FEUDALISM: INTERPRETATIVE CATEGORY OR FRAMEWORK OF LIFE IN THE MEDIEVAL WEST?

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As a term of some utility in describing political, social and economic institutions, 'feudalism' still has considerable currency beyond the field of the medieval European West.[1] Nevertheless, its use by historians of the medieval West suggests widespread disagreement over its essential implications, and betrays a tendency to concentrate discussion no longer on the term itself, or on a generalised notion of a 'feudal' society, but upon the various discrete institutions, social practices and customs that make up the medieval societies historians were once happy enough to call 'feudal'. The present review of scholarly usage in regard to 'medieval feudalism' contains two parts. In the first, I illustrate the various often overlapping and competing meanings that historians since the turn of the century have ascribed to the terms 'feudal' and 'feudalism', and in the second I offer some comments on this diversity of opinion.[2]

The list of authors surveyed below is very selective, and is weighted in favour of those who write about France and England. My intention has been to isolate not a succession of watertight definitions of feudalism in the writings selected, but to spotlight the aspects of feudalism or feudal society emphasised in each scholar's discussion. Sometimes a scholar's name will appear under more than one of my 'foci'. This means that the scholar's views changed, or else that his/her conception of feudalism was broad enough to appear under more than one heading.

I. VARIETIES OR FOCI OF FEUDALISM

FOCUS I emphasises feudalism as a question of 'ties of dependence' or vassalage between man and man. Seen in this sense feudalism can characterise a disintegrating polity, or else it can form an important aspect of political reconstruction,

emphasising, for example, the links between kings and their greater subjects. Defined in terms of political power, feudalism is best located under a later focus. The key feature under the present heading is simply the subordination or 'commendation' of freemen to other freemen. The stress here is on a reciprocal relationship and both Roman and Germanic origins are posited. By focusing on this aspect of social relations Alfons Dopsch and D.H. Green can speak of 'Merovingian feudalism': they emphasise the status and rite of commendation of one freeman to another. This focus, which Fourquin seems, for example, to subscribe to, would include Anglo-Saxon thegnship, the Merovingian *antrustio* and other relationships not normally thought of as 'feudal'.[3]

What is the best term to comprehend this notion of 'feudalism'? 'Feudalism' itself is hardly appropriate because its root word, emphasising the land/fee/*feodum* element rather than the tie of dependence itself, is late (eleventh century).[4] 'Vassalage' too is not apt: the term 'vassal', from a demeaning Celtic word, means 'slave' until at least the seventh century A.D. 'Homage relationship' fares no better: the word for 'homage' does not come into currency until c.1020 A.D.+.[5] For similar reasons Maitland's 'vassalism'[6] and the German 'vassallentum' are inappropriate. If one were to adopt coined words, the German 'privatgefolgschaften' or 'private followership', emphasising a retinue-based polity ('retinueism') would come to mind, even though it refers to the phenomenon in rather general terms.[7] 'Chivalry', it might be noted, is an acceptable, though late, term to define the ideology of retinue-followers, but its root element emphasises the role of the horse which is problematic before the Carolingians.[8]

This 'focus', it should be stressed, does not consider the 'fief' to be crucial. An often used illustration is the act of 'homage' which Duke Tassilo performed before King Pippin in 757 A.D. The important passage, in the translation provided by Brian Pullan[9] runs:

> King Pippin held his court [*placitum*] with the Franks at Compiègne; and to that place came Tassilo, Duke of the Bavarians, and he commended himself into vassalage by his hands [*se commendans in vasatico per manus*], and swore many, indeed numberless oaths, placing his hands on relics of saints. And he promised to be faithful to King Pippin and his aforesaid sons, the lords Charles and Carloman, as by law a vassal [*vassus*] of right intentions and steadfast loyalty ought to do, and as a vassal ought to be towards his lords.

The famous advice of Bishop Fulbert of Chartres to William Duke of Aquitaine[10] can also be cited here. Cantor's equation of 'feudalism' with 'lordship',[11] seen as the domination outside the family of one man over another, is, of course, far too broad to be of much use, but fits my first 'focus'.

This concept of feudalism has been specifically criticized,

for example by Bosl, who, following Kuhn, says that the notion of 'loyal followership' based on *commendatio*-vassalage was *not* evident in the Germanic *comitatus* (the classic 'locus' for most historians) but was a construct of the early church.[12] Early Germans, like later Germans, always emphasised the *proprietary* rather than the *personal* aspects of the lands and people available to them.

FOCUS II is consonant with this last position and defines feudalism as a 'system' of 'fief-holding'.[13] The term 'fevum', meaning land, appears, according to research, first in 899 A.D.[14] The term 'feodum', meaning land, but used in contexts not always involving notions of vassal tenure, appears in Germany in the early 1000's and in France and England by the end of that century. This focus sees feudalism as the social, legal, political relations consequent upon the institution of the 'fief', defined as land held in conditional rather than absolute tenure, that is, upon condition of the provision of service. Stenton[15] and Haskins[16] saw feudalism thus defined as the cornerstone of the Norman conquest of England. Ganshof writes, 'The fief, if not the cornerstone, was at least the most important element in the graded system of rights over land which this type of society involved'.[17] This notion stresses feudalism as a system of proprietary landed rights and is derived in the main from legal and judicial records or discussions: court rolls, charters, laws, custumals, inquests, Exchequer records, Pipe rolls, legal treatises (e.g. Glanville) etc. Strayer's 'stage two' feudalism fits this conception.[18] The following example given by Stenton,[19] illustrates the kind of situation that gave rise to systematic legal frameworks, arising from a succession of court cases, that some historians prefer to see as 'feudalism':

c.1150

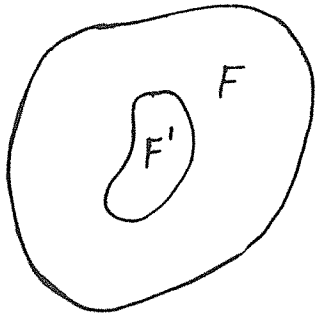
A legal suit at the end of Stephen's reign concerning disputed land, held in the court of William of Roumara, Earl of Lincoln (C) and the lord of

Roger of Benniworth (A)
Peter of Goxhill (B)

Disputed land is F^1, which includes land of Gervase of Halton (D).

F in 1086 was the fee held of Ivo Taillebois by Odo of Benniworth, grandfather of (A):

Judgement:
(D) shall hold his land half of (A) and half of (B). The latter will hold his half of (A) who will hold of (C)
(A) is recognised as the rightful heir of F^1 by (B) and (A).
(A) and (B) have agreed to acquire F^1 'by their common power and their common money'.



[N.B. A subsequent settlement renegotiated these terms: (D) was to hold all his land in his lifetime as he had always held it, and after his death, his land would be held half by (A) and half by (B)]

The Land: (schematic only)

Stenton: 'here, for once, we are brought into the authentic atmosphere of feudalism'.

Notes: at time of suit neither (A) nor (B) were in seisin of any part of the estate at issue. It is not known whether (B) had any claim by inheritance to a share in this fee.
Roger [(A)] is described in the document as being 'put in seisin of the service of Gervase'.
Homage is performed by (B) to (A). (B) is said to hold of (A) 'in fee and inheritance' (*in feodo et hereditate*, i.e. he can bequeath it to his heirs). The actual share of land between (A) and (B) depends on who puts up the most money (until it is paid off or back to the one whose share of money put up was the greater). Tenures held in chief of (C) by (A) and (B) are exempted from this accord, i.e. those they held on the day of accord (i.e., separate from the disputed lands).

This focus alone deserves the appellation 'feudalism' in the sense of a system of elaborated doctrines and procedures based upon a notion of land tenure bound up with the institution of the *feudum* or 'fee'.

