: Cruithne Press, 1994), 109–19.

an end, and thus no single watershed event or force can be seen as solely responsible for the end of the institution. As Rio points out in her book *Slavery after Rome 500-1100,* no single agent can be held solely responsible for ending slavery. [29] Furthermore, she champions the use of the term unfreedom rather than slavery because it better captures the complexity of the medieval situation. Rio argues that in numerous instances, it is very difficult to distinguish whether individuals in question should be considered slaves or not because their responsibilities, ties, and masters were poorly defined as the law codes of the Middle Ages were less strict in their definitions in comparison to Roman law and the deciding power lied in the hands of the judge whoever that might be, whether, a noble, a king, or a bishop. Therefore, speaking in terms of the diverse range of circumstances medieval captives and even freedmen found themselves in, it is more accurate to use the term unfreedom rather than slavery when possible, considering the complexity of the matter. To understand the difference in slavery and unfreedom brought about by the downfall of the western Roman Empire, we need to take a closer look at the work of historian Kyle Harper. Harper has written several books on the subject of late antique slavery, including *Slavery in the Late Roman World, AD 275-425,*[30] which explores the continued importance of slavery in the Mediterranean world, and *Fate of Rome: Climate, Disease, and the End of an Empire*,[31] which explores the role of environmental factors in the decline of the Roman Empire. Similarly to Ross Samson, Harper also disagrees with Bloch's hypothesis of declining slave supply and unproductivity. Harper rather focuses on the economic causes of the decline, where the disruption in coordinated trade following the downfall of the Roman Empire in the fifth century led to a decrease in demand for agricultural produce, namely cash crops, which, according to Harper, in turn, led to a decline in demand

[29] Alice Rio,. *Slavery After Rome, 500-1100*. Oxford University Press, 2017.
[30] Kyle Harper,. *Slavery in the Late Roman World, AD 275-425*. Cambridge, UK: Cambridge University Press, 2016.
[31] Kyle Harper, *The Fate of Rome: Climate, Disease, and the End of an Empire*. Princeton ; Oxford, UK: Princeton University Press, 2019.

for slave labour.[32] One of Harper's key arguments is that the decline of the Roman Empire in the third and fourth centuries led to a reorganization of the Mediterranean economy, with greater emphasis on large-scale agriculture and the exploitation of slave labour. Harper argues that despite an increase in urbanization during this period, the actual source of wealth was to be found in the countryside: olives, grapes, and wine.[33]

Overall, Harper's work has been influential in shifting scholarly consensus on late antique slavery by refocusing attention on its role in the history of the Mediterranean world. However, the impact that the rise of Christianity had during its very early period on unfreedom is not delved into in as much detail in Harper's work, as other socio-economic aspects.

In order to bridge this gap between Harper's ancient slavery and the early medieval period, we look to the emperor Constantine the Great (272-337). Historian Noel Lenski argues that Constantine greatly influenced Roman law by allowing *manumission in ecclesia.*[34] In two laws, Constantine allowed priests in churches to manumit slaves. The first law from 316, CI. 1,13,1 gives priests in churches the right to manumit slaves in a rite performed in front of the congregation. Constantine further guarantees Roman citizenship to those manumitted in this manner.[35] Lenski concludes that by implementing these laws, Constantine interwove in subtle but still traceable ways traditional Roman values and legal norms with new Christian principles.[36] This is particularly important as *manumission in*

[32] Kyle Harper, *Slavery in the Late Roman World, AD 275-425*. Cambridge, UK: Cambridge University Press, 2016, pp. 4-10
[33] Noel, Lenski, "Constantine and Slavery: "Libertas and the Fusion of Roman and Christian Values*," Atti dell'Accademia Romanistica Costantiniana XVIII*. (Giugno 2011), pp. 5-8
[34] Ibid.
[35] *iam dudum placuit, ut in ecclesia catholica libertatem domini suis famulis praestare possint, si sub adspectu plebis adsistentibus christianorum antistitibus id faciant, ut propter facti memoriam vice actorum interponatur qualiscumque scriptura, in qua ipsi vice testium signent. unde a vobis quoque ipsis non immerito dandae et relinquendae sunt libertates, quo quis vestrum pacto voluerit, dummodo vestrae voluntatis evidens appareat testimonium. D. IV id. iun. Sabino et Rufino conss.*
[36] Ibid. p. 260.

ecclesia became an important path for the absolution of sins as an act of piety, which became popular among the affluent in the early Medieval period.[37] Thanks to *manumission in ecclesia,* slaves became another kind of property that was donated et large to religious institutions throughout Gaul, together with more traditional offerings: money, riches, plots of land, or entire estates.

Early medieval Church and Gregory the Great

To find the answer to the question, "What role did the Church play in early medieval slavery" I chose to begin with the writings of Gregory the Great since he was the most influential Pope of the early medieval period as well as one of the earliest critics of the institution within the early Christian context.[38] Gregory held his office from 590 CE until 604 CE.[39] While the Church in the West was far from the goliath it would become in the later medieval period, it was already a force to be reckoned with. Gregory lived in a difficult period of history. Ecclesiastical historian Robert E. McNally provides a vivid description of the world of 6th-century Europe with which Gregory had to contend. McNally describes it as "burdened with death and decay" in an era of "depression and decadence, of fear and sorrow."[40] Gregory's *Book of Pastoral Rule* and other writings, together with the early medieval councils, directly address several issues connected to slavery.[41] Chief among these issues was the sale of Christian slaves to non-Christians. This issue was opened in several councils and was even

[37] Peter Brown, 'Vers la naissance du purgatoire, amnistie et pénitence dans le christianismeoccidental de l'antiquité tardive au haut moyen âge',Annales HSS 52(1997), pp. 1247–61
[38] Adam Serfass, "Slavery and Pope Gregory the Great," *Journal of Early Christian Studies* 14, no. 1 (2006), pp. 77-103
[39] Raymond Davis, *The Book of Pontiffs (Liber Pontificalis): The Ancient Biographies of the First Roman Bishops to A.D. 715* (Liverpool University Press, 1989), p. 60.
[40] McNally, Robert E. "Gregory the Great (590-604) and his declining world." *Archivum Historiae Pontificiae* 16 (1978), p.7.
[41]Gregory the Great, "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library)

addressed by Pope Gregory the Great.[42] Gregory, in his *Book of Pastoral Rule* expressly prohibits Jews from owning Christian slaves; however, he also confirms the protection of Jews under Roman law and cautions against any hindrances to them.[43] The proper explanation of Gregory's motives, in this case, is largely eschatological. Gregory's laser focus shines through; while he fears for the salvation of the Christian slaves owned by Jews, he also ensures that no other protection granted to the Jews under Roman law is denied. This should not be viewed as some kind of indication of Gregory's affection towards the Jews. Throughout his writings, the question of Jews comes up regularly and Gregory's treatment of the Jews is consistent with that of other medieval Popes. Gregory's inclusion of the affirmation of the Jew's rights should be viewed as maintenance of the status quo. Gregory was very busy preparing the world for its salvation and had no time to waste on possible uprisings or opposition.

Among the many other topics Gregory dealt with in his *Book of Pastoral Rule*, his approach to slavery shows how his obsession with salvation influenced his theological teachings. Historian Adam Serfass argues that for Gregory, unfreedom was a symptom of an imperfect world brought about by humanity's exile from paradise.[44] Augustine of Hippo (354-430) would agree that we are all cursed by original sin, and its plight manifests in many different forms, among which unfreedom would be included.[45]

From the perspective of Gregory's eschatologically focused theology, the unfortunate state in which slaves found themselves was not an obstacle to their salvation, for the sins of an

[42] Fourth Council of Toledo (633), cc.67–74, Orleans, 541, c. 9., Council of Paris III (556 × 573), c. 9, Gregory the Great. "The Book of Pastoral Rule" the topic of slavery also appeared in Gregory's personal correspondence.
[43] Gregory the Great, "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library) p. 737.
[44] Adam Serfass, "Slavery and Pope Gregory the Great," *Journal of Early Christian Studies* 14, no. 1 (2006), p. 79.
[45] Mary, "Slavery in the Writings of St. Augustine," 364.

individual are judged against the conditions in which they were committed, and different individuals can be judged differently for the same act. Gregory writes:

> Differently to be admonished are servants and masters. Servants, to wit, that they ever keep in view the humility of their condition; but masters, that they lose not recollection of their nature, in which they are constituted on an equality with servants. Servants are to be admonished that they despise not their masters, lest they offend God, if by behaving themselves proudly they gainsay His ordinance: masters, too, are to be admonished, that they are proud against God with respect to His gift, if they acknowledge not those whom they hold in subjection by reason of their condition to be their equals by reason of their community of nature. The former are to be admonished to know themselves to be servants of masters; the latter are to be admonished to acknowledge themselves to be fellow-servants of servants. For to those it is said, Servants, obey your masters according to the flesh (Colossians 3:22); and again, Let as many servants as are under the yoke count their masters worthy of all honour (Timothy 6:1); but to these it is said, And you, masters, do the same things unto them, forbearing threatening, knowing that both their and your Master is in heaven (Ephesians 6:9).[46]

