

**The public administration  
of the  
Merovingian kingdoms  
in  
the sixth century**

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# 1. Introduction

In the lengthiest description of the Merovingian kingdoms in the sixth century we have, the *Decem Libri Historiarum* or Ten Books of Histories of Gregory of Tours, also known as the *Historia Francorum*, subsequently briefly called Histories, we can detect a certain wilful cooperation for the benefit of the several Merovingian kingdoms.<sup>1</sup> Many conflicting interests can also be detected, but overall there is a coherence that makes these kingdoms work. They may have been loosely knit together and may have been very dynamic in their occurrence, but there was to a certain degree collaboration to rule them. We may say the public administration of the Merovingian kingdoms was ‘organized’ in a way, and the question is: in what way.

This thesis is a study of the structure of the public administration of the Merovingian kingdoms in the second half of the sixth century. It is about how people worked together, according to their positions, in the organization structure of the Merovingian government. It is not about social structure (how people lived together) or political structure (how people influenced each other). But social and political structures will have had their influence on the way government operated, and will be taken into account when necessary. This research is on the borderline between the disciplines of historiography and public administration, a borderline which has to be walked carefully and which will present its problems. The challenge for this study will be to find acceptable solutions when the two disciplines collide. Although Gregory of Tours has become something of an academic industry, the Histories are also a rich source for data.<sup>2</sup> With this attempt at a new approach these data may yield original results. When successful, the reward will be new perspectives on the governmental organization of the Merovingian kingdoms.

The question posed in this study is to what extent a structure of public administration can be detected for the Merovingian kingdoms in the late sixth century that can be accepted as a model for all these kingdoms. The main source for this period is formed by the Histories of Gregory of Tours, who is reliable for the latter part of the sixth century and who depicts above all the situation in the middle and south of France.<sup>3</sup> Gregory does not explicitly write about

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<sup>1</sup> Gregory of Tours, *The History of the Franks*, translated by L. Thorpe (London: Penguin, 1974).

<sup>2</sup> I.N. Wood, “The individuality of Gregory of Tours” in: K. Mitchell and I. Wood (ed.), *The world of Gregory of Tours* (Leiden: Brill, 2002) pp. 29-46, p. 29.

<sup>3</sup> P. Wynn, “Wars and Warriors in Gregory of Tours' Histories I-IV” *Francia* v.28 (2001) pp. 1-35.

the public administration of the kingdoms, but in describing the events of his time he gives details of the structure of government of his days in passing.<sup>4</sup> This may be done explicitly by Gregory, but it is done more often implicitly by his mentioning of the manners of his time, like banquets, and of self-evident morals, like violence between clerics and other officials. Gregory as a source has to be handled carefully, because he had a purpose with his writings and his personal opinions are strongly interlaced in his work. Other historians have pointed at these attitudes of Gregory, and their analyses will be incorporated in this thesis in as far as they are commonly accepted by scholars.

Where possible, information from other primary sources will be added, like the *Lex Salica*. For the secondary sources it is noticeable that much literature deals with the whole period of the Merovingian kingdoms, from roughly 500 until 750 CE. However, we have to realize that the duke or count of the late sixth century certainly is quite a different official from his counterpart in the late Merovingian period, let alone in the Carolingian period. Using this literature for our specific period and purpose will be a problem where it is too general. Where necessary, discrepancies will be commented. To embed the public administration in a context of society and in the culture of society, use will be made of literature about subjects like feud (a long-running fight between groups of families which starts when one party perceives itself to have been attacked, insulted or wronged by the other and compensation was not accepted), gift-giving (the strengthening of social relations by giving money or presents to oblige a person for future return gifts or help), etc.<sup>5</sup> There is an extensive literature for this.

## **2. Analytical framework**

### **2.1. Trends in historiography**

Historiography has been a pendulum between the opposites of objectivity and subjectivity. Starting with the Romanticism, history wanted to describe the unique aspects of a period of time based on records (objective), but interpreted by historians (subjective). In the nineteenth century the socio-economic approach of positivism became prominent, which mirrors itself to the natural sciences and their definition of objectivity. At the end of this century there was a paradigm change (anti-positivism) which led to more interest in the irrational and intuition,

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<sup>4</sup> James, *De Franken*, p. 175.

<sup>5</sup> W.C. Brown, *Violence in Medieval Europe* (Harlow: Pearson, 2011) p. 15-18.; F. Curta, "Merovingian and Carolingian Gift Giving", *Speculum*, Vol. 81, No. 3 (2006), pp. 671-699, 671-677.

and hence to more influence of subjectivity. The paradigm changed again in the 1930s (neopositivism). The New History in the USA and the Annales School in France used a quantitative approach for economic and social history, involving a statistical approach and the use of large quantities of data. After 1945 the socio-economic approach was dominant. There was optimism that historiography could use the same methods as natural sciences.<sup>6</sup>

In the 1960s, the Postmodernists felt it was an illusion to try to recreate the past, because all historical writings are influenced by the present of the researcher. Each researcher and each era has its own vision, since there is no objectivity.<sup>7</sup> Especially the denial of the objectivity of language caused much anxiety among historians, because language is their tool par excellence. Language creates reality by using concepts that are historically constructed and are not free of values.<sup>8</sup> Therefore, there is a continuous dialogue among historians about interpretations of the past, which makes historiography never-ending. According to F. Ankersmit, historians can only make a proposal to look at the past, a narrative.<sup>9</sup> According to B. Croce their interpretations will always be a contingency determined by time, place and the culture the historians live in.<sup>10</sup> In the 1980s cultural history became prominent. Many influences from cultural anthropology have penetrated historiography and themes like gift-giving, feud, symbolism, etc. became leading topics. Text analysis is prominent in the tools used by medievalists. This focus eludes some other interesting points of view.

Each period has its own themes, that say more about the period itself than about that period's past. But each new theme is also a fresh way of looking at the past and makes additional dimensions visible. Therefore it is fortunately that the ongoing discourse about the past is never-ending. Like in the past sciences like sociology, economy and anthropology did give new impetus to historiography, so can the study of public administration give stimulus to historiography.<sup>11</sup> But conclusions derived from a model for public administration will always

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<sup>6</sup> H.S. Hughes, *Consciousness and Society* (New Brunswick and London: Transaction Books, 2008) pp. 3-66, 392-431.

<sup>7</sup> J.W. McAllister, "Historical and Structural Approaches in the Natural and Human Sciences", in: P. Tindemans, A. Verrijn-Stuart, R. Visser (ed.), *The Future of the Sciences and Humanities* (Amsterdam: Amsterdam University Press, 2002) p. 30.; G. Spiegel, *Practicing History. New Directions in Historical Writing after the Linguistic Turn* (New York: Routledge, 2005) p. 3-4.

<sup>8</sup> Spiegel, *Practicing History*, p. 25.

<sup>9</sup> E. Jonkers, E., *Historie. Over de blijvende behoefte aan geschiedenis* (Assen: Van Gorcum, 2007) p. 116.

<sup>10</sup> Jonkers, *Historie*, p. 101.

<sup>11</sup> *Ibidem*, p. 46.

need to be supplemented with social, psychological and cultural deductions. For this, interdisciplinary cooperation is a necessity.<sup>12</sup>

This thesis tries to open up a new theme in the discourse of history: the public administration in the Merovingian kingdoms. Public administration was considered a form of administrative law until the 20th century. After the dissemination of the German sociologist Max Weber's 'theory of bureaucracy' in 1922, there grew more interest in a theory of public administration.<sup>13</sup> Public administration can be studied by its culture (e.g. ethics in public administration) or by the study of the organizational theory in public administration, i.e. the structure of governmental entities. This study will be based on the organizational theories for the public administration. In this research a model for public administration is used.

## 2.2. Models

Models help to organize, but are not aimed at generating general laws for historiography. Models help to explain a specific time and place, can be shared with other historians, and can be further developed. Models are quite similar to a discourse in language, but they are another way of communication. Models offer interesting perspectives on the past, not making historiography more objective, but giving it other dimensions.

Already Max Weber used "ideal types" that could progress from the study of unique events to cautious generalizations.<sup>14</sup> In a model such "ideal types" can be visualized in a structure within which cohesion is created. No final answers are to be expected, and only modest aspirations should be allowed. Our models can be used above the level of individual historical events (micro-level, for example the family), and below the level of general trends (macro-level, for example the nation). Let us call it the middle-level for research, e.g. a model for the public administration of the Merovingian kingdoms. Such a model can expand the focus of historical investigation from totalized images of "culture" and "society" to more understanding of the practice of the working of governmental organization.<sup>15</sup>

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<sup>12</sup> McAllister, "Historical and Structural Approaches", p. 47.

<sup>13</sup> M. Weber, *Wirtschaft und Gesellschaft. Grundriß der verstehenden Soziologie* (Tübingen: Mohr, 1921/22).

<sup>14</sup> Weber, *Wirtschaft und Gesellschaft.*; McAllister, "Historical and Structural Approaches", p. 28.

<sup>15</sup> Spiegel, *Practicing History*, p. 24.

Modelling by definition means simplification. A model will result in the necessary ignoring of some variations and details, but will clarify the understanding of the global structure. For example, it is clear that there must have been many variants in all the local and regional realizations of the public administration of the Merovingian kingdoms. It is also clear that any division of labour, and the positions of officials resulting from this, can only be considered as very loosely structured, with many variations. There must have been a great variability in the responsibilities of officials, who were nominally having the same post. Strict similarity in the tasks of officials with the same position is a modern concept of bureaucracy and one which is less common even in our own times than is often thought.

The value of using a model for the Merovingian kingdoms is to get a hold on the basic structure of government. We can be confident of the existence of such a structure, because any organization must obey a certain logic to survive any length of time. Each government has to answer certain basic requirements, like defense, finance and arbitration, and construct its organization accordingly. Only when this is fulfilled in an adequate way, knowingly or not, there can be continuity.

### **2.3. Organization model**

The assumption applied in this thesis is that basic concepts of organization are universal and timeless. Also, it is understood that modern management theories cannot be used for the analysis of the organization of government of the Merovingian kingdoms without limitation, because this would risk anachronism. This distinction has to be made carefully to validate the analysis completed in this survey. For this reason, the start will be a description of basic elements of every organization and of how they fit in a structure.

A basic concept for each organization is that it has a purpose, the main reason for its existence. Without a general understanding of the aim of the organization, there cannot be much coherence and the organization will dissolve. People unite for this joint purpose and organize themselves in a way which enables them to achieve their goals. In organizing, they search for best ways to structure the coherence that is necessary for working together. The minimal purpose of each organization is to continue its existence. Mostly something is added to the goal, like growth, profit, wellbeing etc. A public administration has not very clearly defined goals, but rather has general drives.

Public administration has to secure certain basic tasks, like taxation, arbitration and warfare. In organizing these tasks, there may have been choices for new structures or an organic growth from older institutions into new models, adjusted to new circumstances. Every organized human activity gives rise to two fundamental and opposing requirements: the division of labour into various tasks to be performed and the coordination of these tasks to accomplish the activity. The structure of an organization can thus be defined simply as the sum total of the ways in which it divides its labour into distinct tasks and then achieves coordination among the positions created by combining tasks to be executed with officials.<sup>16</sup>

There are three possible divisions of labour, called structures of organization: a hierarchical, a geographical, and a functional structure. These structures of organization can exist complementarily. In our case, the hierarchical organization structure is a hierarchy in which every entity in the organization, except one, is subordinate to a single other entity. The hierarchical structure includes the kings, the dukes, the counts, the bishops and the officials serving these men. In this period, a duke is the regional war lord who is recognized by his counts and other officials of the area, and whose status is confirmed by the king. The count is the highest official for a district; he is mainly the liaison officer for his area with the king and his court. The geographical structure of the organization was shaped by the governmental areas that were ruled by one official, like the *civitates* in the south of the Merovingian realm. A duke or count could rule one or more *civitates* or none. The functional structure of the organization is constituted by the several specialized tasks that are necessary for the functioning of the government, like those of the treasury. Each position in the organization structure includes a set of responsibilities, an authority for decisions, general rules to enforce and to obey, information to gather and report, and communication channels for doing this.

Having established the command structure, the officials have to be appointed and given their specific directives. The more detailed the instructions are concerning the what, how, when, where and why of tasks, the more results can be expected. For the motivation of an official an explanation of the purpose of directives is desirable. These instructions and explanations are limited by the number of people that can be controlled by one official: the span of control.

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<sup>16</sup> H. Mintzberg, *The Structuring of Organizations* (London: Prentice-Hall, 1979) p. 2.

Each official needs a certain acceptance from those that are ruled by him, either by authority or by power. Power is the ability to influence people to do something that they would not have done without this influence and which is not in their own interests. Power is derived from the possibility to reward or punish a person, for instance by using force. Authority is the ability to influence people to do something aimed at a perceived shared interest and with the acceptance of the people. Authority can result from ancestry (e.g. the kings being descendants of Clovis), from appointment by a recognized authority, or from expertise. The span of control of an official is the number of persons that he is directly responsible for. This span of control has to be large enough for giving each subordinate sufficient attention for consultation and control. A span of control that is too large will result in insufficient coordination, while a span of control that is too small will result in too much coordination.

Each of the possible organization structures and coordinating mechanisms has its (dis)advantages, and usually the organization structures evolve to cope with fluctuation, never reaching equilibrium because of an ever-changing environment. Under specific conditions an organization will favour one structure over the others because it is felt to have more effect.<sup>17</sup> The standard for the evaluation of an organization structure is the effectiveness and efficiency of this organization. These terms seem very modern and are intensively used in contemporary organizations, but they are universal in their definitions. Effectiveness is the norm for the extent to which an organization is able to realize its goals. Efficiency is the standard for the costs and efforts that are realized to reach these objectives.

The basic organization model used in this thesis consists of the following elements:

- goal
- division of labour
- officials
- means
- effectivity and efficiency

The model will have to be used carefully. For instance, it is quite clear that the Merovingian kingdoms did not have such well-defined positions in the organization structure as we are

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<sup>17</sup> Mintzberg, *The Structuring of Organizations*, p. 8.

used to in the more bureaucratic organizations we know. There will have been a variety of realizations for each position, and this will have to be part of the analysis. But this is not different of the smaller entrepreneurial organizations of our time.

The model of analysis that is used makes it necessary to act on a higher level of aggregation than that of textual analysis. It is assumed in this thesis that the results of those textual analyses by scholars that are generally shared may be used as elements for this exploration. The purpose for this study is to detect the pattern of organization that has existed. We are in search for outlines in the text, and not for the possible meanings of a specific text. For this reason any translation of the Histories will do. Only when the interpretation of a text and its specific meaning may be of importance, other translations or the Latin text will be used also. It is assumed that Gregory, writing about the past, projects the situation of his own era on previous times, as far as there is no contradiction of this assumption. An example of a situation where this assumption cannot be applied is the personal involvement of King Clovis in fighting, contrary to later kings who are no longer fighting in person.

Public administration or government will be simply defined in this study as all people working together to realize the goals of the Merovingian kingdoms. Most important in this period are the military, taxation and arbitration. One of the characteristics, as we will encounter, is the mingling of the private and public domain as we know them. Although there is a mixing of these spheres of influence, for example from feud (private) to judgment (public) and back, the distinction is yet made by Gregory.<sup>18</sup> In this thesis the terms 'Merovingian kingdoms' and 'Merovingian realm' will be used interchangeably for the part of Europe that was ruled by Clovis and his descendants.

### **3. Gregory of Tours and his Ten Books of Histories**

#### **3.1. Gregory of Tours**

Gregory of Tours (538 - 594 CE) was born in Clermont, in the Auvergne, as the son of a senator of Clermont.<sup>19</sup> He was brought up after his father's death by two episcopal uncles in Lyons and Clermont. Gregory was able to count several bishops and saints among his close relatives. According to Gregory, of the eighteen bishops of Tours who preceded him all but

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<sup>18</sup> Histories, book 3.31, 6.45, 7.47, 9.19.

<sup>19</sup> I.N. Wood, *Gregory of Tours* (Oxford: Goldsworthy, 1994) p.5, 21.

five were connected with him by ties of kinship.<sup>20</sup> His family had much influence in the bishoprics of Tours, Lyons, and Langres.<sup>21</sup> Gregory lived his whole life in the middle and south of France, the most Romanized part of the Merovingian kingdoms.

The most notable work of Gregory was his *Decem Libri Historiarum* (Ten Books of Histories), briefly called Histories hereafter. Other works of Gregory are *Liber de passione et virtutibus sancti Iuliani martyris* and *Libri de virtutibus sancti Martini episcopi*. The Histories is a world history until the year 592 CE, but mostly concentrated on the history of the Merovingian kingdoms. It is the most extensive and most important work on the Merovingian kingdoms for the sixth century. It ended almost in the year of Gregory's death, 594 CE. From internal traces it is clear that Gregory worked on the Histories throughout the years of his episcopate. On the basis of internal clues, approximate dates have been affixed to parts of the Histories, and a large measure of scholarly agreement has been achieved.<sup>22</sup> The approximate dates for the parts of Histories are: Histories I-IV was written in the years 576-80; Histories V in 580; Histories VI in the years 584-5; Histories VII in the period 585-6; Histories VIII in 587; Histories IX in 587 and in 589-90; Histories X in the periods 591-2 and 593-4. It is also likely that Gregory revised his books.<sup>23</sup> Histories is most of all intended as a moral and religious text, but it is also a history of the Merovingian kingdoms and, to some extent, a family history for Gregory.<sup>24</sup>

In the final chapter of the Histories Gregory provides a glimpse of his intended audience. He addresses his successors in the see of Tours and urges them never to have "these books destroyed or rewritten, choosing some sections and omitting others, but let all remain complete and intact with you, just as they have been left by us".<sup>25</sup> He curses those who do otherwise. The address to the bishops of Tours implies that Gregory assumes that they will read his works and act as their guardians. In addressing his successors Gregory does make one concession. He will allow his works to be rewritten in verse.<sup>26</sup>

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<sup>20</sup> Histories 5.49.

<sup>21</sup> Wood, *Gregory of Tours*, p.5, 7: in his epitaph for Tetricus Gregory of Tours' friend Venantius Fortunatus described Langres as such; Wood, "The individuality of Gregory of Tours", p. 31.

<sup>22</sup> W. Goffart, "From *Historiae* to *Historia Francorum*", in: W. Goffart (ed.), *Rome's Fall and After* (London: Hambleton Press, 1986) pp. 255-274 p. 266.

<sup>23</sup> Wood, *Gregory of Tours*, p. 3.; I.N. Wood, "The secret histories of Gregory of Tours", *Revue belge de philologie et d'histoire*. Tome 71 fasc. 2, (1993) pp. 253-270, p. 270.

<sup>24</sup> Wood, *Gregory of Tours*, p. 21, 36.

<sup>25</sup> Histories 10.31.

<sup>26</sup> Wood, *Gregory of Tours*, p.57.

Gregory provides the vast majority of the information written about the sixth-century Merovingian kingdoms, but we are faced with several problems in interpreting this information. Gregory is an author whose message is coded for political reasons, because of his interests as a bishop of the Church, and because of his own uncertain position as bishop of Tours. Gregory adopted a series of literary devices to make his points indirectly.<sup>27</sup> He developed an ability to construct a subtext by structuring his writings in such a way as to cast doubt on their apparent meaning.<sup>28</sup> By the use of such devices as direct and indirect speech, by a careful ordering of chapters and by the connection of events, he was able to send a message beyond what was written down. Abridgement of his work would necessarily destroy its structure, and therefore its meaning. And yet this is exactly what was done after his death. The result is that Gregory has been interpreted in at least as many ways as he has interpreters.<sup>29</sup>

An example will illustrate the layered nature of the writings of Gregory. It is clear that Gregory was critical of Queen Fredegundm the wife of Chilperic. He openly accuses her of murder.<sup>30</sup> But this seems to have been an accepted tool of politics for queens.<sup>31</sup> The accusation of adultery, that did affect the purity of the royal blood, was only made in the later books of the Histories.<sup>32</sup> That is, in those parts concerned with the period after King Chilperic's death. Gregory makes it quite clear, without actually writing down exactly what he meant, that he suspected Fredegund's morality, and that he thought her last child not to be the son of Chilperic. For example, in book seven of Histories he relates her persecution of the treasurer Eberulf, who had refused to become her lover.<sup>33</sup> Another example is the claim of the pretender Gundovald to royal blood. Unlike King Guntram, Gregory seems to have taken Gundovald's claims seriously, but never explicitly mentions this.<sup>34</sup>

The position of Gregory as bishop of Tours was not undisputed and this may have been one of the main factors that stimulated Gregory to write his Histories.<sup>35</sup> Gregory was appointed

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<sup>27</sup> W. Goffart, "Foreigners in the histories of Gregory of Tours", *Florilegium* 4 (1982) p.80-99, p.94.

<sup>28</sup> Wood, *Gregory of Tours*, p.54.

<sup>29</sup> Wood, *Gregory of Tours*, p.59.

<sup>30</sup> Histories 7.7.; Wood, "The secret histories", p. 258.

<sup>31</sup> Wood, "The secret histories", p. 258.

<sup>32</sup> Histories 8.9.

<sup>33</sup> Histories 7.21.; Wood, *Gregory of Tours*, p. 16.

<sup>34</sup> Histories 6. 24, 7.36.; Wood, *Gregory of Tours*, p. 51.

<sup>35</sup> Wood, *Gregory of Tours*, p. 11.

bishop of Tours in 573 by King Sigibert and his wife Brunhild, but we do not know why Gregory was appointed.<sup>36</sup> He may have expected to become bishop of Clermont or of Lyons, the two cities where he was brought up, in both cases in the episcopal household of an uncle, just as his brother Peter may have expected to become bishop of Langres. The only link with Tours lies in his familial relationship with his episcopal predecessors, which he emphasized strongly. He was consecrated in Reims by bishop Egidius, but his appointment and consecration were not according to the canonical rules: the blessing was not done by the proper metropolitan and not in the region of his bishopric.<sup>37</sup> These questions about the appointment and the uncanonical consecration may explain Gregory's own silence on the matter.<sup>38</sup> What is more, there was strong opposition to his appointment.

There were certainly reasons to expect another appointment. Riculf, archdeacon in Tours for a long time, may have expected to become bishop. Riculf and the clergy of Tours saw Gregory as an outsider from Clermont. Election by the clergy and the population might have resulted in the appointment of Riculf.<sup>39</sup> It is also clear from the Histories that the bishop of Nantes, Felix, would have supported the appointment of Riculf.<sup>40</sup> The result of the appointment of Gregory was strong opposition within the clergy of Tours and, possibly, difficult cooperation with his fellow bishops.<sup>41</sup> In his writings, Gregory never gives the impression of local support for his position. On the contrary, at least on one occasion there was a plot against him, involving local clerics.<sup>42</sup> The result of appointment and opposition may have been that Gregory's position depended very much on royal support.<sup>43</sup>

For the kings, the bishop of Tours was important because this was a particularly prestigious position. Tours was one of the most renowned sacred places of Saint Martin, and its bishop was the intermediary for this saint. Gregory was prepared to use his association with Saint

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<sup>36</sup> W.C. McDermott, "Felix of Nantes: A Merovingian bishop", *Traditio*, Vol. 31 (1975), pp. 1-24, p. 13.; Wood, "The individuality of Gregory of Tours", p. 44.

<sup>37</sup> Wood, "The individuality of Gregory of Tours", p.43; Venantius Fortunatus, *carminum* V 3, II. 15-16. Venantius Fortunatus supplies crucial information about the appointment and consecration.; M.A. Wes, "Introductie", in: Gregorius van Tours, *Histories*, trans. F.J.A.M. Meijer (Baarn: Ambo, 1994) p. 80-81; Wood, *Gregory of Tours*, p.11.

<sup>38</sup> Wood, "The individuality of Gregory of Tours", p. 43.

<sup>39</sup> Wood, *Gregory of Tours*, p.10.

<sup>40</sup> Histories 5.5, 5.49, 6.15.; Wes, "Introductie", p. 80-81.; McDermott, "Felix of Nantes", p. 16.; J.W. George, *Venantius Fortunatus. A Latin Poet in Merovingian Gaul* (Oxford: Clarendon Press, 1992) p. 115.

<sup>41</sup> Histories 5.5, 5.49, 6.15.; McDermott, "Felix of Nantes", p. 11-12, 16, 17.

<sup>42</sup> Histories 5.49.

<sup>43</sup> Histories 5.18: King Chilperic threatened Gregory with public condemnation, which cannot result from the weak position of Gregory in his own bishopric.

Martin to political effect, as when he interceded with King Guntram on behalf of Garachar and Bladast, claiming to have been sent by the saint himself.<sup>44</sup> There was, however, a downside to this power. The shrine drew to it asylum-seekers, and there was pressure from kings to force the asylum-seekers out of the sanctuary.<sup>45</sup> Also important for the position of the bishop of Tours was the fact that he was the metropolitan for the area and the nominal superior of a number of other bishops.

One reason to write the Histories may have been to emphasize Gregory's relations with the Merovingian kings. There is a strong emphasis on the position of kings and queens in the Histories.<sup>46</sup> Gregory had personal relations with four Frankish kings: Sigibert I, Chilperic I, Guntram, and Childebert II. Gregory was loyal to Sigibert, who appointed him, and later to his son Childebert.<sup>47</sup> His personal relations with Guntram were good.<sup>48</sup> But Gregory had to be careful about what he did and did not say. In the several political crises in the course of his life there were things better left unsaid. For instance, Gregory was vulnerable in his position to the intrigues of other officials, as was the case in the accusation of slander against Queen Fredegunde in 580 CE. Gregory was supposed to have claimed that the queen had had an affair with bishop Bertram of Bordeaux. King Chilperic ordered a formal trial of Gregory. Gregory denied the allegations and was allowed to clear himself by saying mass at three altars and by swearing to his innocence. After his trial it was clear to Gregory that there were limits to what he could and could not safely say and write.<sup>49</sup> There was most of all the need for discretion about anything which might affect the royal succession. Gregory deliberately structured his narrative to protect himself from any political attacks.<sup>50</sup> All this is relevant to what Gregory included in his Histories and how he discussed it.

Gregory had strong views on good and bad kingship.<sup>51</sup> For example, he disliked taxation.<sup>52</sup> Good kings were, according to Gregory, Clovis, Theudebert and Sigibert.<sup>53</sup> Gregory considered Clovis to be the ideal king, and in his description of Clovis Gregory inserts pro-

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<sup>44</sup> Histories 8.6.

<sup>45</sup> Histories 4.18, 5.14, 5.19, 7.21, 7.43, 8.18.; Wood, "The individuality of Gregory of Tours", p. 33.

