

CHAPTER 18

SLAVERY IN THE CAROLINGIAN EMPIRE*

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A significant part of the population of the Carolingian empire – which over the period 750–900 CE dominated much of Western Europe – was legally unfree. Discussion about these unfree people has tended to focus on whether they had more in common with their counterparts in the period that came before it (ancient slavery) or in that which came after (the serfdom of the central and later Middle Ages). What is at stake, to take the two extremes in this debate, is whether the Carolingian period may be regarded as the final nail in the coffin of European slavery north of the Alps, or, on the contrary, as its last hurrah.

Our sources, written in Latin, carried on referring to *servi* (for men), *ancillae* (for women), and *mancipia* (for either), from antiquity down to the twelfth century, without any apparent consciousness that the word had changed in meaning. What should we imagine to be the meaning of these words – slaves or serfs? Much of the answer depends on one's understanding of the nature of the distinction between slavery and serfdom and of how it might be possible to move from one system to the other. I will venture some hypotheses toward the end of this chapter. Before committing fully to the “transition” question, however, it is worth sounding a note of caution. The question of the transition from slavery to serfdom is not quite a *question mal posée*: after all, the Roman empire had slaves and the central Middle Ages had serfs, and clearly it is important to understand how this change might have come about. But it is also important to bear in mind that it is a limiting question. It has led to an overwhelming preoccupation with very long historical trajectories, as opposed to trying to determine what unfreedom in the Carolingian period was like in and of itself.

What is certainly inappropriate is to put the question in terms of *either* “slaves” *or* “serfs,” seen as mutually exclusive alternative candidates for an English translation of the Latin *servus* in eighth- and ninth-century texts. The sad truth is that we simply cannot know what *mancipium*, *servus*, or

* I am extremely grateful to Wendy Davies, Jinty Nelson, Alice Taylor, and Chris Wickham for reading this chapter in draft form. This chapter essentially summarizes ideas argued at greater length in Alice Rio, *Slavery After Rome, 500–1100* (Oxford, 2017).

ancilla mean when we meet them in texts unaccompanied by further contextual information: whether they refer to someone so deeply subjected that he or she would meet any working definition of what a slave is, or whether we are dealing instead with a relatively independent tenant householder who retained a measure of practical control over his or her own destiny. The same words could clearly be used to cover vastly different situations at the same point in time and in the same geographical area, and a single legal label could cover simultaneously people who look very slave-like along with some that look very serf-like, as well as many different realities in between.

Even if one takes account of this high level of diversity, the transition question still has the unfortunate effect of projecting onto a developmental framework of “old” and “new” what are often strictly contemporary pieces of evidence that simply relate to different experiences of unfreedom. This can lead to reading all the various manifestations of unfreedom in this period as representing either continuity from Rome or an anticipation of the serfdom of the central Middle Ages – for instance by automatically taking more slave-like features as an inherited remnant of the Roman tradition. Pierre Bonnassie thus used Carolingian laws and capitularies (royal orders listed under individual chapters, *capitula*) as a sign that “ancient” slavery was still alive and well.¹ But there is no reason to think of the harshest forms of unfreedom in the Carolingian period as necessarily more “Roman” and backward-facing, capable only of dwindling or staying the same: they too could be the object of new adaptations serving contemporary needs. Slavery is, after all, a relatively simple idea, and most societies in human history seem to have managed to come up with some version of it without the benefit of a preexisting Roman tradition. The inheritance of Rome is not necessary in order to explain the existence of very harsh forms of unfreedom during the early Middle Ages.

The problem, then, with treating unfreedom in the Carolingian period through the lens of the debate over the transformation of slavery into serfdom is that it leaves little space for the type of experiment that was *both* essentially new and non-Roman *and* which also did not end up having much of an afterlife in later centuries. Leaving these out of the story does not simply amount to adjusting for outliers or leaving aside some incidental historical curios; it means missing much that was distinctive about the category of unfreedom, and its uses by contemporaries, during this period. What happened to slavery in these centuries needs to be understood not

¹ Pierre Bonnassie, “Survie et extinction du régime esclavagiste dans l’Occident du haut moyen-âge (IVe–XIe siècle),” *Cahiers de civilisation médiévale*, 28 (1985): 307–343; for an English translation: Pierre Bonnassie, *From Slavery to Feudalism in South-Western Europe*, trans. Jean Birrell (Cambridge, 1991), ch. 1.

only in light of developments over the *longue durée*, but also in the context of the short-term, opportunistic strategies of all those who, for one reason or another, chose during this period to express their claims over someone in terms of unfree status. Carolingian unfreedom is not only interesting because it represents a central moment in the complicated narrative of the shift from slavery to serfdom, though this is sufficient to lend it an important place in the history of Europe; it is also interesting because it brings up very distinctive, often eccentric, approaches to the meanings and uses of unfree status, and in the process throws up all kinds of unusual problems. Early medieval unfreedom was around for centuries and was experimental in many different ways, so it is worth thinking of it as a distinct phenomenon, rather than just as a way of getting from A to B.

SOURCES OF UNFREE LABOR

The passage of individuals from a free into an unfree status involved a range of practices which owed little to the Roman tradition, while also not having all that much in common with central medieval serfdom or later medieval chattel slavery. Even capture and the slave trade, which might seem like the best place to start for the “harsh” end of early medieval slavery, do not seem to owe much to preexisting Roman slave-trading patterns.² There is a marked discontinuity chronologically, geographically, and in terms of the type of demand it served. The early medieval slave trade did not steadily decrease in volume the further away in time it got from the Roman slave trade, nor did it involve the same regions. Instead, it seems that, after a period of apparently low demand, it reached a new and sudden peak in the ninth and especially the tenth century, with the emergence of a massive demand for slaves in the Muslim world.³ This trade seems to have stopped relatively quickly thereafter, so it also bears no continuity with the revived Mediterranean slave trade of the later Middle Ages.

The Carolingian-era slave trade, unlike its Roman predecessor, also shows a remarkably low level of articulation with the internal organization of labor, production, or consumption. Instead, it seems to have involved essentially selling outsiders (Slavs from Eastern Europe) to other outsiders (Muslims). One might conclude, as Michael McCormick did, that the Carolingian Empire, given its high level of political organization and geographical reach, would have been ideally placed to become a privileged slave-trading partner with the Muslim world. There is

² Kyle Harper, *Slavery in the Late Roman World, AD 275–425* (Cambridge, 2011), pp. 497–509.

