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THE CAMBRIDGE ECONOMIC HISTORY

The purpose of this work is to tell the economic history of the world as it impinges upon Europe, starting with the later centuries of the Roman Empire. The present volume was planned to be complete in itself; it gives the foundations of economic life—and what was in many places the complete superstructure too—the earth, the crops, the peasant's toil, how villages and fields were occupied and laid out, how and with what cattle and implements they were tilled, what the society was that they maintained. The great sweeping movements, such as settlement and colonization, agricultural technique, the rise of the manor, have received general rather than regional treatment. Regional studies have been combined in a composite chapter which depicts the state of the regions or countries during a period loosely defined as the height of the middle ages.

The contributors were selected in 1934, when the first three volumes were planned and international co-operation was still possible. War has not been able to destroy the valuable continental authority of the first volume. This was planned to be complete in itself, and need not await the rest of the work, which circumstances must at present delay until times more congenial to learning.

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PREFACE

There should have been two sets of initials at the end of this Preface, but the more important set is not there. My colleague and very dear friend Eileen Power had just finished some editorial work on the last chapter and the bibliographies when she was struck down in an instant of time, not by that which may strike anyone to-day but by utterly unexpected disease. With her this work loses the editor upon whom, as a medievalist, the main responsibility for the first three volumes rested.

Our design was this. We did not set out to tell the economic history of the world but of Europe, or of the world only as it impinges on Europe. We decided that the world was too vast and its local histories too discrete for convenient handling; that parts of its economic story are too ill-known for scientific handling; and that other parts—especially the internal history of the Americas—though well-known are best left to other than English editors. The starting point was fixed in the later centuries of the Roman Empire because, although the economic references and sections in the recently completed *Cambridge Ancient History* might no doubt be usefully expanded, that enterprise had not been carried right through when this was planned, and so it seemed foolish to try to expand what, being recent—even in parts still unwritten—and the work of the best scholars available, could not, in its essence, be improved upon at once. We have, however, in the long Chapters I and VI, welcomed the wide sweep in time and place which their themes demand and their authors are so competent to design.

It is fortunate that this volume was planned by Eileen Power as a complete whole. Whatever delays there may be in following it up, and it seems likely that they will be most serious, it can stand as we have learnt to say 'if need be for years, if need be alone'. The second, some few chapters of which are already written, is to be urban, industrial and commercial; the third is to deal with credit and finance, public and private, coinage, prices, the economics of the late medieval nation state and medieval economic thinking. Of modern volumes it is too early to write; but the guiding notions will be the same. In this one we have the foundations of medieval economic life, and what in many places was almost the complete superstructure too—the earth, the crops, the peasant's toil; how villages and fields were occupied and laid out; how and with what cattle and implements they were tilled; what the society was that they maintained.

If we had tried to tell the story of each country or region as annals of its agriculture there would have been endless repetition. The method adopted still involves a little repetition and has the added weakness that it may leave gaps in the annals of any given region; but those seemed to us minor defects. Our plan was to have the great sweeping movements which affect all Europe, or nearly all, treated in the general Chapters I, III, VI and VIII—settlement and colonisation; agricultural technique; the rise of what in England we call the manor, the *seigneurie*; and the operation of those forces which were transforming, or at least deeply affecting the rural life of late medieval times. In the composite Chapter VII countries or regions are taken at what we called, in discussion with our contributors, the height of the Middle Ages. We had in mind the centuries from the eleventh to the fourteenth; but we left contributors free to interpret our phrase in relation to their region, and to indulge in retrospect. Our Russian colleague explains that the height of the Russian middle ages extends very far into 'modern' times, and writes accordingly. We agree with his interpretation.

In Chapter II we have the technical and social starting point—the rural life of the later Roman Empire. In this chapter and in Chapter III—the evolution of medieval agricultural technique—our contributors, with special knowledge of Mediterranean conditions, pass easily from the Mediterranean, or classical, to the Northern, or medieval. For more reasons than one—as references throughout the volume and especially in the Italian section of Chapter VII make clear—true 'medievalism' in agrarian life may be said only to exist North of the Alps.

Chapter IV—the agrarian institutions of the Germanic Kingdoms from the fifth to the ninth century—helps to stop a gap in the annals and throws light, from a different angle, on some of the problems in the chapters that deal with settlement and the *seigneurie*. No attempt has been made to rub down differences so as to produce an editorial uniformity of surface which would mislead. There are divergences of opinion tenaciously held and they ought to appear. Chapter V, Byzantium, stands a little apart from the rest and takes us farther East. But every historian will know why it was included and will appreciate, we hope, that uncommon blend of 'classical' and 'medieval'—one might almost say those shifts from one to the other, from peasant soldiers to 'feudal' δυνατοί—which the Byzantine agrarian story provides.

Following the tradition of the Cambridge histories, footnotes have been kept to a minimum. Our contributors varied in the strength of their wish to accept this tradition. We have kept the footnote that identifies a quotation of any length; a few footnotes dealing with difficult or disputed points; and a very few references to out of the way sources

which contributors wished to specify. Complete acknowledgement of obligations, or reference to sources, would be impossible in a work of this kind—whatever the tradition.

For the convenience of those economic readers who are not perfectly familiar with medieval political history we have introduced, with a few modifications, from the *Cambridge Medieval History Atlas*, three outline maps of political conditions at critical dates—the old Imperial frontiers and the movements of the Teutonic tribes from the first to the fourth centuries; the Empire of Charles the Great and its neighbours; and Germany in the thirteenth century. These will help such readers to locate the sometimes rather obscure political areas often referred to, especially in Chapters I and IV, and in Sections 1 and 4 of Chapter VII. In the plates a few selected types of agrarian lay-out in different parts of Europe have been reproduced—at present without that permission which the circumstances of 1940 have hindered us from asking—from the maps published by the late August Meitzen and by Marc Bloch. It seemed unnecessary to insert an English map: the 'classical' village map is now very familiar, and a variant would have been out of place. In view of the recurrence in our chapters of the problem of the plough, we have tried to elucidate it by a few selected plough pictures of very different sorts and origins; and as a contributor illustrates a point of technique (p. 145) by reference to a picture of Old Breughel's, we could not resist the temptation of reproducing that master's view of the fields and the harvest as they were in one place at the close of the Middle Ages. It tells a great deal about rural life, apart from that point of technique.

The volume has been assembled with difficulty. Work of this kind can be done only on an international basis and, for the time being, that basis has failed us. When the volume and its two immediate successors were planned, in 1934, international co-operation was still possible. But it became harder each year. The author of Chapter I when he accepted our offer was a Professor in Breslau. Transference to Jerusalem, with the accompanying need to master the art of lecturing in Hebrew, interfered with the completion of what seems to us a great piece of work. An Italian scholar accepted our offer to write the Italian section of Chapter VII but was unable to deliver the MS. He was replaced by a Danish student of Italian agrarian conditions; the Dane unexpectedly died. His successor is a Finn who, with great determination, finished the section before he had occasion to write from 'somewhere in Finland' in November 1939 that he hoped to get back to economic history but that 'it was a small thing compared with the independence of his country'. We have not heard from him since. Our Spanish contributor sadly threw up his task because he was a refugee in Santander and his notes were in Seville. There has been no later news of him either. We were fortunate in

finding an American scholar who was willing at short notice to take his place. Of Professor Rutkowski all that we know with certainty is that he cannot be at his University of Poznán; we believe that Professor Ganshof, an officer of the reserve, is alive in Belgium; and that Professor Marc Bloch, after serving with the armies, is safe in America.

Our second volume had among its contributors Frenchmen, Germans, Belgians, Italians, Eileen Power herself and Englishmen now absorbed in war work. Whether this team can be brought together, or replaced, and when, one cannot yet tell.

Our thanks are due to Professor M. M. Postan who helped my co-editor in the planning of the volume and both of us in innumerable other ways; to Professor F. E. Adcock, whose masterly editing of the *Cambridge Ancient History* makes him an editor's ideal expert adviser; to Professor C. W. Previté-Orton, equally experienced as an editor and a medievalist who while professing ignorance of medieval economics knows more about them than some who make contrary profession; to Professor Marc Bloch whose knowledge of European scholarship and scholars was always at our command; to Professor Ganshof who was also very helpful; and to Professor Koebner who, beside contributing the most massive of our chapters, through his several journeys from Jerusalem to London in search of material maintained a contact with the editors which was of great value to them. To these our chief debts are owed; but we have many other creditors including the often thanked secretarial and technical staff of the University Press.

My colleague and I had considered making some generalisations from the work of the contributors in our Preface. But these were not written down or fully thought out, so I hesitate to make them, lacking the essential check of her knowledge and criticism. And indeed this Preface would have been better in every way if revised by her and doubly initialled.

J. H. C

Christmas, 1940

Enemy action having made an early reprint necessary, the opportunity is taken to report that Marc Bloch is safe in France, not in America, and that Gunnar Mickwitz fell in the first Finnish war. What has happened to Peter Struve and Georg Ostrogorsky, both Russian exiles in Belgrade, we do not know.

J. H. C.

Christmas, 1941

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CHAPTER I

The Settlement and Colonisation of Europe

THE evolution of settlement and colonisation during the Middle Ages is of historical importance from many points of view. It is associated with three great phases of development—three essential chapters in the history of the nations of Europe.

Settlement on the land helped to bring about that mingling and stratification of the peoples from which the European nations sprang. To say that all peoples were once in restless motion and that their lines of conquest or migration have determined the division of the land among them is not enough. For not all these movements affected the foundations of agrarian society; although some conquests which merely introduced a new ruling class—like the Norman Conquest of England—yet left their mark deep on the national life of the conquered territory. The movements of the peoples from which the states of the European world arose were only in part movements which transferred the use of the land to new hands on a large scale. But such transfers must be kept in mind; as must others of a more peaceful sort—migrations and transplantations and resettlements of social groups. Governments showed themselves solicitous, now for a denser population in some given area, now for the raising of the general level of agricultural production. Where land was the main form of property its owners would seek to add to its utility by closer settlement. The rise of commercial and industrial centres would increase the demand for agricultural produce. As a result there might be extensions of existing population groups, or migrations of groups. And such developments might be just as important for the formation of the basic strata of European society as the direct seizures of territory by conquering hosts and the crowds who followed in their train.

If we survey these movements in their historical sequence we are led back into an age in which, occurring peacefully and promoted ultimately from a centre of universal dominion, they prepared the way for a grouping of population quite different from that which developed later under medieval conditions. The Roman Empire pushed its frontiers to Britain, the Rhine and the Danube and created a wide zone for the spread of Mediterranean agrarian life and for the tranquil and fruitful evolution of all forms of settlement. Of this age of settlement the Romanic peoples were the permanent product, not it is true over the whole zone, but over the whole land-mass of South-Western Europe. But already in the last centuries of the Western Empire new elements from beyond the frontiers had been mingled with this people: powerful

groups of Germans had settled among them. And then that conquering movement which we call the *Völkerwanderung* in the narrower sense vastly extended the area of German settlement in the Alpine lands and in Gaul—which thereby became France; broke right through Roman Britain and made it England; and even in Italy left numerous groups settled on the land. Furthermore, the rule of the Franks put an end to the shiftings of the Teutonic tribes in Germany itself. With that the internal development of the lands West of the Elbe begins.

The process of settlement which followed the Germanic *Völkerwanderung* was the first of a series of events each of which affected fundamentally the structure of agrarian economy, and at the same time made its contribution to the building up of the European society of nations. Eastward of the area of Germanic settlement stretched that of the Slavs. The inroads of the Arabs and their associated peoples introduced fresh social strata into South-Western Europe. The Scandinavian inroads of the ninth and tenth centuries, which shook all Western Europe, left behind them especially in England new groups of settlers and a new division of the land. About the same time, on the skirts of the Eastern Alps, a German peasant population began to push out into Slavonic territory. And when this process was finished, in the twelfth century, fresh migrations began, which carried the boundaries of North German culture from the Elbe through the adjacent Wendish lands into those of the Poles and Czechs, occupied the land of the Prussians and founded permanent settlements even in Hungary. Unlike the earlier processes of settlement this was not in its entirety the outcome of conquest. An appreciable number of the foreign settlers were called in by East European rulers who aimed at a more intensive economic development of their territories.

And this eastward German colonisation of the twelfth and thirteenth centuries fits into a second series of events in the history of settlement which everywhere accompanied the development of nationalities. That is the process which, all over Western and Central Europe, brought about a fuller economic utilisation of the soil. The sharply marked frontier which, in the last era of ancient history, divided the lands of Roman-Hellenic civilisation from those of the barbarians divided also, so to speak, two spheres of the estimation of the soil. The use which Roman rule and Roman or Romanised society made of the provinces implied colonisation in the strict economic sense of the term.

Various forces were working in that era to ensure or to increase the yield of agriculture and with it the maintenance and extension of agricultural centres—the state, which had to provide for troops and officials; commerce, which had to balance the inequalities of production in the various provinces; and not least those varied elements in society

which lived or sought to live as *rentiers*, from aristocrats of senatorial rank to time-expired soldiers, for all of whom landed property was the most desirable basis of existence. These motives worked right up to the imperial frontiers, but did not influence in any way the social standards of the peoples beyond them, because of their social structure. Generally speaking, their agricultural activity was not yet directed towards the conquest of a stubborn environment. Of this the *Völkerwanderung* itself is the most obvious consequence. But the *Völkerwanderung* inaugurated a new economic era. In many areas of old Roman civilisation its storms completed that ruin which the internal discord and the external dangers of the late imperial age had already brought about. But when the barrier between the Roman and barbarian worlds broke down, the traditions of the classical agrarian civilisation began to influence the new peoples; who at the same time, unable to wander any further, had to accustom themselves gradually to an economic utilisation of whatever lands they now occupied. Settlement became more dense: they learnt how to economise the soil. Settlement extended: they learnt how to make waste land productive and to clear woods. The process was an affair of centuries; it was always being interrupted by the ravages of war and had always to be associated with making them good. Not till the twelfth century have we clear indications that, throughout all Western Europe, the land was being fully used; from this time settlements were established even where the elevation, the density of the forest, or the risks of flood had hitherto been insuperable obstacles. The eastward colonisation by Germans was primarily a transference into a fresh area of this effort to make a full economic use of the land. Peoples already settled there were themselves drawn into this colonising activity.

Decisive incidents in the social evolution of medieval society were intimately associated with these economic processes. Like other activities directed to the opening up of new economic resources and forms of production, the colonisation of the land became the foundation of an improved social status for large groups of those who participated in it. The general conditions of the class system among colonising groups determined the sections of society which were able to share in the movement and the social advantages that they derived from it. In the Roman Empire men of affairs and ex-officials were the chief beneficiaries: colonisation helped them to acquire estates and country 'places' which put them on a level with the imperial aristocracy or the patricians of the towns. The peasant won nothing but his living from the labour that created or improved cultivable land; he did not acquire that honourable rank in society which, according to the universal outlook of the ancient world, was reserved for those aristocratic classes. Society in the Romano-Germanic succession states was, it is true, thoroughly

adapted to that relationship of landlord and tenant on which the agrarian system of the Roman Empire had rested. But with the 'barbarising' of imperial territory and the establishment of 'barbarian' rule, those cultural and political assumptions which, in the last years of the ancient world, had determined the social importance of landed property and led to its creation lost their strength. The aristocratic life of the villa shrivelled up and its homes decayed. The decline of money-economy prevented the growth of wealth that might be invested in land. And finally came the collapse of that salaried army and civil service, which in the former social order had both facilitated the accumulation of property and provided the—no doubt burdensome—defensive armour behind which lords and their dependents, isolated from public affairs and functions, had enjoyed or dragged out their private lives. Ways of living in the new societies were vastly simpler: they were also purely agrarian. Landed property acquired social functions very different from those which had characterised it under the Empire. Its functions now affected the great majority of the population, but were sharply graded in accordance with the social stratification.

Landownership, which took the form of landlordship and the disposal of the forces of a multitude of dependents, became the basis of personal political power. Such landlordship also secured the independent life and efficiency of the Church. But a type of landownership only considerable enough to guarantee the owner's economic independence had also its definite social value. On such ownership rested the common rights of those sections of the population who had no share in political power, but who could make their influence felt in the legal life of rural society and the economic life of local society. Lastly, a claim to a share in the land enabled an important section of those who were dependent—including many who were not even reckoned free—to maintain their households; and under various legal forms such a claim had, or was acquiring, a secured and heritable character.

All these varied relations to the land served as incentives in the task of medieval settlement. They operated both on a small scale, in the extension of existing settlements and their fission into new ones, and on a great, in the conduct of comprehensive schemes of colonisation. The extension of the area of settlement was an instrument for the building up of the great lordships. It was also a way out of the difficulties which the division of inheritance created for the lesser freemen. Finally, for many in the lowest ranks of the peasantry and those in danger of sinking into those ranks, it was a refuge from grinding poverty and practical bondage. It might even help them to rise in society. In the course of centuries these various aspects of the work of settlement were unrolled in a sequence which corresponded step by step with the social

development of the peoples of Western Europe. Although our sources tell us little about it, doubtless in most places, during the centuries which followed the end of the great movements of the peoples, small landowners added to their inherited holdings. Later, as the pressure of feudal lordship reduced them in number and importance, the division of land within the feudal state set a limit to the activity of the class of small freemen. Members of this class who wished to protect their social status by establishing new settlements were now obliged, like those peasants who were struggling out of bondage, to adjust their craving for land to their lords' claims over it. But landlords, lay or ecclesiastical, were not equally ready at all times to spend themselves on colonisation in order to increase their power. We can hardly generalise from the evidence of colonising activity which exists for the years about A.D. 1100. In later years, as has been already noted, the tendency was rather to make the maximum agricultural use of whatever land the lords already possessed. It is in this same period that we are most conscious of the enterprise of the peasant strata below them. At two points, during the eleventh, twelfth and thirteenth centuries, it leads to regular migrations —in Northern France, and in the movement of West German peasants into Slavonic lands East of the Elbe. These movements are very closely related to the contemporary migrations of other countrymen into the towns, where free industry guaranteed them a living and burgess rights a social position. In both areas the movement of agrarian settlement kept touch with the urban development of law; and in the area of German colonisation eastward agrarian settlement was associated with the founding of towns.

The privileges which the colonists enjoyed had generally a favourable influence on the legal position of the old established peasants among whom they had settled. This influence made itself felt far into those Polish lands where very few immigrants penetrated. On the land, precisely as in the towns of this period, the economic achievement of the labouring man served to promote his social advancement—and that through the colonising process. If we view the whole development of European society, this appears as perhaps the most important phenomenon connected with medieval settlement and colonisation. But its influence was rigidly limited. On the spiritual life of the age the work of the settlement movement left no lasting traces. The peasant class remained in the long run the least valued section of society, even in those regions which had seen most colonisation. The gains which the settlement movement had brought to that class were gradually nullified by fresh applications of governmental and seigniorial pressure.

If we try to grasp in outline the most important medieval movements of settlement and their significance in the development of nations, of

agriculture, and of society, we must not forget that the physical framework of rural life merits historical treatment for its own sake. The lay-out of the settlements, their distribution over the face of the country as homesteads, hamlets, villages; the lay-out of the individual farmstead and peasant home; and not least the ordering and division of the area devoted to agriculture—all these structural forms of rural society had their varied local and historic types. The movements of settlement lose their full historical life if we fail to picture the types of settlement which accompanied or sprang from them. But with the knowledge now available, we cannot do this for each age and area quite clearly. Even the dependence of forms of settlement and the patterns of the fields on the conditions of their geographical environment is neither simple nor inevitable. The variety of types as seen in the modern world is the result of varied historical and personal forces, of changing environments, of cultural forces radiating from very many points. To an appreciable degree this evolution of the forms of settlement is connected with the history of the extension of the settled area and of the migration movements. But this connection is not universal. Forms of lay-out and construction spread without being carried from place to place by migration. Research in this field is being conducted to-day by exceedingly delicate methods, but is of necessity highly specialised and localised. For both reasons its results are still at important points fluid and provisional.

A variety of approach characterises all modern researches into the history of settlement. The classic historical method, the co-ordination and analysis of narrative reports and documents, still provides us with the guiding clues. Only because we have such sources at our disposal can we correlate the course of settlement with that of political and social history. But there are recurrent gaps in the results of this traditional method. Medieval chronicles abound in negative information, how this settlement was wasted and that destroyed; but they rarely tell us how anything was built up. The documentary evidence too is very unequal. Generally it is incidental and indirect. The exploitation of the land was carried out by means of lords' arrangements or neighbours' agreements which required no written record. A change appears however, though not quite a general change, in connection with the great colonising enterprises of the twelfth and thirteenth centuries. The written contract acquires greater importance if, before the lord can create a settlement, he has to come to an agreement with competing authorities, or with colonists and intermediaries strange to the place or the country. But such necessities were not equally urgent everywhere, even in the areas where colonising activity was most widespread. We have abundant settlement-agreements from the lowlands of Silesia;

from Upper Saxony, Brandenburg, Pomerania and Mecklenburg only a few. Moreover the grants and charters of agreement always give an imperfect and often a not quite trustworthy picture of the process. They concern only the reciprocal rights of the parties and do not tell us about the settlers and how they settled. And as they generally contain only a plan, we cannot tell from any given document how far the plan was really carried out.

There are other materials for the history of settlement more closely associated with its internal life—finds; place-names; field-names; family names; peculiarities of law, usage and speech; finally the lay-out of villages and fields, actually surviving or recorded in maps. The most intensive research is directed to these things to-day. Archaeology, philology and the geographical study of settlement unite with historical research: physical geography combined with the analysis of soils and vegetations helps to unveil the past of the sites where men have settled. This formidable division of labour does not tend to easy synthesis of the results. Each line of inquiry evolves its own critical method; and this does not always lead to a growing certainty in the historical and chronological interpretation of the individual fact. The progress of knowledge often obliges the inquirer to realise that phenomena may be similar without being for that reason contemporary. The history of the settlement movements and that of the civilisations of the various settled regions begin to throw light on one another but gradually.[1] Yet historical research receives from all these branches of study a stimulus whose importance grows every day.

In the light of these studies, the boundary between the prehistoric and the historic has lost its importance, both in the history of settlement and in agrarian history generally. There is nothing strange now in following out the evolution of the use of the land and the distribution of settlement groups, as determined by geographical, ethnological and technical forces, into epochs for which no literary or documentary evidence exists. And this analysis of primitive times might help us to understand better than hitherto the situations of the different peoples as they were when the literary tradition begins. Here however we cannot go so far back. We can neither peer into the dark prehistoric ages of central and northern European regions nor study the contemporary agrarian development of the Mediterranean lands. Both for the purpose of our preliminary observations and for those of the rather fuller sketch to which we now turn, the best starting-point for discussion is that point in time at which the frontier between these

[1] The different ways of arriving at conclusions in the study of settlement by the use of place-names may be seen by a comparison of the work of F. Steinbach with that of A. Helbok. (See Bibliography.)

two civilisations had been pushed farthest towards the heart of Europe.

That frontier was established by the policy and administration of Hadrian. He clung to the conquests of his immediate predecessors, the Flavians, and of Trajan. But he abstained from any forward policy and defined the boundaries of the Empire, so far as they did not coincide with the courses of rivers, by the protective works gradually built along the frontier roads and chains of forts of his *limites*. The boundary of the Empire was also the boundary of settlement. The settlement policy of the Empire and the colonising enterprises of its subjects combined to fill the area within the boundary with uniform structures, whilst beyond the boundary, in the territory of tribes kept at peace by alliances with Rome, there was no colonising expansion at all. The uniformity of social structure inside the Empire is most clearly shown by the fact that the dominant Mediterranean unit of settlement, the town, pushes farther and farther inland and is adopted by the conquered peoples. No doubt at the end of the second century urban centres were not spread uniformly everywhere. But those parts of Europe in which they are not found, or hardly found, are simply those which, for geographical or historical reasons, were backward—mountainous districts, except those whose mineral resources attracted enterprise and led to the setting up of towns, like the Alps of Noricum; or young frontier districts far from the Mediterranean, like the eastern parts of Upper Germany between the Rhine and the *limes*, the most northerly parts of Gaul and Lower Germany, and North Britain.[1] In Gaul one notes how the urban development of the North lags behind that of the South. We must always bear in mind that the Romanising of Europe was still in progress when the catastrophes of the third century—military revolts, peasant rebellions and barbarian invasions—threw the Empire into a state of confusion, which was indeed followed by one of greater calm but hardly by one of economic recovery.

Urbanisation was a fundamental principle of Roman policy. The self-government of the town territory was the pillar of imperial government. Internal order depended principally upon a uniform urban organisation and civilisation, and on the discipline of the imperial armies. The prosperous landowning class was led to settle in the towns and to take pride in their official service and their adornment. *Hortari privatim, adiuvare publice, ut templa, foros, domos extruerent*: this educational work in Britain, for which Agricola was praised, was carried on with great energy by the rulers of the following century all over the

[1] It is not possible to include in this account the history of Africa and the East although, as Rostovtseff's great work has shown, the policies and tendencies of Imperial settlement become clearer when viewed as wholes.

Empire. They were helped materially by officials and merchants, and by provincial veterans who had been Romanised through military service and wanted to return home and live as prosperous landowners in the towns. The new way of living had also, as a rule, some of its roots in native habits of settlement. Greek and Phoenician civilisation had influenced the coastal districts; the Illyrian, Iberian and Celtic hinterlands contained central tribal settlements, often fairly populous, in which the leading families had their place. The economic horizon of the individual town was naturally in most cases narrow. Only a few showed so intensive an industrial and commercial life as Aquileia, Lyon, Trier, Cologne and Augsburg, which profited by their favourable situation for trade and the proximity of important bodies of troops. The towns of Britain, for example, seem to have had a predominantly rural character: the ruins of the houses of Silchester lie scattered far apart 'like cottages in a village'.

The character of the town determined its influence on the surrounding country. In a few cases the consuming power of a great camp or of an industrial population working for export stimulated the production of foodstuffs in the neighbourhood. Elsewhere, as in the plantation districts of Southern Spain and the Adriatic coasts, the rural area itself produced the goods which the town exported. But everywhere the households of those landowners who formed the upper class of the towns absorbed, directly or indirectly, a very important share of what the countryside produced. To these households were attached the centres of economic life, the villas, established on the land. The buildings of such a villa stretched all round a square courtyard. Often a country house for the lord was associated with them. If possible it was in the Italian style and placed, as the classical writers on country life had advised, on a rise overlooking the fields of the estate. These villas scattered about the land were, like the towns, typical units of Roman civilisation. They were often built earlier than the towns. Even in regions but sparsely urbanised, ruins of Roman villas have been found, as in Belgium. Like the towns they are monuments of a society profoundly interested in the maintenance of the yield of agriculture. Together with their standards of life, the Italian landowning class introduced into outer Europe the organisation of the large estate. The lord's villa, which served as the economic headquarters, was adjacent to a village where the workers—usually slaves—lived together. Remote parts of the estate were let out to peasants, who might be free *peregrini*, clients of the lord, or freedmen, or slaves, as local circumstances determined. Proprietary rights were remodelled in various ways by the influence of Roman authority. Both for the setting apart of *ager publicus*, with its colonies of veterans, and for the fixing of boundaries to the *territoria* of towns, new surveys were

required, in connection with which in certain regions—demonstrably along the Danube—Roman centuriation was applied. We note that these surveys were made the occasion for preferential treatment of lords settled in towns as against country landholders. It is not, however, clear to what extent the dependence of the peasant population on the lords was increased by these proprietary regulations and by Roman rule in general. Even before Roman times a society based on a strong independent peasantry was not to be found among any of the conquered peoples.

So in all probability there was no marked difference between proprietary relations in provincial and those in Italian villages. In spite of the efforts of the Emperors of the first century, the Italian peasants had become tenants of the Roman aristocracy. The spread of rural settlement, the increase of villages and of arable land, was really the affair of the great proprietors. Of these the Emperor was the greatest. His administration had worked at African colonisation with the utmost energy in order to feed Rome. In the European provinces also more was required of agriculture than in pre-Roman times. Artisans, merchants and officials must be fed. The lord must make his estates pay for his more luxurious way of living and provide constant contributions for the city and the state. This all meant an extension of cultivated land and more peasant holdings. In Italy peasant farmers, *coloni*, had taken over lands which had once been slave-worked wine and oil plantations; for the slave economy was no longer profitable.

Yet the extension of peasant holdings in Italy was far behind its optimum. In A.D. 193 Pertinax issued an edict to encourage the utilisation of land that had been neglected all over the Empire; Italy was particularly mentioned as in need of attention.[1] In the North-West of the Empire also there was a definite and significant limit to the extension of peasant settlement. It never seriously attacked the forests. In Gaul, in Germany East of the Rhine, and in Britain, traces of large-scale clearing in Roman times have been found only in those state forests from which the word *saltus* was transferred to state property in general. Smaller clearings were often undertaken to make room for villas which yet had to be near the woods. But beyond this it seems that private settlement was confined to the areas which had long been used for tillage and pasture.[2] In view of the growth of population, this points to an increased agricultural yield as a result of Roman influence. But it also suggests that this influence failed to stimulate initiative among any large section of the peasants. There can be little doubt that an extension

[1] Rostovtseff, *Studien zur Gesch. des römischen Kolonats*, p. 391 n.

[2] Jullian, *Hist. de la Gaule*, v, 5, p. 179 f.; H. Aubin, *H.Z.* v, 141, p. 6 f.; Fox, *The Archaeology of the Cambridge Region*, p. 224.

of cultivated land at the expense of the forests would have been economically advantageous. Urban and rural labour would have been mutually stimulated. But the most powerful motive for an expansion of rural settlement is always the desire of the individual to profit from his own toil. The founding of new homes has at all times been the goal to win which peasant stocks have undertaken the heavy task of reclamation. Roman provincial society, with its preferential treatment of the towns, was not a favourable environment for this task. The turning of forest into arable, with long drawn out toil, for the benefit of a lord in a remote town, was not the most attractive way of making a living.

A direct colonising influence of the state was felt in regions whose annexation had only been completed under Domitian and Trajan—the *agri decumates* and Dacia. With them must be classed the Danube bank of Pannonia, in which permanent Roman camps had only been set up since Vespasian's day. If Roman colonisation has not left so many traces in Britain—apart from the South-East, which was closely associated with Gaul and accessible to every Roman influence—as along the boundaries of Upper Germany and Rhaetia, it must be remembered that in Britain it was spread over an appreciably greater area rather remote from most of the cultivated parts of the Empire. All these newly conquered regions had this in common—that in consequence of their more primitive agrarian conditions they were peopled thinly as compared with the older provinces. The wars of conquest had reduced their population still further, and many natives had fled before the Romans. On the other hand, these lands had to bear the heavy burden of maintaining the armies which were quartered in them and along their frontiers. As a result of all this, the state was obliged to play a specially active part in colonisation. It had to increase the yield of the settled land, to extend its area, and at the same time to augment the number of settlers.

So far as possible an attempt was made to arouse the economic interest of the natives by the way in which the garrisons were located. In England, on the Neckar, on the Danube we note how the Roman forts were placed close to old settlements, and how these grew under the stimulus from the garrisons, and sometimes developed into towns. But this stimulus alone was not enough. Small areas were assigned to the legions, which were cultivated by the natives under their supervision. In Pannonia they were called *prata legionum*: clearly we must attribute to them the maintenance of a strong peasant class there. The whole of the *agri decumates* were treated as domain and split up into *saltus*. And, at any rate in Upper Germany east of the Rhine, the extension of settlement into previously unoccupied districts is demonstrable. On the eastern rim of the Black Forest, for example, and on the lower slopes of the

Suabian Jura there was a heavy clearing of woodland in Roman times. But it was definitely limited. The crests of the hills were left, except perhaps—as in the Allgau—to provide for road-making. The coniferous forests were untouched. Colonising activity was generally limited by the provincial authorities to what was essential for military purposes. The same applies to the introduction of colonists from outside. In Britain and Pannonia the natives appear to have met all requirements. At the eastern end of the frontier chain, in Dacia, the situation was reversed. The primitive Thracian population had been so thoroughly exterminated in Trajan's wars that great stretches of territory had to be assigned to newcomers. We can understand why these colonists were brought not from Thracian lands in the Balkans but from Asia. Soldiers and veterans were specially conspicuous among those who received grants of land from the state on the Danubian frontier and in the region of the Upper German and Rhaetian *limes*. But we must not picture them as peasant settlers: they paid rent for small villas, employing on these native and imported labour.

This labour from the beginning included Germans.[1] Ever since Caesar's time groups of Germans had again and again sought settlement on the lands of the Empire, and others—the Mattiaci and remnants of those Marcomanni most of whom had wandered East—accepted Roman rule easily when the *agri decumates* were occupied, just as the Batavi and the Frisians had in the North. But it is of the Frisians that Tacitus tells how once they declared themselves dissatisfied with Rome's high-handed disposition of its public land and tried to reoccupy the *agros vacuos et militum usui repositos* by force (*Ann.* XIII, c. 54). This situation was reproduced on the largest scale along the Danubian frontier at the beginning of the reign of Marcus Aurelius. Germans from across the river, Marcomanni and Quadi supported by Longobards who had pushed into their territory, made violent demands for land in Pannonia. The governor refused his permission—and a stubborn war of the Marcomanni and other frontier tribes against the Empire was the result. What they sought was nothing less than that secular aim of the Germans, eventually realised in a world of new states—a fresh division of Roman provincial soil that would permit of their settling on it as owners. So we turn to the antecedents of this sustained pressure, the internal conditions of Germany.

Along almost the whole length of Rome's European frontiers German tribes were her neighbours. Of the Celts, after Hadrian's wall had been supplemented by the Antonine fortifications from the Forth to the Clyde, only the pastoral clans of the Caledonian Highlands and those of Ireland remained outside the Empire; and along the eastern

[1] For further discussion of this question, see p. 169, below.

section of the Danubian frontier, from the plains of the Theiss to the steppe coast of the Black Sea, lay the territory of the Sarmatians—who seem to have been essentially nomads. Northwards to Scandinavia, eastwards until beyond the Vistula, stretched the German *Hinterland*. There was at that time at least as much perpetual motion in it as there was permanent settlement. Those Longobards who joined the Marcomanni and Quadi in the attack of A.D. 162 had their tribal seat on the lower Elbe. The Suabian tribes of central Germany were also on the move south; probably their pressure explains the advance of the Chatti towards the *limes* about the same time. The fresh grouping of the Suabian tribes, which turned them into 'Alemanni', must have begun shortly after this. 'Easily moved to migration' Strabo labels the peoples who occupied the two banks of the Elbe. In the second century also came that movement of Gothic tribes south-east from the lower Vistula which brought some of them to the Black Sea.

Over against these wanderings of the East Germans and the Elbe Germans, among the tribes nearer the Roman frontier we notice at first only such neighbourly friction as Tacitus described a few decades earlier. Settlement or movement of Germans—it should be added—affected only a very small part of the area named after them. We must think of some four-fifths of the land as covered with forest and swamp.[1] Settlement was confined, as it had been for thousands of years, to those localities which were both open and dry.

So German settlement was both unstable and limited—and yet already the pattern of its medieval development was indicated. To grasp it from within we must go back once more to that Roman who first studied it comprehensively. You cannot write about the Germans of Tacitus' *Germania* without discussing the book and the man. What seems partly over-simplified and partly ambiguous in his account acquires life and precision when we come to understand the ideas that lay behind his phraseology. Obviously he glances now and again from Germany to Rome. More important still; his account of the Germans is written from the standpoint of traditional Roman thought. He took it for granted that you could apply to German ways of living the same tests that you would use in estimating the position of a well-to-do Roman citizen. And he was always the cultivated man of letters speaking to men like himself. When he wanted to grasp German characteristics, he did not compare them with Roman realities, but with the characteristics of the Roman citizen of the literary tradition. The allusions to this tradition are mostly only passing references or bits of

[1] Cp. O. Schlüter's *Karte Germaniens zur Römerzeit* (*Reallex. d. germ. Altertumskunde*, 1, 424 f.), which however needs correction in detail. (Cp. Hömberg, p. 22 f.)

quotations; that was part of the fine style of rhetorical writing, a style tainted with affectation.

The typical German of the *Germania* belongs to the substantial landowner class. He keeps open house. He stays long away from home to attend the Folk-moot. He is always ready to join a campaign (c. 21; 11; 14). It is taken for granted that he has slaves and lets out part of his land (c. 25). So far as Tacitus knows, he is the German counterpart of those Romans who are expected to perform their full duties as citizens and possess all the civic virtues. This fact is decisive in judging Tacitus' criticism of the domestic economy of the German *Paterfamilias*. The way these restless warriors wilfully neglect their households and their farming, their blending of energy with idleness, says he, is 'a remarkable contradiction in their character' (c. 15). For, as he assumes and his reader understands, the representative Roman will fulfil the duties of householder, citizen and warrior. Only so can he have a balanced character. It is not a weakness in the comparison that Tacitus reproaches the Germans with their unwillingness to handle the plough (c. 14). He does not mean that they were poor idle peasants; rather that they lacked energy as householders; for the typical Roman citizen householder, according to the good old paternal tradition, himself lent a hand in the farm work.

And when he wishes to indicate the legal and economic conditions of the German landowner's way of living, Tacitus makes use of literary references to a classic, to the book from which Roman landlords learnt the rules of rural economy, M. Porcius Cato's *De agricultura*. The much discussed statements in c. 26 of the *Germania* are made with constant reference to the preface and first chapter of this book. That is how we must read them if we would understand them.[1]

Cato begins by contrasting agriculture, the citizen's most honourable calling, with the most shameful—usurious profit-seeking, *fenerari*. Our fathers in their laws punished the usurer (*fenerator*) more harshly than the thief. But they called the *vir bonus* a *bonum agricolam bonumque colonum*. Cato then starts his advice to the Roman landlord with a disquisition on those qualities of the land and of its site which should be considered when an estate is to be acquired. Finally he enumerates the various ways of utilising an estate and places them in order of merit—first vine growing; then irrigated gardening (*hortus inriguus*). Meadow land (*pratum*) comes fifth and arable (*campus frumentarius*) only sixth.

Compare this with what Tacitus' c. 26 tells us of the Germans. He

[1] The conflicting interpretations of Tacitus' concise phrases make up, as is well known, a long chapter in modern historical research. They are summarised in Kulischer, *Wirtschaftsgeschichte*, I, 12 ff. See too Steinbach, *Gewanndorf*, pp. 37 ff.; *Selbstverwaltung*, pp. 25 f., 40 ff.

too speaks of usury (*fenus*) before he comes to agriculture—but only to say that among the Germans there can be no competition between these two ways of making a living. 'Usury they do not know, and so are better protected from it than if it were legally forbidden.'[1] Follows Cato's second topic, the acquisition of landed property. Among the Germans this is regulated strictly by communal occupation, the act of the whole community, through which its members mutually guarantee one another's possession.[2] The extent of land occupied always corresponds with the number of those who are to make use of it. Then it is divided: shares of various value are dealt out according to the recognised claims of individuals (*secundum dignationem*). And the extensive areas always occupied and used (*camporum spatia*) make division easy. Throughout Tacitus is pointing to the contrast between the position of the Roman citizen whom Cato advised and that of the German of corresponding social status. The Roman acquires land as an individual: he buys land already fully settled: the buyer must proceed rationally. On the contrary, the acquisition of land in Germany consists simply in the division of what was originally occupied. Not individual opportunities for acquisition are the determining factors but the standards of the occupying group, which provides itself with land enough to satisfy the graded claims of its members. From this description of the acquisition of land Tacitus turns finally, like Cato, to its use. He links this to his remarks about the great size of the land assignments. 'They change the arable yearly—and there is land to spare': each individual has more than he need cultivate. That, Tacitus suggests, is all that the Germans know of economy. 'For they take no pains to make the best of the fertility and extent of the land. They plant no fruit trees; they mark off no meadows; they irrigate no gardens (*ut...prata separent et hortos rigent*); the land simply has to yield the corn crops.' In short, Cato's advice about the graded types of cultivation has no meaning for the Germans. Those types which he sets above arable farming they do not know; they are corn growers and nothing else.

Tacitus wishes to make it clear that the Germans are not tempted to any economic activity beyond the use of their land; but they do not make a rational use of it. The conditions on which they hold it prevent that. The abundance of land excludes all thought of economising its use; and they have not the technical knowledge of diversified uses.

[1] The tacit reference to Cato makes Reeb's description of these words (*Commentary*, p. 47) as 'painfully obvious' beside the point.

[2] *Agri pro numero cultorum ab universis invicem occupantur, quos mox inter se secundum dignationem partiuntur.* The reading *invicem* is disputed: but there is no accepted emendation. My interpretation of the passage substantially agrees with that of Dopsch, who had also recognised that its point lay in the comparison with Roman conditions.

Their economy is, from this point of view, primitive. These mainly negative conclusions acquire their chief significance for us because they illuminate incidentally the fundamental principles of land division on which the settlement of the Germans was based. The land which is at the disposal of the individual free German is the share due to his recognised social position of what he and his fellow tribesmen had collectively 'occupied'. It is a *folcland*, a κλῆρος. The land settled by a tribe is what that tribe acquired collectively, what it acquired by conquest. For a time it might be held collectively, until the members of the tribe had come to an agreement about individual claims. The division once made was permanent: free trade in land was unknown. But Tacitus emphasised the fact that the act of division did really create individual property, which belonged to the holder and his heirs in perpetuity. And he does not fail to note that the shares are not equal: *secundum dignationem*, according to his social rank, is the way in which an individual's claims are weighed. Here Tacitus is making another literary point; he is correcting the most famous of writers about the Germans without mentioning him. Caesar had maintained that a German had no property in land: the land was redivided yearly among family groups with a view to avoiding inequality (*B.G.* VI, c. 22). Well; Divus Julius was mistaken,[1] Tacitus implies. Land was divided; that is agreed. But it was divided into greater and lesser shares, and not every year. Only the arable of the individual holding was shifted every year (*arva per annos mutant*).

That the individual family got a share of the tribal land was the first characteristic of German landownership. A second basic social principle of the German way of settlement seemed strange to Roman observers. The free German lived permanently and exclusively on the land that he had inherited. His home was never part of a larger settlement, least of all of a city. When Tacitus brings out this fact in c. 16 he is well aware that he is pointing to a remarkably crude divergence in German customary ways of living from those of all civilised peoples, not merely of the Romans. In the traditional literary view of the 'social contract' the fundamental institutions of a well-ordered life are the cities; *domicilia coniuncta quas urbes dicimus*, as Cicero once put it (*Pro Sestio*, 42, § 91). With conscious reference to this definition—and not missing the chance of rectifying it a little—Tacitus says that the German peoples do not inhabit *urbes*, not even *inter se junctas sedes*. They prefer to live scattered over the land, as only uncivilised races do elsewhere. *Colunt discreti ac diversi, ut fons, ut campus, ut nemus placuit.*

Yet this 'scattered settlement', as the very next sentence shows, is

[1] This view is rendered the more probable because Tacitus has other controversies with Caesar. Cp. Norden, p. 316 f.

nevertheless a settlement in villages, in *vici*. These villages are loose structures however: 'they are not like ours; one house is not closely attached to the next; each has space about it'. As a rule, so Tacitus suggests, a few free German landowners form a village group. Their tenants settle near them in the village; so do their slaves, who are treated 'as coloni'. The slaves' children and the lord's children grow up together: *inter eadem pecora, in eadem humo* (c. 20). The village lords, the free Germans, themselves live in rustic simplicity. Their houses are roughly built of timber and mud. For granaries and places of retreat in the cold of winter they enlarge caves and holes in the earth (c. 16). The lands of the village as a whole seem unusually wide, but the fields set aside for tillage relatively small (*superest ager*, c. 26). What the free Germans value most are great herds of cattle (*numero gaudent*, c. 5).

So much Tacitus tells us directly. His picture contains only the main lines, which can be filled in in various ways. It shows us the sort of village in which small groups of average Germans settled. But how are we to conceive of the settlements of the leading families, the *principes*, the *nobiles*? They need more land, cattle, labour power and houseroom. They have followers always at their table and the table must be generous (cc. 13, 14). No doubt they have their share in the land *secundum dignationem*. And we must assume that the German princelings and other leading men did not share a settlement with the common freemen, but had whole villages for themselves and their dependents.

We must next consider the influence of family ties on settlement. Caesar had long ago written of the sharing of land among groups of kindred (*B.G.* VI, c. 22); but the tribes to which he attributed this system cannot be assigned any permanent organisation of property and were apparently not in a position to settle down finally. In the definite sharing out of the land, as described by Tacitus, it is not a group of kindred, a clan, but the individual tribesman who appears as proprietor, with the obligation to hand on his share to his descendants. And in fact it would appear that the village group was not as a rule the same as the group of blood relations. The law of the Salian Franks, at a later date, contemplated the case in which, for lack of heirs, mere neighbours would have a claim on the inheritance (*Edict. Chilperici*, c. 3); this indicates a distinction between blood relations and neighbours. In one way however the communal sharing out of the land no doubt favoured the settlement of blood relations as neighbours; the shares resulting from it must have been big enough to provide room in the near future for several families, if the arrangement was to have any permanence. In the case of the leading families, who settled down in isolation from the first, division among heirs must also have led to the growth of

regular 'clan-villages'. Such noble clan-settlements are found in various countries after the *Völkerwanderung*.

We must not picture 'Tacitean' villages all over the map of Germany. Their organisation implied regular arable farming, and that was not found everywhere. The Germans on the North Sea coast did not mind their cattle and catch their fish from village settlements, but lived in small groups on little hillocks rising from the marshy flats. These *Terpen* or *Warfen* were artificially heightened as a protection against stormy tides. And perhaps the eastern tribes, who began to move South-East about A.D. 200, still lived at that time in the unstable conditions of landownership and settlement which Caesar had assumed to be universal in Germany.

But in the heart of the West, and right up into Scandinavia, the system of land division and settlement indicated in Tacitus' account was clearly prevalent everywhere. It was from these regions that there started those campaigns of conquest of the *Völkerwanderung* times which led to the establishment of village settlements. And in the results of this establishment the traces of the system can still be seen.

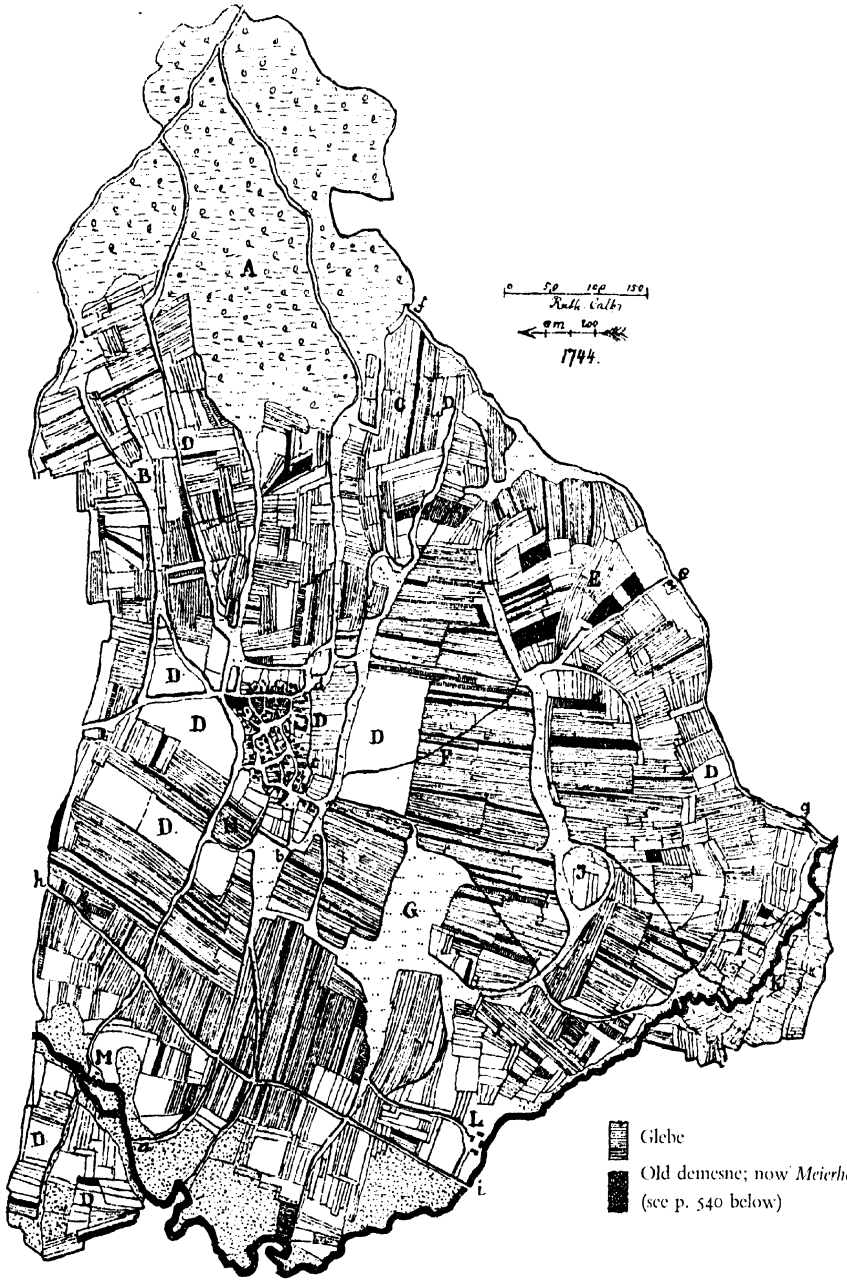
The ritual practice of throwing a hammer, under fixed and difficult conditions, to determine the limits of a man's property in the village is of old German origin.[1] So are those rules which regulated the use of the fields in the primitive village, and remained operative in the medieval village wherever German settlement was really dense. In laying out the village a division was made between the land assigned to the use of individual households and that which was available as common pasture for all the villagers, free and unfree. Both parts constituted interconnected complexes; the lands destined for the plough were grouped in special sections of the whole territory of the village. The grouping was essential in order to leave plenty of room for the herds, 'in whose numbers men rejoiced', and at the same time to keep the herds out of the corn. This is how we must account for the fact that wherever German influence affected settlement, a lay-out of the corn land which contributed to these ends was repeated—the familiar long strips.[2] To deal with these strips, the heavy wheeled plough drawn by several pairs of oxen was in use even in early German times.[3] But the

[1] For the meaning of this ritual, which has nothing whatever to do with the clearing of the waste, see Grimm, *Rechtsaltertümer*, I, 94 (66).