Simply put, since slavery did not inhibit slaves' chance for salvation as all men are equal before God, but the conditions in which they lived, and injustices they might have suffered would impact the salvation of their masters, in Gregory's eyes the fate of slaves and their masters was interconnected. Adam Serfass argues that the linking of the fate of the master and the slave is a very important part of Gregory's theology.[47] From the perspective of *paterfamilias,* the salvation of the master, who is responsible for the sins of slaves, is therefore directly dependent on their condition.[48] The title coined by Gregory: "servant of the servant of God" inverts the expected power dynamic, and casts the Pope into the role of a servant himself. While the slaves are the property of their master, their power over their master's fate in the eschaton is far greater than any other worldly power, and it is the responsibility of the master to ensure the proper behaviour of their dependents, just as *paterfamilias* should. Therefore, it

[46] Gregory the Great. "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library), 3:5.
[47] Adam Serfass, "Slavery and Pope Gregory the Great," *Journal of Early Christian Studies* 14, no. 1 (2006), p. 79
[48] Gregory's Pastoral Care on how servants and masters are to be admonished: "Differently to be admonished are servants and masters. Servants, to wit, that they ever keep in view the humility of their condition; but masters that they lose not recollection of their nature, in which they are constituted on an equality with servants." Gregory the Great. "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library) p. 633.

is the duty of those in the position of authority to care for those dependent on them. This dynamic transcends the relationship between master and slave and can be generally applied to any imbalanced power dynamic, secular or ecclesiastic.[49] Of course, the outcome of this belief was the improvement of conditions for slaves and attempts to prevent mistreatment. Furthermore, as the attendance of mass is crucial for salvation, Gregory put extra emphasis on freedom of religious expression, which masters should afford to their slaves lest they both be punished in the eschaton.

That does not mean that the Church stood idly. It is clear in his writings that Augustine resented the mistreatment of slaves by their masters and argued for equality before God.[50] Gregory, in his *Book of pastoral rule*, writes regarding runaway slaves seeking refuge within a church:

> …if they should have just cause of complaint against their masters, they must need to leave the church with suitable arrangements made for them.[51]

This put the Church into the role of a possible intermediary between the slaves and their masters, giving the slaves a more accessible and benevolent alternative to seeking compensation under Roman law. The agreement between Gregory and Augustine is not coincidental. It is more than likely that Gregory was directly influenced by Augustine's writings. Therefore, rather than the evolution of thought, we should understand Gregory's writings as a learned continuation of established tradition with particular emphasis on eschatology.

Furthermore, the lack of general policy regarding the abolition of slavery is not proof of Gregory's lack of interest in the matter. On many occasions, Gregory allowed the sale of

[49] Adam Serfass, "Slavery and Pope Gregory the Great," *Journal of Early Christian Studies* 14, no. 1 (2006), p. 80.
[50] Ibid. pp. 366–67.
[51] Gregory the Great. "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library), pp. 847-848

Church property to procure funds to release captives from the yoke of slavery. In his letter to Donus, Bishop of Messana Gregory writes:

> And so, seeing that Faustinus, the bearer of these presents, is proved to have contracted a debt of three hundred and thirty solidi for the purpose of redeeming his daughters from the yoke of captivity, and that, thirty thereof having been repaid, it is certain that he has not sufficient means for the repayment of the remaining sum, we exhort thy Fraternity by this communication that thou, by all means, gives him fifteen pounds, taking his receipt for the same, out of the silver in thy hands belonging to the Meriensian Church, of which he is known to be a soldier; so that, it being sold, and the debt paid, he may be freed from the bond of his obligation.[52]

The Bible is also quite clear on this issue. Luke 12:33-34 encourages the sale of one's own property to help those in need with the promise of just reward in the next life. This was also a display of piety and humility, which were both highly valued virtues during this period.[53] The sale of Church property was also addressed by Justinian in a law he issued in 529. In this law, he stated that the only circumstance under which a movable property of the Church, such as holy vestments or offerings can be sold, is for the procurement of funds to ransom captives.[54] The act of giving up something to benefit the destitute is a significant act of piety that was exercised by both the Church and the noblemen of the period. Justinian's law from around 533 allowed slaves of Jews, pagans, and heretics to seek manumission in churches, without even the right for compensation to their masters, provided the freed slaves joined the Church.[55] While the manumission of Church slaves to showcase one's piety was repeatedly prohibited by the Church, the repetitive nature of those prohibitions only emphasizes the prevalence of this act. The manumission of these slaves ran counter to one of the driving forces in Church decision-making: ensuring the longevity of the Church itself. Historian Mary K. Farag argues

[52] Ibid. 1103
[53] "Sell your possessions and give to the poor. Provide purses for yourselves that will not wear out, a treasure in heaven that will never fail, where no thief comes near and no moth destroys. For where your treasure is, there your heart will be also."
[54] CJ 1.2.21.
[55] CJ 1.3.54.

in her book: *What Makes Church Sacred?,* that for legal practitioners, the status of the Church property (*res sacrae)* ensured the perpetuity, stability, and wealth of divine institutions.[56] We can see this in the ruling of the *Council of Orleans* (541), which prohibited bishops from placing an unjust financial burden upon a church – such as mortgages or manumission of Church slaves – unless they offered compensation of equal value from their own personal estate.[57] Furthermore, the Fourth Synod of Toledo (633) issued eight cannons on this topic, both condemning the act of manumission of Church slaves and those responsible for the manumission.[58] Further, in line with the council of Orleans (541), if a bishop wanted to manumit a slave that was bound to their ecclesiastical institution, they had to replace them with no less than two slaves of equal skill and value, procured with their own personal funds.[59] The topic of the sale of Church property to procure funds to rescue captives or slaves, particularly Christian ones, will reoccur again when discussing the *Last Will and Testament of Bertram of Le Mans* later in this thesis.

Humility in late antique and early medieval context

It is clear that the belief in *paterfamilias* added more nuance and complications to the deceptively simple power dynamic of master and slave. The understanding of the world is also reflected in the popular title adopted by Pope Gregory: *Servus servorum Dei* (Servant of servants of God). This alternative title for pope coined by Gregory became very popular and is used by the popes to this day. However, the theological meaning of the phrase far transcends the concept of humility within which it is most often framed. This is not to say

[56] Mary K. Farag, *What Makes a Church Sacred?: Legal and Ritual Perspectives from Late Antiquity*, 2021, 179.
[57] Georges Goyau, "Councils of Orleans," essay, in *The Catholic Encyclopedia*, vol. 11 (Robert Appleton Company, 1911), 541.
[58] Fourth Council of Toledo (633), cc.67–74:La colección canónica Hispana,vol.5.2, ed. G.Martínez Díez and F. Rodríguez Barbero (Madrid,1992), pp.242–8. See in general D.Claude,'Freedmen in the Visigothic Kingdom,' in E. James (ed.),Visigothic Spain. NewApproaches(Oxford,1980), pp.159–88.
[59] Georges Goyau, "Councils of Orleans," essay, in *The Catholic Encyclopedia*, vol. 11 (Robert Appleton Company, 1911), p. 541.

that humility was not important to Gregory; considering the ascetic nature of his theology, humility was a virtue championed by many Italian saints.[60] Moreover, humility was among the most prominent virtues in Christian leadership, as Jaclyn Maxwell argues in her paper "Education, Humility and Choosing Ideal Bishops in Late Antiquity." Displays of humility were expected of bishops: they would often refuse ordination, even resorting to fleeing or otherwise obstructing the process to make themselves look unworthy of the office, displaying their humility and lack of interest in the office and its powers.[61] Another example of humility would be rhetorical: downplaying one's abilities to appear humble. One such example is the preface to bishop Gregory of Tour's *History of the Franks:* "My style is not very polished…[but] I have been greatly encouraged by certain kind remarks which, *to my no small surprise,* I have often heard…"[62] Gregory's justification for writing *the Histories* is that there is no other man who could do it and therefore he takes it upon himself to write it despite all of his shortcomings. He further emphasizes his humility in the first chapter of his book, saying: "Before I do that, I apologize to my readers lest by syllable or even letter I offend against grammatical usage, a matter in which I am far from being an expert."[63] Maxwell argues that bishops were supposed to simultaneously "belong to the Elite and Non-elite" meaning that they should preferably be of high birth and experience the pagan, secular world only to reject it and their wealth to humbly become the *servi servorum dei* servants of servants of God.[64]

[60] George E. Demacopoulos, *Gregory the Great. Asetic, Pastor, and First Man of Rome*, Notre Dame: University of Notre Dame 2015, p. 24.
[61] Jaclyn Maxwell, "Education, Humility and Choosing Ideal Bishops in Late Antiquity," in *Education, Humility and Choosing Ideal Bishops in Late Antiquity* (De Gruyter, 2011), 450, https://doi.org/10.1515/9783110268607.449.
[62] Saint Gregory, *The History of the Franks*, The Penguin Classics (Harmondsworth: Penguin Books, 1974), 63.
[63] Ibid. p. 67.
[64] Maxwell, "Education, Humility and Choosing Ideal Bishops in Late Antiquity," 452.