FOCUS III maintains that the defining characteristic of 'feudalism' is the union of benefice and vassalage. In this sense 'feudalism' could be described as a system or doctrine of 'beneficiary service', that is, the provision/acquisition of service consequent upon receipt/bestowal of a *beneficium*, which, like its successor the *feudum* or fief, creates a relationship of dependence between giver and receiver.[20] In this classic formulation, 'feudalism' becomes evident in the Carolingian period. At that time the crown, anxious to secure specific military and administrative service, granted land in benefice and progressively specified the service required as a condition of the tenure of the benefice. By the end of Charlemagne's reign, for example, a benefice of 12 *mansi* imposed on a vassal the duty of serving the crown on horseback with the full equipment of a heavily armed 'knight'.[21] Carolingian

legislation, however, reveals this dependent tenure to have been precarious and easily eroded, that is, it was in no sense part of a normal, 'established' system. The legislation reveals a close link between the notions of benefice and vassalage, but Ganshof fails to provide proof of any 'legal' connection. In fact, in a Carolingian capitulary regarding *diffidatio*, there is no mention of a fief or benefice:

> Supposing anyone wishes to leave his lord[22] and can prove him guilty of one of the following offences: firstly, that his lord has attempted to reduce him wrongfully to servitude; secondly, that he has given him advice dangerous to his life: thirdly, that the lord has committed adultery with the vassal's wife; fourthly, that he has wilfully attempted to kill him with a drawn sword, fifthly, it shall be lawful for the vassal to leave his lord if the lord has failed to defend him, when capable of doing so, after the vassal has commended himself by placing his hands within the lord's.[23] If the lord has committed any of these five offences against his vassal, it shall be lawful for the vassal to leave him.[24]

The links between benefice and service are also inexplicit: a 'vassal' holding *honores/beneficia* who fails to attend a *placitum* or military campaign, *may* lose the honor/benefice, but as often as not the punishment is a fine or forfeit of allodial property.[25] It is not until 868 A.D., and then as something of a novelty, that we find reference to a *beneficium propter militiam* and then nothing specific is outlined and the context is clerical: a high clergyman is speaking and the benefices are church ones.[26]

The situation in Carolingian times is, in fact, far from clear or 'legal'. The ruler is simply trying to capture various institutions and customs for his own use and advantage (oath of fealty, benefice, vassalage), but they are not legally interconnected and do not add up to a 'system'.

FOCUS IV ('feudal militarism') considers the crucial feature of feudalism to be the provision of knightly military service as a consequence of and on the basis of tenure of land. Cronne[27] writes: 'It is usual, and rightly so, to make specialised military service the touchstone of feudalism for through it all else was drawn into focus.' Stephenson expresses this focus thus: 'Feudal tenure was originally military because the original vassalage was a military relationship'.[28] I will comment on this focus later.

FOCUS Va ('centrifugalism/baronialism') sees feudalism as a method of *'de facto* government', a kind of 'parcellated' or 'segmented' pseudo-public authority, at its height in the tenth and eleventh centuries, or in periods of collapsed centralisation. Relevant here are such historians as Dopsch,[29] Previté-Orton,[30] Stenton (Henry II quietly works against this 'practice' of 'government' and re-establishes central justice, the cornerstone of the 'new monarchy', an anti-feudal monarchy)[31], Mitteis

('contractual' versus 'bureaucratic' (=modern) government[32], Barraclough (Germany after, and as a result of the Investitute Controversy, is 'feudal')[33] Boutruche, [34] Hajdu (the period of the castellanies in Poitou),[35] Vicens Vives,[36] MacKay,[37] Richardson and Sayles,[38] Petit-Dutaillis[39] and La Monte.[40] A somewhat specialised aspect of this notion of feudalism is found in Strayer's 1956 article[41]: the fief introduced into lord/man relations does not inevitably create a feudal relationship. It is only when rights of government (justice) are attracted to lordship and fiefs that we can speak of fully developed feudalism in western Europe ('stage 1' feudalism, 10th and 11th centuries). Strayer's 1965 book is a slight variant of this.[42] Bisson's distinction between 'vassalic and feudal structures' on the one hand, and 'Romanist fidelity and majesty' on the other,[43] or his distinction between 'the feudal order' and 'a conception of territorial sovereignty derived from the historic role of the counts of Barcelona'[44] enshrines the concept we are highlighting here.

FOCUS Vb ('centralism') views feudalism as a system offering rulers modes of stabilising their power structures and increasing them: use of the fief/feudal relationship to create obligation and conversion of obligation into revenues, the right to do justice and command service. Thus Barraclough speaks of Frederick Barbarossa 'feudalising' the relations between crown and barons in the interests of more effective central government,[45] or else because it was a contemporary fashion.[46] Strayer's interesting article in the volume edited by M. Clagett and others, *Twelfth Century Europe and the Foundations of Modern Society*, falls within this focus,[47] as does Bisson's 1978 article already referred to,[48] R.W. Southern's use of the term 'feudalism' in 1971,[49] the odd suggestion by Petit-Dutaillis[50] and Bisson 1980.[51] Carolingian government is sometimes placed within this focus. There is opposition to this thesis, not only from adherents of focus Va, but from others too, for example Cheyette[52]: the origins of the discourse of statecraft lie not in 'feudalism' but in learned, clerical controversy and the growth of rational modes of thought among intellectuals.

FOCUS VI holds that feudalism is present when three 'crucial' institutions are central enough in society to control its political and social organisation (Hoyt)[53]: vassalage, fief (dependent tenure), rights of justice as a consequence of tenure and the chief obligation of a lord. Cronne[54] adds a fourth: the rendering of specialised military service. West stresses the first two.[55]

FOCUS VII presents the 'sociological' view: feudalism exists at the level of the knight (*miles*) and at the level of the count (*comes*).[56] The merging or union of the two levels to create a continuous spectrum stretching from the knight through the castellan to the great dukes and counts of the land, *rather than* the earlier union of fief and vassalage, marks the essential step towards the development of feudal institutions. Duby[57] defines 'les temps féodaux' as the time of the emergence of the *milites*,

the specialised, horsed, leisured warrior class sustained by the labour of serfs, which is imaged in the *Chanson* literature. Barber fashionably does not index 'feudalism' and talks mainly about knights and their codes.[58]

FOCUS VIII leads directly out of VII: feudalism as a type of society, of civilization, of thinking, of behaviour, a 'mentalité', in consequence of which one *can* in fact speak of a 'feudal' society. Boutruche[59] finds feudalism in - among other things - stained glass windows, women, towns and literature. Vicens Vives[60] writes: 'Feudalism was a total organization of society and economy'. Southern[61] debates the extent to which Anselm of Canterbury's *Cur deus homo* is 'irretrievably feudal in temper' or not, concluding that it was 'the product of a feudal and monastic world'. For Joan Evans 'the strength of feudalism lay in the fact that it recognised and established the peculiar function of each of these classes (i.e. *bellatores, oratores, laboratores*) and of its individual members in the state, and thus both justified their existence and assured their livelihood.'[62] However, to judge from her chapter arrangements, Evans excludes from the scope of 'feudal society' towns, monasteries, pilgrims, crusaders, learning and education, and the end of the Middle Ages'.[63]

This thesis can be mechanistic or over-comprehensive. As an example of the first tendency note R.A. Brown[64] who speaks of the fundamental *members* of a feudal society (the knights), the fundamental *bond* (vassalage, homage, fealty), the fundamental *institution* (the fief), the fundamental *physical manifestation* (the castle), the fundamental *area* (western Francia, but spreading 'until it comes to comprise more or less all Latin Christendom excluding Scandinavia', while at the same time spreading sociologically upwards and downwards so that it comes to embrace Church, towns and peasants), the fundamental *period* (950-1250 A.D., with origins in the 10th and 11th centuries). When we tot up these 'fundamental' features of a feudal society then we have located that society. As an example of an over-comprehensive definiton within this focus see Bloch's famous definition of the 'fundamental features of European feudalism' (1940).[65] On examination these features turn out to be a case of working back from modern notions such as the salary or the centralised state, or a question of features common to a great many societies and periods: a subject peasantry, the supremacy of a specialised class of warriors, the survival of forms of association such as 'family', 'state', etc.

FOCUS IX maintains that feudalism means seigneurialism or lordship over land as a productive unit (manorialism). To this category must be assigned, preeminently, the Marxist notion of a 'feudal mode of production', and the ideological context of social progression, from 'feudalism' to 'capitalism'. Here the term feudalism is applied to an economic system in which - whatever its variation in detail - 'the peasants who occupied and tilled the land were not its owners. Agrarian property was privately

controlled by a class of feudal lords, who extracted a surplus from the peasants by politico-legal relations of compulsion'.[66] Or, to quote from Kula's *An Economic Theory of the Feudal System*,

> the term feudalism refers here to a socio-economic system which is predominantly agrarian and characterised by a low level of productive forces and of commercialisation (= production for the market); at the same time it refers to a corporate system in which the basic unit of production is a large landed estate surrounded by the small plots of peasants who are dependent on the former both economically and juridically, and who have to furnish various services to the lord and submit to his authority'.[67]

The essential element here is the bonded dependence of the peasant class.

Such a usage is a comprehensive one, especially in the particular diachronic context of class relations, but it does, presumably, exclude those areas of medieval Europe that stood, generally, outside the area in which seigneurialization prevailed. Marc Bloch, who tended to distinguish between 'the feudal system proper' and 'the manorial régime', nevertheless chose to concentrate on 'a social structure and its unifying principles', devoting three chapters of his *Feudal Society* to the manor and the manorial relations of productivity (chs. 18-20), and agreed that whatever their different chronology, and however different the 'fief' may have been from the 'peasant holding', the geographical coincidence of manorialism and feudalism was clear and the term 'feudalism' covered, in fact, both 'the vast, hierarchically-organised system of peasant subjection *and* [my emphasis] military vassalage'.[68] Few medievalists have been happy to adopt the Marxist notion of the feudal mode of production, and have seen fit instead to attack its implications. Thus both Bryce Lyon and Guy Fourquin emphasise the distinction between 'manorialism' and 'feudalism'.[69] Even Georges Duby, viewing the 'feudal society' of eleventh century Europe as one based on a social mode of seigneurial production that emerged in the course of a 'century and a half to two centuries' from a fundamentally different 'system of relations based on war and slavery' (i.e. Carolingian Europe), nevertheless draws back from the equation between feudalism and seigneurialism/manorialism by remarking that

> It is better not to call it [the post-1000 A.D. mode of production] feudal - the fief plays no part here - but rather seigniorial. Indeed, it was based on the seigniory, the *potestas*, the right of confiscation within a zone of military occupation, rather than, as before, on the network of tenant obligations or on the slaves of a great domain.