[2] The obvious tendency of German settlement to be associated with the long strips has usually been explained, since Meitzen's time, by the use of the heavy plough. Only a few scholars have connected it with the necessities of extensive cattle rearing (C. Ostermann, p. 199 f.; F. Steinbach, *Selbstverwaltung*, p. 49 f.). But for primitive times especially, this explanation seems the more illuminating.

[3] Such a plough is to be found at least as early among the Celts as among the Germans; see the well-known reference to its use among the Alpine Celts (Pliny,

PLATE I



The *Gewannflur* in old Germany (Hanover) in its developed form; eighteenth century. A, wood; B, G, J, scraps of common; D, a late created noble holding.

arable strips were not yet at that time interrupted by the division of the fields into sections meant to be dealt with as units at the same time—*Gewanne*, furlongs: the individual holdings were not yet cut up into bits lying in several such furlongs. These features of the 'open-field system' first developed in the medieval peasant village. The working of the furlongs implied a more careful handling of the yearly change of the land under cultivation, and a stricter communal discipline of agricultural practice, than we can connect with the careless village lords of the society that Tacitus describes. And the subdivision of holdings which made the furlong organisation necessary only suits the conditions of a later time: it went hand in hand with the growth of the village population, through the repeated subdivisions of inheritances among a peasantry that was no longer mobile and had learnt how to extend the arable land by clearing operations.[1] The long drawn out furrows and strips were independent of the furlong system.[2] The primitive German strip system is best represented by those so-called *Esch*-fields, which have survived in Westphalia into modern times; their strips are quite extraordinarily long (300 to 600 metres) and are not interrupted by the boundaries of *Gewanne*.

The economic sense of the Germans was not yet sufficiently developed to wring a greater yield from the soil if settlement tended to exceed the supply of open and accessible land. When a German tribe secured for itself some district by conquest it set aside for division among its members only so much open land as was needed *pro numero cultorum*. Later, the reserve land which had not been used at first was cut up into shares for members of the community. When that point had been reached, the position of the Chauci as described by Tacitus was reached also: *tam immensum terrarum spatium non tenent tantum Chauci, sed et implent* (c. 35). Both in the division of the land and in the formation of the settlements, the dominant motive was the craving to extend so far as possible the area which the single great household could exploit by its own efforts and with the aid of its *servi* settled on the land. Roman observers—Tacitus' authorities—saw this and were of opinion that the craving had scope enough in Germany; but the Germans did not share

Nat. hist. 18, c. 172). The claim that it had reached Britain in Celtic times (Collingwood and Myres, pp. 211, 442) has hardly been established. See below, p. 140 and R. V. Lennard in *Dopsch Festschrift* (1938), p. 70.

[1] See the vivid illustrations in Steinbach (*Gewanndorf*, p. 54); Hömberg, pp. 27 ff.; T. A. M. Bishop (*Assarting*, pp. 29 ff.).

[2] Cp. for France, Bloch, *Caractères originaux*, pp. 35 ff. Also pp. 50, 61; for Germany, Hömberg, pp. 35–40. Hömberg showed the valuable evidence of the lay-out of the *Esch-fluren* for the primitive field lay-out, after H. Rothert and R. Martiny had proved that this lay-out was older than that *Einzelhof* system of Westphalia, which Meitzen had assumed to be primitive.

that opinion. They were always thinking that someone else had land that they wanted. Generally speaking, they had no notion of extending the settled area by clearing the mighty forests in which their islands of settlement were imbedded. Those thinner woodlands which were found on the outskirts of the virgin forest were, it is true, not an absolute obstacle to agriculture; and the Teutons of Jutland and Scandinavia seem actually to have preferred these stretches of country for their settlements.[1] In view of the lead given by the Romans' strategical or colonising forest clearances in the frontier provinces, the absence of large-scale clearing cannot simply be explained by the technical incompetence of the Germans. They valued the primeval forest: it was impassable and untouchable. There were great frontier stretches of forest between the tribes. The heart of the forest was the seat of the Godhead; there it displayed its awe; there it claimed sacrifice and humble submission. This religious tradition is not merely mentioned by Tacitus and illustrated in the case of the Semnones; it lived on among the Saxons and in Scandinavia, and was transferred in Baltic lands to the peoples who there succeeded the Germans. Among the Alemanni, as late as the eighth century, Abbot Pirmin denounced those rites of prayer and magic which propitiated the secret powers of the forest depths and the forest soil. We cannot say that this numinous atmosphere absolutely forbade the pushing of settlement into the woods. But it was a hindrance, and is at least evidence that the Germans looked on the woodland in whose midst they dwelt as an unchangeable thing.

That was why individual acquisition of land did not evolve among them; why each free tribesman disposed of only so much land as the body of his associates had assigned to him at the conquest and division. And this rule, the basis for the settlement of the different tribes, again determined the only way in which their constantly reviving need for fresh soil could seek satisfaction. Whenever German freemen developed a craving for more plough-land, more cattle, more villages, there was no way for them but to join with people who shared their craving. They might accompany the whole tribe on an expedition of conquest, or they might risk an attack somewhere with a strong party of like-minded men.

So we understand the new phase of these movements which sets in with the Marcomannic wars. It was new in two aspects. For the first time German tribes sought to conquer on Roman soil that land for settlement, of which, constituted as they were, they never had enough. Then, in the course of the next century, the hordes of land-hungry German fighting men, who stormed against the *limes* and the Rhine frontier, formed fresh tribal associations which in the end completely

[1] See the evidence of F. Mager, Sjöbeck and R. Sernander; and cp. K. Wührer, pp. 14 ff.

absorbed many of the older tribes. They were not, however, compact political entities, but split up into independent groups, each with its own leader. From A.D. 213 the Romans had to fight masses of Germans on the *limes*. Suevi from the middle Elbe formed their core. They called themselves Alemanni. Their name meant the 'united' people, or so the Romans supposed. In the middle of the third century other groups which crossed the lower Rhine were already known as Franks. They themselves were being pressed upon by a movement from the lower Elbe. The Saxons from Holstein were pushing across the lower Weser and absorbing the tribes of those parts.

The Empire had only been able to hold this fierce movement in check by bringing fresh German lands under its rule and inducing their inhabitants, by force and by example, to adapt themselves to the settlement system of the Romans. Marcus Aurelius aimed at this: he would have created fresh provinces North of the middle Danube. Commodus his son, the spendthrift of a great inheritance, abandoned the ambition. He merely protected his frontier against the Marcomanni by a depopulated no-man's-land. This short-sighted and half-hearted compromise was partly responsible for the Danube frontier becoming subsequently a gate of entry for destructive forces. But the catastrophe of Roman policy on the frontier only became inevitable because the Empire behind it had lost the strength to serve any longer as a civilising power. The reign of a single emperor whom neither citizens nor soldiers could respect sufficed to reveal their profound antagonism to one another and destroy that alliance between them on which the State rested. Commodus' fall led on to the fight of the provincial armies for the Crown. The military rule of the Severi rose over a terribly wasted Empire; it dissolved in a wild struggle of the armies and their leaders which lasted half a century. The Illyrian emperors, elevated from A.D. 249 by the armies of the Danube, were faced by a new German problem there. The wanderings of the East Germans were over, and along the whole line, from Noricum to the Black Sea, tribes of Gothic stock stormed against the frontier. Alemanni and Franks broke into the provinces of Germany and Gaul. It is hard to determine how far these campaigns had in view actual conquest, how far merely the weakening and wasting of the Empire. The permanence of the achievements against the Germans of Emperors who realised their responsibilities—Gallienus, Claudius II, Aurelianus, Probus—was always weakened by the shortness of their reigns; most of them were murdered by rebellious troops. Diocletian was the first to be favoured both with less turbulent armies and a slackening of the German offensive. But meanwhile the German world had expanded and the Roman world had changed its social and economic organisation.

Rome had been forced to abandon her outworks across the Rhine and the Danube—Dacia and the *agri decumates*. German tribes now ruled and occupied soil which for a century and a half had been subjected to Roman colonisation. In both regions the new rulers made short work of the legacy of Rome. But rule and occupation were managed differently by East and West Germans; so the two regions had not the same destiny.

Dacia was now the south-western wing of a huge area over which the Gothic tribal groups were scattered. After they had been forced to accept the Danube as their southern boundary, they lived for decades at war among themselves and with the Thracian and Sarmatian natives. When these wars died down, in the reign of Constantine the Great, the old province of Dacia was divided among the Gepidae, the Taifali and the Tervingi or Visigoths. The dominion of the last stretched to the Dniester; here it touched that of the Greutungi or Ostrogoths who occupied the steppes as far as the Don. On the steppes these Germans adopted the traditional economy of the steppes: they became nomads. The Dacian Goths led a more settled life; but on their earlier plundering campaigns on both sides of the Aegean they had not learnt to value the Roman provincial urban or rural civilisation. Both went down before them. They let the mines of Transylvania, its greatest treasure in Roman eyes, go to ruin. They were incapable of living in peace with the colonising landlords and of learning from them. Some of the old population had held out in Dacia when the Roman armies had practically evacuated it; but when in Aurelian's reign complete abandonment became certain, they migrated to fresh homes given them by the Emperor South of the Danube. Evidently only servile cultivators were left behind: they transmitted the vocabulary which forms the basis of Roumanian. To this labour force were added enslaved prisoners of war, and also slaves of the conquerors' blood. But even so, the Goths, with good soil at their disposal, could not or would not organise an agriculture which might support them adequately. The most important material basis of their life was their relation with the Romans, who feared their fighting spirit and coveted their military aid. Presents and mercenaries' pay flowed into their territory and taught Roman merchants the way there. But the merchants' main task was the carrying of food into Dacia. If the import of corn across the Danube was checked, the Goths were in danger of famine.

It is well known that finally, in A.D. 378, the Visigoths sought shelter in the Empire and left to the Huns the land which a century before they had won from the Romans. During this same century, another German people had founded a settlement in the West, which was to endure, in an abandoned Roman province. The Alemanni had settled

down in the *agri decumates*. They were hardly less warlike and restless than the Goths. The right bank of the Rhine, which had been in their hands since about A.D. 260, always served as the starting-point for devastating raids into Gaul. But the very fact that they never established friendly relations with the Empire forced the Alemanni to become more self-sufficient economically than their Gothic contemporaries. They utilised almost the whole of the area in the *agri decumates* that had been settled under the Romans. In its northern parts at least—in the Wetterau—traces of Roman field divisions survived to modern times; here, it is obvious that the German agrarian economy succeeded the Roman directly. And it may be assumed that it was the same in many other places.

Yet one may not speak of a carrying-on of the Roman tradition of settlement. The Alemanni did not step into the economic system of Roman colonisation; on to the soil that Rome had colonised they transplanted an economic system of German type. The urban life that had developed and had stimulated agriculture in the frontier provinces could not go on as before, if only because it had been conditioned—far more than in Dacia—by the needs of the local garrisons. And the new rulers took no interest in its revival. As Ammianus Marcellinus relates (XVI, 2, 12) they hated the Roman towns, 'those walled tombs', and let them fall to ruins. They seldom adopted the Roman manner of building and made no use of the villas and villages from which the Romans had fled, not even of their sites. They built their own rude settlements some little way off. And there are significant limits to their maintenance of the old cultivated areas. Forest often grew over land that had been tilled in Roman times. Such places were probably not spacious enough for large-scale pasturage, and so did not tempt the Alemanni to make use of parts of them as arable.

While the occupation of soil that had once been Roman was being completed in this primitive fashion, inside the Empire the government and the landowners had to face a change in all economic relations. Civil war and barbarian invasion had ruined town and country. For decades the Emperors, partly to pacify the troops, partly to meet political opposition, had done nothing to hinder the plundering of the towns and the humbling, the very extirpation, of the higher strata of citizens. The urban centres of Gaul, Upper Italy and the Balkan peninsula had been the main objects of the Teutonic invasions. Losses of men and of wealth had brought their development to a stand. True, the imperial fiscal policy could not do without them. The personal responsibility of their magistrates, of curial family, was an important reserve guaranteeing the payment of the taxes. But the use of this guarantee meant a perpetual depression of urban economic life. So the towns lost their power to

stimulate rural settlement. Meanwhile the evils which were reducing them to misery often affected the country also. When the decades of torment through troop movements and foreign invasions closed, there was plenty of vacant land in the Balkans for the refugees from Dacia, and in Gaul for barbarian prisoners of war. This shows how the country had been wasted. 'The fields were neglected; cultivated land became forest.' Lactantius who describes these terrible things lays the blame on Diocletian's military and civil reforms; their burden had reduced the peasants to despair. His statement indicates that the new compulsory social order which Diocletian introduced often added fresh evils to the old, without altogether curing them. Yet the statement is one-sided. Faced by the necessity of using up the resources of the Empire that they might maintain and put in order the machinery of state, Diocletian and his successors at least tried to give its rural economy a firm organisation which would resist the progressive decay, render a revival possible, and secure a permanent if scanty existence for small peasant holdings.

The great proprietors, helping and competing, followed the same object. In this class new men predominated—products of the political and social revolution of the third century, officials and officers. The fall of the old provincial aristocracy allowed them to accumulate even greater possessions than their predecessors. Their estates were often scattered over various districts, with tenants great and small. As the towns lost their power to attract, the lords and their staffs preferred to live in the country. So the villa retained its importance; and a typical product of the age was the fortified villa. It was now often the centre of a public administrative area. For the owners of great, scattered, masses of landed property managed to withdraw them from the financial and judicial organisation of the *civitates*, and to administer them like the crown lands as *saltus*. They even undertook to be responsible for their dependents' dues to the state.

Inside and outside these domains, agriculture served the state directly. Direct supply of the army and the administration by deliveries in kind and *corvées* had proved the safest sort of tax-paying during the chronic administrative and economic crises of the third century. In this and other ways Diocletian perpetuated the emergency measures of an age of crisis. To guarantee the steadiness of the supplies in kind, the bureaucracy henceforth took comprehensive and continuous control of agricultural settlement. The administrative foundation of this control was Diocletian's Cadastral Edict; periodically repeated returns fixed for every holding the extent of its cultivated area, with the *jugum* as unit, and the extent to which the labour of men and animals was employed on it, with the *caput* as unit. This survey was useful for the planning of

the Empire's economy as well as for raising its taxes. The lord was compelled to cultivate his estate to the full extent recorded, and the peasant to keep up his recorded services. Constantine I applied on each side legal safeguards whose principles he borrowed from the Hellenistic tradition of the East.[1] To maintain the cultivated area the ἐπιβολή principle was applied: when land became waste, the neighbouring proprietors were responsible for its delivering again to the State its share of the assessed local yield. Aurelian had made the urban magistrates responsible on this principle; Constantine allowed the magistrates to share the responsibility with the landowners of the district. The permanent service of the peasant was secured by obliging the *colonus* and his progeny to reside and work for ever on the land where he now was. This 'binding to the soil' was not an act of extraordinary enslavement; it was only the application of another Hellenistic principle—the hereditary duty of service at one's prescribed native place (*idia*; *origo*)—which was applied also to urban magistracies and callings.

This stiff mechanical legislation was not the only means tried for encouraging rural settlement. The *emphyteusis* was taken over from the Hellenistic East. This form of contract was used especially for large farmers (*conductores*) who undertook to cultivate waste land or tumbled-down estates. The owner took no rent for two or three years; after that the farmer paid a fixed rent and acquired a heritable right to the land for the duration of the lease. The state favoured this colonising tenure by reducing its claims, especially by easing the ἐπιβολή. It also undertook to find labour power for the land whose cultivation it required. Military successes on the river frontiers, which continued for a time from Aurelian's reign, brought in many German and Sarmatian prisoners. These were mostly assigned to private estates, not as slaves but as *coloni*—as had often been done under the earlier Empire. Peasants of German blood soon became familiar on the estates of Gaul.[2] Both the army and the revival of agriculture depended on the recruitment of prisoners. There was an old device that served both these ends. The emperors had encouraged the settlement of the frontier troops in peasant colonies near their headquarters. Now, groups of prisoners were required to garrison prescribed places and cultivate prescribed estates. In Northern Gaul these barbarian settlers—usually described as *inquilini*—were called *laeti*. The word is probably of Teutonic origin; in name and fact the *laeti* corresponded to the Frankish *liten*, who were half-free farmers on lords' estates in Germany. This social class obviously sprang from the subjection of Germans by Germans in the wars that

[1] Cp. the discussion in Ch. IV, p. 195.
[2] Cp. p. 169, below.

took place during the movements of peoples when the great tribal leagues were formed.

The legal and social position of the settlers was thus one which they already understood: it was now fixed and made hereditary. Compact settlements of such German and Sarmatian peasant-soldiers are found —under the name of *terrae laeticae*—on the imperial domains of Northern Gaul. The villages of *milites limitanei* in the Alpine Provinces are akin to them.

A trustworthy estimate of the economic results of this policy of settlement can hardly be formed. From Britain, from the Mosel-land and from Southern Gaul we have evidence of a still active and comfortable country life until about A.D. 400. But this prosperity can hardly be traced to the compulsions and demands of government. Britain had suffered less than other provinces from the troubles of the third century, and on the Mosel the capital city of Trier stimulated its environment. But the compulsions of Diocletian and Constantine had at least this influence: they introduced into rural economy types of organisation and tendencies in development which would become basic in the future organisation of rural settlement, and would so remain when the imperial power which imposed them had collapsed.

The most important fact in this connection is that farming tenure as a rule became hereditary. That was as true of the *emphyteusis* tenant as of the *colonus*. The *colonus*, as contemplated by law-makers, was the head of a family bound permanently to a given peasant home and a given piece of land. In the eye of the law this hereditary relation was not loosened by the fact that it rested on an indirect and dependent form of property. That a given piece of land should be held for generations by the same family was no novelty of that age; but it is important that from this time forward such a perpetual link between the peasant and the soil seemed general and normal.

Probably the fixing of the size of peasant holdings and of the economic services due from them were affected in the same way. Here too the compulsory imperial order may have influenced the coining and the spreading of standard arrangements. The peasant's holding had a standard estimated yield both in the economy of the state and in that of his lord. Claims from both left him with hardly any margin of produce to be sold freely in the town. The inclination of *coloni* to wander away, against which Constantine's legislation was directed, may have been due to their previously depressed economic position, which left them the barest living for their families when these claims had been met. On the other hand, it was the task of the state to guarantee to the peasant family this limited livelihood. The regular returns of *capitatio-jugatio* gave not only an occasion for, but a stimulus to, a genuine policy of

peasant protection.[1] That the imperial administration really cared for the weak among the rural population is most clearly seen in the appointment of a *defensor plebis* in A.D. 365—just before the Empire collapsed. No doubt too the military holdings of the *laeti* and other frontier troops on state land constituted typical small agricultural units of the class that the administration wished to encourage. Finally, the desire of both the state and the great landlords to recover land that had gone out of cultivation established a very important economic tradition, which as a general thing was new.

In short; during the century that followed Diocletian's reign the Empire pursued a policy of standardising the conditions of peasant proprietorship and maintaining and extending the area under cultivation, as a measure of self-preservation. These tendencies had permanent significance: when the Empire had finally collapsed they still persisted. But they were not able to save it. Effective as they may have been in particular regions, they failed to repopulate the devastated frontier provinces. That was not possible because—in the West at least—imperial victories only held back the invasions of the Germans for a time. The Emperor Julian threw the Alemanni back from the middle Rhine but had to assign to the 'Salian' Franks a compact area for settlement in the northern part of the provinces of *Germania Inferior*, on the Meuse. The ease with which masses of aliens were received into the Empire suggests how much it had been depopulated. Twenty years later, the Visigoths, fleeing before the assault of the Huns, found room south of the lower Danube in that province of Moesia which had once before been opened to people from the northern bank. And this time, as is well known, the experimental admission of solid masses of aliens led to a fatal catastrophe. It was the first step in the continuous advance of German armies across the Empire—with its devastating raids, usurpations of authority, organised occupations of the land, and those large-scale migrations which form the watershed between ancient and medieval history.

This, the most catastrophic episode in the history of European settlement, made fundamental changes in the occupation of the various regions of Europe, from the beginning of the fifth until far into the seventh century. We can only deal here with those acts of occupation which were decisive in determining the ethnographical map of the Middle Ages.

The Huns set in motion first the Goths and then the tribes in the heart of old Germany. They flooded into the Empire—in a memorable winter's night of the year 406 Vandals and Suevi, mixed with Alans from the steppes, crossed the Rhine on the ice to enter frontier districts

[1] For the situation in the Byzantine East see Ch. v.

which had been stripped of their Roman garrisons. A continuous emptying of old settled areas in the heart of Europe began which tempted the Huns, and later the Slavs, and then fresh waves of Mongols to press forward into them. At about the same time the Salian Franks were able to move westwards from Limburg towards the lower Scheldt, then southwards up the Lys as far as Artois; and so won the starting point for their later imperial expansion. But the accord established after 418 between the government of Honorius and the Visigoths in Gaul had more direct influence on the establishment of the new world of nations. For the first time, the soil of a Roman province was allotted to a German tribe as an independent military organisation and a recognised stratum of aristocratic landholders. Half a century later, this tribal settlement became that Visigothic empire which controlled the Iberian peninsula. But before that its political influence had affected the history of settlement in the remotest parts of Western Europe. The Roman Empire finally lost control of its remote north-western provinces in Britain: the island was left open to the entry of Germanic tribal elements from the lands between the North Sea and the Baltic—Angles, Saxons and Jutes. This 'Anglo-Saxon' occupation of Britain gradually came to include something like the same area that Rome had once effectively controlled. The Celtic population was not merely conquered or driven into the West and North. Enterprising British leaders from Devon and Cornwall had a hand in the 'barbarian' occupation of Gaul, when they led their followers into Brittany. Meanwhile the emptied northern homes of the Teutonic conquerors of Britain—Jutland and its islands—were occupied by Danes from southern Scandinavia.

The decisive epoch in the history of settlement for Central Europe—old Germany and the adjacent Roman provincial regions on the Rhine and upper Danube—came with the end of the years of crisis during which Attila's empire threatened the whole European West. The victory on the Catalaunian plains did not only free Western Europe once for all from the Hunnish peril; it did away with the last hindrance to the spread of Germans from Central Europe. The Alemanni extended their settlements in all directions—into what were to become the Palatinate, Alsace, Switzerland and Bavarian Suabia. In the North, Franks from the middle Rhine crossed the stream to dispute with the Alemanni a frontier in the valley of the Moselle. In the East the Alemannic push impinged on the associated Thuringian tribes, who also were spreading out on all sides, and then on groups of Marcomanni, who moving forward from the land of the Boii in Bohemia brought with them the name of Boioarii. They and the Alemanni occupied Vindelicia and Raetia. At one and the same time the Danube and the

Rhine ceased to be political frontiers or frontiers of settlement. Through the old Roman provinces new masses of warriors from Eastern Germany moved on towards Italy. Eastern Germany and Bohemia were left vacant for Slavonic tribes, who pressed forward across the Oder from their old homes North of the Carpathians. It was the Eastern Germans who in 476 brought about the formal end of the Empire in the West.

Its end helped to determine the division of the West among the conquering tribes. The Visigoths crossed the Pyrenees and took nearly all Spain from their Teutonic forerunners. In Gaul, the Salian Franks reached the Seine; and when the Empire had collapsed at Rome, Clovis founded in Gaul and on the Rhine the greatest state which the *Völkerwanderung* produced. For a time Theodoric the Ostrogoth, from Italy, kept the Franks in check. His successors were unable to do so. Burgundy, Alemannia, Thuringia and eventually Bavaria also came under Frankish control. The conquerors could not settle all the land that they controlled. But they spread far beyond their original territory. Northern Gaul down to the Marne and the Seine manifestly had a closely reticulated Frankish settlement. Between the Seine and the Loire it was less close, yet still important. In Germany, the Alemanni had to withdraw before the Franks to a boundary running from the forest of Hagenau and the northern promontories of the Black Forest East of it to the point where the transition from the Suabian to the Frankish Jura marks it to this day. So on their extreme South-Eastern front the Franks had both Bavarians and Slavs as their neighbours. This projecting block of Frankish occupation—which left their tribal name as its permanent witness: Franconia—finally reached the Thuringian forest on the North; for the defeated Thuringians had to content themselves with the land between the Thuringian ridge, the Harz and the Unstrut. West of that, between the Diemel and the Eder, the tribal and imperial bounds of the Franks again coincided. In the Rothaar mountains and the Rhenish-Westphalian hill country their rule gave way to that of the independent Saxon tribal group. In the early days of their Empire the Franks did not try to conquer the Saxons, but joined with them in that conquest of the Thuringians which gave the Saxons the land North of the Unstrut as far as a point West of the junction of the Saale with the Elbe.

The settlement of these West and Central European boundaries was followed, shortly after the middle of the sixth century, by a rearrangement of those of the South and South-East. Justinian overthrew the Goths in Italy and brought their settlement there to an end. He tried to restore imperial authority throughout the Mediterranean and brought North Africa, Italy and parts of Spain for a time under his control. But

in so doing he used up his military resources and especially his Illyrian veterans. Italy was insufficiently guarded, and in the East the threat of Slavs and horsed Mongolian Bulgars and Avars replaced that of the Goths. The Avars at the same time pressed on the only Teutonic tribal group which still lay East of the Alps in Pannonia, the Lombards from the Baltic. The year 568 was decisive in many ways: Alboin led his Lombards, with Sarmatian and Bulgarian allies, into Italy just when Byzantium was busy in Asia with the Persians. Slavs, driven or dragged forward by Mongol nomads, were impelled to occupy the mountainous marginal lands of the Hungarian plain. Between the Dinaric Alps and the Save, and between Save and Drave, came the Croats. Other groups of Slavonic settlers, the 'Slovenes', spread North-West into the foothills and valleys of the Eastern Alps—right to the edges of the Vienna basin, which the Avars held. Yet other Slavs who, it appears, were likewise dependent on the Avars gradually established themselves in Bohemia and on the plains North of the Central European mountains; for the westward and southward movement of the Germans had left these lands free. The Franks withdrew their pickets from the right bank of the Saale; and in course of time the Saxons left to the Slavs all the land up to the rivers Aller and Ilmenau and northward to the lower Elbe so far as a line terminating in the Gulf of Kiel. And so by far the greater part of old Germany fell gradually to the Slavs.

Within two centuries, in every part of Europe peoples had poured into one another's areas of settlement. There is hardly a region in which we have not to take account of intensive changes of ownership. Naturally the process of exchange was never complete: many Germans, for example, must have remained in their ancient seats. In Gaul and Spain Roman landlords acquired a legally recognised position, by means of formal acts of division of property, after the Visigothic and Burgundian occupations. In Frankish Gaul, Roman proprietors were pressed down in the social scale but not systematically dispossessed; and the tradition which ascribes a policy of extirpation to the Lombards in Italy seems, as a generalisation, exaggerated.[1] Naturally there were far more dependent peasants who stayed on the land, or came back to it after a temporary flight, than there were survivors of the old landowning stratum. Often their numbers were added to by forcible subjection, demonstrably in Italy, but also elsewhere. The same fate befell surviving Celts in England—'welsh' became a name for the unfree—and conquered Germans in Germany, like the Thuringian subjects of the Saxons. The same thing must have happened to the German remnants in the lands occupied by Slavs.

[1] Paul. Diac. *Hist. Lang.* II, 31, 32. Criticism in Schneider, *Burg und Landgemeinde* p. 35; Lot, *Hospitalité*, p. 1005.

These are some general traits in the transfer of population brought about by the great movement of peoples. The numbers and density of the newly settled stratum of conquerors varied almost *ad infinitum*. The Slavs must have occupied their vast area of settlement very lightly indeed. But the number of German lords in South and South-West Europe was also small in proportion to the territory occupied. An estimate of the total number of Vandals and Alans in 429 is only 80,000, including all the families; and the number of the Visigoths at the same date is believed to have been no more than that. The Franks, the Alemanni and the Anglo-Saxons, however, must have been much more numerous; that is certain, though we have no basis for numerical estimates.

This unequal distribution of Germans over the various parts of the Empire must not be taken as a decisive indication of inequalities in the treatment of the Roman or Celtic native populations, either by different conquering groups or in different provinces. Only the mounted nomads of the East, the Alans for instance, remained destroyers and plunderers long after their initial incursions. Everywhere the German occupation, even that of those Germans who accompanied the Alans in the invasion of Spain, finally took the form of permanent and agricultural settlement. But this sedentary phase was preceded nearly everywhere by a phase in which existing settlements were destroyed and their occupants plundered or scattered. Alemanni, Franks, Bavarians, Anglo-Saxons, all took possession of old settled districts in the lands that they conquered—but they always chose new sites for their dwellings.[1] That is clear proof of a temporal gap between conquest and settlement; and short as that gap may have been, it was still a time of devastation. The same thing is found even in those regions where Visigoths and Burgundians conceded a formal division of the land. There is indisputable evidence—for example in the *Poema conjugis ad uxorem* attributed to Prosper Aquitanus—that the Roman proprietors went through a period of the greatest uncertainty and impoverishment. The Burgundian laws for the division of land—diverging from the Roman quartering system—gave the new German proprietor two-thirds of the land, but only a third of the *mancipia* of the Roman proprietor (*Lex Burgund.* c. 56). This division seems at first hard on both parties: one gets land with inadequate labour power, the other more labour than he can use or maintain. But we may assume that the arrangement was intended to meet the needs of both. The labouring population had been scattered during the phase of devastation. The Roman required a majority of the survivors if he was

[1] There is so much detailed evidence to this effect that the author cannot accept Dopsch's assumption of continuity between imperial and medieval settlements. [See Dopsch's treatment of the subject in Ch. IV, below. Ed.]

to make a minor part of his property productive again quickly. But the German was accustomed to extensive agriculture and could manage a greater area with less labour.[1]

Thus, this regulation is proof of a decline in the number of slaves as a result of the loosening of social bonds. This decline also created new labour conditions which were to become permanent. Indeed, in the German kingdoms on imperial soil the institution of the villa with its dependent holdings survived. And the villa still housed some slaves who worked on the land which directly belonged to it. But such slaves no longer formed the majority of the labouring force. The lord's 'own' land was kept in cultivation mainly by the services of tenants from the rest of his estate. Such services were in fact the principal payment which the tenant made for the land he held; they were more important than the *census*. The tenant might be a freeman, an *aldio* or *lite*, or a slave. These differences of status might be reflected in the size of his holding or the weight of his services; but they were of secondary importance compared with the universal association, for all classes of tenants, of tenure with service. This organised linking up of the cultivation of the 'demesne' with that of the holdings was not altogether unknown in Roman provincial life; but it was not at all widespread under the later Empire. It only became of fundamental importance after the *Völkerwanderung*. Obviously it grew up at a time when the administration of the *villa* was short of labour, and the control of labour was not easy. The Germans were familiar with slaves, freedmen and *liten* who had their own *penates*, as Tacitus said; now the dependent tenant owing services became the main support of the lord's establishment. In the former Roman provinces, peasant economy and settlement became still more important for the landlords than they had been under the Emperors.[2]

The storms of the *Völkerwanderung* had another destructive effect which influenced the whole social and economic fabric of European life. They put an end to the system by which landowners, especially those of the middle sort, regularly lived in towns. The Germans had not lost their dislike of town life. So those Roman *possessores* who were able to hold their own with them were obliged to live regularly in the country. They did not move all at once; the narratives of Gregory of Tours and the verse of Venantius Fortunatus are still full of scenes from the lives of Gallo-Roman town-dwelling rentiers. But by Carolingian times this society has vanished away. It has been forgotten that, according to the Salic Law, the Roman was a second-class freeman—with only

[1] Different interpretations of the passage in the *Lex Burgund.* have been given hitherto.

[2] Cp. p. 234, below.

half a Frank's wergeld.[1] Evidently, by going into the country and mingling with the free Franks they had got rid of this mark of social inferiority. It was not they who initiated the subsequent revival of town life.[2] Long before that the towns must have lost all real importance as consumers of agricultural produce: European rural society in the main was now working to feed itself.

One can distinguish in Western Europe three zones of agrarian settlement in relation to rural society after the *Völkerwanderung*. In Spain and Southern Gaul, the Visigoths; in the Rhone country and the Western Alps, the Burgundians; and in Italy the Ostrogoths, and the Lombards after them, appeared in place of or beside the Roman landlords. This was the first zone. The association of Burgundian ownership with the old-time estates is remarkably illustrated by the persistence of Celto-Roman place-names. Settlement by the lesser German proprietors in village groups could hardly result from the way the land was divided in South-Western Europe. It would have agreed neither with the habits of life to which these 'faring men'[3] had become accustomed in decades of migration, nor with the ratio between their numbers and the wide regions which their leaders now controlled. As the Franks pressed on the Burgundians and curtailed their territory, population naturally became denser on what the Burgundians retained. A law of King Godomar provided for fresh divisions of the land and stipulated for more consideration of the Roman *possessores*. But that did not imply any creation of villages; and the early dissolution of the Burgundian realm stopped all further evolution. Lastly, the Lombard conquest of Italy came at a time when the Germanic *Hinterland* had already calmed down. So it also led in the main to the creation of lordships. The Lombard warriors for the most part settled *in fara*. The individual campaigning group which took possession of some estate was a band of blood-relations with their dependents. There were, however, peasant settlements scattered about the conquered land for political and military reasons. Roman military colonies of *milites limitanei* provided the model for the peasant community of the *arimannia*, into which some Lombards and perhaps more members of associated tribes were collected—*arimanniae* were established particularly on the Alpine frontiers and near

[1] The literally de-grading character of this rule cannot be explained away on merely technical grounds, as e.g. by Stutz (*Abh. Preuss. Ak.* 1934, Nr. 2). H. Brunner (*Deut. Rechtsgesch.* II, 614) had inclined to this view, but abandoned it in the main later (*l.c.* I, 2nd ed., 335 f.).

[2] In view of these facts Pirenne and Vercauteren's explanation of the decay of town life in late Frankish times mainly by the growing difficulty of Mediterranean trade seems to me artificial.

[3] 'Faramanni', *Lex. Burg.* tit. 54, 2. Cp. F. Beyerle, *Germanenrechte* (*Ak. für deut. Recht*), X, 190.

urban centres; their peasant members were to defend important strategic points.

For the whole of this South and South-West European zone the early Germanic traditions of settlement had no significance. The incorporation of Southern Gaul in the Frankish Empire seems to have made no difference; and Visigothic Spain kept its native structure until the Arabs overran it in A.D. 711. But the conditions were quite different in the northern parts of the old Roman Empire—those which Franks, Alemanni, Bavarians and Anglo-Saxons occupied. In this, the second great zone of settlement, the Germans were more numerous from the beginning and were reinforced decade after decade. There was opportunity here for the establishment of villages of the primitive type; and besides them the Germanic nobility—old nobles of blood or new nobles of service—got control of greater and more diversified estates.

The *Pactus Legis Salicae*, the codification of the laws of the conquerors of Northern Gaul compiled under Clovis, in its *Titulus de migrantibus* (45) pictures a vivid scene from the times of the wandering in which the 'Tacitean' village springs to life. Some Franks have settled down together on the land of a former Roman villa. A newcomer wants to join in and the earlier settlers are not agreed about his admission. The law decides that the veto of a single proprietor shall decide against him, even if 'one or several' want to admit him. The wording makes it clear that we are not dealing with a big village community. Some three or four neighbours, it would appear, are not agreed about the admission of a fifth.[1] We found the free German proprietors scattered over the land in just such groups in Tacitus' time—though the princely families might own whole villages. The grouping was now reproduced by the Franks on Roman soil. But the old communal disposal of shares in the land by the tribal assembly no longer existed: it was the individual body of settlers who had to agree about the division. And in the very first decades of its rise, the royal authority decides that the rights of the first settlers are not to suffice to exclude newcomers; for another section of the Law (*Tit.* 14, § 4) declares that the *migrans* must have his wish, if he comes recommended by the King. And breach of this rule is far more heavily punished than is the violation of a neighbour's veto on entry. Evidently this last was a new law of Clovis. We recognise those migrants who, after he had established his rule, straggled in from the lower Rhine and the first Salian-Frankish settlements on the lower Scheldt to the new headquarters of the Empire in 'France'. In the Walloon country, North France and Lorraine the Frankish occupation led to much more transference of property than on the lower Moselle,

[1] This question of numbers has not been properly appreciated in the extensive discussions of the *Tit. de mig.*

where most of the place-names are Celto-Roman. It was to the King's advantage to encourage settlement in Gaul, though without unduly cramping the population already established there.

Considerable remnants of the native population must also have been preserved, to serve the King—who took over the Roman imperial lands—and his nobles on their estates. The Frankish noblemen preferred to settle in neighbourhoods which the Gallo-Roman nobility had chosen before them. Their graves are found near the Roman roads, the rivers, the old urban centres. Deep into Gaul—in Picardy, about Laon and Soissons, in Normandy—this is more marked than in the regions near the later linguistic frontier in Belgium, where place-names indicate specially dense German ownership. It is true that place-names composed of a personal name and the common Germanic name endings *-ingen* and *-heim* point to ownership by Frankish chieftains. But probably in places so named there were often both chieftains' settlements and settlements of free villagers, a large owner and a few smaller ones sharing the village land. This type of place-name disappears between the Seine and the Loire, though archaeological evidence indicates plenty of aristocratic settlement. The Frankish nobles were no longer accompanied by Frankish settlers.

The areas of final settlement by Alemanni and Bavarians had not been so thoroughly Romanised as those of the Franks in Gaul. So we do not find the geographical gradations that can be traced in France. But we can trace the three typical ways in which old German settlement tradition was transferred to Roman soil: the great compact estates of the privileged families, the small village settlements of free tribesmen, and lastly the groupings of such tribesmen's settlements about those of the privileged families. Finds in the old *agri decumates* reveal splendid burials of great men surrounded by more modest graves of the lesser men. And evidently that clause in the Law of the Alemanni (*Tit.* 86) which refers to boundary disputes between families has this aristocratic structure of society in view. Two *genealogiae* quarrel about boundaries. The local count must occupy the disputed area and have the case settled by ordeal of battle. How could quarrels arise in which the division of property was so uncertain that only the ordeal could decide, and the matter in dispute so important as to make the ordeal necessary? We are not dealing with village squabbles about a balk that cannot be traced or an overgrown footpath. The controversy is between large owners whose properties march with one another in open waste land. Evidently the initial division of land among the Alemanni largely applied to families with very wide claims. The land originally assigned to them often lay with its bounds against neighbouring settlements still undetermined, even after several generations and several divisions of inheritance. But,

beside these *primi Alamannorum*, the law knows *mediani* and *minofledi*, small owners. We cannot be quite sure that this division goes back to the times of the *Völkerwanderung*. But at any rate the 'row burials' date from those times. Among these village cemeteries are some which contain no heavily armed and richly adorned noble remains but only those of modestly equipped tribesmen. And in Württemberg there is a very ancient type of village in which the property of a comparatively large homestead—the later *Rittergut* or *Meierhof*—consists of compact fields and meadows side by side with the cut-up peasant *Gewanne* of the villagers. But the contraction of the territory of the Alemanni, under pressure from West and North by the Franks, forced the majority of them to content themselves with modest properties in some small village settlement.

In Britain, East of the Welsh border beyond which the natives retained their independence, the small political groups which emerged from the Anglo-Saxon conquest established frontiers against one another. In each of them, and in each of the *folk* or *provinces* into which they were divided, there were from the first leading families with large property and ordinary tribesmen who reproduced the small German villages. Places lying close together whose names are compounded with the same personal name indicate large properties of early date. Occasionally a compact stretch of property, which was only gradually filled with settlements in the course of the middle ages, points to a similar primitive assignment of land, of the sort that led to disputes among the *genealogiae* of the Alemanni. But on the other side stands the evidence of c. 42 of Ine's Wessex law—every *ceorl* who has a share in arable and meadow, and sends cattle to the common pasture, must lend a hand in fencing the corn and hay to keep the cattle out. It is a freeman's village with no lord.

Yet the mixed village containing freemen and a lord's hall was obviously important in early Anglo-Saxon times. Place-names of the personal name plus *-ingas* type are thickly scattered over Eastern England from York to Sussex, that is to say over the area earliest occupied by the Anglo-Saxons. The structure of the names evidently suggests the way in which the occupation had been organised—by a leader surrounded by ordinary tribesmen. At a later date, pure peasant villages were often distinguished from such half peasant, half noble, villages by the name Ceorla-tun (Charlton, Carlton). Anglo-Saxons were wary of settling too close to the ever-restless Welsh border. Here, agriculture continued to be carried on by small Celtic peasants living in hamlets which were thinly scattered over great stretches of waste. Elsewhere such hamlets of the conquered rarely survived, and only in regions which the conquerors did not prize—hilly or marshy land. British names have survived in such regions in Lancashire; and on the downs of Southern

England archaeologists can trace the bounds of Celtic cornfields—groups of rough rectangles quite unlike the long strips of the Anglo-Saxon open-field. In the lower country these strips predominate: it was there that the conquerors settled and worked.[1] To what extent they utilised remnants of the Roman villa organisation and of the colonate, unhappily we cannot ascertain.

We pass to the third zone of German settlement—the zone in which there were no Roman traditions and into which the *Völkerwanderung* only brought fresh German tribes in place of those that had moved away or been conquered. This includes the Frankish territory on the right bank of the Rhine and the lands of Frisians, Saxons, Danes and Scandinavians. Here there was no break with the 'Tacitean' tradition of settlement. Friesland was dominated by a markedly egalitarian division of property. Elsewhere the migration of so many fellow tribesmen to Gaul and Britain necessarily gave elbow-room to those who remained behind. Evidently for a very long time the families of those possessed of full tribal right controlled large compact holdings. Among the Chamavic Franks of the lower Rhine the title *homo Francus* long remained a monopoly of the upper stratum of freemen. Such well born people regularly had their own family forest (*Lex Franc. Cham. Tit.* 42). Further South among the Ripuarian Franks settlement is concentrated in the main into great properties geographically distinct from one another. Among the Saxons, the position of the leading families had been strengthened constitutionally and economically. They are the *edelinge* as opposed to the *frilingen*, and to the dependent soil-bound *laten*, who doubtless sprang from the conquered population. The *edelinge* had the right to divide among themselves the use of the waste and woodland that lay between the settlements. In Denmark the distinct property of the lord, the *ornum*, in the middle of the peasant community, has all the features that we have described—it is bigger than the peasant holdings; it is not mixed up with them; and it has special forest privileges. Finally, the *Odal* estates are of fundamental importance in the story of Norwegian settlement. Legally, they were subject to very strict rules of inheritance by collaterals. Geographically, the scattering of *Odal* homesteads thinly over the country was always characteristic.

It is these separate properties of an upper social stratum that we must have in mind when, in various regions, we come across evidence of some connection between the bond of neighbourhood and the blood tie. The leading families had often reserved to themselves great continuous stretches of land with the definite intention that their descendants

[1] Though it is quite superfluous to assume that the Celts had only occupied the higher ground.

should live together on them. That is, as we have seen, the explanation of the Alemannic *genealogiae*. The life of an Anglo-Saxon saint of the tenth century translates *provincia* by *maegth*. The district is held together by the unity of a leading family. Something similar is indicated when, in the Latin version of a Northern saga, a King demands the cession of twelve *gentes*. In another saga the principle is laid down that 'we should regard and treat brothers' land as undivided'.[1]

The development of such group settlement by noble families was interrupted or checked whenever noble property was being increased by generous grants from the king. The evolution of a feudal society made land granted by the king the principal element in the landed property of the nobility; and such grants always had to remain in a single hand. Feudal society evolved on Frankish territory; that explains why there are fewer traces of ancient settlements of noble blood relations there than elsewhere. On the other hand, it was without doubt in the Merovingian Empire that those forces first gained strength which dominated the course of settlement in Western Europe during the whole of what we call the Middle Ages—the forces of the peasantry.

When the nations came to rest after their wanderings, the characteristic medieval peasantry came into existence—not as a single uniform social stratum but in two distinct primary divisions, which were however pressed closer and closer together in course of time. There were the tenants who owed services on some lord's estate, but acquired thereby secure holdings of their own. And there were the small freemen, members of a village community settled on the village fields. Originally they were both in rank, and as landholders and sharers in common rights, in a decidedly better position than their more servile fellows. But gradually their economic position was assimilated to that of the dependent peasants. Their numbers grew from generation to generation and there was no more land to maintain them. Once the settlement was completed, the descendants of the first settlers had not the mobility that their forefathers, the 'faring men' of the great wanderings, had enjoyed. Everywhere the existing division of the land was guaranteed by a powerful public authority: small freemen had no chance of improvising an occupation of 'foreign' land. So most of them became simply 'peasants'. At first the average Frank in Gaul, or Anglo-Saxon in Britain, may have lived much as his ancestors did among their German forests; if he were fortunate, as a small 'lord' who had been able to get a few slaves or freedmen as tenants, without ceasing to work on the

[1] The often quoted phrase of a Bavarian formula, *in vico et genealogia*, seems less convincing. It may only refer to village names of the type 'personal name *-ingen*'. Possibly the *Klufien* of Dithmarschen and Frisia sprang from primitive family group settlement; but the date of their origin is uncertain.

land with his family. But as generations succeeded one another conditions worsened. The need for unceasing work determined the small owner's way of life. In the end he might not have enough land to live by, and might have to get some from a lord—either paying rent for it or doing work for it like a dependent holder. The diminishing reserves of land only came into the hands of the common man through those of the nobility and the church, to whom the kings made the initial grants. Beside those districts in which archaeological evidence, or the prevalence of place-names in *-ingen* and *-heim*, suggest an early occupation, lie districts of North-East France—to about as far South as Orleans—of place-names in *-court*, *-ville* and *-villers*; in the Rhineland and South Germany of places in *-weiler*, *-weil*, *-wyl*. These names indicate aristocratic settlement: the occurrence both West and East of the Rhineland of the Roman *-villare* termination with a Teutonic personal name points to the spread of the Frankish nobility over the whole empire. Further it is noticeable that the places in question grew up on what had once been royal land. The power of the Crown rested on that of the nobles and the clergy; and it had to leave local authority to them. For that very reason the small freeman was obliged to seek their protection more and more. His function as fighting man and member of the tribal community dwindled into insignificance: his life became just a part of that of his village.

Meanwhile there was need for more homesteads on the occupied land. They might be established in one of two ways. The villages might be allowed to grow; or dependent hamlets and homesteads might be created. The second method was more in harmony with old German tradition than the first. So we find it applied in the land of the Alemanni; while in much of that settled by the Franks a tendency to the creation of bigger villages is conspicuous. In the village of dependent tenants under a lord the multiplication of households went further. On the lord's domains in France, where the Roman administrative tradition was still active, there grew up compact settlements whose arable in Carolingian times contained many hundreds of hectares. The *terra indominicata*, which as a rule lay apart from the 'tenancies', was near a lord's 'court' and a big village. In external appearance the villages in which traces of Roman provincial life survived differed from the new ones that grew up on German soil. They were more compact, more easily supervised: they were grouped about a central space, or laid out in regular lanes; while the German and English village types have been labelled by modern scholars 'thrown together' villages (*Haufendörfer*) or 'nucleated', but not ordered, villages.[1]

[1] But the primitive Anglo-Saxon village excavated at Sutton Courtenay had houses in rows.