Gregory of Tours and the Holy Dead

Gregory of Tours was a 6th-century historian who served as a Bishop of Tours from 573AD to 594AD. He was also one of the eleven metropolitans in Gaul, each of whom governed a province and 118 subordinate bishops.[65] His works underwent a great deal of revision in the following centuries. His primary work *The Histories* was renamed and rewritten as *History of the Franks* by late medieval scribes, though the core of the document remained intact.[66] *The Histories* remains a valuable source of insight into early medieval hagiography. While Gregory's *The Glory of the Confessors,* which deals with the lives of Saints from 6th century Gaul, will be used to demonstrate the power the saints held and the protection they offered, particularly to the escaped slaves who sought refuge at their tombs.[67] Gregory of Tours is often considered the chief source of information on all aspects of life in the early Middle Ages; however, he was equally valuable as a theologian. Gregory captures an early period of Christianity when bishops not only tended to the spiritual needs of their bishopric but also served as general administrators, entrusted with a great deal of power by the Merovingian kings.[68]

Saints played a much more significant role in the everyday lives of early Christians than they do today. The city of Tours, where Gregory resided, was not only the seat of the bishop and the local administration but also an important pilgrimage site, for it held the tomb of Saint Martin.

Saints played an essential role in early Christianity. The ideal Christian saint of the time cares deeply for the oppressed and therefore intervenes on behalf of the unduly captured or

[65] These metropolitans were seated in Arles, Lyons, Vienne, Rouen, Tours, Sens, Trier, Rheims, Bourges, Bordeaux and Narbonne.
[66] Gregory of Tours and Lewis Thorpe, *The History of the Franks* (Penguin Books, 1986).
[67] Gregory of Tours, *Glory of the Confessors,* (transl. Raymond van Dam) 2004.
[68] This was also the case of Bertram of Le Mans, who served at multiple courts before even becoming a bishop. His strong ties to the nobility allowed him to amass immense wealth for his bishopric of Le Mans.

mistreated.[69] Saints provided the otherworldly omnipresent power of protection for those who sought help and served as an important instrument of restorative justice. As Peter Brown and others have established saints become patrons, advocates or intercessors.[70] Saints portrayed the ideal but also called for following. Saints were the "role-models" of society as well as instruments of God who worked through them.[71] Their miraculous deeds were not limited by death, but only by the faith of those who sought refuge in their shrines or by their tombs.[72] Tombs of the saints became important places in society. Cities with holy tombs benefited from capital brought in by pilgrims. If a shrine stopped performing miracles, it was eventually abandoned, and the saint could be forgotten. The stories of the saints served as a moral handbook showing the miracles they were capable of and the punishments they would deliver if mistreated or ignored. The holy dead possessed many powers. Curing the sick was quite common and yet, one of the most important miracles observed at the Saints' tombs. The holy dead could also punish the wicked, influence weather and animals, save demoniacs, free prisoners and slaves, confound the Jews and the Arians, soothe thirst and hunger, and perform many other incredible acts.[73]

Slavery or unfreedom was in no way an obstacle to sainthood. The saint Mitrias of Aix is described by Gregory as "a man of magnificent holiness" and "although he was a slave by rank, he was a free man through his righteousness."[74] Gregory also gives us a story of how St. Mitrias

[69] The body of materials is extensive and includes sermons, letters, poetic texts, synods, numerous grave inscriptions as well as recorded lives of saints by the likes of Gregory of Tours and Venantius Fortunatus.
[70] Peter Brown, Die *Heiligenverehrung Ihre Entstehung Und Funktion in Der Lateinischen Christenheit* trans. Johannes Bernard (Leipzig: Benno-Verlag, 1991), p. 66.
[71] Heike Grieser, *Sklaverei Im Spätantiken Und Frühmittelalterlichen Gallien (5.-7. JH.): Das Zeugnis Der Christlichen Quellen* (Franz Steiner, 1997), 205-207.
[72] It is the miracles occurring after the death of the saints Gregory ventures out to capture in the *Glory of the confessors* but in his account of the life of Saint Severinus Gregory writes: "For although I already said in the preface of this book that I would record only those events that God deigned to work after the death of his saints at their intercession, nevertheless I do not think it absurd if I recall a few events from the life of those about whom I know nothing has been written." Gregory of Tours, *Glory of the Confessors,* (transl. Raymond van Dam) 2004, 44.
[73] Gregory of Tours, *Glory of the Confessors,* (transl. Raymond van Dam) 2004.
[74] Ibid. 51.

intervened when his church was threatened by a usurper. Particularly interesting is the appellate prayer bishop Franco delivered at the saint's tomb: "Most glorious saint, no more lights will be lit here, no more melodies of psalms will be sung until you first avenge your servants from their enemies and restore to the holy Church the properties that have been violently taken from you."[75]

According to Gregory, the usurper is immediately struck with terrible sickness until the Church property isn't restored and even Childeric, a representative from the court of Sigibert, who decided the case and sided with the usurper, breathes out his last breath for the sin of unjustly seizing the property of the saint.[76] This shows that St. Mitrias's status as a slave did in no way diminish his power to protect his church and those who pledged themselves to its protection, for such a story is quite typical for Gregory's accounts of saints' lives and their deeds.

Prisoners and slaves often sought refuge in saints' tombs. They hoped for the protection of a saint as well as freedom from their masters. The life of saint Lupus of Troyes gives us a cautionary tale of a terrible faith that would befall anyone who would dare to stand against the power of the saints:

> Everyone knows that bishop Lupus was buried in Troyes, a city in the Champagne. Because he was treated badly, a slave of a man named Maurus fled to the church of Lupus. His master was angry and followed on his heels. Maurus entered the church but did not kneel in prayer; instead, he began to spew out curses against the saint and said: 'You, Lupus, will you steal my slave? Because of you, it will not be possible for me to exact from him the revenge that is owed [to me].' He put out his hand and began to drag his slave away, and he said: 'Today this Lupus does not stretch out his hand from the tomb to take you from my hands.' As the wretched man uttered these words, immediately his tongue that had poured out curses against the saint was bound by divine power. The man was transformed and began to dance around the entire church, lowing like an animal and not speaking like a man. When these events were reported to his servants, they seized him and brought him to his own house. His wife presented many gifts to the church, but on the third day, he ended his life in extreme pain.

[75] Ibid. 51
[76] The fate of the usurper is so obvious to Gregory that he writes: "Why say more? He spent an entire year in this illness…" Ibid.

> After his death, his wife took back what she had given [to the church]. The slave, however, remained a free man.[77]

Slaves who were freed in the name of a saint often pledged themselves to the service of that saint and their corresponding church, as was the case with Bertram. However, there was no need for a prior relationship, Saints had the power to metaphorically reach out of their tombs and manumit slaves who sought refuge at their tombs. Then they would remain under the Saints' patronage, providing them with protection unlike any other.[78] Serving on Church grounds was usually preferable to serving a slave master. The toils offered by the Church were not so harsh, and since they were pledged to the saints themselves, Church slaves gained special privileges that protected them from being mistreated or sold like regular slaves.

Bertram of Le Mans

Bertram of Le Mans was a bishop of Le Mans in the 6th and 7th centuries (540-623). He was an heir of two old and wealthy noble families of Roman descent. His mother owned considerable estates in the areas of Aquitaine and Bordeaux.[79] Likely related to the Merovingians, Bertram served at the courts of King Chlothar I (558-561) and his successor, King Charibert I's (561-567), wife Ingoberga, before turning to the religious life as an understudy of bishop St. Germanus of Paris. Being given the name Waldo at birth, at his baptism, he took the name Bertram. The name Bertram was likely chosen as it was the name of his patron – and likely relative – the Bishop of Bordeaux (577-85), who often features as a rival and enemy of Gregory

[77] Ibid. 49
[78] Gregory of Tours, *Glory of the Confessors,* (transl. Raymond van Dam) 2004, 49
[79] Michael Borgolte, "Felix Est Homo Ille, Qui Amicos Bonos Relinquit: Zur Sozialen Gestaltungskraft Letztwilliger Verfügungen Am Beispiel Bischof Bertrams von Le Mans (616)," in *FS Berent Schwineköper,* 1982, 6.