<sup>46</sup> Goffart, "Foreigners in the histories of Gregory of Tours", p.94.

<sup>47</sup> E. James, *De Franken* (Baarn: Ambo, 1990) p. 179-180.

<sup>48</sup> Wood, *Gregory of Tours*, p.54.

<sup>49</sup> Histories 5.49

<sup>50</sup> Wood, *Gregory of Tours*, p.50.

<sup>51</sup> P. Brown, *The rise of Western Christendom. Triumph and Diversity, A.D. 200-1000* (Oxford: Wiley-Blackwell, 2013) p. 155.

<sup>52</sup> Wood, *Gregory of Tours*, p.46.

<sup>53</sup> Histories 2.40, 8.24.

Merovingian propaganda.<sup>54</sup> Guntram appears in some of his writings as an episcopal monarch, even a wonderworker.<sup>55</sup> In contrast, Chilperic is named a second Nero by Gregory. These idealized representations are oversimplifications to make a point about good government.<sup>56</sup> The ideal of the good king was in the interest of the Church. The Church depended much on the power of kings to support them, as it had done with the Roman emperors. For this reason the position of the king in society was strengthened by the Church, using a projection of an ideal Christian kingship.<sup>57</sup> For the kings, this meant a projection of a behaviour that was not at all what they were used to. In general, Gregory made the position of the Church in society more important in his Histories than can be accounted for by his description of events, and he accentuated the position of bishops in the Church also more than he could justify.

Gregory must have realized the dangers of writing on local matters, because there was local opposition that could use this against him.<sup>58</sup> Therefore, he projected his problems in Tours on the local count, for whom he may have also felt a personal antipathy.<sup>59</sup> This was a man called Leudast, who had been forced on Gregory shortly after his election as bishop by Theudebert when he seized the city.<sup>60</sup> Although Leudast was deposed by Sigibert, he was reinstated by Chilperic after he retook Tours in 575. It is clear that different kings valued count Leudast. But according to Gregory, Leudast seems constantly to have harassed him. For instance, he was one of the persons that claimed that Gregory had slandered Queen Fredegunde.<sup>61</sup> On closer observation, the remarks of Gregory on Leudast are rather the result of his own insecure position than of a real attack of this count on the person or possessions of Gregory.<sup>62</sup>

A final remark on the intentions of Gregory for writing his Histories is that he lived in a period where the use of violence was quite acceptable, but he was very negative about this forcefulness himself.<sup>63</sup> His Christian faith will have influenced his convictions, but because he

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<sup>54</sup> Y. Hen, "Clovis, Gregory of Tours, and Pro-Merovingian Propaganda", *Revue belge de philologie et d'histoire*, tome 71 fasc. 2 (1993) pp. 271-276, p. 271.; Wynn, "Wars and Warriors".

<sup>55</sup> Histories 9.21.

<sup>56</sup> Wood, *Gregory of Tours*, p.47.

<sup>57</sup> Histories 9.21.; J.M.H Smith, *Europe after Rome. A New Cultural History 500-1000* (Oxford: Oxford University Press, 2005) p.239-252

<sup>58</sup> Wood, *Gregory of Tours*, p.55.; McDermott, "Felix of Nantes", p. 17.

<sup>59</sup> Histories 4.48.

<sup>60</sup> Wood, *Gregory of Tours*, p. 14.

<sup>61</sup> Wood, *Gregory of Tours*, p.14-15.; Wood, "The secret histories", p. 260.

<sup>62</sup> Histories 4.48-49.

<sup>63</sup> Brown, *The Rise of Western Christendom*, p. 156.

mentions the use of violence by other bishops and clerics in many cases, this will have also been a personal belief. Bishops with their large possessions will have suffered much from the plunder by warriors passing by. Therefore this is also a statement for the benefit of the Church.

Gregory had to steer between the interests of the different kings, the local clerics, and the count of Tours to keep his position. But this was not really different for other high officials. He was, no doubt, at the heart of local and national factional politics, and could, by personal observation, describe the working of government.<sup>64</sup> In analyzing his Histories we have to be aware of the preoccupations mentioned above.

### **3.2. Manuscript tradition**

The idea that there is a irrevocable text of a particular source is a modern notion. One has to abandon the idea of a single authentic text. To be understood in medieval context it must be recognized that a source could exist in a variety of forms, all regarded by contemporaries as authentic.<sup>65</sup> Early in the seventh century, Gregory of Tours' Ten Books of Histories were excerpted and compressed into a six-book History of the Franks, largely by omitting passages on holy men, miracles and wonders, and minor local events. The six-book version was copied far more often in the Middle Ages than the original version in ten books.

These oldest manuscripts (B-class) contain only books 1-6 and also omit sixty-eight chapters.<sup>66</sup> This shortened version is most likely to be the work of an early editor.<sup>67</sup> A history of the Franks had not been Gregory's goal, but that is what the seventh-century public wished to read.<sup>68</sup> Also, the unflattering portrayal he gave in books 7-10 of certain royal personages could not have been altogether pleasing after 613, when the son of Chilperic and Fredegunde, Chlothar II, became the sole ruler of the Frankish kingdoms.<sup>69</sup>

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<sup>64</sup> Wood, *Gregory of Tours*, p.45.

<sup>65</sup> G. Halsall, "The sources and their interpretation" in: P. Fouracre (ed.), *The New Cambridge Medieval History I* (Cambridge: University Press, 2005), pp. 56-90, p. 62.

<sup>66</sup> Goffart, "From *Historiae* to *Historia Francorum*", p. 265.

<sup>67</sup> *Ibidem*, p. 267.

<sup>68</sup> *Ibidem*, p. 270.

<sup>69</sup> *Ibidem*, p. 271.

Gregory's Histories regained many of their losses in the eighth century in the Carolingian editions (C-class, e.g. the Brussels codex of about the year 700).<sup>70</sup> All ten books were represented, but the excised chapters of books 1-6 remained absent. Comparable cuts were made in books 7-8, books 9-10 were abridged and compressed into one, and a new book 10 was supplied by way of continuation. D-class, an almost complete text of Gregory, dates from the beginning of the tenth century.<sup>71</sup>

An edition must be based on the unabridged A-class (e.g. the Leyden fragments), which, though surviving in a comparatively late manuscript, descends from Gregory's text rather than from someone else's adaptation. The theory that Gregory prepared two drafts is no longer considered valid.<sup>72</sup> The popularity of the work through the ages and the careful reconstruction of texts have contributed to the survival of a presumably quite realistic picture of the period.

### **3.3. Histories and reliability**

The reliability of Histories as a source for the political situation in Gaul is questionable. The intentions of Gregory for writing the Histories, his caution to evade dangerous issues, and his moral and religious ideas, all make his texts suspicious.<sup>73</sup> It is also reasonable to question Gregory as a commentator, because he has his own position and interests.<sup>74</sup> As a member of a leading senatorial family and as bishop of Tours his comments on affairs are biased both by his education and interests. And even in his comments Gregory is not entirely consistent, because different issues struck him as important at different moments.<sup>75</sup>

However, Gregory was a high ecclesial official for several kings and was well informed about the working of government. Gregory mentions aspects of the public administration that were commonly known in his period and which did not ask for any special attention from Gregory. These elements together can be used to sketch an image of Merovingian government that is quite reliable. Some aspects are quite explicitly mentioned, like a synod. Others are implicit,

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<sup>70</sup> Ibidem, p. 272.

<sup>71</sup> Ibidem, p. 272.

<sup>72</sup> Goffart, "From Historiae to Historia Francorum", p. 273.

<sup>73</sup> Brown, *The rise of Western Christendom*, p. 161.

<sup>74</sup> C.M.L. Wood, *The Role of the Nobility in the Creation of Gallo-Frankish Society In the late fifth and sixth centuries AD* (Nottingham: University of Nottingham 2001).

<sup>75</sup> Wood, "The individuality of Gregory of Tours", p. 30.

like the working of collective decision making. Reliability and detail are especially high for the period 573-591 and for the region of Clermont and Tours.<sup>76</sup>

Examples can clarify the difference between opinions of Gregory and the mentioning of the actual events. In Histories 6.46 Gregory condemns King Chilperic for destroying last wills in which properties were donated to the Church. As a high official of the Church this certainly was against the interests of Gregory. What is important is that Gregory does mention the *existence* of wills. This is remarkable, because the will was a Roman custom. In the *Lex Salica* the inheritance came into the possession of the nearest relatives, and a last will could not alter this.<sup>77</sup> We can conclude that some people who lived according to the *Lex Salica* tried to use this Roman custom to deviate from this law.<sup>78</sup> But we can also conclude that kings did not always accept this. Gregory signals a changing custom in passing, and, when we move past his intention or opinions, we have to conclude that the Frankish society in the late sixth century was in transition from separated legal systems, i.e. *Lex Salica* and Roman law, to a mixed system where the making up of last wills was accepted.

Another example of the difference between opinion and events is the judgment of Gregory of King Chilperic. It is clear from the text of the Histories that he adjusted his opinion after the death of the king, most sharply written down in the text of Histories 6.46. Compared to his previous texts there is a rather negative change in this opinion on King Chilperic.<sup>79</sup> He also describes the journey of Princes Rigunth in the most negative way to emphasize this, but there actually was no serious problem for this expedition until the death of the king.

A last example is the mentioning of the low birth of Count Leudast of Tours and other denigrating remarks about this man. Gregory is quite negative about the lineage of this count, because he, as most officials, belonged to families of large landowners. But in his Histories it is also clear that Merovingian officials were not all of the same social class, so his attitude is snobbish. His dealings with the count as a large landholder may have been to his disadvantage, but they were quite common, and more in the nature of being a good businessman. The appointment of this count by different kings must have been a sign of local

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<sup>76</sup> Goffart, "Foreigners in the histories of Gregory of Tours", p.94.; J.W. George, "Portraits of two Merovingian bishops in the poetry of Venantius Fortunatus", *Journal of Medieval History* 13 (1987) pp. 189-205, p. 203.

<sup>77</sup> K.F. Drew, *The Laws of the Salian Franks* (Philadelphia: University of Pennsylvania Press, 1991) title 62.; Smith, *Europe after Rome*, p. 96.

<sup>78</sup> James, *De Franken*, p. 179.

<sup>79</sup> Wood, "The secret histories", pp. 254-259.

power for the count – and also of his ability to play the game for power probably better than Gregory himself.

By his citations of original documents in the *Histories*, Gregory gives us a view of the working of government, without any interpretation from himself.<sup>80</sup> These quotes, and his remarks in passing of governmental customs, can fit together in a picture of the public administration in his period. We have to be careful not to generalize too much, because of the limitations in time and region of the information of Gregory. But when we can discover patterns we can be quite confident to have information on the actual structure of organization of the public administration. We may assume that originally different governmental customs in the Merovingian kingdoms will have evolved into a more common structure.

Gregory's views are the views of one man, and some of them varied as politics demanded. He is too much of an individual to be a reliable guide to the norms of the sixth century.<sup>81</sup> But he is also an eyewitness to the working of public administration. It is worth to look at the world of sixth-century Gaul through the neutral notes in the writings of Gregory, and to try to understand in this way the public administration of his days. For anyone concerned to determine what really was governmental practice in the Frankish kingdoms of the sixth century, his factual mentioning, in passing, of the methods of public administration is an invaluable source.

Historians have analyzed the motives of Gregory of Tours for his writings, his feelings towards the different kings, his negative feelings about warfare, his ideas about ideal kingship, and his moral and religious thoughts. For the analysis of the public administration all these values are not very important. What matters most of all are the elements of governmental organization that are mentioned by Gregory. When these elements fit in a pattern, they will have shaped the structure of the Merovingian governmental organization. Internal consistency in the detected organization structure will confirm its existence. In view of the coherence of the structure of the government of the Merovingian kingdoms, we will see that it can indeed be considered an organization.

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<sup>80</sup> *Histories* 9.20, 9.41, 9.42, 9.39, 10.1, 10.15, 10.31.

<sup>81</sup> Wood, "The individuality of Gregory of Tours", p. 46.

## 4. Outlines of the pre-existing governmental organizations

The constituting components of the Merovingian kingdoms came from different realms, each with their own governmental structure. Segments of the population are mentioned by Gregory (Franks, Gallo-Romans, Jews, Syrians) that can be identified, but it is clear from the Histories that they have no self-rule.<sup>82</sup> There are a number of peoples mentioned, like the Saxons, Alans, Taifali (a tribe of Goths), Alamani, and tribes from across the Rhine that are separate from the other populations because they have a distinct region where they live and have a separate identity, and will have had some form of autonomy in self-rule as a result under their own traditional leaders.<sup>83</sup> Of these peoples, we know nothing of their governmental structure before their entering the Merovingian realm. The largest constituent parts of the Merovingian realm were the former kingdoms of other Frankish kings, the kingdoms of the Visigoths and the Burgunds, and the area ruled by the last Romans.

### 4.1. Roman government

Cities with their surroundings, the *civitates*, were the centres of public administration of the Roman government. The civilian elite of these *civitates* considered it an honour to be an official for the community. In the late Roman Empire this changed, and the elite withdrew itself to the country. The Roman elite merged with the elites of the barbarian peoples and together they became the large landowners that dominated the Merovingian kingdoms with their war bands. In the *civitates* of the late Roman period fewer peoples remained, who were burdened with more severe taxation. Christian officials, like bishops, took over some of the tasks of the previously secular officials. The remaining late Roman governmental structure became more centralized.

The Roman emperor Diocletian (284-305) effected a large increase in the number of bureaucrats of the imperial government. The counts were officials from the central administration located in the provinces. Constantine (306-337) made these counts a permanent part of the controlmechanisme of the Roman emperor. The dukes were a new class of officials. They had a military command and acted independently from the civil service. The

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<sup>82</sup> Histories 8.1, 8.18.

<sup>83</sup> Histories 4.18, 4.42, 4.49, 4.51.: Gregory uses the word “gentes” which can be translated in several ways. The word tribes will be used in this thesis. The essence is that a group of people that is distinguished from others, is named.; B.S. Bachrach, *Merovingian Military Organization, 481-751* (Minneapolis: University of Minnesota Press, 1972) p. 12.; B.S. Bachrach, “The imperial roots of Merovingian military organization”, in: *Studies in Archaeology and History 2* (Copenhagen: National Museum, 1997) pp. 25-31, p.5, 10, 12, 26.

dukes could direct two or three of the new provinces created by Diocletian. Lists of counts and dukes were recorded since the fifth century in the *Notitia Dignitatum*. After Diocletian's reforms the *vicarii* for *civitates* and governors of provinces were responsible for justice, taxation, the postal service, and they ensured that town councils fulfilled their duties. Geographically the region was divided in *dioceses* subdivided in provinces, which in turn consisted of *civitates*, which were divided into the smallest units of administration, the *pagi*.<sup>84</sup> The Praetorian prefecture of Gallia consisted of the dioceses of Gallia, Viennensis, Hispania and Britannia. It was administered by the praetorian prefect, who ruled from Trier. When the Roman administration retreated from northern and central Gaul, early in the fifth century the capital was transferred from Trier to Arles. A provincial assembly was established at Arles in 418 by Emperor Honorius.<sup>85</sup>

This public administration of the Roman government was inherited by the peoples that took over parts of Gaul in the fifth century. The question of continuity or discontinuity of the governmental structures is hard to answer. In general it is considered that systems of taxation, and the necessary bureaucracy for this, disappeared in the north of Gaul and did survive more or less in the South. All inherited Roman public administration changed in the fifth and sixth centuries and adjusted to the needs of the new kingdoms. The names of officials may have been the same, but the working of public administration will have evolved. It would be wrong to project the bureaucratic structure of the Roman Empire onto the Merovingian kingdoms. This would set a hypothesis of continuity that cannot be proven.

## 4.2. Burgundian and Gothic government

The Burgundian law was written down in the end of the fifth century. In the *Liber Constitutionum sive Lex Gundobada*, in short the *Lex Gundobada*, are named *Servi* and *Mancipia*, both a sort of slaves, and *Coloni* en *Originarii*, both tied to the land. For the free peoples there are four classes: freedmen, *Minores personae*, *Mediocres*, and *Optimates*. The Roman subjects had their own law, the *Lex Romana Burgundionum*. For the public administration several positions are mentioned in the laws: counts, judges, military judges, *proceres*, *consilarii*, *domestici*, *maiores domus*, *cancellarii*, *administrantes*, *notarii*, *conductor*, *wittiscalci* (royal servants), *praepositi* (local officials), and *pueri nostri* (lower

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<sup>84</sup> Wes, "Introductie", p. 19-20.

<sup>85</sup> R. van Dam, *Leadership and Community in Late Antique Gaul* (Berkeley etc.: University of California Press, 1985) p.37.

royal servants). The responsibilities of these officials are not clear. The number of different official positions mentioned in the *Lex Gundobada* is higher than the amount of positions mentioned in the Frankish *Lex Salica*.<sup>86</sup>

For the Visigoths the *Lex Visigothorum* was written down in 475 CE. For their Roman subjects the *Lex Romana Visigothorum*, also called *Breviarium Alaricianum* or *Breviarium Alarici*, was applied. Visigoth society was composed of slaves and free people. The free men were the *domini* and *patroni*. *Patroni* were divided in *buccellarii* and *saionatii*.<sup>87</sup>

There was a short period, 507-536/7 CE, of Ostrogothic rule in the Provence. This resulted in the names of officials for this region that were still used in the Merovingian period: patrician, governor and rector.<sup>88</sup>

### 4.3. The Pre-Merovingian kingdoms of the Franks

Little is known about the structure of government of the Frankish kingdoms that existed before the emerging Merovingian kingdoms. According to Gregory, the Franks were ruled by warleaders (called *duces*, *regales* or kings) with long hair, chosen from the foremost and most noble families.<sup>89</sup> The customary laws of the Franks, that were written down in the *Lex Salica*, also give us some clues. The writings of Romans about the Franks and other peoples must be considered questionable because of the cultural differences and geographical distance that separated these peoples.<sup>90</sup>

Roman authors wrote about small kingdoms and an aristocracy, as can also be found in the *Histories*.<sup>91</sup> In the *Lex Salica* are mentioned the *rachimburghi*, who memorized all the precedents on which a decision was based. The *rachimburghi* seem to have been chosen from the more important members of society in a region; they met regularly to discuss and resolve

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<sup>86</sup> K. F. Drew, *The Burgundian Code: Book of Constitutions or Law of Gundobad. Additional Enactments* (Philadelphia: University of Pennsylvania Press, 1996).

<sup>87</sup> H. Wolfram, "The Goths in Aquitaine", *German Studies Review*, Vol. 2, No. 2 (May, 1979), pp. 153-168, p. 157-8.

<sup>88</sup> A.R. Lewis, "The Dukes in the Regnum Francorum, A.D. 550-751", *Speculum*, Vol. 51, No. 3 (1976), pp. 381-410, p. 382, 389.

<sup>89</sup> *Histories* 2.9.

<sup>90</sup> J. M. Wallace-Hadrill, *Early Germanic kingship in England and on the Continent* (Oxford: Clarendon Press, 1971) p. 17.; James, *De Franken*, p. 173.

<sup>91</sup> *Histories* 2.9.; James, *De Franken*, p.173.; A.J. Duggan, "Introduction: Concepts, Origins, Transformation" in: A. Duggan (ed.), *Nobles and Nobility in Medieval Europe* (Woodbridge and Rochester: Boydell Press, 2000) pp. 4-5, p.4.

disputes.<sup>92</sup> The further evolution of the organizational structure of kingdoms seems to have been the introduction of royal officials, like the count and the *sagibaron*, to preside these regional meetings.

Burgundian and Gothic societies were more layered socially, and their public administration was probably more advanced than the Frankish. This is indicated by the larger number of different officials. All barbarian laws indicate a dual structure of government for the barbarian and Roman subjects of the kingdoms. This will have been the situation in the beginning of the fifth century.

Clovis (466-511 CE) was considered a king of the Salian Franks, but also an official of the Romans.<sup>93</sup> His conquest of other kingdoms made him first of all a successful warlord. There was no governmental administration readily available to rule all these kingdoms combined. The Merovingians must have acted pragmatically and must have taken over much of the regional and locally existing systems of government after conquering these regions. In time these regional and local structures will have been made to fit into a more global structure of government.<sup>94</sup>

The change from pre-Merovingian government to Merovingian is perceptible in the *capitularia*, the legislation of the kings. In the *capitularia* a distinction is made between more social strata of society than in the *Lex Salica*. The *capitularia* explicitly mention an elite which exercised a powerful influence and was treated differently from other people. These men will have come from the ancient Gallo-Roman senatorial families and the warlords that associated with Clovis and his sons in their conquest of Gaul.<sup>95</sup> All held vast estates and possessed great wealth. From these families the king chose his officials, and the bishops as a rule also came from these families. Added to the wealth of these families was thus political and religious power. The *Lex Salica* indicates that Frankish society was originally governed by the meeting of important men of a region. The growing importance of kings introduced

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<sup>92</sup> I.N. Wood, "Disputes in late fifth- and sixth-century Gaul: some problems" in: W. Davies and P. Fouracre (ed.), *The Settlement of Disputes in Early Medieval Europe* (Cambridge: University Press, 1986) pp. 7-22, p. 11.

<sup>93</sup> A.C. Murray, *From Roman to merovingian Gaul: a reader* (Peterborough: Broadview Press, 1999): Letter of bishop Remigius of Rheims to Clovis: "You have taken up the administration of Belgica secunda"; I.N. Wood, "Kings, Kingdoms and Consent" in: P.H. Sawyer and I.N. Wood (ed.), *Early Medieval Kingship* (Leeds: : The editors, 1977) pp. 6-28, p. 25.

<sup>94</sup> Bachrach, *Merovingian Military Organization*, p. 5, 10, 12, 26.; Bachrach, "The imperial roots", p. 26.

<sup>95</sup> Histories 1.44, 1.47, 2.20, 2.24, 2.37, 3.15, 3.9, 4.13, 4.46, 5.32, 5.45, 6.7, 8.39. ; Brown, *The rise of Western Christendom*, p. 157.

royal officials. In the *capitularia* it is noticeable that society became more hierarchical, and that dissimilar social layers were treated differently.

## 5. Merovingian government in historiography

Nineteenth century legal historiography focused on governmental institutions. Medieval institutions and legal practices were seen as primitive antecedents of the supposedly more advanced form of political community pertaining to their own period, i.e. those of the constitutional nation state. The legal historians assumed the theory of the popular or democratic foundation of Merovingian institutions. This legalistic approach to the study of the government of the Merovingian kingdom supposes a Germanic origin for the positions in the public administration, opposed to a Roman origin. Germanic origins for the offices of the Merovingian kingdom are assumed, originating in the jurisdiction of the Germanic householder. Lordship and the exercise of political power, whether by the nobility or by the king, the argument ran, was in origin domestic power that had been gradually extended beyond the household.

In the work of Heinrich Brunner and Claudius Freiherr von Schwerin, which is exemplary for this school of legal historians, the jurisdictions of the counts were treated mainly under the rubric of *Grundherrlichkeit* (manorialism) and interpreted as a consequence of the extension of the domestic authority of the Germanic householder.<sup>96</sup> To Brunner and Von Schwerin, *grafio* and *comes* were originally distinct. They recognized the Roman foundations of the *comes* in the Histories of Gregory of Tours, but regarded the *grafio* as a Germanic commander with originally distinct, and lesser, powers, whose competence, particularly in judicial matters, was increased as a result of the influence of Roman institutions. Thus, they distinguished between an old Frankish count, represented by the *grafio* of the *Lex Salica*, and a new Frankish count, who bore the Roman title *comes*. This distinction permitted them to come to the conclusion that the office of the Frankish *comes* was of Germanic origin. By this means they were able to maintain the Germanic lineage of later territorial lordship derived from the comital absorption of royal rights.

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<sup>96</sup> H. Brunner and Cl. Frhr. von Schwerin, "Deutsche Rechtsgeschichte 2", *Systematisches Handbuch der deutschen Rechtswissenschaft* (München and Leipzig: Duncker & Humblot, 1928) pp. 217-23.

This interpretation of the democratic foundations of early Germanic society was later replaced by theories of noble lordship. In the 1920s the *Neue Verfassungsgeschichte* (new constitutional history) was introduced. In Otto Brunner's 1939 book *Land und Herrschaft* these thoughts were outlined.<sup>97</sup> Claims to power (*Herrschaft*) were based on the idea of patriarchal rule over a household and its members (*Hausherrschaft*), as well as that of a chieftain over his band of warriors (*Gefolgschaftsrecht*). This thesis was also held by D. Claude, H. Dannenbauer, F. Irsigler, K. Kroeschell, T. Mayer, T. Schieffer, W. Schlesinger, R. Sprandel, H. K. Schultze, and D. Willoweit.<sup>98</sup> In this new approach, the constitutional significance of the office of count was diminished by notions of the nobility's independent rights of lordship. Positions in the public administration were still considered to be of Germanic origin, but the starting point was found in autogenous rights of the nobility. The Germanic aristocracy was supposed to have jurisdictional power over tenants and dependents, independent from the sanction of monarchy. Noble lordship over land and people was emphasized as the basis of Germanic social and political development. A constitutional struggle was supposed between the monarchy and the ancient tribal aristocracy. This eventually redefined the Merovingian realm along the lines of the Germanic order from which it had sprung, resulting in immunity for the lords. The Edict of Paris of 614 constituted a victory for the nobility in this struggle, and was the price Chlothar II had to pay for aristocratic support. For example, D. Claude considered the *grafio* in the north and east of the Merovingian kingdom in the sixth century official of Germanic origin different from the

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<sup>97</sup> O. Brunner, *Land und Herrschaft. Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter* (Baden bei Wien u. a.: Rohrer, 1939).