Nevertheless, Duby is happy enough to call this process of transformation from the Carolingian warlord economy to the seigneurial mode of production a 'feudal revolution'.[70]

FOCUS X holds feudalism to be a 'compromise with anarchy'.

I offer this focus not so much as one frequently commented on as such by other historians of medieval Europe, but rather as a suggestion for those who wish to retain the term, as a framework for empirical research, but to use it less mechanically than under previous heads.

A constant factor in the societies and periods termed feudal by most historians is lordship and dependence of a sort. 'Homage', fealty, the benefice/fief, vassalage, service, oaths (leaving aside etymological aspects of these particular words), 'bastard' feudalism, indentured contracts and the machinery for maintaining networks of retainers were all parts of a collection of *informal* resources for the creation of power structures and retinue systems. Different combinations prevailed at different times and at all times autonomy (the allod, the immunity, the 'free lord' or person of lower rank) is met with. Where the power struggle was most intense, there retinues were at a premium and historians speak of feudalism. Such occasions occurred after the Investiture Controversy, when the Merovingians, and later in their turn the Carolingians, were establishing their power, after the death of Count Charles of Flanders in 1127, during the Norman conquest of England, in the course of the so-called twelfth century 'communal revolution',[71] in the eleventh century Mâconnais as analysed by George Duby,[72] in the north-east of the Iberian peninsula during the 11th and 12th centuries,[73] in medieval Germany during crucial election times (e.g. 1024-25, or 1125 A.D.) when kings died without apparent heirs,[74] and in the course of political and social disorder that produced what has been termed 'bastard feudalism' in late medieval France and England.[75] In these situations there was no pyramid of vassals, no feudal 'system', no regularly assigned importance for such institutions as 'homage', the 'fief', 'vassalage'; instead we find a fluctuating power struggle, in which some of the grander contenders are simply titled 'lords' (*domini*, or *domini terrae*, lords of the land - nobody's 'vassal'), in which oaths, networks of retainers ('knights') and familial ties play a large part, along with pomp, dispendiousness, the hunt, relics, the church and the baronial hall.

Kings were no exception to these parameters. They 'found' their power, and founded it, like any other successful lord, in critical moments and ways. They differed from their non-royal peers in that they had a few other ingredients they could throw into the ring, such as (at different times and places), the ability to cure scrofula, long hair, coronation and consecration, a retinue of priests, books and scribes, tradition and mythology.

It is to describe these contexts that Carolly Erickson's paragraph is most apt:

> Order in medieval government was usually the result of averted crises; peace was most often a breathing space between wars. Feudal government is best seen as an overly rational name given to a desperate and continuing

compromise with anarchy.[76]

These ten conceptions of feudalism are obviously inter-related, but I contend that they are nevertheless distinct - explicitly or implicitly - in the academic literature. All writers agree that 'feudalism' was on the wane by the 14th century A.D., usually because of the clouding, disappearance or overlaying of the 'fundamental' features of 'feudalism' that they have isolated. I procede now to offer some comments on these 'foci'.

II. COMMENTS

I would like to emphasise first the continued determination of historians to use the term feudalism despite an important lack of agreement about what it implies, and despite general recognition that the word derives from *feudum* which has a precise technical meaning that excludes all but the second of my *foci* above.

To illustrate the lack of agreement among the historians I have surveyed, it will suffice to point to a few simple contradictions. For example, Strayer says that the fief does not inevitably create a feudal relationship, whilst others argue that 'feudalism' implies the fief as a *sine qua non* of a 'feudal' society. Again, according to foci Va and VI, feudalism is a system of decentralised, parcellated public sovereignty, the antithesis of the modern state, whilst according to others, the most successful medieval centralised governments are 'feudal' ones: Alphonse of Poitiers, twelfth century France (under Philip Augustus), the England of Henry II, the government of Frederick Barbarossa etc. (focus Vb). According to Barraclough, Frederick Barbarossa was a 'feudal monarch'; yet Strayer can write: 'The German kings did not use feudalism as the chief support of their government; instead they relied on institutions inherited from the Carolingian period.'[77] In view of Ganshof's remarks about feudalism and the Carolingians (focus III above), this last is indeed a paradoxical statement. According to Strayer (n. 18 above), the very (decentralised) flexibility of feudalism enabled the kings of the West to create the first (centralised) modern states. According to Ganshof, feudalism is the union of benefice and vassalage; according to Dopsch, vassalage and benefice had never been separate institutions anywhere or at any time in history. According to Paul Roth, Heinrich Brunner and White in his *Medieval Technology and Social Change* (and according to the traditional explanation of the Norman conquest - see Simpson, above, n. 28), the essence of feudalism is the provision of military service, the knight. Charles Martel invented the military fief because (a) the land he needed to grant out he could not get clear title to (it was church land), and (b) the sudden military confrontation with the Saracens required effective 'shock' horse combat. Yet, the gist of all modern research is that there is no evidence of any of this, or else, that such evidence as there is, is to the contrary. Contradictions of this sort can, perhaps, be digested.

More worrying, in reference to the most feudal of feudal areas in medieval Europe, that is post-conquest England, is the fact that neither Haskins nor Stenton nor Maitland had ever been able to show beyond dispute that the supposed cornerstone of the Norman conquest of England and of feudalism at its most pure - the military fief, the *feodum* as land held in return for the provision of a set quota of knights to the king, duke or overlord (the *servicium debitum*, *servicium militum*) - existed - as a precise system (introduced by William the Conqueror) prior to its appearance in the legal jargon of the second half of the twelfth century. J.M.W. Bean went, in fact, as far as to overturn the idea that the *feodum* had anything much to do with the specifically military exigencies of the Norman conquest and ascribed its currency to a variety of quite scattered motives, one of which was to raise money or pay off debts. For Bean 'English feudalism' meant simply a fiscal system, primarily as elaborated by lawyers.[78] Equally disturbing, for another highly 'feudal' region of Europe, are the criticisms of Witt and Hajdu.[79] According to Witt the area of 'classic' feudalism is nowadays shrinking: even in the heartland area, by the middle of the eleventh century, the *allod* (non-feudal, hereditary, absolute property) still constituted the principal form of property ownership. In Picardy the association of the fief with vassalage was not frequent until the end of the thirteenth century. Throughout the thirteenth century only a small proportion of land in the province was held as a benefice. Hajdu speaks of feudal ties (by which he means ties of homage) intermeshing widely with ties of family. He says that most land in Poitou was held as a fief, but shows that tenure of a fief implied *not* conditional but hereditary tenure, seldom disturbed by 'conditions' beyond the payment of various dues. The feudal tie touched only a segment of the nobility and the spheres of *family* and *feudal* were distinct and revealed by different sets of documents: 'family' touched such matters as land-holding, 'feudal' referred to great public acts like political partisanship in a power struggle, military expeditions, crusades, pilgrimages, donations to monasteries, determinations of the magnitude and frequency of feudal obligations. In the consolidation of powerful castellanies in the eleventh and twelfth centuries, the fief-rente played a larger role than the fief proper.

These kinds of specific contradictions, and upsets to traditional ideas, were worked into a clarion call for the total abandonment of the notion, institution and term 'feudalism' in the writing of medieval history, by Elizabeth Brown in 1974. Brown claimed as one of her precursors R.W. Southern who in 1953 wrote an indispensable 'history' of Medieval Europe in the high feudal period without mentioning the term.[80] Brown proposed instead an *Annales*-school type study of all the varied patterns, rituals and ceremonies of human interaction. This is in reality but a final extension of my Focus VIII with the logical abandonment of the term feudalism itself.