of Tours in his writings.[80] The Bishop of Bordeaux went so far as to try – unsuccessfully – to make Bertram of Le Mans his successor, possibly due to kinship ties. Bertram began his ecclesiastical career in Tours, where he received his tonsure. Later, he was appointed archdeacon by the bishop of Paris. In 586, Bertram became the Bishop of Le Mans. During the regime of Theodebert II, he was imprisoned as a supporter of Chlotar II. As attested in the *Acta Sanctorum,* Bertram, after his release and following the reinstatement of Chlotar II to the throne of Francia, founded the church of the Saints Peter and Paul (*Basilica Sanctorum ac beatissimorum Petri & Pauli Apostolorum superius ... constitui*), among many other smaller churches and monasteries.[81] By the time of his death, the number of ecclesiastical institutions in the bishopric of Le Mans had greatly increased. It was in this church of St. Peter and Paul where Bertram wished to be buried and to which many of the bequests mentioned in his will are tied. Bertram's canonization was greatly influenced by his charitable work on behalf of the most downtrodden, together with the great amount of property Bertram had acquired and bequeathed to his bishopric. With this in mind, it is possible to properly approach his will from 27 March 616. This document also became his final will a decade later when he died in 623. Because of its wealth of information on estate organization and management and the status of dependent tenants, it is often studied.[82] In his will, Bertram disposed of some 135 villas or parts thereof, scattered throughout Francia, particularly in Neustria and Aquitaine, and amounting in total to perhaps around 300,000 ha. These vast landholdings came from family inheritance, royal benefactions, particularly from Chlothar II (584-629), of whom Bertram was a loyal follower, and gifts from various clerics and laymen, as well as a series of purchases and

[80] Speaking of Bertram of Bordeaux Gregory for instance writes: "…others, quicker on the uptake, were grieved to see the Devil's tares grow rank among the Bishops of the Lord." Gregory of Tours and Lewis Thorpe, The History of the Franks (Penguin Books, 1986), 439.
[81] "Commentarius Historicus." In *Acta Sanctorum Volume 20: Jun. I, Antwerp*, 825-726. Antwerp, 1695. https://www.proquest.com/books/commentarius-historicus/docview/2684124873/se-2.
[82] Weideman (1986), Esders (2021), Rio (2017), Brown (1996).

exchanges. The bulk of his bequests were in favour of churches and monasteries in and around Le Mans.[83]

The manumissions in the will of Bertram of Le Mans in the context of diversification of unfreedom

This chapter delves deeper into the will of Bertram of Le Mans. First, it provides background: provenance for the document itself, its translations, and some problematic versions, as well as some more information about the life of Bertram. Then the focus shifts to the passages of his will relating to the manumission of slaves at his properties and the duties placed upon the manumitted slaves after their master's death, as well as the duties placed upon the Basilica of St. Peter and Paul and the church of St. Mary as their new patrons. This chapter aims to use Bertram as a case study to examine the greater scope of the Church's relationship with slavery. To achieve this goal, this chapter embraces modern scholarship and textual analysis to answer the many criticisms of Pijper. Finally, this chapter offers an analysis of the text within the context of "temple society," as suggested by Stefan Esders, as a possible lens to view the early Middle Ages and its churches, patrons and saints.[84]

Provenance of the will of Bertram

Before delving into the will, it is worth acknowledging that the document under scrutiny is not the original. The original document was lost during the French Revolution. The two most recent versions available come from the 17th century. According to their 17th-century editors, these are copies of a still available 12th-century manuscript (MS. 224). However, this claim is undermined by the fact that they do not agree on many aspects of grammar and word order,

[83] Oliver, Nicholson, *The Oxford Dictionary of Late Antiquity*, (Oxford University Press, 2018), p. 233.
[84] Stefan Esders, "'Because Their Patron Never Dies': Ecclesiastical Freedmen, Socio-Religious Interaction, and Group Formation under the Aegis of 'Church Property in the Early Medieval West (Sixth to Eleventh Centuries)," *Early Medieval Europe* 29, no. 4 (2021).

which makes it unlikely that they are indeed following the same document. Furthermore, some of the passages make little to no sense, further undermining the credibility of their editors. The document studied for the purpose of this thesis is a critical edition provided by Margarete Weidemann, who wrote an extensive book on the will of Bertram of Le Mans titled "*Das Testament des Bischofs Berthramn Von Le Mans vom März 616*" in 1986 and has become the standard text for this manuscript in modern scholarship ever since.[85] Weidemann provides us with a comprehensive comparison of the three versions of the document available, both the 17th-century versions and the 12th-century manuscript, as well as offering likely translations of incomprehensible passages and commentary on the manuscript. The main reason the later editions are being considered is that MS. 224 is written in terrible Latin that does not correspond to the knowledge of a man of Bertram's education and status, Weidemann also notes that the paragraph separation makes no sense, and neither does capital letters, which do not seem to signify anything meaningful. Thus, it is believed that the 17th-century versions are copies of an unknown document, while this 12th-century one comes from a different source.[86]

The will is organized as such that each arrangement for an heir or beneficiary has been treated as a unit which only ends when another heir or beneficiary is considered. This resulted in 70 consecutive units or orders, which were numbered consecutively from 1-70.[87]

Background and scholarship

The role of the Church in early medieval slavery is often a contentious one. However, it is important to realize that the development of the Church as a significant player in slavery began

[85] Margarete Weidemann, *Das Testament Des Bischofs Berthramn von Le Mans Vom 27. März 616* (Mainz, 1986).
[86] Ibid. p. 6.
[87] Ibid. There is also an Addendum added by the author, which is marked as order 71.

before the fall of the western Roman Empire in 476. In fact, as Kyle Harper points out, the critical years for the formation of the Church as a political power capable of societal change were between 375 and 425.[88] The newly formed priest class was ideal for filling the gap left behind by imperial administration, truly embracing its new power once the Western Roman Empire fell and the Merovingian kings needed faithful and skilled administrators to maintain order in the Frankish provinces. At least such is the world of the 6th century Gaul, as Gregory of Tours (*Historia Francorum*) would have us believe.[89] The new Imperial capital was Constantinople. Many of the emperors of the period did not even visit Rome during their tenure, busy fighting off barbarian invasions and avoiding rivals. The position of Rome as the capital of the "world" was in decline, and the early Popes struggled to create a new Christian mythos of Rome as the capital of the Christian world. In this environment, the Gallic Church evolved without direct papal interference or oversight. Instead, in 417, Pope Zosimus appointed Patrocles, the Bishop of Arles, his vicar and representative in Gaul. The Vicar of Gaul's role was to mediate between the bishops and the pope and solve local issues without getting Rome involved. His testimonial was required if any issue was to be brought before the pope. However, except for a brief period of relevance under Caesarius (470-542), the position of vicar of Gaul was largely honorary. It was only a brief period of time in the 5th and 6th centuries that Arles became the prototype after which the Merovingian Church was to be modelled. Nonetheless, the Frankish bishops most often worked hand in hand with the Merovingian kings. Throughout this period, it was Arianism, which was still very popular in Gaul, which was considered a far greater threat that needed to be reconned with, than the institution of slavery.

The primary way the Church itself gained property was through generous donations of wealthy Christian nobles, who offered up wealth as displays of their own piety. These people often

[88] Kyle Harper, *Slavery in the Late Roman World, Ad 275-425.* (Cambridge University Press, 2016), 20.
[89] Harper, 501.

donated entire estates to the Church. These estates did not consist only of land and immovable property but often included the animals and slaves that lived and worked on the estate. By these means, the Church acquired an immense number of slaves as well as through direct purchase. An example of this can be found in Gregory of Tours' *History of the Franks*. Gregory writes an account of the death of a man called Chrodin:

> Then he would call in those bishops whose revenue was small, give them a good meal and share all the buildings among them, with the farmworkers and the land which he had cleared, adding money, hangings, utensils, servants and *slaves*, in the most affable way. 'These are for the Church,' he would say. 'They must be used to relieve the needs of the poor. They will gain me grace in the eyes of God.' I have heard many other good reports about Chrodin, but I have no space for them here.[90]

Slaves resided legally and socially in a position very similar to that of household animals or tools; however, as Marc Bloch points out, their labour could be exploited in two major ways, directly and indirectly. Over the course of the early Middle Ages, the former, where a slave would directly perform tasks on behalf of their master, would give way to the latter where a slave or a group of slaves were set up as a separate entity that would pay "dividends" in the form of a predetermined portion of their production or labour to their master.[91] Interestingly enough, Michael McCormick, in his *Origins of the European Economy*, ascribes the rise of the system of land tenancies by free or servile peasants as one of the reasons for the flourishment of the Carolingian economy in the 8-9th century, where manumissions were used as an incentive to undergo the heavy burdens of servile tenancy.[92] However, in this chapter, I will prove that

[90] Gregory of Tours and Lewis Thorpe, The History of the Franks (Penguin Books, 1986), 350.
[91] Marc Bloch, "How and Why Ancient Slavery Came to an End," in *Critical Readings on Global Slavery*, n.d., 479.
[92] Michael McCormick, *Origins of the European Economy : Communications and Commerce AD 300-900* (Cambridge University Press), 752–53, accessed January 3, 2022, https://ceuedu.sharepoint.com/sites/itservices/SitePages/vpn.aspx.

this development occurred much earlier in the Middle Ages than Marc Bloch's suggested in the 10th century.