We cannot follow the growth and remodelling of villages from generation to generation. We only begin to get any documentary picture of the results from the eighth century. They show us something of the proprietary relationships and of the economic life of the village, dominated by the system of standard units of peasant property, the open-field system, and the regulated use of commons. From the seventh century at the latest, measurements of property and of obligations to a lord, or to the taxing authority, were made in units of *Hufen*, hides, *mansi* and so on. The underlying ideas are reflected in Bede's translation of the Anglo-Saxon hide as *terra unius familiae*, and in the Latin *mansus*, which originally implied not the land but the homestead. And this gives us both ends of the peasant scale. For no doubt the original hide was the respectable holding of a free peasant family; on the other hand the *mansus* was a unit in the organisation of a seigniorial group; and *Hufe* is only directly applicable to rented land. All the family's claims to pasture, woodland and water are part of the standard unit. But the name of the unit is also applied to the normal extent of its landed property, and in particular to its arable.[1]

When land was first taken over at the time of the *Völkerwanderung* such uniform standards were hardly yet in use. The *Lex Salica* knows nothing about them. When the law *de migrantibus* leaves the decision about the entry of a new member into a rural group now to the group and now to the king, it shows clearly that there were as yet no normal units of agricultural property. Evidently the unit system had its roots in local custom; and the evolution of the village is reflected in it. The standardisation of representative holdings, especially of the arable holdings, became necessary when the soil that served a given group of settlers had to feed more households. Such units were required in comparing the new holdings, which now became necessary, with those already in existence.

This reckoning by *Hufen* or hides is found closely associated later with the open-field system; the strips of a holding scattered over the furlongs form parts of hides, which are also so scattered. That association also goes back to this period of social and political consolidation—and the open-field system itself is a product of the development of the village. As households increased and more land was brought under the plough, whilst all lived together in the same village, it was not the natural thing to give one heir all his land near to the dwelling houses, and another all his in a remote and newly cultivated part of the fields; symmetrical results were achieved by giving each his share of old and new land. The resultant dismemberment of property made the peasants highly dependent on one another for any improvement or regulation

[1] Cp. the discussions on p. 191 and p. 265, below.

of agriculture; and so grew up that familiar handling of village economy on a communal basis which was associated with the open-field system down to modern times.

That law of Ine of Wessex (*circa* A.D. 700) which strengthened the obligation of the villagers to assist in the fencing of corn and hay fields points towards the beginnings of village growth and the development of the open-field. The growth of village population and the breaking up of the shares in property necessitated the regulation of common duties and their enforcement by fines. But it was unusual for a king to assist the village community in this way. That community had developed spontaneously and as a rule enforced its economic discipline itself. The fact of its being organised affected the whole area. It led to the fixing of the boundaries of the various communities. The different villages or groups of settlers were still divided from one another so far as possible by tracts of country that were useless, or nearly so—forest, thorn-brake, marsh. In these wastes boundaries were determined: the process can be traced in eighth- and ninth-century England and in descriptions of German marks. The villagers had always used land not required for the plough as pasture; and the forest round about the utilised land had supplied them with timber and pannage. These customs of user, with those of water, came under communal control, and the rights of the various proprietors were determined by the community. But by no means all waste land belonged to communes and was divided between them. From the beginning, privileged property had privileged claims on such areas. When we hear of 'members of a mark' who have shares in them, although the bounds are not properly determined, the rights in question are very often not those claimed by some commune, but are privileged rights of single great proprietors who live near the area in question and so are its 'mark men'. Moreover large forests and wastes were often reserved for the greatest proprietors, for the king above all. In the Frankish Empire the conception of 'forest' was based on this royal ownership of the woods.

For the whole evolutionary process here described, an economic change that affected the greatest and smallest establishments alike—an increased interest in the yield of the land, and above all in its yield of bread corn—was just as fundamental as the pressure towards immobility which political consolidation brought with it. The Germans of this period had Roman tradition to thank for the extension of meadows, gardens and vineyards. The increased importance of corn growing can certainly be traced to the same influence, although the Germans may already have been familiar with all the principal varieties of grain.[1]

[1] Cp. p. 149, below.

Arable farming came only slowly to full recognition as against cattle farming. The Merovingian kings preferred to levy tributes of cattle on conquered territory both in Gaul and Germany: they recall Tacitus' Germans who rejoiced in the numbers of their herds. It was not yet taken for granted that the Anglo-Saxon *Gesithcundman*, who received land from the king for service in the *comitatus*, would keep it so far as possible under the plough: King Ine had to protect himself carefully against such warriors deserting him and leaving half, or more, of the hides that he had entrusted to them untilled (c. 64). But very early records reveal the change of waste land into arable—by the clearing of forests. There is Burgundian and Visigothic legislation of the sixth century relating to *exarta*, 'assarts'. From that time, all through the history of medieval settlement and colonisation, the progress of clearing, the growing contraction of forest in favour of tillage, is with us. It is the countryman's preliminary task, the task by which he makes fresh landed property.

Hitherto we have had little to say about clearing as a basic factor in the history of settlement. The Romans, and those provincials whom they educated, only rarely had occasion to curtail the woodlands; and the Germans never deliberately embarked on any such undertaking. We noted a greater interest in clearance in late imperial times, after the devastations of the third century and the first barbarian inroads. But there was not then any attack on ancient forests, only on the woods that had crept over neglected agricultural land. When we hear of clearing in the earliest medieval times, it is probably of this kind of clearing that we must think: brushwood had to be got rid of on neglected provincial soil. In Merovingian times monasteries were deliberately founded on such 'tumbled-down' land. There was also the leisurely clearing of the forest verges to get more pasture, which reduced the waste zones between the settlements. 'Brabant' was originally a name for such zones: in the Belgian province that bears the name, a province already settled in Roman times, hundreds of Frankish settlements appeared from the end of the sixth century. A third and higher stage then set in, what we call clearing in the special sense—the felling of great stretches of primeval forest and undergrowth in the thick woods. This stage was reached in Carolingian times; we must assume that it resulted from secular experience of the other, and easier, types of clearing. So the Germans had become fit for the task to which Joshua in the Bible urged the children of Joseph: 'if thou be a great people, then get thee up to the wood country, and cut down for thyself there' (Ch. 17, v. 15).

It was not only the need to make room for new settlements that encouraged clearing. There was another motive inciting peasants who

were still clumsy and ignorant of how to make the best use of land to attack the forest—the unpleasant discovery that land already in use did not fulfil expectations, or the fear of such a discovery. The Bavarian law book of the eighth century deals at length with quarrels over the possession of *pratum vel agrum vel exartum*, in which both parties speak of the labour that they have expended on the land in dispute. One has just put it into cultivation. His opponent explains that he once inherited it, and cleared it and weeded it (*Tit.* 17; 1, 12). Such disputes would not have been possible unless many pieces of land had once been under the plough and then long neglected.

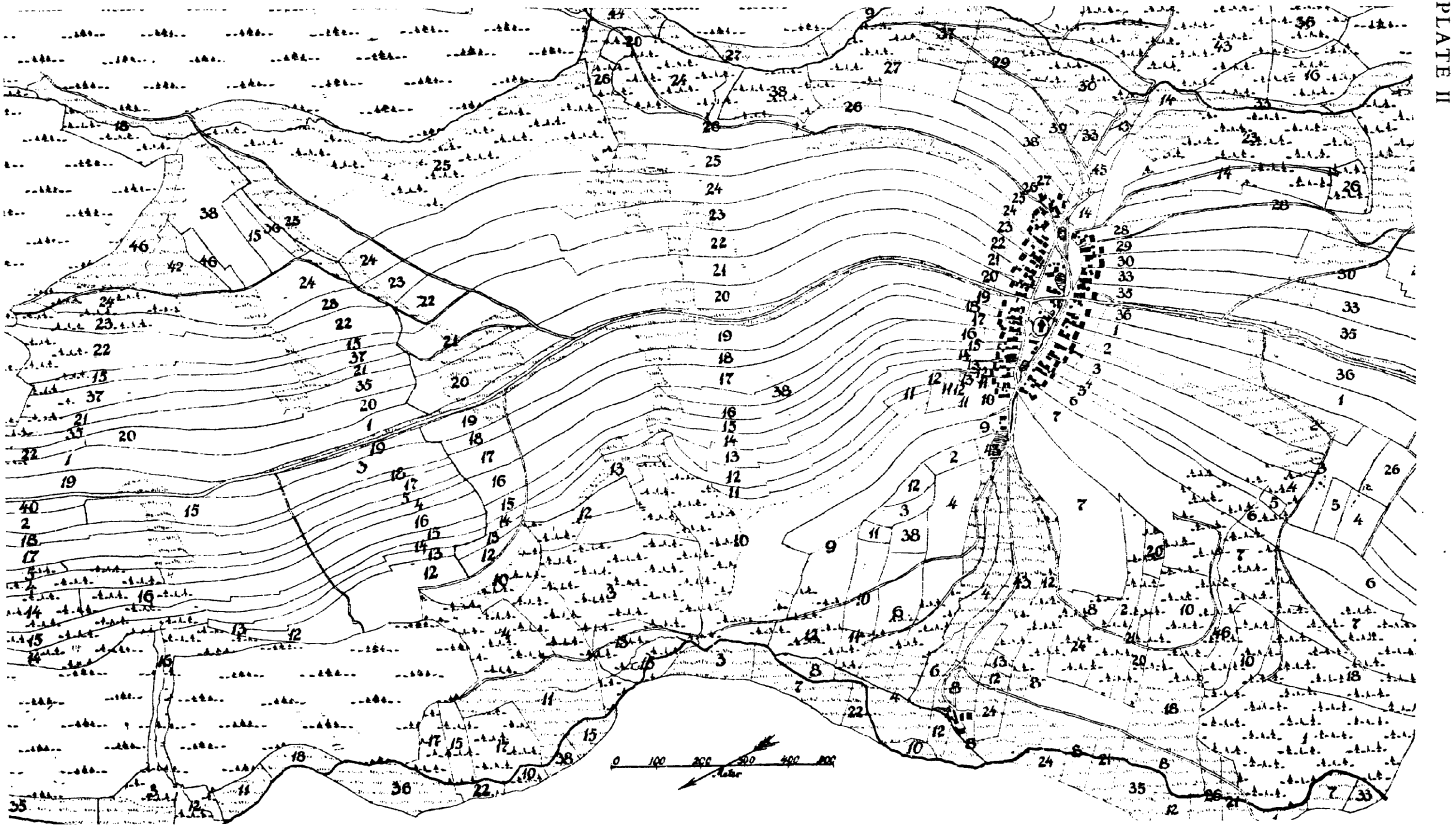
Clearing is no doubt one of the processes that the Germans learnt in the conquered provinces from Roman neighbours and dependents. Churchmen stood high among their teachers. For, precisely in the transition period from the Roman Empire to the Teutonic domination, the Church was brought into close contact with agriculture. All she could now expect from the state was gifts of property and land to use. It was her task to see that what she got became productive. Survivors of the Roman aristocracy gladly accepted ecclesiastical office and added their own estates to those of the Church. They were living supporters of the Roman traditions of estate ownership and estate management. The poems of Venantius Fortunatus make clear in charming fashion how thoroughly at home an Italian felt in the houses of his ecclesiastical hosts in Gaul. One of them, Bishop Leontius of Bordeaux, he praises especially because he had turned a villa of his from a wolf-haunted waste into a place where men could dwell once more (*Carm.* 1, 18).

The care of the bishops was supplemented by a special function of the monasteries. It would be a misconception of the monastic spirit to speak of colonising monks in this era. Monks had to seek remote waste places in order that they might more completely shun all worldly things and convert the neglected souls to be found there. It was not their business to make the waste place habitable or to feed its lost sheep with agricultural knowledge. But to go into the wastes of Central Europe was a different thing from going into those of the Mediterranean lands from which monasticism came into the regions of Germanic settlement. There, waste meant forest and marsh which called for hard labour if they were to support even the simplest life. So it was fortunate that monastic teachers in the Roman Church had decided that monks had both a right and a duty to work on the land. St Augustine had maintained that such work was not a mere consequence of the curse on fallen man, but was part of his natural calling as a gardener in Eden; and that therefore it was in full accord with the holy life of the monk. And the rules of Benedict of Nursia required *opera manuum cotidiana* as a check upon *otiositas inimica animae*. In the West, the Irish monks

under Columba first planted monasteries in waste places; but from the seventh century they were followed by Benedictine houses. Over and over again the monks established themselves in wooded and little settled regions, and so took an active part in the work of clearing.

But their indirect influence on settlement was more important than their direct influence. As they pushed into the woodlands and felled the trees they helped to dispel that religious awe which the Germans had to overcome before they would attack thick forest. The attraction of the Church's miraculous powers was transferred to the holy men in the woods, and brought the laity to settle near them. And lastly, the landowner who wished to acquire merit by a gift to the Church preferred and might even be obliged to give a piece of land that he had cleared for some ecclesiastical foundation. The two motives last referred to worked with special strength in the Frankish Empire from the time when a great access of relics to the monasteries began—about the middle of the eighth century. St Gallen, Lorsch, Fulda, and rather later Werden on the Ruhr, received gifts which soon made them rich proprietors. All of them got much cleared land. The first charters of Werden show vividly how the provident Abbot Liudger exhorted the laity to use the *comprehensio*, which belonged to them as fully qualified members of the mark, for clearings in the interest of his monastery.

By admitting peasant settlements to their neighbourhood, and especially by the struggle to increase their own lands, the monasteries—set up at first in 'the wilderness'—completely changed their environment and themselves. Their practice was assimilated to that of those centrally placed churches and monasteries which were the leading supports of seigniorial organisation and agriculture in Carolingian times. The position in 'the wilderness' was often only a fiction—a legal description which monasteries accepted to make their property unassailable. The assimilation could not fail if the Church wanted to evangelise the masses. Winfrid (Boniface), the Anglo-Saxon who organised the rule of Christianity in the heart of Germany systematically, also gave a powerful stimulus to the foundation of settlements in association with the churches. And altogether apart from any alleged secularisation of the Church, the churches had a sustained need for extensions of the land at their disposal. They had to balance losses of property to the feudal nobility. They had often to feed the king and his train, and always the poor and needy; and for this they must dispose of food supplies. Lastly, the network of parishes had to be enlarged. For all this, clearing had to supplement the tithe; and the more clearing the more tithe. So the needs of the Church harmonised admirably with the craving of small freemen and peasants for fresh property. In Carolingian times the



A forest-clearing village in Franconia.

precaria was utilised with special frequency in the case of forest or waste land handed over to laymen to be cleared.

The state as well as the Church wished to extend settled land and increase the number of settlements in the heart of Europe. From the Eastern German frontier wars of conquest were waged; and for the first time in this region conquest carried with it the need to secure the conquered country and its *Hinterland* by regular colonisation. The first princes who were active in this way were not the Frankish kings themselves but their independent sub-princes, the Bavarian Agilolfinger. They had pushed into Slovene land in the Alps and along the Danube and made use of the Church as a colonising agent. That was the start of Passau and Salzburg. Duke Tassilo founded the monastery of Kremsmünster with the express object of administering and extending land newly won in the Danube valley.

In the North and just across the Frankish frontier, Charlemagne's conquest of the Saxons gave a fresh impetus to clearing and settlement. True, we do not hear of the King clearing conquered land to secure his position: for that end he used depopulation. And the establishment of the new North-East boundary against the Slavs was a military not a colonising measure: across the Elbe and the Saale a chain of forts was created, some of them on Slavic soil. But behind the former Eastern frontier, on both sides of the middle and lower Rhine, in Hesse and along the Main, a pushing back of the forests set in at this time owing to the fact that the recent conquests made this region for the first time a part of the central imperial mass. The forest of the Ardennes lost its primeval character in the East, about Luxemburg. A capitulary of 813 from Aachen instructed the royal agents to select people competent to do clearing work. In view of the reluctance of the Crown to undertake clearings on its 'French' estates, we may connect this encouragement with German territory, and especially with that along the lower Rhine. In the Hessian hill country the colonising activity of the monastery of Fulda may certainly be connected with a desire to encourage closer settlement along this Frankish frontier in the heart of Germany. Here too we find a Saxon supporter of Charles and the Church organising clearings and settlements. Further to the South-West, the mark survey of Heppenheim shows that just before A.D. 800 the Odenwald was not much cultivated; but shortly afterwards it contained many *Bifänge* (assarts). It was probably in this region that the so-called 'forest' village (*Waldhufendorf*) first developed in Germany.[1] Its lay-out differed fundamentally from that of the traditional nucleated village with its open fields. The houses were not crowded together:

[1] The same type of village is found in France, and the place of absolute origin is unknown: there may have been more than one place.

they stood in an orderly row along the street. The holdings were not scattered over the furlongs: their subdivision was avoided, and there was no thorough-going common use of the woodland. Behind each of the houses, its land stretched in a long continuous strip, reaching into and including part of the wood. Villages of this sort were most naturally set up when settlers in hilly country wanted to acquire as much arable land as possible. The settlement was laid out along the valley bottom; and each land-holder slowly acquired his arable by working up to the wooded heights.

Everywhere the Church had a share in the newly won land, and its intervention was of great advantage to the state. The surviving charters do not tell us how far seats and estates of the nobles were established by clearing. In any case the place-names in *-weiler*, which in France were associated with the creation of noble property, are found in the cleared regions of Germany; and the names of fortified places are also often met with on old forest land. The increased military power which the Empire required in the East called for an increasing number of fighting men's residences.

So in the time of Charlemagne and his successors, in the German parts of the Empire, all the socially powerful elements were concerned with the extension of settled land on forest soil—peasants and small proprietors, spiritual and secular lords. But each section had its own interests; and the competition among them was shown in many significant ways as clearing went forward. The lords had to see to it that land of theirs which was suitable for clearing did not fall into the hands of peasant communities, but was cultivated under their own guidance and control. The words *Beunde*, *clausura*, *septum*, all of which—as sometimes also *Bifang*—refer to land marked out for cultivation outside village territory, reflect this policy of theirs. The Crown meant to secure a share of the yield derived from the utilisation of forest land which it had granted to men who made arable out of it. This *Medem*, usually a seventh of the yield, is often referred to in grants from late Carolingian times. The Church was obliged to deal with the tithe owed from cleared land, and to arrange for divisions of tithe between the older churches and the new parishes on it. As cultivation was everywhere making progress, the great spiritual and lay lords who wanted to get their forest land occupied found themselves obliged to offer specially favourable terms in order to attract colonists. About the middle of the ninth century we find that the standard peasant holding on land won by clearing was the bigger *Hufe*. It was first worked out on royal land, and so was called in later times the *Königshufe*. Charlemagne helped to augment the labour supply in Frankish territory by settling Saxon hostages there. That the labour supply had often to be reapportioned

between old and new cultivated land is shown by an ordinance of Louis the Pious, which threatened the vassal who neglected his *beneficium* in the interest of his hereditary land with loss of the *beneficium*.

The vigorous expansion of the area under occupation which is reflected in all these episodes was not always thoroughly economic in this period either, as the last case quoted shows. No doubt the continuity of cultivation in the old village fields was increasingly secured. The two- and three-field rotation systems developed; and the scattered holdings of the open-field made it almost essential that the individual peasant should observe the regular times for working them. But land won by clearing was not immediately so much cut up as the old fields: here the settler was not under the control of his neighbours. So in the older cultivated countries it was not in the lord's interest to give peasants as great freedom to attack the woods as they had in the heart of Germany. Besides, the claims of the chase opposed any such freedom. This is how we must explain the cautious, even obstructive, treatment of forest clearing in the classical documents of royal and ecclesiastical estate management during Carolingian times. The documents deal primarily with the old settled Western regions, with France. It was here that the strict forest law was developed which forbade any curtailment of the forests without the king's consent, even in districts which had already passed from the Crown to the Church or the nobility. The *capitulare de villis* of Charlemagne's time, the clauses of which bearing on this point refer to all the Western side of the Frankish Empire, definitely puts the protection of forests before clearing: there may be clearing in appropriate places, but the fields are not to grow at the expense of the woods (c. 36).[1] Abbot Irminon of St Germain-des-Prés, in those decades of his administration which are surveyed in his *Polyptychon*, had only undertaken clearing at two points in the widely scattered possessions of his monastery—and at two other points he had allowed new forests to grow up. So far as the lords could control the cultivation of the land, they seem to have extended it in open country, not on forest soil.

It was evidently such extensions that made room for a class of tenants who were to play a particularly important part in the later history of French settlement, the *hospites*. We meet them first on the estates of St Germain. Irminon vacillated between the word *hospes* and the statement that a *colonus*, a *colona*, or a *servus* had a *hospicium*. The *hospes* and the *hospicium* are allied. The primary meaning of *hospicium* is just 'house', or in a rural context 'peasant homestead'. Both words—as their use indicates—involve the thought of *hospitare*, to settle or provide with a dwelling. In the vernacular *hospicium* and *hospitare* were trans-

[1] This interpretation has been disputed, but appears to be correct.

lated by *herbergement* and *herberger*. So a *hospes* of St Germain is a man whom the monastery has furnished with a house on its estates. As a rule he will be an immigrant to those estates. Yet the term does not in itself imply that the settler is a 'guest' or 'foreigner'. And as first used it had no connection with clearing. Of the two 'manors' of St Germain in which clearing had been carried out, one had only four *hospites* and the other none at all.

The position of the *hospes* on the estates of St Germain is marked by the fact that originally he had nothing but his *hospicium*, his dwelling; but no doubt this was his heritable property. Besides it, he regularly received an allotment of land, with which some obligation to work on the lord's land might be associated. The land was not necessarily heritable and its extent might be altered by the lord. No doubt the lord used this sort of tenure because he did not always want to commit himself to definite assignment of *mansi* and allotments when developing his estates. This meant that at first the *hospites* were by no means the best placed peasants in the seigniorial group: there were unfree as well as free men among them. But there was always a certain social advantage in the sure possession of the little homestead. In rank and size of holding, the *hospes* might be compared with the cottar or bordar of Domesday Book. His holding need not be somewhere on the outskirts of the village land: sometimes on the lands of St Germain *hospites* were assigned to the parish church for its maintenance. But they seldom held a whole *mansus*. Indeed the *mansus* unit was in decay during Carolingian times in France. Terms such as *manselli* or *curtiles* indicate already the rise of smaller normal units for peasant holdings.

Charlemagne's later years presented new, and in part similar, problems of colonisation both on the extreme French and the extreme German frontiers of his Empire. After the defeats of the Saracens and the Avars the Empire was faced with the problem of providing military defence and economic reconstruction in the wide regions which it had won from its enemies: they were now desolate. For their military and political administration the *Markgraf* was instituted. When Charlemagne died the Spanish Mark reached to the Ebro. It retained that boundary until the middle of the ninth century. The East Mark embraced the Danubian lands from the Enns to the extreme limit of the Eastern Alps, and on the Hungarian plain to the great bend of the Danube. The Danube valley had been settled only thinly under the rule of the Avars: Frankish ways of carrying on war had left it an utter waste. So was the Spanish Mark; and even the adjacent 'French' province of Septimania had suffered terribly.

Therefore resettlement had to be undertaken quickly and carried on for decades at both points. The methods were much the same in the

Western and Eastern Marks. The conquering armies were no longer made up of landless warriors, as they had been when the Empire was founded. There was no question of mass settlement by small proprietors. Natives and neighbours of the two regions formed the bulk of the population; but they were to a large extent subjected to new lords. For the Crown took advantage of the opportunity to claim the conquered territory for itself, as having no lord, and to make generous grants from it to the Church and the nobility. In order to quicken the pace of settlement, it authorised its grantees to occupy waste land in the neighbourhood of their estates. The Bavarian churches and monasteries were entrusted with this mission in the East Mark. On both sides of the Pyrenees new monasteries were founded and they threw off cells as centres of economic activity. The creation of lay property was closely associated, both in Septimania and Spain, with the military organisation of the frontier. The owners—called *Hispani* even in the Septimanian zone of settlement—received their land under the legal form of *adprisio*, which gave them a heritable claim in exchange for the duty of personal military service. Their tenure was thus akin to feudal tenure; but beside the great noblemen, peasants were given land under this same form of *adprisio*. There were *minores* and *inferiores* mixed with the *milites* or *maiores*, though all were settled fighting men. The social position of the *minores* recalls the Lombard *arimanniae* and the Byzantine soldiers' holdings established by Heraclius.[1] In the East Mark there was no analogy with this linking of military organisation to the establishment of small holdings. There the principal supply of labour came from the Slavic Alpine inhabitants, who willingly undertook the work of forest clearing. German colonists also are found settling among them. Evidently the land had the same attraction for settlers from adjacent Bavarian territory as the land about Lake Constance had for Alemannic settlers, at this time and earlier: there was space enough to build little hamlets in which each settler had a respectable holding. The settlers were welcome because they contributed to the security of the country, to its Christianisation, and to the yield of the tithe, which the newly converted Slavs paid only grudgingly. The oldest surviving account of a settlement based on the big '*Königs*' *Hufen* refers to a little village in a clearing in an eastern gateway of the Alps which had been established on royal land and then given to the church of Salzburg: *ad Labenza ad Wisitindorf de terra exartata... mansos integros VIII, id est ad unamquamque coloniam jugera XC.*

The colonisation of the Spanish Mark and of the East Mark went on in this fashion until the time of Charlemagne's grandsons. Meanwhile the Frankish Empire was breaking down. By 900 'France' and 'Ger-

[1] See below, Ch. v, p. 196.

many' were beginning to form. At the same time the whole of the West, as the migrations of the fifth and sixth centuries had left it, was continuously and fearfully shaken by new movements of the peoples outside, on the North, on the South, on the East. It is time that we looked beyond the Frankish Empire.

In England, conditions were not favourable to so varied and vigorous an extension of settlement in forest and waste as in Germany at the time when it was completely dominated by the Franks. The little Anglo-Saxon kingdoms lacked the powerful organising force of a strong state. Progress in clearing depended on peasant initiative. Perhaps only comparatively few peasants had the requisite enterprise; but here and there a good deal was accomplished. Place-names in *-field* and *-wood* record the growth of new settlements in the 'marks' of the old villages before the Danish invasions. Sometimes the name records the man who did the work; and then we may think of one of those driving peasants who 'throve so that he had fully five hides of his own land, church and kitchen, bell-house and burhgate'; and so deserved the rank of thane.

The Teutonic North—the Danish Islands, Jutland, Sweden and Norway—was far more backward. The interior was in every case thickly wooded; and the people clung to their inherited religious awe of the woods. There is a Saga that tells of a king who ordered clearings in Wärmland. The Gods punished him with a failed harvest and his men killed him as a sin offering. Ancient villages not established in clearings are called, in the later Swedish law, 'villages of pagan times' in so many words. Peasant discipline was developed and extended in the open regions, in the *Wang*. The practice of *solskifte* had probably been evolved in those pagan times: it lays down that, when a field has become so large that it cannot be taken in at a glance, the plots shall be reassigned according to the 'points of the compass'.[1] It was made for growing villages—and the fact that the village grew meant that men had not room enough in the land. Starting from this simple discontent, the Northmen developed a power which opened to them immeasurable distances. They were a whole people of warriors. Their spirit, on the religious side, was revealed in the worship of Odin, the God of those who fall in battle. On the social side, we see it shown in the high value set on warlike fellowship, and the unquestioned belief that the most honourable and manly way of acquiring wealth was by looting after victory. Moreover, unlike the West Europeans, the Northmen were not mere agriculturists; as wandering traders they had acquired great mobility at sea. Beyond the seas they could choose the point to raid, to conquer, perhaps to colonise. From the end of the eighth century

[1] Cp. p. 478, n. 2, below.

they had become conscious of this superiority; and the Viking age had begun.

The Eastern neighbours of the Germans and the Western and Northern neighbours of the Anglo-Saxons—Slavs and Celts—were in this era not nearly so close to the Teutonic peoples in social and economic organisation as they had been in the age before the great *Völkerwanderung*. Among both Slavs and Celts tribal organisation was dominated by the blood-relationship of the agnatic group. Among the Celts, and probably also among the Western Slavs, this blood-relationship also dominated the way of settlement. In Wales, Scotland and Ireland the land was divided among clans and septs, each under the strict patriarchal rule of its chieftain. The groups of cousins into which they were subdivided (*gwelys*, i.e. beds) were also groups of settlement. The families of a group either shared great common dwellings, or lived close together in little hamlets, except when—as notably in the Scottish Highlands—they were scattered in separate homesteads over the whole territory of the clan. The land of each clan was in principle the common property of its members. So far as it was pasture, it was shared among the households of the clan according to their graded rights. The arable was similarly shared; but the division was not permanent, nor the shares heritable. According to the law of the Irish *tanistry*, a chief divided the land afresh when the membership of his group had changed. This variable assignment of arable to a household assumed that agriculture was entirely subordinate to pastoral activities. Neither the social nor the economic organisation of the clan allowed a true peasant population to evolve. The clans were warlike territorial groups which readily fought one another. The upshot of the fighting often was that whole clans sought distant pastures. After the end of the sixth century such migrations were confined to the Celtic regions; Celts from Ireland often moved into Scotland.

We have only very uncertain and scrappy knowledge of social conditions among the Slavs before about A.D. 1000. But those *generationes*, which according to Cosmas of Prague formed the basic units of Czech society, were organised patriarchally like the Celtic clans, and must have been settlement groups. Probably we must assume something similar in neighbouring and kindred lands. Among all these peoples, agriculture was a subordinate activity. They did not learn from their German neighbours to use the heavy wheeled plough: they tilled all land, light and heavy, with a sort of wooden hook. Probably most free Slavs were accustomed to work for their living. Yet their economic energies were very undeveloped. The most prominent and best attested feature of their primitive state is their failure to make full use of what labour supplies they had. They sold them in bulk to strangers:

the word slave, which is found in use among the Arabs of Spain as well as in all Teutonic and Romance languages, is the legacy of this export of men. And the economic carelessness which lay behind it is clearly shown by the fact that these slaves worked excellently for their alien masters in most varied conditions. As landworkers they were tested by Byzantine Emperors in Asia Minor and Bavarian Dukes on the Danube. Considering the vast spaces available for the Slavs, this export of men must have left settlement very thin. So there was no inclination to spread out beyond those spaces. The superficial use of the land is indicated by the instability of the individual settlements of the Slavs on the central European plain. Within the areas recognised as theirs, the little villages of wooden huts were often shifted about. Fortified central sites were more permanent. They were a regular and essential element in the organisation of Slavonic settlement: we find the name Belgrad ('the white fort') in the Serbo-Croatian land, on the Pannonian plain, and on the Baltic. The sites preferred were those with natural protection—heights, river mouths, islands in swamps. And at least the more important forts were 'residential': privileged members of the tribe had quarters there.

So far we have been occupied with lands and peoples whose agrarian civilisation must be rated lower than that of the least developed parts of the Frankish Empire. To these, the Mediterranean lands present the sharpest possible contrast: in them the classical agrarian civilisation was able to survive all political and racial changes. True, in Lombard Italy at the time of its incorporation in the Empire of Charlemagne the urban element in the classical organisation of settlement had not yet reacquired its old importance. Landowners still lived almost exclusively in the country. We have seen already how, side by side with the great proprietors, the free peasant communities of the *arimanniae* helped to maintain the area under cultivation. Besides, the classical form of lease for the utilisation of neglected land, the emphyteutic lease, had not lost its importance. But it was no longer employed to establish big holdings. From the ninth century we find it used mainly for the planting and care of vineyards. The tenant gets very good terms. For a series of years (six, in the earliest instance) he pays no rent at all; later a reasonable yearly sum or share of the produce.

But the Western land in which a plantation system was most widely promoted during this era was Spain. Its Arab rulers took the greatest interest in fine and exacting crops. Artificial irrigation, already well known in Spain, was improved and extended by them on oriental models; its superintendence was the business of the state. On the East coast it was employed for rice and sugar-cane, elsewhere for orchards and gardens. The native labour supply was supplemented from Africa,

by men of the race whose military qualities had made the conquest possible, the Berbers. Disappointed and refractory veterans, they gave their lords plenty of trouble; but after Abdar-Rahman I had established the Emirate of Cordova with a Berber army (755–6) they acquired an established and appropriate place in the settlement of the country. They were traditionally mountaineers, cattle tenders and olive planters. Mountainous country also gave them security in case of friction with their rulers. So they did not settle in the fertile Andalusian plain, but extensively in the highlands between it and the southern coast. There were colonies of Berbers also further North, wherever there was room for them in the mountains—and always they were herdsmen, or olive and fruit planters, who took no interest in tillage. The first generations of conquerors were continuously reinforced from Africa. And these migrations set in motion others, directed towards other European coasts. Following Arab leaders, Libyans and Fellahin crossed the seas to acquire land from these leaders by sharing in their victories. North Africa under the Aghlabides, who had broken away from the Caliphate of Bagdad about the year 800, became a new and vigorous centre of racial eruption outwards.

So as Charlemagne's Empire grew, and with the growth of its power broadened its agrarian basis, there came from the boundary seas of Western Europe, the Northern and the Southern, vicious attacks of Northmen and Saracens, both ready to fall upon the exposed stretches of the Romance, German and Celtic world with the primary intention of plunder, slaughter and destruction—but both also equipped for the establishment of new governments and new settlers in the lands that they had harried. It was because of political troubles in Norway that Viking bands first began to settle in conquered territory instead of coming home with their loot. About the year 820 their settlement began in Ireland. Near the same date Saracens began to settle in the most westerly possession of Byzantium, Sicily. After these first successes the Vikings attacked all along the coasts of the North Sea and the Channel, the Saracens along those of Italy and Southern France. Everywhere they penetrated far into the interior. Neither in England nor in the Carolingian lands did they find any system of fenced cities or well-manned forts to hold them up. That scattering of the population which had preceded the settlement of the first Teutonic conquerors now proved fatal. There is no need to tell again the story of how England all but succumbed to the Danes; how the Northmen again and again made the lands along the Rhine and the Seine unsafe; how Vikings invaded the Mediterranean; or how Saracens laid Rome waste, held out for long in South Italy against the arms of the Frankish king, and until far into the tenth century took tribute in Provence from their fort at

Fraxinetum. Towards the end of the ninth century there came from the East another devastating attack, which for decades could not be resisted with effect—that of the mounted Magyars who occupied the Pannonian steppe. Within a few years they ruined the whole Carolingian work of government and settlement in the East Mark. They raided as far as Tuscany and Southern France. It was only the consolidation of the German Empire, proved at the battle of the Lechfeld (A.D. 955), that put an end to these Magyar invasions.

Both Magyars and Saracens raided far beyond the ultimate bounds of their settlement. For settlement the Saracens concentrated on Sicily. The island made a stout resistance: it was, as it always had been, a land of towns and strong villas, and it had to be conquered town by town. Palermo fell in 831, Taormina the last Greek city not till 902. Conquest and destruction left room for a new population. Berbers and other African fighting men were settled, some on old town lands, more in the country round about. Generally speaking, they and the many who followed them from their native lands were established in open country. Hundreds of new villages were scattered over Sicily.

The story of the Northmen's acquisitions of territory was quite different. It touched many lands, East and West. Besides Ireland, parts of Scotland and the Isle of Man were occupied. About 860–70 their power was at its height: they were raiding and conquering along western coasts and up western rivers, among Slavonic tribes between Lake Peipus and Lake Ladoga, and in England. Early in the tenth century their attacks on the Channel coast led to Rollo's acquisition of the country about Rouen as vassal of the French King. He and his son then extended 'Normandy' far westward towards Brittany. But the Northmen could not have made their influence felt so widely had they aimed everywhere at agricultural settlement. In Ireland and Russia they did not expect their followers to settle on the land and become trustworthy subjects: they made grants which enabled them to share in the work of government and profitable commerce. They founded states in the same spirit in which they had formerly set out on their raids. But elsewhere their conquest had results similar to those of the great *Völkerwanderung*. A few hundred Norwegian families left the track of the raiding voyages to settle in empty Iceland. There, with no warrior king and no looted wealth, scattered free and far apart over a hard land, they carried on their old life; and their descendants gave Teutonic tradition its mightiest written form. In France and England the Northmen took control, so far as possible, of the existing rural economy. Rollo's first official act was to have the land surveyed and to make grants to his followers. But he immediately set himself to attract 'men of various origins' and 'filled the land with his own warriors and with

these other immigrants (*advenis gentibus*) and so built it up after its prolonged harrying'. The account suggests that the Norman warriors were the lords, the other strangers their peasant colonists. But the lords formed an important class of landowners built up in accord with old Teutonic tradition. They were endowed with land *secundum dignationem*. In Normandy, especially in the departments of Seine Inférieure and Manche, a type of place-name is very widespread which is based on a Norman personal name, and originally ended with a Scandinavian syllable, usually *-tot* (=*-toft*). Sometimes the syllable survives; sometimes it has been replaced by *-ville*. Such place-names suggest that round about the prominent Normans who gave their names to villages, there settled groups of smaller freemen who naturally called their settlements so-and-so's *-holm*, or *-gard*, or *-toft*, or *-bol*. *Bol* is the Scandinavian term for the arable part of a holding,[1] and retained that meaning in Norman dialect especially in connection with small peasant holdings. True, the peasant element among the Normans soon lost its separate existence. Normandy adopted the French feudal organisation of society, with its sharp cleavage between peasants and knights. Only the knights' way of life was respected. Descendants of the humbler Normans were grouped with their neighbours the native peasants, except where they were able to join with knights in the work of conquest in Apulia, Sicily or England.

In England, the settlement of Scandinavians in the southern parts of the Danelaw was extensive enough to leave a deep mark on place-names, even after the English reconquest of those shires. But the deepest mark was in the region of the Five Boroughs and in Yorkshire. The *-thorps* and *-bys* are thickly scattered over Lincolnshire, the North Riding, and parts of the East Riding. Among them you may occasionally find an Ingleby, which shows that there the English were a minority, the Scandinavians the main stock. Danbys and Normanbys distinguish different groups of conquerors. From the families who occupied these settlements sprang a peasantry which was able to maintain its independence through the troubles of the eleventh century. The sokemen of the land of the Five Boroughs had such a free tenure that their descendants in the twelfth century could endow churches with land. Nowhere else had the old Teutonic tradition of settlement been better preserved.

Taken as a whole, the migrations of the ninth and tenth centuries changed the composition of the European peoples in only a few limited areas. But their influence on the European social structure was not confined to those areas. They gave the impetus to the emergence of new types of political and social organisation; and from this time forward these types determined the form which settlement would take.

[1] Cp. p. 477, below.

The Slavonic East and the Romance-Teutonic West, already so far apart in their development, were also affected in different ways by the storms of Scandinavian conquest. The Northmen did not succeed in establishing fully independent states in France or England; even where they supplanted the previously settled aristocracy or peasantry, in the end they were incorporated into the existing political order. In the East, on the other hand, the conquests of Northmen and Magyars preluded the foundation of new, extensive and powerful states. The dominion of the Varangians, the 'Ruotsi', with Kiev as its centre, extended into the regions of the Volga and the Vistula. Its Teutonic rulers adopted the speech and customs of the conquered Slavs, just as their cousins in Normandy were assimilated to their French environment. Among the Magyars of the Hungarian plains, dynastic quarrels, following on their expulsion from the German East Mark, led to the unitary autocratic kingdom of the house of Arpad. In this case the conquering class managed to impose their own language on many of the conquered Slavs, though they learnt from them the elements of a settled life. Meanwhile, West of the Russian and North-West and North of the Magyar dominions, two great states grew up out of the loose structure of the West Slavonic tribes. All Bohemia came gradually under the control of the Czech house of the Premyslids. About the middle of the tenth century, the German Empire under Otto the Great was making headway against the Slavs of the Mid-European plain: its outposts were stretched North and South between the Elbe and the Oder. But further East, on the lower Vistula and the Warthe, Misica (Mieszko), founder of the Piast dynasty, built up out of a number of tribes the nucleus of the Polish Empire. For a time, the course of political events made it seem likely—early in the eleventh century—that all West Slavonic territory would be united under the Poles. But in fact their dominion itself very nearly collapsed. When it had recovered, the territory that it controlled effectively extended from the lake-covered flats of Prussia and the rivers Netze and Warthe to the Carpathians in the South. On the West it reached only a short way beyond the Oder, where it receives the Warthe; but further South in Silesia to the Sudeten Mountains. On the Baltic, the Pomeranian lands between the estuaries of Oder and Vistula were loosely controlled by it. The Wendish lands, between Poland and the Elbe, had in the South become dependent on the German Empire—as the Margraviates of Meissen and Lausitz—but remained independent further North. Bohemia had extended its dominion over the Moravian tribes as far as the western edge of the Carpathians.

The dominions of the Bohemian, Polish and Hungarian princes were shut in by dense boundaries of forest, in which no clearing was permitted.

The state, won by conquest, was to remain a single stronghold. Connected with this policy was that creation of great fortresses which soon became a fundamental feature of life on Slavonic soil. After conquering the various tribes and princely houses, the Premyslids, the Piasts and also St Stephen of Hungary, divided the land into administrative districts each of which had a fortress as its centre. Whilst the districts were modelled on the Counties of the Frankish-German Empire, the system of divisional fortresses was in sharp opposition to the system which, at this very time, in Germany and France, was undermining that of the County and robbing it of its utility to the central government. In their early days, Bohemia, Poland and Hungary knew no feudalism. There was a landowning nobility of professional soldiers who acquired a great deal of the prince's widespread lands. But the prince only alienated his land in moderation and was careful not to transfer judicial or fiscal authority to his men and their heirs. The constitution of the 'castellanies' preserved all royal powers and compensated the poorer nobility for the absence of regular feudal fiefs.

In Bohemia and Poland the fortress of the *Castellania* was an extensive camp, surrounded with defensive works, laid out with lanes like a town, and full of buildings—the greater for the court, the administration and the church, the lesser for the garrison of 'knights'. The whole of its buildings were normally of timber. The inhabitants of the villages in the district had many varying links with it. Freemen came to it for justice. Those of them who could claim to be *milites* were called up for service from it, and we may assume—though the evidence is not quite conclusive—that they did regular garrison duty. For there were still no other precise external qualifications for the rank of *miles*, like the Western oath of fealty and grant of a fief.[1] The fortresses of Boleslav Chrobry of Poland were held by crowds of his companions in battle and his 'courtiers', who were connected with the prince and with one another, as in the primitive German *comitatus*. (The *drushina* of the Northmen in Russia was the prototype.) Later these warrior-groups were dissolved. But the district fortress still served as the almost permanent residence of important groups of the nobility; both the high functionaries and no doubt also those poorer *milites*, '*militelli*', who held no more land than an average peasant. The peasantry of the district owed taxes and services; these obligations due to the prince were levied from the fortress and in part performed there. Among the personal services were fortress building labour and fortress garrison

[1] According to the evidence assembled by Z. Wojciechowski the Polish *jus militare*, which assigned many privileges to 'knights', is of later date, developing in the thirteenth century, which was also the era of the dissolution of the castellanies. The text is based on this view. Cp. p. 416, below.

duty. The taxes were levied in kind on the cattle and cultivated land of the village. Besides, the Czech or Polish peasant owed his prince or the officials of the fortress service in hunting, in travel, and in the carriage of men and goods. And he was bound to assist in such military work outside the fortress as the building of bridges and the care of the frontier forests.

In addition to these public obligations, the peasant had others arising from his dependence on a lord or from his personal bondage. The documents hardly suggest the existence of true peasant proprietors; freemen below the rank of *miles* had become tenants of the Crown, the nobility or the Church. For the unfree, the administrators of the Crown lands had worked out a highly differentiated system of dues and services. These were owed by unfree families from generation to generation. They included dues in kind (fish, honey, hides, grain); craftsman's work; and work at the lord's stable, his hunt, his kitchen or his dining hall. In 1057 Duke Spitignev made over to the Collegiate Church of Leitmeritz 'from every craft (*de omni arte*), and from every fortress district (*ab omnibus suis civitatibus*) a servile couple with their children, to carry on the said craft'. Here it appears that the organisation appropriate to the crown lands was also found in the castellanies. They served as centres of economic activity and control.

But they functioned in a very different way from the great landlords' establishments of the West. They were not the headquarters of great agricultural undertakings, but collecting places into which flowed the renders from many individual peasant holdings. Taxes, services owed to the state, rents and servile dues, with tolls and monopolistic profits of trade, formed the varied elements of a huge system of tribute that was administered from the fortresses. The system provided the material needs of the state. Its form was perfectly appropriate to the economic conditions existing when the power of the princes grew up. Arable farming was still relatively subordinate. The fortress had no special lord's demesne attached to it. Neither the tenants nor the servile peasants were, for the most part, required to work hard on the land; their numerous compulsory activities were of a very different sort. That agriculture was regarded as a normal part of peasant economy the Polish plough-tax (*poradlne*) shows. But the families whose special business it was to supply arable produce formed only one hereditary and professional group among the dependents of a princely landlord.[1] Bohemian, Polish and Silesian sources refer to *aratores* and *rustici* in this sense. Dues in grain appear also as typical obligations of those peasants who are called *hospites*; they actually were 'guests' or 'foreigners', that is to say immigrant farmers whom the lords

[1] Cp. p. 403, below.

settled on their lands with fixed conditions of rent and for set terms of years.

If this was the economic organisation of the central princely fortresses we cannot assume anything very different in those of the greater and lesser nobility. Many noblemen were relieved of an appreciable part of their economic cares during spells of maintenance in the fortress of their prince. Nor was the Church interested in a more intensive agricultural life until far into the twelfth century. It was more concerned to provide itself with sources of income in tithe and castellany revenues than to acquire endowments of land.

All these facts must be taken into account if we are to understand the circumstances in which peasant settlement developed. The multifarious compulsory services required of the peasant obliged him to live a regulated economic life. But they did not oblige him to aim at a maximum production of cereals. And so the Slavonic economy was not stimulated to conquer fresh soil in order to extend arable farming. It was not at all likely that the peasants would of their own accord aim at an object that their betters neglected. They were not urged to extend the village fields as far as possible, or to find new land when extension of the old fields was impracticable. The lesser Teutonic freemen who occupied land in Western Europe had felt this urge, as the stabilisation of political authority and the spread of the seigniorial system made settled peasants of them. They had learnt to prize regularly cared for fields and meadows as the normal foundations of a way of life with which the freeman's social respectability was bound up. The Slavonic peasant, controlled by the now strong political authority that emanated from the fortress, did not acquire this attitude of mind. For his social position was not based on free, and as a rule securely heritable, ownership. The sole question for him was how to make both ends meet, and how much land he must till in order—together with what the meadows, fisheries, and woodlands gave him—to guarantee his living and enable him to perform his obligations as a subject.

What we know of the Slavonic villages agrees with these considerations. Their fields grew in course of time. Here too the generations brought intermixture of holdings. But the Slavonic 'chessboard' fields show no tendency to a regulated system of furlongs and *Hufen* or hides. Their plots made up a medley of irregular blocks. They retained the old hook-shaped plough (*Hakenpflug*). The only form of clearing that they practised was by burning off the thickets—with a view rather to temporary cultivation than to a permanent acquisition of soil: you cleared the brushwood from one place and it grew again when you moved to another. The villages were often some distance from the fields: the huts stretched for choice along some water's edge, or lay in a rough circle

about a green (*Rundlinge*). Most of the settlements remained small. If population grew a fresh one was laid out in the neighbourhood of the old one. Both lords and peasants often changed the sites of their dwellings. In Poland, not the village, but a wider group of settlements (*opole, vicinia*) was the legal unit of those who had joint interest in the fields of the district.

These conditions reflected the spirit of primitive Slavonic society, as did the domination of the land and its economy from the fortresses. With slight modifications, similar conditions were to be found in countries adjacent to Poland and Bohemia in which the basis of the population was Slavonic, whether the ruling class remained Slavonic or whether it had been replaced by foreigners. In Hungary the peasants both owed heavy services to the fortresses of the 'castellanies' and lived in small shifting settlements.[1] A Synod from King Koloman's time (1096–1114) ordained that church villages must not move too far away from the church itself. The Magyar nobility still retained something of the restless way of living of its ancient plundering days. Otto of Freising, on the second Crusade, observed with amazement the huts of the Hungarian *vici et oppida*, more often made of reeds than of wood. The noblemen built no manorial halls, and instead of living on their estates preferred to be in camps as much as possible: for months in summer they frequented the tented camp of the king. In the Wendish lands on the Baltic, the 'gentry' had permanent dwellings in the fortresses, some of which as in Poland were laid out like towns. Here they lived from the yields of the chase and from the renders of their peasants; and with these supplies they maintained a hospitality which deeply impressed the German missionaries of the twelfth century. The wretched tenurial condition of the Slavonic peasantry, which crippled energetic settlement, was revealed brutally later, when the princes called in German colonists and in places, for their benefit, forced the older inhabitants to seek new quarters.