I would secondly emphasise the general lack of interest on the part of historians in the way contemporaries saw the central aspects and institutions of their existence, in favour of the preoccupations of the thirteenth century lawbooks and codifiers, whose training and interests approximate those of many modern scholars themselves. West writes 'yet feudalism is still a useful term for the historian for one particular reason; there was a period of time in western Europe when men called themselves feudal men'.[81] What does this mean? I can find very few contemporaries who referred to anything at all, let alone themselves, as 'feudal'. Despite, for example, the continued use of the term in modern writing about the twelfth century in German history, my search has located very few contemporary uses of the word 'feudal' - one such occurs in the process of Frederick Barbarossa against Henry the Lion, where the phrase '*sub feodali iure*' occurs. It does not, however, refer to fiefs, but to the process of summoning a vassal or subject before the imperial diet. The full sentence refers to a subject (Henry the Lion) who 'has failed to appear when summoned to a hearing before us by three lawful edicts *under feudal law*, and has sent no-one to answer for him...' Such a person is judged by 'us' (i.e. the Emperor in court) 'contumacious'.[82] In fact, almost no-one saw themselves as 'feudal'. Stephen Knight has usefully described how the *Romances* of Chrétien de Troyes provide evidence that at the end of the twelfth century the medieval 'knight' was conscious, not of being 'feudal', but of certain nagging uncertainties and 'hang-ups', involving the threat (social, political, financial) of the rising non-noble classes (urban mercantilism), the pressure of competition for suitable marriages, heiresses, endowments etc., the pressure of crown centralisation (which encouraged an anti-royal sentiment among the 'knights'), a castration complex and masculine neurosis (the fear of domination by women, who represented the access to land, and exerted power), a tension between individualism and public order, leading to the ideology and institutions of chivalry, where public forms became substitutes for sheer aggression. The dynamic dialectic of *proesce* and *cortoisie* ranges from tension between the collective social model and the actual aggressive individual in feudal society, through a consideration of the idealistic values which are used to rationalise and mystify away the violent aggressiveness of the warrior, to a study of the personal psychic dramas which rise from and validate a neurotic patriarchy.[83] Seen in this kind of light such poems as the *Romances* become our best source for the 'inner dramas of the time'. In the *Song of Raoul de Cambrai* we detect a basic tension between the claims of family and lordship. In this poem the fief is seen as a *reward for* service (not as a primary condition of that service), and a clear tension is evident between the notion of the fief as a revocable instrument of royal power and as an hereditary possession, a reward for a faithful vassal, and the foundation of his personal, independent power. The *Bayeux Tapestry* concentrates on a breach of good

lordship or 'vassalage', although there is no homage oath and the term is not used. The *Song of Roland* concentrates on the tension between family vendetta and the claims of lordship. The evidence of this literature from the 'high feudal' period is that people did not consider themselves 'feudal' in any usable sense. They were conscious of and concerned with other things. The term *'feudum'* occurs in cartularies and legal sources, where it was necessary to stress the obligation or the plighted land against the erosion of time and circumstance. Naturally this 'legal' sense was not the sense of centrality *everyone* gave to their lives. Hence literature is a better source for the essence of what is central to a society, than legal records or the like.[84]

In the third place, modern scholarship on feudalism betrays a curious preoccupation with what might be called nineteenth-century positivist or historicist cultural holism, in advance of the evidence which, on the empiricist model, should come first. Scholars, especially of the *Annales* school and such as E.A. Brown, persist in the notion that an adequate comprehensive descriptive model of the key features of past societies *can* be drawn up, yet, they take (Brown is an exception here) from the arsenal of the ideologues a term ('feudalism') that prejudges and prevents the whole historicist enterprise from the start! This may well confirm Huizinga's[85] chief insight, that no historical study can take place *without* a prior framework for discourse or an ideology of inquiry, but it has the consequence that historians are forced into an arbitrary mode of procedure without any justification for it. The 'feudalism' debate proceeds by definition of the model without a firm evidential basis, and then a series of refinements or exclusions: 'this is/is not feudal'. The only ideological justification for this in the eyes of historians is the need to define and the possibility of defining objectively the 'key features' of an age. Yet the ideology behind, or necessary to explain the need for, this goal is unresearched and, in fact, the only appropriate ideological context for a debate about feudalism is a polemical one comparable to those which spawned the term.[86] This is the virtue of the Marxist use of the term. It is to E.A. Brown's credit that she exposed much of the inconsistency of the modern scholarly approach as long ago as 1974.

Fourthly, it should be stressed that the modern debate about feudalism reveals the presence of certain recurring figures of speech and thought: *distributio* (assignment of function), *translatio* (metaphor, 'when a word applying to one thing (*feudum*) is transferred to another (e.g., type of government) because the similarity seems to justify this transference; used for the sake of creating a vivid mental picture'),[87] *synecdoche/intellectio*, 'when the whole is known from a small part or a part from the whole',[88] *definitio* [operating by partition (enumeration of parts) and division (into *species* and *genus*)], as well as a preference for certain topics of argumentation: *ex definitione*, *ex notatione* (etymology), *a similitudine/a differentia* (enabling scholarship

to proceed on Merovingian, Carolingian, twelfth century and later polities, by an implicit comparative method). It is also characterised by a concern for hierarchy, which manifests itself in the form of a preoccupation with the notion of government and subordination. This leads to a fascination with the feudal principle as an exemplar of hierarchy:

> The hierarchic principle itself is inevitable in systematic thought. It is embodied in the mere process of growth, which is synonymous with the class divisions of youth and age, stronger and weaker, male and female, or the stages of learning, from apprentice to journeyman to master. But this last hierarchy is as good an indication as any of the way in which the "naturalness" of grades rhetorically re-enforces the protection of privilege. Though in its essence purely developmental, the series is readily transformed into rigid social classifications, and these interfere with the very process of development that was its reason for being.
>
> To say that hierarchy is inevitable is not to say that any particular hierarchy is inevitable; the crumbling of hierarchies is as true a fact about them as their formation. But to say that the hierarchic principle is indigenous to all well-rounded human thinking, is to state a very important fact about the rhetorical appeal of dialectical symmetry. And it reminds us, on hearing talk of equality, to ask ourselves, without so much as questioning the possibility that things might be otherwise: "Just how does the hierarchic principle work in this particular instance?"[90]

These observations may serve to remind us that our historical categories are arbitrary and reflect our own bourgeois modes of perception and structuring emphases, rather than any coherence that may be present at the level of the objectively real and hence not perceived past. We order the past, so to speak, in our own image, or, to put it another way, our 'past' is a mirror of our mind. Feudalism is a debated topic because of our own compulsions, not because of its objective existence independent of and hence beyond perception.

In the fifth place, I raise the quantitative problem. Many historians speak as if the key element in feudalism was the progressive inclusion of free land and free people into dependent, feudal relationships, yet they never provide quantitative evidence to support this assumption regarding the proportion of 'free' to 'dependent' land in any period.

Sixthly, the feudal model sometimes causes false inference. Mitteis, for example, in dealing with the tenth century origins of the German monarchy, argues from the existence of the oath of fealty to a prior surrender of ducal lands to the monarch, and the consequent receipt of the lands back from the monarch in the shape of fiefs, yet there is no likelihood of this. Similar

inferences are drawn from the presence of homage oaths at coronations.[91]

Finally: a consistent theme in the foregoing has been the notion firstly that medieval society displays features that distinguish it from both antique and modern society, and secondly that 'feudal' is as good a word as any to suggest the nature of these distinctive features. It is further sometimes suggested that where a society other than the medieval West is 'feudal', it is in a characteristic ('middle') phase of its development.[92] Such reasoning invites two questions: can a society be effectively 'characterised' by any term such as 'feudal', and if so, what is the best term? For the medieval West it seems that specifically 'feudal' ties were *not*, at all times and in all areas central to society.

What, therefore, *is* or should be posited as the 'central' feature of medieval society? To some extent the defining characteristic of society depends on the level at which one begins one's search: that of monk, peasant, burgher, tenant-in-chief, female, for example. Warren in his large biography of Henry II[93] writes: 'For most men at the beginning of Henry II's reign, government must have seemed almost entirely a matter of local government, shire courts, hundred courts and manor courts, and it was these which filled their horizons and constituted the authority that controlled their lives'. So much for the 'feudal relations' of the higher nobility and the problems of kings, but we may still ask how 'central' even these local government concerns were to all classes of men and women. Many themes might be put forward to guide the inquiry into the 'hub' of the wheel of medieval life: the mode of production, modes of self-perception (the three orders,[94] individual versus social collectivity etc.), structures of sub-consciousness,[95] or, by synecdoche, threads such as 'monastic',[96] or, alternatively, 'ascetic', or else 'hierarchical' etc. Perhaps medieval society is 'contractual' (cf. the *communio*, truce of God, vassalage, types of corporation - guilds, communes, universities, confraternities etc.), perhaps it is a 'papal' society (again by synecdoche), perhaps it is a society characterised by a certain view of the supernatural and the cosmos? Perhaps, in the end medieval society may best be termed 'marital' rather than 'feudal', for here is what Georges Duby has to say in a recent work:

> I am trying to discover how the society that we call feudal functioned. This leads me naturally to marriage. For the role of marriage is fundamental in every social formation, in particular in the one I have been studying for many years. It is, in fact, by the institution of marriage, by the rules which cover alliance, by the manner in which these rules are applied, that human societies, even those that want to be free and give themselves the illusion of being so, govern their future, trying to perpetuate themselves in the maintenance of their structures, in the functioning of a symbolic system, of the image that these societies