³ Michael McCormick, *Origins of the European Economy: Communications and Commerce, AD 300–900* (Cambridge, 2001), pp. 733–777; Michael McCormick, “New Light on the Dark Ages: How the Slave Trade Fuelled the Carolingian Economy,” *Past & Present*, 177 (2002): 17–54. Specialists of the Muslim world have not yet responded fully to this hypothesis: see Chapter 14 in this volume.

surprisingly little concrete evidence, however, that the Franks actually were the chief beneficiaries of this trade or that they controlled it in any significant way. If anything, the big winners in the development of a long-distance slave trade seem to have been, rather, the more politically fragmented, relatively less economically complex areas on the fringes of western Europe: Slavic eastern and central Europe; Scandinavia; and also, perhaps more marginally, Britain and Ireland. A great deal more evidence for slave raiding and trading survives from these regions than for Francia – whether in the form of Arab coin hoards (the vast majority of which survive in eastern and central Europe and in Scandinavia, rather than within the Frankish kingdoms) or of written sources documenting slaves fed into an overseas market (Britain, Ireland).⁴ The Carolingian empire offers much less by way of clear evidence on the subject. A few texts emanating from Frankish regions do suggest a concern to derive benefits from the slave trade through taxation, as well as the beginnings of moral criticism against slave trading (not, importantly, against slavery in and of itself). At the Council of Meaux-Paris of 845–846, the assembled bishops extended their concern to pagan slaves, by urging kings to ensure that those who crossed their kingdom were sold only into Christian hands, so as to give them at least a chance of salvation.⁵ Such objections, however, could imply not, as McCormick argues, that the slave trade was a particularly familiar and persistent presence but that Franks, while sufficiently aware of this trade to take a view, did not have a particularly strong economic stake in it and could afford to take on a morally superior attitude toward it.

While there are certainly grounds, therefore, to imagine a significant slave trade from northern and eastern Europe into Muslim regions during this period, the notion that the Frankish kingdoms derived the main financial benefits from it remains largely unsupported. In marked contrast with written sources emanating from Britain or Ireland, or those scarcer ones dealing with Slavic regions, unfree people only rarely register in Frankish sources as a commodity. The main documented forms of movement from a free into an unfree status in Francia involve not raided captives but cultural insiders engaged in forging or redefining a social and economic relationship with a more powerful party, through practices

⁴ Florin Curta, “East Central Europe,” *Early Medieval Europe*, 12 (2003): 283–291; Eduardo Manzano Moreno, “Circulation de biens et richesses entre al-Andalus et l’Occident européen aux VIIIe–Xe siècles,” in L. Feller and A. Rodríguez (eds.), *Objets sous contraintes: circulation des richesses et valeur des choses au Moyen Âge* (Paris, 2013), pp. 148–180; Marek Jankowiak, “What Can Trade in Saqaliba Slaves Tell Us about Early Islamic Slavery?” *International Journal of Middle Eastern Studies*, 49 (2017): 169–172; see also the “Dirhams for Slaves” project, <http://krc.orient.ox.ac.uk/dirhamsforslaves/index.php/en/> (accessed January 29, 2018).

⁵ Wilfried Hartmann (ed.), *Die Konzilien der karolingischen Teilreiche, 843–859* (Hanover, 1984), no. 11, cap. 76, p. 124; McCormick, *Origins of the European Economy*, p. 774.

like voluntary self-sale, self-gift, or enslavement in payment for a debt or a crime.

These internal sources of newly unfree people also stand in quite sharp contrast with Roman precedents: Roman jurists, for instance, had considered voluntary self-sale to be illegal, and counted it as fraud. Self-sale was taken as an essentially perverse decision, which could only be made by someone who did not understand the true value of freedom and citizenship and therefore did not deserve to enjoy either. Byzantine laws retained an equally harsh view of self-sellers down to the tenth century.⁶ By late antiquity, however, a separate and specifically Christian discourse had developed regarding this practice, taking it instead as a symbol of the rapacity of the rich and their willingness to enslave the poorest and most desperate, instead of offering them protection and charity, as they should have done. Self-sales in either tradition, then, occasioned severe moral judgments, albeit targeted at opposite parties in the transaction. By the Carolingian era, however, one finds very different sorts of values being attributed to self-sales even in the most high-minded of written sources: the West Frankish king Charles the Bald (r. 840–877), in his Edict of Pîtres (864), went so far as to claim that buying poor people's freedom in exchange for food was an act of Christian charity, and that those who were unwilling to do so were failing in their duty of compassion.⁷ This charitable reading consciously ignored all earlier moral objections, whether legal or religious, and so presented self-sales as inherently less problematic.

There is also evidence that early medieval people, at least at lower social levels, could take a very pragmatic attitude to disposing of their free status. Some engaged in complicated trade-offs and bargained to transfer only fractions of their freedom or to transfer it only temporarily, as in the highly unorthodox case, preserved in a model notarial document in an eighth-century manuscript, of a man who gave away "half" of his freedom in exchange for a cash loan, specifying he would perform only "appropriate work" (whatever that may have meant) for one day in each week.⁸

Carolingian laws and documents suggest that things had been moving in the direction of allowing people to dispose of their free status fragmentarily or temporarily, rather than by an entire and permanent transfer. Charles

⁶ Pierre Noailles and Alphonse Dain (eds.), *Novelles de Léon VI le Sage* (Paris, 1944), no. 59, pp. 220–223.

⁷ Alfredus Boretius and Victor Krause (eds.), *Capitularia regum Francorum*, 2 vols. (Hanover, 1883–1897), no. 273, cap. 34, Vol. 2, pp. 325–327.

⁸ *Formulae Andecavenses* no. 38, in Karl Zeumer (ed.), *Formulae Merovingici et Karolini Aevi* (Hanover, 1886), p. 17; for an English translation, see Alice Rio, *The Formularies of Angers and Marculf: Two Merovingian Legal Handbooks* (Liverpool, 2008), pp. 79–80. On this and further cases, see Rio, "High and Low: Ties of Dependence in the Frankish Kingdoms," *Transactions of the Royal Historical Society*, 18 (2008): 43–68, and Rio, "Self-Sale and Voluntary Entry into Unfreedom, 300–1100," *Journal of Social History*, 45 (2012): 661–685, at 671–672.

the Bald, in the clause of the Edict of Pitres just mentioned, had imagined that self-sellers' period of service should be a temporary one, pending redemption at a set rate.⁹ This was both an exciting new direction and also, evidently, something of a dead-end, since it had so little to do with what seems to be going on later, in central medieval examples such as those from the eleventh-century *Book of Serfs* of Marmoutier in the Touraine, which preserves a number of documents in which free people handed themselves over to that monastery.¹⁰ There, these acts were no longer conceptualized as sales, but as gifts, which lent them a different symbolic meaning. Moreover, such self-gifts always involved a permanent undertaking engaging the whole of a person: by the eleventh century we no longer see any of the transactional wrangling over terms and conditions sometimes found in Merovingian- and Carolingian-era sources. Instead, the whole point had become the establishment of a permanent and binding relationship, which the adoption of unfree status seems to have symbolized in a uniquely powerful way. Carolingian self-sales are therefore markedly different not only from earlier Roman and late antique attitudes but also, at the other end of the chronological scale, from central medieval examples.