In the tenth and eleventh centuries the German rulers of the lands of the Sorbs, East of the Elbe and Saale, took over the fortress system and its economic organisation. The margrave's knights were concentrated in the fortress; the peasants of the castellany fed them. True, the knights gradually adopted a way of life more in accordance with that of their fellows in Old Germany. They began to live among Sorb villages, which had been given them as 'manors'. The native peasantry then owed service to these 'manors' direct. This change in their conditions of dependence led to a gradual introduction of German features into the villages and fields: the old small hamlets were often consolidated: the irregular blocks of the shares in the fields were divided into the

[1] For Hungary at a later date, see pp. 405, 410, below.

furlongs of the three-field system; and long strip acres were added to them. But probably these innovations did not occur until, from about 1100, German colonists had been settled among the Sorbs.

The period of fresh migrations, which in the East led to the establishment of new states based on the fortress system, in Western Europe also gave the strongly fortified settlement an outstanding place in the organisation of society. But the fortified places of the West soon developed on lines totally different from those of the East; and many various forms of settlement became associated with them. The emergencies of Scandinavian, Saracenic and Hungarian raids led first of all to the establishment of ample places of refuge with strong garrisons. In Italy, France and Germany the chief of these were the episcopal residences; as seats of churches, officials and merchant colonies they were already relatively important agglomerations. Elsewhere the fortified camps of the Scandinavian invaders were imitated. In England and Flanders social structures arose which recall the fortress districts of the East; the territory won back from the Danes was divided into districts, with central fortresses. In all such fortified places, as about the king's person, groups of professional fighting men were stationed. (The English knightly and the German ministerial class sprang from such groups of retainers.) But in the history of settlement these creations marked only transitional stages. The professional fighting man wished to live as a noble man; and that implied not only service to his lord but economic independence as a resident landowner. So the increase of the knightly class led to its endowment with halls, dependent peasants' holdings, rights of jurisdiction and claims to services previously owed to the state. The number of 'noble' residences associated with village settlements grew. In France, as early as the ninth century, they became the fortresses of knights. Royal control over fortification weakened: nobles built their own strong houses on the land—their *châteaux* and *firmités*, at first mere block-houses. Dependent peasants were obliged to group their homes about the lord's strong place, and the village was often named after it—*firmitas castrum; La Ferté Vidame*. In Normandy, it is true, strong dukes, though they gave hundreds of villages to single noblemen, forbade them to build their own castles. Such building was always the sign of a weak central government. In Italy, judging by the county of Florence-Fiesole, the number of noble castles grew slowly until about 1050; but very fast during the investiture struggles. So it did at the same time in Germany; and in England during the anarchy of Stephen's reign.

The princes, bishops, and great feudatories could not do without knights to defend their principal fortresses. But sooner or later the knights claimed some of their lord's land. This set limits to the size of

knightly garrisons; and it was in the interest of princes, lay or ecclesiastical, to further that movement of population which would leave the defence of these central places to civilian inhabitants, to men who came there not to do garrison duty but to get a living. The great fortified place became a town; the burgesses became its permanent garrison. Throughout Western Europe traders and craftsmen formed the main element of the population in the market and 'lane' quarters of these towns. The increase of noble residences on the land was a chief cause of the growth and local concentration of this urban population; for it meant an increase of those households which made relatively frequent and heavy demands on the market. In the South however—Italy, Spain, Southern France—besides the merchants and craftsmen, the large and small landowning nobility contributed decisively to town growth at an early date, by building for themselves town houses. The course of this process is obscure. No doubt the needs of the age of invasions gave the first impetus. Later, the desire for social contacts and a share in urban commerce encouraged the process. In any case, the movement was spontaneous, not directed from above; the leaders in it became leaders in the struggle for communal independence.

Eventually, in these same countries, the desire for concentrated and protected dwellings spread to peasants who were not even full owners of their land. In North Italy, from the time of the Saracenic and Hungarian invasions, there grew up *castra* of peasants only. The first known to us date from about A.D. 900—near Verona and Lucca. Their foundation is provided for by a collective contract. The site is acquired from the count or ecclesiastical lord by a group of settlers in return for a modest rent. They build their own houses and undertake to maintain the fortifications. These are to protect not only themselves but also peasants from other villages of their lords. Originally directed against external enemies, this arrangement was kept alive by internal feuds. Tuscan peasants demanded formally that their lords should permit such fortification. It was to the lord's interest to let, not only the site for houses, but also adjacent fields and vineyards to the inhabitants on easy terms. The *borghi* were made extensive, and new settlers with new collective contracts were attracted to them, if there was land available for further use.

So the new arrangement contributed directly to the extension of cultivated land and a more intensive use of the land already occupied. A similar influence spread gradually from the towns. Around them there grew up agricultural zones of specially dense occupation and careful tillage. William Fitz Stephen's account of London shows how characteristic this was of a flourishing twelfth-century town. The security which an adjacent town gave and the demand of its markets

worked together. Sooner or later the burgesses themselves became parties in this suburban agriculture. That was natural: they were always being recruited from the land. Their vegetable gardens and vineyards were to be found everywhere in suburban territory. What a great part the townspeople took in the harvest is shown by an eleventh-century story from Cologne: the town seemed empty in harvest time. There was also some genuine peasant element in the town populations, working its own or rented land; but in a rising commercial and industrial town it must have formed a dwindling minority. The fields which had always belonged to the place or to its lord were not available to immigrants. This situation is revealed very clearly for several English boroughs by the discrepancy between the number of the inhabitants and the small area of ploughland returned in Domesday Book.

But for centuries the towns grew too slowly to become dominant centres of agricultural expansion. Early in the thirteenth century the woods still lay thick about Paris on every side. A more decisive influence on the extension of settled land came of necessity, during the era of expanding feudalism, from the great lords with their judicial and administrative power. They could control the balance of cultivated and waste land in their sphere of authority. After the age of devastating invasions, they were faced with the necessity for reconstruction almost everywhere in Western Europe. In some cases great areas had to be formally repopulated. In England the immigration of Scandinavian peasants had been of assistance; but outside the Danelaw the losses of population were not made good for generations. William the Conqueror settled large bodies of peasants near Carlisle in districts which had lain waste since the Viking times. On the continent, however, the history of organised colonisation of unoccupied land on a broader basis than before had begun again with the measures of reconstruction of the tenth century. We have seen already how Rollo of Normandy brought settlers *de omnibus gentibus* into the land which his own men had wasted. They found surveyed territory at their disposal; they were promised security of tenure. Here, for the first time, the settlement of a region was based on the enlistment of colonists from a wide area. And the opportunity was taken to offer the settlers the necessary standard holdings and uniform conditions of settlement. The procedure was soon imitated in Anjou, where Count Fulk the Good, after the Norman wars, invited many countrymen from adjacent provinces to cultivate land which was very attractive to them, thanks to its long compulsory fallow. He promised them favourable terms. About the same time the Bavarian churches were equally systematic when they recovered their Austrian and Carinthian lands after the repulse of the Hungarians. They found the land, which had been 'deserted for years', without inhabitants

and reverting to forest. Its cultivation could not be adequately restored by the predial services of the locally settled Slavs. So free colonists were sent from Bavaria. The typical conditions of their settlement are shown by charters in which the Crown sometimes gave them extra land to settle, sometimes guaranteed their legal position. Land grants to lords were based on the big *Königshufe*; although such *Hufen* were often subdivided when the lords made grants to peasants. The settlers claimed to be subject only to Church officials and free of the King's judicial or fiscal authority; and their claim was allowed.

Meanwhile, in the north of the Iberian Peninsula, the native population came together amid the wastes created by war, to form new states with their own national stamp. The hundred years during which the centre of Western Europe suffered from and overcame invasions from the circumference were also full of strife between the Arabs and the little princes of the former Spanish Mark, and of the Cantabrian Mountains. In the West, the Christians occupied what had been the waste glacis between them and the Arabs as far as the Upper Douro. But until about the year 1000, that is so long as the Caliphate of Cordova stood erect, a final decision was delayed: the occupied land was constantly fought over. The Carolingian method of *adprisio* by military colonies of lords and peasants was no longer applicable. In Spain, as all over Western and Central Europe, the peasant's military functions fell into the background: his business was to feed the knight. In Spain, as in other countries, fortresses dominated the life of the country: the provinces of Catalonia and Castille were named after them. And fortress building took the same turn as in Italy and Southern France. There were fortresses for knights only and fortresses whose occupants were mainly agriculturalists. Wifred of Barcelona (A.D. 874–98), the first Prince of Catalonia, founded Cardona as a centre for the settlement of land-owners and peasants; a hundred years later its inhabitants had acquired property all about, 'both in Christian and heathen places, in waste as well as in settled land'. The charters which, from the time of the Fuero of Leon (A.D. 1017–20), were granted to the larger towns show that the cultivation of fields and plantations, and indeed the working of small holdings, were a main source of the inhabitants' livelihood.

The settlement of these waste conquered lands had to be based on the recruitment of privileged colonists. True, they were people from very straitened circumstances. Some came from the northern mountains; some had been driven, or had fled, out of Arab territory. But the demand for them was greater than the supply. A peasant was a valuable property for whom lords quarrelled. Churches and knights had to acquire from the prince the *licentia populandi* for their estates. As early

as the ninth century the legal security of the colonists was based on a principle which had a great European future. Wherever a group of them was settled, there they were given, together with the delimitation of their land, a series of legal guarantees which were to apply to all future members of the settlement. A local law was established: either the prince issued it, or he empowered the lord of the place to issue it. The groups of settlers were small at first; the oldest written *fuero* (alleged to be of A.D. 824) applies to five families who had come *ad populandum ad villa Brania Ossaria.* But they were given room enough for growth. This was both in their own interest and in that of the lord and the prince. No one could tell whether newcomers would arrive in large or small groups, from near or from far; but it was necessary to look ahead and see to it that any immigrant family should feel sure of its future. This was secured by making the law of the first settlers and their descendants a law for the whole place. The desire to attract more and more immigrants, so that the place might grow, lay also at the back of later urban *fueros,* and was sometimes clearly expressed in them.

These eleventh-century town charters are the most striking evidence of how the progressive conquest of the Peninsula stimulated colonisation. There was always fresh conquered and waste land; and what lay behind required more intensive working. Again and again we come across specialists in settlement, men who made a business of laying out settlements and recruiting colonists for them. Now a nobleman does this work for the king—*Senior Eximinio Garscia qui fuit populator,* for example; now a priest or a monk feels that he is serving God by bringing colonists to till His earth. After about 1050, however, the colonising movement receives further impetus from beyond the Pyrenees: peasants seeking land follow the French crusaders of the *reconquista.*

Just as in Spain and Portugal, in the German East Mark along the Danube there was continuous and general colonisation. Since the time of the Emperor Henry II the royal administration had been extending its influence on every side. The Mark was carried to the Bohemian-Moravian frontier, and south-eastward as far as the Leitha region. From the abundant supply of ownerless land the Crown could freely endow vassals; but colonists were needed to cultivate it. The royal administration itself began the work. The grantee found a village and village territory surveyed, and often houses with peasants in them. The Babenberg Margraves were very active in this connection. The settlers came partly from Bavaria as before, partly from the East Mark itself; but many from much remoter districts. The Babenbergs sprang from Franconia: they sent there for knights and peasants. In the same way the Crown and the Church brought peasants from their Old

German manors. There was no need for organised recruiting or for privileges to attract recruits: the lords brought colonists from places where they knew that there was surplus population. In these circumstances no general uniform colonists' law developed. There was the same grading of peasant status and property as in Old Germany. There were both serfs and free men; and among the free some had heritable though rent-paying tenures, some mere leases for years. But the economic and political needs of the land to be colonised made the peasants with better tenures, the *Hübner*, an important element in the population.

The river valleys of the Eastern Alps were colonised in much the same way. But in them, and further into the mountains, a settled Slavonic population survived. Some were free independent peasants; some as serfs worked on the royal domains or cleared adjacent forests. For safeguarding the frontiers, there was already a similar zone of mixed colonisation in the foothills of the Bohemian and Thuringian Forests. Charles the Great had founded the Mark 'Nordgau' in a land settled by Slavs; and so Slav and German peasants were mingled. Immigration from Franconia increased from the time that Henry II founded the Bishopric of Bamberg, on the western edge of this region.

This progress of colonisation along the German frontier reminds us that in the old settled districts also settlement in the forests was still progressing. The two movements were connected. Colonists of the Alps and the 'Nordgau', as evidence from about the middle of the eleventh century shows,[1] took the plan of the 'forest village' (*Waldhufendorf*) from the Odenwald in their native Franconia. Evidence of the steady growth of arable along the middle and lower Rhine comes from the continuous grants of tithe on *novalia* by the Archbishops of Cologne to chapters and monasteries, from about the year 1050. The clearing activity which this reflects can hardly, however, be regarded as a new achievement of those decades; the grants indicate rather that the cathedral had all the income of this kind that it wanted and could grant away new tithes. Clearing in these regions did not only extend existing village territory: place-name terminations in *-scheid* and *-auel* (or *-ohl*), which first occur from the ninth century, point to settlements in old forest land. There is more evidence of peasant than of landlord activity in this clearing work. When Bishop Willigis of Mainz (975–1011) founded the monastery of Disibodenberg on a forest-clad hill, he found settlements all around in the Hochwald and Soonwald, but no provision of parish churches; the neighbouring peasants had not waited for the lord to act. In the age of the Salian Emperors, two Westphalian bishops were reckoned model landlords, Meinwerk of Paderborn and

[1] *Mon. Germ., D.D. Conr. II*, nr. 229, *Hen. III*, nr. 321.

Benno II of Osnabrück. But forest clearing is not mentioned by the biographers among their economic activities. How the work of clearing was divided between lords and peasants is perhaps best shown in two episodes from the Rhineland. His peasants pressed Archbishop Siegfried of Mainz to let them cultivate the waste hill country near Rüdesheim; but he insisted that it should all be turned into vineyard. That this was not the peasant's original wish is shown by his freeing them from *corvée* and easing their tithe 'so that they would till the land more willingly'. The peasants of the villages round about a monastery near Trier had often encroached on its woods, and turned them into fields *propter diversas pauperum necessitates*. The Archbishop confirmed these encroachments retrospectively and relieved the woods, for the benefit of the monastery, of that *forestalis lex* which, if observed, would have stopped all clearing. Such instances show how eagerly, even violently, the peasant set about the acquisition of fresh land. The lords had no need to incite him; only to control him. They had to prevent any unsuitable or damaging use of the land, to protect the woods from devastation. The right to protect hunting areas, the 'forests' which were not all woodland, had often passed from the Crown to the princes, who did not let it slip so easily out of their control: at about the same date as the cases just quoted the monastery of Brauweiler had to beg the Archbishop of Cologne for leave to clear no more than a single *Hufe* of its forest.

Lords as a class neither could nor would gratify their tenants by putting vacant land at their disposal regularly. The *Hofrecht* of Bishop Burkhard of Worms gives a vivid picture of an arrangement between the episcopal officials and a descendant of one of the Bishop's men, who had left his native village because he saw no future there, but had failed to establish himself elsewhere, and had come back when he heard that his patrimony had fallen vacant.

But on the other hand it is remarkable that the decline of the peasantry with free status and proprietary rights, which in Germany and elsewhere accompanied the growth of feudal power, in no visible or demonstrable way checked their craving for fresh land. Very much the reverse in early Capetian France. The care in organising the utilisation of the land which many princes had shown during the age of recovery soon died away. Society was terribly dislocated. The breakdown of royal power was followed by complete feudal anarchy. The typical lord lived by and for constant fighting. The village huddled about his château reflects the resultant situation of the peasants. Villages with no château were often ruined, and wide stretches of land became waste. And this ruin of villages increased the risks of those that survived. Feudal lords knew how to take care of themselves; but there was not much safety for any

one else. The arbitrary handling of feudal burdens—tallage, services, fines—drove or kept the peasants away from many places fit for settlement. And the lords might administer their usurped forest rights with terrible severity. When the Count of Vendôme discovered irregular clearings in one of his woods he had the houses burnt down and the crops mowed off. 'That was fair', says the monk who tells the story: even a churchman could not put in a word for a peasant's obvious needs as against a lord's rights. The Church showed far more comprehension of the peasant point of view than the nobility. But churchmen could not even protect their own estates completely against the encroachments of feudal superiors. Monasteries and peasants suffered together. The monasteries often were not able to get all their lands worked: parts were left to go waste. What they had lost is best seen in the era of recovery after 1050. It is remarkable how often at that time they induced their lay neighbours to give them, not land to get cultivated, but privileged sites on which peasant houses could be built. Evidently they were in less need of cultivable land than of reasonably safe homesteads for their tenants. The many acquisitions of land by the monastery of St Jean d'Angely in the Saintonge, for example, stress the possibility of providing *arbergement*. But the monks of the neighbouring priory of St Gemme rejected the request of the Duke of Aquitaine that they should settle a piece of land that he had given them with the bitter retort that they would have no settlers; the Duke's bailiffs and foresters would give them no peace. We get a picture similar to these southern ones from Morigny, between the Loire and the Seine, and from the autobiography of Suger of St Denis, who made many *villas exhospitatas* into *villas rehospitatas*. Sometimes his colonists had to drive robbers away; sometimes a place was completely wasted by the oppression of neighbouring lords.

So in France the cultivated area contracted, whilst in Germany no limit could be seen to the opening up of forest land for cultivation. England's position was comparable with that of Germany. She had not only wide stretches of primeval forest, such as that of the Sussex Weald; but even near the most thickly settled regions there was abundance of woodland at the close of the Anglo-Saxon era. England evidently shared the tension between lords who wished to preserve forests for hunting and peasants who coveted forest land. The decline of the woods in East Anglia in the twenty years following the Norman Conquest, which is proved by the decline of pannage for swine recorded in Little Domesday, can hardly be ascribed to the new lords; rather to tenants who cannot have been very closely supervised in the early years of the new regime. But the Conquest which swept away the old lords also ruined many of their dependents and destroyed their homes. That

large body of settlers which William brought to Carlisle in 1092 was not the product of surplus population. Domesday gives us the picture of a people who would need generations of quiet if they were to re-occupy fully all the partly or completely neglected land. In view of this relative abundance of land, William might feel doubly justified in imposing on England that severe forest law against settlement which he administered with uncommon harshness in Normandy. Whole counties were scheduled as 'forest'. Hundreds of families were evicted. A severe game law was enforced and penalties were imposed on assarting.

Thus in the old settled regions of Western Europe, from the close of the age of invasions until the twelfth century, progress was governed by the varying balance between a peasantry growing by natural increase and the restrictive policies of its feudal lords. But organising ability that looked to the future was not lacking on either side. From above and from below, plans were prepared for collecting groups of settlers and concentrating them at particular points in the general interest. We have already noticed the continuous workings of such plans in Spain and on the German-Slav frontiers. From about the year 1050, an organised process of settlement began also in North France and adjacent regions in Flanders and Holland. But here there was no uniform development. In France places wasted by feudal wars, in the Low Countries coastlands subject to inundation, were those first colonised. A third movement came with the spread of Cistercian houses in the twelfth century. It was certainly no accident that the population of the towns grew fast and the communal movement developed in these regions at the same time; and it was from them that the great adventurous Eastward migration of the Crusades started. But there is more contrast than likeness between these movements and those of peasants seeking land. It looks as though the craving for land and for contented work on it became self-conscious and strong when weighed against the call of the town or the call to adventure in a holy war. This we cannot prove, only surmise. But we can get a clear enough picture of the special features of each of the three movements that we have mentioned.[1]

[1] The account which follows of the *âge des grands défrichements* differs in some important points from other accounts: (i) it is assumed that the movement proceeded gradually from the recovery of wasted land to extensive clearing of forest-land, (ii) the author can see no decisive evidence for the view that the age of great clearings was conditioned by an unusual growth of population, a *révolution démographique*, (iii) in dealing with the French *hospites* he holds that not enough stress has usually been laid on the distinction between the type of peasant farmers, classed as *hospites* since Carolingian times, and the groups of colonists so described from the eleventh century. If the word is translated 'guest' every *hospes* is assumed to have been a colonist: a different view is put forward here; cp. pp. 47–8 above.

In France, amid the troubles of that feudal anarchy which was wasting the country, monastic houses were eager to get land cultivated and settled. They were not merely interested in increasing its yield. Sometimes only the settlers' homesteads were on monastic land, their fields on that of some lay lord. Besides the families of its own dependents, landless peasants from devastated places or in flight from tyrannous lords sought the assistance of the Church. The giving of help to such petitioners accorded with the widespread desire in ascetic ecclesiastical circles to show sympathy with the masses. And the insecurity of life on the land could only be lessened by means of a denser settlement and the strongest possible units of settlement. But as newly established villages could not be exposed at once to the pressure of neighbouring lords, the Church had to treat with these lords. Sometimes they were easy to deal with; sometimes the Church had to make concessions to win a disclaimer of rights, or for a promise of protection against robbery that would not be the protection of a robber. So the way was prepared for the system of *pariage*, the division of seigniorial rights between the Church and a secular lord. The feudal neighbour often gave the neglected land, and the right to receive dues from it, as an act of piety. In this way the Church frequently acquired the right to undertake clearings in old forest areas which could supply both land and materials for the new settlements.

The monasteries attached such new colonies to themselves in the South as well as in the North; but they were specially active in the North. There they soon developed standard conditions of settlement on uniform principles. The colonists were admitted as *hospites*. Each received his *hospitium*, his *hostise*, a piece of land with room enough for his house and yard and a scrap of arable—in one instance said to be usually reckoned at a quarter of an acre, and never substantially more. The grant of this *hospitium* set up a permanent relationship, for the grantee and his heirs, to the seigniorial grantor; he paid a yearly rent of a few pence and gifts of hens, oats or bread. So far the institution was what it had been at the time of Irminon of St Germain. At both dates the mere position as *hospes* did not imply any precise economic conditions. Sometimes *hospites* were isolated individuals among villagers with a different custom, or were united in small groups of six to twelve households; in such cases they had often to work at forest clearing, though not always. But now *hospites* were also collected into strong groups in village colonies of thirty to eighty households. The object was to bring adjacent waste or forest land under cultivation: that was what the settlers offered to do. So the acceptance of the *hospitium* carried with it the lease of the land to be cleared, for which as a rule a fixed share of the yield (*champart*) was paid as rent, an arrangement

appropriate to the conditions. These new colonies of *hospites* formed villages of small economically independent farmers. They might be connected with a central seigniorial establishment and be bound to put their oxen at its disposal at stated times. But they were not units in a regular economic group: they had not been settled together to provide labour power for a demesne. The monastery would commission one of the brethren to organise and direct the colony. The many-sided activity of such a clerical administrator, by name Baudouin, is vividly described in the Morigny Chronicle.

The economic conditions of such a group of *hospites* were by no means easy or promising. But their legal position was attractive enough. The burdens and restrictions imposed on the *servi* were not for them. If they had been unfree, their lord's claims expired, if not asserted within a year and a day. Besides, they were protected against lords and lords' officials.[1] And such a settlement needed no lord as protector. Its legal security was enforced by the respectable capacity for self-defence of a big village of many small *hostises*.

Research is still needed into the geographical distribution of this type of settlement, its development and results. It seems to have originated in the region South and South-West of Paris. The provinces to the North and North-East of this—Île de France, Picardy, Champagne and others—were specially favourable to such colonisation, for they had always been lands of big villages. Further West, in Maine, conditions were not so favourable. The rocky, broken nature of the country, with the absence of great plains and great forests, had always favoured settlement in scattered homesteads. But it is significant of the social need for denser settlement that the big village found its way into this region, in the second half of the eleventh century. Such a planned village was called a *bourg*. The churches—above all St Vincent of Le Mans—associated the foundation of *bourgs* with the building of daughter churches: they acquired from the Count and other lords the *licentia faciendi burgum*, which included judicial immunity. The *bourg* was not fortified, but was made as populous as might be, and to this end was given market rights. But the settlers (*hospites* or *burgenses*) were normally countrymen, and their rents were based on the extent of the bit of land that they had to make cultivable. Here too the lord who gave the privileges had often first given the land for the *bourg* to the Church. Inspired by the Church, he might start a *bourg* of his own side by side with the ecclesiastical *bourg*. That is a characteristic feature of the whole movement: the Church's colonies of *hospites* were imitated by the laity.

The very highest laymen were influenced: Louis VI (1108–37) helped

[1] It is not possible to inquire here how it happened that this immunity became a permanent part of the law for *hospites*.

ecclesiastical and lay lords in their colonising work by grants of privileges. And he imitated them with his *villes neuves*—Torfou, Augerville, Lorris and the places endowed during his lifetime with the carefully worked out Charter of Lorris. The principles of the *hospites* settlement are applied with little change in these villages of colonists; but the King has more to give. The peasant's 'toft' is not a quarter of an acre but half an acre. He is expressly freed from *taille, tolte, aides* and military burdens. The King's judges must swear to observe the settlers' privileges and renounce all arbitrary imposts. These comparatively few foundations of Louis VI can hardly, however, be treated as parts of a colonising plan. They were obviously connected with his attempt to pacify the royal domain. Lorris in particular was to act as a centre of security in the Gâtinais, distracted by feudal strife; and its charter anticipated its development into a market town.

The Crown took an important step when it granted written privileges to the settlers. Clearly the Church's *hospites* had not received such charters. The new practice was based on the way in which the settlement came into existence. The royal administration did not do all the work itself. It preferred to leave arrangements to those already on the spot, or to the first colonists, giving them a charter to help organisation and recruiting. The same motives had been dominant in connection with the issue of the Spanish local *fueros*, the *cartas de poblacion*; in both cases local privileges sprang from the need to build up local settlements. Suger of St Denis, the King's fellow-worker and pupil, made masterly use of colonies of *hospites* and chartered *villes neuves*, when reorganising his abbey's estates. He did not always use them when he found an estate in decay: he might repair the buildings and make stiff use of rights over servile tenants. But he was proud of the big villages of colonists that he had established, both because of the high regular receipts that the Church received from them, and because they were centres of peace.

It was under Louis VII, and Suger's influence, that the *villes neuves* finally did the work for which his father had only prepared the way. They were spread wide over the royal domain. Most of them received the Charter of Lorris, *ut villa cresceret in brevi*, as the charter of Villeneuve-le-Roi (Yonne) puts it. They helped to pacify the Crown lands and to strengthen the links between the King and the masses. Churches and lay lords saw their people migrating to them, and complained to the King. Louis VII and Philip Augustus his son, who carried on his work, were obliged to promise certain lords not to receive their *serfs* and *hôtes* into royal *villes neuves*; and Philip even renounced the right to found more such places in one region on the borders of Champagne. But foundations of *hospites* settlements by great feudal lords, especially

by the Church, increased; and the Crown utilised their work. It often made its consent to foundations conditional on sharing in their control and revenues; and by this *pariage* it absorbed them into the system of *villes neuves*.

The region of the *hospites* colony extended as far North as Flanders, where it approached the region of coastal colonies. The coastlands repeatedly lost their agricultural value, especially their grazing value, through inroads of storm-driven tides. About the middle of the eleventh century, lords and peasants combined to avert these losses. There is evidence of dyke and canal building from the time of Count Baldwin V (1035–67). He was praised for making unprofitable land fruitful and a place for herds. Evidently he brought colonists from the interior into the threatened areas, where they developed the *polder* system. The same thing happened in Seeland and Holland. On the island of Walcheren, after the Danish invasions, settlement was concentrated about three 'Burgs' (of which Middelburg was the chief) and three parish churches.. In the eleventh and twelfth centuries the island acquired church sites named after the lords of the villages. Evidently, the 'knights' of the 'Burgs' found it in their interest to equip the land with peasant holdings. The situation was however such that they did not try to create regular 'manors' with demesne and services: the peasants who settled on land along the coasts formed a class of economically independent farmers.

These peasants of the marshes were themselves men of enterprise. Whilst fields were being won from the sea in the Netherlands, some of them used the experience they had gained there to acquire fresh property in a similar but distant land. In 1106 six Hollanders—five laymen and a priest—joined with the Archbishop of Bremen in a scheme for cultivating bog land on the Lower Weser. They undertook to bring a number of their own people into the country: several hundred *Hufen* were to be created, several parish churches to be founded. The Hollanders undertook the whole burden of the work. They acquired the land as heritable property subject to quit-rent; and they accepted responsibility for its division; for the refunding of the sources of revenue pledged to acquire it (mainly tithe); and for the organisation of courts and parishes. To protect the communities of colonists from the burdens of feudal jurisdiction, they agreed with the Archbishop that he should abandon his rights in return for an annual payment from each *Hufe*. This stipulation recalls the protective measures taken by French monasteries when establishing their colonies of *hospites*, and may perhaps have been influenced by them. For the rest, the undertaking had little in common with the founding of such settlements. Both for the lord and the settlers, the end in view was not the creation of villages out of *hostises* but the sharing out of arable and pasture land.

For decades the settlement of Netherlanders in the marshes of the North Sea coast went on. But they did not confine themselves to the marshes; they went also into the Saxon forests. On the western slopes of the Harz, and further North between Hanover and Minden, great lords put land at their disposal for clearing; and there they established settlements resembling the *Waldhufen* villages. The sole documentary evidence of this immigration that we have—a pact between the Bishop of Hildesheim and four representatives of Flemish *advenae*—reflects very clearly their mobility and restlessness. They sell their property. They suddenly disappear and reappear. One of them lodges for a long time with another of his countrymen, with all his goods; and dies there. All this suggests the conditions of their life. Many of them established themselves in the land between the Weser and the Harz; place-names ending in *-hagen* record their settlement. But they retained that habit of seeking fresh homes which led them subsequently further afield.

The outward influence of the colonising enterprise of these peasants from the Netherlands was of small account at first compared with that of the contemporary colonisation which Cistercian enthusiasm initiated. The original Cistercian reform had not aimed at great and widespread economic achievements; far from it. It sought spiritual things and solitudes remote from the world. Cistercians were not to live in comfort on rents, but in penury in the wilderness, by the labour of the brethren. Yet there was a conflict of ideals; for they also believed in the pure monastic system, the priestly consecration and complete spiritual training and discipline of the monk. A way of reconciliation had been prepared by other monastic orders, who had admitted their lay servants to the vow and the community as *conversi*. The *conversi* might be peasant labourers, and might do most of the necessary work. This solution had nearly been reached by the congregation of Hirschau, who employed *conversi* to establish monasteries in the waste, the monks co-operating as directors. Two foundations of theirs which helped to open up adjacent territory for colonisation were made possible by this method—St Peter in the Black Forest (1093) and Pegau on the White Elster in the land of the Sorbs (1101). But the Cistercians alone adopted the principle that the labour of the *conversi* must provide the whole maintenance of the brethren. And this principle equipped them fully for colonising work, when every side of their life had been stimulated by Bernard of Clairvaux, who joined the order in 1112. The foundation of daughter houses began at once in France; after ten years in Germany; after fifteen in England. Then the work spread over the whole Catholic world; and by 1152 there were 328 houses. All had been set up 'in the wilderness': each meant a conquest over forest and marsh. They spread to the very confines of the Western settled world at the same time

(1131–2)—the Yorkshire moors, and Slavonic lands on the Saale. And everywhere peasants who would undertake the vows and labour of the *conversi* had to be recruited. So the spread of the Order involved peasant migration. True; the *conversi* lived as single men in communal dwellings like the monks, and worked only for the monastic 'grange'. They had to renounce the normal object of peasant settlement, the acquisition of a home and property. That the Order could always find men ready to work at land reclamation on these conditions shows the power of the ascetic ideal and of the desire for salvation. But it shows more clearly still the close association of the heavy tasks of clearing woods and draining marshes with the traditions of peasant life in all parts of Western Europe.

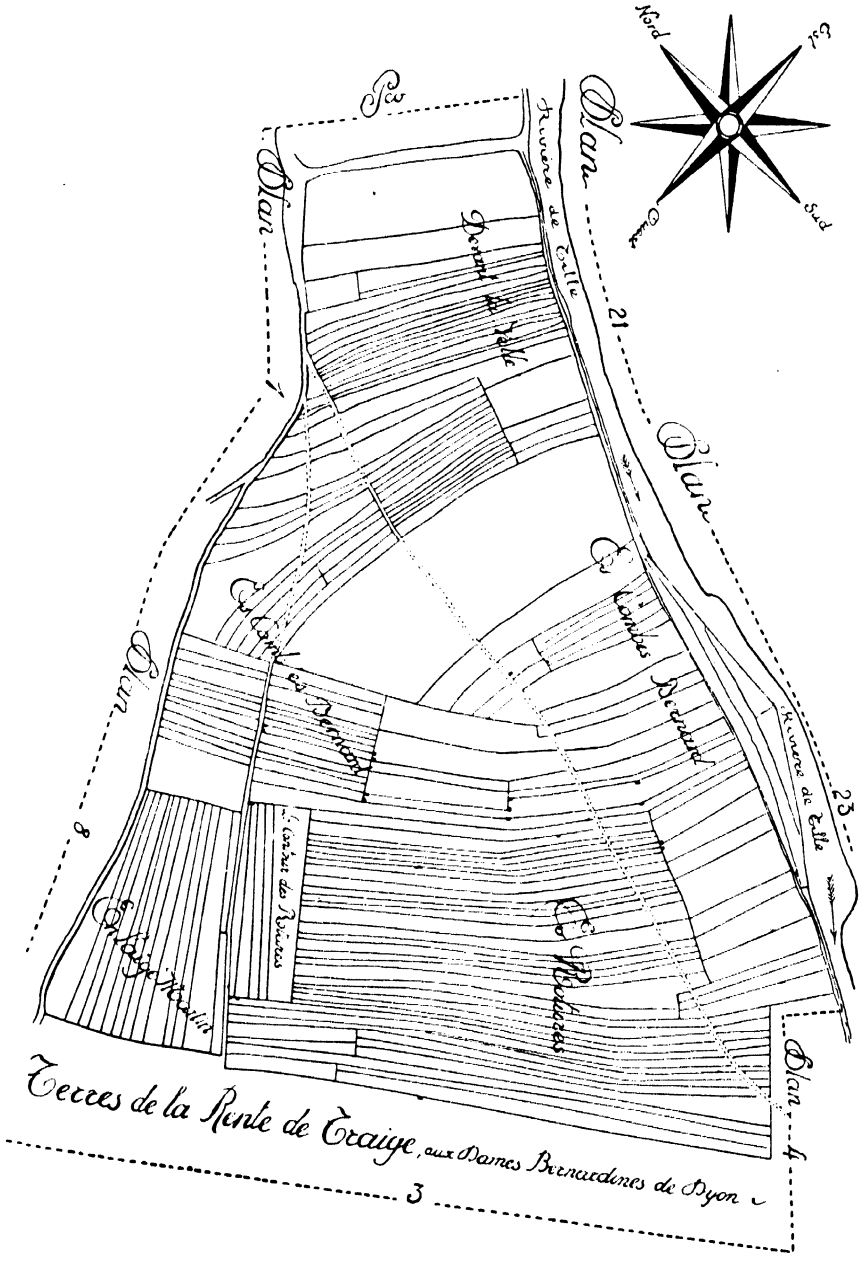
And so the Cistercian settlements achieved something very different from what they had aimed at. Giraldus Cambrensis, a thoughtful observer, was moved to make some very modern reflections subsequently—while the Cistercians hungered for Christ and strove to eat their bread in the sweat of their brow, the spiritual virtue of *pietas* gave rise to the worldly virtue of economic *providentia*; by piety they had become rich, and they were now in danger of the sin of *avaritia*. Such psychological analysis was not common among his contemporaries. But everyone saw that the grants which great men had made to the monks out of respect for their piety taught important economic lessons. The Cistercians' success encouraged imitators. Lords began to realise that they had considerably more forest than they needed. They curtailed it bit by bit, out of deliberate economic policy, and no longer merely when a land-hungry applicant approached them. The Cistercian example was not the only incentive. The clearing process already begun went forward by its own weight. The oftener a lord yielded to particular needs and requests, the more ready he became to arrange for clearings to increase his income. Growth of markets and towns steadily improved the prospect of a secure cash yield from extended arable farming. Finally, it is not to be forgotten that the rivalry of political powers, from the middle of the twelfth century, necessitated a fresh strengthening of the knightly class; and that a knight must have land from which he can live.

Naturally, we cannot follow out the progress of forest clearing in Western Europe, in this its final decisive phase, with the geographical and chronological precision that we could wish. But every inquirer gets the definite impression that clearing and settlement went on actively, in Germany, North France and England, in the twelfth and thirteenth centuries. About new villages we can learn from charters and place-names. But these do not measure the work done. Almost everywhere, place-names dating from this period are few in comparison with

those certainly or probably older. Casual references however point to a very general extension of the field areas of the old villages, or of those of settlements associated with them. Villages grew, or hamlets and scattered homesteads grew up near them. This peak era in the medieval utilisation of the land was specially favourable to the spread of small isolated settlements.

Yet in France the progress of clearing is connected most obviously with the rise of settlements conceived of from the first as important places—the *bourgs*, colonies of *hospites*, and *villes neuves*. The charters seldom tell us how the scrub or the wood that had to be cleared away had grown—whether it had spread over land once cultivated or was primeval. In any case monastic houses, when establishing colonies, early acquired the right to extend clearing into ancient forest. This practice was greatly extended during the twelfth century. Lay lords were at first decidedly inclined to limit such assarts. Sometimes the king will only sanction permanent extensions of arable, when ancient forest is left untouched. But gradually more and more *villes neuves* grow up on forest land. The king now leads the way: some of Louis VII's foundations are named from the woods on which they encroach. Those village charters, such as the Charter of Beaumont, which in North-East France and the adjacent parts of the Empire imitated and improved the principles of the Charter of Lorris, had some significance in connection with colonisation. The Charter of Beaumont, it is true, was very seldom granted to newly founded villages; and its later wide extension was used, as a rule, to attach the old inhabitants to their village, rather than to attract settlers to new ground. But Beaumont acquired its significance as an important outlier of the ecclesiastical territory of Rheims by extending its fields in the hill country of the Argonne. We find the same association of the issue of a charter with assarting, at the foundation of villages by the same church in the forest of Ardennes. Thirteenth-century Normandy was one area of extensive clearing and big colonists' villages. Great inroads were made on the woods. Villages were laid with the *long boel*, single strip holdings behind the homesteads along the road—as in the German *Waldhufen* villages.

The *ville neuve* system was the most convenient for an assart colony on a large scale. It was not required when a couple of houses sprang up somewhere in the extended territory of an old village. Areas of 100, 240 and 300 arpents, such as Notre Dame de Paris let out to be cleared and cultivated in 1185, 1202 and 1219, must soon have been cut up into very small bits, if room was to be found on them for several peasant households. We can understand why the Church made the establishment of every *hospes* a case for separate approval. From the time when gradual clearing had won a definite place in seigniorial economy,



Irregular strips in a medieval clearing in Burgundy.

colonisation was carried out even in the neighbourhood of the *villes neuves* principally by the creation of hamlets. This development tended also to bind the dependents to their lord; those who created and rented such fields and hamlets could have the hope held before them of a freedom that was now a recognised possibility—as when the monastery of Arrovaise in Artois undertook to treat its colonists *tamquam sartatores*.

How profoundly opinion as to the relative values of forest and settled land had changed since the eleventh century is shown in the obituary of Aibericus Cornu, who died Bishop of Chartres in 1243. As canon of Notre Dame de Paris, he had helped to get woods cleared and arable created in three parishes; in two of them to get new storage barns (*grangiae*) built; and in the third a new village. He had created rent and tithe for the Church, and had got rid of the burdensome forest jurisdiction of the Count of Champagne and other lords. The woods, the chapter agreed, had 'for long been so useless that they were a burden rather than a source of income'. And Albericus was praised because, by turning them into arable land, *multa ornamenta ecclesiae nostrae dedit*. Another striking piece of evidence is that woods which once had names of their own, in the later Middle Ages were named by preference from an adjacent village.

The beginning of the clearing movement was very different in England from what it was in Northern France. There were no colonies of *hospites* or *ville neuves*; no systematic building up of new villages out of many small households. This suggests that, by all her internal troubles from the Conquest to the reign of Henry II, England had not, like Northern France, been so disorganised as to leave villages desolate everywhere and turn peasants vagrant. Yorkshire, wasted at the Conquest, was an exception. Here, evidence beginning from the end of the twelfth century shows a system of property widespread which must be traced to the recovery after the devastation. Beside the manorial villages whose inhabitants were mainly villeins, owing services and heriot, there are almost an equal number of others whose inhabitants are nearly all free farmers. The holdings are of the ordinary small peasant type (one or two bovates of seventeen to twenty acres). The village usually has a lord, who lives in it but has no manor court. This 'lord of the vill' is evidently the descendant of a colonist who brought the land back under cultivation; then gradually attracted other settlers; and gave them some of his land, cultivated or still waste, to farm. These villages were therefore as free as those of French *hospites*; though, unlike them, they were the outcome not of administrative contrivance but of individual peasants' enterprise.

Only free peasants could show such enterprise. So the recovery of Yorkshire is a further proof of the established fact that, in England, this

stratum of the population had survived to an appreciable degree and had not lost its craving for property. This is true especially of the Danelaw peasants descended from Scandinavian immigrants. Here—though also elsewhere—free independent tenants are found co-operating with the lords in the work of assarting during the twelfth century. In 1150 a knight endows the little monastery of Wallingwells in Nottingham: the arable is made up principally of four assarts, named after the peasants who had cleared them. In other cases such assarted properties form important parts of the estates on which barons establish their knights; and individual peasants endow the Church with their *sarta*, or parts of them, as small freemen did in the Carolingian era. And it must be remembered that, just as in Anglo-Saxon times, assarting helped many freeholders to rise, and even to become knights. No doubt those tenants' complaints about landlords' enclosures, which led to the Statute of Merton (1235), were directed against proceedings in which members of their own class were deeply involved.

Where freemen had independent control of village common land they often divided it up among themselves. But not all dividing or clearing favoured the extension of economically independent peasant holdings. Surveys of great manors often show assarted land either added to the demesne or let out in small scraps. The monasteries played a special part in the great land-reclamation activity of the age. The Cistercians developed sheep farming in the North—sometimes, as men grumbled, at the expense of existing villages. As a result of their activity in getting land cleared, the English monks were obviously infected with the lust for gain, which mastered the love of solitude. The Chronicle of Pipewell Abbey (Northamptonshire) complains bitterly of this. The first generation of monks (from 1143) had loved and tended the groves near the abbey, *sicut mater unicum amat filium*. But already in John's reign their zeal had cooled: four *bosci* were put under the plough. The exploitation of assarting and settling had much to do with the struggle over the forest laws which fills early Plantagenet times. The stiff administration of the law was aimed not only at the protection of the game, but at least as much at the making of profit out of the need of both lords and peasants for more cultivable land. If an assart was treated as a purpresture it had to be roundly paid for. It was against this exploitation that the barons protested in the Charter of the Forest of 1217—and won decisively. Acts of assarting were condoned, but the license for assarting was retained. However, the retention lost much of its value when the king found himself obliged to concede that one forest after another should be disafforested. Though assarting is not generally mentioned as the object of the concession, there can be no doubt that it profited by it.

In Germany also evidence shows that lords were interested in the making of *novalia* from the middle of the twelfth century. Ecclesiastical lords count it a meritorious thing, and lay lords with extensive forest rights are no longer insistent on their full maintenance. In 1168 the Abbot of Ellwangen received from the Emperor the forest district of Virngrund only on condition that he left the control of hunting and timber felling to the Duke of Suabia; but the Duke is bound to the Abbot not to undertake or approve any *devastatio* of the woods by clearings. There in Suabia, as also in West Germany, the areas newly won for tillage and settlement were principally on high ground. The tendency in this direction was already noticeable in the eleventh century. In the Black Forest and the Alpine valleys men settled on elevated sites previously shunned. On the lower hills were *Waldhufen* villages and isolated homesteads; on the higher extensive cattle-alps with their chalets. These peasant holdings away from the old settled territory had from the first great economic independence, as a result of favourable tenures or even absolute ownership. So the new phase of settlement suited those peasants for whom an adequate independent holding was a thing to aim at.

The occupation of the high ground shows that the wants of such men could not be met in the old settled areas. Newly won land might be divided up, but many land-hungry peasants could not get a share. And many a peasant was always unwilling to put much work into his old holding, if newly cleared land close by promised easy yields for the near future. The *bûman* who neglects a bit of land contemptuously because, for once, it gives him no yield becomes a proverbial and symbolic figure.[1] All this explains why, in that age, the conflict between lords and peasants over forest land became, if anything, more acute. The peasants always wanted more than lords would willingly give: they encroached on it or took it by force. There are complaints of such things from Hesse, the Lower Rhine, from Liége and from Hainault. In Thuringia, the Landgraf issued a severe edict against the leaders of organised bands that occupied his woods. And the stewards of the abbey of Einsiedeln carried on a bloody war with the *lantluten von Swiz* who *den walt in dem daz gotzhus gelegen ist, minzeton oder mineton und bawton.*[2]

Thus conditions in Germany were ripe for large-scale colonisation which would satisfy more of those peasants who desired economic independence. But, just as formerly in Spain and Austria, this was only possible with a reformed central political authority. That was not quite lacking in the old Empire; but it only developed there locally. On its

[1] 'Spervogel', *Minnesangs Frühlling*, ed. Lachmann, p. 30.

[2] Which may be paraphrased: 'the peasants of Schwyz hacked down the forest surrounding the monastery and cultivated it'.

Western boundary, Hainault was dominated by policies familiar among the princes of Northern France. The chronicler Gislebert of Le Mons tells of the founding of villages annexed to forts early in the twelfth century. From the middle of the century, the Count and his great men are active promoters of *villae novae* and of *pariage* contracts. Charters and place-names (*Forest, Sart, -sart, -roeulx* and so on) indicate heavy inroads on the woods. Gislebert himself in 1210 undertook an important clearing operation for his Chapter. True, in Hainault colonising activity had always to keep pace with the destruction of public and private war. In Suabia, the free peasants, with their free holdings on cleared land, helped to build up regions over which territorial princes had direct authority; but there were a great number of small competing lordships there. Wide areas in which the organisation of the state and the organisation of settlement could go forward together, looking to the future, were only to be found on the Eastern boundaries of the Empire, and beyond them in Slavonic lands and in Hungary. And in fact in these lands German immigration did colonising work of an intensity and comprehensiveness unequalled in medieval history.[1]

Settlement movements and ways of dividing and arranging settlements, first visible about 1150 on the middle and lower Elbe, were always spreading East and South-East until in the second half of the fourteenth century they reached Red Russia. The movements form a single whole. The process spread from one land to another. Each wave of migration produced a second; and similar legal and economic structures recurred far apart. The leaders of the whole movement were predominantly Germans. Their followers everywhere were mainly German peasants and townsmen. In many countries, German speech won its way in alliance with the German legal and economic tradition. All this one has in mind when calling the whole process the East German Colonisation. But that term is inadequate on two sides. For the colonising work in Austria and the Alps was virtually over when the other movement began. And secondly, wherever German immigration proceeded, the native population took an increasing part in the reformed way of settling on the land and using it.

Every motive that we have so far seen at work in the history of medieval colonisation was operating in this great colonising process. Often regions wasted by war and social unrest had to be restored. Often forest and swamp had to be made cultivable and high ground occupied that previously had been avoided. But the colonists also pressed into old-settled open country, and there initiated a more intensive use and denser settlement of the land. Everywhere considerable coherent

[1] With the following paragraphs compare the detailed discussion of Eastern colonisation in Ch. VII, Sec. 4, below.

villages were set up—some in compact form, about a central 'place', a street, or a village green and pond; some in the looser form of the strung-out *Waldhufen* village. All were planned. When possible, several neighbouring villages, or even several groups of villages, which could have relations with one another, were established at the same time. The planning was completed organically by coupling rural colonisation with the foundation of towns.

This orderly procedure was made easier because the East German Colonisation, where it was most effective, was associated with the urgent need to strengthen political supremacy and territorial administration. A change in the balance of political power explains the first phase of the movement, a change that took place in the dominions of the German East on both sides of the Elbe.