<sup>98</sup> D. Claude, "Zu Fragen frühfränkischer Verfassungsgeschichte", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung* 83 (1966) pp. 273-80.; D. Claude, "Untersuchungen zum frühfränkischen Comitatus" in: *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung* 81 (1964) pp. 1-79.; H. Dannenbauer, "Adel, Burg und Herrschaft bei den Germanen", *Historisches Jahrbuch* 61 (1941), repr. and expanded in: *Herrschaft und Staat im Mittelalter, Wege der Forschung* 2 (Darmstadt, 1956) pp. 60-134.; H. Dannenbauer, "Hundertschaft, Centena und Huntari," *Historisches Jahrbuch* 62-69 (1949) pp. 155-219.; F. Irsigler, *Untersuchungen zur Geschichte des frühfränkischen Adels. Veröffentlichungen des Instituts für geschichtliche Landeskunde der Rheinlande an der Universität Bonn* 70 (Bonn: L. Röhrscheid, 1969).; K. Kroeschell, *Deutsche Rechtsgeschichte* 1 (Reinbek: Rowohlt-Taschenbuch-Verlag, 1972) pp. 85-88, 94-99.; T. Mayer, *Fürsten und Staat: Studien zur Verfassungsgeschichte des deutschen Mittelalters* (Weimar: Böhlau-Verlag, 1950) p. 278.; T. Schieffer, T. Schieder, F. Seibt, *Handbuch der europäischen Geschichte*, 1 (Stuttgart: Klett-Cotta, 1976) pp. 564-68.; W. Schlesinger, "Herrschaft und Gefolgschaft in der germanisch-deutschen Verfassungsgeschichte," *Historische Zeitschrift* 176 (1953), pp. 255-75, trans. in part as "Lord and Follower in Germanic Institutional History," in: F. L. Cheyette (ed.), *Lordship and Community in Medieval Europe*, (New York: Holt, Rinehart, and Winston, 1968) pp. 64-99.; R. Sprandel, "Dux und Comes in der Merowingerzeit", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung* 74 (1957) pp. 41-84.; R. Sprandel, "Bemerkungen zum frühfränkischen Comitatus", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung* 82 (1965) pp. 288-91.; H. K. Schultze, *Die Grafchaftsverfassung der Karolingerzeit in den Gebieten östlich des Rheins, Schriften zur Verfassungsgeschichte* 19 (Berlin: Duncker und Humblot, 1973).; H. K. Schultze, "Rodungsfreiheit und Königsfreiheit", *Historische Zeitschrift* 219 (1974), pp. 529-50.; D. Willoweit, "Graf, Grafenschaft," in: A. Erler (ed.), *Handwörterbuch zur deutschen Rechtsgeschichte*, 1 (Berlin: E. Schmidt, 1971), cols. 1775-85.

*comes* in the south end west. The *grafio* is, according to this school, ranking far below the *comes* and derives his constitutional position from pre-conquest Frankish institutions.<sup>99</sup>

The Roman origin of positions in the governmental structure was supported by H. Mitteis, K. Bosl, and Fustel de Coulanges. They noticed the autonomy of great estates and their independent relations with officials of the central government, as they appear in late-imperial constitutions. They supposed that the great landholders of Gaul acquired the posts of late-imperial officials. Immunity for these officials came to be regarded as an institution of Roman public law adapted to the Germanic order (H. Mitteis, K. Bosl).<sup>100</sup> To Fustel de Coulanges, *comes* and *grafio* were always synonyms.<sup>101</sup> The office of the Frankish count, he believed, was based upon the late Roman *comes civitatis*, who in the last days of Roman administration in the West exercised military, administrative, and judicial functions in Gallic cities. *Grafio*, a Germanic word with the same connotation as the Latin *comes*, was simply a Frankish translation of the Roman term. The institution of the *comitatus* was thus a creation of the late Roman state. Many have followed Fustel in his view.<sup>102</sup> Even a modern writer like A.C. Murray strongly supports this Roman origin of institutions and officials.<sup>103</sup> Murray concludes a continuity of the positions in the public administration based on a linguistic analysis of the use of words like *grafio*, *comes*, *centenarius*. Roman, and even Egyptian, names of officials are compared to Merovingian positions, and a continuation, even into the Carolingian period, is supposed.<sup>104</sup> Other modern writers, like Barnwell and Wood, argue to the contrary. They think these titles are Roman relics in the Frankish government system which merely linger on, whereas in practice there is barely a differentiation in the positions of officials.<sup>105</sup>

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<sup>99</sup> Claude, "Untersuchungen zum fruhfrankischen Comitatus", pp. 4-45, 78.; Claude, "Zu Fragen fruhfrankischer Verfassungsgeschichte", pp. 278-79.

<sup>100</sup> H. Mitteis, *Der Staat des hohen Mittelalters* (Weimar: H. Böhlau Nachfolger, 1948) pp. 50-55.; K. Bosl, *Fruhformen der Gesellschaft im europaischen Mittelalter* (München, Oldenbourg, 1964) pp. 54, 69, 248.;

<sup>101</sup> N.D. Fustel de Coulanges, *Histoire des institutions politiques de l'ancienne France: La monarchie franque* (Paris: Hachette, 1905), pp. 203-16.

<sup>102</sup> E. Chenon, *Histoire générale du droit français public et privé des origines à 1815, I* (Paris: Sirey, 1926) pp. 210-13.; J. Brissaud, *A History of French Public Law*, trans. J. W. Garner (Boston: Little, Brown, 1915) pp. 88, 9—92.; F. L. Ganshof, *Frankish Institutions under Charlemagne*, trans. Bryce and Mary Lyon (Providence: Brown University Press, 1968) p. 27.

<sup>103</sup> A.C. Murray, "From Roman to Frankish Gaul: 'Centenarii' and 'Centenae' in the administration of the Merovingian kingdom", *Traditio*, Vol. 44 (1988) pp. 59-100, p.70.73,90.; A.C. Murray, "Immunity, Nobility, and the Edict of Paris", *Speculum*, Vol. 69, No. 1 (1994) pp. 18-39, p. 20, 22, 35.

<sup>104</sup> Murray, 'Centenarii' and 'Centenae', p.59.; Murray, "Immunity, Nobility", p. 35.

<sup>105</sup> I.N. Wood, *The Merovingian Kingdoms 450-751* (London and New York: Longman, 1994) p. 262–3.; P.S. Barnwell, *Emperor, prefects and kings: the Roman West, 395-565* (London: Duckworth, 1992) pp. 101–8.

From the 1980s, an anthropologically inspired historiography was introduced by writers like G. Althoff and M.J. Innes. The attention now was more on cultural aspects and less on the structure of the organization of the state.

These approaches to the public administration of the Merovingian kingdoms have in common that they typically start from a specific starting point, being the legalistic, Germanic or Roman position. Each of these lines of reasoning has its problems. A legal historical approach gives insight in the ideal working of government according to the laws. This does not say much about the actual working of the public administration. Starting from a Germanic origin of institutions has the problem that most of our sources are Roman. Looking at the structure of government of barbarian kingdoms through Roman eyes is always biased. To suppose a continuation of the positions of Roman officials may be partly true, but neglects the changes that must have occurred in due time to adapt to the changing society.

The Germanic or Roman origin of the structure of government touches on the discussion in historiography about evolution or revolution in the migration period. Was there a turning point because of migration and new kingdoms, or did society and the structure of government change more slowly? The majority of historians now seem to support the latter opinion. Ethnogenesis is the process by which a group comes to be understood or to understand itself as distinct from others, by identifying themselves through a common heritage that is either real or assumed. This is now thought to have been a process that involved choices. People could recognize themselves in different origins and choose an identity.<sup>106</sup> Roman and German interpretations of continuity in institutions suppose the notion of a distinctive Germanic or Roman order of the Merovingian state. These different roots are of little value as they were probably very mixed, because the Merovingian society changed in time ever more from any German or Roman roots there may have been. Some continuation can be expected, but also many changes over time.<sup>107</sup> For example, Gregory identifies the Franks as a people only in his first two books of his *Histories*. In his own period there is no longer a significant distinction between Frankish or Roman origin.

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<sup>106</sup> R. Wenskus, *Stammesbildung und Verfassung: das Werden der frühmittelalterlichen gentes* (Cologne and Graz: Böhlau, 1961).; H. Wolfram, *History of the Goths*, trans. T.J. Dunlap (Berkeley and Los Angeles: University of California Press, 1990) p. x.; H. Wolfram, *The Roman Empire and Its Germanic Peoples* (Berkeley and Los Angeles: University of California Press, 1997).

<sup>107</sup> Wood, "Disputes", p. 20.

In some literature describing the Merovingian government, it is not clear about which specific period the account is made. A broad analysis of the Merovingian administration over the total of the 250 years of the Merovingian rule is presented, e.g. by M.J. Innes, F. Prinz and I. Wood.<sup>108</sup> This has the danger of using an average that is not applicable to any specific period. For example, there may have been a growing influence of the elites in the later Merovingian period, but this cannot be assumed to have existed to the same extent already in the sixth century without proof. Even a growing importance of the elites in the sixth century cannot be aligned with a later period in the 250 years of Merovingian rule. Public administration must have evolved over time.

Modern conceptions, like “police” or “judges”, are sometimes used in literature in quite a modern way. We have to be very careful with this. The most prominent example is A.C. Murray, who introduced a kind of police force in the country by assuming local associations to exist, bound by an oath to hunt down thieves, and whose members were subject to financial penalties if negligent. This police force was commanded by a *centenarius*, a sub officer of the count.<sup>109</sup> Whatever his point may be, the association with a police force has to be avoided. And from Gregory we learn that a person called judge could be an official responsible for taxation, a responsibility that is not according to our definition of a judge.<sup>110</sup>

In the historiographical analysis of the Merovingian public organization the whole period of 250 years of Merovingian rule has too often been condensed in stereotypes of the positions of counts and bishops in the government. This does not take into account any developments of the positions of officials nor the variables incorporated in an organization structure in this period.

Scholars who write specifically about Gregory of Tours and his Histories tend to focus on the intentions Gregory had for his writing. And this approach is certainly necessary, because Gregory cannot be accepted on face value. This resulted in much interest in the specific position Gregory had in the public administration of his period. The accounts of Gregory give

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<sup>108</sup> M. Innes, *Introduction to Early Medieval Western Europe, 300-900. The Sword, the Plough and the Book* (London and New York: Routledge, 2007) p. 278-9.; F. Prinz, “Die bischöfliche Stadtherrschaft im Frankenreich vom 5. bis zum 7. Jahrhundert”, *Historische Zeitschrift*, Bd. 217, H. 1 (1973), pp. 1-35.; Wood, *The Merovingian Kingdoms*, p. 61.; I.N. Wood, “Administration, law, and culture in Merovingian Gaul” in: T.F.X. Noble (ed.), *From Roman provinces to medieval kingdoms* (London and New York: Routledge, 2006) pp. 299-313.

<sup>109</sup> Murray, ‘Centenarii’ and ‘Centenae’, p. P.59.; Murray, “Immunity, Nobility”, p. 32, 35.

<sup>110</sup> Histories, 7.15.; See also Histories 5.12: an abbot of a monastery is also a huntsman in the service of a duke

the overall impression of quarrelling counts and bishops, the importance of the positions of king and bishop, and the savage military attitudes of people. All this is suspect, because it is specific for the position of Gregory himself and may not be representative for the public administration as a whole. We will have to reach below this superficial interpretation to find the roots of the governmental structure.

## 6. Merovingian government analyzed

### 6.1. General

We must be careful not to think of the institutions of the Merovingians as unchangeable. On the contrary, the positions of officials were in a state of continual evolution. There were also large variations in the execution of the positions in the structure of government.<sup>111</sup> In this analysis we will aim at the general picture that can be gleaned from the Histories. An indication that such a representation can be applied to all Merovingian kingdoms may be seen in the phenomenon that districts could change from one kingdom to the other, whereas the structure of government was not changed. Only the officials in the structure changed.

The pre-Merovingian governmental structures will have partially continued, resulting in differences between kingdoms and districts. For example, in Burgundy and Provence the titles of patrician, prefect, or rector were commonly employed instead of duke, but these titles were basically equivalent. We will focus on the superstructure that was applied to rule the kingdoms and that made it possible to overcome these differences. Most important is the appointment of liaison officers that linked the regional structure to the structure of the kingdom. This was in the first place the count, called *comes* or *grafio*. From the Histories it is clear this was the lowest officer appointed by the king for a region.

Government must have been small, because the productivity of farming seems to have been very low, not much above subsistence level.<sup>112</sup> Therefore, kings, Church and officials all had to deal with scarce resources for their sustenance. The labour force was limited in the sixth

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<sup>111</sup> Histories 4.4 Gregory uses the name of count and king for the Breton leaders, but in book 4.9 the ruler of Bavaria is called duke. Therefore it is clear that the naming of these rulers is not consistent.; 4.13 Princes were sometimes called king.; 10.15 Princesses were sometimes called queen.

<sup>112</sup> P. Fouracre, "Space, culture and kingdoms in Early Medieval Europe", in: P. Linehan and J.L. Nelson (ed.), *The Medieval world* (London: Psychology Press, 2001), pp. 366-380, p. 367-8.

century because of the diminished population.<sup>113</sup> And people had the possibility to move away when they felt oppressed by government, as is mentioned in the Histories.<sup>114</sup> For the elite, the possession of land was important for basic necessities such as food, accommodation and workers. But prosperity was expressed more in the treasure that circulated among the elite by way of gifts or plunder, and less in the estates that were owned.

Because the Merovingian kings did not pay most of their officials, only large landowners could afford to be officials. Most officials will have worked only part-time for the interests of the kingdoms, because they had to manage their own affairs too.<sup>115</sup> Exceptions were officials who had no income of their own and who enjoyed the revenues of certain *villae* belonging to the royal treasury. Officials can in a way be compared to the managing directors and owners of the medium-sized and large companies of our times. Because they had their own means to organize, they got the assignment for public organization too. This system of government must have been decentralized to a large extent, with little rules.

Bachrach calls the important persons of this period magnates, i.e. landholders with armed followings, as I will do.<sup>116</sup> As yet there was no closed class of the aristocracy and there were no particulars, like birth, that made a man a magnate.<sup>117</sup> The magnates were a group of large landowners, formed from the leaders of the warriorband that were in a coalition under the direction of the king, and from the large landowners of the Gallo-Roman nobility. Both had their own warbands to protect themselves and their dependents.<sup>118</sup> By wealth and manpower, these people already had a great influence in their region.<sup>119</sup> The Merovingian kings were not able to restrict the positions of these magnates, so they had to integrate them into the structure of government and cooperate with them. Not every magnate became an official, however. Therefore, there was competition for these positions and their concomitant higher social status.

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<sup>113</sup> Innes, *Introduction*, p. 280.

<sup>114</sup> Histories 5.28, 9.11, 9.12.

<sup>115</sup> Histories 9.27: a duke send his wife to his estates to look after his affairs.

<sup>116</sup> Bachrach, *Merovingian Military Organization*, p. 31.; Duggan, "Introduction", p. 4.

<sup>117</sup> Histories 5.48.; G. Halsall, *Settlement and Social Organization. The Merovingian Region of Metz* (Cambridge: University Press, 1995) p. 254.

<sup>118</sup> Innes, *Introduction*, p. 273, Bachrach, *Merovingian Military Organization*, p. 13-14.; Duggan, "Introduction", p. 5.

<sup>119</sup> Halsall, *Settlement*, p. 260.

Officials were appointed only for a period of time, from a pool of potential candidates. They had to have sufficient servants and warriors of their own to be able to exercise power.<sup>120</sup> But when accepted as official by other magnates, an official could also call up other war bands and the militia of a *civitas*.<sup>121</sup> Shifting coalitions could cause the withdrawal of this support and this would make another appointment necessary.<sup>122</sup> An official was most of all a liaison in the region with the central authority. This cooperation could change to opposition when interests changed from those in the centre of power and only local support remained for the official. This is an explanation for the frequent issues of opposition of officials to their own kings. For the kings, the appointment of an official who was dependent on him was an attractive possibility to prevent such a situation. This was only possible when there was no agreement on a nomination for a position between the locals.

Magnates did not receive regular payment for their work, but the position of an official will have had certain material advantages. Officials will have received gifts, as was an accepted custom, fines, rewards for arbitration, etc. In a society in which honour was an important asset, the higher social position of an official will have been important. Kings could make this even more distinctive by precious gifts, as symbols of power. Only the officials that were dependent on the king did receive an estate and other material support, to be able to occupy a position.<sup>123</sup>

Magnates, including bishops, were all holders of large estates and had to deal with each other for land, produce etc. Therefore they were obliged to cooperate, but they were also in competition for official positions and the scarce resources.<sup>124</sup> The frictions this could cause must not be misunderstood with the actual working of government, as Gregory does in his comments on Count Leudast and the treasurer Eberulf.<sup>125</sup> It is clear that these magnates were not yet a closed social class.<sup>126</sup> For example, Count Leudast is of low birth but is appointed by several kings as count of Tours. Although Gregory is quite negative about this count, his

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<sup>120</sup> Histories 5.24-25.

<sup>121</sup> Militia are mentioned by Gregory in: Agen, Angers, Angouleme, Auvergne, Bayeux, Blois, Bordeaux, Bourges, Chartres, Châteaudun, Le Mans, Nantes, Orleans, Perigueux, Poitiers, Saintes, Toulouse, Tours, and Velay. In Champagne a levy seems to have been organized on a provincial basis. See also chapter 6.3.1.9. collective.

<sup>122</sup> Innes, *Introduction*, p. 279.

<sup>123</sup> Histories 7.21.

<sup>124</sup> Histories 7.22.

<sup>125</sup> Histories 5.48, 7.21, 7.22.

<sup>126</sup> Smith, *Europe after Rome*, p. 179.

repeated appointment is an example of a policy of selection for official positions based on local support, a support that Gregory probably lacked. In the sixth century, a shift towards a closed aristocracy is detectable because the magnates, called *optimates*, were given a different legal position from the common people.<sup>127</sup>

In summary, the power of the great landowning magnates was based on a combination of landholding and office holding, presupposing a large stable labour force, consisting of dependent or unfree peasantry, and a core of professional warriors, to effectively employ public authority.<sup>128</sup> Each official will have needed an entourage of dozens or even hundreds of servants and warriors and the cooperation of his fellow magnates in the region.<sup>129</sup> All officials worked part-time in their duties for the state. All had to attend their own estates and servants, and will have been inclined to serve their own purposes.

## 6.2. Goals

Although it has never been explicitly stated by anyone, it may be assumed that the implicit purpose of Merovingian government was continuity of the kingdoms. Many coincidences may have contributed to this continued existence, but also a perceived, and growing coherence must have contributed to the survival of a Merovingian realm.<sup>130</sup>

Beside continuity, the question is whether territorial expansion of the Merovingian realm ever was an objective. The conquering of the Burgundian kingdoms in 534 CE seems to have been most of all a replacement of this royal family by members of the Merovingian family, who were also of royal Burgundian descent through their mother, Queen Clotild. They left the Burgundian magnates in their positions. The acquisition of the Provence in 537 CE from the Ostrogoths was more the result of the Italian wars than a conscious effort made by the Franks. Until the 570s there was for certain further expansion of their sphere of influence by warfare, but there are no indications that this resulted in any stable coalitions with local magnates in these areas.<sup>131</sup>

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<sup>127</sup> Drew, *The laws of the Salian Franks: Antrustiones* (title 73, 106), *Optimates* (title 106, *capitularia* 6.2.2), dukes (*capitularia* 6.2.1), *Maiores* (*capitularia* 2 introduction), *Meliores* and *Minoflidis* (title 102.2).

<sup>128</sup> Fouracre, "Space, culture and kingdoms", p. 367-8.

<sup>129</sup> *Histories* 7.22, 5.14.

<sup>130</sup> *Histories* 6.45: the magnates did not want the treasure of the king to leave the kingdom; *Histories* 5.1, 7.7.: Guntram is prevented by the magnates of Chlothar II and Childebert II to rule their kingdoms.

<sup>131</sup> *Histories* 4.10, 4.13, 4.16, 4.23.

The acquisition of plunder and tribute was more likely to have been the goal.<sup>132</sup> The expeditions in Thuringia, Saxony, Italy, and Spain all testify for this. Only when other potent military powers stood up, this changed. The Avars, the Lombards and the Visigoths under King Reccared, from 586 CE, resisted the Franks effectively.<sup>133</sup> This may have contributed to a growing feeling of coherent identity within the several Merovingian kingdoms.

At the end of the sixth century, a growing coherence within the kingdoms will have resulted in their growing organization and in taking care of the execution of several basic tasks, like taking care of war, taxes or gifts, arbitration, issuing of rules, international relations, registering property of land and estates, coinage, appointing officials, and confirming the election of bishops. In the *capitularia* there is a tendency towards rules for the public good, however theoretical these may have been because of a lack of means for execution of these rules.<sup>134</sup>

The responsibilities of the government were small because there was a long tradition of self-government. Matters that are nowadays considered public affairs were dealt with privately, like the settlement of disputes by compensation or by feud, which were acceptable alternatives for arbitration by officials.<sup>135</sup> It is also clear that many areas of care were outside the range where the government felt responsibility for. The poor, sick, widows and other vulnerable people, were not taken care of by the public administration. This was an assignment for the Church. This all made government small.

## **6.3. Division of labour**

### 6.3.1. Hierarchical structure

#### 6.3.1.1. Hierarchical structure: kings

Kings, as described by Gregory in his *Histories*, are the most important persons in their kingdom, central in the public administration, and all magnates tried to win their favour. But this perspective is an illusion created by Gregory because of his own interests and the interests

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<sup>132</sup> James, *De Franken*, p. 182.

<sup>133</sup> R. Collins, "The western kingdoms" in: A. Cameron, B. Ward-Perkins and M. Whitby (ed.), *The Cambridge Ancient History, Volume 14: Late Antiquity: Empire and Successors, AD 425–600* (Cambridge: University Press, 2008) pp. 112-134, p. 120.

<sup>134</sup> Drew, *The laws of the Salian Franks*, capitularia 2 and 4 introduction, title 91.

<sup>135</sup> *Histories* 3.31, 7.47, 9.19.; J. M. Wallace-Hadrill, *The long-haired kings* (Oxford: Clarendon Press, 1953) p. 135.

of the Church. Gregory was in a position that depended largely on the support of a king. He needed a powerful king that could make his position as bishop stronger. But many of the actions of kings, like Clovis using violence, betraying people, murdering, etc., were not very Christian, even though Gregory thought of Clovis as an ideal king.<sup>136</sup> Many actions of kings are restricted by the power of coalitions of magnates or of collectives, like the army or the inhabitants of *civitates*.

In the beginning of the sixth century, the most important task of a king was warfare. In fact, Clovis was the leader of a coalition of war bands than a king of a territorial kingdom. Depending on their ability in war the sons of Clovis gained importance. The grandsons of Clovis were less involved in warfare because they hardly campaigned themselves anymore and delegated warfare to dukes or high court officials.<sup>137</sup> These kings became most of all symbols of unity for the kingdom, and their court became a focus for the politics of the kingdom. ‘Court’ is here used for the household of the king and a few trusted officials.<sup>138</sup> But the court of a king was also the meeting place where officials and other magnates met, and where alliances were made, even against the interests of a king. Therefore the Frankish kings at the end of the sixth century were most of all *primes inter pares*, rulers of a region like other dukes. The position of a king changed from war leader to symbol of the unity of the kingdom, and the court of a king was a public meeting place for officials.

This changing position was stimulated by the Church. The Church as a whole had an interest in powerful kings. The king was the only one that could defend the Church from the interest and violence of the magnates. The Church introduced the concept of a good king who should care for the public good and made kingship sacral.<sup>139</sup> The Church had benefitted much from the Roman emperors and sought an equal protector in the Frankish king. This ideal must have been far from reality, but in its interests the Church was inclined to neglect many of the actions of kings that were not at all according to these ideals. The Histories reproduced this image of ideal kingship.<sup>140</sup>

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<sup>136</sup> Bachrach, *Merovingian Military Organization*, p. 13.

<sup>137</sup> Histories 2.27, 2.37, 2.42: king as warrior; Histories 4.41, 5.13, 5.14, 5.26, 6.31, 8.30 king more a ruler; James, *De Franken*, p. 195.

<sup>138</sup> Histories 4.50: advisers of king influence his decisions.; Lewis, “The Dukes”, p. 392.

<sup>139</sup> Histories 9.21.; Smith, *Europe after Rome*, p. 241.

<sup>140</sup> Histories 2.40, 8.24, 9.21.

The real power was in the hands of a coalition of magnates.<sup>141</sup> This became noticeable when King Guntram, by adoption of King Childebert II and becoming godparent for King Chlothar II, tried to rule their kingdoms when these kings were minors. In both kingdoms, a faction of magnates opposed King Guntram, and the magnates in both kingdoms were strong enough to rule in the name of these under aged kings.<sup>142</sup> Factions of magnates became decisive for the working of the government, rather than the king. The king became the symbolic top of the hierarchy of government, but could only rule with the support of a majority of magnates. Vice versa, an appointment by the king, or rather the leading magnates, meant a rise above his peers for a magnate, with possible advantages to exploit. The court of a king must have been the focus for political activity in the kingdom. One of the marks for this limited royal power is the treasure of a king. This was treated more as a collective property than as the king's privately owned wealth. Kings could only gain influence through their skills in forming coalitions.<sup>143</sup>

#### 6.3.1.2. Hierarchical structure: queens

At first sight, it is quite surprising to find some queens, like Fredegunde and Brunhild, at the centre of power.<sup>144</sup> It is remarkable that in a warlike society, governed by men, queens or princesses could shape formidable coalitions and could actually direct war bands. But at a closer look, able queens were in a position to make it worthwhile for people to work for them. Merovingian queens were at the centre of politics and could easily join or form a coalition, building a network of political loyalties, and gaining the same position as other magnates.<sup>145</sup> It just depended on the abilities of these women to create and maintain such coalitions. Not every royal woman was able enough for this power play, as the Princesses Rigunth and Basina proved. Although a woman never could act in battle herself, she could still be in the same position as a magnate, even if her power depended on her link with her male relatives.<sup>146</sup> The death of a ruling husband or son disrupted every coalition.

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<sup>141</sup> Brown, *The rise of Western Christendom*, p. 156.

<sup>142</sup> Histories 6.24, 7.7, 8.9, 8.18, 8.31, 8.42.

<sup>143</sup> Innes, *Introduction*, p. 277.; R. van Dam, "Merovingian Gaul and the Frankish conquests" in: P. Fouracre (ed.), *The New Cambridge Medieval History: Volume 1, c.500-c.700* (Cambridge: University Press, 2005) pp. 193-231, p. 221.

<sup>144</sup> Queens had to win this position. They could be forced in a marriage: Histories 3.6 Queen Guntheuc.; 3.7 Queen Rade Gund who was part of the booty of a campaign in Thuringia.; 4.26. Theudechild was tricked in a supposed marriage to Guntram but dismissed after taking her treasure.

<sup>145</sup> George, *Venantius Fortunatus*, p. 153.; J.L. Nelson, "Queens as Jezebels: Brunhild and Balthild in Merovingian history", in: J.L. Nelson, *Politics and Ritual in Early Medieval Europe* (London: Hambledon Press, 1986) pp. 1-48, p. 45.

<sup>146</sup> Histories 4.20, 4.26, 5.39, 8.21.; Nelson, "Queens as Jezebels", p. 44.