Another form of entry into unfree service in the Carolingian period, penal enslavement, was obviously more coercive from the start and so probably as a rule more disadvantageous and less open to negotiation, though in ways that would have surprised a Roman lawyer just as much. Roman law had maintained a distinction between slaves, on the one hand, and, on the other, convicts destined to labor in mines or public works – a distinction which early medieval penal enslavement did not perpetuate. Penal enslavement had by then become a much more flexible instrument and one which actually had very little to do with state enforcement.¹¹ It applied essentially when someone was unable to pay the legal compensation owed to a person they had wronged: enslavement for crime and enslavement for debt were not strongly differentiated. A person accused of a crime could hope that their kin, their friends, or their local community would choose to come to their rescue, either before their condemnation by helping to exonerate them through swearing an oath or witnessing on their behalf or, failing that, by helping to gather the compensation payment afterwards. Penal enslavement applied to those unfortunates who were not

⁹ See above, n. 7.

¹⁰ André Salmon (ed.), *Le livre des serfs de Marmoutier* (Tours, 1894); Dominique Barthélemy, "Les autodédications en servage à Marmoutier (Touraine) au XIe siècle," in Philippe Contamine, Thierry Dutour, and Bertrand Schnerb (eds.), *Commerce, finances et société (XIe–XIVe siècles): Recueil de travaux d'histoire médiévale offerts à M. le Professeur Henri Dubois* (Paris, 1993), pp. 397–415; for an English version, see Dominique Barthélemy, *The Serf, the Knight and the Historian*, trans. Graham R. Edwards (Ithaca, NY, 2009), ch. 3.

¹¹ Alice Rio, "Penal Enslavement in the Early Middle Ages," in Alex Lichtenstein and Christian de Vito (eds.), *Global Convict Labour* (Leiden, 2015), pp. 79–107.

crucial enough to family strategies or too difficult to get on with or whom simply nobody cared about enough to bail them out. Inability to pay for compensation marked out the condemned party as someone who either had been rejected by their habitual social network of support or did not have one in the first place: that is, as someone for whose actions no one else was willing to make themselves accountable and who therefore needed to be dealt with differently and much more harshly. Enslavement functioned as part of a very local process of dispute settlement. Even so, some avenues for reintegration were left open, and, particularly in Francia, these types of arrangement, too, came to be read increasingly as pledges of free status rather than as a definitive alienation. This had the advantage of giving the penally enslaved a hope (however remote) of being redeemed in the future, which in turn would have provided them with an incentive to act out their part and comply with the terms of their own enslavement. This expectation of temporariness seems again, as in the case of self-sale, to have completely disappeared by the eleventh century.

The consequences of losing free status varied from extremely harsh to fairly light, largely regardless of the reason for enslavement: it was not simply a matter of people drawn from internal sources coming under a more “serf-like” condition while cultural outsiders became slaves. For instance, the Slavs mentioned in tenth-century German royal documents as *sclavi* (the etymological root for “slave” in most western European languages), traditionally interpreted as captives, were evidently settled as tenants, and there is nothing to suggest any profound difference between them and other bound peasants. Conversely, while some people condemned to enslavement could sometimes hope to negotiate in ways similar to self-sellers, depending on how much they had to offer along with their bodies, others could fall under a much harsher discipline. The cultural distinction between “insider” and “outsider” seems less crucial in terms of the experience of unfreedom than what each particular individual had to offer and how that matched the particular needs of their new owner. Raided and traded persons, to the extent we can find them in the surviving material, do broadly seem to be the least in control of their own destiny, but that seems to have been due to their reduced scope for personal agency and their low negotiating power, rather than because they were somehow identified as cultural “others.” This is an important difference from the slavery of the later Middle Ages, for which identity and religious distinctions in particular were paramount in separating those who were legitimately enslavable from those who were not; and it is also different from the slavery of the late Roman Empire, when such a distinction had corresponded to that between citizen and noncitizen.

Clearly, then, people in the Carolingian period had started doing all sorts of very odd things with their free status and were putting it into play

as a solution to many different kinds of problem, in ways that often had very little in common with the periods either preceding or following it. Once one looks at the practical logic of the category, how it functioned and what strategies it served, continuity with either Rome or with the central Middle Ages becomes much more elusive than might appear at first sight. Despite some strong appearances of continuity (in particular in vocabulary and in formal statements made in written laws), the category of unfreedom in the early Middle Ages was characterized above all by diversity and experimentation.

HOUSEHOLD SLAVERY

It is also trickier than one might expect to sort out supposedly “old-style” slaves from “new-style” serfs based on generic functional categories, such as household domestic servant versus rural tenant. The household constitutes the classic, lowest-common-denominator setting for slavery, since it is potentially relevant to any social and economic setup, from the very simplest to the most complex. We thus find an important place for domestic slavery in regions of early medieval Europe standing at opposite extremes in terms of economic complexity: Byzantium, where domestic slavery seems to have remained a central feature of the aristocratic urban household, and Ireland, a society that was both much less wealthy and less economically differentiated and where household slaves are also mentioned fairly routinely in the surviving source material.¹² Carolingian Francia occupies something of a middle ground between these two settings in terms of economic complexity. Curiously, domestic slavery there seems to occupy a much less central place, both in the source material and in the modern historiography. Slaves, for instance, are surprisingly absent from Carolingian narrative sources involving elite households or the royal palace. When *servi* are encountered in narrative sources, they are nearly always tenant peasants living away from their master’s household. This goes even for saints’ lives, out of all literary genres probably the one most open to featuring personal interactions with slaves as part of the narrative (as it does in both Byzantine and Irish hagiography).