Until about the beginning of the Hohenstaufen era these regions lay beyond the horizon of that section of the peasantry which, in the West and the South, was fighting for its standard of property. The Marks between the Saale and the Elbe were only separated from the region of East Frankish colonisation by the Thuringian Forest and Fichtel Mountains. Yet for a long time not many colonists reached them. From about 1100 attempts to bring the two regions together can be traced. Count Wiprecht of Groitzsch, who held land South of Leipzig, and encouraged ecclesiastical colonisation there, had family connections with Franconia, and from there brought peasants—mixed Germans and Slavs it would appear—to clear his forests. Every colonist was able to establish himself in a small hamlet of his own. Evidently Wiprecht was imitating the Frankish lords of the upper Main and of Austria. Near his lands and southward of them, the Bishops of Naumburg combined clearing and village-making with missionary activity. But the country was insecure and immigrants few. When, in 1140, Bishop Odo rebuilt the twice destroyed church in Reichenbach, he included seventeen places in its parish. The creation of settled districts out of many small occupied sites suggests, as in the case of Count Wiprecht, that abnormal offers of land had to be made to attract colonists to an unprofitable district. Even the Cistercians would not stay there at this time: they withdrew from Schmölln near Altenburg to Pforta in Thuringia. This nearest hinterland of the Sorbenland Marks itself needed settlers: the Bishop called in men from Holland.

The situation was the same further North, where German and Slav provinces adjoined one another on the Elbe. Imperial frontier lands, like the Magdeburg country and the Old Mark of Brandenburg, were in great need of immigrants at a later date. The Northern frontier wing, the boundary between Holstein and the Obotrites in Wagria and Mecklenburg, was the scene of bitter fighting. On the German side,

the two fighting leaders, Provost Vicelin of Neumünster and Adolf of Schauenburg, Count of Holstein, were the first to combine conquest and missionary work with thorough colonising activity. Vicelin colonised the Holstein marshes and woods. Adolf colonised densely the Western part of the wasted land of Wagria which had fallen to him—the lake country between Lübeck and Kiel. His recruiting and settling work of 1143, described in the highly coloured Biblical language of the chronicler Helmold, has become a classic episode in the history of colonisation. And in fact it was important; it showed for the first time how, in an area of some hundreds of square kilometres, parts could be covered with new villages at once and the rest reserved for future colonisation. At the same time the merchant colony of Lübeck was established. Recruitment of colonists was based on uniform and significant principles. The Count's agents applied first to the coast dwellers, from Flanders to Friesland, who had emigrant traditions. Next to Westphalians, from his native country. These groups were to stimulate the neighbouring Holsteiners to risk crossing the old Slavonic frontier. The different groups were not mixed: each had its separate area. But the enterprise was not a complete success. The Slavs attacked while the work was in progress and the colonists did not hold together. The Holsteiners were jealous of the 'foreigners' and diverted the anger of the Slavs against them.

Ten years after this doubtful start the whole face of things was changed. An immigration had begun which Helmold could describe in such phrases as—'the Slavs gradually declined in Wagria'; 'Germans poured into the land of the Obotrites'; as far as Schwerin the land had 'become a Saxon colony'. This clearly happened because Henry the Lion of Saxony had mastered Mecklenburg. There was a similar forward movement all down the line of the Elbe. It corresponded with the gradual consolidation of German power along the frontiers. Albert the Bear had made good his title of Margrave of Brandenburg; his authority now stretched across the Havel, as did that of Archbishop Wichmann of Magdeburg further South; though the Archbishop's territory was less consolidated. Their success strengthened the position of the Margrave of Meissen further South again, between the Saale and the Elbe. All this made the region attractive to immigrants; and particularly in the Northern area, after decades of fighting, the devastation of the land made immigration essential. The need was the more pressing because in the regions which had come under German control—most of Mecklenburg remained under its native princes—the partial replacement of Slavs by Flemings and Germans was aimed at. The native population was better treated in Meissen; but there too wasted land and forest land that might be cleared attracted settlers. It is significant that

the imperial administration, whose chief territorial interests were in South Germany, tried to establish a dominion of its own on the Pleisse. So right along the line of the Elbe, North of the Erzgebirge, at all points at once, arose the need for new or remodelled settlements and for immigrants to do the work. With it went the need for military control and ecclesiastical organisation. But this time the Church and the lay lords could not easily themselves attract the peasant forces by whose work they might live. The task was too great. The knights of the frontier princes, mostly members of their households, seldom had close enough ties with estates to the West to be able to draw settlers from them direct. To get the settlers, and to plan and establish the settlements, a specially qualified type of economic official was wanted. Each village presented its own problem. The best arrangement was to set over the village a man who could be trusted to bring in settlers and divide up the land. Moreover these village 'undertakers' must work with one another. At the start, they must collaborate in fixing boundaries. And they could not expect successful recruitment, if they competed recklessly in trying to attract people from a distance. They had to act together; first to secure immigrants, and then to distribute them over the available areas. By such co-operation we must in all probability explain the remarkable early success, and the continued success, of the recruitment. The confidence with which so many Western peasants migrated into Slavonic lands, hitherto quite unknown to them, was not due to the offer of a place in this village or that, but to the knowledge which the migrant acquired of the framework of the whole colonising scheme. He knew from the start that he would not be left on some isolated site; and he could count on the chance of being able himself to select the final position of his homestead.

Of this side of the process, its controlled territorial organisation, our sources tell us almost nothing. But the co-operation of the 'locators' as we may call them, adopting a later name for these organisers and local directors of the movement, is shown by the identity of their demands and functions. From the very beginning in any village that they founded they reserved to themselves the post of judge—*Schultheiss* or *Burmester*—with, as a rule, two thirds of the profits of justice; and besides that a holding in the village, free of rent and tithe, which was usually at least twice the size of the normal peasant holding. Tithe arrangements obliged the lay lords to come to terms with the churches affected, before the immigration got under way. The arrangement about the office of *Schultheiss* was connected with the fact that—just as in the earlier Spanish colonisation, in a *ville neuve*, or in a Flemish settlement in Western Germany—the individual village was the judicial and legal unit. This judicial independence helped to secure the colonist's

position in East Germany; he could be quite sure that he would not come under some entirely strange territorial jurisdiction.

These outlines of the system of village creation were adopted from the Flemings and Hollanders who, in the first instance, must have provided as great a relative proportion of the locators as of the colonists. The systematic distribution of land to the local leaders entrusted with the settlement can be perceived in Western Mecklenburg, in the Bishopric of Ratzeburg. Both in old Slavonic villages which were to be reorganised and in the new ones, tithe-free '*settinke*' *Hufen* were set apart for them under Henry the Lion.[1] In the foothills of the Erzgebirge, the wave of immigration from the West met a strong current from Franconia, the chief Southern source of emigrants: it was flowing at the same time towards Egerland and Bohemia. This current was obviously not directed by locators. Franconian colonists near Meissen were obliged to go to law with their lords over rights which in 'located' villages had been made clear in the original contract of settlement. In northern territory also, once the movement was well under weigh, many peasant colonists certainly arrived without the help of any intermediary. But in view of the size of the area to be settled, and the great distances from which settlers had to be brought, the locator was and remained indispensable. No doubt he was rarely a mere peasant. We cannot assume that every colonist who became a *Schultheiss* had previously taken part in the expensive and difficult work of recruiting for his community and creating the village—nor, on the other hand, that everyone who did take part in such work had no higher aim than to become a village *Schultheiss*. The locators of Wichmann of Magdeburg, whom we meet in the charters, know Latin. One is a vassal of the Archbishop. Generally speaking, we may assign these men to the class which, in other places, directed the trade and self-government of the rising towns. Often this classification is demonstrable; and the work of 'location' called for the same personal capacities and material resources as were required in a prominent burgess. Locators had to co-operate on journeys into distant places; to deal with foreigners; have property to be risked in a venture; and some knowledge of law. For the burgess of those days it was more or less immaterial whether he employed these capacities and resources in agrarian enterprises or in trade and town government. Indeed, many people came to the new colonial towns with their eyes fixed from the start on the acquisition of landed property. The law which the Margrave of Meissen granted to the new town of Leipzig about 1160 regulated this very thing. And Archbishop Wichmann in his charter for Jüterbog (1174) explained that

[1] The term *settinke* is evidently connected with the 'settling' functions of the *locators*.

the foundation of the town was of importance *ad edificandam provinciam.* We cannot prove from the documents that Jüterbog burgesses were concerned with 'location', or that founders of villages sold their posts in them to establish themselves in the town with the proceeds; but both things are probable.

Flemings and Hollanders were the pioneers. They are mentioned in Mecklenburg and near Magdeburg. They push as far East as Flaeming by Jüterbog, South towards Meissen, and up to the 'Bohemian forest mountains' (the Erzgebirge) as Helmold says. They were always specially entrusted with the cultivation of marshy land. That other, West German, groups soon followed and imitated them can be seen clearly in the charter references to 'Flemish law' and 'measured by the Flemish hide' (*Hufe*); but unhappily tradition does not tell us how the bands of emigrants came together. The new settlements were made both economically and legally attractive. Settlers received for moderate fixed rents holdings which were heritable and freely alienable. They could feel sure that—these obligations once met—there would be no pressure on them from above. What this hope and this legal security meant, a story from the Lower Rhine very clearly shows. It records the troubles of a land-holding peasant of the monastery of Siegburg whom the lord imprisoned because he would not comply with illegal claims. Such grasping and arbitrary treatment, we are told, *multos vendere patrimonium et ad peregrinas migrare terras compulit.*[1]

The strength of the migratory impetus is shown by the way in which the colonists, besides occupying formerly wasted or easily cultivable land, attacked the high woods from the start. This was a task for that ecclesiastical Order which had been specially interested in it in the West —the Cistercians. Their economic capacity was so highly prized that the margraves in Egerland and Meissen granted them far more land than they could make use of by their traditional method of cultivation by *conversi* for their granges. But they adapted themselves to the new conditions, and gave land to rent-paying peasants against their own rules. So they came into competition with the Orders of Canons Regular—Praemonstratensians and Augustinians of Arrovaise who had taken an important part in the clearing of the West, and had now acquired extensive grants in the colonial territory.

The Cistercians pressed further forward—into the Slavonic principalities; Bohemia, Mecklenburg, Pomerania and Silesia. There they acquired estates on which the establishment of colonists was expressly provided for. These colonists received the same legal position as those of the Elbe region: they were rent-paying peasants, whose dues were

[1] *Miracula S. Annonis,* MS. fol. 58 *verso.* The MS. is in the Düsseldorf library; the reference was kindly communicated by Prof. W. Levison of Bonn.

strictly regulated in the contract of settlement. Their privileges constituted the first modest beginnings of a comprehensive reconstruction of economic and national conditions in these principalities.

The princes and other great landowners of Slavonic Central Europe had remained uninfluenced by German rural economy so long as it was characterized by the manorial type of organisation. The new economy of the Elbe colonies proved more worthy of imitation. There, the seigniorial income was being steadily increased by the rents derived from the labour of self-contained households of trained colonists. But such labour was generally unobtainable from the native Slavonic peasants, except from those of Central Bohemia. Thus in Silesia, the *liber fundationis* of the monastery of Heinrichau shows how, even in the first half of the thirteenth century, local feuds, penal confiscations, and the economic helplessness both of knights and peasants were always tearing fresh gaps in the settlement of the land, which could not be closed. And one great problem, to which the latest developments in the West called special attention, could least as a rule be solved by the skill of the local peasantry—the felling and clearing of the vast forest areas which had been kept untouched for strategical reasons. King Geisa of Hungary († 1161) had already called in Flemings and Germans to fell the frontier forests of Transylvania.

Meanwhile forces were at work in the German colonial Marks which might be employed for more comprehensive development. The second generation of colonists were hungry for as much land as their fathers had. The economic achievement of the locators along the Elbe tempted enterprising men to imitate them further East, where more available land offered even better prospects. The bidding was keen; but the supply of land was so ample that neither locators nor settlers were in danger of getting in one another's way. Between about 1210 and 1230 German colonists entered parts of Mecklenburg, Pomerania, the extended Brandenburg Mark, Silesia, Moravia and Great Poland. The first colonisation of Silesia was carried out by 'undertakers' and peasants from the Elbe-Saale region. Their land measures—the great 'Frankish' and the smaller 'Flemish' hide—are witnesses to it; so are their legal traditions, with Frankish, Flemish, Magdeburg and Halle laws. The Franconian settlers came from the foothills of the Erzgebirge; and in Silesia they showed a preference for hill country.

The course and character of East German colonisation in these regions, and in the territory that the Teutonic Order conquered a little later in Kulmerland and Prussia, is dealt with elsewhere. Here we need only stress one aspect of the settlement organisation which deserves special attention, in relation to the beginnings of the movement, but also with reference to the course of events in the West and South—the importance

which towns and burgesses acquired for the task of rural colonisation. Town life was a new factor in Eastern Central Europe. Before the era of colonisation, the princes had controlled buying and selling in markets in a monopolistic fashion which arrested the development of a native merchant class. Now they relied entirely, for the promotion of trade, industry and mining, on those German burgess colonists to whom they conceded the erection of towns and the founding of communal institutions. But the German rural colonists were also deeply interested in town life. The Slavonic type of market, it is true, had given them opportunites for disposing of their produce. But a town, with its court of justice, assured to them something more. It increased legal security, as against both native rural Slavs and the lords of land and justice, whether Slav or German. This association of peasant and urban settlement was most firmly organised in Silesia. There, as early as 1220, the Duke and the locators began to establish groups of colonists' villages, each of which had as its centre of trade and justice a colonial town. To these grouped settlements was transferred the term *Weichbild* which in North Germany meant the area of a town's jurisdiction. The Slavonic villages lying between the groups gradually adjusted their lay-out, their economic life, and their law to those of the Germans; and the *Weichbild* system became the basis for the administration of the whole country.

To burgesses in towns founded in a countryside still in course of development, the chance of acquiring landed property was always present. This fact had a growing influence on the organisation of settlement. Town-making went on fast in the second and third quarters of the thirteenth century. Commercial prospects justified very little of it indeed. Burgesses in the more important towns would hardly have tolerated the rise of so many insignificant ones, had not the market radius of the small places remained as a rule exceedingly limited. The whole process was only possible when the burgesses, who had to defend and govern the towns, could be given the prospect of safe incomes from the ownership of land. The Teutonic Order—influenced perhaps by Mediterranean precedents—even tried deliberately to encourage a landlord class in its first colonial towns. The Law of Kulm assumes that the most substantial burgesses will hold forty *Hufen* and more. And in Silesia, Brandenburg, Mecklenburg and Pomerania, towns were founded, not only with villages about them, but even oftener with from 40 to 300 arable *Hufen* of their own. These endowments eased the town finances; and also gave burgesses opportunities for acquiring land, of which it is evident that they often took advantage. Besides, a burgess could always share in the 'location' of village colonies in the neighbourhood of the town, most easily under the Silesian *Weichbild* system. The

burgesses of the little town of Löwenstein understood the business of founding villages well enough to be able to advise the Abbot of Heinrichau, when he had to buy out a rural locator. In some instances, it is true, we find only a few people sharing in the operations: the man who undertook to establish a town might, by himself or with a single colleague, act as locator and owner of the *Schultheiss* right for the villages of the district.

The relation of the townsmen to the land was not then quite uniform. Some townsmen were agriculturists, others drawers of agricultural rents. Both types are to be found in other regions in the same period. The protection of the town walls and the possibilities of urban economic and social life were obviously attractive for landowners from among the upper peasantry. This was the dominant class in the many boroughs chartered at this time in England. In Westphalia, in order to protect their territory, ecclesiastical lords—the Archbishop of Cologne, the Bishop of Paderborn—encouraged the peasants of whole villages whose lands marched with one another to break their villages up and unite into small towns. After their experience of the wars of these princes, this 'sunoikisis' was readily accepted by the peasants. Reconstruction in Languedoc, after the fearful devastation of the Albigensian wars, took the form of *bastide* building; and the *bastides* seem to have invariably been inhabited by peasant-burgesses. An increase of urban population through the continuous immigration of rural rentiers is specially noticeable in Florence.

These phenomena must be taken into account in any attempt to understand why the expansion of rural settlement that went on everywhere, from Poland to Spain, between 1100 and 1300 did not make the peasants into an independent factor in the social and political life of the peoples. They were always losing to the towns their economically strongest elements. And so, in the later Middle Ages, the way in which population was settled and distributed in Western and Central Europe had a certain resemblance, in spite of cultural differences, to what it had been in that Roman Empire which Teutonic migration had brought to the ground.

CHAPTER II

Agriculture and Rural Life in the Later Roman Empire

In the third century A.D., St Cyprian, bishop of Carthage, found common ground with his opponents in supposing that the world, which ancient physical theory compared in its development to the life of man, was now approaching senility. Morals, art, justice, were decayed, population had diminished; and the woeful tale is headed with a statement that the weather was not what it had been. A complaint of this type throws doubt incidentally upon the truth of what succeeds it; moreover, modern climatologists have found themselves unable to agree with St Cyprian, and an inquiry into the agriculture of the later Roman Empire may start with the postulate that its climate was nearly identical with that of to-day.

Yet it is worth staying an instant with this pessimistic bishop, for the words of his complaint indicate the problems which faced the Roman farmer in his battle with nature, and will even help to remove certain misconceptions of them. 'There are no longer', said St Cyprian, 'such winter rains or such summer heat.' The words illustrate properties of climate which are vital in determining the agricultural methods of the Mediterranean region, the core, it might be said, of the Roman Empire. In this area, the mean monthly rainfall of June, July, and August seldom exceeds four inches except in the high altitudes, and over its greater part varies between one and two inches. This zone of summer drought comprises the area of the whole Roman Empire, if its northern prolongation into Gaul and Britain is excepted; indeed, to a geographer, there is no more remarkable aspect of Julius Caesar's career than his extension of the Roman Empire into a climatic area distinct from it. For elsewhere the climate has homogeneity, and while the mass of ancient agricultural doctrine is concerned with Greece and Italy, modern observation reinforced by the hints of ancient authors allows us to establish general principles valid throughout the Mediterranean region. Whether there is also a homogeneity in time is another matter, hard to decide and vital of decision, for almost all the agricultural doctrine is extant in books written before our period commences. Palladius and the few valuable facts of agrarian practice contained in that untidy manual of country superstition the *Geoponica* are all that we can call the primary authorities of this period; and the obvious fact that they repeat the maxims and often the words of their predecessors may be misleading. A military author of the fourth century tells his

readers the organisation of the Legion: research has proved that he deceives them; no such regiment had paraded for 200 years. Into the minds of those who read such antiquarianism it is hard to enter, but given their existence, how can we know that Palladius really described the 'Farmer's Year' of a contemporary farmer? Yet it is probable that he did, and that his loans from earlier writers are loans that he had a right to make. The Arab of the Dark Ages and the visiting English 'improvers' of the eighteenth and nineteenth centuries describe a system in substance the same as that which emerges from the pages of Palladius and of his sources, too; and this they do because the conditions of climate impose it, so that to-day the science of the Industrial Revolution finds difficulty in making changes.

The nature of the cultivable soil plays a part in determining the system of agriculture, though its part is less important than the climate's. 'It is weather rather than soil', said Theophrastus, 'that determines the harvest'; and his remark at once illustrates this point and shows that though differences in cultivable soil exist, and were indeed classified by the ancients, the pedology of the Mediterranean region permits generalisation no less than does its climate. It is a region of granitic and crystalline plateaux alternating with folded mountain chains, on which periodic elevation and subsidence have worked. These geological movements have smoothed the slope of the mountains and covered them with Tertiary deposits of limestone, sandstone, or marly clay. The mountain chains, high enough to catch the rain of sea-borne winds, suffer denudation with each rainy season, and the rivers become raging torrents, rolling their heavier, and carrying in suspension their lighter, particles of detritus. Thus were formed deltaïc plains of recent alluvium, such as those of the Guadalquivir, the Po, and the Eurotas. Occasionally under plateau conditions the slow course of streams, seeking a descent, created similar alluvial deposits, such as are found in the upper waters of the Halys in Cappadocia. Geology, therefore, made a threefold division of Mediterranean soil, the alluvial plain, the Tertiary slopes, and the mountains; and to each ancient agronomists assign its share in agricultural production. The mountains, where still forested, sheltered the woodman, the tanner, and the charcoal-burner, pursuing their occupations in conditions which hardly differed from the prehistoric, and which attracted little notice in literature save from a romantically minded orator who might yearn for the simple life in a charcoal-burner's hut. Stripped of their timber, the highlands provided summer pasture for flocks and goats under the rough conditions that made the shepherd too easily a kidnapper and a brigand. The Tertiary soils were suited to crops, the thinner higher land to the planted, the lower to the sown; the alluvial lands nourished store beeves. Land of this last class was not, however, common in the Mediterranean

region, and thus it is not one of extensive stock-raising; moreover, the attacks of the liver-fluke in days before remedy was possible must have reduced the population of sheep and even of cattle on lands which seem at first sight suitable to them. Large areas of lush meadow are comparatively rare; it is instructive indeed to note that in one of them, the upper Halys, around Caesarea, there were large imperial estates the maintenance of which from private encroachment is attempted by legislation of Justinian (A.D. 527–565): here, as we know, horses were bred in early times for the Great King of Persia, and it is not improbable that on these estates were stud farms for the cavalry that formed an ever more important arm of the Byzantine field force. We shall see that throughout this period imperial tended to give way to private ownership. Yet it is not uninstructive to note that imperial estates, maintained as such into the Byzantine period, are found in lush river valleys such as the Tembris, lands suitable for horse-breeding, where they have even survived occasionally as Crown property into the Ottoman Empire.

The relative scarcity of stock-raising land had more than one effect upon ancient rural life. It prescribed, for instance, as it still prescribes, the diet. But no less important was the effect upon tillage. Summer droughts made it impossible to grow cruciferous root-crops on a large scale without irrigation, and compelled the farmer to send his sheep into the hills, so that he lost their manure droppings for nearly half the year. Thus 'high farming' as developed by eighteenth-century English agronomists was impossible in the ancient world; and it is highly probable that much of the cultivated land in the Mediterranean region was by modern standards under-manured. It is true that the ideal amount of manure demanded in agricultural treatises was 1440 *modii* per *iugerum* (about 550 bushels to the acre), and that this figure, though, since neither the state nor the composition of the manure are given, comparison is dangerous, seems reasonably equivalent to modern practice. Nevertheless, it would be quite impossible to determine how far this ideal was realised even in Spain and Italy, the original and adopted countries of Columella, our authority, far less for the Empire as a whole. It is surely significant that the farmer was urged to shifts of all kinds to secure fertilising agents for his land. Pigeon and poultry dung were to be collected, weeds and scrub brought in from the fields, and lees from the wine-vat added to the compost. Moreover, there is some positive evidence, which itself suggests, if it cannot precisely prove, a serious understocking in comparison with the manure needs of the land. The cadastral records of a portion of Mytilene show as objects assessable for taxation 1 horse, 29 head of cattle, something more than 150 sheep, and something more than 20 goats upon estates showing a sown area of about 870 English acres; in Thera the proportions are

3 oxen, 2 asses, and 15 sheep, to 275 acres. It is possible that there are details in the booking of stock which escape us; a certain amount of head grazing on one estate may have been booked as stalled in others for which we have no data. But even if this is admitted, the contrast between these figures and the three head per acre of modern Greece is striking. Moreover, a record of similar type and date from Lydia shows virtually no stock at all. It would obviously be unwise to press the evidence of these chance documents at all hard. Nevertheless, they do correspond to what can be inferred from the social history of the period. The increase of a meat-eating barbarian element among the army and the higher officials, the depredations of invaders, and above all the requisitions regular and irregular for the imperial post and other purposes, against which villagers complained and favoured communities were privileged, must all have reduced the population of livestock below the desirable limit; thus it is not surprising that a law of Valens (A.D. 363–378) forbade the slaughter of calves in the eastern provinces 'for the sake of agriculture'.

Nevertheless, a scarcity of agricultural manure could be in some measure supplied by the technique of land-working prescribed by the climate itself. In normal procedure crops were taken off in alternate years; in the fallow year the land recovered heart and was assisted by frequent ploughing. It was normal to plough land three times, but Virgil advised four, and there was even land in Italy, according to Pliny, which was ploughed nine times over. The land was cross-ploughed, and then ploughed obliquely, so that in a well-ploughed field it should be impossible to tell which way the plough had last gone. Work involving such an amount of labour time, four days' work, according to Columella, per *iugerum* (about two-thirds of an acre), assumes a large supply of cheap labour, and this has been a primary condition of Mediterranean agriculture down to very modern times. But for good farming such methods could not be avoided. It was essential to guard against the evaporation which was a certainty even in the most favourable summer, and failing a heavy supply of manure, this pulverisation, which can be compared in its effects with the gardener's hoe, was the only remedy. Moreover, the seasonal rainfall of Mediterranean lands is irregular and frequently violent. The periods of rain coincided with the autumn and spring sowing, and there was a risk not only that valuable chemicals might be washed out of the soil, but that the reduction of soil temperature which excessive moisture produces might impede or even prevent germination. Ancient agronomic writers, who understood the possibility of 'winter-killing', advised in the winter months the most careful attention to drainage. Field ditches, tile and 'bavin' drains are mentioned, and surface drainage was secured by the

practice of 'ridging', which it will be necessary to describe more fully in due course. Thus one problem was solved by drainage, but the other presented by the summer drought taxed the farmer's ingenuity because it was opposed to that already solved. Whereas he had to dispose of superfluous water in winter to get a crop at all, he had to turn his land into something of a reservoir as an insurance against failure of the seasonal rains and as a defence against the attacks of summer evaporation and transpiration, if the crop which he reaped was to be in any way satisfactory. This problem he solved by the methods which have acquired from American borrowers the name of 'dry farming'. Transpiration, indeed, he could hardly control, but evaporation could be minimised by pulverising the soil with continual ploughing so that the capillarity of the moisture adhering to soil particles was diminished. Furthermore, by deliberately inviting the action of the sun upon the land surface the lower layers could be in a manner insulated, so that capillarity would stop completely and the water would remain in the land. Continual pulverisation was thus a secret of Mediterranean farming; and that the technique was correct has been illustrated by modern American experiments, which show that soil so pulverised retains on an average twice as much moisture as when unstirred. Since the water resources seldom allowed more than a crop in alternate years, the land was left throughout the summer as a clean fallow and kept so by repeated hoeing and weeding, indeed the farmer even risked a summer ploughing on it; for weeds growing rapidly with the spring rain would undo all the effects of pulverisation and rob the hardly created store of water. The value of a mulch rich in plant food, obtained by ploughing in stubbles, sometimes after burning, does in fact normally outweigh, in Mediterranean conditions, any profit which may be gained by turning stock into the stubble and weeds of an uncleaned fallow, though this, as we know, was occasionally done.

Yet to some extent the Mediterranean lands may be said to manure themselves: water percolates slowly, drawing minute masses of humus with it, and weathering of soil occurs at depths which are quite surprising to northern farmers. The plants were deep-rooted and thus physical and chemical changes were continuously operative to increase above all the lime content. To some extent capillarity brings these new riches upwards in the water which replaces that lost in transpiration, so that they permeate all the land. As Hilgard, the promoter of American 'dry farming', exclaimed with delight, 'the farmer owns from three to four farms, one above the other'.

To turn these riches, however, to good account, it is desirable to cultivate the soil to a depth that would be dangerous in more humid lands; indeed, the smaller the rainfall, the deeper cultivation should be,

provided that the soil permits it. It is no accident that all Mediterranean authorities, especially those of the East, where rainfall is less, lay stress upon digging. It was in effect equivalent to sub-soil ploughing, which has proved a necessity in modern times for this type of farming. There are no records of actual sub-soil ploughs, or even of a mould-board plough with 'over turn', in the ancient Mediterranean area. Certainly deep spring ploughing, unless the instrument was most carefully chosen, might do more harm than good by exposing too great a surface to the direct action of the summer sun. If labour costs forbade digging, the ancient farmer may have felt, like his Castilian descendant, that it was better to let well alone. To blame, therefore, the Roman farmer for neglecting the 'over-turn' plough is to misinterpret his problem; to blame him, as northern agricultural historians have been ready to do, for wasting energy on repeated ploughing is even more seriously to misunderstand it.

Thus the plough, the main function of which was pulverisation, was of simple construction, consisting of share, share-beam, plough-beam, and handle. It was further used for 'ridging' to assist winter drainage and to protect the newly sown corn against the chilling effects of winter rain. For this a furrow was driven by the plough, to which was affixed, according to the heaviness of the soil, pegs or boards on one or both sides of the share-beam. These appliances, misleadingly named mould-boards by northern students, spread out the soil scuffed aside by share and share-beam, so as to form the ridges; and so common was the practice that the ordinary word for furrow—*sulcus*—comes in the latest agronomic writer, Palladius, to denote these ridges, earlier called *lirae* or *porci* (pigs or almost 'hogsbacks'). Harrowing to break up clods after ploughing was, Pliny implies, a confession of defeat, but the harrow was honourably used to smooth down the soil, if the seedlings were too deeply covered in 'ridging', and to assist in the maintenance of a clean fallow. Ancient agronomic authors describe toothed harrows, and hand rakes were also used for this purpose; a two-pointed prong was used for the digging, and in reading Vergil's graphic description of 'throwing' it at the soil, the gardener can almost feel himself at work.

It should now be possible to interpret under 'dry farming' conditions the 'Farmer's Year' as it is described by ancient text-books and even figured on mosaics. The land was ploughed in January or February and, if necessary, reploughed in March. During the summer months it lay fallow, cleaned occasionally by harrow, rake, and hoe, and by a single ploughing, until it was ready for the final ploughing, which preceded the sowing. This was normally accomplished in October; and 'ridging', and if necessary harrowing, prepared the crop for ger-

mination in the spring. At this period it was even more important to conserve moisture than in the fallow year; the ancients, therefore, now advised careful harrowing and hoeing. They realised too, as does the modern American 'dry farmer', that over-sowed land might so exhaust the water resources that there was not enough to support the final ripening. 'Ridging' had, it is true, operated as a thinning process, but the agronomists further advise that the young corn should be thinned in spring by grazing. In the summer, cleanliness of land was the rule, but when the harvest came the summer heat had still another worry for the farmer; he must take it as early as possible, in the eastern Mediterranean in mid-May, in Italy in June or early July; if he delayed, it might be parched and deprived of nutritive value. The crop was reaped by hand-sickles and not infrequently only the ears were taken off, leaving 'headers' of straw which it was felt were more valuable to the land as a manure than for the stock as food. The grain was thrashed by flails, by the tread of oxen, or by the *tribulum*, a heavy board studded with flints and driven over the floor by animal power. In towns with a large and reasonably certain demand, and perhaps in large villas, it was ground in mills turned by horses or donkeys, but in most parts of the Empire the women still ground at the hand-mill as in Biblical days. Archaeologists have indeed noticed during the course of Roman history some technical improvements in the machine used, the rotary hand-quern, but it is an interesting commentary upon the unmechanical character of ancient civilisation that it made little use of the water-mill. A poet of the first century B.C. extols it as a labour-saving device, and its use is attested by authorities and by a fine representation upon a fifth-century mosaic of Constantinople, but its absence from the juridical and its rarity in the archaeological sources are an impressive coincidence; like the horse- or donkey-mill, the water-mill is found in places where there was a heavy demand for ground flour, notably in Rome itself, or a deficiency of suitable labour, as in military regions, but we must wait for later centuries to offer the picture of a mill on every manor that had a stream to turn it.

The technique of corn-growing was applied with the necessary variations to the production of a variety of vegetable and fodder crops, which after harvesting or cropping could be turned in as green manures; the sturdy lupin, which had the advantage of a leaf so shaped as to lose the minimum of moisture, being the most favoured. Many of these, as beans and peas, being ill-adapted to face the Mediterranean winter, were sown as spring crops, and it was recognised that cereals themselves could be so grown, though on the whole spring sowing was deprecated unless it was demanded by the nature of the plant and the climate or by a failure of the autumn crop.

The ancient farmer had accumulated in centuries of practice a large body of doctrine upon the relations of crop and soil; and perhaps because agricultural technique was the possession rather of the conservative and practically-minded peasant, than of the scientific thinker, the doctrine tended to develop on this line rather than in the direction of sacrificing the perfection of soil suitability to the advantages of a varying rotation. Ancient authors are unsystematic and casual in their treatment of it, and most of them seem to have regarded the change of crop on land as an exception justified either by the soil or the climate. On low-lying volcanic soil, well-watered and rich, liberties could be taken. In Campania, for instance, the land was cropped all the year round, with *Panicum*, with millet, and with a green crop. This looks dangerously like overworking the soil, and it may be no accident that this is a district which reveals evidence of derelict land in the fifth century. More commonly rotation was practised because fortunate climatic conditions permitted it; a wet summer, for instance, might allow a spring-sown green crop or even a spring wheat or barley to be slipped in to the ordinary crop-fallow rotation, and it is significant that the authorities assign to the Alps and the Po valley—regions where more than the normal summer moisture is to be expected—the principal development of such a practice.

Careful application of 'dry farming' technique enabled the ancients to grow not only sown but planted crops: and of these the olive, the vine, and the fig were the principal. Early attempts at geographical restriction are not relevant to our period, in which the olive is known throughout the Mediterranean region outside the mountain areas, where it could not stand up to the cold. Its spear-shaped leaves lost little by transpiration in the summer, and its long widely spread roots could catch ground water over a wide distance; an over-rich soil, however, caused the tree to run to wood, so that the ancients preferred a hillside to the rich plain soil, where, moreover, hot summer winds might parch the fruit. Pruning, especially spring pruning, diverted the nutriment of the tree to fruitage and the cuttings of pruning might be used for grafting, which offered advantages over propagation by seedlings grown in nursery beds, in that the plants were less likely to revert to the wild state. Seedling culture, however, permitted the development by selection of varieties suitable to the land, and it is perhaps a proof of continuous arboricultural progress that while ten varieties were known to Columella in the first century, Macrobius in the fourth mentions sixteen.

Naturally, even for a tree with such root advantages as the olive, water conservation was necessary, and the technique already mentioned of plough, hoe, and manure was employed. Indeed, the necessity of

cultivating the olive field induced the farmer to grow a crop in it, and the added circumstance of shading, so well appreciated by modern 'dry farming' exponents, could be utilised. Of a field at Tabace in Africa the extraordinary but not incredible tale is reported that olives grew under palms, figs under olives, vines under figs, and corn under vines!

The cultivation of the vine itself illustrates the conditions of the Mediterranean climate, as well as the 'dry farming' technique devised to meet them. If occasional summer moisture was expected, indeed, if the conservation of water in the ground was thought to be adequate, vines were allowed to grow upwards, being propped, trellised or festooned between the trees of an orchard. This method secured sunlight for the grapes at the period of ripening and increased the yield; moreover, the ancients thought, not apparently incorrectly, that the finest juice was yielded from shoots that were allowed to climb as they would naturally do. Above all, the method protected the grapes against ground vermin, the menace of which is revealed in the legend of Apollo Smintheus, the mouse-killer, and in the fable of the fox and the grapes; the fox, used to grapes grown at ground level, was defeated by a trellised vine.

For there were many districts where vines had to be grown low in spite of mice and foxes; by this method they could escape the drying summer winds, while the sprawling leaves protected the ground itself from the action of the sun, and if they were deliberately covered with dust, the loss of water by transpiration was reduced. Moreover, the saving of working costs in props and trellises was considerable. The vinetender's problem was linked, in fact, with the amount of sunlight available: sunshine control, neither too much nor too little for grape and ground, was the key to his problem.

But, however solved, the principles of pedology which have been set out above were not the less applicable; and all writers insist on continual, thorough, and deep cultivation of the ground, that the precious water should not escape; so clean must the land be, that ideally no crop, save an occasional green manure, should share the vineyard.

Water conservation, then, proves to be the principle at work in the technique of cultivation, whether of sown or of planted crops. If in spite of the technique the water supply was inadequate, either because the climate was after all too arid, or the water demands of the plant too great, methods of irrigation were applied. The numerous decisions of the jurists upon water rights are eloquent testimony to its importance, and an inscription with plan of an aqueduct, probably the Aqua Crabra, near Tusculum, exists, on which is recorded the names of the

properties, the number of pipes supplied and the hours when they could be opened. A similar document has been found near Lamasba in Numidia, from which we learn that the spring could even be utilised to irrigate lands in the hills; this argues the use of high-pressure pipes and some kind of ram, and quite primitive cultivators made use of the wheel and the Archimedean screw to raise water to their fields. Moreover, this inscription illustrates conditions which were the rule throughout North Africa. An inquiry conducted in Algeria for the benefit of French colonists elicited the information that in almost every commune there were vestiges of Roman hydraulic works. Streams had been dammed, water stored in reservoirs, ponds, and underground tanks, to be transferred to the land by aqueducts and canals. The mayor of a commune calculated that there would be a gain of more than 12,000 acres of cultivable land in it if the Roman works were put into repair.

With such methods of irrigation, the 'dry farming' technique could be supplemented, and plants successfully grown which under ordinary Mediterranean conditions yielded small and stunted fruits. Thus onions, cabbages, lettuces, and peas were grown in irrigated lands, as was the most estimated fodder crop, the 'Poa Medica', lucerne or alfalfa, introduced, as the name implies, from the East, probably about the fifth century B.C. A single sowing lasted ten years and four to five crops could be taken per year. It is instructive to notice that the plant is said almost to have disappeared in Europe during the Dark Ages. It is a question whether one should explain this by the under-stocking to which attention has been called, or by the decline of intensive irrigation, which may be expected in a period of storm and strife. Perhaps each cause reacted upon the other, for failure of irrigation, which may affect the disposal of water from the land as much as its introduction to it, certainly converted good pasture land into malarious swamps. The desolation of the Pontine Marshes seems to date from this period, and an inscription of Theodoric the Ostrogoth records a vain attempt to drain them.

There were areas in the ancient world in which irrigation was not a complement of 'dry farming', but a substitute for it, where the whole existence of the population depended on the watering of the land by overflowing rivers and the deposition of their suspended soil-particles as the water retired. As early as Herodotus, travellers in Egypt and Mesopotamia wondered at a way of life far removed from their own, and it is necessary to comment especially upon the agrarian conditions of Egypt, since the possibility of collecting large aggregates of the population in capital cities depended much upon the certainty of the Egyptian harvest. In the first century A.D. Egypt contributed twenty million *modii* of wheat per year (about five million bushels) to Rome,

which represented about a third of the total supply, and in the reign of Justinian, eight million *artabae*, equivalent to about seven million bushels, were sent yearly to Constantinople.

The Nile rises annually with the melting of the snows and the periodic rains at its sources, and is in flood between August and October; during these months it is led away in canals from the river, the bed of which, like the Mississippi, has been raised by continual soil deposition above the surrounding lands. The canals deposit the flood water in basins bounded by dykes. After the Nile has dropped sufficiently the water is returned to it lower down by outfall canals. The irrigation period under favourable conditions succeeded the harvest and preceded the cultivation and sowing of autumn crops. It was important, however, to control the water at other times than in the 'safety period' when the land was idle, lest the unharvested corn should be drowned on the one hand, or the sowing hindered on the other. Egyptian documents are full, therefore, of references to the maintenance of the canal system, so that irrigation could operate at all, and of the river banks and the dykes so that it should operate as desired. In a period of misgovernment or inefficiency dykes fell down and canals were choked, so that in A.D. 278 the Emperor Probus was forced to send detachments of the army to repair them. In normal years, however, the work was performed by the compulsory labour of the cultivators, for which they might or might not receive pay. In a papyrus of the sixth or seventh century A.D. a *solidus* (about 13 shillings) is paid for the movement of 150 cubits of dyke earth.

Where local conditions did not admit of regular flooding, such as in the Fayum, which had been largely brought into cultivation by private persons under beneficial leases, irrigation was practised under conditions similar to those of Africa and elsewhere; the water-table was high, so that wells could be dug and the water raised by hydraulic instruments. In the 129 days for which the items of expenditure on an Egyptian property of the first century A.D. are recorded, various irrigation machines were working on 92 of them.

Under Egyptian conditions, the land almost keeps itself in heart, as the irrigation continually deposits small quantities of new soil rich in nitrogen and ammonia: nevertheless, manuring was useful if not essential, and the very richness of the soil caused a rank growth of weeds, which needed the cultivator's attention.

It is convenient at this point to discuss the social consequences of the 'dry farming' and irrigatory methods of agriculture which are characteristic of such large portions of the Roman Empire. Here it must first be stated that the picture which the agronomists draw is of what the system should do, and Columella himself proclaims that this was far

from what it did. Large portions of the Mediterranean region were still on prehistoric cultural levels—in Strabo's time periodic redivisions of land were the rule in Dalmatia—and even in areas which from the names of writers or the ornaments of towns we should assume to be civilised, the population of the fields was rude enough. A hint of the distinction between ideal and real is given by the statements of yield: the ancients were too preoccupied with the exceptional to be useful statisticians, so that alleged yields of 100- and 150-fold may be neglected if not distrusted. But there is the probability that the data for the tithed lands of Sicily are correct, and their moderation inspires confidence. Here, according to Cicero (first century B.C.), the yield varied between eightfold and tenfold, and this with an average seeding of 2¼ bushels per English acre represents a harvest of 20 or more bushels. The volcanic lands of Mount Etna were, however, exceptional, as was Etruria, which, as Varro states, produced 10- or 15-fold. Columella's general average for Italy is fourfold, which represents about 9 bushels per acre. It looks a small return, yet it is most instructive to note that observers of Italian agriculture in the days before the Industrial Revolution give figures which tally exactly with those of the ancients. Symonds corroborates Varro for the yield of Etruria, Balbo and Pictet report a fourfold average in Piedmont. And the negligence which these observers attribute to the agriculture of their own time, under-manuring, neglect of weeding, show how ideal is the picture of the ancient agronomists.

This is not surprising, for the agriculture both of 'dry farming' and of irrigation can be called intensive: it made heavy demands on the worker's energy and depended for its profitable character on a supply of cheap labour. And while its value was increased by the fact that on mixed farms the varieties of crops grown enabled the worker to be active throughout the year, the advantage gained on this side was, we may conjecture, largely offset under the servile or quasi-servile tenures by which most land was cultivated in the later Roman Empire. These tenures we must in due course discuss, but for the moment we can make the point that under them personal incentive was lowered in an agricultural system where it was all-important; and that its decay shows itself partly in downright strikes from work of which we have evidence, but still more, no doubt, in inefficiency. Moreover, with the growth of large estates, the 'master's eye', the value of which early writers well recognise, was less often seen. Particularly was the labourer's effort necessary on the irrigated land, for not only must the crops be watered and the pump-wheel turned, but the task of keeping channels and aqueducts clean was heavy; while the cost of repairs, if once negligence allowed them to choke, must often have been prohibitive. Extensive irrigatory systems demanded in the ancient world

a strong centralised administration, and we shall see that this was just what the government of the later Roman Empire failed to give. Civil war and disturbance increased the effects of mismanagement, and the results are seen in the state of the irrigated North African lands after the rebellions of Firmus and Gildo. Official inspectors reported in A.D. 442 that in the provinces of Africa Proconsularis and Byzacena out of 5,975,858 *iugera* (about 4,000,000 English acres) of land originally cultivable, 2,683,148 *iugera* (about 1,750,000 English acres) had become derelict. Under 'dry farming' conditions, such a diminution would be less expected and more reparable; nevertheless, the 'dry farming' technique had its own disadvantages. The tools were primitive, and with the rudimentary metallurgy of the ancient world remained so, while the effort of continual ploughing made the relation between labour time and production as unfavourable, if not more so, than on irrigated lands. Over-cropping, or neglect of the fallow year, to which a cultivator might be especially tempted by a menacing taxation-demand, would reduce the fertility of the already perhaps under-manured land, though to speak of actual soil exhaustion is dangerous. The famous Rothamsted experiment shows that on land continually cropped without manure, the average yield, after a quick initial decline, remains constant; and the constant Rothamsted yield, it may be noted, of ten bushels per acre, exceeds the Italian average of Columella. Nevertheless, if over-cropping reduced rather than cancelled the yield, soil denudation was probably a potent factor. Increasing disafforestation has made Mediterranean rivers more torrential, so that the risk of a violent 'run-off', taking valuable nutritive matter in the soil uselessly to the sea, was great on derelict or negligently managed land. The dry winds of the hot summer could have a similar effect; moreover, with the heavy seasonal rains, negligent drainage might make the land sour and unproductive.

A further point arises, not indeed from the farming technique itself, but from the attitude of the ancient world towards it. So often was the agricultural producer a slave or serf, that the thinking man, whose thinking life was passed in the towns with townsmen, accepted rather than understood what the peasant was doing, and though agronomists such as Varro advised experiment, the theory that crops were suited to soils inhibited rotation and over-stabilised agricultural activity. Moreover, there were other factors in this agricultural rigidity, which derive from the ways of ancient thought itself. In the ancient world of the city-state the man was confronted directly by the state; and his legal rights had often grown out of his relations with it. Furthermore, in the Roman Empire, rights existed on provincial soil because their recipients held them as precarious grantees of the Roman government.

The consequences are deep and important. Private accountancy modelled itself upon that of the state, and a system adequate for checking peculation was useless to suggest to a landowner how he could 'cost' his agriculture in terms of profit and loss. The supremacy of the state and the suspicions of the central government kept company law backward in the Roman world, so that no facilities existed for joint-stock agricultural enterprises or agricultural banks; and even the possibility of raising capital for farming improvements was trammelled by the ancient mortgage laws, which, devised for the security of state debts, were but slowly and inadequately applied to the relations of the private citizen. Much, therefore, contributed to make agriculture of the later Roman Empire stagnant, and, especially in so far as it depended on irrigation works, much to make it vulnerable.

Though some of these considerations affect the agriculture of the lands beyond the Alps, in the main their problems must be separately considered. Here, as the expectation of summer rainfall increases, we pass gradually from an area of 'dry' to one of 'humid' farming. Unfortunately, the ancient agronomists are almost silent upon the farming technique of lands outside their own. And though medieval practice in the northern lands, if it cannot be proved actually to derive from the ancients, must, as based on the same natural factors, resemble it, yet the degree of resemblance is so difficult to state with certainty that medieval practice is better left to the medievalist. Thus the ensuing sketch, if slight, will gain in security.

The agrarian differences between these northern lands and the Mediterranean region have their origin in geological no less than climatic distinctions. Here we have extended areas of flat or but slightly elevated plain-land, alternating with chains of chalk or oölite hills, with occasional intrusion of archaean and palaeozoic mountain ranges, as in the so-called 'Highland Zone' of Britain. These regions from a pedological point of view present, on the one hand, 'strong' lands bearing in a natural state more or less dense forest, the lowland loams and clays, and, on the other, light soils, the chalk and oölitic uplands, and the sands, gravels, and loess of the lowlands. The 'strong' soils were better agricultural land than most of the Mediterranean region, but they were, so to say, agricultural land *in posse* rather than *in esse*. Prehistoric man had sought the easier but less profitable soils, and archaeological evidence shows that there he remained, often throughout the Roman Empire, dwelling in pit-hovels or dry-stone hutments, little, if at all, different from those of his ancestors.

The possibilities, however, of northern agricultural progress lay mainly in the utilisation of the heavier soils: here, advance had indeed been made by the latest wave of prehistoric invaders, the Belgae, who

transmitted to Gallic and British soil agricultural ideas learnt in the forested areas of western Germany. Started by them, and encouraged by the growth of a market in the Roman armies of Gaul and Britain, the movement gathered strength: entrepreneurs attacked and won conquests in the loam terrains and upon the lighter clay. Throughout the early Empire, the conquest proceeded; but as the hope of profit necessarily diminished, its rate declined. In Gaul, indeed, the advance seems to have stopped before the third century, and ground was actually lost in the ensuing insecurity and turmoil when, as we shall see, the population decreased. In Britain, however, it proceeded well into the fourth century, though there was still much ground which might have been won. The incentive to such progress was also, to some extent, climatological. The possibility of continual spells of rainfall increases the extent of the 'run-off', so that the depth of humus is normally less than in areas of 'dry farming'. While manuring, therefore, was even more important and the marling of land, especially of the gravelly and sandy soils, particularly necessary, the laborious round of pulverisation and deep digging was not only superfluous but often dangerous to the land, and it was possible to expose areas of soil in the summer which a southern farmer would not dare to do. The ideal, in fact, of northern ploughing was, as stated in 1784 by Small, 'to cut a slice of soil, to move it to one side, to turn it over'. The normal Mediterranean plough was not expected to do this, and did not, but a famous passage in Pliny, unfortunately corrupt, tells us that somewhere in the North, in Rhaetia or in Gaul, a wheeled plough with coulter and a spear-shaped share existed, which did just what Small advised. Pliny does not mention a mould-board for this implement, and his account rather implies that the share or share-beam turned the sod, but to attach one, as is normal in medieval northern ploughs, was not a difficult application of Mediterranean 'ridging' practice. It is interesting to note that the name given to the implement in the manuscripts of Pliny—*plaumoratum*—however it is to be emended, seems to contain some derivative of the root-form of the northern word 'plough'. Hints of the extension of such an implement in the North are not lacking. The name of the Northern French plough, *charrue* or *carruca*, derives from the Gallic word for a wheeled vehicle, and the distribution of heavy iron coulters, a necessary concomitant of this type of plough, is widespread over northern lands. With such an implement, repeated ploughing, though beneficial to the land, was not, as in the South, essential; its use, therefore, diminished labour time on the estate. The crop-rotation employed in the northern lands in ancient times is not recorded. As water conservation was not so generally essential, it was possible even in the negligent conditions of medieval cultivation to

gain by the substitution of a three-course rotation for the alternation of crop and fallow, but it is difficult to say how ancient the substitution may be. Certainly, in Britain, a distribution map of these two systems ('two-' and 'three-field') shows them so intermixed as to suggest that the latter is merely a medieval improvement on the former. In parts of France, down to the eighteenth century, there were still parishes which had no definite field-system at all, where cultivation roamed, as it were, at will over the lands of the village, and no doubt such a primitive method was in early times more widely distributed: and this again hints that northern agriculture may have been richer in potentialities than in practice. The cereals grown were wheat, barley, and oats, the absence in the archaeological record of rye affording a notable contrast with the medieval harvest field. Of fruit-bearing trees, apple, plum, damson, and cherry are known; Clement Reid, analysing seeds from the refuse pits of Silchester, noted vine and fig as Roman importations to the flora of Britain, and indeed remains of a vineyard have been found at the villa of Boxmoor (Herts); pear, peach, chestnut, and apricot, he noted as absent. The northern lands have always been pre-eminent for stock-rearing, and, indeed, there is some evidence that in the later Empire certain corn lands of Britain were actually turned down to grass. But the size of the animals was far smaller than in the present day. There was nearly a 2 per cent. average of difference between the metatarsal bones of Romano-British and modern Hampshire sheep.