Although the queens had no formal position in the structure of government, these women could act in the name of their husband, son, grandson, or great-grandson. In this way they were able to acquire political authority.<sup>147</sup> Queens participated in assemblies and issued donations and privileges. They received secular and ecclesiastical officials.<sup>148</sup> They could influence episcopal elections.<sup>149</sup> The coalitions that were wrought by queens became visible when they came in action. Queen Fredegunde asked the Saxons living near Bayeux to act according to her wishes, but in violent opposition to the official policy of the kingdom.<sup>150</sup> Fredegunde was in coalition with the duke of Champagne. Queen Brunhild even tried to prevent a war by her intervention.<sup>151</sup>

Queens had their own treasury and could use the resources which they had gotten by way of gifts from their husbands or from the people.<sup>152</sup> According to Fredegunde, she was able to give the dowry of her daughter Rigunth from her own resources, a dowry that impressed many and even resulted in protests from the magnates. Whether this is true or not is less important, but the fact that it was believed to be possible is an indication of the wealth a queen could have. When queens got a reputation of being successful, they could accomplish much, as is seen by the roles played by Brunhild and Fredegunde. Brunhild was a Visigothic princess who was able to dominate the kingdoms of Austrasia, and later Burgundy, for generations. Only when her son Childebert II was a minor, there was a dislike for her by the ruling faction of magnates, and her influence was then small.<sup>153</sup> Fredegunde, who was of low birth, was able to dominate the politics in the kingdom of Neustria. Fredegunde's willingness to use her servants as assassins made her a political asset for her husband King Chilperic.<sup>154</sup> It apparently did not strike contemporaries like Gregory as odd that Fredegunde assumed that taxation was a greater sin than murder.

After the death of a king, the position of a queen was uncertain because she could only rule through a male relative. Queen Brunhild was banished after the death of her husband, but tried

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<sup>147</sup> Histories 5.48, 6.32: Gregory needs the permission of Queen Fredegunde to end the excommunication of Leudast.; Histories 9.10.

<sup>148</sup> Histories 7.43.

<sup>149</sup> Histories 3.17, 8.31.

<sup>150</sup> Histories 10.9.

<sup>151</sup> Histories 6.4, 9.9.

<sup>152</sup> Histories 4.26, 5.34, 9.20. ; J. Nelson, "Queens as Jezebels", p. 7.

<sup>153</sup> Histories 6.4, 8.21, 8.22.; Wood, *Gregory of Tours*, p.53.

<sup>154</sup> Histories 4.51, 8.29, 8.31.

to regain control by marrying Prince Merovech. Queen Fredegunde sought refuge in a Church after the death of her husband and was later banned to Rouen, but regained power by the birth of her son Chlothar II.<sup>155</sup> Queen Theudechild offered to marry King Guntram and gave him the treasure of her deceased husband, King Charibert, but was deposited in a nunnery.

### 6.3.1.3. Hierarchical structure: princes

In the sixth century, it became customary to select new kings from the Merovingian family.<sup>156</sup> For this there must have been active propaganda, starting long before Gregory wrote his Histories, to legitimize the new ruling dynasty. The narrative of Gregory in his book two of Histories will have been the result of this growing of myth. Gregory is certainly not very critical of Clovis, but rather depicted Clovis as an ideal king.<sup>157</sup>

Descent and reputation were the main ingredients for royal succession in Frankish society, as it will have been for the sons of magnates.<sup>158</sup> According to the *Lex Salica*, all sons could inherit, but it was no rule to give all the heirs a share – let alone an equal share.<sup>159</sup> A (supposed) descent from Clovis was required when one wanted to become king. A Merovingian prince could be recognized as such by his father, other Merovingian kings, sufficient magnates of a kingdom, or the people. Gregory says that “irrespective of their mother’s birth, all children born to a king count as that king’s son”.<sup>160</sup> The implication of this is that, although sons of a slave girl remained servile, when the father was a king the servility was ignored.<sup>161</sup>

There was no secure line of succession, and every prince could become king. Choices were made from the competing princes. Decisive for succession seems to have been support of a coalition of magnates. A prince could only establish his position for succession through his actions and the following he assembled.<sup>162</sup> Or, the other way around, a coalition of magnates could choose a minor prince as their king, and use their candidate for their purposes.<sup>163</sup> In all

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<sup>155</sup> Histories 7.19.

<sup>156</sup> Hen, “Clovis“, p. 274.

<sup>157</sup> Hen, “Clovis“, p. 271, 274.

<sup>158</sup> Wood, “Kings, Kingdoms and Consent”, p. 10.

<sup>159</sup> Drew, *The laws of the Salian Franks*, title 59.; Wood, “Kings, Kingdoms and Consent”, p. 6.

<sup>160</sup> Histories 5.20, 6.24.; Wood, *Gregory of Tours*, p.52.

<sup>161</sup> Wood, *Gregory of Tours*, p.53.

<sup>162</sup> Histories 3.23, 5.49.; Collins, “The western kingdoms”, p. 119.; Wood, “Kings, Kingdoms and Consent”, p. 13-14.

<sup>163</sup> Histories 9.9, 9.38.

this there is no notion of a Merovingian realm that could be divided at will by the royal family. The two divisions of the realm, first among the sons of Clovis and the second time among the sons of Chlothar I, are presented by Gregory as a family matter. The growing importance of the coalitions of magnates will have made this hardly likely. Probably a capable prince was accepted by and worked with an alliance of magnates. The death of a king annulled all loyalties, and magnates each chose their new kings, who might be one of the princes or one of the other kings. Because a new king appointed new officials, magnates had to consider their position carefully. For instance, after the death of King Chilperic, the magnates that were travelling with Princes Rigunth each made their own choice for a new king.<sup>164</sup>

Among the grown-up legitimate princes there was fierce competition for becoming the next king. Some princes became part of the government of a kingdom for their father by ruling a region or commanding armies.<sup>165</sup> This was one of the ways kings tried to enlarge their span of control, but this was not successful because princes came to revolt to their father to get a better position.<sup>166</sup> Queen Fredegunde killed some of the competitors, being her stepsons, in favour of her son, according to Gregory. Their father, King Chilperic, accepted this.<sup>167</sup> Queen Clotild decided that her own grandsons should rather be killed than become clerics and thereby would be no longer suited for the throne.<sup>168</sup> The uncles of these boys had no problem in killing their nephews. Brothers fought each other in battle by instruction of their father, King Chilperic. In short, the ruthless way the Merovingians selected kings in their family meant that only able candidates became king, and losers would not survive. All surviving Merovingian kings must have had a good touch for building alliances. But this was probably not very different for the elites in the kingdoms.

Preventing a man to become king could be achieved, apart from killing him, by calling this person a pretender, an illegitimate son, or by making a prince incapable for the throne by shaving his head and making him a cleric.<sup>169</sup> Four pretenders are mentioned by Gregory:

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<sup>164</sup> Histories 5.48, 7.9, 7.12-13, 7.27.; Bachrach, *Merovingian Military Organization*, p. 58.

<sup>165</sup> Histories 2.37, 3.21, 4.9, 4.13, 4.16, 4.23, 4.47, 4.50, 5.2, 5.13, 9.36.

<sup>166</sup> Histories 3.13., 3.23 Sigivald; 4.13, 4.16 Prince Chramn.; 5.39 Clovis; 4.25 Gundobad ; 5.2, 5.3 Merovich.; 9.36 Theudebert.; Dam, "Merovingian Gaul and the Frankish conquests", p. 208.

<sup>167</sup> Histories 5.22, 5.39.

<sup>168</sup> History 3.18.

<sup>169</sup> Histories 3.18, 5.14.: Queen Clotild was asked to have the hair of her grandsons cut or have them killed.; Histories 4.4: a bishop renounced his vows, grew his hair again and became "king" of the Bretons, but is excommunicated.

Munderic, Gundovald, Sigulf, and Rauching.<sup>170</sup> In the case of Gundovald, according to Gregory, Chlothar I, Sigibert I and Guntram denied that he was a son of Chlothar, while Childebert I, Radegund and Ingtrude believed that he was. More pretenders may have existed but if so, they are not mentioned by Gregory. We must realize that we only call these men pretenders now because they were not successful in becoming king. For example, the legitimacy of King Chlothar II as the son of King Chilperic was doubted by King Guntram, and also implicitly by Gregory. Fredegunde and the magnates of the kingdom had to swear that the child was legitimate. The extent of the oath-taking by three bishops and three hundred magnates is in itself an indication of the depth of suspicion.<sup>171</sup> Royal descendants could be made harmless by tonsuring them and making them clerics, even against their will.<sup>172</sup> However, this could be undone by letting the hair grow again.

For some, it did not matter which prince would become king, because they would have no real power. For example, after the trial of Gregory, Riculf the subdeacon was tortured, and under torture confessed that he, Leudast and the priest Riculf had intended to use the affair to force Fredegunde from the kingdom, then to arrange the murder of all except one of Chilperic's sons, who was to become king, and who in return would give Leudast the office of duke, Riculf the priest the bishopric of Tours, and Riculf the subdeacon the archdeaconry.<sup>173</sup> Another example is the attempted killing of King Childebert by Duke Rauching and his replacement by one of his children.<sup>174</sup> In this line of thinking, whether Chlothar II was the true son of Chilperic is not relevant, because the growing identity of the kingdom asked for a symbol of unity, and the magnates that gathered around the son of Queen Fredegunde just needed a king that could be used for this purpose. The oath of the magnates and bishops can never have been a testimony of legitimacy; it was first of all a declaration of independence.<sup>175</sup> A king was clearly the symbol that was needed for the unity of the kingdom, but his legitimacy could be created when the interests of the leading magnates required this.

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<sup>170</sup> Histories 3.14, 6.24, 7.27, 9.9.

<sup>171</sup> Histories 8.9.; Wood, *Gregory of Tours*, p.49.

<sup>172</sup> Histories 3.18 Prince Chlodovald by his own choice, 5.14. Prince Merovech was forced.

<sup>173</sup> Wood, *Gregory of Tours*, p.15.

<sup>174</sup> Histories 9.9.

<sup>175</sup> Histories 8.9: 300 magnates and 3 bishops swore an oath that King Chilperic was the father of King Chlothar II, but how could they be sure. The pregnancy of Queen Fredegunde was suspiciously opportune for her position.

#### 6.3.1.4. Hierarchical structure: factions of magnates

A king could only rule with the help of a coalition of magnates.<sup>176</sup> A weak king, for example when he was a minor, could be ruled by a coalition of magnates, as was the case with King Childebert II and Chlothar II. Coalitions were loosely held together by the Merovingian kings, who were in a way figureheads that could influence the course of a coalition only as leader of the largest war band, but were certainly not able to dictate its course. A king was a symbol for unity of his kingdom, but could be replaced if necessary by another Merovingian. Even bishops, united in a synod, could resist kings because as a collective they were more powerful.

The Merovingian kingdoms must be considered as ever-shifting coalitions of magnates, in which the king was a participant. An able king was probably a powerful participant, but will not have been able to resist a coalition of magnates. This accounts for the surprising number of dukes that revolted against their kings and could do so for a long time, as in the case of Guntram Boso and Mummolus. Kings often accepted these revolting officials again.<sup>177</sup> Probably, because these magnates were powerful enough to resist a king in the area in which they resided, and it was more realistic to accept this. There always was the possibility that a magnate shifted his loyalty to another king.<sup>178</sup> Therefore, powerful magnates were important for a king to support him, but were also a threat to his position.

The factions of magnates at court were strong enough to unite for the independence of a kingdom, for instance when King Guntram tried to rule the kingdoms of his relatives King Childebert II and King Chlothar II during their minority.<sup>179</sup> Coalitions of magnates opposed this and kept the kingdom independent. The real power in a kingdom was visible this way. When Childebert came of age he reacted to the faction of magnates that had ruled during his minority. He, in cooperation with King Guntram, more or less revenged the treatment of his mother, but was very careful not to make these magnates unite against him.<sup>180</sup> Because of the changing coalitions a skilful king could act this way. If enough magnates united, a king had no choice but to accept their wishes. For example, the magnates of King Chilperic protested

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<sup>176</sup> Histories 6.31: after a battle King Chilperic and Guntram made peace, each promising the other that his bishops and leading subjects should agree as to how far the bounds of law had been exceeded, and that then both should pay for compensation.

<sup>177</sup> Histories 5.24, 8.6, 8.27, 10.9.

<sup>178</sup> Histories 4.26, 4.50, 7.4, 7.9, 7.10, 7.27, 7.34, 7.43, 8.18, 8.27, 8.42, 9.9, 9.11.

<sup>179</sup> Histories 5.1, 6.4, 7.7, 7.19.; Bachrach, *Merovingian Military Organization*, p. 56.

<sup>180</sup> Histories 7.33, 7.36, 9.8.; James, *De Franken*, p. 193.

against the large dowry of Princes Rigunth, and this really frightened the king. But an able king had the possibility to make the magnates compete with each other. And a losing coalition could always hope for a change.

#### 6.3.1.5. Hierarchical structure: dukes

Was a duke the ruler of a territory or was he first and foremost in a military position? It is not clear from the Histories what the position of duke implied. Many dukes seem to have been mainly militarily involved, commanding an army recruited from the area of several counts.<sup>181</sup> Because counts and officials from the household of the king, like the mayor of the palace, could also have military command, the military position of the duke was not exclusive. Some dukes were clearly the sole rulers of a region, but other dukes were evidently most of all the loyal servants of a king.<sup>182</sup>

Some duchies were not permanent and they disappeared along with the circumstances that gave rise to the appointment of dukes. Other regions were permanent duchies, e.g. in Champagne (*civitates* Reims, Laon en Chalons), maybe caused by a lower population density that made the *civitas* too small a unit for government. In the case of Provence it was because of tradition.<sup>183</sup> However, for both situations there is no indication at all that the duke was an extra organizational layer between counts and king. For instance, there is no mentioning of arbitration and taxation on the level of a duchy. Therefore, the appointment of a duke must be first of all have been motivated by military needs and regional necessities.

The dukes were close to the kings in the hierarchy and equalled their power. The number of dukes is estimated between 10 and 20 for each kingdom. All the more, it is surprising to read in the Histories about quite a few rebellions of dukes against their kings and where there was not an outright rebellion, in many cases there was tension between the interests of kings and dukes. For instance, in 583 Chilperic appointed Desiderius duke for parts of Aquitaine near Albi.<sup>184</sup> It is clear that Desiderius was one of the most important military officials for Chilperic, but he was also the most important magnate for the region of Albi. After the death

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<sup>181</sup> Histories 2.20, 3.32, 5.14, 5.29, 6.12, 6.31, 9.7, 9.9, 9.12, 9.31, 10.3, 10.8, 10.9.; Lewis, "The Dukes", p. 391-2.

<sup>182</sup> Histories 3.14, 4.30, 5.14, 7.38, 8.30, 9.31.

<sup>183</sup> Histories 5.3, 4.14, 6.4, 9.7, 9.9, 10.3: Champagne; Histories 4.24, 4.30, 4.42, 4.43, 4.47: patrician, governor, rector of Provence; James, *De Franken*, p. 200.

<sup>184</sup> Dam, "Merovingian Gaul and the Frankish conquests", p. 222.

of Chilperic, Desiderius took the large dowry of Princess Rigunth, daughter of Chilperic.<sup>185</sup> Because King Guntram and King Childebert II both tried to expand their influence in Aquitaine, the dukes of the region felt their interests threatened and chose a new king, the pretender Gundovald. Even though Dukes Mummolus and Desiderius had been loyal to different kings, and had fought each other previously for these kings.<sup>186</sup> When the usurpation of Gundovald failed, Desiderius became loyal to Guntram, who was the third king he was loyal to.<sup>187</sup> Mummolus, who withdrew to Avignon, was able to control this area for quite a while, and King Guntram was not able to do much about this. The important thing to conclude is that dukes had a regional power base, and even in rebellion were still called dukes, which implies that their power could not be reversed by a dismissal of a king. Kings could only accept the changing loyalties of these dukes and try to influence this in their favour.<sup>188</sup>

If dukes were not the most trusted persons for a king, why were they appointed? Probably because they were powerful regional magnates with military skills, who were already recognized in their region as military leaders. This position could only be confirmed by a king. The counts within the jurisdiction of a duke had to obey his orders, but were probably in coalition with this duke. To complicate matters, there were dukes who were dependent on the king and dukes who were more autonomous. Royal dukes, as I will call them, were either dukes who were in coalition with the king, or officials of his household appointed duke by the king. Regional dukes were the apex of a regional power structure. And of course these positions could shift. A skilful king could use the competition for power between dukes. For example, two dukes campaigning together in Brittany were in competition with each other at the expense of the success of the campaign.<sup>189</sup> Some royal dukes were given specific tasks, like being ambassador or making up tax lists. The duke of the Provence, called governor, patrician or rector, was relatively autonomous, as long as taxation was paid by the counts.<sup>190</sup>

The growing importance of the dukes was probably a sign of a transition of the very fragmented local political structure in the beginning of the sixth century to a more autonomous regional power structure, in which the most important count of a region became

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<sup>185</sup> Histories 7.9.

<sup>186</sup> Histories 6.1, 6.26, 7.10.; Dam, "Merovingian Gaul and the Frankish conquests", p. 222.

<sup>187</sup> Histories 7.27, 7.34.

<sup>188</sup> Histories 6.24, 6.26, 6.28, 8.18, 8.22, 8.26, 10.9.

<sup>189</sup> Histories 4.50, 5.39, 8.45, 10.9.

<sup>190</sup> Histories 6.7, 8.43: Dynamius, the patrician of Provence, appointed Marcellus as bishop of Uzès, despite royal support for Jovinus.

duke, especially with responsibilities for military matters.<sup>191</sup> The appointment of a duke was not a choice of the king, but rather the acceptance of a person that was the most powerful magnate of a region.<sup>192</sup>

Most likely, the position of duke was used for some time as one of the attempts to enlarge the span of control of the kings, similar to the way kings used their princes. But because the duke was most of all a regional leader, especially for military purposes, these men were competing with the kings for power. Dukes could be quite independent from a king and had the means to follow their own policy. Because of the shifting position of dukes in the public administration, this explains the diffuse way these dukes appear in the sources. The change from royal servants and military commanders to regional rulers explains the power they had.

#### 6.3.1.6. Hierarchical structure: counts

The kingdom was divided for administrative purposes into areas which I will call districts.<sup>193</sup> The count, called *comes* or *grafio*, was the highest-ranking official in a district and the lowest official that was appointed directly by the king. The centre of a district, as I define it, is a *civitas*, a town and its adjacent territory, which had been the practice in the Roman period and was still customary in the south. But not all was based on Roman tradition, and new territorial units were formed in the north, the *pagus* or *gau*. The estates of the magnates were autonomous territorial units in a district, as were the villages and farms in the countryside ruled by the *centenarius*. Large areas of uninhabited land made up the rest of a district. A *civitas* or *pagus*, the estates of the magnates and the villages of the *centenarius* were all self-governing, and the count was most of all a liaison officer and an arbiter wherever this was accepted. It is probable that there were between 40 and 50 counts for each kingdom.

The count was appointed by the king for a set period.<sup>194</sup> They could be reappointed or they became again a member of the group of magnates. It is important to emphasize that each count depended on a certain cooperation of the other local magnates and the population, and had to have enough men of his own to enforce his will when necessary. The selection of a local magnate who was supported by a strong local coalition could probably only be

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<sup>191</sup> James, *De Franken*, p. 198.; Lewis, "The Dukes", p.386, 389.: Gregory mentions 41 dukes, 5 patricians, and 3 rectoris and only 25 count in his Histories.

<sup>192</sup> Histories 9.11, 9.12.

<sup>193</sup> Histories 6.45.

<sup>194</sup> Histories 4.39, 4.42, 8.18.

confirmed by the king. When there was competition and no apparent winner, the king could force his own choice on the people. Counts that were transferred from one district to another were examples of this.<sup>195</sup>

To execute his tasks, a count had to have his own followers, because staff was not provided in his district.<sup>196</sup> A count had to have a solid material basis for his position, because he needed to feed, house and reward his men. He did not receive a reward from the king, but there were some material advantages to the position, like gifts and fines. A few positions to assist the count are mentioned in the Histories and the *Lex Salica*: vice-count, *sagibaron* (a lower judge), judges, local officials, *rachimburghi* and *centenarii* or *thungini* or hundred-man.<sup>197</sup> It is not quite clear what the relation to the count was to these positions. The higher social status of the count is represented by his triple wergeld in the *Lex Salica*. Wergeld was a value placed in the *Lex Salica* on every human being and every piece of property. If property was stolen, or someone was injured or killed, the guilty person would have to pay wergeld as restitution to the victim's family or to the owner of the property. From the Histories it is clear that a count was regularly away from his district, just as the bishop, to deliberate with other officials, the king and the treasurer. The most important aspect of the position of count seems to have been this liaison position. Other essential functions of the count were judicial, military and financial.

The count was at once public prosecutor, judge, and executioner of the sentences. The count was not sole judge, because in the *Lex Salica* there are mentioned *sagibarons* and *rachimburghi*, who participated in the judgment. Also in the Histories are mentioned other judges, and cooperation in judging with important men. The distribution of tasks between these officials is not clear. According to the *Lex Salica* the *rachimburghi* were to cite the law. These *rachimburghi* may have been a jury, with the count or *sagibaron* as the chairman. The verdict could be objected to by the people and an appeal to the court of the king was possible.<sup>198</sup> And always was there the possibility for people to settle a dispute themselves by compensation or feud.

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<sup>195</sup> Histories 5.47, 5.48, 7. 13.

<sup>196</sup> Histories 7.42.

<sup>197</sup> Histories 3.13, 7.23.

<sup>198</sup> Histories 6.8.

The counts had to enlist the militia, but the count was not always the commander of this force.<sup>199</sup> This indicates that the command of warriors was not the prime task of a count. When the warriors were not willing to enlist, the count was responsible for fining them.<sup>200</sup> It was also possible that militias were campaigning without the consent of the count.<sup>201</sup> This indicates that the militia was an autonomous force that could only be dealt with in cooperation, and not by force.

The count was responsible for the levying of taxes and paying them to the royal treasury.<sup>202</sup> He did not levy the taxes himself, but leased this to a tax collector. The count was not responsible for tax registers, because this was done by specially appointed royal officials.<sup>203</sup> A reason for this could have been the difficulty of drawing up tax registers, but more likely the interests of a count in his district would prevent him from levying high taxes. In taxation, the count had rather the role of organizer than that of the execution of tasks.

Although the Histories give the impression that there was quite some rivalry between counts and bishops, there is no reason to believe this.<sup>204</sup> The bishop took care of the poor part of the population, and the count was responsible for the more wealthy part. The rivalry between count and bishop which is mentioned by Gregory was more of a private nature than that it concerned affairs of government. A close reading of the Histories indicates that Gregory as a large landowner had to deal with the count of Tours, Leudast, and was not very pleased with these business deals. Gregory may have had an antipathy for this count that could have had its origin in his own insecure position.<sup>205</sup> Because the count had no salary, he was compensated by the receipt of certain revenues. Because of this, his public and private duties might collide. But by serving his own interest too well, he would lose the support of the locals.

Former counts or dukes could just go on using violence in their interests.<sup>206</sup> Only a more powerful magnate or a coalition of magnates could stop this. Therefore the monopoly for violence was not something that differentiated the position of count from that of the other magnates. Also, the collective of the citizens of a district could disobey the count. The

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<sup>199</sup> Histories 7.29.

<sup>200</sup> Histories 6.12, 7.12, 7.24, 7.42.

<sup>201</sup> Histories 1.48, 6.12, 6.31, 7.2.

<sup>202</sup> Histories 10.21.

<sup>203</sup> Histories 9.30.

<sup>204</sup> Wood, *The Merovingian Kingdoms*, p. 79.

<sup>205</sup> Histories 5.47-49.

<sup>206</sup> Histories 5.49, 6.19, 9.35, 10.5.

position of count was most of all a position of liaison with the king and his court, where the interests of the kingdom were taken care of. Some counts may even have been without a district, because they were clearly merely attached to the king's person and executed his orders.

The conclusion is that the count was first and foremost a liaison officer between his district and the central government, mainly for taxation and enlisting the militia, and as arbiter when parties did not solve a conflict themselves. Estates of magnates, the villages ruled by a *centenarius*, and the *civitas* were independent entities, who admitted the count as far as they wanted, because self-government was the rule.

#### 6.3.1.7. Hierarchical structure: bishops

The poor and the weak had no protection from the state, and sought protection from bishops. A bishop took under his protection the widows, the orphans, the poor, the sick, especially lepers, slaves, captives, etc. according to canon law.<sup>207</sup> There was an organized structure of clerics and servants to execute the necessary tasks. Because the Church was a large landowner and had immunity from taxation, it used this income for these people, and a considerable part of the population was dependent on the rule of a bishop.<sup>208</sup> Compared with our period, we could consider a bishop a governmental official for the poor part of the population. These people were neglected by the public administration, based as that was on the free man and his family, prosperous enough to pay taxes and to perform military duty.<sup>209</sup> This partition of duties between count and bishop was quite clear. In the Histories, there are no signs of an overall rivalry between bishops and counts.<sup>210</sup>

In this way, bishops and their clerics were part of the structure of government, for ruling the poor part of society. The king was de facto head of the Church in his kingdom, as far as public matters are concerned that were regulated by the bishops. In religious matters, the interference

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<sup>207</sup> Histories 2.24, 5.5, 539.; G.I. Halfond, *Archaeology of Frankish Church Councils, AD 511-768* (Leiden: Brill, 2010) pp. 223-46: First Council of Orleans in 511, immunity for the income of the Church should be spent in the repair of Churches, in the maintenance of bishops and the clerics, the poor, and in the buying back of captives, Fifth Council of Orléans in 549.; Wes, "Introductie", p. 90.; P. Fouracre, "Eternal light and earthly needs: Practical aspects of the development of Frankish immunities" in: W. Davies and P. Fouracre (ed.), *Property and Power in the Early Middle Ages* (Cambridge: University Press, 1995) pp. 53-81, p. 59.

<sup>208</sup> Histories 2.36, 5.5.

<sup>209</sup> Histories 5.26.

<sup>210</sup> Histories 4.39, 5.36, 8.20: mention a quarrel between bishop and count because it is so exceptional.; Wood, *The Role of the Nobility*.

of a king was less accepted and kings did not often take action here.<sup>211</sup> The bishop was most of all present in the urban communities. He possessed religious, political, economic, and social influence as a result of the wealth and the prestige of the Church. Given these powers, it is not surprising that the kings sought to control appointments to the bishopric.