It is not that we can be sure that household servants tended to be of free status instead of being slaves; it is, rather, that their status is so rarely identified. Occasional references do make it clear that some trusted unfree servants could feature, for instance, as part of military retinues: the *Capitula missorum* of 786 of Charlemagne (r. 768–814) mentions “those *servi* who, as *honorati*, hold benefices and have special duties, or are *honorati* in service (*in vassallatico*) with their lord, and may own horses,

¹² See Chapters 19 and 20 in this volume.

arms and a shield and a wooden lance and a short sword.”¹³ Documentary sources also suggest that unfree servants could be highly valued for their loyalty, which might be rewarded with gifts or a grant of freedom. Maginfred, an unfree servant of Charlemagne, was evidently elite enough to be in a position to make a number of gifts of land to major monasteries; it was only after his death that anyone thought to question his right to have made them on his own account.¹⁴ But no “faithful slave” topos exists in Carolingian literature, and narrative sources do not present unfree dependence as a distinctive basis for personal loyalty to a lord, as some Byzantine sources do. The only explicit comment on the subject, by the historian Nithard during the civil war of the early 840s, is clearly negative: he writes that those faithless men who had broken their oaths of allegiance to avoid losing their lands had behaved “like slaves” (*more servorum*). Presumably the analogy referred to the normal practice, whenever a landed estate changed hands, of automatically transferring any unfree peasants who lived there to the new owner, to whom they would then owe their service. This was the exact opposite of how the loyalty of the elite free was meant to work, since the latter was supposed to hold firm regardless of the vagaries of territorial appropriations (at least for Nithard – others evidently felt differently).¹⁵

In the vast majority of cases, the status of household servants tends to be simply left unsaid. Already in the writings of Gregory of Tours, in the late sixth century, both household servants and military retainers had been referred to as simply *pueri* (boys) of indeterminate status. What was important was that they were junior and relatively powerless members of the household, more than the question of precisely what it was that made them junior. It may well be that the more inescapable the daily experience of subjection (likely to have been at its most extreme in a household context, where power over people was constantly being reasserted through daily personal interactions), the less need there was to invoke any precise legal status in order to support it: it simply went without saying who was in charge of whom. Domestic slavery thus seems, over time, to have become less relevant to the conceptualization of power and labor relationships within the elite Frankish household.

One possible exception, and perhaps the clearest example of unfree domestic service at the estate centers of Carolingian great lordships, involves women in textile workshops (*gynecaea*), who seem to have lived and worked together in dedicated quarters often associated with sexual

¹³ *Capitularia*, no. 25, cap. 4, Vol. 1, p. 67.

¹⁴ Engelbert Mühlbacher (ed.), *Diplomata Karolinorum*, 4 vols. (Hanover, 1906), no. 198, Vol. 1, pp. 266–267, and no. 203, p. 272.

¹⁵ Nithard, *Historiarum Libri IV*, Ernest Müller, ed. (Hanover, 1907), bk. II, cap. 3, p. 16.

licentiousness – all traits reminiscent of female slavery in other times and places. Susan Mosher Stuard, in a 1995 article, took this as a key piece of evidence that while unfree men during this period had turned into serfs (and preferentially married free women), unfree women remained slaves, generally stayed unmarried, and were rarely freed, their illegitimate offspring going on to make up the next unfree generation. But there is rather strong evidence that these textile workers were not specialized, permanent domestic slaves but instead young women drawn from unfree families living on tenancies, who had not yet married or were at some other particularly vulnerable point in their life cycle. This occupation is likely to have been only temporary, though some unlucky ones in practice may well have remained stuck there. (As an aside, there is also no evidence that women were freed any less frequently than men – if anything, rather the contrary, judging from the admittedly anecdotal evidence of surviving individual acts of manumission.)¹⁶

Women in *gynecaea* were not alone in blurring the distinction between domestic servants and tenants. The “prebendaries” (directly exploited agricultural workers without their own holdings) occasionally mentioned in estate surveys and documents may well have been drawn from an unfree population born in, and possibly destined to go back to, tenancies, alongside others brought into unfree service through other means, such as the more or less permanent pledges of status discussed earlier. For some, then, “slave-like” unfreedom could correspond to a lasting identity; for others it could simply correspond to a phase in their life cycle.

This ambiguity runs through surviving ninth-century estate surveys, also known as “polyptychs,” which deal with the property of large monastic houses and can contain remarkably rich information on the inhabitants of tenancies. Some of the tenants listed, who might well have been unfree themselves, had their own *servi* or *mancipia*. It is not always made clear in these texts whether we are dealing with an unfree workforce that wealthy tenants were capable of commandeering in their own right or with supernumerary members of families from other tenancies, redeployed by the lord in order to achieve greater flexibility in the distribution of manpower. The latter is certainly documented in Bavaria and in Carolingian Italy.¹⁷ It is likely that both situations were covered by the same words and the same putative condition. Tenant

¹⁶ Susan Mosher Stuard, “Ancillary Evidence on the Decline of Medieval Slavery,” *Past & Present*, 149 (1995): 3–28; Jean-Pierre Devroey, “Men and Women in Early Medieval Serfdom: The Ninth-Century North Frankish Evidence,” *Past & Present*, 166 (2000): 3–30. On manumissions of women, see Rio, *Slavery After Rome*, pp. 104–105.

¹⁷ Carl I. Hammer, “Family and *Familia* in Early Medieval Bavaria,” in Richard Wall (ed.), *Family Forms in Historic Europe* (Cambridge, 1983), pp. 217–248; Laurent Feller, *Les Abruzzes médiévales: Territoire, économie et société en Italie centrale du IXe au XIIe siècle* (Rome, 1998), pp. 526–533.

households could also be required to make available to their lord the work of a certain number of *mancipia* for a few days at moments of high agricultural pressure, such as harvest time: *mancipia* here could again mean either the unfree servants of the tenants themselves or their own family members.¹⁸ It would presumably have mattered little to the lord which kind was supplied, as long as somebody was. Although being defined as unfree might have virtually undetectable consequences for *some* members of a tenant family, such as the male head of household, this does not mean it did not have momentous ones for others, such as his unmarried daughters and sons, and any others liable to being used elsewhere.

Mobility between estate center and tenancies, and the growing ability of great lords to obtain labor directly from their unfree tenants, notably by redeploying younger or more vulnerable members of these tenants' families, could help to explain why household slavery in a more specialized sense seems to have become least relevant to the very highest elite, which would otherwise seem paradoxical. It would probably be a mistake, on the other hand, to discount the relevance of household slavery in the Carolingian Empire in other contexts, at least judging from a few occasional pockets of visibility. For instance, ownership of Christian household slaves by Jews was seen by some as a particular problem because of the fear of conversion: Agobard, bishop of Lyon, engaged in an extended polemic against this, thereby turning Jews into the best-documented owners of house slaves in surviving Carolingian source material. Since there is nothing to suggest that Jews had any particularly exceptional household arrangements, this could imply that household slavery remained a going concern elsewhere as well, albeit underrecorded.¹⁹ Presumably the type of unfree domestic service documented in the households of wealthier tenants in polyptychs could also be found in the households of independent peasant-landowners, which everywhere continued to account for a large proportion of exploitations overall, at least outside the regions most heavily dominated by the Frankish aristocracy. It is difficult to know how far to extrapolate, as this type of exploitation is so underrepresented in the source material, but this type of slavery at the peasant-household level certainly seems to have been common in most other areas of western Europe, so it

¹⁸ Ludolf Kuchenbuch, *Bäuerliche Gesellschaft und Klosterherrschaft im 9. Jahrhundert* (Wiesbaden, 1978), pp. 78–79; Etienne Renard, "Les *mancipia* carolingiens étaient-ils des esclaves?", in Patrick Corbet (ed.), *Les moines du Der, 673–1790* (Langres, 2000), pp. 179–209, at 200–201.