From the soil itself we proceed naturally to the relation of the cultivator to it as expressed in the mode of settlement and of the partition of holdings in the settled areas. Here the unevenness of the archaeological record makes generalisation difficult; moreover, variations were manifold and derived from ancient history or even prehistory. Two general types of land settlement, the nucleated and the discontinuous—town or village, and hamlet or farm—and two types of land-holding, the common unenclosed field and the enclosed plot cultivated in severalty, divided the Roman Empire as they divide modern Europe; and all possible combinations are to be found, though there seems to have been some tendency towards the enclosure of common fields into separately cultivated holdings. But only the most careful field research can, in default of documentary evidence, determine the fact, much less the rate, of the change. The open-field cultivation in strips is indicated in a famous passage of Homer: a modification of this, in which plots take the place of strips in a common field, could easily adapt the organisation to the new technique of cross-ploughing, and such common fields of plots have been observed in modern times in former provinces of the Empire from Spain to Palestine. On the other hand, in Italy, though common-field agriculture may have been

PLATE IV

The stamp of Rome on Italy; centuriated land near Padua.

there too, as is believed, a characteristic of very early days, the 'assignated' and 'centuriated' holdings of the historical period are true enclosures. Indeed, centuriated squares, normally of 200 acres, have maintained their existence, notably in the Lombard plain and round Capua, to the present day, and inside these squares, as we learn from the doctrine of the 'agrimensores', the land was cultivated in severalty. There are hints of similar enclosures of common fields in other places. If the inhabitants of Castollus, for example, a village in Lydia, were anxious in the first century A.D. to enclose portions of the waste, this can only mean on all agronomic analogies that the sown land was already enclosed. Moreover, enclosed fields can exist without being the result of a transformation of common-field cultivation; for a tradition of enclosed fields comes down aside of, and quite independent of, the common-field system from the earliest days of agriculture. In Britain, where such fields have been extensively studied, they are found, in size seldom exceeding two acres, associated with the native hutments in Sussex, Wessex, and in the North. But this system, though so characteristic of Britain, does not seem to be universal there, and it is possible that the common-field agriculture which we have discussed in the South occurred in the North too in early times. It is the general system of the Middle Ages in Gaul and in Eastern and Central Britain, the land, as we should expect in areas where a heavy plough with coulter was in use, being cultivated not in plots but in long strips. There are hints from archaeology that this system is in fact more ancient than the Middle Ages; moreover, it would be strange *a priori* if in France the agricultural system of strips owed all to post-Roman changes when it is found in regions where evidence of barbarian settlement is not forthcoming.

In the greater part of the Empire the unit of habitation was normally the nucleated settlement. In certain areas where the general standard of civilisation was high, such as in Italy itself, some measure of denucleation had taken place, and this fact may illustrate the statement of Rutilius Namatianus in the fifth century A.D. that in Etruria large villas have taken the place of small towns. In general, however, isolated holdings are confined to areas the inhabitants of which had lived in this manner from prehistoric times. They are principally found in Gaul and Britain, where apart from the zones where village hutments are found with the square fields already noticed, the whole agrarian population dwelt in isolated farms, sometimes, as in the Mardelles of Lorraine (pits, averaging 50 feet across, roofed with tree trunks), under the most primitive conditions.

The landscape is completed by the luxury establishments of the property-owners. We shall see that the period is characterised by a

growth of large estates and a decline in importance of the towns; in compensation, as it were, country-houses become increasingly magnificent. Mosaics picture the towered, two-storeyed, mansions of African territorial magnates, and the descriptions of similar buildings in Gaul are familiar from the works of Ausonius and Sidonius. That these are no mere rhetorical effusions is shown by the remains themselves. A villa at St Ulrich (Moselle), to take but one example, has 125 rooms and covers more than 100,000 square feet of ground.

Such magnificent establishments invited the cupidity of barbarian and brigand: it is not surprising, therefore, that the fortification of villas, which leads to their transformation into the castles of the Middle Ages, was already proceeding. A law of A.D. 420 permits the fortification of houses in the eastern provinces; and the wall and gates built almost in the same year by the Gallic prefect Dardanus at Sisteron 'as a protection for all on the estate' are eloquent of similar conditions in the West. The villages of cultivators too were protecting themselves, the 'castles' where dwelt the tenants of African estates are known from inscriptions, and when Jerome translating the Vulgate met the Greek word for village, he normally rendered it as 'castle'. The small villas of farmers in Northern Gaul have been replaced for the most part by villages which still remain as a feature of the French landscape. When the transformation from villa to village occurred is still a mystery; but the cessation of coins in most of the villas before the end of the fourth century hints that it may have begun even in the later Empire.

Every cultivator within its dominions felt the reality of the Roman Empire in its later centuries with the taxes that it imposed; and in earlier days the historian or lawyer might have seen in the diversity of their form and incidence a testimony to the piecemeal creation of that Empire itself. Many of these taxes payable in money had proved uncollectable in the inflation period of the third century, and the government was carried on with the aid of extraordinary levies in kind (*indictiones*). Diocletian (284–305) transformed these levies into a regular system of contribution, called the *annona*, and upon it he erected a general scheme of taxation valid for all the Empire, the privileged position of Italy and of land treated by legal fiction as Italian (*ius Italicum*) gradually disappearing or surviving only as an antiquarian curiosity. That Diocletian's system was complicated is almost the only point upon which its commentators have found themselves able to agree, and the scope of this chapter does not permit of a detailed arbitration between them. Certain points, nevertheless, emerge as more or less certain. The land was divided into taxation-classes according to the type of its cultivation and into sub-classes according to the productivity of these types. We are informed by the Syrian law-book that in that

country units of twenty, forty, and sixty *iugera* of sown land, five *iugera* of vineyard and areas on which up to 225 or from 225 to 450 olive trees were grown, each formed fiscal units known as *iuga*, a term based probably upon calculations of the tractive power of the ploughing ox. The territory of the Empire was surveyed in *iuga* and similar taxation units, each of which paid yearly the demands charged upon it, the charges being normally fixed at five-year and the assessment revised at fifteen-year intervals. As can be seen, the principle of *iugatio*, as it was called, involved a real though very rough discrimination of productivity, but its unfairness by which a *iugum* of 226 would be charged equally with one of 450 olive trees was smoothed out by a tax interlocked with it, the *capitatio*, assessed upon the human and animal power at work on the *iugum*. The 226 olive trees, for instance, which would only just fail to enter the first class, would occupy a smaller extent and involve less labour than the 450 and would pay accordingly less *capitatio*. The two imposts, therefore, added together formed a comparatively equitable whole and were treated virtually as one tax: indeed, with that lack of precise nomenclature which is a characteristic of legislation in this period, the land-tax itself is often called *capitatio* and its units *capita*, while only occasionally the exact phrase of *capitatio humana et animalium* is used of the collateral tax. Moreover, since such a double tax must have been difficult to assess, it seems likely that in certain provinces owners were encouraged to 'average' their holdings of *iuga*, so that the collateral *capitatio* was unnecessary. The system was further complicated, as it seems, by a poll-tax imposed upon all the cultivating classes, the tax being called by the identical name *capitatio* and its units, the cultivators, equally *capita*, and these *capita*, like those of the collateral tax, might be divided into fractions according to the sex or capacity of the payer. Thus the cultivator paid for himself, if the *iuga* were not 'averaged', two taxes, the poll and the collateral tax, each a *capitatio*, the land paid one, a *iugatio*; and both the double tax, the sum of the land and the collateral tax, as well as the *iugatio*, the land-tax, itself could be called *capitatio* with a similar nomenclature of their units. The whole system is indeed desperately obscured by the identity of terminology, and it is at least comforting to find that taxpayers themselves were sometimes as bewildered by what Theodosius II (A.D. 403–425) called its 'darkness' as are modern students.

Polemical writers, Christian and pagan, fulminated against the financial stringency of pagan and Christian emperors, and a sober historian, Aurelius Victor, confesses that the taxation became harsher as time went on. But the absence of statistical information makes it hard to say how harsh, honestly worked, it really was. We learn from edicts of A.D. 445 and 451 that before the Vandal invasion the 200-

iugera century, which was the unit of taxation in Africa, was charged with taxes which when commuted to money amounted to $\frac{1}{20}$ gold *solidi*, in English currency about $7\frac{3}{4}d.$ per English acre. Even if this is multiplied by three or four to fit the increased purchasing power of money, compared with the average charge of 3*s.* 4*d.* per acre upon land in a modern peasant agricultural country, Bulgaria, it does not seem so harsh. But if we add, as so probably we must, the poll-tax of the cultivator, which, from an Egyptian document of A.D. 340, is shown to work out at about one *solidus* per year (about 13*s.*), the amount due does justify the complaint of the critics, even if the system was equitably administered.

But this was by no means the rule. Various unbudgeted needs were met by extraordinary levies upon the unit (*superindictiones*), and the state often continued to demand the taxes due from it when war or civil disturbance had rendered it unproductive. Procopius mentions the merciless treatment of Palestinian landowners under Justinian (A.D. 527–565), when taxes were exacted from lands off which 100,000 persons, as he alleges, had disappeared in a religious insurrection. Two hundred years earlier Constantine (A.D. 306–337) had earned gratitude by deleting from the registers 7000 of the 25,000 taxable units in the territory of the Aedui.

Such a system of taxation which depended upon the most intimate connection between the labourer and the land would hardly be practicable unless that connection were stabilised: the law of A.D. 332, by which the cultivators were fixed compulsorily to the soil, is, therefore, in a manner its logical corollary. Moreover, we learn from later enactments that the provisions of this law were eventually applied to all land-workers, whether settled on estates or farming on their own. Indeed so axiomatic did it appear, as time went on, that the labourer should be tied to his plot, that Justinian regards it as 'against human nature' (*inhumanum*) if he were not. Nevertheless, no government could have put through such legislation unless the social conditions of the time had favoured it. Certainly the difficulties of keeping the machine of the Roman Empire moving had led the government to think in terms of compulsory stabilisation: the trades of shipmaster and baker had been declared hereditary less than twenty years before. Yet this measure derives so closely from the tenurial conditions of the Roman Empire that these will need a brief explanation.

In the most civilised parts of the ancient world, the land was divided among the territories of contiguous cities; within them tenures of all types might be found, but normally their occupiers paid rents to the city, which formed an important part of its revenue. Nevertheless, conquest of the city from outside might modify its relation to its territory.

A measure of the territory might be confiscated or 'reserved' by the conqueror, and thus it would be intermingled with his own possessions. While it was normal Roman practice to regrant land even of cities conquered in open war to their inhabitants, nevertheless, certain confiscations or lands already confiscated by an earlier conqueror such as Hiero in Sicily were maintained or remained withdrawn from the jurisdiction of the cities. These lands were the public land of Rome (*ager publicus*). But in Italy, the encroachment of private persons upon public land, which, as we shall see, is so characteristic of later centuries, had here already by the first century A.D. been complete. All land of this type was assigned or reassigned to city territory, but certain privileged grantees obtained exemption by which their lands, though in city territory, were exempted from its jurisdiction, and as *agri excepti* paid only the imperial imposts. These blocks of former *ager publicus* were the core of the large estate or *latifundia* system, but the system extended itself widely through social and economic causes in the late republic and early empire; and thus the political organisation of city and *agri excepti* was overlaid, as it were, by that of the *latifundia*. These were worked originally by gangs of cheaply purchased slaves; but with the diminution of the slave supply they were subsequently broken up in whole or part into the leasehold tenures of farmers (*coloni*), frequently manumitted slaves, to whom the master supplied the farm-buildings and tools and from whom he sometimes accepted a portion of the produce as rent. The contract was in origin perfectly free on both sides, but foreign competition and the rival attractions of city luxury both for himself and for his landlord's capital weakened the position of these tenants: they were chronically in debt; and the problems of 'tenants' arrears' occupy many pages in the writings of the jurists.

In areas, however, which had come more recently into the orbit of Hellenic or Roman civilisation, and in Egypt, where agricultural necessity virtually prescribed in the conditions of the ancient world a despotic control, tenures, based not on free contract but on something like serfdom, were far commoner than in Italy and Greece. Often prehistoric invasion or religious sanction had imposed quasi-feudal relations between the cultivator and his lord, whether prince or priest. It was both Hellenistic and Roman policy to weaken the power of feudal and priestly overlords either by taking over the administration of their land and their serfs itself, or, where they were suffered to persist, subjecting them to control. The most convenient controller was an existing city administration. Thus grants of Asiatic land, which, it should be noticed, assume that the serfs are granted with it, prescribe normally that the grantee shall book his land in a city territory. Where such administrative control did not exist, it was often possible to create

it by founding a city, and governments promoted their far-reaching schemes of urbanisation not least because it permitted this control of private tenancies. Nevertheless, urbanisation was not always practicable and certain landholders escaped it, their holdings becoming similar in type to the Italian *agri excepti*. Thus Asia, in the earlier Empire, is divided into city territories, in which many types of tenure, not least of large estates, existed, and the non-urbanised land, the χώρα, in which there were blocks of imperial holdings and islands of private or temple *agri excepti*. On both city-lands and χώρα, especially on the latter, the ancestors of the cultivating populations had been feudal serfs, and though Roman law did not recognise actual serfdom, their own case was little different. In complaints to the Emperors, they point out that they have been settled on the land 'since the days of their ancestors', and threaten to abscond in language which shows that this, though legally permissible, was in fact most unusual.

Egypt, where until the time of Severus there were, outside Alexandria, virtually no cities at all, reproduces for that reason in some degree the tenurial history of the Asiatic χώρα. Most of the naturally irrigated land belonged first to the Ptolemaic king and later to his successor the Roman Emperor, and though private property was growing at the expense of imperial, the bulk of the land in the higher Empire belonged to the category of what was still called 'royal'. Such land was cultivated by rent-paying tenants, whose position of nominal freedom was little different from serfdom. They were reminded by edict that it was their duty to remain in their homes at work, and were liable to punishment or at least to recall if they ran away; they were often compelled to lease specified plots of land and to perform such work as the government thought necessary for maintaining the agriculture of the country; they were moved about arbitrarily from one village of the 'royal land' to another, and their rents were arbitrarily revised.

In Africa, the cultivator's position approached that of Egypt and the East, but the road was very different. Here the republican Roman government had humbled and almost extirpated a great exploiting community, Carthage. It was a land, like Egypt, which had virtually no town life at all, but where, unlike Egypt, much capital was needed, if the land, which promised large profits, could be made to yield them. Only men of wealth could, in the absence of extended state credits, make a success here; and it is no surprise, therefore, that republican legislation, as revealed in the famous law of 111 B.C., envisages the grants of land to large exploiters partly in the anomalous category of rent-paying private ownership (*ager publicus vectigalisque*), partly in that of tithe or taxpaying tenancies of the *ager publicus*, where the position differed in practice little from private ownership. In Africa, in fact,

the possibilities of profit for its individual members and the absence of an urban tradition tempted the government to connive at the type of tenure which governments, Hellenistic and Roman, had striven in Asia to avoid, the *agri excepti*. Often a single estate, we are told, was larger than a whole city territory, and its village population looked like that of an ordinary chartered town. Nero endeavoured to cut the knot by executing five men, 'who owned half Africa', and converting their land to imperial property; but what was to happen to it then? The government endeavoured to foster urbanisation as best it could, but in the main it had nothing better than to lease the estates to men of wealth who sub-let to cultivators. These lessees became the virtual proprietors of their estates, and their heirs inherited their leases. The cultivators had no assistance from the forms of Roman law, and their relations were arranged by administrative enactments of the government. From specimens of these enactments we learn that they were liable to the imperial lessee for a proportion (normally a third or a quarter) of their produce, and for six, or sometimes more, days' work upon the portion of the estate which the lessee had in hand. Their only remedy against irregular exactions lay in petition to the Emperor: but the Emperor's administrators and the lessees were men of the same interests, and it was not theirs, so that their plight was often hard. 'Poor peasants', they called themselves, 'miserable servants and children of the imperial domains', and they were right.

For many provinces of the Empire the data of land-tenure are insufficient; but Northern Gaul and Britain demand a word, for while local conditions were very different, here again the results were much the same. Here, too, town life hardly existed, but there was neither a trained administrative staff to organise confiscated private property as in Asia Minor, nor were there, as in Africa, such opportunities for Italian investment in landed property. Towns were created as administrative centres and achieved some prosperity of their own, while the land was regranted to the local chiefs and held by them in estates the names of which have often survived in France until to-day. These estates corresponded roughly in size with a French parish, and on them the landlord lived surrounded by his tenants. Irish and Welsh analogies show that in Celtic countries the Celtic conquest had reduced earlier populations to serfdom, and they show too that agrarian debt was a potent factor in assimilating free-standing farmers to its level. Caesar's statement that 'the people of Gaul are little better than slaves' is illustrated by these analogies, which hint that, though the intervening stages are dark, in the West too it was no revolution to bind the cultivator to his plot. Thus bound, the class survived the fall of the Empire in the West, and their tenurial conditions are illustrated by

post-Roman land-books. From these we learn that, as in Africa, the owner held portions of the estate (*fundus*) in hand, and that the subject tenants were liable to services upon it. In the villa of Neuillay (Indre), to take an example—church land, but originally the *fundus Noviliacus* of the Gallo-Roman Novilius—the land in hand contains about 125 acres of arable and there are in the estate about 360 acres of arable held by nine tenants. Thus it is doubtful whether in any province the measure of 332 did more than apply legal formality to what was already a practice, for in all provinces estates, whether imperial or private, existed, on which such a relation could easily develop. Of these the imperial estates themselves increased in number by confiscation and the escheatment of intestacies, so that imperial *agri excepti*, exempt from city dues and jurisdiction, were found even in city territories. But the tendency was even stronger towards the growth of private property at the expense both of small ownership and of imperial lands. It is instructive to glance at the way in which this occurred.

The Roman Empire grew rapidly, too rapidly indeed, for new conquests to cover their costs, and by the second century these costs were heavy and there was no more hope that the continual warfare would pay for itself. It was essential, therefore, that production should expand, and quickly, in the new conquests. This need was met by the founding of towns, and though a too rapid urbanisation often increased unduly the overhead charges, there is evidence that the productivity of the newly conquered lands was in fact increased. At the critical moment, however, in the reign of M. Aurelius, the Empire was smitten with a violent epidemic of plague and at the same time by invasion on every frontier; moreover, throughout the next century plague was endemic, and scarcely a province was spared from barbarian attacks. Thus the loss both in labour power and in capital equipment was tremendous, and could only be made up by additional burdens upon what survived; land was lost to cultivation, partly because its cultivators had perished, partly because they had taken to brigandage. We have some statistics to illustrate this: documents from Africa have already been quoted, in Italy we hear of no less than 35,000 acres of Campanian land reported as derelict in A.D. 395, and in the neighbourhood of Ephesus an inscription of the fourth century A.D. reports that out of 7499½ taxation units (*iuga*) 703 were uncultivated. In Egypt, indeed, where the obvious selfishness of taxation ever prompted the population to evade it, where natives prided themselves on the scars of the collector's whip, matters were worse; a papyrus of the fourth century A.D. from the Fayum village of Theadelphia, which tells us simply that the whole population has absconded, presents no unusual case.

There was a real danger that the Empire might fail to support the charges of keeping it in being; and with the multiplication of officials, the increase in the size of the army and the maintenance of a second capital, the charges had increased. The government saw the danger and grappled with it: conquered barbarians were settled in droves upon vacant land, where they formed so dangerous a mass, that freedom of movement had, as it seems, been denied to them long before the law of 332, and anyone who was able was invited and even compelled to accept grants of waste land under obligation to secure their cultivation. Such lands, held, as juristic language expressed it, under a 'development' or 'emphyteutic' lease, paid a reduced rent or were even occasionally rent-free, and by such leases what had formerly been imperial property passed into virtually private possession; moreover, as former imperial domain, it enjoyed the privileges of an *ager exceptus*. Again, as many centuries before, the government found that it was only the wealthy who had the capital to develop these lands, so that the emphyteutic lease served above all to augment the size of great estates. The government indeed endeavoured to encourage the small lessee, but it was the prisoner of its own constitution. As responsible for fiscal administration it understood the danger of large feudal lordships such as had been attacked centuries ago, but it was its very members who profited personally by them, and were enabled to ensure that, if lands were compulsorily given on lease, they and their friends secured the more favourable and left to the poorer proprietors the obligation of the more burdensome and difficult.

Indeed, the lot of the small independent proprietor was increasingly hard. The highest class of such, those qualified to sit in the municipal councils of the cities, were responsible for collecting the taxation assessed upon the city territory, and little regard was paid to the correctness of the assessment or the difficulties of collecting it. Moreover, city territories were interspersed with *agri excepti* into which they could not enter, and the city revenues which it was their duty to administer were sequestrated from time to time for imperial needs, so that their own property became increasingly liable for the needs of the city. Below them were the classes of owners who, like them, were responsible with their property for the duties imposed on them. The government was anxious that men like these should remain as property-owners, while they were as anxious to get rid of their property and its contingent responsibilities. Veritable strikes against landownership occurred in this time, above all in Egypt, and we see the strange phenomenon of legislation forbidding property-owners to alienate it. Attempts to check this were vain, for the advantages of a strong man's protection, especially if he dwelt on *ager exceptus*, were great, so that men risked

punishment to transfer themselves to it, even though it involved the loss of their goods and placed them in a relation to the patron even worse than that of the bound serfs; a relation without security of tenure or rent, terminable or alterable at the will of the patron. Patronage of this type was exerted, indeed, not only for property-owners, but for tenant *coloni* themselves: smaller proprietors found themselves simply elbowed out by the more powerful, so that when they tried to collect their rents, they were met with showers of stones from their erstwhile tenants, encouraged by the new patron. Even imperial estates suffered in this way: as early as the third century, Lydian tenants had threatened to transfer themselves to private ownership for their better security, and in the sixth Justinian complains that private land-grabbing was so rife that in Cappadocia there was virtually no imperial property left. Above all, in Egypt patronage completely transformed the land-tenure between the fourth and the sixth centuries. Where once all had been either imperial ('royal') land or properties of various sizes securing the performance of state duties, it came about that almost every acre was owned by a few landowners who kept private armies of *bucellarii*, private prisons (which the law forbade), a private postal service, and who even coined private money.

Thus the Empire returned to the feudal conditions which it had attacked centuries before; the great estate was now the normal tenure, the owner of which paid himself the taxes for his *coloni*, and superintended, moreover, their spiritual needs, providing an estate church and an estate bishop, and even forcing them to conform to that version of Christianity which he favoured. Such an estate tended to develop an economic unity comparable to that of the Egyptian documents. Thus the large British villa of Chedworth was smelting its own iron and bleaching its own cloth. All over the Empire, in fact, estates were becoming self-sufficient units, depending little upon the neighbouring town either for physical or intellectual sustenance. The towns and their trading populations had received, indeed, a violent blow from the wild inflation of the third century, and they could not be revived even by the deliberate encouragement of later Emperors. At Verulamium (St Albans) a deliberate attempt at reconstruction was made, yet in a few years its failure was apparent, the rebuilt theatre was a rubbish pit, and the town again, as in the third century, 'bore', to quote the words of its excavator, 'some resemblance to a bombarded city'. And this in a province that had seen no invasion! Though trade was not extinct in local products of long-established repute—Menapian hams appeared on the eastern market often enough to gain mention in the price edict of Diocletian, and a description of the Mediterranean in the fourth century records certain commercial movements—yet commercial

activity was much restricted, not least because the government in its struggle for survival made exorbitant demands upon it. Moreover, it was discouraged by the rigorous organisation of workmen and transport agents into fixed, hereditary, guilds on whose services the government had the first call.

Thus the heavy agricultural round was now accomplished upon a simpler stage. Now very rich and very poor faced each other. There was a scarcity of labour on the land, so that schemes of capital development, irrigation, and drainage could not be undertaken except by governmental initiative, and as this was rarely forthcoming, the agriculture did not go forward. On the other hand, the cheapness of the labour enabled it to be profitable, at least for the landowner, provided that it was left reasonably undisturbed. The senatorial order, whose fictitious Roman domicile exempted their lands and themselves from local obligations, especially amassed large estates and large fortunes. The holy Melania, we learn, possessed properties in Gaul, Italy, Sicily, Africa, and perhaps Britain, with an income in money alone of about £25,000 a year, and she was not of the wealthiest class who could count on a gold income of three times as much. And among the greatest of these landlords was the Christian Church. Constantine's donations to Pope Sylvester alone yielded income of £40,000 a year, and comprised *Massae*, consolidated units of estates, in Italy, Sicily, Egypt, and the East. The wealth of private owners can be appreciated when it is realised that there were senators whose single incomes were more than a fortieth of the whole revenues of the Western Empire in the fifth century.

The cultivator saw little of these profits, yet in regions where his life was undisturbed by barbarians, there seems no doubt that he saw something. The men of the Thames-valley villages gained little from the Empire, yet it is a fact that in their damp and dismal pits, they were getting in the later Empire more pottery and that of a better quality. The Romano-British peasant, if we may judge from his skeleton, was not an under-nourished man and did not suffer from rickets. His average height, it is true, was more than an inch lower than the modern average of his class, but his bones were strong and not liable to fracture. His diet may have been deficient in milk and the vitamins which protect from rheumatism. He grew corn, but, if the freedom of his dwelling from the rat is evidence, little of it was left by landlord and tax-collector for him to eat; yet he had, as it seems, good meals of pork and mutton. In the East, explorations in the Decapolis show the ordinary population dwelling in well-built houses of squared stone, and in Asia Minor, the monumental evidences of the later Roman Empire argue a standard of life higher at least than that of the modern Turkish village. Nor is this

altogether surprising; with the decay of town life, the country cultivator had no longer to support the overhead charges of those expensive, unproductive buildings and charities which are attested by so many monuments and inscriptions. In fourth-century Constantinople there were 50,000 recipients of charity: from this we may guess the number of unproductive mouths that must have needed filling in centuries of high urbanisation. Nevertheless, if disaster reduced his rent and tax-paying power, his owner, faced himself with the deficiency in the taxation account, obtained, as Salvian tells us, relief for himself which was not passed on to him; and in a society where absentee landlords were common, the arbitrary extortions of the owner's agents plagued his life. A sermon of St Chrysostom, though delivered certainly to point a moral, may be quoted, for it illustrates finely conditions which cannot have been uncommon.

Who could be more oppressive (he says) than landlords? If you look at the way in which they treat their miserable tenants, you will find them more savage than barbarians. They lay intolerable and continual imposts upon men who are weakened with hunger and toil throughout their lives and they put upon them the burden of oppressive services. They use their bodies like asses and mules, or rather like stones, hardly letting them breathe, and they strain them equally in good years and bad, never giving the slightest relief. They make them work all through the winter in cold and rain, they deprive them of sleep, and send them home with empty hands, indeed with debts still to pay. Moreover the tortures and beatings, the exactions and ruthless demands of services which such men suffer from agents are worse than hunger. Who could recount the ways in which these agents use them for profit and then cheat them? Their labour turns the agent's olive-press; but they receive not a scrap of the produce which they are compelled illegally to bottle for the agent, receiving only a tiny sum for this work. Moreover the agent extorts more oppressive interest than even pagan law allows, not twelve but fifty per cent from a man with a wife and children, who is filling the agent's barn and olive-store by his own labour.

What were the feelings of a cultivator towards a system that punished any attempt at self-improvement and set the luxury of his betters in such sharp contrast to his own? In an age when even bishops could not always sign their names, it is likely enough (in Britain it is nearly certain) that he could write no book to tell us, and frequently he spoke only the native patois of his country. It was hardly possible for him to obtain redress of grievance in a legal way. The sturdiest of his class escaped their burden by joining bands of brigands, who terrorised their countryside. In Gaul brigandage was endemic, military action had been necessary to suppress it in A.D. 285, and in the fifth century a chronicler baldly informs us that 'all the slaves of Gaul had joined the

Bacaudae' (an indigenous word by which such brigands were known); these men held law-courts and parliaments, like Robin Hood, 'under the greenwood tree'. In Africa, *circumcelliones*, seeking vengeance at once against religious persecutions and social wrongs, smote property-owners with 'the Israelitish cudgel' 'for the Praise of God'. The government enacted that no shepherd in Italy should have a horse, for it was certain that he would become a brigand, if he had one. The historian Zosimus mentions that the men of Pamphylia fought well against the Goths, because they had been well trained for war by continuous battles with brigands.

Such escape was for the bold; others showed only a dull resentment towards the Empire with its expensive and cumbrous machinery which did so little for them. But their resentment was not ineffective. When soldiers of the Empire were branded, like runaway slaves, it was obvious that men were no longer willing to fight for it: and in many provinces barbarian invaders found an eager welcome from the subject classes, for under a barbarian king, though their status was not improved, they had no longer to bear the expenses of Roman government. Thus the Empire was forced to depend upon highly subsidised barbarians for its defence; and when with the loss of Africa, the West could no longer pay its defenders, they turned and broke it. Only in the East, where wealth and clever policy had held the barbarians at bay, until religion banded all in unity against the Moslem assailant, the Empire lived on.

CHAPTER III

The Evolution of Agricultural Technique

I. *Roman and medieval agriculture in the Mediterranean area*

MEDIEVAL agricultural technique is connected with that of the Roman Empire along two lines. What was specifically Mediterranean in the Roman technique survived in Southern Europe without serious modification right through the Middle Ages. Roman skill and organising capacity had developed it so thoroughly that further progress was not easy. Geographical conditions, if anything, deteriorated: instead of progress we see at times a perceptible decline. Meanwhile this classical Mediterranean technique was serving as a model further North. At many points a close affiliation can be traced between it and the technique of North Western Europe in the Middle Ages, in spite of the long upheavals of the age of invasions. In fact, most of what had been learnt from Rome survived on the great imperial or ecclesiastical estates; and Roman technique was the basis of the later developments, in which however new needs and different geographical conditions played an essential part. Let us recall its principal features, confining ourselves to agriculture proper and to cattle rearing.

Prehistoric agriculture, and classical agriculture also, was practised mainly on light soils, easy to work, and not over moist. In Britain as in Gaul, in Roman times, the high grounds where such soils were found were preferred: sometimes they were abandoned later and invaded by the forest. But Italy, a transitional land between the Mediterranean area proper and the humid North, contains—as we have seen—both light and heavy cultivated soils, of whose different needs Roman agricultural writers were well aware. In the provinces also the heavier soils were beginning to be cleared and tilled under the Empire. No doubt the technical progress made under the Empire was connected with the need to utilise these heavier soils. Drainage had been understood even before the days of Roman domination: in the Pontine Marshes and at several points in Etruria a network of *cuniculi*, subterranean tunnels sometimes as much as 15 metres below the surface, carried away sub-soil water. Less elaborate systems were known and practised in later times.

The 'two-course' Mediterranean agriculture was based normally on autumn sowing—of wheat or winter barley (*Hordeum hexastichum*). Among the wheats, agricultural writers distinguish between *triticum*,

which included winter wheat (*Tr. vulgare hibernum*) and rivett (*Tr. turgidum*), and *far* or *far adoreum*.[1] The description of the various sorts of *far* are not precise; but it is certain that the *farra* were husked wheats. Probably the main original sort was emmer (*Tr. dicoccum*), to which under the later Empire was added spelt (*Tr. spelta*).

Fallowing not only rested the soil after an exhausting crop but preserved its reserves of moisture in a dry climate. That is why the two-course rotation survived, with only local exceptions, as the normal Mediterranean rotation until modern times. For more complex reasons it survived also in France throughout a zone of varying width North and North West of the Mediterranean region proper.

But, as we have seen, if moisture is to be preserved weeds must be kept under, and the surface soil must be kept thoroughly pulverised. Hence those three or more workings of the fallow which imperial writers, improving on their republican or Greek predecessors, recommend.[2] They were not recommended for all soils, or at the same times for all: wet, heavy soils were to be worked later than light soils; and poor soils were to be worked only once, just before sowing. Very probably the three workings were kept up in the Middle Ages, at least on the best organised estates. (They are found to-day in very conservative regions in the Western Mediterranean, such as Sardinia and Majorca: the first in January or February, the second between March and May, the third often after the first autumn rains; and a fourth is needed to cover the seed.) It is equally probable that on estates short of teams, or on poor soils, only two workings were given, or perhaps even only one. But in favourable conditions the normal three were exceeded. Olivier de Serres, at the end of the sixteenth century, notes that 'good farmers' of Provence, Languedoc and of the Comtat Venaissin worked their land five, six and seven times.

The wheelless *aratrum* was well suited to the often shallow Mediterranean soils. The team was usually of oxen; but cows and asses were used on the very light Campanian land. The fixing of 'ears' (*aures*) to the plough, for ridging and covering the seed, was a Roman improvement.[3] We hear also of the coulter (Pliny, XVIII, 171). Its names in modern European languages suggest its Roman origin—*coutre*, coulter, *Kulter* (also *Sech* from the Latin *secum, seca*). But whereas the 'ears' were wide-spread and are still in use in Mediterranean regions, even to-day a coulter is uncommon enough on an old-fashioned *araire*. As

[1] Spring wheat and spring barley (*Hordeum distichum*) were also known. But Columella (II, 9) explains that spring wheat will hardly succeed except in cold countries with moist summers.

[2] Pliny recommends five for heavy soils and mentions a maximum of nine in Tuscany.

[3] Cp. p. 94, above.

for the wheeled plough, no doubt Vergil had learnt about it in his native province;[1] but it had come there from the North and was never widely utilised in Mediterranean lands.

For that deep hand-working of the soil which took the place of sub-soil ploughing a hoe was used, either plain or toothed. The spade was—and is—much rarer. With the *pastinum*, a kind of two-toothed hoe, deep soils were worked down to two or three feet. Columella only mentioned its use for vineyards; but it evidently spread, for Palladius advises it also for orchards and vegetable gardens. But he notes that it was not much used in remote provinces. There seems no doubt that the tradition of this manual work persisted through the Middle Ages; if it was very laborious, it considerably increased fertility. Olivier de Serres praises those Dauphiné farmers who worked their lands very deep every ten or twelve years: by his day they used, together with the mattock, a long narrow-bladed spade (*louchet*) which had come with its name from the North. In the South West similar work is done to-day with a two-pronged fork: it is called *pelleversage*. But for the same work in Majorca, where it is done about every four years, they still cling to the hoe.

After the plough the toothed harrow is the most useful implement on a farm. Did the ancients effectively introduce it? No doubt Varro describes it and Festus' comment on him is explicit. But even to-day it is rare in South Italy, and only begins to be common North of the centre. In Southern France its use only became general in the nineteenth century. Is this a case of retrogression? Varro speaks only of a limited use: 'to pull out the weeds'. He covers his seed with a plough. But Pliny (XVIII, 180) certainly seems to refer to the use of a toothed harrow for this last operation. However that may be, the ancient harrow as a rule was nothing but a wooden frame with wattles woven across it, merely an improvement on the primitive bundle of thorns dragged across the ploughed land to break up the clods.[2] This task (*occatio*) was also done by hand, with a toothed mattock (*rastrum*) or with a hoe (*ligo*) when the clods were hard. But on light soils the repeated workings sufficed to prepare the tilth, as an old Roman proverb emphasises: *veteres Romani dixerunt male subactum agrum, qui, satis frugibus, occandus sit.*[3]

While the corn was growing the soil still had to be kept loose and free of weeds. Since Cato's time it had been usual to hoe it (*sarrire, sarculare*) twice, first in January-February, and then early in March. Lastly, early in May, it was weeded (*runcare*). In vineyards still more

[1] As Servius says of him: *currus dixit propter morem provinciae suae, in qua aratra habent rotas, quibus juvantur.*

[2] Cp. p. 94, above.

[3] Columella, II, 4: Pliny, XVIII, 179.

was done. Columella advised at least two hoeings for old vines, winter and spring, but monthly hoeings for young ones. All this attention, this repeated working, was the most original and progressive feature of Roman as opposed to oriental and even Greek agriculture, and one cannot emphasise too strongly the value of such a bequest to the Middle Ages. In Africa to-day the Kabyles who have preserved many Roman traditions are most particular about hoeing and weeding, whilst the Arabs, with their oriental habits, once they have sown the seed leave it until harvest.

Of all agricultural operations, harvesting varied most, from place to place, but also with the size of the holdings and the cost of labour, as Pliny remarked. Sometimes the stalks were pulled up by the roots—the most primitive method and the most exhausting for the land. More often sickles were used, the stalk being cut half way up—as it was near Rome—or at its foot, as in Umbria. But there was another method which almost entirely disappeared from Europe after classical times: the ears alone were pulled off from a bunch of stalks with a kind of comb. This method was only applicable where crops were thin. On the huge demesnes of Gaul, the Gallo-Romans had even made a regular machine out of the comb-like implement. A single ox pushed before it a big chest on two small wheels. There were teeth on the front of the chest. These tore off the ears, which fell back into the chest. So Pliny and Palladius explain. Now, are we to reckon the disappearance of this machine in the Middle Ages as an instance of technical retrogression? Surely not. It was very wasteful, especially of the straw. It simply replaced the primitive combing process because—as Roman writers correctly noted—labour was lacking or dear, and agriculture was of the extensive kind that produces thin crops.[1] As population grew, labour became abundant and an increased yield essential.

For threshing, the Mediterranean lands sometimes used the simple beating stick—no doubt for the smaller harvests. But they also early employed more effective methods, methods so effective that they remained unchanged till the nineteenth century. The oldest was the familiar treading out by oxen; but Columella already preferred horses. The horse or mare replaced the ox at varying speeds in different places—in some parts of Haute Provence not until the fourteenth century. This change suggests a general improvement in agrarian conditions; for instead of using the farm oxen, one had to hire a small herd of mares—twelve is the number we hear of at the close of the Middle Ages. (We

[1] Pliny notes (XVIII, 262) that, again to save labour, hay was cut with a bigger scythe on the *latifundia* of Gaul than in Italy: the big scythe went quicker but did not cut so close. The modern French scythe is probably just this Gaulish scythe, better handled and with a finer edge.

must not however neglect the pressure of the lords, some of whom made the hiring of these mares an obligation, a *banalité*.) The way the corn was prepared for threshing deserves notice. When it had been cut low down, the ears were taken off subsequently and carried to the threshing floor. When it had been cut half way up the stalk, it was put in a heap to dry in the sun and then threshed out. This had the advantage of economising one operation, the taking of the ears from the straw.

More advanced processes included the simple threshing stone, easy to make but giving only poor results, the *tribulum* and the *plaustellum*.[1] These had probably been devised to improve the yield from simple treading out by cattle. But their use spread wherever a shortage of cattle made rather elaborate and expensive implements necessary and even profitable: *si pauca juga sunt adjicere tribulum et traham possis*, Columella says. The *tribulum*, as already noted, was made of a wooden board studded with points of flint or iron: it was dragged by two oxen, and to add to its efficacy the driver weighted it heavily or stood on it. In the *plaustellum*—Varro adds the adjective *poenicum*—the points were replaced by cutting wheels. Both implements, which have the advantage of breaking up the straw ready for the cattle to eat, are still in use, especially in Tunisia and Spain.

To clean the grain, mixed as it was with straw and fragments of straw, fans were used; or it was all thrown up with shovels when the wind was blowing, and the grain fell while the straw was carried away.

A few words must be added on tree and fruit growing, which is rightly regarded as the distinctive feature of even the most highly developed Mediterranean agriculture. The vine and the olive, especially the vine, which need careful attention, hold an important place in Roman agricultural literature. But these branches of Roman cultivation, on their technical side, are interesting mainly to the scientific agriculturalist. All one need say here is that such a high degree of technical maturity and adaptation to climatic conditions had been attained in Roman times that, in methods of planting and managing vines, during the Middle Ages and often even in our own day, classical tradition has generally been followed. In Spain there were already, as there are to-day, low vines—separated with no support but their own stock. Italy used many methods: in Etruria and the plain of the Po the vine grew up elms, maples, and other trees. Again just as to-day, fruit trees and vines were often planted in the fields where cereals were grown.[2]

Cattle-keeping, the main business of primitive times, had lost its importance with the development of corn-growing—and changed its character. Whereas in early days great and small cattle were kept mainly on natural pasture, the making of artificial meadows and the

[1] Cp. p. 95, above.

[2] Cp. p. 97, above.

growth of fodder crops had allowed stall-feeding to develop and helped improvement by breeding. Artificial meadows were not very productive unless irrigated; but dry meadows were not without value, especially if manured. In them the cattle fed winter and summer. But they also yielded some hay which was stored for the winter. However, in spite of the efforts made to add to them as much as possible, the dry climate limited their use, and it was necessary to use leaves from the woods and hedges or else fodder crops. In winter, and even after June when fresh grass ran short, the cattle were fed on leaves of elm, poplar, oak, fig and ash. Pigs of course ate acorns in the woods. But besides all this, as early as Cato's time the growth of fodder crops was strongly recommended. Those which the Romans used were vetch, lucerne,[1] fenugreek, chick-pea (*cicercula*), and *farrago*, which was a blend of barley, vetches and other leguminous plants, eaten green.

It is uncertain whether in Cato's time trans-humance was practised, that half-way house between nomadism and fixed cattle farming. The Mediterranean lands favour it because winter grazing grounds in the lowlands often lie close to ample mountain pastures. It is not expressly described before Varro; but then he deals with long-distance trans-humance. In the most uneven Mediterranean regions many village lands stretch from the mountain tops to the plain or the sea. Very probably in such places, where it was so easy, trans-humance had been practised from the most remote times. But long-distanced migration implies a strong central power to organise or enforce it. It was the development of *latifundia* under the later Republic and the Empire that favoured its extension. Medieval facts illuminate in a striking way the transformations in agriculture which a renewed predominance of cattle farming over arable farming entailed. In Southern Italy, the plain of Tavoliere was given up more and more in winter to migratory flocks of sheep. The system was encouraged and organised in the thirteenth century by Frederick II of Sicily. When passing the customs station at Foggia, the flocks paid a poll tax: the royal treasury thus got considerable sums without much trouble. The same thing occurred in the Papal States, where the profits went to the Pope, monasteries and great lay nobles. But the multiplying of migratory flocks ruined cultivation, not only because they devoured everything, but also because they made rough grazing lands almost useless for the settled cultivators, and so robbed them of any chance of raising the indispensable working cattle. Further, trans-humance employed few hands: it left great stretches of plain land half desert, and so helped greatly the transformation of low-lying grounds with bad natural drainage into malarious swamp—the Agro Romano, the Tuscan Maremma, part of Apulia. The drovers' ways

[1] Cp. p. 98, above.

themselves, often more than 100 yards wide and widened out further at intervals into 'riposi', still occupied some 37,000 acres in Southern Italy at the opening of the present century. In Spain the formation of vast estates after the wars of reconquest favoured similarly the development of trans-humance in Castille. Alfonso IX, at the end of the twelfth century, allowed the inhabitants of Segovia to graze their sheep all over Castille—except in vineyards, gardens and sown fields. Alfonso X authorised the cattle-masters of Murcia to seek for pasture in the Kingdom wherever they liked. In 1347 fresh privileges granted by Alfonso XI formed the first charter of the Mesta.[1] So in the thirteenth and fourteenth centuries one can follow out the progress of trans-humance and the heavy price paid for it in agricultural decadence. In Southern France the same periods witnessed the same transformation. Thus in 1242 Henry III granted to the monks of Saint Mary of Roncevaux free pasture for ten years throughout the dioceses of Bayonne and Dax. A document of 1368 tells us that thirty-seven flocks came down in winter from Roncal and Sarasaz in Navarre to the *landes* of Bordeaux.

But in contrast to the course of events in Castille and Southern Italy, where trans-humance continued its ravages right into the nineteenth century, the sedentary cultivators of Southern France resisted them, and in Provence rural communities joined battle successfully with the great proprietors of migratory flocks during the fourteenth century. The break up of vast domains even brought back a less extensive and less damaging type of cattle farming. In the mountains of Vercors in the Dauphiné the monks of Léoncel were in the habit of sending their flocks in winter into the plain of Valence where they owned extensive lands: it was a case of what is called 'inverse trans-humance', descent from the mountains to the plains. But towards the middle of the fourteenth century, the division of the abbey estates between the monks who stayed in the mountains and an abbot *in commendam*, established on the plain of Valence, forced the monks of Léoncel to keep their flocks in the folds during winter and to begin a more intensive management of them.

One should not leave Roman agriculture without noting that it had already prepared the way for a decisive type of progress which is only met with much later, towards the end of the Middle Ages, and then only in limited areas, the progress which rests on the supply of enough fertilisers to the soil and the parallel suppression of fallowing.

But first let us underline the organising, one might even say the rationalising, spirit of the Roman agricultural writers. They are not satisfied with proving the utility of this or that method, with insisting in a general way on the blessings of regularity and order. They want to

[1] Cp. p. 351, below.

figure things out: they are always thinking of cost prices and their improvement: *summa spectanda, ne sumptus fructum superet,* Varro says. Cato works out the personnel and the head of working cattle required for two typical estates. Varro resumes and completes the calculation and tells us how Saserna has got more use out of a plough and its teams. Columella is equally careful about agricultural costs. This frame of mind led to a perpetual search for higher yields and lower costs. Great proprietors, at least the most intelligent and active among them, applied the principles in daily life. The younger Pliny wanted to buy a neighbouring estate because he thought that by uniting the two he could economise appreciably in labour.

To return to fertilisers: *stercus quod plurimum prodest,* Varro asserts. Where there was stall-feeding as Cato describes it, the dung was carefully preserved. So was the dung of birds, especially pigeons, and was used—among other things—for the meadows. This special use of pigeon dung continued all through the Middle Ages and beyond the Mediterranean area. But the stable manure produced under these excellent conditions was inadequate. All sorts of supplementary devices were tried. Flocks were folded on the fields that were to be sown. Manure was made by scattering straw and stubble in the farmyards: the cattle trampled and fouled it, and so made a tolerable fertiliser. The practice became an established one; in the Middle Ages it was known in England; in all Southern France and in Spain village streets and the neighbourhood of farms were strewn with the unsavoury and unsightly litter until very recent times. When straw was not available, oak-leaves, bean-stalks and all kinds of plant refuse were used: right down to our own day the box clippings, collected in masses on the Mediterranean *garrigues* and buried in the soil green, have served as an excellent fertiliser.

From the earliest times the fertilising value of wood ashes had no doubt been known: cultivation of burnt-over forest land is everywhere a primitive practice. Shepherds fired the dry pasture in summer and found more grass after the first autumn rains. There were however more disadvantages than advantages in this practice: it did much to ruin the Mediterranean forest vegetation. Sometimes also the stubble was burnt, not collected after harvest. At the opening of the Middle Ages stubble burning was known to Isidore of Seville; and at the opening of modern times we have the evidence of Olivier de Serres: 'many people handle the stubble still better by burning it on the land: the fire prepares the soil to admit the coulter and rids it of an infinity of weeds, insects and harmful seeds.'

But Roman agriculture knew yet another substitute for farmyard manure, of first-rate importance for future agricultural progress—green manuring. Even Cato advises the burying of lupins, bean-stalks

and vetches. Such leguminous plants, which absorb nitrogen direct from the air, exhaust soil far less than those which must draw nitrogen from it; when buried they enrich it infallibly.

