CHAPTER 2

Property

Already in Late Antiquity, many churches had become very rich. This can best be explained by a firm conviction of the faithful: namely, the idea that it helped individuals to find God's grace if they did not give their wealth to the needy directly, but to a church, which then distributed the goods in question partly to the poor, but also partly used them for itself.[1] Two fundamental legal principles allowed the wealth, and especially the landed property, of churches to accrue. First, it was legally possible for people to make limitless donations to churches; claims by heirs were no obstacle to this.[2] And secondly, once a property had been transferred to a church, it could never be alienated from it again. What once belonged to the church was to remain with it until the Last Day; only an exchange for an equivalent asset was legally permissible.[3] This fundamental prohibition

[1] P. Brown, *Treasure in Heaven. The Holy Poor in Early Christianity*, The Richard Lectures for 2012 (Charlottesville, VA: University of Virginia Press, 2016); I. N. Wood, *The Christian Economy of the Early Medieval West. Towards a Temple Society* (Brooklyn, NY: Punctum Books, 2022), esp. ch. 2, pp. 27–40.

[2] Cf., e.g., K. A. Eckhardt (ed.), *Lex Alamannorum*, MGH LL nat. Germ. 5.1 (Hanover: Hahnsche Buchhandlung, 1956), I, 1, p. 63: 'Ut, si quis liber res suas vel semet ipsum ad ecclesiam tradere voluerit, nullus habeat licentiam contradicere ei, non dux, non comes nec ulla persona, sed spontanea voluntate liceat christiano homini Deo servire et de propriis rebus suis semet ipsum redimere'. But cf. also E. Heymann (ed.), *Lex Baiwariorum*, MGH LL nat. Germ. 5.2 (Hanover: Hahnsche Buchhandlung, 1926), I, 1, p. 268, limiting the possibility to just a *portio* of a donor's property and prescribing a partition with the sons: 'Ut si quis liber persona voluerit et dederit res suas ad ecclesiam pro redemptione animae suae, licentiam habeat de portione sua, postquam cum filiis suis partivit. Nullus eum prohibeat; non rex, non dux nec ulla persona habeat potestatem prohibendi ei'. For tenth-century knowledge, see Saint-Étienne de Limoges, no. 14 (a. 968): 'Lex romana declarat et auctoritas poposcit ut quisquis persona fuerit qui de rebus suis aliquid donare pro remedium anime suae voluerit, liberam hac firmissimam habeat potestatem in omnibus faciendi quidquid voluerit'.

[3] S. Esders and S. Patzold, 'From Justinian to Louis the Pious: Inalienability of Church Property and the Sovereignty of a Ruler in the Ninth Century' in R. Meens, D. van Espelo, B. van den Hoven van Genderen, J. E. Raaijmakers, I. van Renswoude and C. van Rhijn (eds.), *Religious Franks. Religion and Power in the Frankish Kingdoms. Studies in Honour of Mayke de Jong* (Manchester: Manchester University Press, 2016), pp. 386–408.

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against alienating goods from a church was justified with yet another idea: goods of the church served to provide for the *pauperes*, that is the 'poor' in the literal sense of the word, but also the 'weak' and those in need of protection, such as widows, orphans and the clergy themselves. Anyone who alienated a church's goods was a *necator pauperum*, a 'murderer of the poor'.[4]

Taken together, these ideas and legal principles explain why many churches became rich from the fourth century onwards. Writing around 580, Gregory of Tours in his *Ten Books of Histories* had King Chilperic of the Franks complain about this development: "Behold, our treasury is left poor, behold, our riches are transferred to the churches; none rules any more except the bishops alone; our honour perishes and is transferred to the bishops of the cities".[5]

Gregory did not like Chilperic, and he considered the king's attitude towards the bishops to be fundamentally wrong.[6] But the complaint he put in Chilperic's mouth was probably not completely confected from thin air. Ian Wood has pointed out that at the end of antiquity, in the Latin West about a third of all available land was owned by churches;[7] and there is no doubt that at that time, a good proportion of the fiscal assets had already passed into ecclesiastical hands. In view of the economic importance of the churches, Wood has recently argued that the late antique and early medieval societies of western Europe should not be seen (with Marx) as 'feudal societies' but (with Appadurai) as 'temple societies'.[8]

Let us now jump forward five centuries in time, to the eleventh century. In an important study, David Herlihy examined how often churches were mentioned as owning neighbouring property in 'private' (i.e. non-royal)

[4] Cf. G. Calvet-Marcadé, *Assassin des pauvres: l'Église et l'inaliénabilité des terres à l'époque carolingienne*, Collection Haut Moyen Âge 30 (Turnhout: Brepols, 2019); P. Zimmermann, *Armut und Bischofsherrschaft. Bischöfliche Fürsorge in der Merowingerzeit*, Vorträge und Forschungen. Sonderband 63 (Ostfildern: Thorbecke, 2022), pp. 138–68; T. Skibinski, '"Necator pauperum" i "necator egentium" w prawodawstwie synodów galicyjskich V–VII wieku', *Vox patrum* 67 (2017), pp. 543–54.

[5] Gregory of Tours, *Historiarum libri decem*, B. Krusch (ed.), MGH SS rer. Merov. 1.1 (Hanover: Hahnsche Buchhandlung, 1937), lib. VI, ch. 46, p. 320: 'Ecce pauper remansit fiscus noster, ecce divitiae nostrae ad ecclesias sunt translatae; nulli penitus nisi soli episcopi regnant; periet honor noster et translatus est ad episcopus civitatum'.

[6] Cf. Gregory of Tours, *Historiarum libri decem*, lib. VI, ch. 46, pp. 319–20; and H. Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity, 550–850*, Cambridge Studies in Medieval Life and Thought 4.101 (Cambridge: Cambridge University Press, 2015), pp. 39–43.

[7] Wood, 'Entrusting Western Europe to the Church', pp. 37–73.

[8] Wood, *The Christian Economy*; I. N. Wood, 'Creating a "Temple Society" in the Early Medieval West', *Early Medieval Europe* 29 (2021), pp. 462–86 (as well as the other articles on the same topic in this issue).

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charters of this later period, as a way of estimating the wealth in church hands. As Herlihy showed, many churches in western Europe were still rich in land, as they had been in Late Antiquity; the figures vary between one-fifth of church property neighbours in Italy and almost 40 per cent in northern France.[9] But in the eleventh century, it was no longer kings who complained that their wealth had fallen into the hands of the bishops; instead, bishops (and abbots) complained that too much church property was now in lay hands and that the influence of the laity in the church, in general, was too great. Under the keyword *libertas ecclesiae* ('freedom of the church'), parts of the clergy sought to push back the influence of the laity over churches – and to exclude as far as possible any disposal of church property and church income by lay proprietors.[10] Under the heading of the fight against 'simoniacal heresy', the occupation of church offices was to be changed in such a way that it stopped being economically lucrative for lay people.[11] Laymen were no longer to appoint clergymen to their offices; by the end of the century, this prohibition was even thought to apply to kings.[12]

One key battleground for the 'freedom of the church' was the power of disposal over individual church properties. The guiding principle was clear enough: the laity should restore to the churches concerned all property that they had 'alienated'. In 1059, the newly appointed Pope Nicholas II reported to the bishops, abbots and other clergy of Gaul, Aquitaine and the Basque Country on the council he had held with 113 bishops in St. John Lateran, Rome. According to the pope, the following had been

[9] D. Herlihy, 'Church Property on the European Continent, 701–1200', *Speculum* 36 (1961), pp. 81–105, with a table at p. 86.

[10] The classic study in German historiography was G. Tellenbach, *Libertas. Kirche und Weltordnung im Zeitalter des Investiturstreites*, Forschungen zur Kirchen- und Geistesgeschichte 7 (1936); for a diachronic sketch, see B. Basdevant-Gaudemet, 'Quelques réflexions sur la *Libertas Ecclesiae* dans les procédures de désignations épiscopales au cours des siècles', *de droit français et étranger* 94 (Paris: Editions Dalloz, 2016), pp. 13–25.

[11] For the earlier eleventh century, see L. Geis, 'Kirchenrechtliche Norm und diözesane Praxis. Strategien des Umgangs mit Simonie im frühen 11. Jahrhundert' in A. Bihrer and S. Bruhn (eds.), *Jenseits des Königshofs. Bischöfe und ihre Diözesen im nachkarolingischen ostfränkisch-deutschen Reich (850–1100)*, Studien zur Germania Sacra NF 10 (Berlin: De Gruyter, 2019), pp. 177–209, observing an ambivalent attitude with regard to simony, but 'keine Hinweise auf eine konsequente kirchenrechtliche Sanktionierung von Simonie' (p. 204), for either priests or bishops.

[12] See now T. Kohl, 'Frankreich, das Reich und die Investitur. Ein Problem im Rückblick' in T. Martine and J. Winandy (eds.), *La Réforme grégorienne, une "révolution totale"?*, Rencontres 494. Série Civilisation médiévale 42 (Paris: Classiques Garnier, 2021), pp. 29–42; T. Kohl, 'Die Erfindung des Investiturstreits', *Historische Zeitschrift* 312 (2021), pp. 34–61; cf. also the classic study by R. Schieffer, *Die Entstehung des päpstlichen Investiturverbotes für den deutschen König*, MGH Schriften 28 (Stuttgart: Hiersemann, 1981).

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decided 'with regard to the goods and possessions of the churches and monasteries': no layman or cleric should 'have or possess' any ecclesiastical property without the consent of a bishop, canons, abbots, monks or nuns; and whoever did not 'return' unlawful property was to be excommunicated.[13] In addition, the pope announced that no layman should 'have or possess' any income from churches without the consent of the bishops; 'if he does so, he is deprived of communion'.[14] In fact, numerous documents from western Europe in the later eleventh century record legal transactions that are presented as restitution of unlawfully alienated church property.[15]

Questions of property, then, were central to the debates that animated church politics, and also to the practical social functioning of the church as a whole. However, analysis of church property has tended to focus at a high level of abstraction, and on elite institutions such as monasteries and bishoprics. This chapter asks what role local priests, on the one hand, and tenth-century dynamics, on the other, played in the long history of churches and their property between Gregory of Tours and Gregory VII. By asking these questions, it takes a different perspective from much scholarship to date.

2.1 Three Models, No Priests

Three main models have been used to explain those practices and structures of the earlier eleventh century to which proponents of the so-called Gregorian reform responded from ca. 1050. One model is particularly relevant in Germanophone research and is discussed here under the term *Eigenkirche*, though it has been influential in other historiographies, too; the other two models are treated under the headings of *Lehnswesen* and 'feudal society'. In none of the three models is the local priest contoured as an actor; in none do developments of the tenth century play a prominent role.

[13] The letter is edited by D. Jasper (ed.), MGH Conc. 8 (Hanover: Hahnsche Buchhandlung, 2010), ch. 9, p. 406: 'De prediis namque vel possessionibus ecclesiarum vel monasteriorum hoc decrevimus, ut nullus laicorum vel clericorum sine consensu episcoporum, canonicorum, abbatum, monachorum vel sanctimonialium quicquam habeat vel possideat. Quod qui fecerit aut possessa non reddiderit, anathematizetur'.

[14] Cf. ibid., ch. 8, p. 406: 'De reditibus vero primitiarum vel decimarum seu oblationum IIIIor partes episcopus faciat. Quarum sibi unam retineat, secundam clero, terciam fabricis vel ornamentis ecclesie, quartam pauperibus distribuat. Nullus vero laicorum sine consensu episcoporum de talibus habere vel possidere presumat. Quod si fecerit, communione privetur'.

[15] Cf., e.g., Saint-Vincent de Mâcon, nos. 479 (1031x1062) and 541 (1074x1096).

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1. The model of the *Eigenkirche* or 'proprietary church' (already touched on in the introduction) was developed by the legal historian Ulrich Stutz at the end of the nineteenth century.[16] According to Stutz, lay people in the early Middle Ages could dispose of churches and their attached goods as if they were their own property. This included not only the complete ownership of the church and all its accessories but also the power of the owner to appoint or remove the clergy at the churches in question. In Stutz's view, owning a church was economically attractive to lay people. According to the *Eigenkirchen* model, the owner of the church was allowed to keep the ecclesiastical tithes and other income that accrued at his church for himself. The prospect of oblations and tithes thus made building a church a worthwhile investment.[17] As a result, the ecclesiastical development of the countryside in western Europe was essentially driven not by initiatives of bishops but by new local church foundations on the part of lay landowners.[18]

The model of the *Eigenkirche* posited a first decisive change in the economic history of the churches at the time of Charlemagne and Louis the Pious. In the decades around 800, ecclesiastical law acknowledged that it was not the clergy but the laity who held a good part of the church land and the income from it. It was at this point that lay ownership of churches became permitted in principle by church law, within certain parameters. Once 'incorporated' into ecclesiastical law, the institution of the *Eigenkirche* then continued to exist until it was gradually eliminated in the course of a second decisive moment, the 'Gregorian reform' in the eleventh and twelfth centuries, as part of the struggle for *libertas ecclesiae*.[19]

[16] The fundamental study was U. Stutz, *Geschichte des kirchlichen Benefizialwesens. Von seinen Anfängen bis auf die Zeit Alexanders III.* (Berlin: Müller, 1895, repr. Aalen, 1972); for a short introduction, see U. Stutz, *Die Eigenkirche als Element des mittelalterlich-germanischen Kirchenrechts* (Berlin: Müller, 1895, repr. Darmstadt: Wissenschaftliche Buchgesellschaft, 1959) and U. Stutz, 'Eigenkirche, Eigenkloster' in *Realencyklopädie für protestantische Theologie und Kirche* 23 (Leipzig: Hinrichs, 1913), pp. 364–77; for a comprehensive survey of the source material, see Wood, *Proprietary Church*.