¹⁹ Agobard of Lyon, "De insolentia Iudaeorum," in *Agobardi Lugdunensis Opera omnia*, ed. Lieven Van Acker (Turnhout, 1981), p. 192; Michael Toch, "Was There a Jewish Slave Trade (or Commercial Monopoly) in the Early Middle Ages?" in Stefan Han and Juliane Schiel (eds.), *Mediterranean Slavery Revisited (500–1800) / Neue Perspektiven auf Mediterrane Sklaverei* (Zurich, 2014), pp. 421–444.

seems reasonable to imagine that low-level household slavery, as a general help for farm work, could have remained fairly prevalent in Francia.

Although Frankish peasants, then, were probably very comparable to their counterparts in the rest of Europe in their use of domestic unfree labor on a small scale, Frankish great lords, by contrast, end up looking like the odd ones out, in that they seem to have found it unnecessary to specify legal status in the case of permanent, dedicated household servants, or at least they did not specify it anywhere near as regularly as when they were dealing with people living in their tenants' households.

UNFREE TENANTS AND ESTATE COMMUNITIES

Instead, the people whom great lords spent the greatest coercive effort labeling as unfree, and also those who seem to have protested most against being so labeled, were precisely those for whom unfreedom led to the least obviously slave-like conditions of life and whose subjection might come more easily into doubt – that is, tenants. This may seem surprising given that the general assumption in the historiography has long been that legal status in the early Middle Ages would have mattered least of all in the context of tenancies: the growth of lords' economic control during the ninth century tends to be associated by historians with their increasing capacity to extract resources and labor from *all* of their tenants regardless of their status, as opposed to focusing on exploiting a smaller subset of unfree people more intensively.

The big story here is the rise of the so-called bipartite estate, associated with a renewed growth of market exchange and increased opportunities for the selling of surplus. To put this development in very simplified terms: during the earlier Merovingian period, the majority of great estates seem to have been farmed out to tenants who owed rent and dues on their holdings. Some lords also kept some land under direct exploitation (this is referred to by modern historians as the “reserve” or “demesne”), cultivated by a separate, dedicated servile workforce, but this seems to have been doubly limited, both in being quite rare and in applying only to rather small reserves, probably catering to little more than household consumption. By contrast, the “bipartite” estate of the Carolingian period involved a high level of interdependence between the two elements that, together, made up a lord's estate: the lord's reserve and the tenant holdings. The key innovation of this system was that tenants became responsible not only for producing the rent and dues from their own holdings but also for cultivating the reserve for the benefit of their lord through regular labor duties. Of course, this is only an ideal type, and in practice the symbiosis between reserve and tenancies was much more imperfect. The bipartite estate was also geographically bounded to Western Francia north of the Loire,

Eastern Francia, and Carolingian Italy. Nevertheless, however incomplete its dominance, the bipartite estate is still taken by most historians as the economic foundation of the Frankish kingdoms.²⁰

At first sight, none of these innovations seems to connect with legal status in a particularly obvious way. Polyptychs do record sometimes very significant proportions of estate populations as being unfree (for example, about 10 percent of the rural population in the Polyptych of St-Germain-des-Prés; over 20 percent in the Polyptych of St-Rémi of Reims).²¹ But in terms of correlation with rent and labor dues, personal status seems to have been everywhere a much less significant factor than the status of the land itself. Tenancies themselves came in “free” or “unfree” varieties, which were associated with lighter or heavier duties regardless of the status of the tenant himself. Many farms are also described without reference to legal status at all, whether of the land or the people.

What to make of all this? Because of the strong assumption of decline in the importance of legal status from the fall of the Roman Empire onwards, the tendency in the historiography has been to read the polyptychs as recording the traces of a decayed older order.²² As the argument goes, free farms would originally have housed free tenants, and unfree farms unfree tenants – descendants of Roman-era slaves settled by their owners on individual farms. At this (undocumented) point, unfree tenants would have lived under much less favorable conditions than free ones. The clarity of this original state of affairs was later marred when lords became better able to bring free tenants under greater control; at the same time, frequent manumissions would have contributed to a further closing of the gap between the descendants of slaves and the descendants of free tenants. This is the classic narrative of how serfdom came into being. The frequent mismatch between the status and conditions of tenure on the one hand and the status of tenants on the other is, by this account, due to a dual decline: in the overall numbers of unfree people, and, even more fundamentally, in the relevance of the distinction between free and unfree, preserved essentially only through the automatic inheritance of status.

An alternative way of reading the same evidence, however, is to see it not as reflecting a decaying system, but rather as the opposite – that is, as a work in progress. The large number of disputes over personal status surviving from the same period suggests that this is the more plausible explanation since it is difficult to square with the idea that legal status was

²⁰ Adriaan Verhulst, *The Carolingian Economy* (Cambridge, 2002), pp. 31–60; Jean-Pierre Devroey, *Puissants et misérables: Système social et monde paysan dans l'Europe des Francs (VIe–IXe siècles)* (Brussels, 2006), pp. 519–583.

²¹ Devroey, *Puissants et misérables*, p. 275.

²² A point originally made by Marc Bloch, “Comment et pourquoi finit l’esclavage antique,” *Annales d’histoire économique et sociale*, 2 (1947): 30–44, 161–170.

declining in significance. The compilation of the polyptychs themselves was sometimes connected with disputes over status: the polyptych of St-Rémi of Reims, for instance, records some “newly subjected” *servi* and *ancillae* (*noviter repressi*).²³ Discrepancies between the status of farms and the status of tenants need not have been the outcome of unfree tenants being manumitted: the possibility of a mismatch could also have offered added flexibility in negotiations since it meant that free people could be offered very disadvantageous terms on a servile holding without giving up their personal freedom as well. As we saw earlier, when discussing the various ways of entering unfree status, such messiness was a hallmark of new agreements about status, and especially of those reached in a context of dispute and negotiation. When a polyptych shows gaps in the information it records on status, the reason for this may be not that status had become so irrelevant that no one remembered what it was, but simply that that information had not yet been produced.