Bishops were in theory elected by the people and the clerics of the vacant see, who acclaimed the candidate of their choice.<sup>212</sup> The election took place in the cathedral, under the presidency of the metropolitan or of a bishop of the province. In reality, kings would appoint bishops directly, or by approving or disapproving of candidates.<sup>213</sup> Different interests were at stake. The king wanted someone he could trust, the people someone who would represent their interests, the clerics someone from their midst, and the other bishops someone who could strengthen the synod of bishops. For example, King Guntram sent a diploma ordering the consecration of Gundegisel, the count of Saintes.<sup>214</sup> The new bishop was consecrated by the metropolitan, with the other bishops of the ecclesiastical province present.<sup>215</sup> Gregory never criticized the participation of the king in this process. What Gregory did criticize was the character and qualities of those appointed, and the king's motive for their appointment.<sup>216</sup> Most bishops came from families of magnates and were wealthy themselves. Some dukes and counts were transferred to the position of bishop, which implies a certain similarity in the positions.<sup>217</sup>

A bishop had to control the large possessions of the Church, e.g. villas with fields around them and vineyards.<sup>218</sup> And to make matters more complex, he had to keep apart his own possessions from those of the Church, especially when he was married.<sup>219</sup> A bishop had to

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<sup>211</sup> Histories 5.44.

<sup>212</sup> J. M. Wallace-Hadrill, *The Frankish Church* (Oxford: Clarendon Press, 1983) p. 97.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Third Council of Orléans in 538 and Fifth Council of Orléans in 549, election of bishops had to take place in all freedom, with the consent of the clergy, the people, and the king.

<sup>213</sup> Histories 2.1, 2.13, 3.2, 3.17, 4.5, 4.6, 4.11, 4.15, 4.26, 4.35, 5.5, 5.42, 5.46, 5.49, 6.9, 6.15, 7.17, 7.31, 8.22, 8.31, 8.39, 9.23, 10.26.; First Council of Orleans in 511: No lay person may aspire to clerical office except by order of the king; canon 10 of the Fifth Council of Orleans in 549; canon 8 of the Council of Paris in 561/2.

<sup>214</sup> Histories 7.22.

<sup>215</sup> Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Councils of Arles in 443 and 452, Council of Clermont in 535 canon 2.

<sup>216</sup> Histories 4.18, 5.5, 6.9, 6.39, 22: no clerical status; 4.35, 4.26: uncanonical consecration; 6.39 bribery.

<sup>217</sup> Histories 4.18, 5.14, 5.36, 6.7, 6.9, 6.38, 7.31, 8.22.

<sup>218</sup> Histories 2.23, 2.36, 4.5, 4.24, 5.5 (Church land became a cause of quarrel between bishops), 6.45 king envies the Church for their wealth.; 8.22: Gregory admits that the lust for wealth is important for many to become a bishop. ; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Fifth Council of Orléans in 549, forbidden to take, retain, or dispose of Church property.

<sup>219</sup> Histories 2.17, 3.34, 6.11 (clerics have to pay a fine, what means they have their own property), 8.39.; G. Scheibelreiter, "Church structure and organisation" in: P. Fouracre (ed.), *The New Cambridge Medieval History*:

manage this landed property, but also the exemption from customsdues and markettax written down in charters of immunity, and the right to levy dues at specified places.<sup>220</sup> The tithes upon the fruits of the earth and the increase of the cattle were generally paid by the faithful, but it was not made obligatory until 585 CE.<sup>221</sup> All this property was used for the maintenance of the bishop and his household, for the payment of the clergy, for the poor, and for the building and repair of Churches. Some bishops even carried out works of public utility in their cities.<sup>222</sup>

A bishop had to control his clerics, servants, and the people that came to Church. He also carried out visitations of his parishes.<sup>223</sup> This control could involve the use of force to discipline his clerics.<sup>224</sup> But violence was also used against the bishops by their clerics.<sup>225</sup> As a rule, bishops were not involved in warfare, although Gregory mentions exceptions.<sup>226</sup> In rare situations the people that depended on the bishop could be provoked to violence, for example when the asylum in Tours was defiled.<sup>227</sup> But these poor people were not wealthy enough to have arms, so this must have been an exception. The bishops and the clergy did not yet enjoy legal privileges. The clergy, including bishops, could be judged on criminal charges.<sup>228</sup> Guntram persecuted some bishops who showed support, whether willingly or by the use of force, to the pretender Gundovald.<sup>229</sup> Bishop Praetextatus of Rouen was tried because he had presided over the marriage of Brunhild and Merovech.<sup>230</sup> A bishop could be expelled by the citizens, the clerics, the metropolitan, or the king.<sup>231</sup> But a bishop could also go to another king and become one of his bishops in a new see.<sup>232</sup>

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*Volume 1, c.500-c.700* (Cambridge: University Press, 2005) pp. 675-709, p. 696.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Second Council of Tours in 567, cleric were to abstain from sex with their wives.

<sup>220</sup> Histories 9.30.

<sup>221</sup> Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Third council of Mâcon in 585, tithing was formally legislated for.

<sup>222</sup> Histories 5.45.

<sup>223</sup> Histories 5.5, 5.32, 10.26.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Council of Orleans in 511, jurisdiction of bishops is apart from lay officials, including for the sons of clerics. Council of Clermont-Ferrand in 535, clerics are forbidden to appeal to seculars in their disputes with bishops and bishops are forbidden to solicit for the protection of princes.

<sup>224</sup> Histories 4.12, 4.26, 5.49, 8.22.

<sup>225</sup> Histories 3.17, 5.5, 5.20, 5.36, 5.49, 6.22, 6.36, 7.11, 8.31, 9.41.

<sup>226</sup> Histories, 4.30, 4.42, 5.18, 5.20, 6.7, 6.31, 5.49, 6.7, 7.37.; Brown, *Violence in Medieval Europe*, p. 34, 38.

<sup>227</sup> Histories 7.29.

<sup>228</sup> Histories 3.34, 4.26, 5.5, 5.18, 5.20, 5.27, 6.11,6.22, 6.24, 8.12, 8.20, 10.19.

<sup>229</sup> Histories 6.24, 8.5, 8.12: Theodore of Marseilles; 8.2 Bertram of Bordeaux and Palladius of Saintes, 8.20 Ursicinus of Cahors.

<sup>230</sup> Histories 4.26, 5.18.

<sup>231</sup> Histories 2.1, 2.23, 2.36, 4.7, 4.11, 4.26, 5.49, 6.11, 7.16, 9.37, 10.19.

<sup>232</sup> Histories 5.5.

Nominally was the metropolitan above the bishop. The metropolitan had the authority to convoke provincial councils, and presided over them. He exercised a certain supervision over the bishops of the province. His title was simply that of bishop, and his authority over the bishops will probably have been small.<sup>233</sup> Gregory does not mention any disciplinary actions by a metropolitan. Councils or synods were convoked by the metropolitan or the king, who exercised much influence in their deliberations, resulting in the promulgation of the canons of the council. All bishops of a kingdom could be part of the council of bishops, but often not all were present.<sup>234</sup>

There were monasteries for men and for women. Some monasteries were founded by kings or queens, but other persons also founded monasteries.<sup>235</sup> All monasteries, which were mainly located in the cities, were under the authority of the bishop.<sup>236</sup> The monasteries had little influence on the outside world. This changed in the time of Gregory; the first example was the nunnery of the Holy Cross in Poitiers. This convent was in the country and opposed the influence of the bishop. This may have been a prelude to the introduction of a new type of monasteries by Columbanus at the end of the sixth century.<sup>237</sup>

Bishops were used by the king as judges for the trial of high officials and bishops, and also as advisors, ambassadors, etc.<sup>238</sup> These were all tasks that were given ad hoc to a bishop, but were not a part of his normal work. In the Histories, only a few bishops have important positions in the structure of government (like Egidius of Reims) compared to the involvement of dukes and officials of the court.<sup>239</sup> The position of Gregory in government was probably not very important, and he was most of all used by kings as a go-between.<sup>240</sup>

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<sup>233</sup> Scheibelreiter, "Church structure", p. 680.; Wallace-Hadrill, *The Frankish Church*, p. 100.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Second Council of Orléans in 533, annual provincial councils should be held. Repeated in the Councils of Orleans in 541 and 549.

<sup>234</sup> Histories 4.7, 4.26, 4.47, 5.27, 6.1, 8.13, 8.20, 9.6, 9.20, 9.32, 9.37.

<sup>235</sup> Histories 10.7: Queen Radegunde founded the nunnery of the Holy Cross in Poitiers

<sup>236</sup> Wallace-Hadrill, *The Frankish Church*, p. 95.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: Council of Orleans in 511.

<sup>237</sup> Histories 9.39, 9.40.; B. H. Rosenwein, *Negotiating Space: Power, Restraint and Privileges of Immunity in Early Medieval Europe* (Ithaca: Cornell University Press, 1998) p. 58.

<sup>238</sup> Histories 5.20, 5.49, 8.2, 8.7, 8.20, 8.21, 8.30, 9.14, 9.33, 9.40, 10.15, 10.17, 10.19.

<sup>239</sup> Histories 10.10.

<sup>240</sup> Histories 9.20.; Wood, "The individuality of Gregory of Tours", p. 45.

#### 6.3.1.8. Hierarchical structure: *centenarius*

The *centenarius* or *thunginus* or hundred-man, in a later period also called vicar, administered a part of the district. The position is mentioned in the *Lex Salica* and in the *capitularia*, but not by Gregory.<sup>241</sup> According to the *Lex Salica* the *centenarius* was responsible for the summoning of the court.<sup>242</sup> According to the *capitularia* the *centenarius* was also responsible for the persecution of thieves and the command of the local militia. This may indicate a growing importance of the position of the *centenarius*. The *centenarius* is not appointed but chosen, probably by the locals.<sup>243</sup> The *centenarius* is placed in trust, probably the “king’s trust”, meaning probably that he enjoyed the higher status of a man of the king.<sup>244</sup>

The relation of the *centenarius* with the count is not clear from the sources. Is there a hierarchical relation? The preparation of the court for the count would indicate this. But the autonomous position in the persecution of thieves and the command of the local militia seems to contradict this. A possibility that suits both situations would be the independent position of the *centenarius* for his territory, but a possibility for appeal to the count in case of arbitration. This would also be in line with the custom of settling disputes locally with the help of arbitrators. It would explain why Gregory does not mention this official. Gregory was most of all focused on the cities in his Histories. When we postulate a countryside that does not belong to the *civitates* or to the estates of the large landowners, this would be the area governed by the *centenarius*. This area is hardly discussed in the Histories by Gregory, and this is where the position of the *centenarius* would be found. Therefore, the suggestion is to think of the *centenarius* as the local official for the villages and free farmers in the countryside. Justice can have been administered in most local affairs by this *centenarius*.

#### 6.3.1.9. Hierarchical structure: collective

Magnates did form coalitions, but common people also organized themselves and effectively exercised power as a collective. When people had a common cause or a shared identity this could motivate them enough to act as a collective, e.g. as warriors of the army who acted as a whole, or of the citizens of a *civitas* en bloc. Such collectives expressed themselves by spokesmen, who are mentioned several times by Gregory. There was a risk for the representatives of the people, because when a king could not deny the demands of the

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<sup>241</sup> Drew, *The laws of the Salian Frank*, capitularia 84, 91-93.

<sup>242</sup> Drew, *The laws of the Salian Frank*, 44.1, 46.1.

<sup>243</sup> Drew, *The laws of the Salian Frank*, capitularia 84, 91-93.

<sup>244</sup> Drew, *The laws of the Salian Frank*, p. 237, note 82.

majority of the people, he could revenge himself on the speaker.<sup>245</sup> The other way round, a king could try to win the representatives of a community for his purposes.<sup>246</sup> Gregory, who is of noble birth, is not quite willing to accept this power of the people in his Histories. He is very brief in his work about this, but when he does mention a collective action, the effective impact is quite clear.

The army as a whole is such a collective. From time to time warriors imposed their will upon kings, as some examples will show. Clovis wanted to change the rules for the distribution of the spoils of war. The army refused, and even the famous war lord Clovis had to give in. Theuderic had to convince his army to attack the Thuringians. In a later campaign, the army threatened to desert Theuderic if he refused to fight against the Burgundians. Chlothar I led an expedition against the Saxons and the king was willing to accept the peace offer of the Saxons, but his warriors denied this offer. He was obliged to yield to their insistence, but as a result the army was defeated severely. The bishop of Reims had to flee, because the army objected to the advisors of the king. Leudast asked the army to intercede for him with the king. King Sigibert could not control his army from pillaging, especially the tribes which came from across the Rhine.<sup>247</sup>

All citizens of a *civitas* together were also a collective, like the men of Tours, Poitiers and other cities, as some examples will show.<sup>248</sup> The representatives of cities were bribed to swear an oath of allegiance to their *civitas*.<sup>249</sup> The militias of *civitates* were summoned as a collective, but not all responded to this call.<sup>250</sup> This is mentioned several times, and fines are imposed on those that did not appear. But the repetition also indicates that the collective of a city made its own choices.<sup>251</sup> The merchants of the town of Verdun formed an association in the time of Theudebert, in about 540 CE. The king aided them by lending them money at the request of Bishop Desiderius. They were thus enabled to put their business on a sound footing, and in the time of Gregory of Tours the wealth of these merchants was renowned.<sup>252</sup>

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<sup>245</sup> Histories: 2.27, 2.42, 3.7, 4.45, 4.49.

<sup>246</sup> Histories 7.26.

<sup>247</sup> Histories 2.27, 3.7, 3.11, 4.14, 4.49, 6.31, 6.32, 6.45.; Bachrach, *Merovingian Military Organization*, p. 32, 33.

<sup>248</sup> Histories 1.48, 4.30, 4.45, 4.50, 5.1, 5.3, 5.4, 5.26, 5.48, 5.49, 6.8, 6.11, 6.12, 6.31, 6.36, 7.2, 7.6, 7.8, 7.12, 7.13, 7.21, 7.24, 7.27, 7.28, 7.34, 8.1, 8.18, 8.30, 9.9, 9.31, 10.3, 10.5, 10.15, 10.27.

<sup>249</sup> Histories 7.26.

<sup>250</sup> Histories 4.30, 5.26, 6.31, 7.12, 7.29, 7.42, 9.31.

<sup>251</sup> Histories 7.2, 7.13.

<sup>252</sup> Histories 3.34.

The men of Tours and Poitiers could be suspected of collective action in conspiracy against the life of a king.<sup>253</sup> Duke Wintrio was driven out by the people and he had to come to terms with them.<sup>254</sup>

The collective of the citizens of a *civitas* was very much self-governing, but in their relations to the central government they were represented by a count, who was a magnate and not one of the citizens of the city. We have to consider why no citizen was appointed count. The explanation is probably that only a large landowner with a war band was able to participate in the public administration in this period, because he had enough power. Without sufficient income and a war band, no person was in a position to enforce his will, oppose other officials, and in that way participate in the politics of the Merovingian kingdoms with power. No citizen was in this position or he would also be a magnate.

Somewhere between the collective and the coalitions of magnates are the annual meetings in Sspring held by the king with the important men of the kingdom to discuss the policy for the coming year.<sup>255</sup> The assemblies of magnates decided major policies. These meetings are mentioned in the *capitularia*, but not by Gregory. Because all magnates had their bodyguards with them, being the core of any army, this assembly would to some extent also be an assembly of the army. This may be the place where the approval of the Franks, i.e. the bishops and military leaders, was given to treaties.<sup>256</sup> Without such approval a treaty had no value. The king needed the support of these assemblies for major decisions. In the assemblies the capitularies were promulgated. When it was decided to campaign, the field could immediately be taken against the enemy. The assembly was thus at once an army, a council, and in some cases also a legal tribunal.

The bishops also met in council separately, and at these meetings passed canons which were authoritative for the Church, but which had to be confirmed by the king.<sup>257</sup> The assembly of bishops tried to act as a collective, but kings did not always react positively to such an urge.<sup>258</sup> The relatively weak position of bishops and Church in the public administration is made visible by this.

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<sup>253</sup> Histories 9.9.

<sup>254</sup> Histories 6.31, 8.18.

<sup>255</sup> Drew, *The laws of the Salian Franks*, Capitularia 6 introduction

<sup>256</sup> Histories 6.3, 6.31, 7.14, 7.38, 9.20.

<sup>257</sup> Histories 4.47, 6.38.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46.

<sup>258</sup> Histories 4.6, 4.26.

### 6.3.2. Geographical structure

Clovis was leader of an expanding coalition of war bands in the fifth century. Clovis may have had the strongest war band, but he was not able to control all his conquered territory effectively at the same time. He had to make alliances with local magnates. These coalitions turned an anarchistic situation into more stable pattern of a strong central military power with links to local potentates. The kingdom of Clovis was not so much a territorial organization as a region of military influence. Already under the reign of Clovis the core area of the kingdom shifted from the lands of the Salian Franks in western Belgium and northern France to the area around Paris.<sup>259</sup> Insofar as far as we can speak of an organization, a very flat hierarchical organization began to grow.

The first division of the Merovingian realm after the death of Clovis in 511 CE cannot have been a family affair and a territorial division, as I.N. Wood suggests.<sup>260</sup> The influence of the Church on this division must have been negligible, because it was incorporated in the structure of the Merovingian realm only recently and not many people will have been Christians, either nominally Orthodox ones or even Arians.<sup>261</sup> The division may have been influenced by Queen Clotild, because she could use the accumulated treasure to bribe the magnates. More noticeable is the fact that the eldest and only adult son, Theuderic, who was commanding the field army and was an esteemed warrior, did not become sole king by force. The only explanation can be that the interests of the magnates must have prevented this, and that they regrouped in four coalitions of war bands. The four kingdoms founded in this way cannot be considered united territories, but rather four spheres of influence, with core areas for the kings to settle. The war bands continued their existence as the *leudes* of kings and magnates and the militia for the cities.

The subsequent divisions of the realm indicate that there was little coherence within the separate kingdoms, and that regional identity was yet to grow, but also that there was a feeling of coherence in the Merovingian realm as a whole. In 524, after the death of King Chlodomer,

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<sup>259</sup> Histories 2.40, 2.43.

<sup>260</sup> Histories 3.1.; Wood, "Kings, Kingdoms and Consent", p. 26: Wood suggests a total territorial division made by Queen Clotild, the bishops and the Gallo-Roman aristocracy. But contrary to this, Wood does accept spheres of influence and no territorial division for the Burgundian kingdom, p. 18-22.

<sup>261</sup> Bachrach, *Merovingian Military Organization*, p. 8-10.; Wallace-Hadrill, *The Frankish Church*, p. 96: Council of Orleans in 533 still tries to prevent pagan practices, prove of the superficial christianisation.

a new division was made into three parts. In 555, after the death of King Theudobald, there were two kingdoms left, now including the former kingdom of Burgundy. In 558, after the death of King Childebert I, the Merovingian kingdoms were united under King Chlothar I for three years. In 561 CE, after the death of Chlothar I, again a new division of the kingdom was made, this time in four parts.<sup>262</sup> Paris was treated as neutral ground in 567 CE, when there remained three kingdoms.<sup>263</sup>

The growing identity and territorial unity of the separate kingdoms became visible for the first time when the minor kings Childebert II (575 CE) and Chlothar II (584 CE) came to rule. A coalition of magnates ruled in their name and prevented any serious interference from other Merovingian kings. The question of rearrangement of the kingdoms never came up any more. Three kingdoms, or rather regional power structures, took shape on a permanent basis. These Merovingian kingdoms considered themselves no longer as part of the Roman Empire, as opposed to the earlier barbarian kingdoms of the fifth century.<sup>264</sup>

The growing identity and territorial unity of regions can be explained using the model of a core area and peripherie. After Clovis, the core areas of the Merovingian realm became the regions of Paris, Reims, Soissons and Orleans.<sup>265</sup> Each king will have had a core area around his capital.<sup>266</sup> These four areas were relatively close to each other, constituting the core of the whole Merovingian realm. The mentioning of banishment or retreat to outside areas is an indication that these parts were considered not to belong to the core lands.<sup>267</sup> There was a shift eastwards in the reign of Childebert II, so that the old capital Soissons complained and asked for a prince to reside there.<sup>268</sup>

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<sup>262</sup> Histories 3.18, 4.9, 4.22.

<sup>263</sup> Histories 6.27, 7.6.

<sup>264</sup> Histories 2.38.; Histories 6.24: Guntram Boso is accused of the intention to subject a Frankish kingdom to the Roman Empire.; Murray, *From Roman to Merovingian Gaul: a reader*: Letter of bishop Remigius of Rheims to Clovis: "You have taken up the administration of Belgica secunda"; E. Ewig, *Die Merowinger und das Imperium* (Opladen: Westdeutscher Verlag, 1983) p. 13: Procopius mentions in 547 CE the recognitions of the Frankish kingdoms by the Roman Empire.; M. Blackburn, "Money and coinage" in: R. McKitterick (ed.), *The New Cambridge Medieval History Volume 2: c.700–c.900* (Cambridge: University Press, 2008) pp. 660-674, p. 158, 163, 170.

<sup>265</sup> Histories 4.22.; Histories 7.19: Queen Fredegunde must go to Rouen, out of the core region of the kingdom.; Histories 7.32: support for the pretender Gundovald comes most of all from the region which lies beyond the Dordogne.; Innes, *Introduction*, p. 278.; S.T. Loseby, "Gregory's cities: Urban functions in sixth-century Gaul" in: I.N. Wood (ed.), *Franks and Alamanni in the Merovingian Period. An Ethnographic Perspective* (Woodbridge: Boydell & Brewer, 1998) pp. 239-270, p. 262.

<sup>266</sup> James, *De Franken*, p. 195.; Dam, "Merovingian Gaul and the Frankish conquests", p. 199.

<sup>267</sup> Histories 4.49, 4.50, 5.1, 7.19: Chartres, Toumai, Rouen.

<sup>268</sup> Histories 8.13: Coblenz, 9.29: Mainz, 9.36: Stasbourg.

This shift of the core of the Merovingian kingdoms is one of the signs that the Merovingian realm was first of all a coalition of magnates and not a territorial entity. These core regions chose the descendants of Clovis as their leaders. This may be the true meaning of a capital, the area where the real power base of a king was located. There were no capital cities as we know them now, where the government was permanently settled. The kings and their court, the focus of government, were travelling to consume the food where it was produced and to manifest themselves in the parts of their kingdom that they ruled effectively.

The partition of peripheral areas in a kingdom will have been made according to the shifting coalitions of magnates. Division was rather like a chessboard where squares were occupied by a kingdom, or even shared by more kings.<sup>269</sup> Peripheral parts of the kingdom nominally belonged to a kingdom, but were in reality the asset of a regional power structure of magnates, topped by a duke. The people in the periphery aligned with a king according to their interests. The idea that division was made based on the income of taxation is probably partly true, but it can only have been one of the factors.<sup>270</sup> The kings were also dependent on the acceptance of their rule by the local magnates and population. The peripheral areas will have gained identity and manifested themselves as the territories of the dukes.

The several rearrangements of the kingdoms in the sixth century show the flexibility of the public administration to adapt to a new rule. The public administration was no restriction to a redistribution of districts. The organization of government must have had some interchangeability which made it possible to transfer a district from one kingdom to another by replacing the officials. For example, Tours changed kingdom several times, and even its Count Leudast changed accordingly. But the sharing of one district, like Marseilles, by more kings did mean problems and complication of rule, because the unity of command was lost.<sup>271</sup>

Because of the low population density there must have been much uncultivated land, with islands of occupation.<sup>272</sup> The kingdoms were geographically divided in units, that I have called districts. A district consisted of a *civitas* or *pagus*, the estates of the magnates, and the villages ruled by the *centenarius*. A *civitas* was a town with walls around it and with the

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<sup>269</sup> Collins, "The western kingdoms", p. 120.

<sup>270</sup> Contrary to this: Loseby, "Gregory's cities", p. 246.

<sup>271</sup> Histories 6.11, 6.24, 6.33, 7.33, 9.20.

<sup>272</sup> Halsall, *Settlement*, p. 253.

surrounding countryside.<sup>273</sup> This was an inheritance of the Roman civil administration. In the north such districts would be called a *gau* or *pagus*; this was probably a comparable unit of land centered around some settlement. Estates were owned and ruled by the magnates, and they were the masters and officials for their dependents. The *centenarii* ruled in the remaining countryside where there were villages and free farmers. Together all these settlements would be the inhabited places. The large uninhabited area of land was a place for banishment.<sup>274</sup>

The estates, called *villae* or *fundi*, were managed by the magnates and were their source for food, accommodation, and their resource for manpower. These estates were probably not formally part of the public administration of the *civitas*. In the late Roman period these estates had become autonomous units for the public administration, where the magnate had the position of an official. There are no indications of any change from this pattern. There was a direct relation between a king and a magnate, and the count will only have been involved in settling disputes between magnates as far as these men accepted this. The honour of a magnate made taxation impossible. This would explain the exemption of taxation for these magnates. Gift-giving and participation in military campaigns replaced taxation. The king, the Church, and the magnates all had large estates for their sustenance.

In the north of the Merovingian realm, a duchy could be a geographical unit without subdivision in districts, as was for example the case of Champagne. This was probably so for all the sparsely inhabited regions without real cities. Comparable to this will have been the tribal areas. Gregory mentions Ripuarian Franks, Eastern Franks, tribes living across the Rhine, the Alamani, the Taifali, a Gothic tribe living in Poitou, and the Saxons established near Bayeux.<sup>275</sup> Another band of Saxons invaded from the Lombard kingdom; they were also settled within the Merovingian realm.<sup>276</sup> The Alans were a group that had settled in the fifth century. There were probably still more tribes living within the kingdoms, and for all these peoples it is clear that they had their own distinct identity; there are no indications that they were ruled by others than their own traditional leaders.<sup>277</sup> These leaders will have had the same position as the counts or dukes in the public administration.

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<sup>273</sup> Histories 3.13, 3.21, 4.30, 6.41, 7.29, 7.34, 7.43, 8.18, 8.30, 9.20.

<sup>274</sup> Wes, "Introductie", p. 21, 24.

<sup>275</sup> Histories 4.14, 4.18, 4.49, 4.50, 4.51, 5.14, 5.18, 10.3, 10.9.

<sup>276</sup> Histories 4.42.

<sup>277</sup> Bachrach, Merovingian Military Organization, p. 5, 10, 12, 26.

What shaped these geographical units? Social cohesion will have been the decisive element in dividing the land in separate cohesive parts.<sup>278</sup> For example, the men of a *civitas* are frequently mentioned by Gregory as a collective. The men of the militia of a *civitas* had sufficient loyalty to each other to campaign as a unit. This shared identity was so strong that each *civitas* was a potential enemy for the others, dependent on the political situation.<sup>279</sup> In a way, these militias were the continuation of the warbands of the fifth century, only interested in booty. This cohesion by a shared identity must have expanded somewhat in the sixth century, because of military necessity. A coalition of the forces of several districts was a more powerful force, and one coalition could coerce other regions to unite also a duke.