> make of their own ideal situation. The rites of marriage are instituted to assure the method of assigning women among men, to discipline masculine competition for women, to make official and to make socially acceptable the act of procreation. Marital rites, in specifying who will be father, add another relationship to the maternal relationship, which is itself obvious. They distinguish licit unions from others, they assign to children who are born to it the capacity to inherit, that is to say, they assign ancestors, a name, rights. Marriage founds relationships of parentage, it founds the entire social structure, it forms the key to the vault of the social edifice. How can I comprehend feudalism [*la féodalité*] if I do not see clearly the norms according to which the knight takes a wife?[97]

It would, indeed, become a large historicist project to decide which of these (or other) 'features' affected most people and hence had the best claim to 'centrality'. Even then one would run the risk of finding that whatever the case, *contemporaries* did not perceive the selected feature as 'central'. It is perhaps best to recognise that the quest for the objectively historical essence of either 'feudalism' or medieval society is impossible and invalid. The task becomes the identification of the perceptual framework or modern standpoint/issue which motivates and restricts the inquiry. Even if we were to settle for the view that feudalism is a name given (inappropriately) to social/political behaviour in certain historical times and places, we would simply be settling for an historical perspective that betrayed a fascination with the creation and maintenance of power. The relevance of this standpoint is not so much the light it casts on medieval, or other society, as the possibility it provides of isolating the factors - personal and institutional constraints and contexts - that give priority to it as a perspective that controls and sets limits to inquiry.

III CONCLUSION

An essay such as this, designed to clarify what historians do, has no proper conclusion. In any perspective, however, the social relations of production have a priority over other topics that may be the subject of inquiry. 'Feudalism', thus, used outside its locus within the context of such relations (Focus IX above),[98] is vulnerable and disputed as an historical category. It is necessary in such areas to specify clearly to what institutions and relations one is referring. Provided, however, that the historian makes clear his or her terms of reference, then the term 'feudalism' can provide stimulation as an incentive for the study of comparative history, the history of ideas and the defining features of societies seen as wholes.[99] These are not inconsiderable targets for historical activity.

NOTES

1. Cf. G. Balandier, *Political Anthropology* (Penguin, 1970), pp. 95-98; A. Blok, *The Mafia of a Sicilian Village 1860-1960: a study of violent peasant entrepreneurs* (Oxford, 1974), pp. 27ff., 89ff., 179ff; N. Elias, *The Court Society*, trans. E. Jephcott (Oxford, 1983), pp. 156-157 etc. See the remarks of Valdeavellano (below n. 63), p. 37, and *Compte Rendu des Séances de la Société d'Etude du Féodalisme*, III-IV (1979-80), ed. J. Ph. Genet et al. (Paris, 1982), pp. 2ff., 37ff., 54-74.
2. A third section in the original version of this paper, elaborating the socio-political situation that I feel can most usefully merit application of these terms, has been deleted, together with some supporting documents and bibliography.
3. A. Dopsch, *The Economic and Social foundations of European Civilization*, trans. E. Patzelt (London, 1937), pp. 387-88; D.H. Green, *The Carolingian Lord* (Cambridge, 1965), ch. 5. G. Fourquin, *Lordship and Feudalism in the Middle Ages*, trans. I. and A.L Lytton Sells (London, 1976), pp. 11, 13-14. See also M. Bloch, *Feudal Society*, trans. L.A. Manyon (London, 1961) chs. 11, 16, 17. On Anglo-Saxon thegns see ch. 5 of H.R. Loyn, *Anglo-Saxon England and the Norman Conquest* (London, 1962). Perhaps the most elaborate exploration of the notion of feudalism=vassalage is J. Le Goff, 'The Symbolic Ritual of Vassalage' in his *Time, Work and Culture in the Middle Ages*, trans. A. Goldhammer (Chicago, London, 1980), pp. 237-87.
4. F.L. Ganshof, *Feudalism*, trans. P. Grierson (N.Y., 1964), pp. 106ff. The original French version appeared in 1944.
5. Bloch, *Feudal Society*, pp. 155-56; Ganshof, Feudalism, p. 72. On the various meanings of 'vassal' cf. J.F. Niermeyer (ed.), *Mediae Latinitatis Lexicon Minus* (London, 1976), pp. 1061-1065.
6. F.W. Maitland, *Domesday book and Beyond*, (N.Y. 1966), p. 171.
7. 'Privatgefolgschaften'. Stephenson (below n. 28), p. 210. On 'Gefolgschaft' see S.L. Thrupp (ed.), *Early Medieval Society* (N.Y., 1967), pp. 89ff. (K. Bosl 'On Social Mobility in Medieval Society') and Karl Bosl, *Frühformender Gesellschaft im mittelalterlichen Europa: ausgewählte Beiträge zu einer Struktur-analyse der mittelalterlichen Welt* (Munich, 1964), p. 36. Bosl uses the word 'Allodialismus' (p. 150) as a kind of antithesis to 'feudalism' ['Feudalgesellschaft' - p. 33]. Both terms refer, awkwardly, to land tenure as the constitutive element.
8. See J. Flori, 'La notion de Chevalerie dans les Chansons de Geste du XII^{e} siècle. Étude historique de vocabulaire', *Le Moyen Age* 81 (1975) 211-244, and 405-445.

9. *Sources for the History of Medieval Europe* (Oxford, 1966), p. 20, and Herlihy (see n. 10 below), p. 86.
10. D. Herlihy (ed.), *The History of Feudalism* (New Jersey/Sussex, 1970), pp. 96-97.
11. N. Cantor, *The Meaning of the Middle Ages: a sociological and cultural history* (Boston, 1973), index sv. 'Feudalism'.
12. Bosl (n. 7 above), pp. 158ff. See for partial translation Thrupp (ed.), (n. 7 above) pp. 89ff., and for Kuhn's work, p. 102. See also Stephenson (below, n. 28), p. 210.
13. J.S. Critchley, *Feudalism* (London, 1978), ch. 1.
14. Ganshof, *Feudalism*, ch. 2, Bloch, *Feudal Society*, ch. 12, Herlihy, pp. xiii, 103ff.
15. F.M. Stenton, *The First Century of English Feudalism (1066-1166)* 1932, second edition, Oxford, 1961).
16. C.H. Haskins, *Norman Institutions* (1918, N.Y., 1960).
17. Ganshof, *Feudalism*, p. xvi.
18. J.R. Strayer, 'Feudalism in Western Europe' in R. Coulborn (ed.), *Feudalism in History* (Princeton, 1956, Hamden (Connecticut) 1965) pp. 15-25, esp. pp. 19ff. See also on this sense of feudalism S. Milsom, *The Legal Framework of English Feudalism* (Maitland lectures, 1972, Cambridge, 1976).
19. Stenton (n. 15 above), pp. 48-51.
20. See Ganshof, *Feudalism* part II, C. Sanchez-Albornoz, *Spain, an enigma* (trans. C. Dees and D. Reher, vol. 2, Madrid, 1975), p. 666, and the now discredited views of Roth, Brunner and Lynn White on the relationship between the benefice and the creation of the dependent armed horseman or 'knight': P.H. Sawyer, 'Technical Determinism: the stirrup and the plough', in *Past and Present* 24 (1963), 90-95, and B.S. Bachrach, 'Charles Martel, Mounted Shock Combat, the Stirrup and Feudalism', *Studies in Medieval and Renaissance History* 7 (1970), 47-75, Stephenson (n. 28 below), pp. 205-215.
21. Ganshof, *Feudalism*, p. 37.
22. *seniorem*.
23. 'liceat vassallum eum dimittere postquam ipse manus suas in eius commendaverit et non fecerit, liceat vassallum eum dimittere'.
24. For translation and source: Pullan (n. 9 above), p. 32.
25. Pullan, p. 30 (Capitulary of Boulogne, 811 A.D. Section 5), for loss of 'honour and benefice', but the default here is desertion in combat: for a failure to attend the *placitum* (same capitulary, sec. 3), the penalty is abstention from meat and wine for as many days as the vassal holding *honores* of the king shall have been late. The Capitulary of Aachen sect. 20 (801/13 A.D. Pullan p. 31, or 802-03, Loyn-Percival [see below,] p. 84.) established loss of benefice for failing to obey a military summons by one of the king's *fideles*. The fine for failing to attend a military assembly and host

is already apparent in the Carolingian capitularies as a form of scutage, but, more widely, as a provision applicable to any free man who refused host service: see the *Capitulare missorum de exercitu promovendo* clauses 2-7 [H.R. Loyn and J. Percival, trans. and ed., *The Reign of Charlemagne* (London, 1975), pp. 96-97], and the Capitulary of Aachen section 9 (Loyn-Percival p. 83 - no special reference to holders of *honores*, and compare also General Capitulary for the *missi*, 802, sections 6 and 7, Loyn-Percival, p. 75, and Capitulary of Boulogne sections 1 and 9, Pullan pp. 29-30). Clause 7 of the Capitulary of Boulogne outlines a situation in which the tenure of a benefice and the provision of service to the lord from whom the benefice is held, are separable things. Note that attendance at the king's *placitum* was compulsory (P. Riché, *Daily Life in the World of Charlemagne*, trans. Jo Ann McNamara, Philadelphia, 1978, p. 93). In general, see Ganshof, *Feudalism*, pp. 36-43 and his *Frankish Institutions under Charlemagne*, trans. B. and M. Lyon (N.Y., 1968), pp. 59ff.