[17] Famously, U. Stutz, *Eigenkirche als Element*, p. 49, considered proprietary churches to be the 'vielleicht vorteilhafteste Kapitalanlage des frühen Mittelalters' ('perhaps the most profitable capital asset of the early Middle Ages'). This quote has often been repeated, e.g., by C. Brückner, 'Das ländliche Pfarrbenefizium im hochmittelalterlichen Erzbistum Trier', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 84 (1998), pp. 94–269, at p. 95; Wolf, *Krypta*, p. 149.

[18] See amongst others J. Johrendt, *Der Investiturstreit* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2018), p. 23.

[19] As a résumé of historical research: E. Bünz, 'Art. Eigenkirche' in A. Cordes (ed.), *Handwörterbuch zur deutschen Rechtsgeschichte* 2 (2008), pp. 1267–9.

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As is evident, the tenth century does not play any special role in this model; the key *caesuras* are visible in around 800 and in the second half of the eleventh century. And while the ownership of local churches is central to the model, their priests do not appear as actors. Neither their interests nor their *Spielraum* are seen as significant for the historical processes.

2. The models of *Lehnswesen* and 'feudal society' have always been much more diffuse than the precisely defined *Eigenkirche* model. It is, therefore, hardly possible to summarise how these other two models explain the history of church property between the early and the central Middle Ages. Without distorting it into a caricature, however, this much can be said about the model of *Lehnswesen*, in other words, the leasing and enfeoffment of property. Although from Late Antiquity it was legally forbidden to alienate church property, this did not exclude the granting of property for economic use, provided that the grant remained limited in time, and the churches' ownership was maintained. Thus, for example, precarial grants of ecclesiastical land or even of churches together with their furnishings were permissible; leases of church land up to twenty-nine years (in consideration of the *lex tricennalis*) were also allowed, as well as the transfer of the usufruct or also making the grant a *beneficium* (which could be accompanied by different contractual regulations about dues, services, the inheritability of the borrowed property, the time of reversion to the ecclesiastical institution and so on).[20] A special form of such loans first becomes visible in legal texts of the eighth century and was occasionally referred to as a *precaria de verbo regis*. In this case, the grantee not only had to render military service to the king for the land but also give *nona et decima*, a levy of 20 per cent of the land's income to the church to which the property belonged.[21]

By preserving the ownership of the churches, the temporary leasing of property for economic use solved the problem that not a single church property could ever be legally alienated, which would otherwise have meant that a large portion of the land in western Europe was no longer

[20] For these forms of loans and their development from the eighth to the thirteenth century, see now J. Dendorfer and S. Patzold (eds.), *Tenere et habere. Leihen als soziale Praxis im frühen und hohen Mittelalter*, Besitz und Beziehungen 1 (Ostfildern: Thorbecke, 2023).

[21] G. Constable, '"Nona et Decima". An Aspect of the Carolingian Economy', *Speculum* 35 (1960), pp. 224–50; C. Haack, 'Landleihen in den Kapitularien' in J. Dendorfer and S. Patzold (eds.), *Tenere et habere. Leihen als soziale Praxis im frühen und hohen Mittelalter*, Besitz und Beziehungen 1 (Ostfildern: Thorbecke, 2023), pp. 27–52, at pp. 44–5.

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available for purchase, sale or donation. Temporary grants made it possible for lay people to use and exploit the economic assets of church lands. This, however, was merely the beginning of what was to become *Lehnrecht* (broadly, 'feudal law'). From the later eleventh century onwards, jurists in northern Italy defined such temporary grants more clearly, and discussed in detail which rights the grantor and the recipient should have to the property in question. In this way, the legal concept of a *feudum* emerged, which could consist of church property, even of a local church or its rights.[22]

Again, the tenth century does not play a special role in this model. The decisive legal-historical changes are instead dated to Late Antiquity, on the one hand, and to the later eleventh and twelfth centuries, on the other. Local churches occur here primarily in one respect: as a form of ecclesiastical property that was granted for a limited time for use. The priests who served in these churches, however, are irrelevant in this model, since it concentrates on questions of ownership and leasing.

3. The discussion about the emergence of 'feudal society' is even more blurred. This is not the place to summarise such a large, international and confusing debate once again.[23] It should merely be remembered that in older research in this context, the decades around 1000 were regarded as a tipping point: into dramatic social and economic upheaval throughout Europe. More recent research has called this chronology into question, pointing to the later eleventh century and the years around 1100 as the crucial period of change.[24]

[22] S. Reynolds, *Fiefs and Vassals. The Medieval Evidence Reinterpreted* (Oxford: Oxford University Press, 1994), esp. pp. 215–57.

[23] For summaries of the debate, see C. Lauranson-Rosaz, 'Le débat sur la "mutation féodale": état de la question' in P. Urbanczyk (ed.), *Europe Around the Year 1000* (Warschau: Wydawn. DiG, 2001), pp. 11–40; H.-W. Goetz, 'Gesellschaftliche Neuformierungen um die erste Jahrtausendwende? Zum Streit um die "mutation de l'an mil"' in A. Hubel and B. Schneidmüller (eds.), *Aufbruch ins zweite Jahrtausend. Innovation und Kontinuität in der Mitte des Mittelalters*, Mittelalter-Forschungen 16 (Ostfildern: Thorbecke, 2004), pp. 31–50; F. Mazel, *Féodalités. 888–1180*, Histoire de France (Paris: Belin, 2010), pp. 637–48; S. Patzold, 'Die Kontroverse über die "mutation féodale" aus deutscher Perspektive' in H.-W. Goetz (ed.), *Kontroversen in der jüngeren Mediävistik* (Cologne: Böhlau, 2023), pp. 395–423.

[24] Cf. D. Barthélemy, 'La mutation de l'an 1100', *Journal des Savants* (2005), pp. 3–28; T. Kohl, *Streit, Erzählung und Epoche. Deutschland und Frankreich um 1100*, Monographien zur Geschichte des Mittelalters 67 (Stuttgart: Hiersemann, 2019); A. Fiore, *The Seigneurial Transformation: Power Structures and Political Communication in the Countryside of Central and Northern Italy, 1080–1130*, Oxford Studies in Medieval European History (Oxford: Oxford University Press, 2020). For a recent re-evaluation, see C. Haack, A. Grabowsky and S. Patzold (eds.), *After the Feudal Revolution. Power, Local Societies, and Change from the Tenth to Twelfth Centuries*, Bedrohte Ordnungen (Tübingen: Mohr Siebeck, 2025).

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Church property plays a role in this model as a contested resource: lay people and church institutions often got into conflicts that dragged on for years over property with each other, which usually ended with compromises (only to break out again soon afterwards).[25] While, on the one hand, research has highlighted the violence of lay lords in appropriating even ecclesiastical property,[26] on the other, clerics were able to use the written form and archival practices of their institutions to brand their opponents as aggressors and to assert their own economic interests. Local churches, however, are barely visible in this context: if they feature at all, they have been treated primarily as assets to be fought over; and local priests have not been specifically contoured as actors here either.

All in all, then, neither the long tenth century nor local priests play a significant role in the three major models normally used to explain the history of church property during the early and central Middle Ages. While local churches do appear in all three models (albeit to very different degrees), the clergy who served in these churches are barely perceived as actors at all. What they thought, what they wanted, and how they acted all seem to be unimportant, because they are considered to be no more than the operating personnel of valuable assets.

On reflection, this is quite astonishing. For the core concerns of those intellectuals who are regarded as advocates of the 'Gregorian reform' revolved precisely around priests and their actions. Take, for example, the debate over Nicolaitism, priestly marriages and priests' children;[27] discussions concerning simony;[28] the investiture of priests by laymen;[29]

[25] Classic studies are S. D. White, '"Pactum [. . .] legem vincit et amor judicium". The Settlement of Disputes by Compromise in Eleventh-Century France', *The American Journal of Legal History* 22 (1978), pp. 281–308 and P. J. Geary, 'Vivre en conflit dans une France sans état: typologie des mécanismes de règlement des conflits (1050–1200)', *Annales* 41 (1986), pp. 1107–33; for a historiographic survey of this type of research, cf. W. C. Brown and P. Górecki, 'What Conflict Means: The Making of Medieval Conflict Studies in the United States, 1970–2000' in W. C. Brown and P. Górecki (eds.), *Conflict in Medieval Europe. Changing Perspectives on Society and Culture* (Aldershot: Routledge, 2003), pp. 1–35.

[26] Cf. T. N. Bisson, 'The "Feudal Revolution"', *Past & Present* 142 (1994), pp. 5–42 (but also the response by S. D. White, 'The "Feudal Revolution"', *Past & Present* 152 (1996), pp. 205–23).

[27] See Chapter 1, p. 11, nn. 27–8.

[28] R. Schieffer, 'Geistliches Amt und schnöder Mammon. Zur Bewertung der Simonie im hohen Mittelalter' in J. Petersohn (ed.), *Mediaevalia Augiensia. Forschungen zur Geschichte des Mittelalters*, Vorträge und Forschungen 54 (Ostfildern: Thorbecke, 2001), pp. 359–74; O. Münsch, 'Ein Streitschriftenfragment zur Simonie', *Deutsches Archiv für Erforschung des Mittelalters* 62 (2006), pp. 619–30; R. Deutinger, 'Simonisten rechtfertigen sich. Mittelalterliche Antworten auf den Vorwurf der Simonie', *Zeitschrift für Kirchengeschichte* 120 (2009), pp. 145–59; C. West, 'The Simony Crisis of the Eleventh Century and the "Letter of Guido"', *Journal of Ecclesiastical History* 73 (2022), pp. 229–53.

[29] Cf. this chapter, p. 48, n. 12.

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or the dispute about how to deal with sacraments administered by priests whom reformers did not recognise as legitimate or considered to be excommunicated:[30] all these have been regarded by scholars as central to the changes of the eleventh century, and all have a bearing on local priests. As we have seen, Johannes Laudage argued that a new 'image of the priest' (*Priesterbild*) was an essential ingredient of the 'Gregorian reform',[31] and Laudage as well as other historians have underlined that ideas about liturgy and priestly purity changed during the eleventh century.[32] Obviously, priests and their way of life were important to their contemporaries; and for this reason alone, it might be worthwhile to go beyond the models of *Eigenkirche*, *Lehnswesen* and 'feudal society' and ask about the role of local priests for the economic changes in the long tenth century. Did these men have their own *Spielraum*? Were they merely dependent 'operating personnel' or even 'accessories' to a local church, or did they also shape the transformation through their actions? And how exactly does our picture of the economic transformation from the early to the central Middle Ages change if we attribute agency to local priests in this process?

By asking these questions, the chapter seeks to accomplish two goals. We position the long tenth century in its due place in the history of church property and make the case for taking priests at local churches seriously as historical actors. Approaching both ideas together should help to elicit and elucidate the preconditions for the struggle for *libertas ecclesiae* from the second half of the eleventh century onwards, as well as establish the economic foundations for the study of local priests, which the rest of this book will further develop.

To this end, the chapter first takes a bird's-eye view of the sources of income of local priests in the tenth century. How could they earn their living in principle? Second, we want to sound out the economic *Spielraum* of individual priests. Finally, we examine the changes in the 'portfolio' of priestly income in the course of the tenth and early eleventh century and

[30] Cf., e.g., Bernold of Konstanz, *Libellus IV: De sacramentis excommunicatorum*, in F. Thaner (ed.), *Libelli Bernaldo presbyteri monachi,* MGH Ldl 2 (Hanover: Hahnsche Buchhandlung, 1892), pp. 89–94.

[31] Laudage, *Priesterbild*; but cf. the critical review by R. Schieffer, '"Priesterbild", Reformpapsttum und Investiturstreit. Methodische Anmerkungen zu einer Neuerscheinung', *Archiv für Kulturgeschichte* 68 (1986), pp. 479–94.

[32] A. G. Remensnyder, 'Pollution, Purity, and Peace: An Aspect of Social Reform Between the Late Tenth Century and 1076' in T. Head and R. A. Landes (eds.), *The Peace of God. Social Violence and Religious Response in France Around the Year 1000* (Ithaca, NY: Cornell University Press, 1992), pp. 280–307; Johrendt, *Investiturstreit*, pp. 31–3.

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discuss the consequences of these changes for the period from the middle of the eleventh century onwards.

2.2 Sources of Income in the Early Tenth Century

The sources of income available to local priests at the beginning of our period are unusually well documented for the Moselle region and the region around Trier, in what is now western Germany. In the year 906, the abbot Regino of the monastery of St. Martin in Trier (and formerly abbot of Prüm) compiled a collection of canon law expressly for the use of bishops, dedicating it to Archbishop Ratbod of Trier.[33] Ratbod's successor in office, Ruotger (915–29), wrote one of the final Carolingian-style lists of *capitula* for priests that are extant today. As a basis for this instruction and admonition of the *presbyteri* of his diocese, Ruotger used a letter that Archbishop Wulfad of Bourges (866–76) had addressed to the priests of his diocese and the *capitula* of Wulfad's predecessor, Radulf of Bourges (840/41–66). However, Ruotger did not mechanically copy his models but rather reworked their language and content. He was obviously concerned to adapt the decades-old *capitula* to the circumstances of his own time and his own diocese.[34]

Unfortunately, Ruotger's *capitula* have not survived in their entirety. However, a surviving text probably made at a provincial synod in Trier, which Ruotger convened in the late 920s, gives us insight into the full *capitula*. The first part of this Trier text is clearly based on those of Ruotger's *capitula* still known to us today; it seems reasonable to assume that those of Ruotger's *capitula* that have not survived are at least indirectly attested to us by the canons of the Trier synod.[35] Thus, we can see the issues that were close to Ruotger's heart in his dealings with the priests of

[33] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1–2. On this new edition, see W. Hartmann, 'Neue Erkenntnisse aus der Arbeit an der Edition des Sendhandbuchs Reginos von Prüm', *Bulletin of Medieval Canon Law* 34 (2017), pp. 33–59; W. Hartmann, 'Einige Fragen zur Arbeitsweise Reginos von Prüm in seinem Sendhandbuch' in W. Pezé (ed.), *Wissen und Bildung in einer Zeit bedrohter Ordnung. Der Zerfall des Karolingerreiches um 900*, Monographien zur Geschichte des Mittelalters 69 (Stuttgart: Hiersemann, 2020), pp. 201–34; cf. also Chapter 5, at p. 174ff.