There were twelve metropolitan sees, each with a number of dioceses. The bishop was placed over a diocese. These dioceses were not necessarily situated in the same kingdom. Kings could oppose each other over who should control a see.<sup>280</sup> There were not as many bishops as there had been *civitates* in Roman Gaul. A number of the small cities had no bishop, for their territory was united to that of a neighbouring city. On the other hand, some of the *civitates* were divided up, and some cities that never had been a *civitates* in the Roman period became a bishopric. Some bishoprics were created in order to make the boundaries of the dioceses coincide with those of a kingdom. A diocese of a bishop and the *civitas* of a count did not always have to be the same territory. For example, Tours and Poitiers had at one time one count, but each had a bishop. A diocese consisted of a number of parishes.<sup>281</sup>

### 6.3.3. Functional structure

Functional officials are those that have a task based on specialization. For instance, the treasurer takes care of finance, the Master of the Stables is there for the horses, the *major domus* for the household of the king, and the Count of the Palace for arbitration. All greater landed proprietors were in the habit of appointing specialized servants in charge of these affairs. Kings started to use these trusted men also in the public administration. It was one of the efforts to reduce the span of control of a king and to centralize the government. The use of domestic servants in the public administration had the advantage that these men were completely dependent on the king for their support. Some tasks were assigned on an ad hoc

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<sup>278</sup> Loseby, "Gregory's cities", p. 251.

<sup>279</sup> Histories 1.48, 7.2.; D. Frye, "Transformation and Tradition in the Merovingian Civitas", *Nottingham Mediaeval Studies* Bd. 39 (1995), pp. 1-11, p. 7, 9, 10.

<sup>280</sup> Histories 4.26, 5.27, 6.22, 7.17, 7.31, 8.20.; Wallace-Hadrill, *The Frankish Church*, p. 103.

<sup>281</sup> Histories 3.19, 4.18, 5.5, 6.38, 7.17, 10.7.

basis, like the command of a military campaign; some had a permanent functional relation to other officials, like the treasurer who had to receive the taxes from the counts.<sup>282</sup>

Estates were administered by a mayor, steward or bailiff.<sup>283</sup> The *major domus* or Mayor of the Palace supervised all the estates of a king. All the revenues from the estates were paid to him. He was the manager of the household of the king and he was also charged with maintaining discipline in the household.<sup>284</sup> Being always in close relation with the king, he also acquired political functions. If the king was a minor, it was the duty of the *nutricius* or governor to watch over the education of the young king. This gave him a significant political influence.<sup>285</sup> Some *majores domus* and Counts of the Palace were appointed commander of an army: an appointment for one campaign. For these positions they were in competition with the dukes. These appointments can be seen as an attempt of the king to get more control in military affairs.

The Count of the Palace directed the procedures of the royal tribunal. He assisted the king in his judicial duties and discharged many of these himself.<sup>286</sup> The Count or Master of the Stables was responsible for the horses and pack animals, intended for use by the court and court officials.<sup>287</sup> Horse breeding estates were under the control of the Master of the Stables.<sup>288</sup> The treasurer was one of the most important officials for a king. He had to be trusted with the treasure of the kingdom and with the incoming revenues.<sup>289</sup> The governor, tutor or *nutricius* for a young prince was an important official when the prince became an under-aged king.<sup>290</sup> Some dukes or counts that were trusted by a king could be given special assignments, like an embassy or the drawing up of tax lists.

Other positions in the public administration were: referendaries (legal secretaries who drew up and signed diplomas in the name of king or queen), notaries, chamberlains, ecclesiastics of

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<sup>282</sup> Histories 3.14, 4.30, 5.14, 7.38, 8.30, 9.31, 10.21.

<sup>283</sup> Histories 6.45, 7.22, 7.42, 9.35, 9.38, 9.41.; B.S. Bachrach, "Procopius, Agathias and the Frankish Military" *Speculum*, Vol. 45, No. 3 (1970), pp. 435-441, p. 440.

<sup>284</sup> Histories 6.9, 6.45, 7.27, 7.28, 7.43, 9.30.

<sup>285</sup> Histories 8.22.

<sup>286</sup> Histories 5.18, 9.12, 9.30.

<sup>287</sup> Histories 5.39, 5.48, 7.37, 8.40, 9.38.

<sup>288</sup> Histories 3.32: Count of the Stables is less important than leader of an army.

<sup>289</sup> Histories 5.39, 7.4, 7.13, 7.21, 7.22, 8.9.

<sup>290</sup> Histories 5.46, 6.1.

the king, prefects, taxinspectors, *tribunes*, and guardians of the royal horses.<sup>291</sup> Queen Fredegunde had her spies and assassins.<sup>292</sup> Judges are mentioned, and they are not the same as the counts.<sup>293</sup> An explanation can be that these judges were the same as the *sagibarons* mentioned in the *Lex Salica*, a lower judge than the count. All the *antrustiones*, men of the king, had a higher legal status in the *Lex Salica* and the *capitularia* than common people.

The *leudes* were the armed escort for kings, queens and princes.<sup>294</sup> Magnates will also have had their own bodyguards. These men were full-time professional warriors and were the core of any armed force, much like a small standing army. The *leudes* took an oath to protect their lord in all circumstances and they expected a reasonable reward for their loyalty. The code of honour for the *leudes* must have been an important element in the stability of the kingdoms.<sup>295</sup> The *leudes* guaranteed the safety of body and wealth of the king and his dependents. They must have been responsible for the monitoring of the treasures of the kingdom. Without such a trusted unit, each group of warriors could have started its own kingdom by seizing these treasures.

The fiction of loyalty must have been important, but reality was different. Already in the period of Clovis the *leudes* could be bribed, and a king could thus be deprived of his most important military followers.<sup>296</sup> In a later period, the *leudes* were bribed by King Theudebert to help him to become king after his father's death.<sup>297</sup> For this reason, in the treaty of Andelot it is agreed between Kings Childebert II and Guntram that disloyal *leudes* will be punished.<sup>298</sup> Kings must not accept disloyal *leudes* and must hand over these men. The disloyalty of the *leudes* must have been a common problem for all kings; it made them give up the possibility to convince the *leudes* of other kings to leave their lord, and to maintain the principle of loyalty. This will have discouraged disloyalty.

The Church in Gaul honoured the papacy and regarded the bishop of Rome as the successor of St. Peter, but the pope had no effective power in Gaul. The position of the pope in this

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<sup>291</sup> Histories 4.7, 4.26, 4.51, 5.3, 5.42, 5.45, 6.28, 6.35, 6.45, 7.15, 7.18, 8.32, 8.39, 8.40, 9.23, 9.33, 9.38, 10.10, 10.19, 10.21.

<sup>292</sup> Histories 7.15, 7.20, 8.31.

<sup>293</sup> Histories 4.18, 7.15, 7.42.

<sup>294</sup> Histories 2.42, 3.23, 4.22, 4.51, 7.8, 8.9, 9.3, 9.20.; Bachrach, *Merovingian Military Organization*, p.33-34.

<sup>295</sup> Bachrach, *Merovingian Military Organization*, p. 13, 32, 75.; Wood, *The Role of the Nobility*.

<sup>296</sup> Histories 2.42.

<sup>297</sup> Histories 3.23.

<sup>298</sup> Histories 9.20.

period cannot be compared to the dominance of later popes. Still, bishops were sometimes allowed by a king to appeal to the pope, which might be seen as a functional relation in religious or moral affairs, because there was no other higher moral and religious authority but the pope.<sup>299</sup> This is also indicated by the letters of Pope Gregory the Great (590- 604) to various bishops and monarchs of Merovingian Gaul, criticizing a number of canonical errors prevalent in Gaul at that time, namely simony, the appointment of laymen to the episcopate, and the influence of patronage and nepotism on elections.<sup>300</sup> There was, however, no criticism of the right of kings to appoint bishops.

## **6.4. Officials**

The Merovingian kingdoms can best be understood as coalitions of competing magnates, and the appointment of officials to a position in the structure of government is the result achieved by the winning coalition. The execution of tasks depended on the support of these coalitions. Managing a large estate in this period may not have been very different from being a public administrator. The selection of officials, mostly from an elite of large landowners, will have resulted in people that had mutual interests, the same education and culture, family bonds, etc. For the execution of the task of officials there were three essential requirements: power, authority and adequate span of control.

### 6.4.1. Power

Power is resulting from the possibility to reward or punish groups or persons. Power was the essential tool for the officials in a period in which violence was commonly accepted as the means to achieve goals.<sup>301</sup> Without sufficient power no authority was possible. Therefore, all officials needed a bodyguard and the wealth to support them.<sup>302</sup> The maintenance of these warriors was expensive and will have provoked violence, because the availability of so many

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<sup>299</sup> Histories 5.20.

<sup>300</sup> Gregory the Great, Letters 5.58, 5.59, 5.60, 8.4, 9.213, 9.215, 9.218, 9.222, 11.38, 11.40, 11.41, 11.42, 11.45, 11.49, 11.50, 11.51. Most of these letters deal with simony (5.58, 5.59, 5.60, 8.4, 9.213, 9.215, 9.218, 9.222, 11.38, 11.40, 11.41, 11.42, 11.47, 11.49, 11.50, 11.51, 13.7); a handful with lay bishops (5.58, 5.60, 8.4, 9.218); and only one with the issues of patronage and nepotism (9.218).

<sup>301</sup> Histories 6.4.; Histories 6.23: to ease this power, prisoners could be absolved when a prince was borne.

<sup>302</sup> Histories 7.9.

warriors, keen on booty, had to have an outlet. The result was a militarization of society, where there is no clear distinction between warriors and civilians.<sup>303</sup>

Gregory's accepted violence as a reality, but he did not approve. Being a large landowner and a Christian bishop, his interests were contrary to violence. In all his descriptions of advancing armies Gregory used roughly the same details. He probably exaggerated the violence used by these armies, because there is no evidence in his own accounts that a region was devastated after the passing of an army. Still, the results were severe and a retreat of an army through the same area where it had advanced, was unwise and resulted in famine. But an army could operate in the same region a year later and again be able to find food. In a way, there existed even some kind of economic warfare. People could decide to leave the territory of a kingdom when they felt too much pressure from taxation. They were clearly easily accepted by other kingdoms. The denial of the right of free passage and the blocking of the roads was another way to influence a kingdom.<sup>304</sup>

Merovingian government was mainly focused on the military. All officials were also warriors, and all important officials had a band of warriors. All free men were armed, and in theory probably all were under the obligation of military service. But most warriors were not full-time warriors, like the *leudes* of the kings. Most men were only warriors in the fighting season, in summer.<sup>305</sup> War was mainly aimed at plunder, slaves, prisoners of war and hostages, who could be bought back for a ransom.<sup>306</sup> Prisoners of war who could not repay their ransom became slaves in their own territory.<sup>307</sup>

Gregory mentions the men of the *civitates* to be bound to appear when called upon. This will also have applied for the men of the magnates and the men from the tribal areas. But the warriors of a region will have been rarely summoned all at the same time, which would have left a region defenseless. The king first called upon those who were willing to fight and lived in the neighbourhood of the scene of war.<sup>308</sup> These men were obliged to equip and feed themselves and they could remain on campaign all summer. The residual warriors had to

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<sup>303</sup> E. James, "The Militarisation of Roman Society, 400 – 700" in: A.N. Jorgensen and B.L. Clausen (ed.), *Military Aspects of Scandinavian Society in a European Perspective AD 1 – 1300* (Copenhagen: National Museum of Denmark, 1997) pp.19-24, p. 19.

<sup>304</sup> *Histories* 6.11, 9.20, 9.32.

<sup>305</sup> Bachrach, *Merovingian Military Organization*, p. 74.; Bachrach, "The imperial roots", p. 28.

<sup>306</sup> *Histories* 7.1, 8.30, 8.36, 9.7.

<sup>307</sup> *Histories* 3.11, 3.13, 4.49, 8.30, 9.7.

<sup>308</sup> Bachrach, *Merovingian Military Organization*, p. 70.

guard their properties. Some clearly joined the army for a chance for plunder. Others were less willing, and repeatedly people had to pay fines because they did not show up for a campaign.<sup>309</sup>

Warriors could only be free people who were rich enough to have a basic armament, or who were provided with weapons by their lord.<sup>310</sup> After the start of a campaign, king and dukes were hardly able to control an army. There were no logistics, therefore warriors had to find their own food. This will very often have resulted in plunder, which started out of sheer necessity already in the territory of the home kingdom. Just because large-scale operations of armies could not be organized by the Merovingian kingdoms, warriors had to take what they needed. Even without war, *civitates* were obliged to feed and house the travelling officials and their followers, or they risked plunder.<sup>311</sup> Once aggression was unleashed, it will not have stopped with taking food, but all precious items will have been taken. Warriors had an excessive interest in booty, and were hard to convince to direct their attention to other less profitable actions. The drive for spoils made it necessary continuously to make war to get new booty, and kings and dukes were judged by their success in war. Although large groups of warriors were hard to control, farmers could be enraged enough to attack foraging warriors.<sup>312</sup>

Violence on a person, through assassination, torture and humiliation, was also an instrument of government. Torture was a normal practice to get information.<sup>313</sup> Mutilation was used to make people a subject of ridicule, e.g. when they had their ears and noses cut off, or their hands amputated. Humiliation was expressed by throwing dirt at ambassadors. To discipline subordinates, and even clerics, corporal punishment could be used. Kings were a target of assassination. King Guntram expressed his fear for assassination several times.<sup>314</sup> But kings and queens also used murder themselves as a political tool, and Gregory did not seem to object to this.<sup>315</sup>

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<sup>309</sup> Histories 5.26, 6.31, 6.42, 7.42, 10.3, 10.9.

<sup>310</sup> Histories 7.24.; Bachrach, *Merovingian Military Organization*, p. 72.

<sup>311</sup> Histories 3.11, 4.14, 6.31, 6.45, 7.24, 7.34, 7.35, 8.30, 9.12, 10.3, 10.9.; Dam, "Merovingian Gaul and the Frankish conquests", p. 211.; James, *De Franken*, p. 202.

<sup>312</sup> Histories 7.28, 7.35.

<sup>313</sup> Histories 5.48, 6.35, 10.19.

<sup>314</sup> Histories 6.45: Chilperic, 4.51: Sigibert, 7.8, 9.3: Guntram, 8.28, 8.29, 9.38: Childebert.

<sup>315</sup> Histories 3.6, 3.18, 3.23, 3.26, 4.20, 4.25, 5.35, 5.39, 6.35, 7.20, 8.11, 8.29, 8.31, 8.36, 8.44, 9.3, 9.8, 9.9, 9.34, 10.18, 10.22.

An example of the use of violence by magnates is the former count Waddo, who visited an estate and expected to get whatever he wants without resistance because of his arms and his warriors. The attitude of the servants initially confirmed this expectation. Gregory mentions this incident because contrary to all expectations Waddo was nevertheless killed by the servants of the estate. By mocking this former count, Gregory reveals the normal situation in which people were at the mercy of warriors.<sup>316</sup> Only other war bands could counter violence, therefore all magnates, and probably also bishops to some degree, had to have their own band of warriors.<sup>317</sup> The example also shows that a former count still had a war band, as had his sons after him.<sup>318</sup> Even rebellious nuns had a band of warriors. Only the use of force by a count by order of the king forced the nuns to give in.<sup>319</sup>

#### 6.4.2. Authority

Authority can result from ancestry (e.g. the kings being descendants of Clovis), from appointment by a recognized authority, and from expertise.

The position of the Merovingian kings as descendants of Clovis had become unassailable in the course of the sixth century. Gregory never discusses the position of kings. When he criticizes a king, it is only to rebuke him for bad behaviour. This regard for the descendants of Clovis is hardly shared by the magnates of the Merovingian realm. The magnates feel free to choose their own prince, king, pretender, etc. For other positions in the civil administration, ancestry may have been an issue also. Gregory surely points at his own ancestors as a legitimation for his own position and finds fault with the low birth of Count Leudast. Origin may not have been the sole defining factor for appointments, but it will have been important.

An appointment by a recognized authority is a necessity to fit the power of a magnate into the structure of government. But there could never be an appointment without the cooperation of the local magnates and people.<sup>320</sup> An appointment must have been rather the confirmation of a choice of the majority. Only when there was disagreement about this choice could a higher official make his own choice.

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<sup>316</sup> Histories 8.32, 9.35.

<sup>317</sup> Histories 5.25, 7.9, 7.29.

<sup>318</sup> Histories 10.21.

<sup>319</sup> Histories 10.15.

<sup>320</sup> Histories 6.8: people protested a verdict and thought the count would lose his authority for not punishing a criminal.

Authority based on expertise was important for all officials who were leaders in a military campaign. The reputation of a war leader was very important to attract warriors. Success in battle and the acquisition of much booty made his reputation. For kings this became less important as the meaning of their descent grew and their position transformed into that of the symbol of the unity of the kingdom.<sup>321</sup> For this reason a king could resolve to delegate his military duties to dukes and other officials, although these men were also competitors for influence. Expertise in the form of learned knowledge was not much appreciated and was hardly a reason to give a man authority.<sup>322</sup> Some specialists were mentioned, but they were only assisting the important officials. Bishops will have had some authority because of their learning and religious position, and were asked for special tasks, such as judging high officials.

#### 6.4.3. Span of control

The span of control of an official is the number of persons that he is directly responsible for. The span of control of an official has to be large enough for giving each subordinate sufficient attention for consultation and control. A span of control that is too large will result in insufficient coordination, whereas a span of control that is too small will result in too much coordination.

The reasons for the necessity of the several divisions of the realm can only be speculated about, but they may have been the result of the span of control of the kings being too large. Division was probably not a choice but a necessity.<sup>323</sup> Without a partition the Merovingian kingdoms might have become the target for ambitious war lords. Even for one kingdom the span of control of a king was too large. The number of officials that reported directly to a king, like dukes, counts, bishops, household officers, etc. altogether must have been over 100 men. In a complex organization 5 or 6 is considered acceptable, in a less complex organization 10-12. The much too large span of control of a king resulted in a lack of directives and lack of control. Large parts of the kingdom must have been semi-independent and only nominally part of the kingdom. In fact, this was the continuation of the anarchistic situation that had grown in the fifth century.

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<sup>321</sup> Histories 4.41.

<sup>322</sup> Histories 3.33, 4.46.

<sup>323</sup> Innes, *Introduction*, p. 275.

In the course of the sixth century the Merovingian kings tried several ways to expand their control. The involvement of princes had as a disadvantage the danger of them becoming sub-kings or even independent rival kings. The advantage of appointing princes had been to give a regional elite their own king and thus to give them more access to its king. Even if the princes did not have the ambition to become independent kings, they could be used by the magnates of a region for this purpose. Because of the competition between the princes, it is likely that most princes were eager to improve their position, even if this meant rebellion. Therefore, this experiment was not successful for the reduction of the span of control of a king.

The dukes, either used as an extra hierarchical layer between king and counts, or as military specialists, also had the disadvantage of becoming potential rivals for the king.<sup>324</sup> The revolt of several dukes made clear that this, too, was not a solution to the problem of the large span of control of kings. Only the competition between the dukes prevented them to expand their power too much. The growing importance of dukes must have resulted in quite independent regions. This solved the problem of the large span of control in a negative way, because the power of the kings was reduced.

The use of domestic servants of the king in the public administration was the least threatening to the position of the king. Also, the use of some royal counts and dukes, who were clearly dependent on a king and were first of all his servants, will have solved some of the problems of controlling the kingdom. These men were used as ambassadors and for the modification of tax registers. Last of all, bishops were also asked for special assignments like being ambassadors or judges for the elite.

## **6.5. Means for the execution of the tasks**

### 6.5.1. Resources

#### 6.5.1.1. Revenues

Income for a kingdom came from taxes, gifts, fines, payments for arbitration, confiscation, public auction, toll, booty, and revenues from the estates of the king.<sup>325</sup> Taxes originated from

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<sup>324</sup> Lewis, "The Dukes", p. 408.

<sup>325</sup> A.M. Stahl, *The Merovingian coinage of the region of Metz* (Louvain-la-Neuve: Institut Supérieur d'Archéologie et d'Histoire de l'Art, 1982).

the Roman governmental system and gifts from the Frankish customs, but both were materially not dissimilar. The result of taxes and gifts is the passing on of wealth to the kingdom. There is no reason to assume taxation and gifts to be unequal costs for individuals. But they involved quite different values and norms, with different implications. Where taxes are obligatory and impersonal, gifts were an expression of the social status of giver and recipient and were intended to strengthen the relation. Gifts were in theory voluntary, but there was much social pressure for adequate gifts.<sup>326</sup>

For Gregory and his contemporaries, there was a big difference between taxes and gifts, because the honour of the persons involved was affected differently. The notion of free Franks that should not be forced to pay legal charges collided with the concept of taxation.<sup>327</sup> The ideal of free Franks is clearly supported by Gregory, but also kings and queens were influenced. For example, Queen Fredegunde and King Chilperic burnt their tax registers, for they thought it a sin to levy taxes, although they had done so previously.<sup>328</sup> A shift from paying taxes to gifts is detectable in the Histories, because of the higher social status that was associated with gifts.

#### 6.5.1.1.1. Taxes

The Merovingian kings took over the tax system that existed in the conquered Visigoth and Burgundian kingdoms, where the Roman tax system had been upheld.<sup>329</sup> Tax collection was organized for each *civitas*.<sup>330</sup> Some persons were subject to the *capitatio humana* and some lands to the *capitatio terrena*. The *capitatio terrena* was a taxation on lands, as the *capitatio humana* was a taxation on persons. The transaction of land from a tax-paying person to a free Frank or to the Church, who were not obliged to pay taxes, gave problems, because the obligation to pay taxes was attached to the soil. The free Frank, not having to pay taxes, was now taxed for the land he had acquired. The Church was exempt from taxation, but every pious gift of land from a tax payer was complicating this exemption, because this land had been taxed. Attempts by King Theudebert and by King Chilperic to levy taxes from free Franks encountered fierce resistance and people moved to other kingdoms to evade

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<sup>326</sup> M. Hardt, *Gold und Herrschaft. Die Schätze europäischer Könige und Fürsten im ersten Jahrtausend* (Berlin: Akademie Verlag, 2004) p. 196.

<sup>327</sup> Drew, *The laws of the Salian Franks*, title 41.10.

<sup>328</sup> Histories 5.34.

<sup>329</sup> Hardt, *Gold und Herrschaft*, 145.

<sup>330</sup> Histories 9.30.; B. Krusch (ed.), *Vita Aredii Abbatis Lemovicini*, Monumenta Germaniae Historica, Scriptores Rerum Merovingicarum, 3 (Hannover, 1896) ch. 38.

taxation.<sup>331</sup> In Limoges, the tax collector was nearly killed and warriors had to enforce taxation.<sup>332</sup>

Some scholars assume that under the Merovingian kings the system of taxation gradually fell into disuse. Kings are considered no longer equipped to tax, as emperors had been.<sup>333</sup> This assumption is questionable. Charges were still recorded in the tax registers; these tax lists were adjusted for changes; tax inspectors were sent; and taxes were collected. The administration of a kingdom seems to have been quite capable of documenting all necessary data.<sup>334</sup> Chilperic even tried to adjust the system of taxation by replacing the old tax registers. Childebert II also made a new tax register and changed the system of taxcollection for the Church.<sup>335</sup>

The changing attitude about taxation may very well be the main cause of a fading of taxation. Taxation was believed to be in contradiction with being a free person. This will have put pressure on the concept of paying taxes, because people will have wanted the higher social status of free persons, and kings will have been forced to accept this. However, there is no reason to believe that the kings did not get income from them in a more honourable way, by gifts and military services. The result may have been the granting of immunities to ever more people.<sup>336</sup>

From this perspective, exemptions were not a result of the bonding of magnates, much less of the generosity of a king, but were a result of the changing attitude.<sup>337</sup> Tax paying became ever more a matter of submissiveness to the king, where a free Frank was exempt from taxation, but was expected to give presents and to accept military obligations. For those who were paying taxes, exemptions were given to confirm their new status as free Franks. The uncertainties that resulted from this change are noticeable when recent immunities were

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<sup>331</sup> Histories 3.36, 4.2, 5.3, 5.28, 5.34, 7.15.

<sup>332</sup> Histories 5.28.

<sup>333</sup> P. Wormald, "Kings and kingship" in: P. Fouracre (ed.), *The New Cambridge Medieval History Volume 1: c.500–c.700* (Cambridge: Cambridge University Press, 2008) pp. 571-605, p. 601.

<sup>334</sup> Histories 5.28, 5.34, 10.19.

<sup>335</sup> Histories 5.28, 6.22, 6.28, 9.30, 10.7.

<sup>336</sup> Histories 3.25, 9.30, 10.7.; W. Goffart, "Old and new in Merovingian taxation" in: W. Goffart, *Rome's Fall and After* (London: Hambledon Press, 1986) pp. 213-231, p. 227, 229, 230.

<sup>337</sup> Histories 7.42, 10.7.; Innes, *Introduction*, p. 291.; James, *De Franken*, p. 206.; Fouracre, "Eternal light", p. 80.

disputed after the death of a king. For example, Gregory persuaded King Childebert that Tours was exempt from taxation because of immunities granted by previous kings.<sup>338</sup>

As far as taxation was continued, tax lists were drafted by tax inspectors sent by the king, and not by the count of the district.<sup>339</sup> This may have been necessary because the count lacked the knowledge for this, but may also have been considered as too much interfering with the interest of the count himself. The counts were responsible for the payment of taxes and had to pay them to the treasurer.<sup>340</sup> But the actual gathering of taxes was assigned to tax collectors who paid a fixed sum in advance.<sup>341</sup> The collecting of taxes in this way became the risk of a private person. Tax collectors kept the possible surplus of the revenue for themselves.<sup>342</sup> These tax collectors must have been able to use the force necessary to implement their collecting. But taxation was limited to some extent, because too much pressure of taxation could result in the emigration of people.<sup>343</sup> Taxation was also irregular, as for example in Poitiers, where taxation was not gathered for fourteen years, and new tax registers were needed when taxation started again.<sup>344</sup>

Even the reduced tax payments in the sixth century were significant for the Merovingian kings. In the several divisions of the kingdoms, the division of the income from taxation and tolls will have been an issue. The income from taxation could be passed on to queens, or the income from one district could be split. A preference of kings for taxation may have come from this, because this income was freely at the disposal of the king. Gifts were of a more personal nature and could not be divided, because they embodied the strengthening of specific social relations. For the public administration the division of tax income from one district was a complicated situation, because unity of command was gone.<sup>345</sup> On the one hand, as long as

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<sup>338</sup> Histories 4.2, 9.30, 10.7.; Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: First Council of Orléans in 511.; Wood, *Gregory of Tours*, p.21.; Histories 9.30.; Goffart, "Old and new", p. 223.