Paul's letter to the Ephesians served as one of the core justifications for the institution: "Servants, be obedient to them that are your lords, according to the flesh, with fear and trembling, in the simplicity of your heart, as to Christ."[93] While one could easily draw the conclusion that the Church was unlikely to cause major changes in the institution of unfreedom, the Church's influence was very often indirect, rather than directly passing reforms prohibiting slavery, which would be unlikely to succeed. The Church instead promoted manumissions as acts of piety and humane treatment of slaves, trying to resolve one issue at a time that together would amount to greater change. Among the major developments in the status of slaves occurred when the marriages between the unfree became officially recognized by the Church, which now served as a protector of this sacred bond. Furthermore, the very morality of manumission was subverted by the Church, where manumission became an act of piety.[94]

Manumissio in ecclesia was made possible by none other than Emperor Constantine. Some historians interpret his decision to include the Church in the process of manumission as an example of administrative outsourcing. However, *manumissio in ecclesia* becomes vitally important in the period studied because it leads to great redistribution of slaves who often become bound to the church where they were manumitted, and as Stefan Esders rightfully points out, the "outsourcing" interpretation would not cover the newfound aspects of piety and forgiveness with emphasis on the afterlife, which are very much relevant in the early medieval period.[95] While manumission was not a new concept, these new aspects can be seen in the will of Bertram.

[93] *Ephesians, vi, 5*
[94] Bloch*, "How and Why Ancient Slavery Came to an End," 489.*
[95] Esders, "'Because Their Patron Never Dies,'" 559.

Analysis of the testament of Bertram of Le Mans from 616[96]

The range of dependent peoples freed or otherwise mentioned in the will of Bertram is quite diverse. Tied to a number of estates, Bertram mentions both *coloni* and *servi*. A particularly interesting is order 6 where Bertram disposes of a villa accompanied by a *colonica*. Here, clearly *servi* belonged to the villa and *coloni* to the *colonica*.[97] Weiderman argues that the unfree that belonged to the villa had no rights and worked as custodians of the villa while the *coloni* had some, hereby unspecified rights and were subject to separate taxation.[98] To address this issue, Mark Bloch created a subclass of unfree peoples, whom he called *servi casati.*[99] These people differed from regular slaves (*servi proprii*) as they owned inheritable tenure with dues tied to their land. This description makes them indistinguishable from *coloni*, who were freemen with similar bondage. Bloch's invention has been heavily scrutinized by modern scholarship and remains controversial.[100] Similarly, to Bloch, this issue of servile tenants has been recently raised by historian Chris Wickham. Wickham argues that the term "slave" as it is widely understood should not apply to these kinds of tenants as their unfreedom exists only in the name, but their self-sufficiency overrules their "legal" status.[101] To make matters more complicated, Bertram also mentions *mancipia* who are another kind of unfree persons, this time probably belonging to an estate, but also being allowed to own some land and work on it whilst also working for their lord. As Weiderman points out, it is unclear why Bertram separates these peoples from his *servi* because he is

[96] I chose Margarete Weidemann's *Das Testament des Bischofs Berthramn von Le Mans vom 27. März 616* as a guide through the will of Bertram, but I provide my own translation of the text.[96] This is because Weidemann's translation seems to be rather contextual, more than reflecting the exact formulation of the Latin text. Nonetheless, it, together with her commentary, still serve as a starting point for this analysis.
[97] *…colonies et servis, integra portion eorum*
[98] Margarete Weidemann, *Das Testament Des Bischofs Berthramn von Le Mans Vom 27. März 616* (Mainz, 1986), p. 109
[99] Bloch*, "How and Why Ancient Slavery Came to an End,"* p.6-8.
[100] For opposition see: Carl I. Hammer (2002), Harper (2011), Samson (1994), Bois (1989) translated by Birell (1992)
[101] Chris Wickman, *Framing the Early Middle Ages: Europe and the Mediterranean, 400-800* (Oxford University Press, 2005), 261-263, 560-563.

quite inconsistent in his will.[102] Although it seems clear that these people were often custodians of his estates as well as agricultural workers, often on the sizeable vineyards surrounding Bertram's villas and other estates. Among the people living on the estates, Bertram also mentions *famuli* who are generally understood to be household slaves usually serving directly inside of their master's household; however, Bertram does not specify their particular bondage, but in order 69 Bertram separates his *famuli* into 2 groups. The first belonged to villa Boalcha and was shared with his late brother Bertulf, these do not meet the definition of *famuli* in regard to Bertram but could be seen as such by proxy (Bertulf). These unfree people were relieved of their service by Bertram personally as they were his property.[103] Furthermore, they are to be offered the protection of Bertram and the Church of St. Peter and Paul as the other group of *famuli* which was freed by Bertram by his nature as a bishop. Most of these people resided in or around Le Mans and were mostly freed captives.[104] This emphasizes the complex nature of the slave system of the early Middle Ages and warrants the use of *unfreedom* instead of any of the aforementioned titles used by Bertram as they are no longer bound by the precise jurist definitions of the Roman era but are open to interpretation further emphasized by Bertram's inconsistency in their use. As historian Samuel S. Sutherland points out: "Medieval scribes were comfortable using identical terminology for all manner of unfree individuals."[105]

The order most relevant to this thesis, solely dedicated to the manumissions of Bertram's slaves and his posthumous arrangements is 67. In this order, Bertram names every

[102] Ibid. p. 110.
[103] The servants, of my brother Bertulf, once and these seem to remain in Cenomannicus, are all acquitted. … both men and women from the villa Boalcha, all are relieved from service.
famulis, aut germani mei Bertulfi quondam et haec in Cenomannicox manere videntur, toti absoluti sunt… tam viri quam mulieres de villa Boalcha, omnes a servitio relaxentur.
[104] …a servitio et defensionem vel tuitionem sanctae basilicae domni Petri et Pauli, sicut reliqui liberi mei, habere mereantur. Illos vero, quos de captivitate redemi et ante ingenui fuerunt et modo pro pretio servire videntur…
[105] Samuel S. Sutherland, "The Study of Slavery in the Early and Central Middle Ages: Old Problems and New Approaches," *History Compass* 18, no. 11 (2020): 3, https://doi.org/10.1111/hic3.12633.

unfree individual whom he wishes to free. We can also see some foresight in Bertram's writing as he expands his manumissions by all the additional slaves, he might procure in the future past the writing of this will and his death:

> I order these freedmen to be free: Lebigiselus with his wife and children, Chinemundus, Chrodosindus with his wife and children... Likewise, also my servants, who seem to serve me both Roman and barbarian. They are: Theodane, Bajone, Baudasindo... I order all of these to be completely "restored" with all their particulars that they have or were able to work on. And they deserve to have the protection of the holy basilica of the Lord Peter and Paul the apostles, where my little body may rest in the name of God, so that each one may come together at the time of his deposition, and offer or recite only the offerings of my name before the holy altar, and the service - such as they were seen to have performed - each one in the name of God they observe on the aforesaid day. And let the abbot of that place provide comfort, and afterward the abbot shall give them a just reward, and let each one return to their homes, both those whose names are contained here, or those whom I afterward procured from the barbarous nation, or may still procure, both boys and girls, whom I will have also bought…[106]

The *liberas* Bertram talks about do not have specified bondage. They are unfree, that is certain, but their position, rights and responsibilities aren't specified. The language in this part of the testament seems strange, as Bertram refers to his slaves as *liberas (liberos)*, which would translate as "the freed ones," and then orders them to be freed. This could be discarded as a mistake of the editor, which, as I have discussed, are plentiful, but in this case, I do not support this conclusion.[107] This then leads to a question, if these people are *liberas*, then why does Bertram need to order their freedom again? This group of slaves came into Bertram's possession when Bertram decided to save a group of Christians who were captured by slave traders. However, what does this mean about their status? As shown above, Bertram uses a

[106] *Hos has liberas liberae suae esse jubeo: Lebigiselo cum uxore et filiis, Chinemundo, Chrodosindo cum uxore et infantes… Similiter et famulus meos, qui michi deservire videntur tam natione romana quam et barbara. Id sunt: Theodane, Bajone, Baudasindo… Hos omnes ad integrum ingenuos esse jubeo cum omni peculiari eorum, quod habent aut deinceps laborare potuerunt. Et defendsionem sanctae basilicae domni Petri et Pauli apostolorum, ubi corpusculo meo in Dei nomenopto requiescere, habere mereantur, ita ut unusquisque tempore depositionis suae coveniant, et oblata tantum nominis mei ante sanctum altarium offerant vel recenseant, et ministerium – qualem egisse visi sunt – unusquisque in Dei nomen in praedicta die observant. Et abbati loci illius solacium praebeant, et postea in crastinum abbas det illis dingam reflectionem et unusquisque ad domos eorum revertantur, tam isti quorum nomina hic continentur, vel quos postea de gente barbara comparavi aut adhuc comparare poturo, tam pueri quam puellae, qui a me emti noscuntur;*

[107] Weidemann ops to use *captivi* instead of *liberas* when she discusses this passage.

plethora of terms to describe his dependents but it is almost impossible to ascertain the actual bond between them and Bertram. Many of Bertram's dependents were saved captives, as can be attested by his foresight that he might procure numerous others after writing his will. Furthermore, Bertram mentions another group of freed captives in order 29. In this order, Bertram bestows villa Murocincto upon his great nephew Leutfredus. Bertram specifically exempts freed captives from his donation, saying that "they shall remain free".[108] This rises another plethora of questions regarding the magnitude of freedom and independence among Bertram's subjects, especially the ex-captives.