[34] Ruotger's *capitula* are edited by P. Brommer (ed.), MGH Capit. episc. 1 (Hanover: Hahnsche Buchhandlung, 1984), pp. 57–73; for the dating, see ibid., pp. 57–8; for the use of Wulfad's letter and Radulf's *capitula*: ibid., p. 58–9.

[35] For all this, see R. Pokorny, 'Die Kanones der Trierer Synode des Jahres 927(?). Ein Textfund zu den Capitula Ruotgers von Trier', *Deutsches Archiv für Erforschung des Mittelalters* 38 (1982), pp. 1–25; the standard edition of the canons of the Trier synod of 927/8, also used in the following, is by E.-D. Hehl (ed.), MGH Conc. 6.1 (Hanover: Hahnsche Buchhandlung, 1987), pp. 75–88.

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his archdiocese. Moreover, the synodal text also shows what Ruotger's suffragan bishops of Toul, Metz and Verdun could agree on with regard to local priests and their sources of income.

Finally, there are a number of charters issued by the archbishops of Trier in the tenth century, as well as some other documents that survive from the city's monasteries and other ecclesiastical institutions of the province of Trier.[36] Collectively, this is an interesting mix of normative texts issued for use in legal practice, canons of a provincial council and charters that have survived as remnants of legal practice. These documents allow us to gain an idea of the sources of income available to local priests in and around Trier during the first half of the tenth century.

At the very beginning of his canonical manual, Regino of Prüm confronted his reader with a 'list of what the bishop or his servants at his synod should carefully investigate in the *vici publici* and *villae* and parishes of their diocese'.[37] Of course, we cannot assume that Regino's impressive list of ninety-three questions was bravely worked through in every tenth-century *Sendgericht* in the ecclesiastical province of Trier (for the *Sendgericht*, see Chapter 5). The list shows, however, which sources of priestly income Regino and his contemporaries in the archdiocese of Trier could reckon on at the beginning of our period of investigation.

As the list shows, the abbot of St. Martin's assumed that each priest had a whole portfolio of different sources of income at his disposal. First of all, there was his church's endowment with land: this was to include at least one farmstead (*mansus*) of twelve *bunuaria* of land, free of any dues and services, plus four enslaved people (*mancipia*) as operating staff.[38] This is based on the regulation established by Emperor Louis the Pious in 818/19 for the minimum tax- and service-free endowment of a church, which was evidently still considered a fundamental norm.[39] However, Regino's question adds a detail that Louis had not specifically regulated. According to

[36] H. Beyer and L. von Eltester (eds.), *Urkundenbuch zur Geschichte der, jetzt die Preussischen Regierungsbezirke Coblenz und Trier bildenden, mittelrheinischen Territorien* 1, *Von den ältesten Zeiten bis zum Jahre 1169* (Koblenz: Hölscher, 1860).

[37] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, p. 56: 'Notitia, quid episcopus vel eius ministri in sua sinodo diligenter inquirere debeant per vicos publicos sive villas atque parroechias propriae diocesis'.

[38] Cf. ibid., q. 14, p. 58: 'Investigandum, si habeat ipsa ecclesia mansum habentem bonoaria duodecim praeter cimiterium et curtem, ubi ecclesia et domus presbyteri continetur et si habeat mancipia quatuor'. The *bunaria* (modern French 'bonnier') is a measurement of land that is difficult to define, and doubtless varied considerably, but was approximately a hectare (roughly two football pitches).

[39] S. Esders, S. Kaschke, B. Mischke, S. Patzold, D. Trump and K. Ubl (eds.), MGH Capit. n.s. 4.1 (Wiesbaden: Harrassowitz, 2024), no. 8 (818/19), c. 10, p. 86.

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Regino, the cemetery and the courtyard on which the church and the priest's house stood were expressly excluded from this minimum endowment; rather, both were a necessary additional part of a local priest's assets, which were therefore a little more generous than those Louis had set out.

A charter of Archbishop Ruotpert of Trier, issued in 936, shows us a church in the region of the Ardennes (*comitatus Ardensi*) that had little more than this basic endowment of land and people. Ada, a niece of Ruotpert's predecessor Ruotger, had asked to receive this place of worship *in villa Theoderica* as a *precaria* loan for herself and her two sons, named Rotger and Folrad. The church was endowed with not one but two farmsteads (*mansi seruiles*); the staff consisted of exactly those four enslaved people (*mancipia)* that Louis the Pious and Regino of Prüm had also demanded.[40] Ada obviously had a considerable interest in this church: in order to obtain it, she transferred a demesne farm and all its accessories (including twenty-six unfree persons of both sexes) as well as four and a half unfree holdings to the Trier archbishopric. However, she received the guarantee that she would not only obtain the church but would also hold her own properties by lease agreement, not only for her own lifetime but also for her two sons until their death. One of them – Rotger – bore the name of his archiepiscopal great-uncle. Perhaps Rotger was destined for a clerical career, and his mother essentially 'bought' him a church through this precarial grant?

Regino also reckoned with two other sources of income for priests: namely annual dues given by so-called *cerarii*, and tithes. As a rule, *cerarii* (German: *Wachszinsige*) were former slaves who had been freed into the church, or else freemen who had themselves become dependents of a church, in exchange for patronage and support (or out of desperation). They gave either wax (chiefly used for lighting the church) or a fixed sum of money, often amounting to two or four *denarii* per year, a fairly small sum, though perhaps more than just a token payment for some *cerarii*. Their status was hereditary; the number of *cerarii* of a local church could thus rise or fall over time.[41] In his thirteenth

[40] Trier, no. 173.

[41] Cf. S. Esders, *Die Formierung der Zensualität. Zur kirchlichen Transformation des spätrömischen Patronatswesens im frühen Mittelalter*, Vorträge und Forschungen. Sonderband 54 (Ostfildern: Thorbecke, 2010), pp. 73–94; P. J. Fouracre, 'Lights, Power and the Moral Economy of Early Medieval Europe', *Early Medieval Europe* 28 (2020), pp. 367–87, at pp. 383–6; P. J. Fouracre, *Eternal Light and Earthly Concerns: Belief and the Shaping of Medieval Society* (Manchester: Manchester University Press, 2021), esp., ch. 4, pp. 138–77; S. Esders, '"Because their Patron Never Dies". Ecclesiastical Freedmen, Socio-Religious Interaction, and Group Formation Under the Aegis of "Church Property" in the Early Medieval West (Sixth to Eleventh Centuries)', *Early*

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question, Regino wanted the bishop or his officials to ask how many *cerarii* the local church had.[42]

On 29 October 905 (when Regino was already working on his canonical collection), a free woman (*ingenua)* named Wieldrud made herself a *ceraria* of St. Martin, with the consent of her husband Hildibert and her friends 'on condition, that is, that I give two *denarii* in wax annually on the feast day of the aforementioned saint [Martin] for the whole of my life; and that my descendants, when they have grown up, therefore seek to give this due, too'.[43]

Similarly, at some point in time in the tenth century, a certain Rihdac donated a number of slaves (*mancipia*) to the monastery of St. Mary on the Moselle in Koblenz, namely Hericha with her sons Ruoding and Liuther and her three daughters, as well as Meina, Helin, Uuendilburc and all their descendants. Each of them was to hand over two *cere denaradae* (i.e. two candles worth one *denarius* each) every year on the Assumption of Mary, that is, on 15 August. In return, 'the doors were to be open to them': the formerly unfree were thus no longer to be bound to the soil, but were to enjoy full freedom of movement. Their obligation to give two candles, however, remained in place forever – including for all of their descendants.[44] Based on Regino's question thirteen, we can imagine very similar forms of income not only for other monasteries and for collegiate churches but also for local churches, even if no surviving documents from the Trier region attest to such a case today.

Tithes were probably an even more important source of income for local priests.[45] Regino assumed that a local church was normally assigned the tithes from entire farmsteads (*mansi*). He expected a priest to have a fixed number of free and unfree farmsteads subject to tithing; in addition,

Medieval Europe 29 (2021), pp. 555–85, at pp. 576–83; concerning leases of *censuales* in a somewhat later period, cf. also J. Dendorfer, 'Bayerische Traditionsbücher des hohen Mittelalters. Die Tegernseer Traditionen (11.–13. Jahrhundert)' in J. Dendorfer and S. Patzold (eds.), *Tenere et habere. Leihen als soziale Praxis im frühen und hohen Mittelalter*, Besitz und Beziehungen 1 (Ostfildern: Thorbecke, 2023), pp. 333–74, at pp. 354–57.

[42] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 13, p. 58: 'Requirendum de luminaribus ipsius ecclesiae et quot cerarios habeat?'.

[43] Trier, no. 151: 'ea uidelicet ratione, ut omni uitae meae tempore duos denarios in cera in predicti sancti festiuitate annaliter persoluam; successores itaque mei, si quando ad aetatem peruenerint, ut ipsum censum persoluere queant'.

[44] Trier, no. 257: 'duas cere denaradas persoluant, habeant autem portas apertas exeundi et redeundi quocunque uoluerint, saluo permanente censu'.

[45] On tithes and their development in the early medieval west up to the early tenth century, see Wood, *Proprietary Church*, pp. 459–78; M. Lauwers, 'Pour une histoire de la dîme et du dominium ecclésial' in M. Lauwers (ed.), *La dîme, l'église et la société féodale*, Collection d'études médiévales de Nice 12 (Turnhout: Brepols, 2012), pp. 11–64; Patzold, *Presbyter*, pp. 241–303.

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however, the priest also received tithes from *accolae*, poorer peasants who were not integrated into the *mansus*-structure.[46] The tithe was due in kind, originally amounting to 10 per cent of the total annual income earned by a farm.[47] Unfortunately, our sources do not allow us to establish exactly to what extent this requirement was put into practice in the Trier region during the tenth century.

Whatever the exact amount of the tithes that were received, they certainly did not remain entirely with the priest. Regino also included in his list the question of whether the tithe was divided into four parts, as it should be.[48] This question implied that the division of the tithes took place on the spot and was done by the local priest himself. He was allowed to reserve one-quarter of the tithes for himself, while using the three remaining quarters for the care of the poor, for the upkeep of the church buildings and for the bishop, in line with a long-standing church tradition.[49] Other norms of canon law, however, stipulated that the tithe was not quartered but divided into thirds;[50] and several charters from the Trier area show that in the course of the later tenth and early eleventh centuries, this division into thirds seems to have been more common here.[51]

Whether they amounted to a third or a quarter, the tithes reserved for the local priest must have contributed significantly to his annual income. This is shown not least by the repeatedly attested disputes among priests or between priests and ecclesiastical institutions over tithing rights.[52] Regino also envisaged encroachments by priests themselves. One of his questions was aimed at examining whether the priest had received tithes that were actually due to another *presbyter*.[53] A little later, in the 920s, the same

[46] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 15, p. 58: 'Quot mansos habeat ingenuiles et quot serviles aut accolas unde decima reddatur?' In our translation, we assume that Regino meant 1) 'mansos ingenuiles', 2) 'mansos serviles' and 3) 'accolae'; for a different interpretation, see Hartmann's translation, ibid., p. 59: 'Wie viele freie Hofstellen hat sie und wie viele unfreie oder freie Bauern, von denen der Zehnt errichtet wird?'.

[47] See Patzold, *Presbyter*, pp. 241–3 for sources and literature.

[48] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 66, p. 68: 'Si de decimis quatuor fiant portiones'.

[49] Cf. J[3] 1270: 'Quatuor autem tam de reditu quam de oblatione fidelium, prout cuiuslibet ecclesiae facultas admittit, sicut dudum rationabiliter est decretum, convenit fieri portiones: quarum sit una pontificis, altera clericorum, pauperum tertia, quarta fabricis applicanda' (= Gelasius, Letter no. 14 in A. Thiel (ed.), *Epistolae Romanorum Pontificum genuinae et quae ad eos scriptae sunt a S. Hilaro usque ad Pelagium II.* 1 (Braunsberg: Eduard Peters Verlag, 1868), c. 27, p. 378).

[50] The evidence for this is listed conveniently by Stutz, *Geschichte*, pp. 38–40.

[51] Cf. Trier, no. 276 (a. 1000, mentioning two-thirds of a tithe and stating that 'tercia etenim pastorem contingit'); cf. also no. 302 (a. 1030).

[52] Cf. Chapter 4 on diocesan synods and the list of charters in app. 2, nos. 1–3, 8, 14–16, 19–20, 30 and 54.

[53] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 50, p. 64: 'Si decimam ad alterum pertinentem recipit?'