How, then, *was* knowledge about legal status produced? Simple inheritance, in this line of argument, obviously becomes a much less satisfactory explanation. The automatic inheritance of status was certainly touted as the incontrovertible rule in contemporary sources (such as laws and dispute settlements): this much seems clear from a frankly chilling capitulary of Charlemagne, which ruled about what should happen when a man who was being claimed as unfree and was in fear of losing his case killed any of his unfree relatives whose status might taint him by association.²⁴ Disputes over status were typically settled through testimonies regarding the legal status of the parents and relatives of the accused. In practice, however, there is no reason to think that parents’ status would have been any easier to establish. Given the sheer variety of conditions of tenure, it could not be very clear whether any dues and duties owed by tenants were so because of personal status, because of the status of their holding, or because of its size and value and the particular arrangement they had entered into with their lord. This potential vagueness over the exact reason for dues and renders being what they were in each case left tenants’ status relatively open to reinterpretation. After all, the dispute documents in and of themselves show how difficult it could be to tell the difference between free and unfree tenants.

This scope for reinterpretation was evidently useful to ambitious lords eager to impose new demands on their peasants. There may also have been some value in it for other, better-off tenants. Intensification of labor duties could give peasants a strong incentive to help defend, consolidate, or even

²³ Jean-Pierre Devroey, “Libres et non-libres sur les terres de Saint-Rémi de Reims: la notice judiciaire de Courtisols (13 mai 847) et le polyptyque d’Hincmar,” *Journal des savants* (2006): 65–103.

²⁴ *Capitularia*, no. 39, cap. 5, Vol. 1, p. 113.

bring about an internal hierarchy within the estate community. Identifying more socially vulnerable tenants as unfree, thus making their labor in theory available to lords at will, would have helped to concentrate the increased demands upon them and allowed other, less vulnerable peasants a measure of protection.²⁵

This could at least explain why so many of these disputes share the unpleasant trait of showing those peasants who were trying to defend themselves against an accusation of unfreedom regularly losing as a direct result of their free neighbors' testimony – for instance when the latter testified that their relatives had been unfree or denied the authenticity of their manumission documents. Of course, disputes where this happened were more likely to survive, since religious institutions were naturally not as likely to preserve a judgment that had not gone in their favor, but a lack of solidarity is nevertheless notable.

Status in this kind of context, then, could become a medium through which to fight over minute differences in internal estate hierarchy and the distribution of duties. This was a relatively artificial, ad hoc connection since the relationship between status and labor, or status and dues, seems to have remained very loose most of the time in more routine, nonconflictual contexts. Differences in status are likely to have come into play only during particularly tense moments, rather than having a regular and continuous impact – though they may well have had a more constant effect, as Chris Wickham has argued, in limiting the scope for solidarity within the estate community and therefore limiting the possibilities for communal action.²⁶ The results preserved both in polyptychs and in surviving dispute settlements did less to record a preexisting situation than to enshrine a new local consensus hammered out between lords, on the one hand, and, on the other, those peasants who found themselves in a better position to negotiate.

The inheritance of legal status from generation to generation is sometimes treated by historians as if it was an unproblematic process, as if it largely took care of itself, and as if its default mode was continuity – so much so that it could carry on even past the point where it made any real difference in practice or where anyone understood what the status terms being handed down exactly meant. But the continued imposition of the same legal status from generation to generation was anything but unproblematic in practice, as many lords and many of their tenants found out. Rather, it was the object of perpetual contests.

²⁵ Alice Rio, "'Half-Free' Categories in the Early Middle Ages: Fine Status Distinctions before Professional Lawyers," in Paul Dresch and Judith Scheele (eds.), *Legalism: Rules and Categories* (Oxford, 2015), pp. 129–152.

²⁶ Chris Wickham, *Framing the Early Middle Ages* (Oxford, 2005), p. 561.

RULES AND RIGHTS

There were, then, many different niches in which making claims in terms of the ancient language of slavery could prove useful to early medieval people. Most of these had little in common with prior, Roman uses of the same kind of legal claim: what we see is not the tail end of a long and ancient tradition nor straightforward continuity along old lines, but a series of uncoordinated, pragmatic reinventions to suit ever more innovative purposes in a changing range of contexts. And yet these uses, which seem now so different from each other, and relate to such different regimes of rights and duties as to cover the entire spectrum of slavery *and* serfdom, all still fall under the same legal banner. Despite a fundamental lack of continuity in social practices, early medieval people continued to refer back to the same, unitary Roman legal category to express their own, by now very different, forms of domination.

Of course, diversity in practical consequences is a hallmark of slavery in most societies. It certainly had been under Rome, when practical variations had been if anything rather greater than in the early medieval West since Roman society offered a greater range of both economic and noneconomic roles in which slaves might operate. What is surprising about the early medieval situation is that slavery seems to have led to such different regimes of rights. It is clear, for instance, that *some* unfree people had access to Christian marriage and the right to form a family, with associated inheritance rights over tenures, while others did not. One could explain this by placing Carolingian unfreedom at an intermediary stage in a very slow process of transition begun centuries earlier, and which would find its full realization in the socioeconomic serfdom of the eleventh century – eventually to be recognized in the new juridical definitions of serfdom formulated in the course of the twelfth and thirteenth centuries. Even intermediary stages, however, need to have their own internal logic: the diversity of Carolingian unfreedom has to make sense also on a more immediate and contemporary level.

Such variety might be seen as the outcome of a tension between opposite tendencies. Scholars have traditionally privileged church and state, both of which in their own ways issued rules about unfree people, as the main motors of either continuity or change. The former has tended to be seen as a force for change, the latter more as a force for conservatism. The growth of Christianity often features (especially in the older literature) as a force for good in the treatment of slaves and is credited with improvements in their condition. By this reading, the church played a role – not necessarily a starring one, but a role nonetheless – in chipping away at the ideology of Roman slavery and encouraging its replacement with serfdom. The state, by contrast, has been seen as the only power capable of keeping in place a strong

legal distinction between free and unfree, a distinction often presented in the historiography as perpetually threatened by private lords whose main intent was to oppress all peasants equally regardless of legal status. The state's continuing reiteration of the subjection of the unfree would thus have been the price of its insistence on the protection of the free – the dark side, so to speak, of Carolingian public-mindedness.

It seems highly doubtful, however, that either church or state in the Carolingian period would have been in a position to take concerted action, or even to adopt any single point of view, on the subject of unfree people. It is in fact quite hard to see either taking much of a lead on the subject in the surviving source material. Many Christian writers did devote some attention to thinking through the implications of their religion for slavery, but their overwhelming concern was not to achieve equal opportunities in this life, but in the next. Their main efforts were accordingly directed at making slave status compatible with salvation – for instance by insisting on unfree people not having to work on Sundays or arguing that they should have access to Christian marriage. They all, however, adopted a very nonprescriptive tone, even on such a fundamental topic as the indissolubility of marriage – and this despite the general Carolingian taste for rules and rule-making about anything and everything. Far from regarding slavery as being in opposition with Christianity, these writers were trying to smooth over and resolve any possible areas of contradiction.