Order 67 also shows that Bertram gives an option for those who decide to stay at the estate. In addition to their freedom, they shall receive the protection of the church of St. Peter and Paul as well as some sort of *peculium*. The only prerequisite for their freedom and reward is the veneration of Bertram on his feast day.[109] Rio is more skeptical of Bertram's motives. Her general argument in *Slavery After Rome* downplays the Church's significance regarding the transformation of slavery into serfdom. She argues that the manumissions, like in the case of Bertram, were a calculated move to guarantee veneration by "turning a couple of them into freedmen."[110] I disagree with Rio's assessment. When looked at alone, order 67 does seem to support Rio's conclusion, but within the greater context of the will, Bertram manumissed numerous people who were not directly tied to him or who would be expected to venerate him. This order appears near the end of the will and includes Bertram's desire to be buried in the basilica of St. Peter and Paul as well as orders and arrangements for the future *abbati* concerning his feast day. Therefore, Rio's argument only works within the context of this

[108] *excepto illius emisit aut ego de captivitate redemi, ipsi liberi perseverent*
[109] *Hos omnes ad integrum ingenuos esse jubeo cum omni peculiari eorum, quod habent aut deinceps laborare potuerunt. Et defendsionem sanctae basilicae domni Petri et Pauli apostolorum, ubi corpusculo meo in Dei nomenopto requiescere, habere mereantur, ita ut unusquisque tempore depositionis suae coveniant, et oblata tantum nominis mei ante sanctum altarium offerant vel recenseant, et ministerium – qualem egisse visi sunt – unusquisque in Dei nomen in praedicta die observant.*
[110] Alice Rio, *Slavery After Rome, 500-1100* (Oxford University Press, 2017), 98.

particular order which is dedicated to this matter. The plethora of other people being freed, as seen above, contradicts the notion that veneration is all the Church fathers were after. I submit this case of the freed slaves as a prime example of the shift from a bond with a person or owner to a bond to a place, land, or estate. Furthermore, Bertram's endowment to the Church included property which was rewarded to his family by the king. This is why Bertram's will begins with the precept that Chlothar II gave explicit permission to Bertram to dispose of his property in favour of the Church to save his spirit.[111]

This was in line with the synod headed by Bishop Aspasius of Eauze (551), which permits such donations to save one's soul.[112] Rules for such manumissions were further adjusted in the Synod of Toledo (633), which confirmed an exception for bishops who acquired or donated property to the Church, who would then be allowed to manumit slaves up to the value of the said property.[113] This is very similar to the conclusions of the *Council of Orleans* (541) which shows that this issue with manumissions of Church slaves was a reoccurring problem both in Hispania and Gaul.[114] The similarity of the councils' decisions also shows similarity in thinking if not unity in doctrine when it comes to this issue. Even though this synod happened after Bertram's death, its role was mostly clarification of contemporary practice rather than an institution of a new directive. Therefore, it is reasonable to assume that the finding of the Synod of Toledo (633) would be synchronous with the reality of the time when Bertram prepared his will. Additionally, the extent of Bertram's donations to the

[111] Margarete Weidemann, *Das Testament Des Bischofs Berthramn von Le Mans Vom 27. Marz 616* (Mainz, 1986).
[112] "*pro redemption animal"* Merovingian councils 1 p. 114, this is a confirmation of the earlier Visigothic synod of Agde from September 506.
[113] Fourth Council of Toledo (633), cc.67–74:La colección canónica Hispana,vol.5.2, ed. G.Martínez Díez and F. Rodríguez Barbero (Madrid,1992), p. 43.
[114] Georges Goyau, "Councils of Orleans," essay, in The Catholic Encyclopedia, vol. 11 (Robert Appleton Company, 1911).

Church (135 villas on 300,000 ha of land) was so great that it more than balanced out the value of the slaves he manumitted.

It is interesting to notice that Bertram went out of his way to ensure that the slaves he manumitted were of both Roman and barbarian (in this case, most likely Germanic) origin. Bertram not only freed these people but also their property and any fruits of their labour (*cum omni peculiari eorum, quod habent aut deinceps laborare potuerunt*). This can be seen as an example of the second type of unfreedom mentioned by Bloch. The unfree are not only allowed to own property, which is something that even traditional ancient slaves had the right to, but here in Bertram's will, we also find the connection between these peoples and their labour which is one of the defining characteristics found in Bloch's qualifications of the *colon*y.[115] This is also in direct opposition to McCormick's interpretation, for the fruits of a slave's labour were released alongside them.[116]

Moreover, Bertram puts these new freemen under the protection of his church of St Peter and Paul (*Et defensive sanctae basilica Domini Petri et Pauli apostolorum ... habere mer*anti). This is a very important act for a newly freed slave, for acquiring one's freedom is just as important as being able to keep it. Therefore, this is an example of the Church's further role in the whole process of manumission from unfreedom. This process is very similar to the legal practice of guarantors. Generally speaking, early legal codices very often served as mere guidelines for the judges and the actual punishment was often influenced by the number, quality, and rank of the guarantors that could be supplied by the defendant. Similarly, in the case of the newly freed, the Church served as a guarantor of this status. The higher the prestige of the Church, the better the chance of an individual retaining their freedom.

[115] Bloch argued that *colony* are a kind of peoples who have some right to both property and fruits of their labor, however, Bloch saw their emergence much later. Marc Bloch, *"How and Why Ancient Slavery Came to an End"*
[116] McCormick, *Origins of the European Economy*, 753.

Proverbs 31:8-9 can serve as a Biblical explanation of this involvement of the Church as it can be literally applied to those "that cannot speak for themselves," which would be a pretty fitting description of the slaves in these cases.[117] This obviously led to further diversification of the unfree status.

The defense granted to these people by Bertram can be understood both legally and socially. The framework for manumissions through the wills of the deceased bishops was laid by the Council of Paris III (556 -573).[118] This council also established the status of those who were freed in this way and remained as custodians of the tomb of their patron, as is the case with the freedmen of Bertram. Just as Bertram specifies, the council guaranteed protection to these people as well as their descendants.[119] The Church, in this case, represented by the Basilica of Saints Peter and Paul, became the de facto patron of these people and the future residing abbots were compelled by the will of Bertram to take good care of them.[120] They became bound to an institution that, in turn, became responsible for their protection.

So far, these passages focus on the rights these people obtained. However, as Pijper would object, these emancipations rarely came without conditions.[121] To further understand the diversity of unfreedom, the following passages of Bertram's will deal with the obligations upon which the rights of the manumission are dependent. First, they shall all convene at the church of Saints Peter and Paul on the anniversary of Bertram's death (*ita ut unusquisque tempore depositions sure convenient*). On this day, they are supposed to deliver great gifts to the holy altar in Bertram's name *(et oblata tantum nominis mei ante sanctum Altarum offering*

[117] "Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy."
[118] Brigitte Basdevant and Jean Gaudement, "Council of Paris III ," essay, in *Les Canons Des Conciles Mérovingiens: Vie - Viie Siècles ; Texte Latin de l'édition C. de Clercq* (Paris: Ed. du CERF, 1989), 422–23.
[119] Ibid.
[120] The will speaks of *abbas* and *abbati* as representatives of the Basilica. Bertram directly addresses the future *abbati* when stating his wishes. I am not sure why, but Bertram gives them this title. In Secondary literature it is most often called the church (or a basilica) of Saints Peter and Paul never and abbey.
[121] Pijper, "The Christian Church and Slavery in the Middle Ages," 685.

vel recension). The act of delivering gifts (*oblata*) to the altar usually fell onto the community of the particular church. In later ages, this duty was absorbed by the Church, but in the early Middle Ages, the communal gifts served as an important showcase of piety and sacrifice. This act done in the name of Bertram would serve as an important reminder for the future bishops of Le Mans and the future *abbots* of the church of Saints Peter and Paul about their great predecessor and founder. It is possible to see this as an attempt by Bertram to trigger his future canonization, and if so, his effort was successful. However, it would be inconsiderate to ascribe any malice to Bertram's efforts as these acts were common among the Medieval bishops. Bloch agrees that it would be incorrect to disregard eternal rewards in the kingdom to come as a contributing factor to many manumissions, which is true for both secular lords who chose to donate lands, slaves and other goods or to manumit slaves *in ecclesia* to showcase their piety and ecclesiastical figures whose posthumous sainthood might be judged upon similar deeds.[122] Furthermore, there was no formal canonization process in this period. It would most likely fall onto his successor to declare him a saint if warranted.[123] The veneration Bertram was asking for seems in itself an important steppingstone to sainthood as a confessor. This is further emphasized by the fact that Bertram's manumissions made it into the *Acta Sanctorum,* where they are listed among other things as proof of his sainthood in a chapter titled: "Manumissions of both slaves (*sevorum*) and slaves (*mancipiorum*) of both sexes. Funeral care & anniversary: conclusion with signatures."[124] The chapter continues: "I order these to be free..."[125], followed by the same detailed list of names and family members as can be found in the will.