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problem also worried Archbishop Ruotger. He adopted almost verbatim the old provision of Radulf of Bourges that no priest should poach members of the parish of one of his fellow priests or dare to collect the tithes they owed to another priest: 'but let each one be content with his church and his parish'.[54]

Two more of Ruotger's instructions to the priests of his archdiocese may also have been related to tithing: that clergy were to keep their churches clean and not let any animals in (c. 2);[55] and that nothing was to be kept in God's house except what was needed for worship, namely books or utensils and vestments for the liturgy (c. 3).[56] Livestock and storage became necessary at the very time when tithes were due. Tithes were given in kind, that is, in grain and livestock; thus, they made storage buildings and stables necessary (or, in practice, the temporary misuse of the church building itself).

Other sources of income for priests are identified only indirectly by Regino. Thus, in two questions, Regino addresses only in passing the more or less modest gifts that parishioners offered during the service in a church, known as oblations (*oblationes*). He mentions 'a candle or something else' and stresses that everyone should only offer one oblation at a time 'for himself and for all his relatives'.[57]

Regino's sixty-seventh question asks: 'Whether he [the priest] has presumed to sell, exchange or in any other way alienate any property of the church (*res ecclesiae),* a possession (*possessio)* or a slave (*mancipium)*?'[58]

[54] Ruotger of Trier, MGH Capit. episc. 1, c. 16, p. 67: 'Nec decimas alteri debitas audeat recipere, sed unusquisque sua ecclesia et suo populo sit contentus' (verbatim repeating Radulf of Bourges, ibid., c. 15, p. 244, ll. 19–20, whose text is based on Ansegis of Fontenelle, *Collectio capitularium*, G. Schmitz (ed.), MGH Capit. n.s. 1 (Hanover: Hahnsche Buchhandlung, 1996), lib. I, c. 148, p. 412, combined with Theodulf of Orléans 1, MGH Capit. episc., c. 14, p. 113, l. 1); cf. also Council of Trier 927 (928), MGH Conc. 6.1, c. 5, p. 80: 'nec decimas alteri debitas audeat supripere, sed unusquisque ęcclesia sua et populo sit contentus [. . .]'.

[55] Ruotger of Trier, MGH Capit. episc. 1, c. 2, p. 62–3: 'Volumus et admonemus fratres et consacerdotes nostros, ut ecclesias sibi commissas mundas semper et nitidas habeant et nullum animal ibidem intrare ullo modo permittant'; cf. Council of Trier 927 (928), MGH Conc. 6.1, c. 1, p. 79: 'Predicandum est sacerdotibus, ut aecclesias suas semper nitidas custodiant et mundas, nullumque animal in ea intrare ullo modo permittant [. . .]'.

[56] Ruotger of Trier, MGH Capit. episc. 1, c. 3, p. 63 (based on Radulf of Bourges, ibid., c. 3, p. 236): 'Et ut in ecclesia nichil aliud recondatur praeter libros et vasa sancta ac vestimentum ecclesiasticum et quod ad cultum ecclesię pertinet'; Council of Trier 927 (928), MGH Conc. 6.1, c. 1, p. 79: 'Nichil autem in aecclesia recondatur nisi libri et vasa ac vestimenta sacra'.

[57] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 71, p. 68: 'Si offerentes instruat, ut candelam vel quidquid aliud ad altare deferre placuerit, ante missam vel antequam evangelium legatur, offerant?' and q. 72: 'Oblationem autem unam tantummodo oblatam et offertorium pro se suisque omnibus unusquisque offerat?'; cf. also ibid., q. 60, p. 66.

[58] Ibid., q. 67, p. 68: 'Si rem ecclesiae aut possessionem aut mancipium vendere, commutare aut quocumque ingenio alienare praesumserit?'

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This question directly takes up the old legal prohibition, already mentioned at the beginning of this chapter, of alienating goods from a church in any way. Regino evidently even regarded exchanges by local priests as unacceptable.

It is tempting to link this question together with the forty-first question from Regino's list: 'If someone who had no patrimony (*patrimonium*) when he ascended to an ecclesiastical dignity later buys properties, to whom do they belong?'[59] The answer was clearly settled in the canons that Regino included in his collection. If someone acquired any lands after his ordination, not from his own inherited property, but with funds from his church, then these new properties did not belong to him personally; he could therefore not bequeath them to his family. Instead, these properties became part of the church's endowment, and thus an inalienable appurtenance to the local church in question. Only the inherited property that a priest had already disposed of before his ordination (and all that he acquired with funds from this inheritance) was to remain the property of himself and his family.[60]

When he tackled this question, Ruotger of Trier almost completely reformulated the relevant provision of Radulf of Bourges for his own priests. In substance, however, he reminded the *presbyteri* of his archdiocese of the same regulation: 'Whatever he acquires after his ordination, he leaves to the church over which he presides'. Furthermore, Ruotger also expressly forbade the fraudulent purchase of goods through third parties (*per alienas manus*) if it was at the expense of the local church. Priests who violated this norm were threatened by the archbishop of Trier with the withdrawal of their church and a canonical judgement (probably the loss of their priestly *gradus*).[61]

The intention is clear: priests were to use their income from church property only to increase the church property itself, but not to increase

[59] Ibid., q. 41, p. 64: 'Si nihil patrimonii habens, quando provectus est ad dignitatem ecclesiasticam, postea emit praedia, cuius iuris sint?'

[60] Cf. ibid., 1.219, p. 206 (= *Canones in causa Apiarii*, c. 32 as found in C. Munier, *Concilia Africae a. 345–525*, CCSL 149 (Turnhout: Brepols, 1974), p. 110, ll. 306–311); ibid., 1.220, p. 206 (= Ansegis, *Collectio capitularium*, MGH Capit. n.s. 1, lib. I, c. 150, p. 512, ll. 7–8); ibid., 1.221 (= Hincmar of Reims 2, M. Hartmann and R. Pokorny (eds.), MGH Capit. episc. 2 (Hanover: Hahnsche Buchhandlung, 1995), c. 18, p. 50, ll. 8–11).

[61] Ruotger of Trier, MGH Capit. episc. 1, c. 18, p. 68 (inspired by, but not verbatim quoting Radulf of Bourges, MGH Capit. episc. 1, c. 17, pp. 245–6): 'Ut nullus presbyter per alienas manus praedia comparet in fraude et subtractione suę ecclesię, sed quicquid post ordinationem suam adquisierit ecclesię, cui praeest, relinquat. Quia si ullo modo audire poterimus, ut hoc agat vel alicubi suum attractum nisi ad suam ecclesiam faciat, ipsam ecclesiam recipiemus et insuper canonica sententia eum feriemus'.

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their personal and hereditary property. Whether this distinction could always be easily maintained in practice is doubtful; Regino's question as well as Ruotger's *capitulum* indicate that there was at least some need for oversight. Perhaps even more important than the distinction between the priest's patrimony (*patrimonium*) and the church's property (*res ecclesiae)*, however, is yet another point: Radulf, Regino and Ruotger assumed as a matter of course that at least some local priests had sufficient income to invest their profits in land. The church's appurtenances of at least twelve *bunuaria*, plus the income from *cerarii* and from tithes – all of this was apparently sufficient, at least in some cases, to generate surpluses large enough to acquire further properties or movable goods (which would then further increase the income of the priest).

In the light of later developments, it is also interesting to draw attention to something that Regino neither explicitly mentions as a source of income for priests nor implicitly assumes as a regular resource: Regino apparently did not expect the local church to have a cemetery that would have provided the priest with regular income in form of fees for burials. This changed during our period of investigation; we will therefore come back to this priestly resource later.[62]

A third set of questions Regino noted reveals that, in practice, priests also had other ways of obtaining income in their community. These economic resources arose from the complex web of personal relationships, favours and liabilities, small loans and debts that we have to imagine in many local societies of the early Middle Ages. All local business of this kind, however, Regino regarded with suspicion; it went hand in hand with the risk that priests were too closely involved in their local communities and could therefore no longer adequately fulfil their tasks as shepherds, pastors and preachers. According to Regino (and canon law), priests were not allowed to use any liturgical instrument of their church as a pledge.[63] Priests were also not to accept any 'gift' (*xenium*) or 'worldly advantage' for concealing from the bishop someone who was performing a public penance or living in incest.[64] They were not to ask for a 'gift' (*praemium* or *munus)* for having baptised a child, given the final anointing to a sick

[62] See this chapter, pp. 79–80.

[63] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 37, p. 62: 'Si calicem aut patenam vel vestimentum sacerdotale aut librum praesumat tabernario vel negotiatori in vadium dare?'; ibid., 1.81, p. 124, Regino cites as reference Hincmar of Reims 1, MGH Capit. episc. 2, c. 11, p. 39.

[64] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 38, p. 62: 'Si xenium vel quodcumque emolumentum temporale, immo detrimentum spirituale a quocumque publice peccante vel incestuoso accipiat, ut episcopo et eius ministris peccatum illius reticeat?'

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person or buried the dead.[65] And the local economy of small loans probably also explains Regino's fear that a priest might practise 'usury' – that is, take interest on borrowed money.[66]

Again, Ruotger of Trier saw very similar challenges, as had Radulf of Bourges before him in the middle of the ninth century. Closely following Radulf's model, Ruotger also reminded his priests in his twentieth *capitulum* that no one may 'take a price' (*pretium accipere)* or demand a 'gift' (*donum)* for baptism and burial, for penance or any other sacrament;[67] the bishops assembled in 927 or 928 in Trier came back to the same point.[68]

As well as showing priests' regular income, however, Regino's collection of canons, Ruotger's *capitula* and the Trier canons of 927/8 also reveal that local priests had regular costs. Thus, priests were responsible for ensuring that the church was sufficiently well equipped with liturgical utensils, vestments and books; the church building itself also had to be maintained.[69] It is true that these furnishings and accoutrements would have grown over time, and a priest was likely to have taken over much from his predecessor in office. However, we can imagine that new investments were necessary from time to time, simply because some of the objects were broken or lost, and the preservation of the building would have been an ongoing task.

Moreover, priests were responsible for hospitality and had to care for the poor; they had to shelter travellers and offer them accommodation and food.[70] Regino wanted the bishop or his officials to ask during a *Sendgericht* whether the priest 'cares for the poor, strangers and orphans and invites them to his meal when he can?'[71] Archbishop Ruotger gave much more precise instructions to the priests of his diocese. They were to receive both known and unknown guests. If more was not possible, the priests were at least to give the guests a fireplace, water and straw for their stay and offer to sell them anything else they needed. If, for whatever

[65] Ibid., q. 20, p. 60: 'Si pro baptizandis infantibus aut infirmis reconciliandis vel mortuis sepeliendis praemium vel munus exigat?'

[66] Ibid., q. 42, p. 64: 'Si usuras exigat et conductor sui senioris existat?'

[67] Ruotger of Trier, MGH Capit. episc. 1, c. 20, p. 68 (based on Radulf of Bourges, MGH Capit. episc. 1, c. 18, pp. 246–7).

[68] Council of Trier 927 (928), MGH Conc. 6.1, cc. 8–9, pp. 81–2.

[69] For all this, cf. qq. 1–12 of Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, pp. 56–8.

[70] For a rare example of this in practice, see *Miracula sancti Benedicti*, A. Davril, A. Dufour and G. Labory (eds.), Sources d'histoire médiévale 45 (Paris: CNRS éditions, 2019), p. 244, describing how Teudo, priest of the village of Dampierre-en-Burly, provided shelter in his own home to a passing traveller with disabilities (undated, but probably late tenth century).

[71] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 35, p. 62: 'Si curam pauperum ac peregrinorum et orphanorum habeat eosque iuxta possibilitatem suam ad suum prandium invitet?'

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reason, they were unable to take in more travellers, the priests were to choose a man from their parish (*parrochia*) to look after these travellers and to sell them necessary goods.[72] It is interesting that these details are not to be found in Radulf's episcopal statutes, which Ruotger used as a model for most of his other instructions.

Moreover, there were the clerics of lower grades who lived and were trained in the household of a priest, whom the priest must have supported in some way. These clerics are not the focus of this book, but we must reckon with young lectors and doorkeepers (*ostiarii*) who – similar to the *pueri oblati* in the monasteries – received the beginnings of their training; in addition, we must consider also the presence of at least one deacon who was indispensable for the celebration of Mass.[73]

Taken together, Ruotger's *capitula,* the canons of the Trier synod in the late 920s and the questions for the *Sendgericht* compiled by Regino reflect contemporary assumptions about what kinds of income a priest could count on with a clear conscience in the early tenth century, and what sources of income at least some priests used in practice, although forbidden by the canons. Regular income came from the church's endowment of land and the people who worked it; in addition, there was wax for lighting or a levy in cash from any *cerarii*, as well as the tithe that was due in kind, and the small oblations people offered at the altar on Sundays and feast days. Although local priests had to care for travellers and the poor and also feed other clerics of lower grades who lived in their households, the resources were sufficiently abundant that at least some priests were able to invest surpluses in land transactions and thus expand their economic 'portfolio' even more. In practice, the temptation may have been great to blur the legal boundary between inherited personal property that a priest brought with him into office and the property of his church. And quite a few priests will have had enough money and income in kind to get involved in the local economy of small loans, debts and favours of all kinds.

It is obvious that perhaps not all, but still quite a few, priests would have belonged to the local economic elite. Their economic power becomes clear not least in another point that Regino and Ruotger explicitly addressed: priests were not to pay anyone for receiving a local church. 'We have also determined,' so Ruotger verbatim repeated Radulf's model, 'that no priest

[72] Ruotger of Trier, MGH Capit. episc. 1, c. 11, p. 65.

[73] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 27, p. 60: 'Si clericum habeat, qui legat epistolam vel lectionem et qui ad missam respondeat et cum eo psalmos cantet?'