26. Hincmar of Rheims, *Pro Ecclesiae Libertatum Defensione*, trans. Pullan, pp. 33-34 (Migne, *Patrol. Lat.* 125, 1050C). Here it is announced that the military benefice is like the ancient *annona* (cf. A.H.M. Jones, *The Later Roman Empire 284-602*, Oxford, 1964, vol. I, pp. 458ff.) and the 'military vassal' [*homines militares*] must serve his bishop 'to the extent of the benefice' (*secundum quantitatem beneficii*). The drift of the text suggests that the situation Hincmar is urging was hardly an assumed legal fact within and without the church.

27. H.A. Cronne, 'the Origins of feudalism', *History* 24 (1939-40), p. 253. Particularly relevant here are the views of Roth, Brunner and L. White, *Medieval Technology and Social Change* (Oxford, 1962), but I have included them earlier - cf. n. 20 above - because of the role played by the *beneficium* in their arguments. Szeftel on the 'pomêst'e' in Russia (in Coulborn - above n. 18 - pp. 175ff.) and Kantorowicz in the same volume pp. 160ff. on the Byzantine *pronoia* are also relevant under this focus. On the *pronoia* see also G. Ostrogorsky in the *Cambridge Economic History of Europe*, I (second edition, 1966), pp. 226ff, and G.R. Ross 'A Survey of Pronoia in the historiography of Byzantium' *The New Review* 10 (1970) pp. 1-29.

28. C. Stephenson, 'The Origin and significance of Feudalism', *American Historical Review* 46 (1941), reprinted in his *Medieval Institutions: selected essays* ed. B. Lyton (Ithaca, 1967), p. 217. See also Postan's preface to Bloch, *Feudal Society*, pp. xii-xiii in the edition cited above, n.3, and A.W.B. Simpson, *An Introduction to the Land Law* (Oxford, 1961), and H.R. Loyn, *Anglo-Saxon England and the Norman Conquest* (London, 1962).

29. A. Dopsch (above, n.3), pp. 288ff.
30. C.W. Previté-Orton, *A History of Europe* (London, 1937), pp. 24-25.
31. Stenton (above n. 15), ch. 7, esp. pp. 256-57.
32. H. Mitteis 'German Feudalism' (1933) trans. in G. Barraclough *Mediaeval Germany 911-1250, essays by German Historians* (vol. II Essays), (Oxford, 1948), p. 238.
33. G. Barraclough, *The Origins of Modern Germany* (Oxford, 1957), p. 136.
34. R. Boutruche, *Seigneurie et Féodalité*, (*L'Apogee, XIe-XIIIe siecles*) (Paris, 1970) pp. 368-71.
35. R. Hajdu, 'Family and Feudal Ties in Poitou 1100-1300', *Journal of Interdisciplinary History* 8 (1977), 117-139, and see also his 'Castles, castellans and the structure of politics in Poitou, 1152-1271', *Journal of Medieval History*, vol. 4 (1978) pp. 27-54.
36. J. Vicens Vives, *An Economic History of Spain*, (1955, trans. F.M. López-Morillas, Princeton, 1969), p. 96.
37. A. Mackay, *Spain in the Middle Ages: from frontier to Empire, 1000-1500*, (London, 1977), p. 97.
38. See E.A.R. Brown, 'The tyranny of a Construct: Feudalism and Historians of Medieval Europe', *American Historical Review*, 79 (1974) [pp 1063-1088], p. 1067.
39. Ch. Petit-Dutaillis, *The Feudal Monarchy in France and England from the 10th to the 13th Century*, trans. E.D. Hunt (1936, N.Y. 1964), pp. 82, 201, 221-22, 226, 233, 359, 372.
    See also under this focus Perry Anderson, *Passages from Antiquity to Feudalism*, (NLB, 1974, Verso, 1978) p. 148: 'this parcellization of sovereignty was constitutive of the whole feudal mode of production'.
40. J.L. La Monte, *Feudal Monarchy in the Latin Kingdom of Jerusalem 1100-1291*, (Cambridge, Mass. 1932), pp. VII, XXII.
    See also Sanchez-Albornoz (above no. 20) p. 667 and Critchley (above no. 13) ch. 3; Bosl *Frühformender* (above no. 7), p. 33, considers the period 10-12th c. as the full hey-day of feudalism and decries the tendency to apply the term 'feudal society' to European society right down to the time of the French revolution. He feels a crucial development on the spread of feudalism was the Carolingian 'Institut der Vasallität' which had as its key constitutive elements *commendatio* (*hominium, homagium*) and *fidelitas* (*fides*).
    Norbert Elias, *The Civilising Process: State Formation and Civilization*, (1939), trans. E. Jephcott, Oxford, 1982) p. 25, considers the term 'feudal' to be appropriate for the 'decentralized' dynamic of society between Carolingian times and the end of the twelfth century. See in particular pp. 57ff. "On the Sociogenesis of Feudalism". "Feudalization" is 'the disintegration of property, the passing of land from the control of the king to the various gradations of the warrior society as a whole ... and nothing else' (p. 65).

41. See above n. 18.
42. J.R. Strayer, *Feudalism* (Anvil, N.Y., 1965), pp. 11-14.
43. T.N. Bisson, 'The Problem of feudal monarchy: Aragon, Catalonia, and France' *Speculum*, 53 (1978) 460-78.
44. T.N. Bisson, 'Feudalism in Twelfth Century Catalonia', *Structures Féodales et Féodalisme, dans l'occident Méditerranéen (Xe-XIIIe siècles) Bilan et Perspectives de Recherches* (Collection de l'Ecole Française de Rome, 44, Rome, 1980), p. 183. See also Mackay (above n. 37) pp. 112-13.
45. Barraclough (above no. 33), p. 176.
46. Cf. for example King John's proposal to make England and Ireland papal fiefs: W.L. Warren, *King John* (London, 1961), pp. 208-10. As Warren says 'Sicily, Poland, Sweden, Denmark, Portugal, and the new kingdom of Aragon were already fiefs of the apostolic See'.
47. M. Clagett, G. Post and R. Reynolds (eds), University of Wisconsin Press, 1966, pp. 77-88, 'The Development of Feudal Institutions.'
48. See above, n. 43, pp. 470ff., esp. e.g., p. 477, 'Philip Augustus was ... the first feudal king in France'; cf. Critchley (above, n. 13), for this focus.
49. 'Medieval Culture', in N.F. Cantor (ed.), *Perspectives on the European past; conversations with historians* (N.Y., 1971), esp. p. 191.
50. Above, n. 39, pp. 2, 201, 211, 220, 288 and especially pp. 301, 326.
51. See above, n. 44, pp. 173, 185ff., though Bisson does point out how inappropriate the terminology of feudalism in fact is for the central political relationship he is describing, in this oscillating between our foci Va and Vb: see Bisson 1978, pp. 465-66, 1980, p. 177, p. 191 'the highest offices and functions continued to resist feudalization down to 1213' A.D. - Compare E. Lourie, 'A Society organized for War: medieval Spain', *Past and Present* 35 (1966), p. 61. See also Hajdu (above, n. 35) writing of Alphonse of Poitiers in the 13th century: G. Duby, *La Société aux XI^e et XII^e siècles dans la region mâconnaise* (Paris, 1953), partial trans. in F. Cheyette (ed.), *Lordship and Community in Medieval Europe* (Holt, Rinehart and Winston, 1968) pp. 142ff., dependent tenure=centralised government; Bisson, 'The Organised Peace in Southern France and Catalonia ca. 1140-1233', *American Historical Review* 82 (1977), pp. 290-311, investigates the 'organised Peace' of pre-Alphonso southern France, as a bureaucratic 'Carolingian' mode of combating disorder, alternative to 'vassalic fidelities or feudal obligations'.
52. F. Cheyette, 'The invention of the state', in B. Lackner and K. Philp (eds.), *Essays on Medieval Civilization* (University of Texas Press, 1978), pp. 143-178.