[122] Bloch, "How and Why Ancient Slavery Came to an End," 489.
[123] Although, as I will argue having a tomb of a saint in the Basilica of Saints Peter and Paul would carry great benefits both spiritual and economic for the future bishops.
[124] *Manumissiones tam servorum quam mancipiorum sexus utriusque. Cura sepulturæ & anniversarii: conclusio cum subsignationibus.*
[125] *Hos et has liberas liberosve esse jubeo*

The commemoration of the founding fathers of many churches was a significant part of medieval society. These events often evolved into greater festivities, like in the case of the feast of St. Hillary, and brought pilgrims from far and wide. Places like Tours gained immense power and wealth from the pilgrims who would visit the tombs of deceased saints in search of a remedy or a blessing. This is further proof that ecclesiastical manumissions and the commemoration of the manumitter carried both spiritual and economic benefits.[126]

Bertram compelled future *abbots* of the Church of Saints Peter and Paul to light a commemorative light at his grave on the occasion of his anniversary. Bertram made sure to outline the divine punishment that would befall the head of the unfortunate abbot who would forget this duty. He obliged the manumitted to offer support (*solarium*) to the abbot *loci* (the abbot of the church of Saints Peter and Paul) for the feast that would have been organized at this occasion, after which everyone would return home. *(Et abbati loci illius solacium praebeant, et postea in crastinum abbas det illis dignam refectionem et unusquisque ad domos eorum revertantur.*) However, Bertram offered compensation for those who chose to remain and serve the basilica.[127] Here it is clear that rather than being burdened, as Pijper argues, the manumitted are offered a choice. This is a further example of the diverse paths that the freed could take. The requirement of *oblate* from the manumitted should not be seen as a form of payment for their freedom. During this time, it was expected of the community to participate in this function, and therefore, rather than interpreting Bertram's will as a request for payment, it can be seen as a request for *oblate* for his church. Further, the manumission of an equal amount of barbarian and Roman slaves, which could have been

[126] McCormick, *Origins of the European Economy*, 753.
[127] *Et qui hic in Cenomannico terraturio manere noscuntur, defensionem sanctae basilicae domnorum apostolorum Petri et Pauli se habere noscuntur, si necesse fuerit. Et abbas ille, cui basilica sancta ad regendum et gubernandum commissa fuerit*

easily exploited for conversion, is further proof that the malice that Pijper ascribes to the early Church is unfounded.

Finally, Bertram wrote down more general, blanket manumissions which include the "barbarian boys and girls" he might purchase in the future.[128] As Alice Rio points out, since Bertram refers to these boys as *pueri,* they would represent his household rather than rural ones, which were never referred to as such.[129] Bertram also frees those whom he released from captivity, however unlike beforehand he no longer calls them *liberati* instead opting for a longer "*Illos vero, quos de captivate redemi, et ante ingenui fuerunt,"* meaning: "All those whom I have freed from captivity who were innocent beforehand." This shows the gradient in which unfreedom operated. From this sentence, it is impossible to know what kind of bond these people had to Bertram or how it was changed by this manumission.

Furthermore, Bertram freed the servants whom he acquired after the death of his brother Bertulfus and those who served in defense of the church of Saints Peter and Paul and who still remain in Le Mans.[130] Moreover, Bertram not only freed slaves but also those who served him at the Villa Boalcha from all their obligations. These people were mostly his dependents but not slaves.

The notable part of this order is when Bertram repeats his wish to be remembered and commemorated not only by those freed by him but by their children as well, offering perpetual protection (*defence*) under the patronage of his church.[131] The act of illuminating his tomb

[128] *tam isti quorum nomina hic continentur, vel quos postea de gente barbara comparavi aut adhuc comparare potuero, tam pueri quam puellae, qui a me empti noscuntur*
[129] Alice Rio, *Slavery After Rome, 500-1100* (Oxford University Press, 2017), 93.
[130] *...germani mei Bertulfi quondam et haec in Cenomannicox manere videntur, toti absoluti sunt a servitio et defensionem vel tuitionem sanctae basilicae domni Petri et Pauli, sicut reliqui liberi mei, habere mereantur.*
[131] *Et ipsis una pariter cum abbate de sepulturola mea - tam de luminario quam de cineribus meis - integra eis sit cura usque diem ultimo m vitae eorum. Tam illi quam soboles qui ex ipsis fuerant procreati in perpetuo debent cum integra diligentia deservire, et ingenuitas status illorum sub defensione ipsius abbatis debeat perpetualiter perdurare.*

which, according to his wishes, would be placed in the church of Saints Peter and Paul, was extremely important to Bertram. While the inclusion of the further generations in his will might seem to support Pijper's argument, the burden placed on the future generation is negligible. Looking carefully at the manumitted, they were freed together with their spouses and children. Therefore, I would argue that the "future generation" which is Bertram referring to in this order is the one already born, and which would have directly benefited from this manumission rather than a perpetual understanding of "future generation."

Overall, the will of Bertram is an excellent source for the demonstration of the plurality of unfreedom of the early Middle Ages. Furthermore, the role of the Church in the process of retaining the freedom of the manumitted cannot be understated. Fueled by piety rather than pity, ecclesiastical manumissions were, without a doubt, an important step in the evolutionary chain leading towards the abolition of slavery. It should be clear, that the "strings" attached to the slave's freedom can hardly be interpreted as burdens but rather as an expression of an honest desire for commemoration. Heike Grieser came to a similar conclusion in her book on Slavery in late antique and early medieval Gaul (5-7th century).[132] Her extensive research of the early medieval sources let Grieser argue that, on one hand, the Church did offer better protections to their slaves, in comparison to the privately owned slaves and that the Church undoubtedly created societal pressures that shaped the institution of slavery, however, at the same time the same protections also meant the denial of absolute freedom to the ecclesiastical slaves.[133] Having looked at the examples provided by the will of Bertram I do agree with the first part of the conclusion, but I disagree with the idea of absolute freedom being otherwise obtainable. The Medieval age was hostile towards the idea of absolute freedom and any manumission could only replace the immediate master with one higher up the chain. While the Church did place

[132] Heike Grieser, *Sklaverei Im Spätantiken Und Frühmittelalterlichen Gallien (5.-7. JH.): Das Zeugnis Der Christlichen Quellen* (Franz Steiner, 1997).
[133] Ibid. 223

burdens upon those that were manumitted, my interpretation is that there is little to no difference between what was asked of a manumitted ecclesiastical slave and a servile tenant. Furthermore, as Grieser also points out, the influence of saints as advocates of the unfree greatly altered the status of slaves as they were seen, in narratives often directed directly at the slaves by the saints, as self-responsible subjects.[134] The Church gave the unfree agency over their salvation, moreover thanks to Pope Gregory, they gained influence over the salvation of their masters.[135] This newly gained power cannot be discarded as unimportant or marginal.

Was Francia a Temple society?

Historian Stefan Esders in his paper *'Because their patron never dies'* proposes evaluating the early medieval Frankish society as a "temple society."[136] With the tendency of current historical research to focus on socio-economic factors rather than Christianity, influencing the transition from slavery to serfdom, it seems prudent to explore the nature of the society which facilitated this change. The current state of discourse among scholars is still deeply influenced by Bloch. With a particular focus on micro-history as seen in Duby and attempts at understanding this change through a Marxist economic lens. Bloch attributed the Christian idealism with its pressure on the supply of slaves and pious manumissions as an avenue of societal change.[137] However, recent scholarship tends to steer away from this explanation. Even Rio also only marginally touches upon the impact of Christianity on Slavery in her book *Slavery after Rome 500-1100* which has been a great inspiration for this thesis, instead focusing on a plethora of other plausible explanations.[138] That is not to say that Christianity and the

[134] Ibid. 223-224
Gregory the Great. "The Book of Pastoral Rule" In *Nicene and Post-Nicene Fathers*, ed. Philip Schaff, series II, vol. XII, (Grand Rapids, MI: Christian Classics Ethereal Library), p. 633
[136] Esders, "'Because Their Patron Never Dies.'"
[137]Bloch, "How and Why Ancient Slavery Came to an End," pp.24-27.
[138] Alice Rio, *Slavery After Rome, 500-1100*. (Oxford University Press, 2017).