There is some evidence of concern over the treatment of the unfree. One text, later integrated in the Penitential of Halitgar in the late 820s, recommended lighter penance for the unfree on grounds of diminished responsibility for sin: “know this, brothers, that when *servi* and *ancillae* come to you seeking penance, you should not overburden them nor force them to fast as much as the rich, because *servi* and *ancillae* are not under their own control; therefore impose a half-penance on them.”²⁷ In 813, the bishops and abbots sitting at the Council of Chalon had been moved to state that although many different human statuses did exist, from nobles to slaves, all were nevertheless united into a single family, insofar as all called out “Father” to the same God in their prayers.²⁸ But this interest did not take the form of objections to slavery such as would come to be expressed in the modern era; it did not even match the hostility to slavery expressed in contemporary Byzantine wills. Instead, the focus was very much on establishing best practice in a pastoral sense, and so did not lead to any profound questioning of unfreedom.

²⁷ *Die Bußbücher und die Bußdisciplin der Kirche*, ed. Herman J. Schmitz (Mainz, 1883), pp. 243 and 473.

²⁸ *Concilia aevi Karolini*, ed. Albert Werminghoff (Hanover, 1906), no. 37, cap. 51, Vol. 1, pp. 283–284.

The notion of the state as a fundamentally conservative force is somewhat more persuasive, if only in the sense that no agenda for change is detectable there either; but it is just as difficult to see kings manifesting any strong will to reassert the distinction between free and unfree for their own purposes. Certainly some of their legislation sounds very hard-line and conservative, most famously with Charlemagne's ruling that "There are free men and slaves, and nothing beyond that," a statement which originated in Gaius's *Institutes*, a second-century legal textbook.²⁹ Even when Carolingian rules about slave status repeated earlier Roman laws word for word, however, the value of such statements, and therefore their overall meaning, was very different. The biggest difference lay in a much-reduced scope for state action. The Roman state had sought to make itself the ultimate arbiter and guarantor of legal status. Carolingian rulers did insist in capitularies that disputes over status should be settled before a court presided over by a public official at or above the level of count, but this was only a way of ensuring that the settlement would be backed by the highest available level of authority and thus be definitive. It was not primarily intended to ring-fence a free people of the Franks, and even less to set out the state's own criteria or definitions of what unfree status was or what disabilities it did or did not entail. Beyond the practical business of assuming ultimate authority in settling disputes over freedom, the Carolingian state's intervention in the regulation of legal status was actually very low. One would struggle, for instance, to find in capitularies any rules relating to unfree people's access to their *peculium* (the property which they were allowed to manage on their own account) or to the rights and duties of freed men in relation to their patron. Most of the thorniest legal issues connected with unfreedom, such as those relating to changes in status, were left remarkably open, no matter how obvious their potential to create problems. All the details were left essentially to individual lords; the only requirement was that these lords should honor the agreements into which they had entered.

The apparent exception was marriage between people of different legal conditions, which attracted a lot more rule making than most other subjects related to unfreedom, both in capitularies and in earlier "barbarian" law codes. All of these seem deeply intolerant of free–unfree mixed marriages, resolving the clash in statuses by stipulating the enslavement of the free spouse as the mildest form of punishment. This could look, indeed, like an attempt by the state to control the attribution of status. Such laws, however, evidently did not succeed in deterring mixed-status marriages. There is much contemporary evidence for mixed marriages, in both notarial models and estate surveys, where spouses remained each in

²⁹ *Capitularia*, no. 58, cap. 1, Vol. 1. p. 145; W. M. Gordon and O. F. Robinson (eds.), *The Institutes of Gaius. Translated with an Introduction; with the Latin Text of Seckel and Kuebler* (London, 1988), bk. 1, ch. 9.

their own original condition. Charlemagne himself, in a capitulary, recognized the validity of arrangements concerning “*servi* who marry free women (*feminae Francae*) and whose lords then give them charters saying the children are to be free.”³⁰ Clearly, even these rules had a much lower regulatory value than appears at first sight. They were nevertheless effective in the sense that they made it easier for lords to pursue their own arrangements from a position of strength. The fact that such marriages were defined as a wrong punishable by enslavement helped lords to leave their options open, make further deals, or recategorize children unfavorably later, according to what suited them at the time – and, as we saw earlier, according to what the local community could agree to remember about it if and when a dispute came about. It may well be that these laws, rather than simply failing to have any impact in practice, came into their own chiefly in allowing lords to capitalize on their breach. If the state held on to the distinction between free and unfree, it did not do so because it had an agenda different from that of lords. Quite possibly, the more law the state produced – which lords could choose either to impose or ignore – the more room for maneuver these lords gained.

This may explain the extraordinarily conservative outlook on unfree status expressed in laws: these did not have to be realistic in order to fulfill their purpose. In most cases, what was being offered was a hard-line starting point, which could be negotiated according to the relative bargaining positions of both lord and dependent. Even when lords were not taking full advantage of such laws, they could still charge dependents for access to the rights they could theoretically have denied them or take the opportunity to get other things in exchange, such as land, a recognition of submission, or other compensations.

This kind of use for unfreedom seems very like the serfdom of later medieval centuries. The difference between slaves and serfs is not easy to pin down, given the wide variety of internal differences within each of these two groups. I would propose the following as a working definition: while both slavery and serfdom are designed to place a certain category of people at a fundamental disadvantage in terms of rights, slavery primarily concentrates on denying rights altogether, whereas serfdom is, instead, fundamentally geared toward charging for access to such rights. Lords in the central medieval period allowed access to all sorts of fundamental rights – such as marriage, family life, and inheritance – in exchange for a range of traditional payments, which, taken together, constituted excellent tools for obtaining and consolidating serfs’ recognition of their own dependent status. The granting of such rights to their unfree dependents,

³⁰ *Pactus Legis Salicae*, ed. Karl A. Eckhardt (Hanover, 1962), XXV, 3–4, p. 94; *Capitularia*, no. 58, cap. 8, Vol. 1, pp. 145–146.

far from diminishing lords' hold over them, allowed them to intensify their control, at least in the areas in which they were interested.

