

## Was there a 'feudal transformation' after 1000?

In dealing with a subject as fiendishly varied as the forms of land-tenure in the Middle Ages, we are always bound to come across big problems of semantics. What might be an acceptable definition of a situation in one part of Europe in a certain era might not be acceptable for all. Likewise one written word does not necessarily mean the same thing in a different era. The minutiae of medieval Latin terminology is not crucial only for us, but more importantly coloured the attitudes of contemporaries. Thus when papal legates arrived at the emperor's court with a letter reminding the latter of the pope's '*beneficia majora*' or many favours, they were set upon by irate courtiers who interpreted it as meaning that the emperor held his crown as a papal fief - a *beneficia* which happened to be *majora*. Therefore when we analyse the social relationships of the era between the ninth and twelfth centuries AD we must be very precise as to what we are considering 'feudalism' and how it did or did not transform itself after 1000. The generally accepted definition of what feudalism as a social system was proposed by Marc Bloch, when he said that it must contain 'A subject peasantry; widespread use of the service tenement instead of a salary; the supremacy of the class of specialised warriors; ties of obedience and protection which bind man to man; and in the midst of this the survival of other forms of association, family and state.' In this essay I propose to investigate the various parts of this statement and to see whether the events which followed the second Christian millennium did indeed transform society, whether there was merely a gradual evolution of existing practices, or indeed if no transformation happened at all.

The first component as described by Bloch was a subject peasantry, a concept which in itself needs definition: just how subject does a peasantry have to be before it fits the feudal mould? In the time of Charlemagne, we would have to say, the peasant community was certainly not subject to other people in a legal sense, in that there was a clear distinction between the *servi* slave-class and poorer Christians who enjoyed legal rights. The former, again for definition's sake was a legacy from Roman law, in that slaves were not technically human beings and thus had no land of their own and no rights to vote or swear oaths. Above the slave class were several other classes of peasant, who were freer, but not entirely free: the *coloni* for example possessed land, yet did not take part in the assemblies of freemen, and did not swear an oath to the emperor - implying that in one sense they were similar to slaves. They were also unable to leave the lands of their landlord/master. Yet were they a 'subject peasantry' as a whole: certainly they held full rights over the land they held in a similar manner to freeholders of modern times; land which notwithstanding any obligations they might owe for it, could not be removed from them by the local lord. They also had full rights to justice as regards their land, something which clearly set them apart from the *servi*. Yet after the Carolingian empire declined the numbers of *servi* started to increase rapidly, until by 1344 when Poly records that over three quarters of all peasants in certain areas of France were *servi*. Why was this? The first thing to record is that the late medieval Latin word *servi* did not mean the same as it had four hundred years previously. Instead of meaning a slave in the sense used in antiquity, it was in effect a word defining any tenant at the bottom end of the social scale, whose legal position was dubious if not entirely unfree. It implied that the serf held land of his own as any other, though his position was significantly more dependent on a particular lord, and he would bear a heavier burden in terms of labour and tax costs. Although this new status of serfdom was in effect produced by increasing the status of the slave and reducing that of the free peasant, this effect was not, initially at least, entirely contrary to the interests of the peasantry. In times of bad harvest, for example, a serf could guarantee the protection of his lord for himself and his family, and could guarantee holding his land - which as a freeman he could not always do. Indeed when it comes also to churches, there are noticeable cases as quoted by Southern, where a peasant placed himself and his descendants in voluntary servitude to the church in a formal ceremony, in which he symbolically tied the bell-rope around

his neck. The commentary written by the monkish chronicler states that he was motivated to do it 'through sincere piety' in addition to the protection the abbey could give on a temporal basis.