Frankish Church are solely responsible for the change described, however when taking into account the subtle societal conditioning through stories of saints manumitting slaves, emphasis on humility and promotion of manumissions as a form of piety, its impact might have been greater than yet realized. Esders makes four observations about temple societies that will serve as a litmus test as to whether or not this determination fits early medieval Francia. First, the rituals of temple societies express an idea of the reigning deity as a sovereign. Second, the sovereign deity must stand in the center of both moral and economic transactions that constitute a redistributive process. Third, temple endowments provide the organizational framework for individuals and groups to participate in redistributive processes and share in their benefits. Fourth, conflicts generated by this process are resolved by an outside agency whose mandate is to 'protect' the temple.[139]

I will focus primarily on the final two aspects that are most relevant to this thesis. First, whether or not temple endowments provide an organizational framework for participation in redistribution. As already discussed, the manumission of slaves, particularly the *manumissio in ecclesia,* became extremely popular among the upper classes of the Merovingian Gaul. The Gaelic Church came into possession of immense amounts of property, including slaves, and in return, the affluent gained points for the afterlife. Commemoration of Bertram by his dependents and annual rites performed at his tomb was a significant issue for the bishop, and such commemoration served as another framework of redistribution where the Piety of their master was venerated and they were blessed by his perpetual protection as a saint and patronage of the ecclesiastical institution.[140] This framework was, however, nothing new. The lighting of lights over his tomb as requested by Bertram was not an unusual request: it was deeply rooted in old tradition. Esders points us to examples from imperial Rome, where lighting a lamp

[139] Esders, 556.
[140] Gregory of Tours, *Glory of the Confessors,* (transl. Raymond van Dam) 2004, p. 51

"*lucerna lucens*" was among the requests made upon the freedmen by their former slave owners.[141] We also see this being one of the rites that would have been denied to St. Mitrias of Aix had he not intervened and left unpunished those who would dare to raise a hand against the property of the Church.[142]

Second, we need to take a look at the outside agency that exists to protect the temple and resolve conflicts. The lives of saints and their interactions with slavery could be considered a moral compass that the Church was trying to impose upon the Merovingian world. The *vitae* Gregory recorded were not just proof of the power of God and those who were blessed by it, but they were cautionary tales about what would happen if someone were to trespass against the Church or its property. As seen with Childeric, St Mitrias of Aix punished him for making an incorrect judgement, one that would deprive the Church of its property and more importantly the saint of his veneration.[143] Therefore, if Esders is speaking about "an outside agency whose mandate is to "protect the temple," saints fit into this role perfectly. Historian John Kitchen argues that Gregory likely went into a lot of trouble to collect evidence, witnesses, and statements to corroborate the lives of the saints.[144] This would have been all for naught if no one believed them. Therefore, it is immaterial whether we believe these stories, all that matters is that the people of 6th century Francia did.

Overall, Francia of the early Middle Ages meets the definition of a temple society. This is an important observation because historians tend to downplay the role of the Church in the evolution of slavery into serfdom. However, within the context provided by this thesis, it is

[141] Example from imperial Rome: Corpus inscriptionum latinarum VI.4.1, ed. C. Huelsen (Berlin,1894), no.10248 (Inscriptiones latinae selectae, ed. H. Dessau, vol.2.2 (Berlin,1906), no.8366): *monimenti reliquiarumque suarum culturam dedit libertis libertabusque suis...itaut ex reditu. . . quodannis die natalis sui et rosationis et violae et parentalibus memoriam suisacrificis quater in annum factis celebrent et praeterea omnibus kalendis, nonis, idibus suisquibusque mensibus lucerna lucens sibi ponatur incenso inposito*
[142] Gregory of Tours, *Glory of the Confessors*, (transl. Raymond van Dam) 2004, p.51
[143] Ibid.
[144] John Kitchen, A Companion to Gregory of Tours, (edt.Alexander Callander Murray) 2016

clear that a society like Early Medieval Francia relied heavily on the Church and its representatives and therefore I find it impossible to discount the Church's influence on slavery.

Conclusion

Faith was both a religious and political issue for the Franks. King Clovis chose Catholic Christianity because it both suited his religious needs but also allowed him to wage wars on Arian princes and strengthen his position as the king of the Franks. This way, the Catholic Church gained access to the courts of the Merovingian kings. Catholic bishops became confessors, aides and friends of several of the kings who succeeded Clovis, dealing with issues both religious as well as secular. Among these secular issues that the Church would delve into was slavery. The crux of the relationship between the early Frankish Church and slavery lies in the way the Church subtly modelled and steered the circumstance of slavery. The interference of Church councils with the export of slaves as well as the prohibition of the sale of Christian slaves to non-Christians, while among the more well-known anti-slavery actions of the Church. For example, as Samson argued, it was the circumstance created by the Church with its interference in the reproductive rights of the slaves that decreased the viability of large-scale slave estates rather than that being their fundamental nature as argued by Bloch.[145] The lack of general abolitionist writings cannot and should not be understood as a passivity and indifference towards the institution of slavery and those suffering under its yoke. This thesis has clearly shown that the actions of the Church were vehemently in support of fair treatment of slaves and manumissions. Whether these manumissions were done out of a selfish desire for salvation or an honest show of humility depends on each individual master and overall, it is irrelevant to the discussion. What matters is that the Church created an avenue and an

[145] Ross Samson, "The End of Early Medieval Slavery," essay, in *The Work of Work: Servitude, Slavery, and Labor in Medieval England*, ed. Allen J. Frantzen and Douglas Moffat (Glasgow: Cruithne Press, 1994), 109–19.

environment in which such acts were not only possible but also preferable. This thesis highlighted the procurement of captives by the representatives of the Church, who were then released under conditions that bound them to local religious institutions such as churches, bishoprics, and monasteries. This led to the creation of an entire class of semi-freedmen who laboured away at the extensive Church properties, primarily in agricultural production. On one hand, absolute freedom was actively denied to the manumitted ecclesiastical slaves and bishops were actively discouraged by the ecclesiastical councils to manumit slaves that they did not personally own, but who were rather the property of the Church. On the other hand, as was previously shown, this was done to maintain the self-sufficiency of the estates and in lieu of the ephemeral absolute freedom status akin to servile tenancy was most readily dispersed among the manumitted, which in addition to its traditional perks also came with the protection of the local ecclesiarch which allowed the newly manumitted unfree not only to gain but also to maintain their newly acquired status.

If the hypotheses of Marc Bloch are to be believed, that large-scale slavery became unprofitable and hence unsustainable in this sector, this semi-free class may well have been a successor that came along much earlier than at the break of the millennia.[146] Therefore, in line with the argument of Dominique Barthélemy and his successors, of the continuity of history, it is clear that the gradual increase in populations bound to ecclesiastical institutions that emphasized self-sufficiency pushed out traditional Roman slavery from Church estates.[147] Finally, all this put together leads us to the conclusion that under certain circumstances, early medieval Europe can meet the criteria of a temple society, as suggested by Stefan Esders.[148] The evidence of this can be found in the will of Bertram, the *History of the Franks*, and other writings of Gregory

[146] Bloch, Marc. "How and Why Ancient Slavery Came to an End." In Critical Readings on Global Slavery, (Leiden, The Netherlands: Brill, 2017)
[147] Dominique Barthélemy, "La mutation féodale a-t-elle eu lieu ? (note critique)," In: *Annales. Économies, Sociétés, Civilisations*. 47ᵉ année, N. 3, 1992. pp. 767-777.
[148] Esders, "'Because Their Patron Never Dies,'" 559.

of Tours. This further emphasizes the magnitude of the Church's influence on the formation of the Middle Ages as early as the fifth and sixth centuries. There is no reason why slavery should be exempt from the inferences of the Church since no other aspect of medieval life was spared. However, research into viewing the early Middle Ages as a "temple society" is still limited, and while I hope this case study might be of some use, I would encourage further research into this subject.

Another issue that warrants further research is the dating of the rise of serfdom within the ecclesiastical sphere. What this thesis just hints at is the possibility that within the realm of ecclesiastical property, the shift towards medieval, tenancy-style serfdom occurred already at the brink of the medieval era. As discussed, the current consensus is that the shift from slavery to serfdom occurred gradually, reaching its breaking point around the downfall of the Carolingian period. However, if we focus solely on the ecclesiastical realm, it might be possible to move this breaking point significantly towards the end of the Roman era. Hopefully, this research thesis might prove fruitful in establishing some of the issues and will further the research of early medieval Gaul and the functions of the Church within this realm.

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