The very greatest private lordships of the Carolingian era stood at the forefront of this new kind of strategy in the ninth century. Even so, such initiatives still cannot really be considered to have been mainstream at this time. The Carolingian Empire, and early medieval Europe as a whole, continued to exhibit a deep heterogeneity of types of unfree status, at all social levels, including at the very highest. As we saw in the case of our unfree female textile workers, a "harsher" definition of unfreedom, denying access to most rights, such as marriage or economic independence, might apply to certain members of a family for long stretches of their life cycle but not to others. Whether unfreedom would lead to a life closer to the "slave-like" or the "serf-like" ends of the spectrum depended on factors beyond legal status, such as the social position of a particular individual within their kin group and their local community. It was only a subsequent homogenization in forms of exploitation that allowed the formation of serfdom, first as a more stable socioeconomic class (with, for instance, much less possibility of movement across to household slavery depending on the vagaries of individual life circumstances) and later, in the twelfth century, as a new kind of juridical concept (with the specialization of legal status to deal with tenancy).

Serfdom in the central Middle Ages, then, was the result of a paring down of possibilities. Rather than following an inexorable, wholesale replacement of slavery by serfdom (however slow or abrupt), unfree status during the early Middle Ages split into all kinds of separate trajectories and was used to fulfill a huge range of different purposes – from labor agreements to the exercise of justice, from economic to noneconomic functions. Unfree status had an enormous range of outcomes and different regimes of rights: from household slavery all the way to a kind of unfree tenancy that looks like the serfdom of the twelfth century in almost every way except in its level of systematization. In the Carolingian era practically all possible readings of unfreedom were still on the table. We can only see this, however, if we look not just for those emergent properties that foreshadow most clearly the shape of things to come but also at those which, looking back with hindsight across a period of significant narrowing in functions and possibilities, now seem more like bizarre dead-ends. Even the most outlandish of these still form a crucial part of the story.

A GUIDE TO FURTHER READING

By and large, specialists in Roman slavery have long insisted on how exceptional a phenomenon Roman slavery was, and they have been unconvinced about any

link between ancient slavery and medieval serfdom (Moses I. Finley, "Between Slavery and Freedom," *Comparative Studies in Society and History*, 6 (1963/4): 233–249; Kyle Harper, *Slavery in the Late Roman World, AD 275–425* (Cambridge, 2011), pp. 508–509). This has not deterred medievalists from arguing over when in their own period ancient slavery can be said to have ended. The problem here is that ancient historians and medievalists are not really talking about the same thing. For ancient historians, the relevant question is not so much the disappearance of slaves as such but rather of a mass "slave society," whereas medievalists have focused less on quantitative aspects and more on labor or tenancy relations, or the various disabilities attached to slaves as individual subjects. In this last sense at least, it is possible to claim that Roman slavery continued to exist well into the early Middle Ages, even if a Roman slave society did not.

The Carolingian era has been the most widely accepted breaking point for medievalists, starting with the (still fundamental) work of Marc Bloch in the 1920s and 1930s – see *Slavery and Serfdom in the Middle Ages: Selected Papers*, trans. W. R. Beer (Berkeley, CA, 1975). These essays provided a fundamental basis for all subsequent scholarship on the subject. Charles Verlinden, for instance, in his monumental *L'esclavage dans l'Europe médiévale*, 2 vols. (Bruges, 1955), believed there were no longer slaves but only serfs by the start of the Carolingian era.

The story of the transition from slavery to serfdom underwent some substantial changes after Bloch, most notably with the triumph of the school of Georges Duby from the 1950s onward – see *Rural Economy and Country Life in the Medieval West*, trans. Cynthia Postan (Columbia, SC, 1968). Duby argued for a greater level of continuity from Rome than Bloch. For him, the most significant binary divide in Frankish society remained that between "free" and "unfree" right up until the "feudal revolution," which he saw as taking place in the eleventh century, at which point it was replaced by the divide between "noble" and "serf." This meant that the general conceptual order of society had not fundamentally changed since antiquity. Duby did not, however, claim that Roman slavery (much less Roman slave society) had continued unchanged up to that point. By the 1990s, a small number of scholars inspired by Duby and feudal mutationism *did* go so far as to make this claim, but this has remained a minority viewpoint. At the more extreme end is Pierre Bonnassie, *From Slavery to Feudalism in South-Western Europe*, trans. Jean Birrell (Cambridge, 1991); more controversial still is Guy Bois, *The Transformation of the Year One Thousand: The Village of Lournand from Antiquity to Feudalism*, trans. Jean Birrell (Manchester, 1992). Jean-Pierre Poly and Eric Bournazel's textbook *The Feudal Transformation: 900–1200*, trans. Caroline Higgett (New York, 1991), which expounds a more classical feudal mutationist consensus, is much more prudent on this count. Duby as well as Bonnassie has been much criticized in the work of Dominique Barthélemy, accessible in English in his *The Serf, the Knight and the Historian*, trans. Graham R. Edwards (Ithaca, NY, 2009). Barthélemy has argued strongly in favor of wresting the Carolingians away from late antiquity and placing them more firmly in continuity with the central Middle Ages.

The rather Franco-French nature of the feudal mutationist debate has not stopped it from having a strong impact on other national historiographies.

Italian historiography discusses many of the same issues though tends to offer a less strong sense of rupture in the chronology – see Francesco Panero, *Schiavi, servi e villani nell'Italia medievale* (Turin, 1999). German historiography has always tended to make more room than French historiography for changes in the legal content of unfreedom as a motor for change in its own right, in particular by paying greater attention to the appearance of “intermediary” or “half-free” categories, partly populated by bound freed men. It places many of these changes in the Carolingian period: Hans-Werner Goetz, “Serfdom in the Carolingian period,” *Early Medieval Europe*, 2 (1993): 29–51; Stefan Esders, *Die Formierung der Zensualität* (Berlin, 2010).

Broadly, more recent discussions on the subject of unfreedom in the eighth and ninth centuries have tended to see serfdom as their true object (see for instance Goetz, “Serfdom in the Carolingian period”), rather than being placed in the context of the revival of studies on medieval slavery which has been gathering pace since 2000 for other periods and places. Carl I. Hammer’s book *A Large-Scale Slave Society of the Early Middle Ages* (Abingdon, 2002), dealing with Carolingian Bavaria, is less controversial in its content than its title implies since it does not posit fundamentally different conditions of life for the unfree but only opts to define them as “slaves” on the basis of terminological continuity and the highly conservative content of law codes. The important exception is the slave trade, interest in which has been significantly reinvigorated by Michael McCormick’s *Origins of the European Economy* (Cambridge, 2001) and “New Light on the Dark Ages: How the Slave Trade Fuelled the Carolingian Economy,” *Past & Present*, 177 (2002): 17–54 – though this does not challenge the idea that serfdom had become the norm in Francia by the ninth century.