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should give gifts (*munera*) for receiving a church'.[74] Regino wanted one of the questions of the *Sendgericht* to be directed at simony.[75] This could hardly be understood without a wealthy (or at least solvent) group of clergy who were competing over churches.

The churches in question were themselves physical manifestations of wealth. A recent archaeological study of church buildings in southern Germany has brought into question, for this region, some of the early datings of these buildings that would place them back as far as the Merovingian period. In fact, the church landscape that continued into the tenth century first emerged in southern Germany in the eighth century. The few church buildings that can be dated with some degree of likelihood to the seventh century were almost all wooden. A few stone buildings survive from the eighth century, and from the ninth century onwards the vast majority of churches were constructed in stone.[76] We must naturally reckon with considerable regional variation across the regions of Europe in this question, not least in view of the availability of stone suitable for construction.[77] Nevertheless, we should assume that most of the churches in the area we consider in this book were similarly made of stone and, though usually rather small, would therefore have represented a considerable investment. The priests who served at them

[74] Ruotger of Trier, MGH Capit. episc. 1, c. 18, p. 67 (nearly verbatim repeating Radulf of Bourges, MGH Capit. episc. 1, c. 17, pp. 245–6): 'Statuimus etiam, ut pro accipienda ecclesia nullus presbyter munera donet'.

[75] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 45, p. 64: 'Si per pecuniam fuerit ordinatus vel ipsam, in qua cantat, precio obtinuerit ecclesiam?' (together with the canons cited by ibid., 1.235–9, pp. 214–16).

[76] S. Brather, 'Strukturelle Voraussetzungen für einen alemannischen Dukat. Eine archäologische Spurensuche' in S. Brather (ed.), *Die Dukate des Merowingerreiches. Archäologie und Geschichte in vergleichender Perspektive*, Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde 139 (Berlin: De Gruyter, 2023), pp. 237–70, at pp. 257–65 (with a list of churches on pp. 262–4), discussing the earlier studies by H. W. Böhme, 'Adelsgräber im Frankenreich. Archäologische Zeugnisse zur Herausbildung einer Herrenschicht unter den merowingischen Königen', *Jahrbuch des Römisch-Germanischen Zentralmuseums Mainz* 40 (1993), pp. 397–534; R. Marti, *Zwischen Römerzeit und Mittelalter. Forschungen zur frühmittelalterlichen Siedlungsgeschichte der Nordwestschweiz (4.–10. Jahrhundert)*, Archäologie und Museum 41 (Liestal: Archäologie und Kantonsmuseum BL, 2000); B. Scholkmann, 'Frühmittelalterliche Kirchen im alemannischen Raum. Verbreitung, Bauformen und Funktion' in B. Scholkmann and S. Lorenz (eds.), *Die Alemannen und das Christentum. Zeugnisse eines kulturellen Umbruchs*, Schriften zur südwestdeutschen Landeskunde 48 (Leinfelden-Echterdingen: Thorbecke, 2003), pp. 125–52; cf. also B. Scholkmann, 'Kirchenarchäologie in Baden-Württemberg. Ein forschungsgeschichtlicher Überblick' in N. Krohn (ed.), *Kirchenarchäologie heute. Fragestellungen, Methoden, Ergebnisse*, Veröffentlichungen des Alemannischen Instituts 76 (Darmstadt: Wissenschaftliche Buchgesellschaft, 2010), pp. 428–51.

[77] J. Arnold, *The Making of Lay Religion in Southern France, c. 1000–1350*, Oxford Studies in Medieval European History (Oxford: Oxford University Press, 2024), pp. 30–1. De Langen, 'Church Foundation', discusses the transition from wood to stone over a comparable time frame.

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would thus have been responsible for relatively imposing and expensive infrastructure.

However, we should bear in mind that although all local priests were equal in their degree of ordination, some were more equal than others in their economic potential. It would have made a difference whether a priest had inherited property from his family or not. The value of the tithe income was, obviously, itself dependent on the prosperity of those who paid it, so these revenues would have varied according to the wealth of the area, the fertility of the soil and the dominant agricultural products. The region around Trier, for instance, was (and is) an important wine-growing area, so the tithes might have flowed more richly here than in areas further to the north and the east, such as Saxony.

Moreover, the various local churches had quite different endowments, as a consequence of their specific individual histories.[78] This explains why priests competed for churches. Like Radulf, Ruotger also reckoned that a priest could take a church away from another priest;[79] and Regino wanted a priest to be asked at the *Sendgericht* whether he had changed from another church to his current one for the sake of profit.[80]

The normative ideas, practices and structures that we have observed in the Trier region in the first third of the tenth century do not differ overall from what had developed in the Carolingian world since around 850. So for the time being, what we see are continuities from the mid ninth to the early tenth century.[81] How this changed during the tenth and the early eleventh centuries will be discussed in Section 2.5 of this chapter. Before this, however, we have to ask if and how local priests could *act* economically. Were they merely pawns, pushed around by bishops and lay church owners? Or did they have *Spielraum* themselves?

2.3 *Spielraum* and Agency

To analyse the economic *Spielraum* of local priests, we must broaden our view and look beyond the Trier region. East of the Rhine, the Bavarian

[78] For ninth-century processes leading to such economic differences, see Patzold, *Presbyter*, pp. 115–23 and 484–6.

[79] Ruotger of Trier, MGH Capit. episc. 1, c. 18, p. 67 (based on Radulf of Bourges, MGH Capit. episc. 1, c. 17, pp. 245–6, but reformulated): 'Si quis presbyter aut per munera aut per aliquod ingenium ecclesiam alterius presbyteri acceperit, sciat se aut gradum perditurum aut in carcere longo tempore detinendum'.

[80] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, q. 46, p. 64: 'Si aliam ante habuerit ecclesiam et ea dimissa ad aliam questus causa migraverit?'

[81] Cf. Patzold, *Presbyter*, pp. 111–22 and 262–94.

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bishopric of Freising is the only place with an unbroken tradition of charters for the full span of the entire tenth and early eleventh centuries.[82] However, they have only come down to us as copies in a kind of abbreviated cartulary known as a *Traditionsbuch*;[83] and moreover, only a very specific selection from the material has survived, namely the exchanges in which the Freising bishops were involved.[84] The material available today therefore certainly does not reflect the full range of economic *Spielraum* of clergy in the diocese of Freising, but instead only a small, specific set of transactions.

On 4 June 981, Abraham, the bishop of Freising, and a priest named Heriric exchanged property in Schäftlarn; not only were the free landowners (*nobiles*) Vuolfheri, Kotapolt, Vuichart and Kisalolt present, but so too was Count Uogo, as well as a number of men from amongst the dependants of Freising (*familia*) who acted as witnesses. Heriric the priest transferred several estates to the church of Freising. First of all, there were two servile farmsteads in Haberhof, one with six and a half yokes of land, the other with only two and a half yokes. Heriric had previously bought these farmsteads, one apiece from the cleric Megilo and a *servus* named Arnold. In addition, there was the property Heriric had received from Pero, the son of his brother Heilric, as a share of the *patrimonium* (i.e. probably the paternal estate) for himself and his brother Diotpert: this was a farm with a plot of land one yoke in size, and half a farmstead (*huba*) in a second place, in Giggenhausen. Finally, Heriric also gave nine yokes of land that he had acquired from another cleric named Perahard and from his wife and son: these were two farms and three servile farmsteads together with arable land, buildings and orchards in Sünzhausen. Heriric transferred all of this to the church of St. Mary and St. Corbinian in Freising through the hands of his *advocatus* Rihhar. In return, Bishop Abraham gave to the priest Heriric two estates in Pellhausen, with two

[82] For a social history of Bavaria up to the turn of the millennium: T. Kohl, *Lokale Gesellschaften. Formen der Gemeinschaft in Bayern vom 8. bis zum 10. Jahrhundert*, Mittelalter-Forschungen 29 (Ostfildern: Thorbecke, 2010); and for priests and their churches, see ibid., pp. 204–69; for the Carolingian period, cf. also T. Kohl, 'Presbyter in parochia sua: Local Priests and Their Churches in Early Medieval Bavaria' in S. Patzold and C. van Rhijn (eds.), *Men in the Middle. Local Priests in Early Medieval Europe*, Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde 93 (Berlin: De Gruyter, 2016), pp. 50–77; S. Esders and H. J. Mierau, *Der althochdeutsche Klerikereid. Bischöfliche Diözesangewalt, kirchliches Benefizialwesen und volkssprachliche Rechtspraxis im frühmittelalterlichen Baiern*, MGH Studien und Texte 28 (Hanover: Hahnsche Buchhandlung, 2000).

[83] For this genre, see Dendorfer, 'Bayerische Traditionsbücher', pp. 335–40.

[84] T. Bitterauf, (ed.), *Die Traditionen des Hochstiftes Freising 2: 926–1283*, Quellen und Erörterungen zur bayerischen und deutschen Geschichte NF 5 (Munich: C.H. Beck, 1905, repr. Aalen, 1967).

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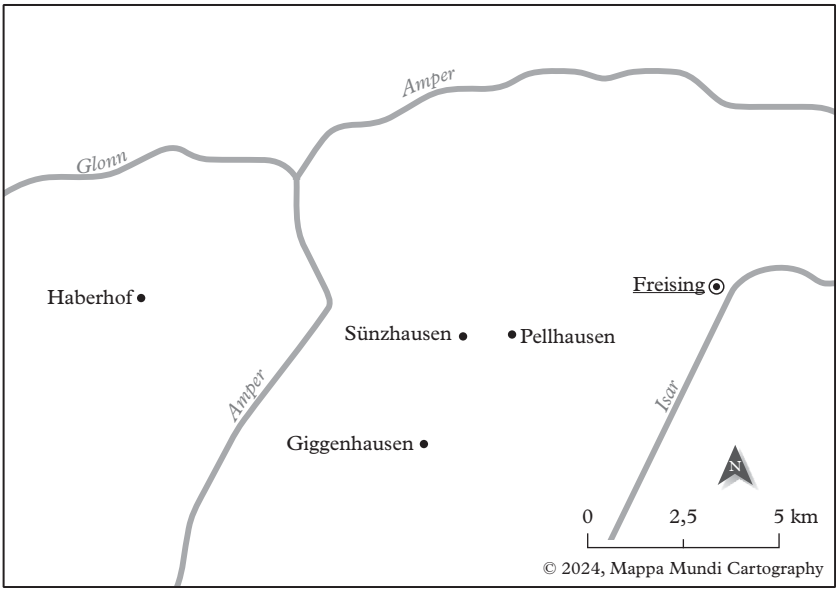


Fig. 2.1 Indicative map of Herirics's lands. Created by Erik Goosmann.

farmsteads (*hubae*) and twenty-seven yokes of arable land, plus nine yokes of forest, which belonged to Sünzhausen, expressly as Heriric's own property and free for him to do with as he wished.[85]

All the places named in the text were located less than a day's journey from Freising, in the west of the bishop's see (see Fig. 2.1). However, the journeys to Giggenhausen and especially Haberhof were considerably further than those between Pellhausen and Sünzhausen.

The interest that the priest Heriric had in this exchange is therefore obvious: through the deal with the church of Freising, Heriric condensed his property by concentrating it in Pellhausen and in the forest of Sünzhausen, located less than two kilometres away. In contrast, the interest of Bishop Abraham and Freising in the exchange is not readily apparent. It is possible that Freising received a slightly more or better quality land overall (arable land instead of forest); it is also possible that the acquired property was in the neighbourhood of other Freising estates. It is also noteworthy that Heriric travelled about 50 kilometres, that is, more

[85] Freising, no. 1286: 'in proprium et quicquid exinde libuerit faciendum retradidit'.

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than a comfortable day's journey, south into the Isar valley to the monastery of Schäftlarn for this transaction.

In Heriric we see a priest who clearly had his own economic *Spielraum* and was able to use it to his advantage. He could buy goods from other clergy and laymen since he came from a wealthy family and had his own *patrimonium* (a specification which – as we have seen – was significant in terms of canon law). With these purchased and inherited goods, Heriric was able to carry out an exchange with his bishop, which concentrated his property more strongly in one place and therefore made it much easier to administer.

In the charter, Heriric is referred to as *quidam eiusdem ecclesie presbiter proprius*, 'a *proprius* priest of this church [of Freising]'.[86] From the adjective *proprius*, historians have deduced a property relationship: and from this, a lack of freedom of the many Freising priests who are described in this way. However, Heriric's economic potential does not fit this assessment, nor does his strategic action or his wide spatial scope of action, which reached at least as far as Schäftlarn.

In fact, in the Freising documents of the tenth century, an astonishing number of priests and clerics were designated as *proprius presbyter* or *proprius clericus* of the Freising church: it is by some distance the most common way in which clerics who exchanged property with Freising were classified in the *traditiones*.[87] Conversely, only in very few cases is a cleric explicitly referred to as *nobilis*. Under Bishop Lambert († 957), a *clericus nobilis* is mentioned once,[88] and a confirmation document of Abraham for a transaction that had taken place during the time of his predecessor Lambert talks about a *nobilis diaconus Ratoldus*.[89] Later, a *nobilis diaconus nomine Ruodheri* and a *nobilis clericus Ruodharius* appear in exchanges.[90] The *nobilis presbiter* Ratold (who might be the same as the aforementioned deacon Ratold at Lambert's time) exchanged goods with Bishop Abraham in the 980s and 990s and also donated land to Freising under Bishop Gottschalk; however, Ratold was clearly not a local priest but belonged to the Freising cathedral clergy.[91]

Most other priests and clergy are referred to as *presbyteri* or *clerici proprii* of the Freising church. It is questionable, however, whether the adjective

[86] Freising, no. 1286.
[87] Cf., e.g., for the period between 957 and 972: Freising, nos. 1171, 1176, 1186, 1194, 1203; for the years between 972 and 976: no. 1232; for 977 up to 981: nos. 1256, 1263, 1269, 1270, 1274; for 971x994: no. 1293, etc.
[88] Freising, no. 1116. [89] Freising, no. 1155. [90] Freising, nos. 1177 and 1275.
[91] Freising, nos. 1287, 1288 and 1316.