53. R.S. Hoyt, *Feudal Institutions: cause or consequence of decentralization?* (Source Problems in World Civilization, N.Y., 1961). See also here R. Boutruche, *Seigneurie et Féodalité: la premier âge des liens d'homme à homme* (Paris, 1959), p. 24; 'sans contrat vassalique, sans fief, sans organisation sociale et politique fondée sur des liens privés d'une nature particulière, il n'y a pas de régime féodal'. Anderson (above, n. 39), p. 139; Stenton (above, n. 15), pp. 32-33.
54. H.A. Cronne, 'The Origins of Feudalism', *History* 24 (1939-40), pp. 251-59.
55. F.J. West, 'On the ruins of Feudalism - Capitalism?', in E. Kamenka (ed.), *Feudalism, Capitalism and Beyond* (Canberra, 1975), pp. 50-60. C.N.L. Brooke, *Europe in the Central Middle Ages 962-1154* (London, 1964), pp. 96ff. perhaps falls in here. Some historians stress the castle as the *sine qua non* of 'feudalism': Joan Evans, *Life in Medieval France*, (1925, N.Y. 1969, p. 22) calls the castle the 'crystallization of developed feudalism'; Bisson (1980, p. 174) says the castle was 'fundamental to the new order of power', or (p. 177), 'the keystone of an extensively feudalized society'. For the role of the castle in 'feudal' state-building, see B.S. Bachrach, 'The Angevin strategy of castle-building in the reign of Fulk Nerra 987-1040', *American Historical Review* 88 (1983), pp. 533-60.
56. J.R. Strayer, 'The two levels of feudalism' in R.S. Hoyt (ed.), *Life and Thought in the Early Middle Ages* (Minneapolis, 1967), pp. 51-65.
57. G. Duby, *Guerriers et Paysans: VII-XII^e siecle, premier essor de l'économie européenne* (Paris, 1973), trans. H.B. Clarke, *The Early Growth of the European Economy: warriors and peasants from the seventh to the twelfth century* (London, 1974).
58. R. Barber, *The Knight and Chivalry* (London, 1974). The most celebrated example of the *Chanson* literature is *The Song of Roland*. Cf. P. Van Luyn, 'Les *milites* dans la France du XI^e siècle: examen des sources narratives', *Le Moyen Age* 77 (1971), pp. 5-51.
59. Above, n. 34, pp. 370-71. See also Maitland as quoted in Marion Gibbs, *Feudal Order: a study of the origins and development of English feudal society* (N.Y., 1953), pp. 4-5. Under this focus see also Anderson (above, n. 39), p. 182: 'By tne 13th century, European feudalism had produced a unified and developed civilization that registered a tremendous advance on the rudimentary, patchwork communities of the Dark Ages'; G. Duby, 'La Féodalité? Une mentalité medievale', *Annales: Economies, Sociétés, Civilisations* 13 (1958), 765-71, reprinted in his *Hommes et structures du Moyen Age: recueil d'articles* (Paris, 1973), pp. 103-110; Bloch, (above, n. 3), p. 446, ('A subject peasantry ...') and

chs. 5-8 generally; Herlihy (above, n. 10), pp. xix-xx, xxvi-xxvii.

60. Above, n. 36, p. 95.

61. R.W. Southern, *Saint Anselm and his Biographer: a study of monastic life and thought 1059-1130* (Cambridge, 1966), p. 108.

62. Above, n. 55, p. 16.

63. Bisson also implies some limitation (in terms of class appeal) to the term feudalism when he points out (1980, p. 180) that 'feudal-vassalic terminology' was slow to find its place in twelfth century aristocratic thinking' in Catalonia because it had associations within the lesser classes of knights, castellans, peasants and servants. For north-east Spain, in fact, a number of (non-Spanish) medievalists have pointed out how 'partially' feudalised this society was in the Middle Ages; that is, feudal elements flourished 'within' a whole that was not in itself 'feudal' (Bisson, 1980, p. 183, Lourie, 1966, p. 61, Mackay, 1977, p. 97). The implication usually is that the 'north European mould' *was* feudal. See also here Vicens Vives 1955 p. 99, and the discussion in Luis G. de Valdeavellano, *El Feudalismo Hispánico y otros Estudios de Historia Medieval* (Barcelona, 1981), pp. 7ff, 31ff, 55ff. Valdeavellano concludes (pp. 59-60) that medieval Spain did not develop a 'feudal regime' if by that we mean a 'politico-constitutional system', but if we mean a particular type of society based on the social supremacy of a class of privileged nobles dedicated to military service, bound to the monarch by special ties of fidelity and service, and holding estates worked by dependent cultivators over whom they exercise powers of lordship, then, 'creo que podría admitirse, con algunas reservas, el (la sociedad medieval hispanica) calificar a esa Sociedad de "Sociedad feudal" '. Compare the similar view of Sanchez-Albornoz (above, n. 20), p. 665. Extensive bibliography on Spanish feudalism will be found in J. Valdéon, J.M. Salrach and J. Zabaldo, *Feudalismo y consolidacion de los pueblos hispanicos* (Siglos xi-xv), (Barcelona, 1980). For references see above, notes 36, 37, 44, 51.

64. *The Origins of Modern Europe* (London, 1972), ch. 6.

65. Above, n. 59. See also the comparable 'definition' of Gianfranco Poggi, below, n. 99.

66. Anderson (above, n. 39), p. 147. See also M.M. Bober, *Karl Marx's Interpretation of History* (2nd ed., N.Y., 1965), pp. 54-56; M. Dobb, *Studies in the Development of Capitalism* (London, 1963), pp. 34ff., John Pryor and Michael Bennett's chapters elsewhere in this volume; Critchley (above n. 13) chs. 6-7, esp. p. 181; M. Weber, *General Economic History*, trans. F.H. Knight (1919-20, N.Y., 1961), chs. 3-5, esp. pp. 62-63; Rodney Hilton, *The Transition from Feudalism to Capitalism* (NLB, London, 1976); B. Hindess and P.Q. Hirst,

Pre-capitalist modes of production (London, 1975); Valdeavellano (above n. 63), pp. 24ff, 60ff; M.A. Barg on the 'so-called' crisis of feudalism in the 14th and 15th centuries, *Voprosy Istorii* 8 (1960), 94-113, and F. Ya. Polyanskiy on commodity production in feudalism, ibid, 1 (1953); Cheyette (above n. 5), p. 33 'Grundherrschaft'; Karl Marx, *Pre-Capitalist Economic Formations*, intr. E.J. Hobsbawm (N.Y., 1975), pp. 22ff, 41ff, 44ff, 61-65, 124-26; D. McLellan, Marx's *Grundrisse* (Paladin, 1973), pp. 83ff, 125ff; *Marx-Engels: pre-capitalist socio-economic Formations: a collection*, Progress Publishers, Moscow, 1979, esp. 460ff; the debate by R. Brenner and others in *Past and Present* nos. 70, 78-80 etc., contains much of relevance under this focus. I have not seen John E. Martin, *Feudalism to Capitalism: peasant and landlord in English agrarian development* (London, 1983).

67. W. Kula, *An Economic theory of the feudal system: towards a model of the Polish economy 1500-1800*, trans. L. Garner (London, 1976), p. 9.
68. Bloch (above, n. 3), pp. xx, xv, 247-48 and 'The rise of dependent cultivation and seignorial institutions', *Cambridge Economic History* I (Cambridge, 1966), ch. 6, esp. pp. 238-39, 251, 269.
69. *The Middle Ages in Recent Historical Thought: selected topics* (2nd ed., Washington, 1965), pp. 13-14, 21-22; Fourquin (above, n. 3), p. 13. See also Stephenson, *Mediaeval Institutions* (above, n. 28), p. 229, Hoyt (above, n. 53), pp. 1-3, and Sanchez-Albornoz (above, n. 20), p. 665.
70. G. Duby *The Three Orders: feudal society imagined*, trans. A. Goldhammer (1978, Chicago 1980), ch. 13 especially pp. 149-150, 152-153. I feel Duby is here conveying a mistaken impression of Carolingian society, which was based on a manorial foundation as fundamentally as that which followed it. Guerreau, *Le Féodalisme: un horizon théorique* (Paris, 1980), puts forward a Marxist programme for feudalism, pp. 177-8, 'pour une théorie du féodalisme', and alludes - like Duby - to the inessential nature of the fief *per se* (pp. 197-98).
71. See, for example, Guibert of Nogent's account of the early twelfth century struggle between bishop and townsmen at Laon, 100 miles north-east of Paris: *Self and Society in Medieval France. The Memoirs of Abbot Guibert of Nogent (1064?-c.1125)*, trans. C.C. Swinton Bland, ed. J.F. Benton (N.Y., 1970), pp. 145ff. Cf. Matthews (below, n. 78), pp. 67-68 on the situation surrounding the Norman conquest of England.
72. See above, n. 51.
73. Cf. for example, Herlihy (above, n. 10), pp. 99-102 and 228-29, together with Bisson as above, notes 43-44, 51.
74. For documents illustrating these crises, see T. Mommsen

and K.F. Morrison (tr.), *Imperial Lives and Letters of the Eleventh Century* ed. R.L. Benson, N.Y. and London, 1962 - Wipo's *Deeds of Conrad II* sections 1-4, and Barraclough (above n.33), p. 156, n. 2 (this document is translated in the original volume of papers for the St. Andrew's College, Sydney, conference, as an appendix to my paper (pp. 30-33 of that paper, the volume, edited by myself, being entitled, as was the conference, 'Feudalism: a comparative study in social and political structures of pre-industrial societies', Sydney University, 1984). See also Barraclough, p. 154.