<sup>339</sup> Histories 9.30.

<sup>340</sup> H. Brunner, *Deutsche Rechtsgeschichte, II* (Leipzig: Duncker & Humblot, 1892) p. 166.; F. Dahn, „Zum merowingischen Finanzrecht“ in: *Germanistische Abhandlungen zum LXX. Geburtstag Konrad von Maurers* (Göttingen: Dieterich, 1898) pp. 333-73.; A. Dopsch, *Wirtschaftliche und soziale Grundlagen der europäischen Kulturentwicklung, II* (Vienna: Seidel, 1920) p. 515.; F. Lot, *L'impôt foncier et la capitation personnelle sous le bas-Empire et à l'époque franque* (Paris: H. Champion, 1928).; F.L. Ganshof, "A propos du tonlieu sous les merovingiens", in: *Studi in Onore di Amintore Fanfani, I* (Milan: Giuffrè, 1962) pp. 291-315.

<sup>341</sup> Histories 3.36, 5.28, 6.28, 7.15, 7.23, 10.7.; Goffart, "Old and new", p. 220.

<sup>342</sup> Hardt, *Gold und Herrschaft*, p. 146.; Histories 6.28.

<sup>343</sup> Histories 5.28.

<sup>344</sup> Histories 9.30.

<sup>345</sup> Histories 6.11, 9.20.

tax payments were continued, this will have given a certain autonomy to a district, but on the other hand, when there were problems, any solution needed the agreement of several rulers.<sup>346</sup>

#### 6.5.1.1.2. Gift-giving

Gifts, bribes, tribute, and even plunder, were all a redistribution of material goods by more or less forced donations.<sup>347</sup> Gift-giving was incorporated in the culture of the Franks on quite a considerable scale.<sup>348</sup> Gifts, nominally voluntary, were in a way compulsory in a society that upheld relations in this way. Gifts reinforced social bonds and also secured future return gifts, protection and help when this might be most needed.<sup>349</sup> Expectations about gifts and the institutionalization of regular giving determined the actions of people. Making an appropriate gift was a way of asserting and augmenting social and political status.

Gifts among kings and magnates consisted as a rule of precious objects, identifiable by their special design and therefore a recognizable sign of the relation, or of money.<sup>350</sup> In the Histories are mentioned objects of gold and silver and jewels, like chalices, patens, gospel books (with precious covers), salver, and medallions.<sup>351</sup> Much of this treasure will have circulated in a closed system of gift exchange which recycled gifts within a narrow elite. Because of the cultural and social capital invested in this treasure, it was passed on face-to-face in personalized exchanges and in public. The gifts' value ultimately lay in the series of relationships they articulated and helped define, and not in their commercial value. This system of exchange bound together the king and the magnates.

Kings were presented with gifts, for example for a dowry to Princess Rigunth.<sup>352</sup> A dowry was given to a queen before the wedding, and a morninggift after the wedding night. Gifts for a king were also presented for acquiring official positions, like a bishopric. Gregory disapproves of these gifts and calls them bribes. The difference was caused only by the extent

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<sup>346</sup> Dam, "Merovingian Gaul and the Frankish conquests", p. 210.

<sup>347</sup> Hardt, *Gold und Herrschaft*, p. 194.

<sup>348</sup> Histories 4.35, 5.25, 5.36, 5.48, 6.7, 6.39, 6.45, 7.7, 8.1, 8.18, 8.22, 8.43, 9.14, 9.20, 9.33, 10.5, 10.19, 10.21, 10.26.; P. Spufford, "Coinage and currency" in: E. Miller, C. Postan, M. M. Postan (ed.), *The Cambridge Economic History of Europe from the Decline of the Roman Empire* (Cambridge: University Press, 2008) pp. 788-863, p. 799.

<sup>349</sup> L. Hyde, *The Gift: Imagination and the Erotic Life of Property* (New York: Vintage Books, 1983) p. 110.

<sup>350</sup> Histories 2.42, 4.22, 4.35, 4.46, 4.50, 7.15: a belt is given by King Chilperic to the servant Leunard of Queen Fredeunde.

<sup>351</sup> Histories 3.10, 6.2, 8.3, 9.28.; Smith, *Europe after Rome*, p. 206.

<sup>352</sup> Histories 6.45.; Dam, "Merovingian Gaul and the Frankish conquests", p. 210.

and secrecy of the gifts. These gift exchange relationships of the elites are often mentioned by Gregory, but there must have been numerous gifts of people below this social stratum. Presents by ordinary people will have been given to celebrate kinship, marriage, etc., and will have continued in reciprocal gift exchange.<sup>353</sup> Royal officials may have expected to receive fitting, honourable gifts, e.g. when dispensing justice. Illicit or hidden gift-giving, that might prejudice the judgment, should have been banned according to Gregory, but there probably was a grey area between gifts and bribes. There may have been a continuum of gift-giving modes from gift to bribe, as there was from tribute to plunder. The alteration from one mode to the other will have been quite easy. Even in the Christian religion, gifts were not uncommon, e.g. a gift to a saint to get a desired result.<sup>354</sup>

For the magnates, there was an obsession with treasure.<sup>355</sup> The possibility of acquiring gold and silver, as gift or plunder, made magnates willing to serve in the armies of a king.<sup>356</sup> Bonds between king and magnates and among the magnates themselves were visualized by these gifts.<sup>357</sup> In a way, the distribution of gifts was a reflection of the current political relations.<sup>358</sup> But this balance was not at rest, as it needed new gifts to maintain the relations. The credibility of future gifts was therefore important for the maintenance of coalitions. For example, when King Chilperic sent a large dowry with Princes Rigunth, there was much protest. A consequence of this gift-giving economy, which circulated gifts in a small circle among the elite, was the withdrawal of precious goods from the economy, because their value was not used for investment to improve life.<sup>359</sup>

Tribute was a compensation for warriors who were forbidden to plunder.<sup>360</sup> The difference with gifts was that tribute was only continued when a military threat was carried out.<sup>361</sup>

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<sup>353</sup> S. Lebecq, "Routes of change: production and distribution in the West (5th-8th century)" in: L. Webster and M. Brown (ed.), *The Transformation of the Roman World, AD 400-900* (London: British Museum Press, 1997) pp. 67-78, p. 70.

<sup>354</sup> Histories 2.37, 5.4.

<sup>355</sup> Histories 6.24, 8.12.; D. Janes, *Treasure bequest: death and gift in the early middle ages*, p.1 <http://eprints.bbk.ac.uk/4246/1/4246.pdf> 2-12-2013.

<sup>356</sup> Fouracre, "Space, culture and kingdoms", p. 367-8.; Dam, "Merovingian Gaul and the Frankish conquests", p. 209.

<sup>357</sup> Histories 4.22, 5.3.; M. Mauss, *The gift: the form and reason for exchange in archaic societies*, trans. W. D. Halls (London: Routledge, 1990) p. 60.; A.J.A. Bijsterveld, *Do ut des. Gift Giving, Memoria, and Conflict Management in the Medieval Low Countries* (Hilversum: Verloren, 2007) p. 39, 50.

<sup>358</sup> Curta, "Merovingian and Carolingian Gift Giving", p. 698.

<sup>359</sup> P. Grierson and M. Blackburn, *Medieval European Coinage 1, The Early middle ages : 5th-10th centuries* (Cambridge: Cambridge University Press, 1986) p. 95.

<sup>360</sup> Histories 4.4, 414, 7.24.; Dam, "Merovingian Gaul and the Frankish conquests", p. 211.

<sup>361</sup> Histories 2.32, 2.33, 3.31, 4.42, 4.44, 5.26, 6.42, 9.16, 9.18, 9.29.

Where possible, the forced payment of tribute was masked by the pretention of giving mutual, but unequal, presents voluntarily.<sup>362</sup> A regular flow of plunder and tribute was a central facet of Frankish political expansion in the first half of the sixth century. When the military expansion of the Merovingian kingdoms stopped in the second half of the sixth century, there was a problem how to continue this flow, necessary for the binding of coalitions of magnates. As a result, the Merovingian kingdoms turned ever more on each other.<sup>363</sup>

Some examples will underline the various social values involved in gift-giving. There was an important difference between gifts to uphold social relations and gifts or bribes to oblige people. Bishop Praetextatus of Rouen had made gifts to get support for Prince Merovech, who was in opposition to his father, King Chilperic. Although Praetextatus pretended just to have returned gifts, because Praetextatus had asked for an oath of allegiance to Prince Merovech in return, he was condemned.<sup>364</sup> Theuderic gave a present to his brother Chlothar I after a failed attempt to kill him. He tried to save the situation with a gift, but there was clearly no good reason for this gift. Both parties were uncomfortable with this, because there were now obligations between them that were not clear. The solution was the return of the gift.<sup>365</sup> A Frank in the kingdom of Theuderic refused to exchange gifts because he rejected the obligations that would result; instead a commercial relation was proposed that would result in the same barter without commitments.<sup>366</sup>

#### 6.5.1.1.3. Other income

Other income for the kingdom came from toll, fines, payments for arbitration, confiscation, public auction, and revenues from the estates of the king.<sup>367</sup> The king supported himself and a small retinue with the products of his private domain (royal demesne), which was called the crown lands or fisc.<sup>368</sup> Some estates were temporarily given to officials for their sustenance and to pay them for their services, but this was confined to a limited number. These estates were returned after death or dismissal, and the fisc was kept intact.<sup>369</sup> Because of the low

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<sup>362</sup> Histories 4.29.; Bijsterveld, *Do ut des*, p. 41.

<sup>363</sup> Smith, *Europe after Rome*, 201.

<sup>364</sup> Histories 5.18.

<sup>365</sup> Histories 3.7.

<sup>366</sup> Histories 3.15.

<sup>367</sup> Histories 5.3, 5.5, 7.22, 8.11, 8.21, 8.26, 9.10 .

<sup>368</sup> Wood, *The Role of the Nobility*.

<sup>369</sup> Histories 3.33, 5.3, 6.45, 7.22.

productivity of the land, such a property was not a source of wealth, but a possibility to support a group of workers and warriors, necessary for an official to operate.

The kings also raised customs dues on the goods which passed through certain towns. The income from the most important port, Marseille, was divided among the kings, because of the significant revenues from these duties. According to the *Lex Salica*, officials were entitled to receive a fixed part of compensation paid after arbitration. But these officials could also be forced to pay compensation themselves, up to their wergeld. A debt that was collected with the help of the count cost a third of the sum to the count.<sup>370</sup>

#### 6.5.1.2. Expenses

Expenses of the kings must have been low because they did not regularly pay their officials and warriors, except with incidental gifts. Warriors, except the *leudes*, had to provide their own military equipment and food. When the king and his officials travelled, private persons were obliged to furnish them with food, lodging, and means of transport. Because little was spent for the public interest in return for the taxation paid, this will not have contributed to a willingness to pay taxes. People did not get much in return, not even safety. The extent of income and expenses for the kingdoms is not known, but it was probably limited and was one of the reasons to keep the public administration small and unpaid. While the income may have been small, however, the possessions of a kingdom may have been considerable in land and treasure.

### 6.5.2. Possessions

#### 6.5.2.1. Treasure

Gregory mentions the usurpation of the treasures of the kingdom of Aegidius, the Ripuarian Franks in Cologne, of the other Frankish kings, of the Visigoths in Toulouse, and the tribute paid by the Thuringians.<sup>371</sup> From the year 523 CE, the Burgundian kingdom is conquered, with its treasure. From 535 CE, there were campaigns in Italy because of the Gothic wars. From 574 CE, the Franks were involved in wars with the Longobards. The result of all this successful campaigning must have been large accumulated wealth in the Merovingian realm.

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<sup>370</sup> Drew, *The laws of the Salian Franks*, title 50.3, 51.3, 65g.

<sup>371</sup> Histories 2.27, 2.30, 2.37, 2.40-42.

Treasure was important for the succession of a new Merovingian king. After the death of King Theudebald, Chlothar I took his treasure. After the death of King Childebert I, Chlothar I took his treasure and exiled his Queen Ultrogotha and their two daughters. After the death of King Chlothar I, Chilperich I seized the treasure of his father that was kept in the villa at Berny, to the detriment of his brothers. After the killing of King Sigibert I, Chilperic took the treasure from Queen Brunhild that she had taken to Paris, although Childebert II was to become king. After the killing of King Chilperic, Childebert II took the treasure that was kept at Chelles in a villa, while Queen Fredegunde took refuge in a church in Paris with the treasure she had, although Chlothar II was to become king. The pretender Gundovald came from Constantinople to Gaul with treasure, and after his first attempt made a new effort with the treasure that was taken from the dowry of Princess Rigunth. Duke Rauching pretended to be a son of Chlothar I and took treasure from the king for his usurpation.<sup>372</sup> The treasure of Prince Clovis was seized by Chilperic after his murder.<sup>373</sup>

In a gift-giving economy treasures could easily be spent, but the reciprocity of gifts and the balance of power between the magnates will have kept much of this royal treasure intact. For the sixth century, there are no indications of large donations to the Church and magnates that depleted the treasure of the kings. Because of the strain between giving and keeping the treasure for future gifts, a king was not free in his gifts. First of all, gifts were the leverage for the creation of coalitions and maintaining relations, and they had to be balanced carefully to win as many allies as possible without causing envy and depletion of the treasure. Secondly, the magnitude of the treasure would attract allies in the hope for future gifts, and therefore the treasure could not be given away freely.

Although the treasure of a kingdom may have been nominally owned by the king, it was more like a collective property. This is also the way Gregory mentions it. For example, Gregory makes a distinction between public treasure, i.e. the treasure of King Chilperic, and the private treasure of Queen Fredegunde, thus underlining the communality of the treasure of a king.<sup>374</sup> Although in actual practice the distinction may have been insignificant, in the perception of the people this was important. It was acceptable that Fredegunde paid a dowry for her daughter, but a substantial reduction of the treasure of the king was not acceptable to

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<sup>372</sup> Histories 4.9, 4.20, 4.22, 5.1, 6.24, 7.4, 7.9-10, 9.9.

<sup>373</sup> Histories 5.39.

<sup>374</sup> Histories 6.45, 7.4, 8.1,9.20.

the magnates of the kingdom, and not even to the other Merovingian kings. Queens had their own treasure composed of dowry, morninggifts, gifts and income from taxation and estates.<sup>375</sup> Dukes and counts will have had their own treasure also, like the treasurer Eberulf had.<sup>376</sup>

Kings were in the habit of showing their treasure. By showing it, the magnitude of the wealth of a king was made clear to everyone.<sup>377</sup> This display of prosperity assured the loyalty of people who could hope for future gifts. For example, in 561 Chilperic used a part of the royal treasure of his dead father, which had fallen into his hands, to ensure the support of magnates to become king.<sup>378</sup> The pretender for kingship Gundabald could not act without a treasure to support his efforts, and he was only able to make a bid for the throne because the Roman emperor gave him money and the large dowry of Princess Rigunth was transferred to his cause by Duke Desiderius.

There is a tension between this necessity for display and the safety of the treasure. According to the Histories, treasure was kept hidden in treasuries, in closed chambers and in locked chests.<sup>379</sup> The treasure was probably dispersed over several locations.<sup>380</sup> Most likely, the guarding of this treasure was one of the most important duties of the *leudes*. The treasurer of a king must have been one of his most trusted persons.<sup>381</sup> He certainly was an important official.<sup>382</sup> Each magnate might have been tempted to take away this treasure, but he will have been prevented because all other magnates would have united against him. Only secretly or after the death of a king is there a situation in which treasure is taken by the first to come.<sup>383</sup> For example, the dowry of Rigunth is guarded by 4,000 men and many magnates. After the death of King Chilperic, this treasure is seized, but not by one of the retinue of the princess. Duke Desiderius takes this treasure, but does not use it for his own purposes, but to support the pretender Gundobald.<sup>384</sup>

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<sup>375</sup> Histories 5.34, 6.45, 7.4, 9.11.

<sup>376</sup> Histories 7.22.

<sup>377</sup> Histories 6.2, 8.3, 8.22.

<sup>378</sup> Histories 4.22.; Bachrach, *Merovingian Military Organization*, p. 32.

<sup>379</sup> Histories 2.40, 5 introduction, 5.34, 6.11, 7.4, 7.9, 9.9, 9.33.

<sup>380</sup> Histories 4.22; 5.39, 6.11, 6.41; 7.4; 10.19.

<sup>381</sup> Histories 7.4, 7.13, 7.21.

<sup>382</sup> Histories 7.22.

<sup>383</sup> Histories 7.36, 7.38, 7.40, 9.9.

<sup>384</sup> Histories 6.4, 7.9, 7.10, 7.19, 7.36, 8.26, 9.9.

The conclusion is that treasure was not important for its commercial economic value, but for its symbolic value in a gift-giving economy. Gifts of precious objects made the political coalitions that existed visible. Treasure that is taken, is either hidden and useless, or used for the purpose of becoming king.<sup>385</sup> The treasure of a king was considered more or less the collective property of the kingdom.

#### 6.5.2.2. Land

The agrarian production of the estates of kings, magnates and the Church was first of all aimed at providing for the owners and their households. Estates organized the demands on their tenants in such a way as to create a structure for this. Kings and magnates travelled from estate to estate to consume the produce.<sup>386</sup> Because of the low productivity of the land, landed property must have been extensive to have enough surplus.<sup>387</sup> The relative shortage of workers that came about in the fifth century will have continued, because wars and diseases will have prevented a substantial growth of the population. The farmers will have been in a relatively strong position vis à vis the large landowners, but this was probably reduced a little toward the end of the sixth century, as is perceptible in the differentiation of social positions in the *capitularia*, at the expense of the common people.

The lands that were acquired by the Merovingian kings from the Roman emperor and defeated kings must have been large enough for the support of their own household, and to allow them to place some estates at the disposal of a few officials for their maintenance.<sup>388</sup> Land was a requisite for being a king or magnate, but acquiring more land was not an aim. Treasure and a war band were essential for upholding or improving one's position.<sup>389</sup>

#### 6.5.3. Law and judgment

Feud was an important way for people of settling disputes without the involvement of officials.<sup>390</sup> People believed that the just cause would win.<sup>391</sup> A feud did not only prevent injustice, but was also a necessity to defend the honour of the kingroup. The possible

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<sup>385</sup> Histories 7.19, 8.26.

<sup>386</sup> Histories 4.21, 4.22, 4.44, 4.46, 4.51, 5 introduction, 5.25, 5.34, 5.39, 5.49, 6.3, 6.5, 6.41, 6.46, 7.4, 7.19, 7.21, 8.21, 9.38, 10.18, 10.19.

<sup>387</sup> Smith, *Europe after Rome*, p. 160-162.; Halsall, *Settlement*, p. 259.

<sup>388</sup> Histories 7.21, 7.22, 8.22, 9.38, 10.19, 10.20.; Dam, "Merovingian Gaul and the Frankish conquests", p. 210.

<sup>389</sup> Histories 5.25, 8.45, 9.35, 10.21.

<sup>390</sup> James, *De Franken*, p. 183.; Wallace-Hadrill, *The long-haired kings*, p. 135.

<sup>391</sup> Histories 10.10.

escalation of a feud worked preventively and stimulated a peaceful settlement.<sup>392</sup> Feuding, strictly spoken, only involved the feuding parties. Feud was mainly aimed at the compensation and recovery of honour, and would only lead to bloodshed when this was not accomplished sufficiently.<sup>393</sup> Social pressure for compensation will have been applied when the rest of society was afraid of uncontrolled violence.<sup>394</sup> Although Gregory does not use the term feud, but terms for ‘dispute,’ ‘quarrel,’ and ‘conflict’, it is clear that he meant the same.

Feuding was accepted by government as a legal way of solving disputes.<sup>395</sup> Even officials could get involved in a feud because of their actions.<sup>396</sup> For example, in a feud in which Queen Fredegunde interfered, she had to find refuge.<sup>397</sup> A king himself also had a choice to settle matters by arbitration or as a private affair, by feud.<sup>398</sup> For example, Guntram swore an oath that he would destroy Eberulf and his children down to the ninth generation, as revenge for the death of his brother, King Chilperic.<sup>399</sup> Even clerics were a target for feuding when they insulted someone’s relative.<sup>400</sup> For example, when Gregory’s brother Peter was accused of the murder of a cleric, he swore his innocence, but the dead man's son did not accept this oath and killed Peter.<sup>401</sup> This was not objected to by the Church.

The honour of a king, queen or magnate was an aspect of government that must be considered as a decisive factor for actions. For example, a king could decide to intervene in private matters, like King Sigibert did when he gave a license to marry a woman, but as a result he was committed with his honour that his decision would be respected.<sup>402</sup> Another example is the higher compensation in the *Lex Salica* for killing the *anthrustiones* of the king, i.e. the men who were in the service of the king. These compensations were three times higher because it involved the honour of the king and the higher social status of his officials.<sup>403</sup> The

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<sup>392</sup> E. Wadle, “Frieden, Zwang, Recht” in: G. Dilcher and E.M. Distler (ed.), *Leges - Gentes - Regna: Zur Rolle von germanischen Rechtsgewohnheiten und lateinischer Schrifttradition bei der Ausbildung der frühmittelalterlichen Rechtskultur* (Berlin: Erich Schmidt Verlag, 2006) pp. 549-560, p. 555.

<sup>393</sup> Histories 5.32, 6.36, 7.3, 7.47, 8.18, 9.19, 9.27.

<sup>394</sup> Histories 7.43, 7.47, 8.20.; P. R. Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca: Cornell University Press, 2003) p. 6, 9.; Wood, “Disputes”, p. 8.

<sup>395</sup> Histories 7.47, 9.19.; Wallace-Hadrill, *The long-haired kings*, p. 135.

<sup>396</sup> Histories 3.31, 8.18, 9.19.

<sup>397</sup> Histories 10.27.

<sup>398</sup> Histories 7.21, 10.19.

<sup>399</sup> Histories 7.21, 8.5.

<sup>400</sup> Histories 5.5, 6.36, 8.19, 8.20, 8.41.

<sup>401</sup> Histories 5.5.; Wood, *Gregory of Tours*, p.9.; Wood, “The individuality of Gregory of Tours”, p. 41.

<sup>402</sup> Histories 4.46, 6.16, 6.32, 9.27 the relatives of a killed rapist may not harm the victim because she is under the protection of the king.

<sup>403</sup> Drew, *The laws of the Salian Franks*, title 41.7, 42.1, 63.2.

personal enemy of Queen Fredegund, Leudast, could not be judged by King Chilperic because she did not accept this, and her honour prevented interference from the king.<sup>404</sup>

When it was decided not to solve a conflict by feud, charges could be pressed.<sup>405</sup> Which law was used is not clear, because law was applied to each man according to his ethnic origin.<sup>406</sup> Kings amended these laws by making their *capitularia* applicable to all their subjects without exception. Justice was administered in the smaller cases by the *sagibaron* or *iudex*, and in the more important cases by the counts. Both officials held regular courts. The *sagibaron* and count were assisted by men known as *rachimburghi*. These men had to cite the law, but were probably mainly involved in trying to reach a compensation that was acceptable to both parties and that had the support from society at large.<sup>407</sup> The *centenarii* were officials for the execution of justice, but will probably have been arbitrators in minor cases also. Above the count's court of justice was the king's.<sup>408</sup> The Count of the Palace directed the procedures of the royal tribunal in cases of appeals from sentences. The king, as supreme judge, presided over an ad hoc court of bishops, counts, and other magnates present at the palace in cases of treason.<sup>409</sup> The approval of these magnates was necessary as support for the execution of this royal judgment. Bishops, clerics and the principal laymen of a diocese judged clerics.<sup>410</sup> The king could be prosecutor and judge at once.

The execution of a sentence was the crucial weakness in this system, because the execution of judgment was mostly left to the parties themselves. There were not many people at the disposal of the judges for the execution, mainly their own men.<sup>411</sup> Therefore there will have been not much difference between trial and arbitration, because acceptance of a verdict by all parties was a necessity.<sup>412</sup> It was not uncommon to turn from feud to arbitration and back again, when the execution failed or honour demanded this.<sup>413</sup> Oaths and oath helpers were

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<sup>404</sup> Histories 6.32.

<sup>405</sup> Histories 8.27, 9.33, 10.8.

<sup>406</sup> Histories 4.46: the Theodosian lawcode is known.; Drew, *The laws of the Salian Franks*, 32.3-4, 39.4-5, 41.5, 41.8, 42.4.; Wood, "Disputes", p.20.

<sup>407</sup> Histories 5.48: a count sits in court with the senior citizens of a city to support him, some of them laymen some Churchmen.; Histories 6.6: the verdict of a count is protested and changed.

<sup>408</sup> Histories 5.49, 6.46, 7.23, 9.33, 10.17, 10.19, 10.21: mention some legal procedures.; Drew, *The laws of the Salian Franks*, 54.4, 57.3-4.

<sup>409</sup> Histories 9.8, 9.10, 9.13, 9.33, 10.8, 10.17.

<sup>410</sup> Histories 5.5, 8.27, 8.43.

<sup>411</sup> Drew, *The laws of the Salian Franks*, 45.2, 50.3, 51.3, 55.4, 56.5-6.

<sup>412</sup> Histories 7.47+9.19.; Wood, "Disputes", p. 22.

<sup>413</sup> Histories 7.47.

accepted to settle affairs, and this involved the honour of all participants.<sup>414</sup> When it was difficult to arrive at a decision, a trial by ordeal or trial by combat could be decided upon.<sup>415</sup> Verdicts could include compensation, confiscation of possessions, imprisonment, physical punishment, fines, deposition from office and exile. No one was permitted to give lodging in his house to a banned person.<sup>416</sup> Sureties were given, meaning that these people had to pay when a promise was not kept. But it is not clear how much, to whom and when they had to pay.<sup>417</sup>

#### 6.5.3.1. Time out

In a world so accustomed to violence, the existence of asylum is quite remarkable. Asylum was the right to be safe in the sanctuary of a church or similar building. Asylum was not a solution for a conflict, but rather a time out to negotiate a solution. Neither by the feuding parties nor by officials was it allowed to violate asylum.<sup>418</sup> The need was probably felt to counterbalance violence in society by an escape route, a necessity that might be needed even by the elite themselves sometimes.<sup>419</sup> The magnates and kings did in theory respect asylum, and some may even have thought asylum to be a useful means to reduce the disruptive effects of undisturbed violence on society. The elite tried to keep the sacred image of asylum intact, although there was no way anyone could prevent violation by force.