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proprius really did indicate a relationship of ownership and thus indicates the unfree status of the clergy involved. After all, royal and canon law forbade ordaining unfree persons to the priesthood.[92] While there may have been some unfree priests – a hypothetical such case, often cited by historians, was discussed and then strictly forbidden at a council at Hohenaltheim in 916 – it would be somewhat surprising to find them as a rule nearly everywhere in the diocese of Freising.[93] A clue to solving this puzzle is provided by a priest named Ellinpreht, who exchanged goods with Bishop Abraham twice between 972 and 976. In one document, Ellinpreht is only referred to as *quidam eiusdem aecclesiae presbiter* ('a certain priest of this church'),[94] but in the other as *eiusdem ęcclesię proprius prespiter* ('a *proprius* priest of this church').[95] It is likely that both formulations were simply synonymous with each other.

Another observation can be made in support of this. Between 981 and 994, a cleric named Zeizmunt exchanged a farm of ten yokes in Giesing with Bishop Abraham in return for a farm of nine yokes in Bogenhausen. The scope of the exchange was markedly smaller than in the case of the priest Heriric. Interestingly enough, Zeizmunt is explicitly referred to as *quidam clericus Frisingensis ęcclesię servus* ('a cleric, a serf of the church of Freising'), an unusual formulation within the corpus. Moreover, Zeizmunt did not receive the exchanged property in perpetuity, but only for his lifetime (*perpetuo tenendum*).[96] In other words, there is indeed evidence of one unfree cleric in the Freising documents for our period of investigation. But Zeizmunt was a *clericus*, that is, probably a cleric in lower orders, not a priest; his status as unfree was not marked by the fuzzy adjective *proprius*, but by the legally unambiguous qualification as *servus*.

Thus, we may want to interpret the adjective *proprius* not as meaning 'belonging to' in the sense of unfreedom, but in another way. The clerics and priests described this way were probably clergymen who served in churches that belonged to the diocese of Freising. This interpretation is supported by the following case: between 981 and 994, Bishop Abraham exchanged goods in Föhring (about thirty kilometres south of his episcopal see) with a certain Isanhart, who is described as *proprius clericus aecclesiae*

[92] Cf. already Leo I (JK 402), PL 54, ch. 1, col. 611; and Louis the Pious's eighth capitulary, MGH Capit. n.s. 4.1, no. 8 (818/19), c. 6, pp. 82–4.

[93] Council of Hohenaltheim (916), MGH Conc. 6.1, c. 38, pp. 39–40. The imagined priest in question seems to have been a domestic chaplain, rather than a local priest (as noted in Patzold, *Presbyter*, p. 220, n. 235).

[94] Freising, no. 1212. [95] Freising, no. 1232. [96] Freising, no. 1297.

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sancti Stephani, that is, as Weihenstephan's 'own (*proprius*) cleric'.[97] The adjective *proprius* cannot therefore refer to membership of the Freising diocese; rather, it must refer to activity at a church which belonged to Freising as its property (or, as in Isanhart's case, of another institution, in this case, the monastery of Weihenstephan). If this interpretation is correct, then the clerics and priests who are qualified as *proprii*, such as Heriric, were – unlike the *clericus servus* Zeizmunt – by no means personally unfree. They performed their service in churches that stood on land that was property of the bishopric of Freising. Put simply, the *clerici*/*presbiteri proprii* belonged exactly to the group of clergymen who are the focus of this book.

In addition to several *clerici* and the *presbyter* Heriric, a total of seven other priests are mentioned as exchange partners in Freising documents during the time of Bishop Abraham (957–994).[98] Most cases correspond to what we have seen in the case of Heriric. As a rule, the priests as well as the bishop are represented in their legal transactions by an *advocatus* (only in the case of the priest Madalbert by a *tutor*).[99] The dimensions of the transactions are also comparable, even if we seldom see as much detail about the origin of the property as Heriric's case includes. Between 957 and 972, for example, the priest Madalbert exchanged his own property (*proprietas*) in four places, totalling three farmsteads, four *hubae* and eleven yokes of land, thirty yokes of meadow and forty yokes of forest with all appurtenances and all income, for a property of comparable size in Itzling.[100] Here, too, we can sense the priest's interest in concentrating his property in a single place. The transfer again means free possession: Madalbert expressly receives the right to possess the goods 'as his own (*proprietas*), to sell them, to exchange them and to do with them whatever he wants'.[101] If the exchange was in line with ecclesiastical law, then the *proprietas* that Madalbert exchanged could not have been church property, but only his own inheritance.

Incidentally, the same Madalbert exchanged properties with Bishop Abraham once more in the same period. And in this case, too, the same tendency to concentrate property geographically is in evidence. This time Madalbert gave estates in the quite distant Großrohrsdorf and in

[97] Freising, no. 1292.
[98] Ibid., nos. 1186 (Madalbert), 1194 (Madalbert), 1201 (Reginfred), 1203 (Engilpold), 1207 (Dietrih), 1212 (Ellinpreht), 1232 (Ellinpreht), 1269 (Hadarih) and 1270 (Rihker).
[99] Ibid., no. 1186. [100] Ibid.
[101] Ibid., p. 104: '[. . .] evis temporibus in proprietatem possidendum vendendum commutandum et exinde quicquid libuerit faciendum'.

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Hohenkammer in exchange for estates of the same size, located in Haindlfing – less than a kilometre away from Itzling, where Madalbert had already acquired Freising estates through his first exchange.[102]

All in all, the Freising exchanges, limited as they are in their perspective on the economic actions of priests, clearly show that at least some tenth-century priests had economic *Spielraum* and knew how to use it: they had sufficiently large resources of their own (*proprietas*/*patrimonium*) to buy goods or to exchange them in such a way that they could concentrate and bundle their property spatially. Many of the priests attested in the Freising charters turn out to be relatively well-endowed landowners with scattered property in several places, which could be located at remarkable distances from each other. And we should further reckon with the possibility that our charter material only shows a part of the property that these priests really had at their disposal, simply because only the part that was exchanged is mentioned in the documents.

In addition to all this, there was also the priest's church with its endowment of tithes. For the diocese of Freising, there survives a description of the parish of Hohenegglkofen, which lay more than forty kilometres northeast of Freising. The document dates probably from the last decade of the tenth century. According to this description, the parish church in Hohenegglkofen was assigned the tithes from no fewer than fourteen *villae,* concentrated within a radius of about 2–3 km. Evidently, this parish was already conceived of as a territory. It is defined in the text by a boundary description mainly based on the courses of streams and rivers.[103] We do not know exactly how many farms were located in the fourteen *villae.* But if we assume that there were between five and ten farmsteads in each one, then the priest of Hohenegglkofen was personally entitled to one-third of 10 per cent of the income of between 70 and 140 farms. This was somewhat more than what two to three farms produced in total per year: a very comfortable living for the priest.

Only in very few cases does the Freising material reveal other transactions in which the priests of the diocese were involved. One such exception is a case involving the priest Wezil. At some point in the 980s or early 990s, Wezil transferred to the altar of St. Mary (i.e. the cathedral church of Freising) a group of *cerarii* whom he himself had previously received from the late priest Antricus. Uosprin, Rihkart and Lantrad received their freedom, but had to pay one *denarius* per year to Freising; Albuin and

[102] Freising, no. 1194. [103] Freising, no. 1313.

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Pero, together with his young children, were also freed, but had to pay an annual due of three *denarii*.[104]

From the same period dates a purchase made by the priest Waldman in Sünzhausen. The document has survived as a single sheet that was inserted into the Freising cartulary, but also as a copy in the separate *Codex Egilberti*. It records that Waldman had bought several smaller pieces of land in Sünzhausen from a whole group of sellers: four yokes of arable land from one, two yokes of meadow from another, two yokes and a farm from yet another seller and so on.[105] This note has only been preserved by chance in the context of Bishop Abraham's exchanges, to which it does not actually belong. It gives us a rare insight into the small, local purchases of a priest before the sum of these goods, in turn, became relevant for an exchange or another transaction with the bishopric of Freising.

No other place in the East Frankish realm has charter material as rich as Freising's in this period. In the see of Regensburg, for example, the transmission of charter evidence breaks off at the beginning of the tenth century; after that and up to the turn of the millennium, no more than five documents issued by Regensburg's bishops have survived.[106] From the last quarter of the tenth century, however, the *traditiones* from the cathedral monastery of St. Emmeram in Regensburg increase.[107] In the early eleventh century, we see two transactions by clergymen, each of which served in its own way to provide for old age. When the priest Chadalhoch fell ill in the 1020s, he transferred his *proprietas* in Türkenfeld to his relative, the *nobilis vir* Adalpert; he was to transfer it to St. Emmeram on condition that Chadalhoch, if he recovered, would be admitted to live as a monk in the monastery; if he died, he was to receive the same prayers by the St. Emmeram monks as if he had made profession there. After the priest's death, his relative Adalpert did indeed make the donation to the monastery; it was recorded as a *traditio* and thus passed down to us.[108]

A little later, at the beginning of the 1030s, a *clericus* named Pecili gave the monastery two holdings (*hubae*) in Sarching. In return, he was to receive annually until his death two pieces of cloth (one of wool, the other of linen), five bushels each of wheat and rye, two pigs from which one could make bacon, ten jugs of wine, a *carrada* of beer, plus kindling and wood, as well as thirty *denarii*, all at St. Emmeram's expense.[109] In the long tenth century, there was no health insurance, no defined retirement age and no homes for the elderly. Thus, for clergy outside monasteries and

[104] Freising, no. 1301. [105] Freising, no. 1311. [106] St. Emmeram, no. 192–6.
[107] St. Emmeram, no. 201 ff. [108] St. Emmeram, no. 329. [109] St. Emmeram, no. 415.

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collegial churches, deals such as those negotiated by Chadalhoch and Pecili were a suitable way of providing for illness and old age. Such contracts by local priests may therefore have been concluded more frequently, even if they have been preserved only rarely.

For Saxony, the transmission of 'private' charters in our period is extremely limited. However, a glimpse is provided by the *Vita* of Bishop Meinwerk of Paderborn († 1036). The text was not written until in the late twelfth century, but the hagiographer seems to have summarised some documents in his work, within which contemporaries of the saint transferred their properties to the church of Paderborn in the early eleventh century. Three of these donations were made by the priests Waldier, Wulfdag and Wecil. Unlike the other clerical donors, these priests were not identified by the hagiographer as members of Paderborn's cathedral chapter, and they might have been local priests. Each of them donated a piece of land and received from Bishop Meinwerk other properties in exchange during their lifetime. In this way, Waldier obtained a church at Detmold with six *Morgen* of land (a *Morgen* was approximately half the size of a football pitch), as well as a horse valued at one talent (256 *denarii*). Wulfdag received a church at Pömbsen with its appurtenances and part of the church at Bellersen to use in his lifetime; should he die before his mother, then she was to receive a pension (*annona*) at Pömbsen from the bishop until she died. And finally, as the countergift for his donation, the priest Wecil received an (evidently dependant) family in Rickersen.[110]

Waldier, Wulfdag and Wecil were hardly poor and impoverished wretches. They leveraged their economic resources for their own benefit. Through their grants to Paderborn, they secured their spiritual salvation, but they also improved their personal circumstances during their own lifetimes, and Wulfdag, moreover, assured his mother of care in her old age.[111] We cannot say for sure whether Waldier and Wulfdag carried out their ministry at the churches that they received in exchange for their donations as *beneficia*. Yet, the specification that Wulfdag's mother should receive her *annona* at Pömbsen, the site of Wulfdag's church, could suggest that this was where the priest lived.

If we look to the areas west of the Rhine and further south, for many ecclesiastical institutions the number of extant charters grows from about the middle of the tenth century onwards. For instance, to take a somewhat

[110] *Vita Meinwerci episcopi Patherbrunnensis*, G. M. Berndt (ed.), MittelalterStudien 21 (Munich: Fink, 2009), cc. 36–8 [XXXVIII–XL], p. 116; as for the dating of the text, cf. ibid., pp. 20–4.

[111] On priests and their mothers, see Chapter 3, pp. 94–104.

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arbitrary example, the charters of the cathedral churches of Limoges[112] and Nîmes[113] in southern France show local priests in a number of contexts. Their kinship relations will be discussed in Chapter 3, but here we may note that local priests not only exchanged goods but could engage in a wide range of transactions – that is, they could also buy[114] and sell[115] estates, give them as gifts[116] or grant them as leases on a wide variety of terms.[117] Priests, thus, appear to be among the local landowning elites, able to transact the same business as their lay relatives and their wider local environment.