Thus far I have given an impression of the peasantry not being entirely subject to their lords. This, as time progressed, was patently not the case. Landlords first of all exploited the legal implications of servitude to aid their own revenues. Firstly there was the fact that servitude was perpetual and passed down the generations. In this way landlords could ensure that they would have a long-term, fixed workforce especially considering the fact that serfs were not allowed to leave their lands without permission. Secondly, landlords could manipulate serf marriages to help their own dynastic ambitions. An example given by Southern is of how a serf on lands belonging to St Martin of Tournai wished to marry his only daughter to a serf of a neighbouring lord. The prospect of this marriage filled the monks with fear since having one's land farmed by another's serfs was only one step from losing the land completely: they paid the astronomical sum of £15 to the other lord in order to drop his claim. Thirdly, and following from the previous example, serfs increasingly became seen as chattels, that is that they could be legitimately bought, sold and confiscated by other lords, as William of Saint-Calais's serfs were seized after 1088. In this way the unfreedom of serfs was underlined, and their legal position steadily declined. Their social position deteriorated as well, as can be quite clearly seen from the modern linguistic impact of the antithesis between noble and villainous actions. Servitude was increasingly seen as a degrading status incompatible with rational thinking. Indeed many at the time noted the distinction between the freeman - who is governed by laws and reason which safeguard his liberties - and the serf who is ruled only by the Will of others. Fear of servitude was a major concern for many freemen of the time, and Anselm of Aosta was asked about this by one of his monks. In his reply he made it clear that as far as the Church was concerned, servitude was a good thing since all men were made to serve God: what he neglected to mention was that while *poverta voluntaria* in God's service was indeed seen as honourable, involuntary poverty and servitude was seen as anything but honourable.

So, if the peasantry became increasingly subject to the wills of others after 1000 though not necessarily before, is it true that gifts of land tenure was also now the norm over a salary? Firstly another question: who would be receiving salaries or land tenure? I should like to divide the country up into the traditional three orders of society, the *laboratores*, the *bellatores* and the *oratores* - or the workers, soldiers and clerics. As regards the workers, it was certainly the case that they did not receive a salary but instead held land from their lord in order to provide for themselves and their families. That this was often the same land they previously brought into servitude is irrelevant. Where peasants - free peasants admittedly - genuinely did receive land in return for their labours was in the great expansion of arable land across the continent with the advent of more efficient farming and ploughing technology. New land was opened up in waste areas which were formerly unfarmable: yet this cannot be described as land tenure as such. The new land was invariably without an existing lord, thus peasants owned it freehold. As an example, Duby reports that three fifths of the peasants of the northern half of Warwickshire were free in the thirteenth century, while only one in three were in the south.

As for the *oratores*, they too received lands in return for their spiritual services, as indeed they had always done: but this too was not land tenure, since it was bestowed as *beneficia*: a gift which may or may not entail obligations on it. Indeed in 1085 Count Peter of Mauguio gave land to Gregory VII *in allodium*, or without obligations. In the case of kings, abbeys and monasteries as the Domesday Book shows, could indeed be liable for military service, as often as not prayers were sufficient recompense. Thus in return for land, the Saint-Aubin cartulary uses the word *beneficium* again to describe their spiritual repayments. Since monasteries were not averse to taking others' land in return for prayers, they could be seen as a form of salaried workers: the legal obligations of this arrangement were in reality often too hazy to pin down.

Even for the soldier class it is very unsure whether the definition of them receiving land tenure in return for their services is a difficult one to judge definitively. Certainly there are mentions of the word *feodum* in documents dating to back in the flourishing days of the Carolingian empire. However it is impossible to deduce a systematic form of land tenure *as a replacement* for a salary, since the bulk of active knights lived almost entirely at the side of their lord: the price of their services was not so much land tenure as free board and lodging. Certainly many English chronicles mention the riotous retinues of Hugh of Chester for example, and Wulfstan of Worcester demonstrates that clerics continued this habit as much as the laity. As if to confirm the fact that the real fighting soldiers tended to live with their lords, there is the example of a feudal host summoned by William Rufus of England, only for it to be dismissed after having been stripped of all its valuables in order to fund the professionals. This is not to say that there was not specific grants of land set up in order to fund the *milites* on a regular basis, and indeed there are records of these in the twelfth century: but the regular numbers of these - divided into groups of five - suggest that the quotas were set in order to fit in with exchequer accountancy practice and not as part of a distinct system. On the other hand, we see certainly a definite reluctance in documents from before the eleventh century to use the language of feudal tenure - *feodum* and *fief* etc. - though they certainly existed beforehand. Indeed even in Provence in 1047, William Gaucelin gave his man the county of Antibes *in proprium alodem* - forever to do with as he pleased. However, the greater use of fiefs in charters from the eleventh and twelfth centuries does certainly suggest a greater recognition of the role of land-holding in binding knights into the stable foundations of society.