Thus under the most favourable conditions, the Romans, who gave so much attention to the maintenance of fertility in the soil by manuring, and had recognised the peculiar value of the leguminous plants, were able to dispense with fallowing and cultivate some of their lands, the *restibiles*, every year: *terra quae quotannis obsita est, vocatur restibilis* (Varro, I, 44). Columella advised the following rotation for them: cereal, vetches; cereal, *farrago*. The advantage of growing crops that have to be hoed had even been observed. Columella, speaking of turnips or rape before a white crop, observes: *subactum solum pluribus iterationibus aratri vel rastri largoque stercore satiatum postulant. Nam id plurimum refert non solum quod melius ea proveniunt, sed quod etiam post fructum eorum sic tractatum solum segetes opimas facit.*

The problem then arises; since the Romans had worked out exactly, by practical experience, a thoroughly satisfactory method of dispensing with fallow and adding considerably to the yield of agriculture, why did they not generalise it, why did it only manage to survive the political ruin of the Empire with the utmost difficulty, whilst other agricultural methods came triumphantly through the centuries of decadence? Firstly, it would seem, because even in the greatest days of Roman agriculture the suppression of fallowing was never more than a happy exception, except no doubt on particularly fertile soils. Campania, with its rich volcanic soil, could carry several crops a year, according to Strabo. Then, climatic conditions were an obstacle to the general use of this most intelligently worked out system; and as time went on geographical conditions became more and more unfavourable in the Mediterranean areas proper. In these areas, fallowing is at least as necessary for maintaining the humidity of the soil as for resting it. Fallow could only be abolished where there was enough rain. Further, in the Mediterranean climate a three-course rotation is not possible: spring sowing does not succeed. So you get no cereal crops, such as spring oats, specially useful for feeding cattle and horses. Unirrigated meadows and fodder crops give only poor returns. Cato and Columella, it has been noted, praised these crops but could not do without leaves as cattle food. Now the Mediterranean forests, which lacked resisting power and were not automatically reconstituted, were already in a very poor state under the Empire, in the oldest populated regions, and got rapidly and continuously worse until recent times. Since forests were indispensable auxiliaries for cattle farming, even if fallowing were suppressed, and since the forests gave less and less help as time went on, one can understand how the balance was so easily upset, even in regions

not too badly watered, and upset disastrously at the ordinary level of ancient and medieval agricultural technique. Not enough cattle, not enough manure. Not enough manure, no way of abolishing fallow or of raising heavy fodder crops. (Though these exhaust the soil less, they still have to get from it everything but the nitrogen.) With a shortage of fodder crops, no means of rearing enough beasts. There was no escape from the vicious circle. And where trans-humance was extensively adopted to increase the flocks of sheep, the disturbance of the balance between cattle rearing on the farm and arable cultivation was disastrous.

We see how it was that this very progressive system of a Mediterranean agriculture without fallow was destined to remain only a dim light during long medieval centuries. And where did the light dimly burn? Precisely where climatic conditions were most favourable, in North Italy. It was at Bologna and at the end of the thirteenth century that Pietro dei Crescenzi began a new propaganda for green manuring; it was at Venice in the sixteenth century that Torello in his *Ricordo d'agricoltura* systematically inculcated a rotation in which fodder crops should replace fallow.

II. *Agricultural systems in the temperate zone*

The great agricultural novelty of the Middle Ages in Western Europe was the three-course rotation, which developed either from the Mediterranean two-course or from systems of temporary cropping.

The two-course system had spread widely in Gaul and Britain, in the wake of the Roman legions, and perhaps even before their arrival. But in the poorer parts of these two countries, and in all Germany, much more primitive systems of temporary cropping—on forest land, moorland, and especially on open grassland over which the forest had not spread—were normal in the fifth century, and had not been altogether got rid of at the close of the Middle Ages. Forest land was sometimes regularly cleared, sometimes occupied for a time only, after the wood had been burnt to fertilise it. Clearing began on plains, in valleys, and on the great terraces of mountain slopes. But on steep slopes and in high places difficult of access, men were satisfied with the temporary cultivation of ground burnt over—as they still are in Corsica and in the forest of Ardenne. As a rule only one crop was taken off it, originally oats, only from the eighteenth century also rye.

This clearance by burning was still practised near Paris in the twelfth century, and was widespread in the Alps as late as the eighteenth. In 1447 the men of Diois in the Haut Dauphiné explained that they were

forced to adopt it instead of regularly clearing parts of the forest because, as they were very short of meadow land and so of cattle, they had not enough manure for an extension of permanent cultivation. But the method had been forbidden in the Oisans from about 1350. The Oisans was then very short of forest: people burnt cow dung and heated ovens with straw. The barbarous method of clearance by burning could only endure where the forests seemed inexhaustible. It involved no application of fertilisers; but it squandered precious natural wealth, and often turned forest land into increasingly unproductive moorland.

Temporary cultivation of grassland (*Feldgraswirtschaft*) also assumed a scanty population and plenty of space, but its effects were less destructive. It had also the advantage over clearance by burning that, as it was carried on by groups of some size, it gave experience of organised working in common, and so prepared the way for the three-course rotation. Part of the land was tilled for a year or a few years; then it lay fallow for many, and was used for grazing. There could be no arboriculture. But fertilisers were not required and the manure, which was not however very abundant because the beasts spent most of the year in the open, was heaped in winter about those subterranean dwellings in which the Germans took refuge from a rigorous climate.

At the close of the Middle Ages this system survived intact, in some isolated districts, no doubt where population was stable—such as Frisia and the Sarre. In a modified form and in association with other methods, it was much more widespread. In the district of Antraigues in the Vivarais, in the fifteenth century, many meadows were tilled every twenty years. In Scotland temporary cultivation in the outfield was linked with the continuous cultivation of the infield without any fallow. In the fifteenth century we hear of 'wüste velder, die man nennet auszvelder', in the Rhenish Palatinate.

How was the transition made to three-course husbandry with its winter corn, spring corn or other crop, and fallow? As it led to a considerable increase in the total yield of agriculture, the growth of population may often have been a determining factor. Besides, the three-course system has purely agricultural advantages of great value. Firstly, the risks of very bad harvests due to weather are greatly reduced, since they are spread over autumn and spring sown crops, with different conditions of growth and harvest. Secondly, agricultural work—ploughing, sowing, harvesting—is spread better over the year. In Mediterranean lands, harvest is over early in the summer and, with fine autumns, winter sowing can be drawn out late. In temperate humid climates, what with harvests which were never over and the more sudden arrival of the inclement season, autumn ploughing and sowing had to be more hurried.

The Romans had realised these advantages; but the impossibility of a systematic development of spring crops, because of the climate, prevented them from attaining a genuine three-course rotation. Columella, in determining the most complete use for a team of oxen, had even calculated the extra yield resulting from considerable spring sowings. Similar calculations no doubt played a part in the working out, and in the success, of the three-course husbandry. We find them in the English writers on agriculture of the thirteenth century, when they argue that a plough team that could work 160 acres on a two-course system would serve for 180 on the three-course. After subtracting eight weeks for holy days and other interruptions they took $\frac{7}{8}$ acre a day as a unit of cultivation, raising it to 1 acre for the second ploughing. They then demonstrated that in the forty-four weeks left, at six working days a week, a plough team could carry out just as well the three ploughings needed on 80 acres under crops (two-course husbandry on 160 acres) as the three ploughings of 60 acres needed for the winter sowing, and the one ploughing which preceded the sowing of 60 acres in the spring (three-course on 180 acres). Even with only two ploughings for the winter crop, the advantages of the three-course system, though less, would still have been quite clear. Thus the English writers, with their calculating and rationalising minds, proved themselves excellent successors to the Romans.

As for the disadvantage arising from the three-course rotation, that it reduced the stubble-grazing area and so the possibilities of rearing cattle, this was no doubt barely considered while there was still plenty of forest and common pasture. Another drawback also was only realised in course of time. The plots of any given owner were scattered about the various 'furlongs' into which the village fields were divided. At the outset, when each plot needed at least a day's work, the scattering was rather advantageous than not. A single tenant's holding all on one kind of soil would often require to be worked quickly, when the soil was in the right condition, and harvested quickly. Plots with different soils are ready for working at different times. But when sub-division of plots increased, by partition among heirs, and a plot needed less than half a day's work, more and more time was wasted in moving from plot to plot. The multiplication of plots also multiplied quarrels among neighbours. Cases often went to the courts about encroachments of a furrow or two. No doubt great abbeys and great proprietors endeavoured to rearrange their lands at an early date; but it was a rather awkward process to carry through. Among the small holders things were always getting worse.

It is possible that the use of the horse as a draught and farm animal may have contributed greatly to the use of a more and more strict

three-course system, at least in lands like France where men seldom ate oats. Unlike oxen, horses need plenty of grain—and that was usually supplied by the spring oats. It looks as though there were a connection on the one hand between districts of small holdings, the use of oxen, and the two-course system; and on the other between districts of average or large holdings, the use of horses, and the three-course.

With these general notions in mind, it becomes easier to picture the spread of the three-course system. Certainly the system cannot go much beyond the Carolingian era, in which, as all the evidence suggests, it began to be applied on the vast well-organised demesnes of the crown and the great abbeys of Northern Gaul. It spread gradually from these progressive centres; but even in them it did not necessarily attain all at once to its final regular form.

In the first place, we must not assume that even considerable spring sowings required it. As the English treatises show, you could have both spring and autumn sowings on a two-course basis: *de terris bipartitis debent ad carrucam octies viginti acrae computari, ut medietas pro warecto habeatur et medietas alia in hieme et quadragesima seminetur* (Fleta, II, 72).

Then there were transitional forms between the Mediterranean two-course and the strict three-course, in which fallow land, autumn-sown land, and spring-sown land are equal. We sometimes meet with the strict three-course already in northern Carolingian France; but often there is much more winter than spring corn: *arat perticas* VII *ad unamquamque sationem*: *arant ad hibernaticum perticas* IIII, *ad tramisum* II: *arant ad hibernaticum perticas* X, *ad tramisum* IIII; and so on.[1] We must assume that some of the land was worked with two courses, while on some the three had been adopted; or that fallowing was elastic and that some land lay idle for two years or more. No doubt both things happened at once as we see much later in Poitou. At Naintré, near Châtellerault, in the eighteenth century the two systems are found in the same commune. Wheat lands were worked on the rotation—wheat, spring barley, fallow; rye lands almost all on that of fallow, rye. And in the sixteenth century there was found sometimes in the Haut Poitou a fourth section of the fields, which included arable land left in temporary fallow to give it a longer rest than the normal year. We must never forget that all the fallows could not be manured; but you could balance the lack of manure by mixing up, as it were, three-course with temporary agriculture. So in 1225 the foundation charter of the village of Bonlieu, in Beauce, prescribes that the rotation shall be the usual one, but that a peasant, 'par pauvreté ou pour améliorer sa terre', may leave it fallow for several years. 'Par pauvreté'? He might, for instance, be short of draught animals.

[1] From Irminon's *Polyptyque*.

In Germany and in the thirteenth century, there are constant inequalities between autumn and spring crops. The explanations of this lack of strict regularity are always the same. Either meadows were ploughed up from time to time to refresh them; or, outside the regulated *Gewanne*, there were others, made perhaps by clearing, and not subject to the strict routine.

In England, the distribution of two-course and three-course cultivation, within the open-field region, makes it clear that the spread of the latter has nothing to do with racial influences, but that it was a form of agricultural progress not applicable with equal ease everywhere. In the thirteenth century the two-course seems still to have been the more common: it was dominant especially on the chalky and not very fertile uplands of the South-West, whereas the richer soils were already in great part under the three-course. Obviously three-course cultivation takes more out of the soil. We have a few accounts of a passage from one system to the other, from the end of the thirteenth and the beginning of the fourteenth century. But it was especially after the sixteenth century that progressive tendencies would become marked in two-course regions—to lead however not to a three-course but to a four-course system. In France, two-course cultivation survived in the South-East for climatic reasons; but also in the South-West, the Centre, and the West, for a variety of reasons, among which the poverty of the soil over wide areas was of fundamental importance.

There was a fresh and decisive stage to be reached after the adoption of the three courses: the suppression of the fallowing. But for that various conditions had to be fulfilled. First, technical conditions which would permit heavy manuring. Every holding had one corner which never rested—the garden. But there fertilisers of all sorts were applied to an extent which was impossible on the whole cultivated area. Roman writers had pointed to the ultimate solution—fodder crops; but that called for a finished technique and, as we shall see, cattle farming could still be carried on by more slovenly methods which kept down the supply of dung greatly. Second, juridical conditions: common rights of all sorts and especially 'common of shack,' *vaine pâture*, were a difficult obstacle. Third, economic conditions: a rapid extension of production required a parallel extension of effective demand. In the Middle Ages these conditions were fulfilled only in a few favoured and advanced countries, especially in North Italy and Flanders. In North Italy the persistence of Roman traditions and the presence of many highly civilised cities allowed agriculture to be as elaborate, as meticulous, as gardening. In Flanders, thanks to the climate and also to the fertility of the polders, cattle farming flourished and there was abundance of manure; and, as in Italy, there were the greedy markets of rich and

populous cities. Probably also the growth of population there helped to eliminate fallowing: it hastened the cultivation of old commons, woodlands and pastures—whereas in the Walloon country, where population was stable, the commons have survived to this day. The disappearance of wood and pasture limited the basis of cattle farming without destroying it, because the meadows were rich; and the loss of these extensive resources in cattle food promoted the use of the intensive, the fodder, crops. In Flanders, fallow was sometimes replaced by fodder crops or turnips by the end of the thirteenth century; and so the cattle farming rested on a new and increasingly firm basis.

But we must distinguish carefully the reasoned practice of Flanders from what elsewhere was a mere expedient—as in that Norman lease of 1275 where the lessee undertakes *terras eas laborare seu excolere et serere per sessonem ita quod in gascheriis pisa seu fabas facere poterimus si nobis viderimus expedire.* Any thorough suppression of fallow in similar conditions might be treated as an abuse and forbidden by agreement. Some of the North Swiss *Weistümer*, for example, impose definite restrictions on the cultivation of the fallows.

III. *Agricultural work and implements*

Throughout classical times and during the early centuries of the Middle Ages, the plough was always drawn by oxen. On light soils and on poor men's land cows and asses might be used. But the ox was the indispensable worker until there came an innovation, long discussed and often successfully opposed—the use of the horse.

Early in the ninth century, in Irminon's *Polyptyque*, the ox always draws ploughs and carts, the horse carries men and their baggage. The mention of a plough horse in the Salic Law—*si quis caballum qui carrucam trahit, furaverit*—is exceptional, and is to be explained by the abundance of horses among the Franks. In the second half of the eleventh century, when Jean de Garlande enumerates the parts of the plough, he mentions *juga in quibus boves trahunt.* But he also mentions *epiphia equina*, and explains, *epiphia dicuntur collaria equorum.* Probably the horse was already being used on the land in the Paris region. In subsequent centuries its use there became general, and in texts of the late fifteenth century the ox is rarely mentioned as a draught animal. About 1450 Gilles le Bouvier contrasts regions where horses are used, such as Champagne, the Duchy of Orleans and the region of Chartres, with those which still use oxen, like Anjou, Maine and Brittany. In High Normandy, at the same date, the horse was common. But the West, Centre and South of France, with some islands in the horse-zone like Alsace,

still employed oxen. In most of the ox countries, the two-course rotation, often combined with poor land, did not produce enough grain for the upkeep of many horses. In the regions least favoured of all, cows and asses had to be used. In 1428 the *doléances générales* show that in the Oisans (Dauphiné Alps) cows were employed. But even in ox country, the prestige of the horse already stood high. In Alsace and some Western regions were to be met at times odd teams in which several yoke of oxen were preceded by a horse or two. In Auvergne and the South East, the mule often took the place of the ox. It is worth noting, as a document of 1471 from the Bas Quercy shows, that in this as in other matters great landowners might encourage progress: an owner lets a *borde* to a metayer and provides him with *duas equas cum una polina pro laborando predictam bordam.*

In Southern Europe there is a distinction between Italy and Spain. Italy kept to the ox; and by the fifteenth century the buffalo had already been acclimatised in the country about Rome, where it was very useful on heavy land. But in Spain, probably as a result of French influence, the mule was already spreading—a fact of which agricultural writers of the seventeenth and eighteenth centuries complained. In Germany, the horse—introduced first of all on the great estates of the South and the Rhineland—had hardly come into general use until the very end of the Middle Ages. In Flanders it was used, but had not driven out the ox. In England oxen, often stoutly defended by agricultural writers, were employed as well as horses: their use depended on the district, and probably also on the size of the holding. There were eight-ox ploughs, and ploughs with four oxen and four horses, or even six oxen and four horses.

If North-East France was not actually the pioneer in replacing the ox by the horse, it had at least carried through the replacement most thoroughly. Why? The answer of agricultural writers is perfectly clear.

English writers of the thirteenth century discuss the question of costs just as they do in connection with the crop rotations. The horse eats more oats. It has to be shod, the ox has not. (Gilles le Bouvier was amazed to find oxen shod like horses in Lombardy.) So it costs three or four times as much to keep a horse as to keep an ox. Then the ox is more patient, and stronger; when he is old he can be sold for slaughter, while of the horse you can sell only the hide. They might have added that oxen are less liable to disease than horses and that the harness is cheaper. So they do not hesitate to prefer the ox, except on stony soils which hurt his feet. As for the argument that the horse moves faster, it fails to persuade them; for they are convinced that unscrupulous ploughmen will not let it do so: *La malice des charuers*, says the anony-

mous *Treatise of Rural Economy, ne souffre mie la charrue des chevaux aller hors de leur pas plus que la charrue des bœufs.* All these opinions persisted; they are found completely unchanged in Arthur Young.

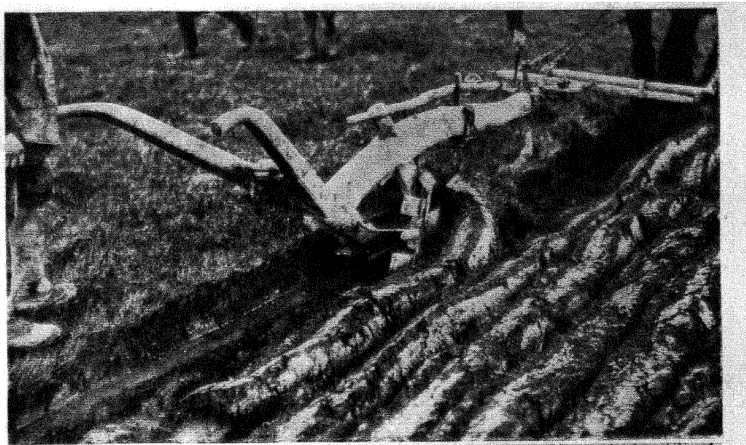
The French writers of the sixteenth century, on the other hand, attach most weight to the horse's greater speed. They reckon that a horse does in a day as much work as three or even four oxen. In moist temperate climates time is often an object. So farmers would rather incur *despense et hasard que de faire trainer en longueur tout leur labourage, auquel consiste toute l'espérance de leur négoce*—according to Olivier de Serres.

The reason why the horse only began to take the place of the ox, as a general thing, after the tenth century is clear. A horse could not profitably be harnessed to a plough until it had been given a modern collar. We know now[1] that in ancient times horses had collars of soft leather which came round their necks just where the trachean artery comes under the skin. This interfered with their breathing so that they could not do full work. No known representation of the stiff modern collar which rests on the shoulders, and so is effective and natural, is earlier than about the tenth century. It has been suggested recently, with great probability,[2] that the stiff collar came from North East Asia between the fifth and eighth centuries A.D.

There were improvements also in the harnessing of oxen. Though less important and not so clearly advantageous they nevertheless have economic interest; and they help us to trace certain currents of civilisation. In antiquity the yoke usually rested on the ox's withers and was kept in place by a strap under the neck. But Columella says that in some provinces the yoke was tied to the horns. He only mentions this practice to denounce it, as he says nearly all experts did. If we are to trust Olivier de Serres, so did most ox herds in the sixteenth century. But those who used their oxen both for ploughing and for drawing carts preferred the horn attachment: it held the cart back better on downhill gradients. A little earlier, the German Heresbach, although he shared Columella's opinion personally, was not able to claim for it such general support. This was because, in spite of the experts, the horn attachment had gained ground. A decree of the Count of Brienne of 1056 exempts an ox with broken horn from cartage duty. In the *Hortus deliciarum* of Herrad of Landsberg (1170), that is in Alsace, oxen are harnessed to a plough by the horns. Most later pictures it is true show the yoke on the withers, though a wooden frame often takes the place of the strap. But gradually horn-yoking came into favour, at least in France, and from there—at some time or other—it spread over nearly all Spain. In isolated backward parts of Spain to-day survivals

[1] Thanks to the researches of Commandant Lefebvre des Noëttes.

[2] By M. A. Haudricourt.



PLATE

i. Late medieval wheelless plough with coulter and mould-board.

ii. Modern English wheelless ('swing') plough.

iii. Romano-British *aratrum*.

iv. Twelfth-century wheeled plough, also with coulter and mould-board.

of withers-yoking show that horn-yoking has superseded the older practice. Italy on the other hand has adhered to the withers yoke. We ought to note also that in a sculpture at Chartres an ox is shown with a stiff horse-collar. In a Norman lease of 1447 six collars are referred to 'c'est assavoir 4 pour bœufs et 2 pour chevaux'. But this method of harnessing had no great future; since one reason for using oxen was that a yoke was far cheaper than two collars.

For both agricultural and commercial transport—because there were no roads or only bad ones—the backs of men and animals were utilised. Farm inventories regularly include hand-barrows. Towards the thirteenth century the wheelbarrow—called *chivière roulleresse* in 1445 in High Normandy—was introduced, and was very useful in flat countries. For heavy transport, when the state of the roads permitted it, there were various two- and four-wheeled vehicles. In discussing transport on the bad medieval roads, writers are apt to overlook the invaluable sledge. In Old Breughel's well-known 'Haymaking' there are baskets of mixed vegetables on a sledge. So late as the early nineteenth century in French Flanders, farmers used this primitive vehicle in times of thaw or very heavy rain. In parts of Wales at the same date, it was common; and in steep stony places in South Eastern France it is in use still.

As the flocks and herds fed mostly in the open—in woods, in meadows, pastures and fallows—their droppings were lost, or only fertilised the fields slightly, unless the beasts were folded on them. Town manure was not easily transported: in 1447–8 the manure from the stables of the Archbishop of Rouen was thrown into the Seine. So there was less manure available for agriculture than the increased head of cattle could have provided.

Great proprietors might buy manure or take it as a due; as in England they did by the *jus faldae*. So far as they did either, the small man's land suffered still more.

As all fallow land could not be manured, leases often prescribed which fields should have the preference, and forbade the sale of stubble, straw or hay. The English writers were specially interested in fertilisers. They explain in detail how manure should be prepared on the farm and how used on different sorts of land. They advise the collecting of no more stubble than is needed to repair thatch, and the ploughing in of the rest.

But the great innovation in the temperate regions after Roman times was marling. Pliny says that Gauls and Britons discovered it; in Britain, he says, they sank pits which might be 100 feet deep to get 'a kind of chalk'. Seeing how old this practice was one might expect it to have spread gradually over all Western Europe. Nothing of the

kind; and that because as Fitzherbert says in his *Surveyenge*, in the sixteenth century—'marle mendeth all manner of grounde, but it is costly'. Either because marling had never been general in Gaul, or because it had gone out of use in many places during early medieval times, the *Edictum Pistense* of 864 had to force reluctant *coloni* to cart marl. At the close of the sixteenth century de Serres says that marling was very well known in the Ile de France, Beauce, Picardy, Normandy and Brittany. In the fourteenth century it is often mentioned in leases of the abbeys of Mareuil and St Vaast in Artois. In Normandy agreements were frequently made about it: you marled every fifteen or eighteen years. It is noticeable that all these provinces except Brittany had a progressive agriculture. Equally significant is the silence of sixteenth-century documents from Poitou. Yet Pliny mentions that the Pictones, with the Aedui, had made their land very fertile with the help of lime. In the Montmorillonais the arable soil often lies directly above a bed of marl, and then yields abundantly. So the method might have been re-invented—but it had not.

As to paring and burning—was that already widespread in the Middle Ages? We cannot be sure. The process is to cut off the top layer with its vegetation; dry the turves; heap them into smothered fires; burn them, and spread the burnt earth and ash. To-day the process is considered barbarous, because it gradually destroys the humus and impoverishes the soil. But for a time it gives fine yields—hence its former success in Brittany, in the Massif Central and in the Causses, in Provence, in Languedoc and in Northern Spain. In seventeenth-century England it was called 'Devonshiring'; so it may well have been a medieval practice, in the South West at least. When Isidore of Seville distinguishes between *incensio stipularum* and *cinis*, with the explanation: *cinis est incendium per quod ager inutilem humorem exundat*, he may refer to paring and burning, which in that case must have been known in Spain in the sixth century. But for France, Bernard Palissy, in the sixteenth, speaks of it as an unusual process employed as a rule every sixteen years, to fertilise the soil, by farmers in the Ardennes. A little later de Serres, who praises it, says it has come *des bois essartés et brûlés sur les lieux*, a statement which fits that of Palissy and might suggest a rather recent origin. Not so very long ago *essartage* in the Ardennes was carried on in two ways—either by burning branches and dried vegetation freely on the soil, or by smothered fires, that is exactly as in the paring and burning process.

The Arabs are credited with a great development of irrigation in Southern Europe. We have to inquire what they brought on the technical side. The Romans used irrigation canals and ditches especially

for meadows. They knew also how to construct various 'engines' for raising water—the beam water-lifter always known by its Arab name *shadouf*; the Archimedean screw; the pump of Ctesibius; the lifting wheel with a hollow rim, worked either by hand or by water; the lifting wheel with a string of pots round it, which was apparently always worked by hand. All were used mainly in gardens, and the simple *shadouf* was the one that spread farthest. Spanish gardeners used it in the sixth century and gave it the nickname of *ciconia*, a word which has passed into the Romance languages. We do not know when it reached Belgium, where Old Breughel so often drew it, or Germany where it had certainly arrived before the beginning of the fourteenth century, when it is shown in the Dresden MS. of the *Sachsenspiegel*. There were big lifting wheels at Toledo in Mohammedan times. Do those of Languedoc and the Comtat Venaissin go back to so early a date? Again, we are not sure.

It is the spread of the *noria* apparently which was due in particular to the Arabs.[1] We do not know whether the Romans had geared their wheel with its string of pots so that an animal could be harnessed to it. At any rate, although the Arabs may have spread this improvement, they did not invent it: in the West they sometimes used for it the Persian word *doulab*, sometimes a word which means sprinkler, *saniya*. The word *noria* is derived, through Spanish, from the Arab *naôra* which was applied in Morocco to lifting wheels driven by water. The *noria* spread much more slowly than the *shadouf*, which suggests a later appearance. About Albi it appeared beside the *shadouf* only after 1830.

The principal debt of the West to the Arabs was the great extension that they gave to irrigation by more or less complicated systems of branch canals, with perhaps a perfection of the collective control of the distribution of the water. They introduced those tropical crops which require regular irrigation over wide areas—cotton, sugar-cane, above all rice. Rice was known to the Romans, but as an imported article. The Arabs spread its cultivation in Spain and Sicily. Its importance in Sicily is revealed in the report of the Arab Governor Al Mulei on the export of foodstuffs in 1253. The cultivation of rice only got to North Italy in the fifteenth century: we hear of it on the Pisan plain in 1468 and in Lombardy in 1475. Lastly, there was the orange. The bitter orange appears to have been grown in Sicily from the year 1002; but the sweet orange was apparently not introduced into Spain and Italy before the fourteenth century.

The example set by the Arabs was followed after they had been driven out. In the thirteenth century, for example, the villages of Fustiñana and Cabanillas in the Ebro valley dammed the river and

[1] Cp. p. 353 below.

made a small irrigation canal from it. Spanish *huertas* served as models for small irrigated areas in the French South: on the lower Durance the oldest canals—used both for irrigation and to work mills—appear to date from the twelfth to thirteenth centuries. In Italy the first important irrigation works began in Lombardy in the twelfth century; in Emilia later. At the beginning of the fourteenth century, the irrigated meadows of the Milanese, the famous *marcite*, were already most productive. Further North, pastures were improved by irrigation. Not much imagination or technical skill is needed to draw little water channels from a stream crossing a pasture; and this kind of irrigation is found as far North as Germany. But the most ambitious irrigation schemes, in which streams were tapped at considerable distances, are found from the fourteenth century in the mountains of the High Dauphiné—at the outermost edge of Arab influence, as it were. Neighbouring communities agreed to allow canals to cross one another's territories. That of St Laurent du Cros, in the Champsaur, was obliged to rent the alp of Bayard from that of Gap. In 1442 it was authorised to dig a *béal* to tap the river Drac far upstream, because the land to be irrigated was above the valley bottom.

Many small peasants had not enough land for a plough. In Western France they sometimes formed groups to keep a common plough. But more often they were forced to cultivate by hand: we often hear of the 'hand husbandman' in France. We must also keep in mind the many rather inaccessible or very steep fields—often abandoned in modern times—and that conservatism which on hilly and stony ground thought that the plough was out of place. In the Vivarais the men of Pourchères complained in 1464 that, in their stony land cut up by ravines, any harvest meant much toil with hoe and spade. In the Oisans (Dauphiné Alps) nearly all cultivation was with mattock and hoe; the village of St Christophe explained in 1428 and 1458 that the *araire* could not be used on its steep stony fields—but it is used there to-day.

In Southern regions hoes were used almost exclusively. For a long time their heads were square or triangular; though the Romans had known, and extensively used, the hoe with a two-pronged head. Further North, the square or triangular headed hoe was much used in vineyards. It is suitable for stony soils, a fact which explains its geographical distribution. Pronged hoes were still rather rare at the close of the Middle Ages, though we hear of a *houe fourchée* in 1460 in Normandy. There are Mediterranean regions where they were still not in use at the opening of the nineteenth century.

In compact, homogeneous soils the spade gives better results than the hoe. It had the further great advantage that it could be more

cheaply made, either all of wood, or of wood edged with iron—the *pala ferrata, pelle ferrée.*

As with the hoe, the pronged spade, or fork, is an improvement on the ordinary spade. A three-pronged fork is shown in the Dresden MS of the *Sachsenspiegel.* Its use is connected with metallurgical progress and a greater production of iron. By the close of the Middle Ages it was widely used in Germany and Belgium. A partial replacement of wood by iron, for straw and dung forks, is found at about the same date: such things are recorded in High Normandy in the fifteenth century.

In connection with the plough, there are two great problems—the origin and adoption of the wheeled plough; the origin and adoption of the mould-board. We must be careful not to assume that either spread rapidly or uniformly over Western temperate Europe. Our sole authority for the place of origin of the wheeled plough is a famous and corrupt passage in Pliny; from which we may locate it in the country south of the upper Danube.[1] Pliny's Gallia apparently means Cisalpine Gaul. Several facts support this view: Vergil, a native of Cisalpine Gaul, knew of such a plough which he calls *currus*; the word *ploum* itself (an emendation, it is true, and not Indo-European) related to *Pflug* and plough; and the fact that terms for the plough are still used in North Italy derived from the word *plovum*, the spread of which has been attributed to the Lombards.

But in the first century of the Christian era was the wheeled plough much known outside Rhaetia and Cisalpine Gaul? Assuredly its use spread very slowly. From Britain, through all Gaul, to the right bank of the Rhine there was a great extension of corn growing in Roman times. But all over this region it was the Mediterranean *araire* which came in first, and long survived. The wheeled plough can only have been introduced directly, on land not previously worked by the *araire*, in non-romanised parts of Germany, where cereal growing played only a limited part in systems of temporary agriculture. It may even have been specially appreciated there because of the frequent shiftings of settlement and the need of a heavy plough to clear long neglected land. For what are its advantages over the *araire*? First, you can put more pressure on the share because the wheels give a *point d'appui*; and second, there is no drawback—in fact, the reverse—to making the share heavier and bigger and so more powerful, whilst the *araire* that has to be moved about on a beast's back or in a cart must be kept light.

Assuming that the wheeled plough was spread from non-romanised Germany, although perhaps not invented there, when may it have been

[1] The argument is based on G. Baist's emendation of Pliny, *H. N.* XVIII, 172, which makes it run: *non pridem inventum in Gallia duas addere rotulas, quod genus vocant ploum Raeti.* And cp. p. 18 and p. 103 above.

adopted in North-Eastern France? Relying on linguistic evidence, Frings postpones the adoption until after the break-up of the Empire, and credits it to the Franks. In fact the word *Karch*, from *carruca*, with the meaning vehicle, survives in what was in Roman times a frontier zone, from the middle Rhine and the Main to Suabia and the upper Rhine. The change of meaning from 'vehicle' to 'plough' for the word *carruca* did not therefore take place while Latin was still spoken in that frontier zone, in which German subsequently replaced Latin and in which the Frankish word *ploeg* came in with the wheeled implement. In North Gaul, the German word not having been adopted, the Gallo-Romans made use of the old word *carruca*, because of its meaning. This is Frings' argument.

In England the existence of wheeled ploughs during the Roman era has been inferred from the discovery of Roman coulters; but the coulter, which was a Roman invention, had been applied first to the *araire*.[1]

However this may be, the wheeled plough came only slowly into Northern France and England. In the second half of the eleventh century, Jean de Garlande's Parisian dictionary mentions no wheels as parts of the plough. In England, as in Northern France, the *araire* is pictured in MSS. up to the thirteenth and fourteenth centuries; and until the end of the fifteenth in Flanders (Hours of Turin). In the Walloon country the existence to-day of a considerable area in which the plough is called *errère* (*errère à pe* = *araire*; *errère à rolette* = *charrue*) witnesses the long survival of the antique *araire* in this conservative region. The old Scots plough, so 'beyond description bad' that an expert of 1793 refused to describe it, never had wheels at all. It was no light *araire* however, but a heavy thing drawn by long teams of oxen. And the heavy wheelless 'swing' plough is still used on English clays.

Why did the *araire*, at first sight so inferior, survive at all? Partly for reasons of expense. Small holdings had to retain it when larger ones could afford a *charrue*. 'The plowes that goo with wheles', Fitzherbert wrote in the sixteenth century, 'me semeth they be far more costly than the other plowes.' He was not very warmly in favour of them, and in fact they were not superior for all purposes. Early in the nineteenth century, in a part of Buckinghamshire, two ploughs were in concurrent use—one of wood and without wheels, the other more modern, of iron, with wheels. In winter and early spring the soil was too soft for wheels, and the first was used. In other regions also the *araire* was long retained for light tasks. In Artois a sort of *araire* with

[1] For a discussion of the coulters found in England see Lennard, R. V., in the *Dopsch Festschrift* (1938), p. 70. Lennard proves conclusively that 'a large coulter does not necessarily imply a wheeled plough'.

a long-drawn-out share, and neither coulter nor wheels, was used to clean and lighten the soil.

The mould-board certainly came much later than the wheels. On the Bayeux tapestry it is very uncertain. It is recognisable on the Dresden MS. of the *Sachsenspiegel*. We can prove its existence in Northern France towards the middle of the fifteenth century; in England in the fourteenth or fifteenth century. Perhaps it was invented in Flanders. At this period it was merely a flat wooden plank, serviceable only on strong stoneless land such as the Flemish clay. Flanders had become an active centre of agricultural improvement: we find there at the end of the thirteenth century a wooden support for the reins, on the fore-carriage of the plough, which spread to North France and the Middle Rhine. But, no doubt because of its imperfect development, the mould-board was only in partial use at the close of the Middle Ages. In one and the same German MS. of about 1480[1] can be seen a plough with 'ears' and one with a mould-board. A few years later Heresbach is found explaining when a mould-board is used: *ubi humus solidior, ala ad dextram vomeris partem additur quae cespites proscissos versat: haec ala est amovibilis, ut reverso aratro in alteram partem transferri possit, si libeat.*

Technical improvements in the plough made its work more efficient. There was also improvement due to more frequent working of the soil. This came in two stages; the first when, between the eleventh and the thirteenth century, three workings for winter grain superseded two; the second in the fifteenth century, when the winter grain sometimes got four and the spring grain two, and when there was also a tendency to begin work earlier. In this as in other matters, it is certain that there was no automatic spread of the improvements on the best managed land to land in general; not even a slow one. Big enterprises had plenty of teams and plenty of labour. Better organisation would produce these results. On small holdings, where land was perhaps not very fertile, two workings remained the usual thing, whilst the great ones, or small ones on very good land, were given their three and then four.

Gregory of Tours, praising the fertility of the plain of Dijon, notes that it needed only a single working: *arvis semel scissis vomere, semina jaciantur et magna fructuum opulentia subsequatur.* Perhaps this was land lately cleared. But we must suppose that elsewhere poor peasants could often only work their land once, to the detriment of the yield.

In the ninth century and subsequently the first ploughing of the year was for the spring sowing. It was usually in March; according to Vandelbert, a monk of Prüm in the Eiffel of the ninth century, it might be in February for barley; but on the Prüm demesnes it might also go

[1] The *Mittelalterliches Handbuch* of Prince Waldburg-Wolfegg.

on into April. Then in May the fallow got its first working. In Eastern France and Western Germany this was regularly left till June, perhaps for climatic reasons, perhaps to leave the fallow longer for grazing. The second working seems to have come only just before the autumn sowing. From Lorsch, in the diocese of Worms, we have very precise dates: *arare debet in mense junio atque iterum in nativitate S. Marie* [8 Sept.] *ut sit seminatum in missa S. Remigii* [1 Oct.]. But for the end of sowing there is a great range of dates, due it may be to differences of climates, soils and crops. St Martin's [11 Nov.] is given for the Abbey of St Vincent at Metz, no doubt as a *terminus ad quem*. Some French sources refer to a third working; but this may as well be a harrowing as a regular ploughing to cover the seed according to the old Mediterranean technique.

Indications of a third working before the autumn sowing seem to appear early, but only sporadically, from the end of the Carolingian era in Western Germany, where, as in later centuries, there was sometimes a double autumn working: *mansionarius arat nobis 1 die in vere, in Junio, in autumno 2 dies*. But it is possible that this should be interpreted only as the ploughing to cover the seed.

It is the English writers of the thirteenth century who set out the three workings as a doctrine, and one must suppose that their teaching, no doubt based on a previous wide practice, was followed more and more on large demesnes. In them the extra ploughing is not a doubled autumn one, but a spring one, for choice in April and so before the traditional first 'labour'. They advise that it should not be too deep. The second (*binalia*) is put off to St John's day; nor should it be too deep, but it has the merit of killing thistles and other weeds. The third (*tercialia*) is the old second; it should be two fingers deeper than the second and the furrows should be close together, to secure a more regular distribution of the seed.

As to a fourth 'labour', Norman leases of the fifteenth century often mention the obligation to sow wheat on four *areures* and oats on two. This obligation usually applies, however, only to part of the sown area: it requires an extra effort that was not possible for the whole with the available teams and labour. In 1362 at Sainte Geneviève-en-la-Forêt-de-Blais (arrondissement des Andelys) we have still the two or three 'labours'. But already in 1401 at Braquetuit (arrondissement de Dieppe) we have four *areures* for wheat and two or one for oats. In 1407 at Villiers-en-Vexin half the wheat area has its four *areures*, the other half three.

This multiplication of workings in High Normandy was ahead of the general practice of the time. In the sixteenth century, in his *Maison rustique*, Estienne only advises three for autumn-sown crops, though he

adds 'il faut tant de fois labourer et relabourer que la terre soit toute en poudre, s'il est possible'. The first he puts early in the winter, *aussitôt que le fumier est épandu, pour assouplir la terre* (for manure spreading he advises St Martin's); the second about mid June, on heavy damp soils, but about mid September if they are poor and dry; the third shortly after. Sowing comes in mid October. It is significant that the first 'labour' is pushed earlier than ever, following the tendency already apparent in the thirteenth-century English writers, and in opposition to the traditional servitude of 'common of shack'—*vaine pâture*. It is still more significant that Estienne advises the sowing of spring oats and barley after two 'labours'.

With de Serres comes the final statement of the doctrine of early 'labours': the first as soon as possible after harvest, to clean the land of weeds as early as may be and open it to winter frost and rain; the second before Christmas; the third towards March. In spring and summer the soil must be turned up as often as is necessary to keep it clean, except in July and August, when it should only be worked after rain. These repeated workings, it must always be remembered, have also the object of making good their lack of depth: *es provinces où l'on met 4, 5, ou 6 bêtes à la charrue à roues, faisant de profondes raies en labourant, semblables à de petites fosses, on se contente de donner aux terres 2 ou 3 œuvres avant l'ensemencement.*

The seed was covered by either a plough or a harrow. We have seen that the Romans knew the modern harrow, but that they made limited use of it, mainly to tear out and remove weeds. Ibn al Awam of Seville, who wrote a very complete *Book of Agriculture* in the twelfth century, speaks of the harrow on the authority of a certain Cassius, who knew only this very use for it, with that of levelling ploughed land. It is clear too that it was then unknown in Mohammedan Spain, because this Arab writer takes trouble to give a most exact account of how it is made.

The modern harrow then was only used fully and widely in West temperate Europe and after the beginning of the Middle Ages. Nor did its use spread very rapidly even then. Many poor peasants who could not get this rather costly implement went on dragging thorn faggots over their fields and, if necessary, breaking the clods with wooden mallets. Olivier de Serres, who thought highly of it because it covers the seed far faster than a plough, regrets that in many places prejudice is an obstacle to its use, though he allows that it does not suit stony ground such as is often found in the Mediterranean region. But it began to spread from the early Middle Ages. The harrow for breaking which the Alemannic laws imposed a fine as high as that for breaking the fore-carriage of a plough must have been a modern type. And it appears both on the Bayeux tapestry and in many later illustrated MSS.

Developed from a wooden frame into which thorn branches were woven, it was originally square. The triangular kind was certainly an improvement, because it was more handy. It is referred to already in a terrier of Cambrai cathedral of 1275; but elsewhere it is hardly found before the sixteenth century. The Grimani breviary, early in that century, shows a square one still in use in Flanders. The trapezoid seems to be a transitional shape, which appears at least from the fifteenth century. Finally, and it is a curious fact, the Middle Ages were acquainted with a rolling harrow, an ancestor of the modern Norwegian type. Both Ibn al Awam and de Serres describe it and both compare its cylinder to a weaver's beam, as if they were quoting a common source. In Ibn al Awam it is a cylinder of oak with teeth, used to break clods and level difficult ground. In de Serres it is made of two cylinders or rollers covered with strong iron spikes, *lesquelles par le mouvement des rouleaux montent sur les mottes et les brisent entièrement.*

Usually the harrow was drawn by a horse, sometimes by two, even where the ox was the normal draught animal. As a harrow must move rather quickly, if its work of breaking the clods is to be done with effect, the horse was more appropriate to it. It would seem that this connection between horse traction and effective working contributed to the success of the harrow in temperate regions. (Ibn al Awam's harrow was drawn by two oxen, in the old Mediterranean way.) On the other hand the harrow probably encouraged the use of the horse on the land, in districts which previously had used the ox.

In modern agriculture the roller completes the clod-breaking and levelling work of the harrow. The Romans had only advised its use for levelling the threshing floor. It does not seem to have been widespread in the Middle Ages. No example of a roller drawn by animals has been found in medieval Normandy, only a hand roller with a long handle like that shown in the Luttrell Psalter. But already towards the middle of the sixteenth century it was recommended in France by Estienne—*pour esmotter ce qui surmonte*—and a little later in Germany by Heresbach. We do not know where it was first used as a complement to the harrow. But as a Picard dialect word for it—*ploutroir*—is found about the year 1550, it must have been fairly well established by that time. At the end of his section on harrowing, Fitzherbert adds (in 1534) that farmers 'about Ryppon..use to role theyr barley grounde after a showre of rayne, to make the grounde even to mowe'.

The weeding of corn crops so prominent in Roman agriculture, was a regular practice in England, Artois, Normandy, the Rhineland and no doubt many other places: thistles were the chief enemy. The work seems to have been done more thoroughly and ingeniously in England than elsewhere. English illustrated calendars of the twelfth and thirteenth

centuries insert it under July, with a scene not found in other countries. The weeder has in one hand a long wooden fork which holds the thistles in place while, with the other hand, he cuts them with a little sickle on a long handle. Agricultural writers of this period forbid weeding before St John's day; for if you cut thistles too early each root throws up three or four. Yet fourteenth-century English calendars put the scene back to June. Why? Perhaps two successive weedings had been introduced, as the Romans had advised, and as Estienne was to advise later.

In harvesting, the Middle Ages, as compared with classical times, were marked, first of all, by the disappearance of the harvesting comb and the machine based on it. *Faucille, Sichel*, sickle all come from the Latin. Did Gaul and Britain get the name with the thing, or did the Latin names spread with an improved sickle? Certainly sickles had been known before the conquest; but their use can only have been generalised with the agricultural progress that Roman domination brought.

The ordinary medieval sickle was toothed. Descriptions and pictures show that the stalk was usually cut halfway up. The lower straw was either eaten off by cattle; taken away for thatch, for litter and for stall feeding; or used to heat ovens in districts short of wood, like Beauce and the South of Brie. Sometimes it was ploughed in. But as the Middle Ages wore on new methods began to appear—either the long scythe, previously used only for hay, was used for corn; or new implements were devised, the short scythe (*sape*) and perhaps the great sickle (*volant*). The long scythe was first used on the long stubble. But natural as its use for the harvest seems to us, the transition to it from the sickle had serious difficulties to surmount all the way from the Middle Ages to the nineteenth century. First, there was a juridical one; where stubble was common property, the scythe which reduced its length was forbidden. Then, even in level countries, it was not always easy to adapt the scythe to its new use and to acquire new working motions. So at first the scythe was only used for harvest within limits and in progressive countries where labour costs had to be considered. It was no doubt used first for oats—the easiest corn to cut—then for barley, last of all for wheat. At the end of the fifteenth century oats were sometimes scythed near Paris; but apparently the scythe was used earlier for oats, barley, and even wheat in Normandy and England. Did they use an ordinary or an 'armed' scythe? In Flanders, about 1500, there was a scythe in use with a small half circle fixed close to the blade, which helped in the cutting of cereals. It is to be seen in Old Breughel's 'Harvest' and in the Grimani Breviary.

The short scythe (*sape*), called in old days a *pique*, is used particularly in Flanders and adjacent districts. It is held to do the work quicker

than the sickle and even than the long scythe. It appears towards the end of the Middle Ages in what has remained its home country. The Turin Hours (1450—1500) show a harvester using a sort of short-handled scythe but without the hook which is normally used with it. But short scythe and hook, in their modern forms, are clearly seen in the Da Costa Hours and the Grimani Breviary soon after 1500. Possibly the *sape* had an earlier origin in Artois, where it remained a characteristic implement in Arthur Young's time,[1] and where in the first half of the fourteenth century *blé soiet* (cut with the toothed sickle) is distinguished from *blé piquiet* (? cut with a *pique*).

We know from Heresbach that in the sixteenth century scythe and *sape* were both used in Western Germany, as a result probably of influence from progressive Flanders. His exact descriptions of implements and of the conditions under which each was used are most valuable. The toothed sickle was used *in Juliacensibus, ubi laetioribus campis frumenta densius et in majorem proceritatem excrescunt.* Evidently the sickle remained the implement best understood. The *sape* was appropriate for wheat and rye: his account of its use is almost word for word the same as Arthur Young's. His long scythe, used for light crops, was even better 'armed' than the Flemish implement: *alii falce majuscula verriculata, longo manubrio, et ligneis quasi cratibus denticulatis affixis, utraque manu segetem abradunt.*

Finally it is possible that the *volant*, that great sickle with a smooth edge, was known to medieval France. It has even been assigned a Gaulish origin. It does better work than the toothed sickle. But as it completed its conquest of Southern and Western France only in the nineteenth century, a very ancient origin and use are unlikely. Perhaps it may be identified in the fifteenth century, in the *très riches* Hours of the Duc de Berry, where a big sickle appears to be used with a swinging stroke. In any case, when trying to solve the problem, it must be borne in mind that in the fifteenth century the normal meaning of *volant* was a bill with a wooden handle. This was also called a *goiart*. It was used, as it is to-day, for tasks like hedging; but also for cutting grass. According to Estienne and de Serres similar implements were employed to remove the stubble after harvest.

In threshing also the Middle Ages were inventive. Here the novelty was the flail. What is believed to be the oldest reference to it is in St Jerome (Com. in Isaiam): *virga excutiuntur et baculo quae vulgo flagella*

[1] Young's account (*Travels*, 1794 ed. II, 131) is worth quoting for English readers: 'the short handle of the pique is made to rest against the elbow; he holds it with the right hand only, or rather hand and arm; and in his left he has a stick, with a hook at the end of it, with which he draws or holds the corn in the right position to receive the stroke'.

dicuntur. The flail then, an improvement on the beating stick, would date from the fourth century at latest.[1] Probably it was devised in Gaul; for both *Flegel* and 'flail' come from *flagellum*.