While charters show clearly that priests enjoyed economic agency and *Spielraum*, they hardly ever mention priests' expenditures. However, as we have seen, all priests also had regular costs. We owe to a charter dated to around 970 an extremely rare insight into one sort of expense; and here, too, we see that priests could pursue their own interests. The document deals with fees that were due (or not) from a 'chapel of St. Marcellinus'. The *notitia* that survived in Fleury, in the Loire valley, tells of how two monks named Leotald and Girbold travelled on behalf of the monastery to a diocesan synod of Bishop Ado of Mâcon (for diocesan synods, see Chapter 4 below). There, Leotald and Girbold argued that they did not owe the bishop dues (*episcopalis receptio*) for this church of St. Marcellinus, because this church was a chapel and not a baptismal church (here called a *vicus publicus*). According to the two monks, Fleury still had to pay fees (*exenia*) and another due (*servitium)* at other places. The synod confirmed that the monks were right, and Bishop Ado forbade his successors to ever again demand the *receptio* from St. Marcellinus.[118] The efforts that the monks of Fleury went to in order to prove that the church of St. Marcellinus was, in fact, merely a chapel, and thus not liable to the dues owed by parish churches, suggest how significant these dues might be.

2.4 Changes Before ca. 1050

How did the economic conditions for priests change in the course of the tenth and the beginning of the eleventh centuries? In the search for an

[112] J. de Font-Réaulx (ed.), *Cartulaire du chapitre de Saint-Étienne de Limoges*, Bulletin de la Société Archéologique et Historique du Limousin 69 (Limoges: R. Guillemot et L. de Lamothe, 1922).
[113] E. Germer-Durand (ed.), *Cartulaire du chapitre de l'église cathédrale Notre-Dame de Nîmes* (Nîmes: A. Catélan, 1874).
[114] Cf. Saint-Étienne de Limoges, no. 174 (152) (second quarter of the ninth century).
[115] Nîmes, no. 11 (908). [116] E.g. Nîmes, nos. 27 (925); 29 (926); 46 (944); 53 (956), etc.
[117] Cf., e.g., Nîmes, no. 107 (a. 1009).
[118] M. Prou and A. Vidier (eds.), *Recueil des chartes de l'abbaye de Saint-Benoît-sur-Loire* 1, Documents publiés par la Société archéologique du Gâtinais 5 (Paris: A. Picard, 1907), no. 58, p. 143.

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answer to this question, legal sources such as canons help us only to a limited extent. Canon law tended to be conservative: whatever had found its way into one of the many collections of canons and decretals as a decision of bishops at a synod or as a papal order remained available for centuries and could be used as an argument in any dispute. The old codices of canonical collections continued to be available in libraries. Moreover, not only did the capitularies of Carolingian kings and emperors continue to be copied and reproduced in the long tenth century,[119] but so too did the episcopal *capitula* of the Carolingian period (as Chapter 5 explores in more detail).[120] Regino's collection, for example, which contained numerous canons of ninth-century councils, continued to be copied and influenced later canonical collections,[121] such as that made by Bishop Burchard of Worms in the early eleventh century.[122] The aforementioned canons of the Trier provincial synod from the late 920s, which were essentially based on Ruotger's *capitula*, have come down to us only in a copy from the second half of the eleventh century; even then, they must have been of interest for the person who had this copy made.[123]

Most of the texts that contemporaries of the long tenth century read as canons and decretals were therefore not fundamentally different from what could have been read in the many canonical compilations of the time around 850. This does not mean, however, that the economic practice of local priests remained unchanged. It is true that the old legal norms continued to be considered binding; however, they regulated a world in which economic practice, sources of income and, thus, also the economic position of local priests and their scope for action had changed.

In a recent article, Steffen Patzold has shown for the dioceses of Freising and Mâcon that the way tithes were dealt with changed during our period of study. From the end of the ninth century, tithing rights in these two dioceses began to be separated from the churches to which they originally belonged, and sometimes also divided up into smaller parts; either the entire tithe or only parts of it were then used as objects for exchanges and

[119] Cf. S. Patzold, 'Capitularies in the Ottonian Realm', *Early Medieval Europe* 27 (2019), pp. 112–32.

[120] See Chapter 5, p. 197.

[121] Regino of Prüm, *Sendhandbuch*, MGH CC 1.1, pp. xxviii–xxxviii.

[122] A digital edition of the *Decretum* is currently in preparation as a project for the *Akademie der Wissenschaften und der Literatur Mainz*, led by I. Baumgärtner, K. Herbers and L. Körntgen (www.adwmainz.de/projekte/burchards-dekret-digital/informationen.html). In the meantime, the best edition remains Burchard of Worms, *Decretorum libri XX*, G. Fransen and T. Kölzer (eds.) (Aalen: Scientia-Verlag, 1992).

[123] Wien, Österreichische Nationalbibliothek, Cod. 1529 (olim theol. 324).

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other transactions. Such practices are virtually undocumented for the eighth and ninth centuries in these two dioceses. It is significant that the impetus for this new development did not come from lay owners who had usurped the rights of their own local churches or other places of worship. Rather, the most important impetus for the separation of churches and tithing rights came from the bishops themselves, who sought through this channel to provide less well-endowed local churches with a constantly renewed source of income. They granted tithes, or portions of them, to allow these churches to be available for worship and pastoral care in an appropriate, honourable manner.[124]

Comparable transactions of tithes can also be observed elsewhere. As in the case of Freising, the documents of the ninth and early tenth centuries from Saint-Barnard de Romans (about a hundred kilometres south of Lyon) rarely mention a church tithe. There are references to 'tenths' (*decimae*), but these do not seem to refer to a church's tithe. For instance, in a charter dated to 889, a 'little holding' (*mansiuncula*) in Annonay is mentioned as part of an extensive donation to the community. The charter also lists its appurtenances: 'a yard and a garden and an exit route (*exevum*), with vineyards, fields and meadows, woods, with tithes, cultivated and uncultivated land'.[125] These accessories include a reference to *decimae*, but since the donation does not include a church, the *decimae*, listed between forests and farmland, probably refers not to a church tithe, but a seigneurial levy of 10 per cent. Similarly, a certain Teubrannus donated property in the *villa* Gervanciaco to Saint-Barnard de Romans in November 908. In this case, the list of appurtenances runs as follows: 'with houses and huts (*casaricii*), vineyards, fields, meadows, woodlands, *decimae*, fruit trees and other trees, still and running waters: all things and everything, which belongs or is seen to belong to that church or that *villa*'.[126] Here a church is mentioned, but the position of the *decimae* in the document, between woodlands and fruit trees, suggests that they could well be a seigneurial levy, too.

The earliest document for Saint-Barnard de Romans in which a church is expressly granted with an unambiguous tithe, 'cum decimis et

[124] S. Patzold, 'Tithes in the Long Tenth Century. The Example of the Dioceses of Freising and Mâcon', *Frühmittelalterliche Studien* 57 (2023), pp. 295–314.

[125] Saint-Barnard de Romans, no. 4: 'cum curte et orto et exevo, cum vineis, campis et pratis, silvis, cum decimis, terra culta et inculta'.

[126] Saint-Barnard de Romans, no. 7: 'cum casis et casaricis, vineis, campis, pratis, silvis, decimis, arboribus pomiferis et inpomiferis, aquis aquarumque decursibus; omnia et ex omnia, quicquid ad ipsam ecclesiam [a]ut ad ipsam villam aspicit vel aspicere videtur [. . .]'.

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presbiteratis et omnibus apendiciis suis', dates from 975.[127] As in the Freising charter material, the wording suggests that when the church was granted, the tithe had to be mentioned separately, because it could, in principle, also be transferred separately. A similar formula can then be found in further charters for Saint-Barnard from 978, 990 and 997.[128] In a document from 1049, for the first time, *primicia* ('first fruits') are added as accessories of the church; moreover, a third of the tithe is split off and treated separately.[129] In 1062, a church is transferred with half of its tithe, and yet another with two-thirds of its *decimae*.[130]

In view of this development, it is probably no coincidence that Aimo of Fleury discussed church tithes in his *Vita* of Abbot Abbo, written between 1005 and 1022. According to his account, tithes were a central theme at a council for the province of Sens held in 993 or early in 994 at the monastery of Saint-Denis. Aimo's monastic perspective is evident. In his view, Abbo was working on God's behalf against the bishops and their designs. The bishops at Saint-Denis had, Aimo relates, planned to take tithes away from both laity and monks. From Aimo's perspective (and perhaps also Abbo's), these tithes simply belonged to whoever owned the churches. Unfortunately, as a piece of hagiography, Aimo's account is not very precise.[131] We cannot therefore be sure whether the discussion at Saint-Denis was over demesne tithes (known in Germanophone scholarship as *Salzehnten*), that portion of tithes which had been allocated to property owners since the ninth century to pay for the maintenance of the church and care for the poor;[132] whether it was about the quarter of the tithes earmarked for the church fabric; or whether Abbo (or Aimo) truly assumed that the entirety of the tithe of a church owned by a lay person or monastery should be at the owner's free disposition. But the latter is at least feasible in view of the tenth-century developments that we have been tracking.

In the longer term, this process affected not only tithes but also other sources of income generated at local churches. In ninth-century episcopal

[127] Saint-Barnard de Romans, no. 42.
[128] Saint-Barnard de Romans, nos. 43, 49, 62 and 70.
[129] Saint-Barnard de Romans, no. 89.
[130] Saint-Barnard de Romans, nos. 118 and 119.
[131] Aimoin, *Vita et passio sancti Abbonis*, in R.-H. Bautier and G. Labory (eds.), *L'abbaye de Fleury en L'an mil*, Sources d'histoire médiévale 32 (Paris: CNRS éditions, 2004), ch. 9, p. 70: 'In illis diebus sane in monasterio Sancti Dyonisii haud procul Parisius, concilium aggregatum est quamplurium episcoporum. Qui cum de fidei puritate, de corrigendis tam suis quam subditorum pravis moribus sermocinari debuissent juxta vulgare proverbium cunctum suum sermonem ad decimas verterunt ęcclesiarum; quas laicis ac Deo servientibus monachis auferre moliti, resistente eis in hac re hoc venerabili Dei cultore Abbone, promiscuam in se vulgi concitavere manum'.
[132] On this, see G. Patt, *Studien zu den Salzehnten im Mittelalter* 2 vols., MGH Schriften 67 (Wiesbaden: Harrassowitz, 2014).

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capitula, bishops had regularly emphasised that the clergy were not allowed to receive a fee for their spiritual service: in fact, the administration of sacraments in return for payment would be tantamount to simony. As Regino and Ruotger stated, no priest was allowed to demand a fee for what he did while exercising his spiritual *servitium.* However, a priest was allowed to accept gifts and donations from the faithful, provided they were offered to him spontaneously and voluntarily. We have seen that Ruotger of Trier and Regino of Prüm still advocated this principle in the early tenth century.[133]

From the eleventh century, however, these voluntary offerings made by the faithful for the services of their priest seem to have been increasingly formalised. In the end, they were transformed into fixed, tax-like dues that the faithful had to give to their priest; and they too could now be listed in transactions of churches, singled out as a source of income to a local church and as such made the object of all kinds of transactions.[134]

A good example of this is the *sepultura*, the due for burying the dead in the cemetery of a church. In the Carolingian empire of the eighth and ninth centuries, people buried their dead in many different places. One possibility was burial *ad sanctos*, at (or even in) a church, but there is also archaeological evidence of 'Hofgrablegen', that is, burials on the grounds of individual farmsteads, and there were burials by the roadside.[135] It was only in the course of the tenth century that the common practice of burying the dead in a shared cemetery near the local church emerged in the Frankish lands (and for that matter in England, too).[136]

In the numerous documents of the monastery of Cluny from the tenth century, we begin to see in dozens of cases that individuals secured the right to secure their final resting place in the salvific monastery by means of

[133] Cf. p. 65.

[134] For an overview from the ninth up to the twelfth century, see Wood, *Proprietary Church*, pp. 478–512.

[135] Cf. H. Steuer, 'Adelsgräber, Hofgrablegen und Grabraub um 700 im östlichen Merowingerreich: Widerspiegelung eines gesellschaftlichen Umbruchs' in H. Steuer, H. U. Nuber and T. Zotz (eds.), *Der Südwesten im 8. Jahrhundert aus historischer und archäologischer Sicht*, Archäologie und Geschichte 13 (Stuttgart: Thorbecke, 2004), pp. 193–217, at pp. 196–7; C. Lobinger, *Hofgrablegen und Separatfriedhöfe des frühen Mittelalters aus dem Isarmündungsgebiet: Grabgruppen der Jüngeren und Späten Merowingerzeit aus dem Landkreis Deggendorf*, Beiträge zur Archäologie in Niederbayern 5 (Büchenbach: Dr. Faustus, 2015).

[136] The fundamental studies are: C. Treffort, *L'Église carolingienne et la mort: Christianisme, rites funéraires et pratiques commémoratives*, Collection d'histoire et d'archéologie médiévales 3 (Lyon: Presses Universitaires de Lyon, 1996); M. Lauwers, *Naissance du cimetière: lieux sacrés et terre des morts dans l'Occident médiéval*, Collection historique (Paris: Aubier, 2005). Cf. J. Blair, *The Church in Anglo-Saxon Society* (Oxford: Oxford University Press, 2005), pp. 463–71 (and entry for 'cemeteries' in Blair's index).