What is undeniable is that in this largely illiterate society there existed a real need to create firm personal bonds between individuals, and that these acted irrespective of whether there was a gift of land attached. The highly symbolic *commendatio* ceremonies therefore had a real use, since in the presence of witnesses a social bond could be formed which was mutually beneficial. Many historians have concluded that this Germanic custom dated back to the *comitatus* ceremonies recorded by Tacitus. If so, its significance was certainly undiminished. Submission to one's superior, along with an oath of fidelity was also one of the only ways a governing monarch could at least hope to maintain control of far-flung provinces. The personal oath taken by all freemen, the *leudesamio* to the royal overlord was a significant event as well - not least because it identified the free men from the unfree. Thus the submission of the Duke of Normandy to the French king long remained a serious enough issue to cause intense hostility between England and France. In reality, the commendation system was far from efficient, as the controversy over Harold's alleged homage to Duke William in 1065 shows. It did not, for example, determine allegiance if two landlords of a tenant came into conflict. It was also not necessarily related to any firm system of mutual benefit: grants of land frequently accompanied the oath, but frequently did not. Instead, the real significance of commendation lay in the fact that it was an entirely voluntary pact binding a man and his lord, and that a man could be only commended to *one* lord - it was a pact which respected both sides and bound both into supporting the other despite outside influences. *Glanvill*, as an example stipulates that 'the lord owes as much to the man as the man to the lord, saving only reverence.' The vows of knighthood also were increasingly capturing the imagination of the warrior class, and served to mark out the 'honourable' section of the community. As knights, the upper sections of the laity could theoretically consider themselves equal despite discrepancies in possessions. In practice, knighthood separated the ruling class from the workers, and fighting men focused themselves towards war, unencumbered by the worry of having to sustain themselves.

In dealing with the forms of feudalism that existed both before and after the year 1000, it is far from clear that the early period can be called a truly feudal period. The essential elements of feudalism did indeed exist before then, for the most part they were not yet fully developed legal

concepts. Much of the peasantry, for example was largely independent of their landlords: the seigneurial rights of jurisdiction were not yet clarified; the custom of homage was not yet widespread amongst the peasantry; and landlords could not give out as fiefs land which still legally belonged to the peasants. Their control over the local economy in terms of seigneurial mills, granaries etc. was not yet complete in the way that the emerging serfdom later made it. The professional soldier-class, was only slowly emerging, and thus there was no need for a comprehensive system of knights'-fees in order to provide for it. For these, commendation did provide a means whereby personal bonds could be formed, but it was only when combined with land and incentives did the new stability of the 'classic' feudal pyramid come about. It was the sophistication of these existing structures which combined to create the society, referred to by Bloch as the 'second feudal age', which was able to direct its efforts into its military rulers. As Stenton said in regards to England, 'this new precision which governed relationships throughout the higher ranks of post-Conquest society is the most obvious illustration of the difference between the Old English society and the feudalism which replaced it.' - feudal ties were now being fully explored and obligations clarified. It is no coincidence that this 'second feudal age' came at the moment when Western Christendom was pushing back the Muslims in Spain, Magyars in Hungary and Northmen on the western coasts: its social structure was designed to support expensive armies, and its code of chivalry to promote war and warlike activities as valid ambitions. There was a transformation in feudalism around the year 1000 AD, and the transformation was to harness existing forms of social relationship and to strengthen them until they formed a coherent structure of loyalty and power.