Kings tried to evade asylum by using tricks, seeking the limits of the acceptable, bribing bishops, rewarded servants that were less conscientious, and by propaganda after violating the asylum to make its less abominable. Kings, or their officials, accepted the importance of asylum, but they were always tempted to violate it when they thought it important enough. Even bishops were in a twofold position. Because bishops stood between officials and the asylum seeker, the end could be a compromise made by the bishop in his own best interests.<sup>420</sup> Gregory did not seem to mind this. The behaviour of the refugees makes clear that

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<sup>414</sup> Histories 5.49, 9.14, 9.32, 10.10.

<sup>415</sup> Histories 7.14, 10.10.; Drew, *The laws of the Salian Franks*, title 53,8182.; Wood, "Disputes", p. 15.

<sup>416</sup> Histories 5.26, 5.49, 10.5, 10.19.

<sup>417</sup> Histories 4.43, 8.7, 8.12, 8.16, 8.43, 9.10.; Drew, *The laws of the Salian Franks*, 14.2-3, 16.5, 42.5, 48, 56.1-2, 58.1.

<sup>418</sup> Halfond, *Archaeology of Frankish Church Councils*, pp. 223-46: First Council of Orléans in 511.

<sup>419</sup> Histories 7.15.

<sup>420</sup> Histories 8.18, 912.

they knew their safety was quite moderate. They tried to keep as close as possible to the altar and its relics. In the Histories, sanctuary was not respected in 43 % of all cases mentioned.<sup>421</sup>

Similar to asylum is the opting out from the world. For queens and princesses this was the withdrawal in a nunnery, although this did not mean total aloofness of politics. For men, this meant becoming a cleric in a monastery by receiving tonsure. Even if it was forced on a person, it still made him unsuitable for office. But the tonsure could be reversed by the growing of the hair, which made it possible to return to the laity.<sup>422</sup> Force could be used to discipline unwilling monks by the abbot and nuns could be punished by their abbess.<sup>423</sup>

### 6.5.3.2. Honour

Kings, *leudes*, and magnates, were all bound by a code of honour. This honour was an important asset in society, especially for the elite.<sup>424</sup> Some examples will explain this. There was a code of conduct for dividing the spoils of war that even King Clovis could not deviate from.<sup>425</sup> The *leudes* were to pledge loyalty to their lords and should be their most trusted servants. The defection of *leudes* was a serious infraction of this pledge as it did shake the basis of the organization of the kingdoms.<sup>426</sup> All men of the king were protected by a wergeld three times higher, because the honour of the king was involved. A king could consider someone his personal enemy, which involved his honour, or declare a person a traitor to the state, which was a political issue.<sup>427</sup> The honour of a queen prevented even a king from interference.<sup>428</sup> Oaths of loyalty, even if they were forced, were thought to be binding.<sup>429</sup> Even bishops took an oath of loyalty to their kings.<sup>430</sup> Though there were sufficient examples of violated oaths, the principle of binding oath was upheld.<sup>431</sup> Not only for loyalty, but also for revenge or for a declaration of innocence, an oath was sworn.<sup>432</sup> An oath sworn in a court by a

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<sup>421</sup> Histories 4.13, 4.18, 4.46, 5.2, 5.14 (Merovech 2x, Gunthram Boso, Marileif), 5.38, 5.49, 6.12, 7.4+19, 7.15, 7.43, 8.6, 8.18, 8.33, 9.3, 9.9, 9.38: asylum respected.; Histories 2.33, 3.36, 4.13, 4.20, 5.3, 5.18, 5.49, 6.11, 6.12, 6.17, 7.21+22+29, 7.38+39, 9.8+10, 9.12, 10.16: asylum not respected.

<sup>422</sup> Histories 2.41, 3.18, 5.14, 7.31.

<sup>423</sup> Histories 4.26.

<sup>424</sup> Histories 3.34, 7.38, 9.14: a gift is acceptable for the honour of a king, not a loan.; Histories 7.21, 8.5: king swears an oath in public to revenge the death of his brother.

<sup>425</sup> Histories 2.27.

<sup>426</sup> Histories 2.42, 9.20: treaty of Andelot.

<sup>427</sup> Histories 5.25, 5.27, 6.37: crime of lèse-majesté; Histories 10.19.

<sup>428</sup> Histories 9.19

<sup>429</sup> Histories 3.15, 4.23, 4.45, 4.47, 6.31, 7.7, 7.12, 7.13, 7.24, 7.26.; Frye, "Transformation", p. 2.; Wood, "Disputes", p. 15.

<sup>430</sup> Histories 10.9.

<sup>431</sup> Histories 4.47, 7.36, 7.39, 8.30.

<sup>432</sup> Histories 5.49, 7.22, 8.5, 8.9, 9.13, 9.16, 9.32.

number of oath helpers could settle a case.<sup>433</sup> Honour obliged people to act in public in a feud, and not secretly, because everyone had to know of the redeeming of the honour by the use of violence.<sup>434</sup> The conclusion is that honour was a driving force in society and that it did limit the actions of the public administration.

#### 6.5.4. Communication

The magnates met each Spring with the king to discuss the coming year.<sup>435</sup> These annual assemblies of the magnates and their armed retainers decided major policies, like war. Other meetings where policies will have been discussed were the gathering of an army, the council of bishops, banquets, and the travelling court of the king.<sup>436</sup> All these meetings were a focus for communication.

Messengers and ambassadors did come and go from the court of the king to the magnates, to kings abroad, and even to saints.<sup>437</sup> There was a code for their protection, but this was not a guarantee for safety.<sup>438</sup> Signs of (dis)approval were the acceptance or refusal to be in the presence of a king. And when accepted at the court or at a banquet, someone could only leave the king with his permission.<sup>439</sup> Ambassadors from abroad too were only permitted to leave the court with the permission of the king.<sup>440</sup> A king could even decide to insult the envoys, and could so decrease their honour and that of their lord.<sup>441</sup> The conclusion must be that there was much symbolic communication included in acts that involved the honour of the people.

Communication was also expressed by the display of symbols or ceremonial acts. For example, an exchange of swords was a symbol of friendship.<sup>442</sup> There were emblems of kingship, like a throne or a shield and lance.<sup>443</sup> Guntram presented a lance to Childebert II in

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<sup>433</sup> Histores 4.46, 5.32, 7.23, 8.9, 8.40.

<sup>434</sup> Histories 9.19: if Chramnesind does not avenge his relatives they will say he is as weak as a woman.; Drew, *The laws of the Salian Franks*, title 41.

<sup>435</sup> Drew, *The laws of the Salian Franks*, capitularia 6 introduction.

<sup>436</sup> Histories 5.20, 6.45, 8.1, 8.2, 8.21, 8.30, 9.10, 9.20.

<sup>437</sup> Histories 5.14, 5.17, 5.31, 5.36, 5.40, 5.41, 5.42, 6.2, 6.18, 6.31, 6.33, 6.34, 6.40, 6.41, 6.45, 7.6, 7.7, 7.14, 7.24, 7.30, 7.32, 7.33, 8.13, 8.28, 8.35, 8.38, 8.44, 8.45, 9.1, 9.10, 9.13, 9.16, 9.18, 9.20.

<sup>438</sup> Histories 5.26, 5.29, 5.40, 5.41, 7.14, 7.15, 7.30, 7.32, 7.33, 8.28.

<sup>439</sup> Histories 8.2, 8.11.

<sup>440</sup> Histories 5.41.

<sup>441</sup> Histories 7.14.

<sup>442</sup> Histories 7.38.

<sup>443</sup> Histories 3.23: throne.

token that he recognized him as heir to his dominions.<sup>444</sup> Merovingian kings were distinguished by their long hair.<sup>445</sup> Clovis wore a diadem and used other symbols of imperial recognition.<sup>446</sup> Kings exhibited their precious objects, wore rich garments, were the centre of public feasts, and even used their hunting to show their wealth.<sup>447</sup> Gifts were also used to impress people.<sup>448</sup> The minting of coinage mainly imitated the imperial currency. King Theodebert was the first to place his name and effigy on golden *solidi*. But the Merovingian kings did not very often use this possibility of exposure via coinage.<sup>449</sup>

The army sometimes acclaimed new kings by raising them on their shields. But this was done only in rare cases: the Ripuarians when they put themselves under the rule of Clovis; the magnates of Chilperic's kingdom when they acknowledged Sigibert as their sovereign; the pretender Gundovald to acclaim him king.<sup>450</sup> The people of a *civitas* could show their consent to the reign of new king by gathering in formal groups and then greeting him with acclamation, each in their own tongue.<sup>451</sup> In the case of an ordinary succession there was no special ceremony at which the king was invested with authority.

### 6.5.5. Registration

The administration in the Merovingian kingdoms was elaborate enough to know various official documents.<sup>452</sup> Real estate was registered by a deed of conveyance, signed by a referendary of the king, the keeper of the privy seal of a king (the royal signet ring, by which documents were signed).<sup>453</sup> Such a signature was not to be imitated easily, but forgery occurred. Letters written to a king were kept for a considerable time in his archives. Bishops kept shorthand copies of letters in their files. Copies of treaties between kings were kept in archives, signed by both kings.<sup>454</sup> When King Childebert could not sign the treaty because of

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<sup>444</sup> Histories 2.12, 2.13, 5.17, 7.33.

<sup>445</sup> Histories 2.9, 3.18: Queen Clotild decided that her grandchildren rather should be killed than their hair cut

<sup>446</sup> Histories 2.38.

<sup>447</sup> Histories 5.17, 6.2, 6.45, 8.2, 8.3.

<sup>448</sup> Histories 6.45.

<sup>449</sup> Blackburn, "Money and coinage", p. 669.; Wood, "Disputes", p. 13.

<sup>450</sup> Histories 2.40, 4.51, 7.10.

<sup>451</sup> Histories 8.1.

<sup>452</sup> Histories 7.36: letters of the nobles, Histories 8.7: bonds, Histories 8.12: locked up possessions under seal, 9.26: will, Histories 10.19: diocesan and royal archives.; D. Ganz and W. Goffart, "Charters Earlier than 800 from French Collections", *Speculum*, Vol. 65, No. 4 (1990), pp. 906-932, p. 911, 922.

<sup>453</sup> Histories 4.12, 5.3, 10.19.; Ganz and Goffart, "Charters", p. 917, 923.

<sup>454</sup> Histories 10.19.

his minority, the important magnates of his kingdom did this in his name.<sup>455</sup> Treaties were written down to secure the promises made, the magnates affirmed the treaties, and hostages were taken. A king could not decide about these important matters alone. A treaty was not only signed but also sworn by the king and his magnates. Despite all these precautions, there still was discussion about the interpretation of treaties, and they were often broken.<sup>456</sup> The charters of the Merovingian kings represent them formulaically as residing at their palace amidst an array of officials, called *optimates*.<sup>457</sup>

Other public documents of kings are the agenda for a synod, a public decree, instructions for the cities, a letter to all bishops, and an instruction to judges.<sup>458</sup> A slave was freed by the ceremony of manumission known as setting free with a *denarius* before the king.<sup>459</sup> The exact meaning of this symbolic action is not known, but there will probably have been a registration and documentation to prove this important change of status. Last wills were made, and properties changed from owner with written evidence.<sup>460</sup> Petitions to the king were received.<sup>461</sup> Notaries were used to draw up edicts and other documents.<sup>462</sup> Judges issued decrees.<sup>463</sup> And even when tax registers were reported to have been burned, they turned up again.<sup>464</sup>

## **6.6. Effectivity and efficiency**

### 6.6.1. Effectivity

Effectiveness is the norm for the extent to which the public administration of the Merovingian realm was able to realize its goals. The Merovingian kingdoms existed for at least 250 years, and therefore have realized the goal of continuation. If the goal of the kingdoms was also to expand, they failed to achieve this target from the last part of the sixth century onwards, because the boundaries of territory and sphere of influence stabilized. There was a military balance of power with the surrounding kingdoms. Because the expansion of the Merovingian realm had already stretched to the limits of an area that could be hold together in some

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<sup>455</sup> Histories 5.17, 6.3, 6.31, 10.19.

<sup>456</sup> Histories 3.15, 4.48, 4.50, 5.17, 6.1, 6.3, 6.31, 7.6, 7.11, 7.14, 9.11, 9.20, 10.19.

<sup>457</sup> Wormald, "Kings and kingship", p. 600.; Drew, *The laws of the Salian Franks*, capitularia 6.

<sup>458</sup> Histories 5.4, 5.27, 5.44, 5.49, 6.45, 7.42, 9.20, 9.23.

<sup>459</sup> Drew, *The laws of the Salian Franks*, title 26

<sup>460</sup> Histories 9.19, 9.26, 9.33.

<sup>461</sup> Histories 8.1, 8.44.

<sup>462</sup> Histories 9.26, 9.27.

<sup>463</sup> Histories 7.42.

<sup>464</sup> Histories 9.30.

coherent way, it is likely that any ambition to expand the territory was abandoned. E.g., the war of King Guntram against the Visigoths involved mainly plunder, and the purpose of expansion of territory is never mentioned. The necessary plunder and tribute for distribution among the magnates was obtained by continuous wars, first outside the kingdoms and, at the end of the sixth century, between the competing kingdoms.<sup>465</sup> Therefore, even at a loss of wealth for the kingdoms, the goal to get plunder was realized.

The rivalry between the Merovingian kingdoms could have been a threat to the continuation of the Merovingian realm as a whole. But wars had the purpose of acquiring plunder rather than that of occupying new territory in other kingdoms. Wars canalized the aggression of the warbands and strengthened the military resilience of the Merovingian kingdoms. New territory only added to the already overstretched possibilities of a king to rule his kingdom. Redistribution of spheres of influence was a continuous ritual of shifting loyalties.<sup>466</sup> The character of the kingdoms should be considered most of all as shifting coalitions of magnates.

The territorial expansion of the Merovingian kingdoms must have reached its maximum in the sixth century, even necessitating the division of the Merovingian realm into four and later three kingdoms. Only the territories of these kingdoms had enough cohesion to exist and to continue unified. Further expansion would have threatened this cohesion. The public administration of the Merovingian kingdoms was not able to rule a larger territory.

### 6.6.2. Efficiency

Efficiency is the standard for the costs and efforts that were realized to reach the objective of continuation of the Merovingian realm. The yield of the land was only sufficient to supply a small elite with their retinue. Magnates and their warbands focused on gathering booty and honour, and were therefore like parasites on society. Instead of preventing violence, and to obtain a higher prosperity by a higher productivity, magnates aimed to realize a swift profit through plunder. Investments were in warriors and not in the economy.

There was no attempt to improve trade, industry, infrastructure, etc. There were no logistics for armies, which meant that warriors had to live from the land. This destructive behaviour

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<sup>465</sup> Histories 9.20: during interregna there was plundering.; Collins, "The western kingdoms", p. 120.

<sup>466</sup> Histories 9.20.

started already in the home kingdom when an army gathered. Capital goods were destroyed in the search for booty and food. This did not encourage any efforts to invest. Only moveable valuable goods, like treasure, could be hidden. Productivity was not stimulated, because the surplus was taken by war bands and anything of value could be robbed. The Merovingian government did not care about this, because the main goal of continuation was not threatened. The overall effect must have been that society impoverished. The continuation of the Merovingian kingdoms (effectivity) came at a high price. Therefore, the efficiency of the kingdoms must be judged negatively.

#### 6.6.2.1. Extent of the public administration

Quantities are mentioned throughout the Histories. The question is whether these numbers are plausible. First of all we have to consider that anyone who could read the Histories could check these quantities himself. Therefore, Gregory cannot have been too far from the truth in his data, as far as he knew them. Secondly, the magnitude of these quantities can be checked by their consistency, i.e. quantities have to be in a reasonable relation to each other. The consistency is mostly there, with a few exceptions. As far as affairs were concerned that were at a distance in time or place for Gregory, it is clear that Gregory was not accurate.<sup>467</sup> For example, the size of the armies of Saxony is believed to be 26,000 men, a quantity that seems to be too high.<sup>468</sup>

The number of people living in the Merovingian kingdoms can only be thought of in a highly speculative way, but are roughly estimated at 2,5 million in 500 CE and 3 million in 600 CE.<sup>469</sup> Diseases, wars, famines, etc. are all mentioned by Gregory throughout his Histories, and they will have been a restraint on the growth of the population. The Plague of Justinian (541-542 CE) was a pandemic that started in the Eastern Roman Empire and also afflicted the Merovingian kingdoms.<sup>470</sup> A small growth of the population may be expected, because there were no major wars that devastated the country for years to set back the amount of people very much.

The extent of the armies has to be in equilibrium with the total population. The amount of warriors for each of the Merovingian kingdoms is estimated at 15,000, with a maximum of

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<sup>467</sup> Wynn, "Wars and Warriors".

<sup>468</sup> Histories 5.15.

<sup>469</sup> Wes, "Introductie", p. 23.

<sup>470</sup> Histories 4.5, 4.31, 6.14, 6.33, 8.39, 9.21, 10.23, 10.25, 10.30.

7,500 campaigning. For instance, Gregory mentions an army of 4,000 warriors accompanying Princess Rigunth on her voyage to the Visigothic kingdom.<sup>471</sup> An average district will have had 700 warriors, of which 350 will have been involved in a campaign.<sup>472</sup>

The size of the public administration cannot have been large because there were few resources to support it. Its magnitude for each kingdom may have been somewhere in the order of 30 bishops, 30-40 counts and 15 to 20 dukes.<sup>473</sup> Each magnate had its own retinue of warriors, as bishops had their clerics. All needed to be provided for with food and lodgings by farmers and servants. The central administration of a kingdom will mainly have consisted of the trusted household of a king and a few royal counts, dukes and other officials, dependent on the king.

## 7. Conclusions

The question that was put in the introduction was: to what extent a structure of public administration can be detected for the Merovingian kingdoms in the late sixth century that is common enough to be accepted as a model for all these kingdoms. The overall answer is that there was a matching superstructure for all kingdoms, that this congruity was an element in binding together these kingdoms, that the structure of government was a representation of the way power was exerted in society, and that the structure of the public administration limited the further expansion of the Merovingian realm.

The organization structure of the Merovingian kingdoms was simple. Typically, it had little or no support staff, a loose division of labour, minimal differentiation among its units, and a small hierarchy of officials. Little of its behaviour was formalized, and it made minimal use of planning, training, and liaison devices. It was above all organic: communication flowed informally, most of all between the king and his court and the magnates. The weakness of this structure is that it hinges on the abilities of individuals.<sup>474</sup> The death of an individual has immediate repercussions on the whole balance of power, as was clear when a king died.

Basically, the Merovingian realm can be considered a patchwork of holders of large estates and of collectives, which were highly self-governing units of society. Dealing with affairs was

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<sup>471</sup> Histories 6.45.

<sup>472</sup> Histories 7.29.

<sup>473</sup> Brown, *The rise of Western Christendom*, p. 157.

<sup>474</sup> Mintzberg, *The Structuring of Organizations*, p. 305-313.

done most of all privately, e.g. by negotiating compromises or by feud. Military strength was a necessity for all, and the use of violence was an accepted tool. Not one of the magnates, not even a king, was strong enough to dominate the others. Only coalitions of magnates could dominate a kingdom. But coalitions were not stable, because each member sought his own advantage, and therefore violence continued. Violence could only be directed but not controlled, because even a king was not able to stop an army when there was not yet sufficient plunder.

Collectives are not prominent in the sources, but it is clear that they were able to limit the power exercised by officials decisively at crucial moments. For example, these collectives were a political factor that was thought to be strong enough to be able to conspire against the lives of kings.<sup>475</sup> The men of a *civitas*, or the men of the *centenarius* in a rural area, shared an identity and acted as a collective. These collectives may be considered equally strong cohesive social units as those of the magnates and their dependents, but their representatives did not fit into the public administration of the Merovingian kingdoms, and had to be represented by the count. Counts were cooperating with them rather than commanding them.

The magnates accepted one of their own, the count, as liaison with the central government, and as official for all affairs that were not dealt with by themselves. The position of this official was only secured as long as he had the cooperation of the majority of magnates. Appointment of an official by a king was most of all the acceptance of a reality. Only when there was no clear candidate for a position could a king decide for his own favorite. Once appointed, there were opportunities for these officials to reinforce their influence and gain wealth. Each capable actor in the game for power could gain influence, as is illustrated by Queens Fredegunde and Brunhild, who were able to dominate the political scene in their period for quite a while. But inevitably the striving for power resulted in losers, who tried to regain their positions. The balance of power never was steady, and all magnates were involved in continuously changing coalitions. These coalitions of magnates were the real power in a kingdom.

The position of kings seems to have evolved from that of war lord to that of territorial leader of a core area of a kingdom and symbol of the unity of that kingdom. The real power of kings

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<sup>475</sup> Histories 9.9.

was derived from this core area, their *leudes*, and their abilities to participate in coalitions. Kings had to be capable participants in politics, because they came to power only when they had proven to be competent politicians, and they were the survivors of the competition within their own family. Kings were the descendants of Clovis by tradition, but they could be anyone with a plausible lineage, even people we now consider as pretenders or illegitimate princes. It would be just to call them the first among equals, their equals being first of all the dukes, and to call their courts the centres of politics for a kingdom.

The Church introduced the concept of the good king, who was responsible for the public interest, because this benefitted the Church which needed defenders. This idea was certainly appealing to the kings in some ways, because it made their position more important, which became visible in some of the clauses of the *capitularia*, but the moral implications were not always taken over by the kings. This concept of the good king must have been an ideal that was still far from realized. Gregory made kings far more important in his Histories than they were, because of his own need of royal support for his position and because of his projection of the concept of the good king formulated by the Church.

Several attempts were made to centralize the public administration by enlarging the span of control of kings. Princes and dukes were used for some time as an extra hierarchical layer, but neither group could sufficiently be controlled by kings, because of their separate interests. The use of members of the household of a king, e.g. the *majores domus*, was more effective, because these men depended on the king for their position. Dukes were rulers, most of all military ones, of a region of several districts, but only because their rule was accepted by their equals and as long as their martial achievements were successful. Dukes were probably the most important officials of a kingdom, because they had considerable military power and were able to oppose a king.

The main official in a district was the count.<sup>476</sup> The counts' position was not so much derived from their hierarchical relations, but their authority resulted rather from their ability to cooperate with other magnates, collectives, the bishop, and as liaisons to the political centre of a kingdom. They had to take care of the interests of their district to other districts and to the central authority in the kingdom. Counts had to convince warriors to enlist by giving them the

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<sup>476</sup> Innes, *Introduction*, p. 277.

expectation of plunder. They were taxing a diminishing amount of people, because ever more men strove to get the status of a free Frank who had an immunity from taxation. Instead of paying taxes, these men had the obligation to render military service and provide gifts, forming a social network with a clearly understood code of honour. In arbitration, the count cooperated with other important men, for example bishops, but only when this arbitration was accepted by the parties involved.

Government was not interested in the poor and left these in the care of the bishops. The bishops took care of this part of society, and were therefore, in a way, also officials of the king. Because bishops had no significant military power and had only religious authority, they were dependent on the protection of magnates and kings. And because the Church was also one of the large landowners, this could cause a tension with local magnates. Therefore, protection was a necessity. There is no reason to assume significant conflicts between bishop and count because of overlapping positions, because their responsibilities were relatively clear.

For the Merovingian kingdoms continuity of their existence was realized by outward expansion until the 570s through gathering the necessary plunder and tribute. Towards the end of the century the separate Merovingian kingdoms became more coherent. From their growing identity, and because of the end of expansion, erupted the wars between the Merovingian kingdoms which lasted until 613 CE. The costs for this continuity were high. The reward for war bands, the search for plunder, the acceptance of violence all reduced the wealth of the people and discouraged investment. The ruling class was living parasitically on society, because in return for taxation and gifts they did not provide safety, justice or other assets for the economy. Therefore Merovingian rule did continue at high costs, and in the seventh century the pauperization of society did stop this way of ruling because most resources were depleted. This may have been one of the causes for the revitalization of the agrarian sector, resulting, after much experimenting, in the manorial system of the eighth century.

The possession of land was a necessity for all magnates. But land was not considered a source of wealth in the sixth century, because productivity was low. It supplied housing, food, workers and warriors. Wealth was sought in precious objects made from gold, silver and jewels. Acquiring this treasure was the driving force for the warriors and magnates. Not the commercial value of this treasure was important, but the honour of receiving or showing it.

The gift-giving economy was not an economic drive for more profit, but meant redistribution of material symbols as a reflection of political coalitions. The treasure of kings was more or less thought of as the property of the kingdom. Magnates were concerned for the preservation of this treasure for future gifts, but also expected to receive gifts that would circulate among themselves. The magnates did not allow each other to take this royal treasure, but thought of it as a collective possession.<sup>477</sup>

In his *Histories*, Gregory talks mainly about the *civitas*, which is the focus for the organization of the Church. He neglects the rural estates' centres governed by magnates, the rural territorial units directed by the *centenarii*, and the newly formed territorial units of the dukes.<sup>478</sup> All magnates owned large estates with at least dozens, and for some thousands of people, for which they were sole rulers. The other rural areas were inhabited by free peasants who were organized and accepted a *centenarius* as their leader. The growing social differentiation, visible in the *capitularia*, indicates a shift from these social units of free peasants to more dependency on magnates.

There were several centres of government, each being a core area for a kingdom, together forming the core area of the Merovingian realm centered on Paris. Similar to these core areas, in the periphery of the kingdoms there was centralization of several districts under dukes. This regional organization was not stable, and the continuous redistribution of territory, or rather spheres of influence, was possible because the top layer of the public organization was similar for all kingdoms. Kings were aware that they had a potential interest in other kingdoms and acted accordingly.

The evolution of the power structure and public administration resulted in a growth from local to more permanent regional structures.<sup>479</sup> The fragmented anarchistic organization of the beginning of the sixth century began to seek more safety and stability. Coalitions will have become more permanent in time, probably strengthened by family ties. The union of districts under a duke created stronger organizational units, enforcing other regions to do the same. This explains the growing importance of the dukes. This development continued and resulted in the three territorial kingdoms: Neustrasia, Austrasia, and Burgundy in the seventh century.

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<sup>477</sup> *Histories* 6.45.; Innes, *Introduction*, p. 285.

<sup>478</sup> Loseby, "Gregory's cities", p. 264.

<sup>479</sup> Innes, *Introduction*, p. 277-8, 284.

In this analysis the Edict of Paris of 614 is not the forsaking of power by the Merovingian King Chlothar II, forced upon him by the aristocracy, but the other way around: a visualization of the growing stability of coalitions of magnates in regions where kings never had ruled effectively.

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