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donations; in a sense, they bought a burial for a relative or for themselves in Cluny.[137] It is during the abbacy of Maiolus, and therefore no later than 980, that we find the earliest document from the monastery's archive in which the pertinence formula of a local church no longer lists only the tithes but also the *sepultura*, that is, the income from the burials (and incidentally also the *oblationes*, i.e. the other 'voluntary' gifts of the faithful).[138]

The next three records of this kind from Cluny date to the 1030s. In 1037, for example, a certain Gausmar and his wife Leotgardis made a deal with the monastery of Cluny: the couple gave a church they had inherited (*ex nostra hereditate*) in the town of *Juviliaco* in the diocese of Mâcon to the monastery. Cluny received the church 'with the entire parish' (*cum tota parrochia*) – but with a significant restriction: as long as Gausmar and Leotgardis were alive, they kept the church for themselves. For the investiture (*vestitura*) of the church, however, they gave the entire income from the burials (*sepultura de ecclesia ex integro*) and two bushels of wine annually, as well as the tenth part of all their own income. Only after Leotgardis' death should the church pass in its entirety to Cluny. But that was not all: if it should be economically necessary (*si necesse fuerit*), Gausmar and Leotgardis were also to receive the *sepulture beneficium* back from Cluny for life.[139] As this complex transaction shows, not only the tithe but also the *sepultura* could now be detached from a church and used individually as object for business of various kinds.

At the end of this process, a church was no longer, firmly and as a matter of course, conceived of in the charters as automatically linked to a full portfolio of income for the priest and his clergy, the provision for guests and the poor and the upkeep of the church building. Instead, parts of the tithe income, parts of the landed property, the priest's farm free of any dues and services, the *sepultura*, the oblations and the income from a single altar could all now be negotiated and transferred separately. Thus, in the mid-1050s, a document from Cluny presents a church in the diocese of Autun as follows: 'the church in the *villa Vitriaco*, with all that belongs to this church, namely *cum primitiis, decimis, sepultura, cimiterio, presbiteratu* and whatever this church has at present and shall have henceforth'.[140] In a document of 1052, the knight (*miles*) Gausfred granted the monastery of Marmoutier 'a church in the place *Creretum* [perhaps Querré], with all that belongs to it, with all the gifts and with the burial and with all that

[137] Cf. Cluny, nos. 126, 151, 167, 182, 567, etc. [138] Cluny, no. 1529. [139] Cluny, no. 2914. [140] Cluny, no. 3351.

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belongs to the altar and half the tithe'.[141] In another donation to Marmoutier involving churches, this time dating from 1055, the appurtenances are listed in even more detail: 'Namely all the burial rights and the offerings in their entirety, with all the other small things which those who serve the altar are seen to have. The same brothers also added to this donation an excellent measure of land near the church of St. Salvator, and half the complete tithe of the yield (*annona*) of the whole island'.[142]

Around the year 800, baptismal churches had been conceived of as a fixed package. Accordingly, in extant charter evidence, rights and revenues were rarely listed separately or in detail. Around the middle of the eleventh century, in contrast, those involved in the production of such documents saw local churches as rather loose bundles of different sources of income, each of which could become the subject of transactions or even be split up into smaller parts still. It is tempting to see in this process yet another kind of formalisation and reification that Charles West has seen as central to the transformation of the Carolingian world during the tenth and eleventh centuries.[143]

2.5 Conclusion

What did the ever finer classification of the individual sources of income and the possibility of their splitting and division mean for the priests who served at these churches? What consequences did this new perception of churches have for the clergy's economic *Spielraum*? Unfortunately, we cannot answer this question concretely using the example of a single priest and his church: our documentation is too meagre, and the individual fragments of information are too geographically scattered for us to be able to observe a local church and its priests at close quarters over a long century. However, it is at least possible to observe the gradual

[141] C. Giraud, J.-B. Renault and B.-M. Tock (eds.), *Chartes originales antérieures à 1121 conservées en France* (Orléans: Institut de Recherche et d'Histoire des Textes, 2010), no. 3262, http://telma.irht.cnrs.fr/outils/originaux/charte3262/: 'aecclesiam quandam in loco qui dicitur Creretum sitam, cum omnibus quę ad eam pertinent, offerendis omnigenis et sepultura, et omnibus quę ad altare pertinent, dimidiaque decima'.

[142] Giraud, *Chartes originales*, no. 1014, http://telma.irht.cnrs.fr/outils/originaux/charte1014/; P. Marchegay (ed.), *Cartulaires du Bas-Poitou, Les Roches-Baritaud* (La Roche-sur-Yon: L. Gasté, 1877), pp. 132–3: '[. . .] sepultura scilicet tota et offerenda ex integro cum ceteris rebus minutis quas qui altari deserviunt habere videntur. Addiderunt etiam idem fratres huic donationi unam optimę terrę mansuram circa basilicam Sancti Salvatoris existentem, sed et, de annona totius insulę, decimę totius medietatem'.

[143] C. West, *Reframing the Feudal Revolution. Political and Social Transformation Between Marne and Moselle, c. 800–c. 1100*, Cambridge Studies in Medieval Life and Thought 4.90 (Cambridge: Cambridge University Press, 2013), pp. 259–60.

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formalisation and reification of rights that local churches and their priests had at their disposal, together with further developments of the tenth century; and on this basis, we can formulate some hypotheses as to how the economic position of perhaps not all but many local priests might have changed in the post-Carolingian world between the river Elbe and the Pyrenees.

First of all, we know that the overall population grew significantly, probably already in the course of the tenth century, but at the latest from the turn of the millennium almost everywhere in Europe.[144] In view of this, it is reasonable to assume that the income of established local churches also grew: where the number of parishioners increased, the income from tithes, burials and oblations also increased; and the number of *cerarii* and their levies probably also grew overall.

However, another development may have somewhat counteracted this increasing wealth of local churches. As we noted in Chapter 1, it is difficult to determine concrete numbers of local churches for the tenth century (though for the region around Autun at the end of the century, see Fig. 1.1). Nevertheless, in many regions, the number of local churches per diocese is likely to have increased with the population, and these new churches were probably not all built for new settlements on cleared land. In the diocese of Tours, for instance, the number of churches within the diocese jumped from 61 known to have existed by 900 to some 271 by 1200.[145] Not all of these 110 new churches would have been built in the tenth century, of course, but it seems beyond doubt that the period did see some increase in the number of churches. Thus, some older churches would also have lost some sources of income in favour of a newly built place of worship.

No matter how the growth of the population and the increase in the number of churches took shape in an individual region, both processes together are likely to have strongly dynamised the interest in churches as sources of income from the decades around 1000 onwards. The income generated by individual churches increased; and as the number of churches grew, so did the economic competition between places of worship. Both processes took place at a time when clergy and laity had already become accustomed to thinking of a place of worship as a loose bundle of different

[144] Johrendt, *Investiturstreit*, pp. 14–15.

[145] E. Zadora-Rio (ed.), *Des paroisses de Touraine aux communes d'Indre-et-Loire: la formation des territoires*, Supplément à la Revue archéologique du centre de la France 34 (Tours: Fédération pour l'édition de la Revue archéologique du Centre de la France, 2008), p. 28.

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sources of income, each of which could be further divided up and negotiated in different transactions. For many local priests, these processes have probably opened up new opportunities for wealth, but at the same time they likely introduced more complexity into everyday life.

To put it in a nutshell: in the eighth and ninth centuries, priests either had to deal with their bishop alone or, perhaps additionally, with one or more owners of the church and the land with which the church was endowed. In 829, the emperor Louis the Pious had already perceived a problem. If the estate of a local church was split up amongst too many proprietors, this could lead to conflicts among the group of owners, causing problems for the upkeep of the church and the local priest. Louis had therefore left it up to the bishops to decide whether or not they wanted to allow such divided ownership of a church in their diocese.[146]

In the tenth and early eleventh centuries, the situation must have become considerably more complex at many local churches, since tithes, oblations and burial rights (or only parts of all these) could now end up in the hands of different owners. We have to assume, therefore, that this further division did not make it easier for priests to maintain the fabric of their church and to fulfil their daily tasks of caring for the poor, receiving guests, training younger clergy and administering pastoral care.

A document issued by one Herveus for the monastery of Saint-Florent de Saumur shows the complexity such arrangements had reached by around the middle of the eleventh century.[147] It is not easy to grasp the situation fully. In the charter, Herveus, son of Burchard, confessed his terror in the face of the threat of the Last Judgement, because he had recognised almost nothing good in himself. But because, according to Jesus' words, alms make everything clean and extinguish sin, just as water extinguishes fire, he – Herveus – had decided to give something to the monks of Saint-Florent for his salvation and the salvation of all his living and dead relatives. Therefore, Herveus transferred his and his father's part of a church in Tremblay to Saint-Florent.

A document of the Carolingian period would not have needed to say anything more. By the middle of the eleventh century, however, the economics of local churches had become considerably more complex. And so the charter goes on to state very precisely what Herveus' part of

[146] S. Esders, S. Kaschke, B. Mischke, S. Patzold, D. Trump and K. Ubl (eds.), MGH Capit. n.s. 4.2 (Wiesbaden: Harrassowitz, 2024), no. 42 (829), c. 2, p. 536.
[147] Giraud, *Chartes originales*, no. 3458, http://telma.irht.cnrs.fr/outils/originaux/charte3458/.

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the church at Tremblay comprised, what other parts there were and which other persons had which kinds of claims to these various parts. Thus, the charter speaks of tithes, the altar, the burial rights and the *presbiteria*, presumably the share from which the priest of the church was originally supposed to earn his living.

So first of all, we learn that Herveus and his father owned half of the tithes, the altar and the burial rights, and that they gave this share to the monks of Saint-Florent. However, Herveus had, in turn, granted parts of his share as leases (*beneficia*) to several other persons (who are unfortunately not named in detail). Moreover, Herveus stipulated that the monks of Saint-Florent were to send one or two brothers from their circle to the church in Tremblay, who were to live and perform their ministry there. And if any of those who had hitherto held parts of the tithes, the income of the altar and the burial rights as the *beneficium* of Herveus wanted to hold these parts in future from the monks in Tremblay, then they should have the right to do so – and not be refused by the monks. To put it simply: Herveus wished all those who received bits and pieces of the income produced by the church of Tremblay to be able to continue to receive it, even if no longer on the basis of a *beneficium* from himself, but now from the monks of Saint-Florent.

Moreover, the document also tells us more about the 'other half of the church' (*altera medietate ejusdem ęcclesię*) at Tremblay. This half had been held by a certain Alfred and Rodulf. Now, both of them also gave their part to the monastery of Saint-Florent, but not in its entirety: 'namely, the entire share of that priest who had recently died' was excluded from their part of the donation, which therefore only included 'half of the third part of the tithe and half of the entire altar and burial rights'.[148] It is not easy to interpret the information given by the charter, but if we take it at its word, the priest had held one-sixth of the tithe income and half of the income of the altar and burial rights. We do not know for sure whether Alfred and Rodulf held the remaining five-sixths of the tithes, but the text at least suggests that they did.

However, the situation was even more complex than that, as the document also introduces the son of the deceased priest of the church at Tremblay. This was a layman called Moyses; and he was yet another player in the game. According to the charter, Moyses himself had held part of the church's income, first from Burchard (the father of Herveus) and then from Herveus himself (i.e. he belonged to the group of those to whom

[148] Ibid.: '[. . .] hoc est medietatem tercię partis de decima, et medietatem totius altaris et sepulturę'.

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Herveus had granted parts of the church's income as a *beneficium).* Remarkably, the charter even states that the former priest (i.e. Moyses' father) had performed his spiritual service to the church 'under' Moyses. After the priest's death, however, Moyses did not simply agree to the transfer of the church to Saint-Florent. Instead, he took the initiative and acquired a full third of the *presbiteria* for himself, probably from the various shareholders; Herveus, thus, only held the other two-thirds. Moreover, Moyses had the monks of Saint-Florent compensate him for the transaction of the church, with a payment of eight *solidi*; in addition, he received a *beneficium* from Saint-Florent and was admitted to the *societas* of the monks.

The three models discussed at the beginning of this chapter simply cannot explain the complexity of such constellations, which are typical of the mid-eleventh century. This is due to the fact that these three models pay attention neither to the tenth century nor to the actions of local priests (and their family members, such as Moyses). The *Eigenkirchen* model rightly emphasises that many churches in western Europe belonged to people and institutions, not only clergy but also laity. But it overlooks the interests and agency of the priests who ministered in these churches, and who, as we have observed, were able to act very purposefully economically. Major economic changes were not initiated and driven solely by a binary conflict between bishops and lay church owners but by the interaction of bishops, local priests and laity.

To understand the situation in the mid-eleventh century, the models of *Lehnswesen* and 'feudal society' are not sufficient either. They rightly emphasise that church land and other sources of income produced at local churches could be lent and sub-leased to lay proprietors in a variety of ways. But both models ignore the local priests as actors and focus instead on the violence and economic interests of the lay regional elites. In contrast, we have observed a process that begins as early as the tenth century, first initiated by bishops and priests themselves, and which forms an essential prerequisite for important changes in the local ecclesiastical economy that we see in the eleventh century: local churches came to be understood as a loose bundle of different sources of income, and these resources could not only be transferred individually in manifold transactions but could also be further divided in turn. This process was initiated by bishops and priests themselves from the time around 900 – by detaching tithe rights from baptismal churches and assigning them to others in order to economically support poor churches (and their priests). The principle proved to be extremely successful: in response to the changes in

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burial practices since the later tenth century, it was applied to the *sepultura* – and soon also to the *oblationes* and other sources of income more widely. The combination of this basic idea with the practice of granting resources as loans produced a world in which complexities such as those at the church of Tremblay in the mid-eleventh century became common practice.

It follows that the 'Gregorian reform' and the quest for the liberation of local churches from the economic grip of the laity did not react directly to a *Eigenkirchen* model that was supposedly institutionalised around 800, nor did it react to a feudal society in which greedy, violent laity regarded churches as yet another economic resource. Rather, it was reacting to ownership of local churches and their assets that, over time, could become so small scale and complex that some local priests could no longer adequately fulfil their tasks. This process can be traced back to the time around 900. However, it only really gained momentum around the turn of the millennium.

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