75. See the paper by N. Wright in the present volume. On the flexible role of the 'oath' in situations of novel power competition, cf. the interesting analysis of J.H. Pryor, 'The oaths of the Leaders of the First Crusade to Emperor Alexius I Comnenos: fealty, homage - *pistis, douleia*', *Parergon*, n.s. 2 (1984), 111-41.

76. *The Medieval Vision: essays in history and perception* (N.Y., 1976), p. 123. The intensity of the urge to 'compromise with anarchy' is indicated by the new importance assigned to the homage oath in the twelfth century: Herlihy (above, n. 10), p. 98, Bisson (above, n. 44) pp. 174-76, 186, 190. The oath and homage represented a relatively novel, rather than a traditional, resource of power for the counts of Flanders in the 12th century. That is why Galbert decided to give us a detailed description of the 'new' ceremony. It is why Brian Stock should have decided recently to suggest that the key element in feudalism was a 'spoken contractual arrangement between two individuals', which was subsequently translated into written terms: 'thus a complex set of human relations was eventually reduced to a body of normative legislation: feudalism, in Ganshof' phrase, was "realised" ' (*The Implications of Literacy: written language and models of interpretation in the 11th and 12th centuries* (Princeton, 1983), p. 49, and cf. his discussion of the importance of oaths in the communal movement and the early development of heresy in the 11th and 12th centuries, p. 238).

77. Strayer (above, n. 18), p. 24, yet contrast his remarks elsewhere (above n. 47, pp. 80, 87) to the effect that Frederick Barbarossa 'tried to create a feudal system' and spent a long reign 'perfecting the feudal bonds between himself and the German princes'! The literature referred to in this paragraph of my text has been cited above, notes 3, 4, 20, 33 and 47.

78. *The Decline of English Feudalism 1215-1540* (Manchester and N.Y., 1968). The discussion of D.J.A. Matthew, *The Norman Conquest* (N.Y., 1966), pp. 59-68 and 117-128 suggests well enough the complexities of the situation.

79. Above, notes 35 and R.G. Witt, 'The Landlord and the economic revival of the Middle Ages in Northern Europe, 100-1250', *American Historical Review* 76 (1971), pp. 980ff.

80. Above, n. 38. Southern's 'purity' in this regard has since been compromised. see above, notes 49 and 61.
81. West (above, n. 55), p. 52.
82. The document I refer to is the so-called Gelhnhausen charter of 1180 A.D. which arranged the momentous relationship between the German Emperor Frederick Barbarossa and his chief subject, Henry the Lion, a mighty Bavarian baron judged guilty of high treason. See Pullan (above, n. 9), p. 166. The process represents an essentially personal way of dealing with a complex political problem: the ruler wishes to dismember the territories of a powerful and troublesome political opponent, that is, to disable him politically. The opponent is summoned before an assembly of his peers: with their support, the ruler will have the resources necessary to effect the dismemberment of the opponent's power bases - his lands. Personal appearance, face-to-face confrontation with lord and co-vassals, oral sentence (enshrined, it is true, in writing, but writing plays no crucial role in the ritual), and, doubtless, oral instructions to put into effect the oral judgement of the face-to-face court. What is it that guarantees enough baronial consensus to permit the agreed operation of these oral procedures? Oral, customary 'feudal' 'law'. In this context, then, 'feudalism' represents the customary cement for oral, personal, political bargaining: the ruler who operates in accordance with 'feudalism' operates within the limits of what the collective aristocratic memory prescribes for due political action (helped out, in all probability, by written summonses, charters, notarial records, confirmations and the like).
83. See *Studium* (Sydney) 14 (1982), 'Prowess and Courtesy: Chrétien de Troyes *'Le Chevalier au Lion'*.
84. Two outstanding discussions may be mentioned: S. Knight, 'Arthurian authorities: ideology in the legend of King Arthur', and R. Tardif, 'The "Mistery" of Robin Hood: a new social context for the Texts', pp. 117-145 of S. Knight and S.N. Mukherjee (eds.), *Words and Worlds: studies in the social role of verbal culture* (Sydney, 1983). See also, now, Knight's book, *Arthurian Literature and Society* (Macmillan, 1983). For an important translated extract of the *Song of Raoul de Cambrai*, see Herlihy (above, n. 10), pp. 131ff.
85. J. Huizinga, 'The task of cultural History', in J.S. Holmes and Hans Van Marle, trans., *Men and Ideas: History, the Middle Ages, the Renaissance: essays by Johan Huizinga* (N.Y., 1970), pp. 17ff.
86. See J.G.A. Pocock, *The Ancient Constitution and the feudal law; a study of historical thought in the seventeenth century* (N.Y., 1967); J. Mackrell, *The Attack on Feudalism in Eighteenth Century France* (London, 1973); Cheyette (above, n. 51), pp. 32ff. etc.
87. Pseudo-Cicero, *Ad Herennium*, 4.43.45, trans. Harry Caplan

(Harvard, 1964), p. 343.

88. Ibid., 4.33.44, p. 341.
89. Cicero, *Topica*, 28-29.
90. Kenneth Burke, *A Rhetoric of Motives* (N.Y., 1950), p. 141.
91. Mitteis (above, n. 32) pp. 237-38 and cf. Mitteis, *The State in the Middle Ages: a comparative constitutional history of feudal Europe* trans. H.F. Orton (North Holland, 1975), p. 105. On the status of the German duchies at this period see W. Keinast, 'Der Herzogstitel in Frankreich und Deutschland (9 bis 12 j/h)', *Historische Zeitschrift* 203 (1966), pp. 563ff (569-71 for Bavaria).
92. Cf. thrust of Coulborn (above, n. 19), pp. 185-187, 364-95.
93. W.L. Warren, *Henry II* (London, 1973), p. 252.
94. Cf. Duby above n. 70.
95. Cf. S. Knight, above n. 83.
96. Southern, above n. 61.
97. G. Duby, *Le Chevalier, La Femme et la Prêtre* (Paris, 1981), p. 23.
98. Compare Valdeavellano's concluding question (above, n. 63), p. 62.
99. Perhaps the most successful 'definition' of feudalism that is not specifically Marxist, is that of Gianfranco Poggi (*The Development of the Modern State*, London, 1978), ch. 2: feudalism was, in the medieval period, a series of contractual arrangements involving a warrior class which, through fiefs, *gefolgschaft, commendatio* and vassalage, owed a form of allegiance to a superior and exercised economic and judicial control over a dependent class of producers (*seigneurie*); such arrangements became 'the chief carrying structure of rule' (p. 25) and though essentially unstable and potentially anarchic, did accustom the warrior class to some of the chief responsibilities of rule, and provided territorial rulers with a 'vocabuary' of suzerainty that reinforced the power inherent in their sacral, or Romanist inheritance. As an indication of the current interest among medievalists in the notion of 'feudalism', I provide the following extract from the programme of the fourteenth International Congress on MEDIEVAL STUDIES, Kalamazoo, Michigan, May 3-6, 1979:

"Session 69: THE ROLE OF CONSTRUCTS IN MEDIEVAL STUDIES: ARE COURTLY LOVE, FEUDALISM, AND GOTHIC TERMS MEDIEVALISTS MUST NOT USE? (A Double Session Sponsored by the Medieval Association of the Midwest)
(Organized by Philip Niles, Carleton College)
Presiding: Philip Niles, Carleton College
ON COURTLY LOVE:
Yes: E. Talbot Donaldson, Indiana University
No: Joan M. Ferrante, Columbia University

ON FEUDALISM:
Yes: Elizabeth A.R. Brown, CUNY, Brooklyn college
No· Thomas N. Bisson, University of California, Berkeley
ON GOTHIC:
Yes: Wayne Dynes, CUNY, Hunter College
No: Roger Adams, State University of New York, Brockport."

The currency of the term 'feudalism' will be apparent to anyone who consults recent numbers of the Leeds University *International Medieval Bibliography*: the indices reveal up to 20 entries under 'Feudalism' per half year.

I would like to acknowledge here the particular help of my colleague Mr Graeme Harrison (especially on Spanish feudalism), and Professor Bisson and Ms Stephanie Mooers, who read and commented on the paper in an early form. Time and ignorance have prevented full use of their several contributions.