It soon replaced the beating stick in all Western temperate Europe: it appears regularly in medieval calendars. It was cheap and easily made at home. But it did not win its way everywhere: fairly compact islands where the beating stick was used survived recently, especially on the skirts of Mediterranean France. It is unlikely that in the temperate regions the flail had been generally preceded by treading out the corn with cattle. The climate is too uncertain for that; and to do it under cover requires great buildings such as only rich men can afford. Probably it was only introduced, as it only survived, here and there. In a contract of the Carthusians of Bonvante of 1370 there is a reference to the season *quo blada dictorum religiosorum flagellabuntur cum equabus suis*. True, Bonvante is not far from the Mediterranean zone; but the word *flagellare* suggests that the flail was in ordinary use there also. Yet we hear of treading out corn by horses in barns so far north, and so late, as Norfolk and the eighteenth century, where it was associated with another custom familiar in Mediterranean lands—the separation of the grain from the straw by throwing it with a shovel from side to side of the threshing floor.

If threshing was done with the flail, when was it done and where? The two questions are linked. If one threshed in the open, the work had to be finished early in the autumn at the latest. If one threshed under cover, the work could be spread over the slack season when nothing was being done on the land. But threshing under cover called for spacious barns which small men could seldom possess. In fact, according to the calendars of the fourteenth and fifteenth centuries, threshing was very often done in August; but unfortunately we cannot always tell whether or not it was done in the open. It is the more remarkable that an eleventh-century English calendar shows two men threshing with the flail in December, while others winnow. The English writers of the thirteenth century mention threshing in barns; and indeed, according to Strabo, this practice was established in England long before the Middle Ages. For France, Germany and Belgium there is evidence, but mainly from the end of the Middle Ages, that threshing in barns went on far into the winter. Probably the practice became more and more general, except in the South and West of France. Estienne, in the sixteenth century, recommends threshing three months after harvest at the earliest; for even when the corn is harvested ripe it improves, so he says, in the barn.

[1] Cp. p. 95 above.

To complete this survey of agricultural work, something must be said of fencing. Cornfields, meadows and vineyards had to be protected against men and beasts—domesticated animals grazing on the fallows and wild animals that swarmed in the woods and were reserved for the lord's hunting. Fencing was by ditch, wooden fence or quickset hedge.

The last raises the problem of enclosure, which can only be touched on here incidentally; for it extends far beyond the field of agricultural technique. Cato already advised the planting of elms or poplars on the outskirts of the fields: they would furnish wood and also leaves to feed the flocks. But the practice was debatable. Varro had his doubts about it, though he allowed that the Sabines employed it and that it hindered quarrels between neighbours, by defining the bounds of properties. But he feared the harm which live hedges might do to the crops: they were only useful beyond question when on the north side of a field. This little controversy, unsettled from Cato to Varro, provides the essential technical arguments for and against enclosure, and helps us to understand the conflicting decisions which—after many hesitations we may suppose—would contribute so much to diversify the rural scenery of Western Europe.

Besides hedges of trees, Varro mentions various sorts of fencing, all of which the Middle Ages would use, their choice being determined much more by the destined use of the enclosed land than by regional custom—thorn hedges, wooden fences, ditches and banks, stone walls. The Franks and other barbarians protected crops, sometimes by ditches, sometimes by fences which—according to the Bavarian law—had to be as high as the breast of a middle-sized man. Carolingian practice was much the same: the *Polyptyque* of Irminon distinguishes *tuninus* fencing—the palisades of stakes and poles, or the heavy trellises, with which courts and farmyards were surrounded; fences (*sepes*) made of posts with three horizontal bars and used for corn and meadows; and fences of split logs (*paxilli fissi*) round vines and also corn. The pictures in later MSS. very often show fences of hurdles. All these types of fence might be used for private fields. But as a rule doubtless it was enough to protect the outer circumference of a whole 'furlong', or of some smaller block of plots bounded by roads. Whether the right of *vaine pâture* led to a compulsory annual destruction of the fencing, or merely to the opening of gaps in it, we can only guess.

Hedges of trees seem, at least very often, to have replaced fences surrounding, not whole 'furlongs', but the fields of individuals: they saved the great expenditure of time on periodical renewings or repairings of the fences. The Turin Hours show us a Flemish field, at the end of the fifteenth century, surrounded both by a wooden fence and

by trees planted some distance apart—a transition stage, as it would seem, between the dead and the quick type of fence.

Systematic enclosure must have been established and generalised at various dates in different regions. In ancient Ireland, where land was owned tribally, it was impossible: the annals suggest that hedges began to be planted about the end of the sixth century. In Normandy and Maine, enclosed to-day, corn and other crops were fenced in the Middle Ages: enclosure, as a system, was still incomplete. The completion of enclosure often required the efforts of several generations, particularly in districts where live hedges were associated with ditches. In Poitou and the Limousin, sixteenth-century leases begin—or more probably carry on—the practice of requiring the lessee to enclose this garden, that field, to dig so and so many yards of new ditches, the spoil from which is to be set with bushes or even fruit trees. Ditchers were sometimes brought into Poitou from so far afield as Brittany, to enclose meadows, woods or vineyards. Two almost contemporary documents from High Normandy show clearly that, in the same country and for the same types of land, fences and hedges of trees might coexist—the latter being the ideal towards which progress was necessarily slow. In 1462 the lord of Bec-Crespin paid a man seventy sous for cutting and carting thirteen or fourteen loads of poles and posts to enclose a plantation of graftings. In 1478, at the manor of Frêne, the Archbishop surrounded a new apple orchard with 100 oaks to protect the young trees. Among the advantages of the live hedge, this protection of crops against cold winds and storms was important.

IV. *The plants cultivated*

Among the cereals a first group includes millet, wheat and barley, all known since the earliest times. A second group contains spelt, rye, oats and buckwheat, the cultivation of which only developed fully—or even was only begun—during the Middle Ages.

From neolithic times there appear in the Swiss lake dwellings several varieties of *Triticum vulgare* (ordinary soft wheat, winter or spring) which came from South West Asia; *dicoccum* (French *amidonnier*, German and English, emmer), a native of Ethiopia and neighbouring regions; and *monococcum* (*engrain*, *Einkorn*), which grows wild freely in Asia Minor and the Balkans, and which came into the West by way of the Danube. Two other important varieties of *Triticum* were added later: in the bronze age in the Alpine region *Tr. spelta* (*épeautre*, *spelz*, spelt) and later still *Tr. durum* (hard wheat), which can only be grown in the Mediterranean area of Western Europe. It is generally supposed

to have been brought by the Arab invaders into North Africa, Sicily and Spain.

It is often difficult to distinguish the varieties when referred to in documents or in agricultural writings. For instance the French word *épeautre* seems not to have been applied only to *Tr. spelta*. In fact one might expect to find the same simplification in practice as is found in the Roman treatises. The huskless wheats, whose grain is uncovered, *Tr. vulgare* and *Tr. turgidum*, were distinguished from the husked wheats, in which the husk clings closely to the grain and is only removed with difficulty, *dicoccum*, *spelta* and *monococcum*. The Romans ground the huskless wheats in a quern, the husked were crushed with a pestle—a practice which survived into the Middle Ages, but for what sorts of wheat at that time we do not know. In French *monococcum* was usually called *petit épeautre*, which shows that the distinction was based mainly on the size of the grain. The Anglo-Saxon *spelt*, it is said, could mean either *dicoccum* or *monococcum*. *Tr. spelta* seems to have gradually superseded the other husked wheats; but we can hardly expect ever to be able to determine when and how.

Nevertheless archaeological finds give us a general idea of the history of wheat in Western Europe. Ordinary soft wheat makes the best bread flour. (But it is also the most subject to disease, at least the improved varieties with high yields are.) That is why this wheat, which was comparatively little grown in early medieval times, came into use more and more as agriculture improved. Sometimes it was grown in gardens! But the demands of the well-to-do and the high prices that it fetched led to large-scale cultivation. In 806 the *modius* of wheat cost *6d.* against *4d.* for rye and *3d.* for barley or spelt. It is probable also that lords often intervened directly to require in leases greater and greater proportions of *Tr. vulgare*. In Hesse an ecclesiastical estate was let in 1281 for 12 years: the contract was that it should carry 18% of wheat on the winter field for the first 6 years, but 25% in the second. *Tr. turgidum* was much grown in the West, Centre and South of France, and only gave way gradually before *Tr. vulgare*. It is in fact coarser and more productive than soft wheat and yields more regularly. But its bread is not so good. Yet it was valued while bread was still baked at home because, like rye bread, the bread made from it does not dry up and keeps fairly well.

The evolution of the husked wheats was faster. *Tr. monococcum*, with a poor yield, but extremely rank growing and that in the worst soils, was spread over all Central Europe in neolithic times, from Troy to Denmark. It vanishes from the North in the bronze and iron ages. To-day it is grown only in limited areas, particularly in Spain and South Germany. It gave way as much to rye as to spelt.

Tr. dicoccum also had got to Denmark in neolithic times; but it again vanished from the North, before rye mainly. It seems to have persisted in the Rhineland throughout the Middle Ages, but in France it was generally replaced by *Tr. spelta,* which yielded fine flour. Quoted already in Diocletian's edict, *spelta* spread—but only for a time—to Southern France and Spain. In the *Breviarium* of Charlemagne it is given as the most widely grown grain. In Irminon's *Polyptyque* dues paid in *spelta* are prominent. According to the rules of Adalard, 400 monks at Corbie ate bread made from it. It was also fed to horses. But in the later medieval centuries it was losing ground and now is confined to Suabia, Switzerland, and less important patches in Belgium and Spain. For though better than *dicoccum* and *monococcum,* while still a strong growing plant resistant to cold and damp, its character puts it below *vulgare,* which in the end dominated all temperate Europe. Further South, hard wheat, well suited to the climate, remained as an immigrant from Africa, where little else was grown between the Arab invasion and the nineteenth century.

Of all cereals, barley is the most tolerant of climatic changes: it can resist drought in desert climates, and its early maturity saves it in cold climates. In Scandinavia it will grow even further North than rye. Known since neolithic times, it was used in the Middle Ages for porridge or for bread; fermented, it made beer; horses ate it instead of oats, especially in the South; pigs were fattened on it. It was grown either as winter grain (*Hordeum hexastichum*) or more frequently as spring grain (*H. distichum*). The Merovingian kings took their principal tribute from Germany in barley, and it held a leading place among the cereals in Carolingian times. But a few centuries later its importance began to decline, except in Mediterranean lands, and the decline has been continuous. In fact it needs a fertile and well tilled soil, and probably it has often been replaced by the less exacting rye.

Millet, indigenous in the extreme East, was brought West by the nomads of the steppes who found it admirably suited to their temporary agriculture: some sorts mature in three months and can stand great heat. And its cultivation, which had spread in Europe from neolithic times, suits well soils too light for wheat, provided they are naturally rich or have been heavily dunged. Two sorts were chiefly known in antiquity and the Middle Ages: *Panicum miliaceum,* spread all over Europe, and *Panicum italicum,* confined to Southern and Alpine regions. In Roman times it was an important human food in Britain and Gaul (especially in Aquitaine, where it has survived best), on the plain of the Po and in Campania. Medieval man still used it in North Italy, the Pyrenees, and South-Western and Western France, where peasants often lived on it, while selling their wheat or handing it over in dues to

their lord. But a similar but more prolific grain began to compete with it in southern regions after the Arab invasions: sorghum. Pliny had mentioned a large-grained millet brought from India: it may have been sorghum. If it was, it did not succeed in his day. Diocletian's edict does not mention it, and it is fairly certain that the Arabs reintroduced it. It had reached North Italy by the twelfth century at latest, and often supplied the poor man's bread. But millet held its own until the arrival of maize, a more formidable rival than sorghum.

We come to the cereals which gave medieval agriculture its novel aspect—oats, mainly grown as the spring crop, and rye, almost always sown in autumn. In Germany the land under winter corn was sometimes called the *Roggenfeld* and that under spring corn the *Haberfeld*.

Oats came into Europe mixed with *Tr. dicoccum* as a weed. In certain northerly climatic conditions, it proved the more resisting of the two: then patient human effort improved it and made an independent cereal out of it. It has been found in lake dwellings of the bronze age; but it was a weed to Vergil, and though Columella ranked it incidentally as a fodder crop, Pliny wrote *primum omnium frumenti vitium avena est*. But he noted that Germans made porridge of it, and that the men of the Oönes isles in the Baltic lived on birds' eggs and oats. As porridge it held a great place in medieval dietaries in the North—Germany, Artois, Scotland. It was used like barley for beer. But above all, and increasingly, it was fed to horses, and its cultivation spread where horses replaced oxen as draught animals. In Irminon's *Polyptyque* annual dues of oats come to only 77 *modii*, against 1057 *modii* 10 *sextarii* of spelt and $97\frac{1}{2}$ *modii* of wheat. But subsequently, in the Paris area, dues of oats became as important as those of wheat or of the mixed corn (*méteil*; English, maslin) which had replaced the spelt.

Rye too was at first a weed mixed with the common wheat, which it supplanted in cold continental Europe because it grew more freely and resisted low temperatures better: only barley, as we have seen, will grow further North. The origin of rye explains that of maslin, which became so important in the Middle Ages, South of the rye region: it was not an artificial, but a natural and primitive mixture of rye and wheat. Pliny is the first to mention rye, among the Taurini. His reference suggests that in the Alpine region the wild plant had not yet been much improved. But already in Diocletian's edict (as *centenum sive secale*) it comes third, after wheat and barley. For the same period, archaeology has traced it in Switzerland, Hungary and Transylvania. No doubt it was about that time that it began to spread in Gaul, where in the end it became the chief grain on poor mountainous or flinty soils, especially in the Centre of France and the North of Belgium. Its great expansion in the Centre and North of Germany, where it became

dominant, took place only after the fall of Rome and probably under Slavonic influence: during the early Middle Ages it is specially common in the then Slavonic districts of Holstein, Mecklenburg, Brandenburg, Saxony and Silesia. The Anglo-Saxons must have known it before their migration; for it had an important place in medieval English agriculture, especially on small holdings, though it seems to have lost ground towards the close. In Italy the barbarian invasions certainly helped much to extend its use: it spread even to the South where, among other names, it was sometimes called significantly *germanum*.

Buckwheat (*sarrasin*) did not come till the fifteenth century, brought by Mongols from the Far East. The first mention of it is in Mecklenburg in 1436. Afterwards it spread rapidly to the extreme West: it is known in Normandy in 1460, and in Brittany towards 1500. There it was singularly successful and became an important human foodstuff. In fact it did very well in cleared moor and heath and on dried-up swamps and burnt-over turbaries. By 1536 the naturalist De la Ruelle could assert that, although only come of late years from Asia, it was already widely cultivated in France.

There is not much evidence of attempts to improve the various cereals. English writers advised a change of seed each year and the use of seed grown elsewhere. But, in France at any rate, this advice was not followed.

Besides the cereals, certain plants were grown in the fields to feed men or beasts and to supply industrial needs.

The growth of supplementary foodstuffs developed mainly during the last medieval centuries. But they had been important since Merovingian times: there are turnips, beans, peas and lentils in the Salic Law With vetches added, the list of the crops which recur constantly in medieval documents would be complete. Beans, which went sometimes into bread, peas, of which there were several sorts, and vetch, which was fed to beasts green or as grain, were more widespread than lentils, which need a moist soil. Turnips (*Brassica napus*) and above all rape (*Brassica rapa*) were important, but mainly it appears in defined areas such as the French Centre or German South. Already in the first century A.D. Pliny put rape immediately after the cereals and wine as an important crop in Italia Transpadana.

But vetches were not the only fodder crop. At least as early as the thirteenth century we hear of *dragée*, which is no other than the Latin *farrago*, a mixture of leguminous plants and barley, sometimes also of oats or rye, grown to be eaten green. The same word was used for a mixture of cereals—barley and oats, oats and wheat, oats and rye—which was harvested for the grain (the English 'drage' or 'dredge corn').

Finally, it is probably from the close of the Middle Ages that the first artificial meadows must be dated, with the appearance of clover in Flanders. In the South, chickling (*lathyrus*: the common cultivated vetch) which was known in Quercy in the fifteenth century would reach Poitou in the sixteenth under the name of *jarousse*.

For oil, temperate Europe could not look to the olive. The walnut, which grows fairly far north, gives excellent oil; but it was not enough, and its yield is uncertain when there is any risk of late frosts. Besides wild grains and fruits, such as beech-mast, in the later Middle Ages rape seed (*Brassica rapa oleifera*) was used, and then cole-seed (*Brassica napus oleifera*), which is recorded at Bousbecque, near Lille, in the fifteenth century. And no doubt poppy-seed oil was known. Dues paid in poppy seed were not necessarily meant for oil; but the oil is mentioned in Artois and Normandy in the fourteenth century.

Of textile plants, flax had been known from remote antiquity; hemp had come from Asia much later. But probably it was widespread in all Western Europe before the destruction of the Roman Empire. More easily grown than flax, it had its place in most family economies. It was grown on moist rich ground by the water-courses. The cultivation of plants for dye wares—dyers' weed, woad, madder, saffron, and that of teazels, developed side by side with the textile industries.

Hops, first mentioned in 768, spread only very slowly with the use of beer. In the fifteenth century Dieppe imported them from Holland and England; and they were extensively grown in Germany.

Medieval horticulture has a markedly archaic aspect; it was only in the sixteenth century that the New World brought the potato, the haricot, the tomato. Moreover horticulture remained very dependent on the Mediterranean, where the art was remarkably vigorous. Perhaps only water-cress is of Nordic stock. The French word *cresson* comes from the Frankish *Kresso*. It is therefore probable that the Gauls learnt from the Franks to gather wild cress, which was then improved and grown in regular water-cress beds, first mentioned towards the end of the thirteenth century.

Until about that date, horticulture had lived on the direct heritage of antiquity, as we find it in the *Capitulare de Villis* and Anthimus' *De observatione ciborum*, written shortly after A.D. 500. First the leguminous plants—peas, beans, lentils—and the roots—rapes, turnips—which were also grown in the fields. Then radishes, carrots, parsnips. These last two were confused with one another till the sixteenth century, a confusion which survives in several dialects of South East France. The existence of an old Teutonic word *Möhre* for the carrot does not imply a German origin, nor a very ancient German use of it; since at first *Möhre* most probably stood for any edible root. Besides the roots, there were the

familiar cabbage, leek, onion, shalot and garlic. Then plants eaten as salad or cooked—lettuce, chicory, mountain spinach, beet, blite, garden cress, rocket; probably too purslain, which Pliny mentions. The lists in the *Capitulare de Villis* and in Anthimus include also plants which, outside the Mediterranean area, were only acclimatised at a later date—asparagus, melon, probably also the cucumber, and the *courge*, a word which before the introduction of pumpkins from the New World was probably applied to the gourd. To the true vegetables must be added many aromatic and seasoning plants. Medieval, like classical, cookery aimed at complicated systems of seasoning: simplicity in the cuisine seems to have been first introduced in France—but not before Louis XIII. Anthimus' treatise on foods, written for Clovis' son Thierry, shows how carefully the barbarian chieftains kept up the tradition of ancient cookery: *apium, coriandrum et anetum vel porriones in omni ciborum coctura miscentur*, he explains. Exotic spices, being too costly, were replaced by such plants as parsley, chervil, mustard, 'britlae' (perhaps chives), sage, savory, coriander, anise, fennel, dill. As the true cummin will not grow in the temperate zone, meadow cummin was used in its place. Although not given in the *Cap. de Villis*, hyssop, sweet marjoram and basil had probably spread at an early date. Saffron was grown both as a condiment and as a dye in parts of Southern France, of Austria, and of Styria; and most extensively about Aquila in the Abruzzi. Thyme, on the other hand, as a garden plant appears not to be mentioned before Estienne's *Maison rustique*.

A list of seeds bought in 1360 for King John's household when he was a prisoner in England gives an idea of the essentials in a garden of the fourteenth century—cabbage; onion; 'porète', in all probability leeks; lettuce; mountain spinach; beet; parsley; hyssop; borage; purslain; garden cress and several other plants of secondary importance. Borage is a newcomer to such a list: it probably dates from the thirteenth century. This innovation is a prelude to the great development of gardening that came in the fourteenth and fifteenth centuries, when new varieties of old vegetables or completely new ones arrived in temperate Europe—mainly from Italy. But Italy was often a transmitter of Arab influence. Ibn al Awam writing in the thirteenth century and in Southern Spain knew spinach, sorrel, and various varieties of lettuce, cabbage and onion. This reveals the activity, patience and resource of Arab horticulture at that time. Henceforward we hear of such things as branching peas, early peas, Roman cabbage, white cabbage, red cabbage. De Serres says that the seed of the white cabbage (*choux blanc cabus*) was brought from Spain and Italy; and the word *cabus* is apparently borrowed from the Italian. The red cabbage is still more interesting. It is very resistant to cold and

probably came from Flanders, a fact which anticipates the place that Flanders was to take in the improvement of vegetables, after she had already been a pioneer in crop rotations and in the improvement of agricultural implements.

In the sixteenth century the *Maison rustique* speaks of white Roman lettuces. But at the end of the fourteenth century the *Menagier de Paris* comments on the superiority of the lettuces of Avignon, which were also white. He says that Monseigneur de la Rivière, who made several journeys into Papal Avignon about the year 1389, introduced this variety into the North—a notice deserving quotation, for we seldom know the exact stages, and the method, of the diffusion of a new variety.

We must count among the new vegetables sorrel, spinach and melon (originally called *pompon* in French), which came north in the thirteenth and fourteenth centuries, and perhaps celery. About the same time strawberries appear in gardens. Spinach gradually drove out its less tasty predecessors, the chief of which was mountain spinach. The Italian wars brought more additions to the garden crops. It is said that that best of all melons, the cantaloup, which came from Armenia, was first grown in Italy at the Papal villa of Cantalupi, and that Charles VIII brought it into France. Charles had also brought a Neapolitan gardener, Don Pacello, whom Louis XII set over the royal gardens. It was then that artichokes and asparagus came into France. So by 1517 Antonio de Beatis could say of the gardens of the château of Blois: *vi sono quasi di tucti fructi che sono in terra de Lavoro* (Campania). Before reaching Paris, artichokes and asparagus halted sometime in the kindlier climate of the Loire valley: when Francis I was at Meudon he had them sent from Blois.

These additions to garden vegetables coincided with a rapid development of market gardening near the towns, itself connected with the growth of urban populations. Drained marshes were often used, as so many vegetables are greedy of moisture; so from *marais* came the word *maraîcher* to describe the grower of vegetables on a large scale. At Vizille, near Grenoble, in the middle of the fifteenth century, the inhabitants lived mainly by growing garlic and onions. From the close of the Middle Ages Brittany sent vegetables to England. At Frankfurt-am-Main, in 1440, there were forty-two master gardeners and twenty-four journeyman gardeners; and from 1454 a boat was regularly employed to bring in vegetables from Bingen and Mainz. The curiosity and luxurious tastes of lay or ecclesiastical lords, or even of rich bourgeois, who sometimes got good seed from great distances, helped this development of horticulture. A regular seed trade was one result. According to a vote of the town council of Poitiers, in May 1453, the

inhabitants had to get their seeds for salads from a local merchant who brought them from Milan. In 1510 the Abbey of Ilsenburg in the Harz bought at Magdeburg seed of onion, parsley, carrot or parsnip, white cabbage and anise.

In the fifth century A.D. those temperate regions which the Romans had occupied already knew our most important fruit trees—apple, pear, walnut, chestnut, plum, peach, cherry, quince, medlar, service, cornelian cherry, hazel-nut. We know from Pliny how quickly the cherry had spread over the Roman world since Lucullus brought it from Asia Minor in 74 B.C. The fig had been pushed as far North as possible: the Emperior Julian tells how the Lutetians used straw to protect fig trees from frost. Just as in the Middle Ages, curiosity and the difficulties of transport led to resolute attempts to acclimatise Mediterranean plants. Estienne says that he had seen in Paris pistachio-nut trees, which are as delicate as olives. Almonds were extensively grown in High Poitou in the sixteenth century: they have now almost disappeared. The introduction of the tree into France from Egypt has been credited to Jean de Villages, an agent of Jacques Cœur; but Gilles de Bouvier, about 1452, says that abundance of almonds were grown in Languedoc and Provence. The apricot is believed to have come into Provence during the Crusades. The white mulberry was only known in Tuscany from about 1340: before that the black variety was grown. The white was brought into France about 1440—but with no great success—by some gentlemen of Dauphiné and Provence who had followed René of Anjou on his Italian expedition. It only began to spread at all widely under Charles IX.

It is more important to record that the walnut—for its oil—and the chestnut—for its flour—were grown as much as possible, especially in the French Centre. About Paris their crops were most uncertain; and since the Middle Ages their number has declined. At Sigy, not far from Provins, in 1600 there were walnuts along the roads and round the fields. To-day they are nearly all gone: the yields were not worth the trouble. And in forests the chestnut has lost ground.

However, even the most common fruit trees were grown with care and on a large scale only late in the Middle Ages. For generations, wild fruits gathered in the forest were the mainstay of consumption. Not all were wild in the sense of self-grown. On the edges and even in the heart of the woods rough fruit trees bearing small fruit were planted: they interfered with no one's habits. Nearly a dozen sorts—apples, pears, medlars, quinces and others—grew in the Norman woods. When the woods were felled the fruit trees were carefully preserved. Their growth on a large scale was interfered with, not only by the

survival here and there of systems of temporary cultivation and periodical redivision, but more generally by the existence of common rights, which threw the fields open to grazing before most kinds of fruit were ripe, and by the damage which the cattle did to young trees. The oldest texts of the Salic Law mention neither gardens nor orchards; the later mention *pomaria* and *peraria*, probably in enclosures near the houses. When such enclosures and the gardens became inadequate, light-leaved trees like cherries and peaches were planted among the vines.

We do not usually find clauses in Parisian or Poitevin leases obliging metayers to plant so many fruit trees a year before the sixteenth century: these plantations then went on so steadily that we may assume that the thing was new. In Normandy however the movement began rather earlier; it was already well under way in the second half of the fifteenth century.

Not merely was planting pushed on: efforts had been made to improve the quality of the fruit even before the extension of the gardens and orchards was taken in hand. Improvement of quality thus encouraged extension, we may assume. New varieties, especially of apples and pears, began to appear. As in the case of the vegetables, they were spread by way of trade or by exchanges between religious houses. The specially prized trees were elaborately manured, dug about, pruned and protected. In Normandy in 1254 a lessee agrees to cultivate an acre of garden on an island, and to plant within two years grafted apple and pear trees, and to fence the garden well. In Artois in 1320 the Countess Mahaut has brought grafted trees from Burgundy: she buys also about Beauvais. And she makes money out of her gardens by selling fruit in good years. In 1365 two men of Oissel in Normandy sell 104 grafted apples, 10 grafted pears and 104 vine-stocks. In 1511 the monks of St Germain fetch 300 plum-trees from Reims for their estate at Cachan near Paris.

The cider apple deserves special attention. Cider and perry are mentioned in the *Cap. de Villis*. But the cider must have been made mainly from wild or coarse apples; and one can understand why beer was preferred. However, from the twelfth century cider-making is fairly often mentioned in Normandy; in the thirteenth it crosses to England, perhaps under the influence of Norman abbeys. But it was only in the fourteenth century that cider began to rival beer in Normandy: it is not quite clear why. No doubt in years of bad harvest cereals were not allowed to be used for brewing. But this cannot have been decisive, or the decision would have come much earlier. It was probably the arrival and spread of good varieties of cider apples which led to increased production of a cider which the well-to-do would drink: the poor would drink anything and, in fact, continued to drink an inferior perry.

All varieties of cider apples now grown in Normandy differ from the wild forest apple: some came from the Basque country, where the use of cider is very old. (Basque grafted apples were used at least as early as the sixteenth century.) Gradually cider made from the cultivated apple drove out that made from the wild. In 1486 the Archbishop of Rouen still had seventy bushels of apples gathered in his woods at Déville to make verjuice. But the same year seventy grafted trees were planted in his orchard. More were added next year: in 1499 and 1500 five dozen trees were planted and others were grafted.

The vine, as everyone knows, was cultivated in the Middle Ages far beyond its present zone—in Flanders and England and in high Pyrenean valleys, for example. Every effort was made, where there was the least chance of success, to produce on the spot wine for the sacrament and wine for the consumption of the well-to-do. The methods employed for making wine help to explain why it could be made so amazingly far North. Grapes that did not ripen, and green grapes, were made into verjuice. Verjuice was made even where conditions for ripening were very good—in Quercy and the Bordelais, where the work was done at the end of July. Moreover, following a classical habit, honey was added to the wine—and cinnamon, coriander, or sage, which assuredly changed its flavour but concealed its thinness and roughness. And besides that *vin cuit* was prepared.

In the typical instance of the Rhineland, the Romans had acclimatised the vine; and the Moselle vineyards began to be famous in the second century. The barbarians only ruined viticulture partially: soon they became keenly interested in it. With Carolingian times its extension proceeded again vigorously, on royal and ecclesiastical demesnes. By the ninth century it is spread in all the provinces of Worms and Speyer. It extends gradually in the Rheingau; then further afield into comparatively unfavourable regions such as Suabia, Franconia and Thuringia. After that, it is less a case of penetration into fresh districts than of the multiplication of vineyards and the adoption of better sorts of vines in those where the industry was already acclimatised with some success. From the valleys, the vine was carried up the slopes. In the Rheingau, the men of Eibingen and Rüdesheim secured from Archbishop Bardo (1031—1051) a grant of wooded slopes above the villages to make vineyards of them. Towards 1200 the monks of Eberbach planted the Steinberg, which became famous. However, these new plantations only yielded prized vintages after long and patient toil: in the Middle Ages they were not so famous as the vineyards of Bacharach.

And what of progress in viticulture? All that happened was that the Mediterranean technique was adapted to less favourable climates. The vines were regularly propped up on poles to get more sun. In the

eleventh century the foundation charter of the Abbey of Muri, South West of Zürich, lays down a programme of work which recurs with minor variations throughout the Middle Ages—you manured; pruned; hoed over once before Easter; tied up the shoots; hoed again before Midsummer; layered some of the shoots; and to help the grapes to ripen you removed any leaves that covered the clusters. The calendars show pruning in February or March. Two workings are, so to speak, standard; but no doubt there was a tendency to do more in the best cared for vineyards, such as those of the Bordelais. Another operation, well known to the Roman writers, is mentioned in Provence and Poitou—*déchaussage*, clearing the foot of the vine-stock of surrounding earth: this was done before pruning.

As in antiquity, willow plantations often went with vineyards. They supplied the withes for tying-up and the barrel-hoops. In the Rhineland the monastery of Eberbach when letting meadows always retained the willows.

V. *Domestic animals and breeding*

Long after the opening of the Middle Ages, cattle, which had dominated the life of primitive Celts and Germans, remained the essential element of personal property among the peoples least affected by Roman civilisation. The conquered Saxons paid an annual tribute of 500 cows to Clotaire I; and much later paid 300 horses to Pepin the Short. Their cattle rearing at that time rested on the use of the natural resources of forest, marsh, moor and open grassland. There were no cultivated meadows: cereals were grown on a small scale in a system of temporary cultivation which involved an unsettled life.

In the extreme West, Ireland and Scotland where Rome had never ruled remained in a still more primitive condition. According to Dio Cassius the Caledonians, at the beginning of the third century, dwelt in tents and had neither towns nor fields. They lived on milk, game and wild fruits. They had great herds of cattle and sheep, and small swift horses which they reared in their wild mountains and marshy meadows. Similar conditions survived well into the Middle Ages in Wales and especially Ireland. The Welsh ate little bread, living mainly on milk, butter and cheese; and English surveyors of the fourteenth century noted that there was no regular individual property in land, but that groups of families shared common grazing rights over great stretches of country. There were summer shielings with their huts, and winter

pasture in valleys where the principal dwellings were. Fifteenth-century Ireland remained, in great part, a country of wandering pastoralists—more so than Wales because its climate gave rich grazing at all seasons. Its people did not mow the grass for hay, and built no stalls for their cattle, but moved themselves and their huts as the beasts used up the grass.

This picture was certainly no longer true for England and Gaul—except perhaps Belgium—when the Western Empire fell. Their agriculture had developed greatly under Roman rule and the people were finally settled in towns, villages and hamlets. But it helps us to understand both the considerable, often predominant, role, and the usually extensive character, of cattle farming in temperate Europe throughout the Middle Ages, especially on the moist oceanic coasts of Brittany and Norway. (According to Gilles le Bouvier Norway raised quantities of horses and cattle: the beef was salted down in barrels and shipped as far as Flanders.) Nevertheless, in the romanised countries a new thing was beginning to appear which was preparing the way for ultimate progress—care for the improvement of the breeds of animals. The Gauls valued good breeding, at least in horses, much more than the Germans, according to Caesar. The Romans had introduced more method and continuity into their selections and crossings of breeds: in Spain they had paid special attention to sheep, and obscure as their work is they seem at least to have prepared the way for those selections and crossings which, at a later date, with the introduction of the merino, gave such exceedingly important results.[1]

The utilisation, generally the common and often almost the exclusive utilisation, of natural grazing grounds and of woods, at no more cost and no more expenditure of time than was involved in the guarding of the flocks and herds, gave the men of the medieval countryside an extended but a temporary advantage. Up to a point, this advantage counterbalanced their inferior agricultural technique and their great social inequalities; and so the elementary needs of the great majority were met. It must never be forgotten that, for a period that varied in length with the place, the agriculture of temperate Europe, just because it developed in regions absolutely virgin or relatively new, remained in a privileged position; during the same period this privileged position was already far away in the past for most Mediterranean lands.

Use was made not only of natural grazing and of stubbles, and of fallows before their first ploughing, but also of marshes—a surprising fact but one that the sturdiness of the breeds of domestic animals explains. They were taken into the marshes in summer. The marsh also furnished reeds for litter and grasses which made a poor hay—but in winter the

[1] Cp. p. 351 below.

cattle were not fastidious. As for the forests, they were the peasants' providence. They fed his horses, unless there was some local rule against it, his cattle, his sheep, his goats, with their leaves—eaten green in summer and gathered dry for winter—and the grass of their open glades. His pigs ate the acorns and beech-mast. The Laws of the Alemanni refer to *buricae, puriae,* which were either huts of some kind or enclosures for the beasts in the forests; and in the thirteenth century herds of unbroken horses (*equi silvestres, indomiti*) were kept in the forests of the Moselle Valley. But apart from such extreme cases—which can be paralleled from sixteenth-century Normandy and elsewhere—the forest provided a part, but often a great part, of the feed of every kind of domestic animal.

Forests were variously handled according to their various uses. The high woods of oak and beech gave timber for the carpenter and pannage for swine. The copse woods, with a greater variety of trees regularly cut over, provided firewood; and in their low thickets the beasts fed easily on leaves. In Normandy the rule of the forests was this: goats were kept out usually though not always; beasts were not allowed in the inner forests in May, or from mid-May to mid-June, but might graze on the outskirts; from about mid-August they were again excluded, for it was the time for gathering wild fruits. In the forest of Évreux grazing began for most kinds of animals on St Andrew's Eve (30 Nov.) at noon and ended—after the May interruption—at mid-August. In the forest of Ardenne the horses and horned cattle ran free winter and summer: they might have to seek their food beneath the snow. And so there developed a local type of forest horse, small, quiet, and very sturdy. There were special rules for the pannage of swine. In Normandy it began late in September or early in November and went on, for periods varying from nine days to several months, until Lent. In the forest of Ardenne it began at St Remi (1 Oct.) or St Denis (9 Oct.) and ended at the end of December, at Candlemas, or even later when acorns were specially abundant.

But as these facilities for cattle keeping encouraged the growth of population and that made more clearing necessary, the facilities were always being limited and the pressure on them increased. In the Oisans (Alps of Dauphiné) complaints are made in the fifteenth century of the lack of hay: cultivation had covered all the lower land, and hay had to be sought in high and almost inaccessible places. And since grazing beasts were apt to ruin young copses, forest resources were likely to be reduced automatically, apart from any deliberate clearing. This led to their abuse, especially towards the close of the Middle Ages, when cattle rearing for large-scale marketing had developed here and there. In the Diois (High Dauphiné) the forest of Saou in the fifteenth

century fed many horses, besides sheep, oxen and pigs. One big horse breeder put in 40 horses, two others 160 between them. Probably they used them in summer for treading out the corn in Provence. But the small men suffered. The horses were put in before the sheep, and the sheep found little to eat. A petition to the lord reminds him of a decision of 1340 that no one should put into the forest more than eight mares and eight colts. No doubt the forest itself suffered as much as the small users from the inroads of such large herds.

Great proprietors tried to stop the threatened destruction of their forests. In France, Louis IX and his successors often bought up the commoners' rights, ceding to them part of the forest in absolute ownership; and lords followed the example. Elsewhere the rights of user were restricted. In Ardenne, from the thirteenth century the period for which copses might not be cut over was extended. Sheep were early excluded from the forests, although goats—excluded as a rule—were still allowed into copses more than seven years old in the Liége country in 1551. But useful as such measures might prove in the long run, they could upset the small man's way of life, when brutally applied. Hence the loud protests of communes and the interminable lawsuits which delayed forest protection. In 1308 the Abbey of St Germain-des-Prés had allowed the men of Antony and Châtenay, near Paris, to put cows oxen and calves into the wood of Antony *après la cinquième feuille*—for a consideration. From 1427 the monks vainly tried to go back on this concession. In 1523 they were explaining to the master of woods and forests that the woods were being ruined by the cows and would have no value in the future. Evidently the ravages of the cattle kept down the brushwood; and the more it was reduced the more it was ravaged. But how could you rob the villagers of an essential means of livelihood? The master of woods and forests compromised by forbidding access to copses less than seven or eight years old.

So the close of the Middle Ages saw the first difficult beginnings of a decisive transformation in the methods of cattle rearing—its prerequisite becoming not the forest but the cultivated meadow. In time this would change forest scenery. Except in some districts such as the South West of France, the forest would cease to be a vast grazing ground and become more and more a place for rationalised timber production: in the end its very trees would change. For pasturage deciduous trees are essential. But conifers produce timber quicker. It has been estimated that, whereas in the Middle Ages the German forests were two-thirds deciduous, now the same forests are two-thirds coniferous.

Cultivated meadows, sometimes manured (especially with pigeon dung) and irrigated (even as far North as Germany), had existed since

antiquity in romanised countries, and in Germany since the Carolingian era, when *Feldgraswirtschaft* declined fast. But these meadows were comparatively rare and often monopolised by the lords, who thus alone acquired the reserves of hay needed for improved cattle rearing. Common rights which threw the meadows open to the herds of the commune after the first, or sometimes after the second crop, reduced, but did not abolish, the drawbacks of such a monopoly, a monopoly which increased the technical superiority of the large over the small holding.

However in several regions, such as Normandy, Flanders and parts of England, where agriculture was most advanced and most prosperous, meadows were greatly extended, especially as a result of the improvement of marshes. There is no sign of any large-scale project of draining in the English Fenland during the Middle Ages; but there was continuous piecemeal encroachment upon the edges of the fens. The first result was meadowland, though with good fortune the meadow might later become arable. A comparison of Domesday statistics with those of early fourteenth-century subsidy rolls brings out a remarkable change in the prosperity of the Fenland as compared with the surrounding upland, most marked in the silt area near the sea, but noticeable also on the peat soil further south.[1]

But it was in Flanders especially that the winning of land from the sea, followed by drainage work, furthered both the increase and the improvement of cattle. Stages in this progress can be distinguished, coinciding with those in the drainage. The land acquired was first used for sheep—especially from the eleventh century. Sheep were driven on to the *schorres*, seaside meadows, while these were still exposed to periodical tidal flooding. When their drainage was complete, the *schorres* were either ploughed or used as meadows for horses and cows. According to the charter of the Franchise of Bruges (1515) the inhabitants of the country lived by fattening cows which they bought lean in neighbouring regions. Thanks to the lush nourishing grass and the care given to the cattle, Flanders evolved strong and heavy breeds.

The rabbit, whose domestication was slow, was the only addition to the domestic animals made in the Middle Ages. All that happened was that the importance of the various species varied with changes in demand—for oxen, or plough horses, or sheep for their wool. On the huge demesnes of the Teutonic Order sheep suddenly become much more important about 1400: oxen and pigs change little. At Brandenburg sheep increase from 1645 to 4440 between 1380 and 1392, and at

[1] English writers of the thirteenth century calculated that two cows or twenty sheep fed *de marisco salso* gave as much milk as three cows or thirty sheep fed on leaves, ordinary grass, or stubble.

Christburg from 1900 to 3200. In breeding, it is hard to say what precisely can be attributed to the Middle Ages. There was certainly no systematic and controlled breeding. But the purchases of foreign sires which are fairly often recorded show that the first crossings from which existing breeds have sprung are often very distant. Because of its military value, the horse was bred with special care on great estates, as appears already in the *Cap. de Villis*. It was fed on fresh grass, hay, straw, oats (when oats had gradually replaced barley and spelt) and vetches—peas and beans too. Certain countries were early famous for their horses: Normandy was one of these. We have the accounts for King Philip VI's considerable stables at Domfront in 1338. There were two stallions, twenty-eight brood mares, twenty-eight colts and a working mare. They were considered appropriate presents for people in high places: twenty mares and sixteen colts were given *aux demoiselles de Me. la Reine et de Me. la Duchesse et à Philippe de Praelles pannetier du roi.*

As saddle horses the anglo-arabs are to-day unrivalled. In France the area from which they spread extends north of the Pyrenees, to beyond Toulouse on the east and to the boundaries of Poitou and Berry on the north. That is roughly the area occupied for a time by the Saracens, and it seems evident that the breeding of horses with an Eastern strain goes back there to the early Middle Ages. Horses from the Limousin were much prized. In 1153 the Bishop of Soissons gave five serfs for one: in 1312 Philippe le Bel paid 500 livres for two. Spanish jennets were bought for high prices: the Andalusian variety, hardly distinguishable from the Arab, was long the favourite saddle horse in France. But northern breeds were also appreciated. About 1312 Philippe le Bel was buying palfreys in Germany, Frisia and Denmark. In 1370 horses for Normandy were bought at Bruges. In the fifteenth century there was a considerable import of English horses through Dieppe, encouraged no doubt at first by the presence of English troops in Normandy; but a revival of the import in 1478 and 1480 must have been due to fashion.

Mules in some districts worked in the fields: they were also used as saddle and pack animals. Already in the eleventh century noble ladies are riding mules in the Bas Limousin. The mule was an important pack animal in the Cevenol part of the Vivarais and on the plateau of the upper Loire in the fifteenth century: we hear of muleteers and merchants with anything up to ten mules. The ass was the poor peasant's beast in many places; but in the plough its work was as poor as its typical master.

Of cattle there is little to be said. The fattening of oxen for the table was still only casual. Even in a progressive country like Artois, on the

demesne of Roquestor, there were often one or two oxen being fattened —they got vetches and oats then—but never more. At Bonnières, from All Saints 1327 to Trinity Sunday 1328, three oxen were fattened—and eaten at the feast of the Bishop of Arras. It seems that those Cotentin oxen which Froissart thought the finest in the world were plough animals. However the growth of towns probably encouraged the raising of oxen for slaughter. That was being done on the land of the Celestines at Porchefontaine near Paris in 1507.

We are specially well informed about sheep breeding in the fourteenth century, thanks to John de Brie, who wrote for Charles V in 1379 a treatise which we know from a sixteenth-century summary. Sheep fed in the open all the year round—in June where there were plenty of thistles, *car la pâture des chardons leur est bonne*, and from August on the stubble. In winter, in time of thaw or rain, they were given bean haulm, not pea haulm. In Artois they were given vetch, with some oats for ewes with lamb at foot, or for sheep being fattened. From the spring to the end of autumn they were folded on the arable at night. There was always danger of wolves, and John de Brie recommends as sheep-dogs big mastiffs with heavy heads and spiked iron collars round their necks.

Probably the great migrations of the early Middle Ages helped to diversify the breeds of sheep in Western Europe by bringing, directly or indirectly, breeds from the Eurasian steppe. The Arab invasions acted in a similar way in North Africa. Before the Arabs came there were Berber sheep of great antiquity and *barbarins* of the Syrian big-tailed stock. The *barbarins* were confined to Tunis and the East of the present department of Constantine, which suggest that the Phoenicians may have brought them. The Arabs brought their own small-tailed sheep; a breed very superior to the others and much the most widespread in Algeria to-day.

Further, in temperate Europe purchases of sheep from a distance—like the purchases of horses—prepared the way for methodical modern breeding. Spanish sheep and goats are bought for Maine and Normandy in the fourteenth century. And the reputation of English sheep seems to have followed English armies on to the Continent. The ninety-six which were landed at once at Dieppe in 1425 may have been for the commissariat. But the Cotswold rams licensed for Spain in 1464 were for crossing with the merino.

The little domestic industry of butter and cheese making deserves a few words. The Greeks had learnt about butter from the Scythians, though they and the Romans hardly used it except for anointing. But Pliny says that among the barbarians its use differentiated the rich from the poor. In the Middle Ages it spread everywhere but remained

something of a luxury, beef-fat and lard being more widely used. Nearly all the inventories from the end of the fifteenth century drawn up in the neighbourhood of Paris contain butter pots and churns; but it is significant to note in one of them 80 lb. of lard against 13 of butter. Holland and Flanders were famous for their butter. Gilles le Bouvier tells us that Brittany made and exported a great deal; and butter was one of the commodities which paid 'lastage' when 'carried out of England to parts beyond seas' in 1303.

Several countries were also great exporters of cheese—England, Holland, Normandy, Auvergne, Brie. Philip Augustus provisioned his castle of Falaise with English cheese; and it was still coming into France in the fifteenth century, by way of Dieppe and Calais. The reputation of Brie was by that time well established. No doubt, as at so many points in agricultural technique, the monks' love of good living and interest in organisation often gave the first impetus to development. Early in the sixteenth century, the farmer of the Celestines of Porchefontaine owed them thirty dozen of cheeses a year *de la forme et patron qui lui ont été montrés par lesdits Célestins sans être ébeurrés.* Sour milk and sour milk cheese, which with butter had been a staple food of the nomads of the steppes and the barbarians generally, seem to have disappeared fairly soon from the dietary at least of the well-to-do; but some curious survivals have been noted in Normandy.

About the swine, most essential facts have been given already in connection with their pannage. They were fed besides on barley, wheat and beans. From the first century A.D. Belgian pigs were well known even in Italy. They ran wild and were remarkably strong and speedy. Swine breeding was also an important business among the Franks; and at the very close of the Middle Ages German lords kept immense herds, up to as many as 500 head.

Last come the bees and the poultry. The Church's demand for wax and the use, in some countries, of beverages made with honey ensured attention for the beehives. One can hardly speak of specialisation, but in some appropriate places bee-keeping was highly esteemed. On the sunny slopes of the Cevennes, in the southern Vivarais, the *Estimes* of 1464 record a number of apiaries with forty hives, and one with ninety. Wild honey was also collected in the woods; in the barbarian laws even the property in wild swarms had been regulated.

Hens and geese were the principal farmyard birds. The right of keeping pigeons was often a privilege of the lord. (From two small manors in the village of Grantchester, King's College Cambridge, their lord, got 2–3000 pigeons a year for the College table in the fifteenth century.) Ducks and the peacocks and swans eaten at feasts were less important. Rabbits still were mainly wild, running with other game

in the lords' warrens. In the first century B.C. the wild rabbit, a native of Spain, was a novelty in Italy. It is doubtful whether there was an Anglo-Saxon name for it (there certainly was for the hare) and it is not mentioned in the *Cap. de Villis*. But it spread as fast as it always does and became a danger to the crops. Late in the Middle Ages, and in a few places, it was domesticated and reared in hutches (*clapiers*). But the tame rabbit was always considered much inferior to the warren rabbit.

To summarise: during the long and confused centuries between the fall of the Western Empire and the dawn of modern times agriculture developed widely and powerfully in temperate Europe, especially in the area which includes Eastern England, Northern France, Flanders and the Rhineland. It is based on processes and implements inherited from the ancient world. The creative activity of the Mediterranean area was, so to speak, exhausted after it had achieved almost all that was possible—exhausted except in the domain of horticulture in which, with the help of Mussulman Spain reacting on Italy, it continued to lead the way. On this basis, and sometimes also on independent foundations, was built a series of original structures linked together in a coherent and well-balanced whole. Cereal growing was to a great extent remade. But the new system had its weak points of which, as has been seen, the method of rearing animals was the weakest. Relying too much on the irrational use of natural resources which were not inexhaustible, the rearing of animals would have to face increasing difficulties, which would react dangerously on the whole agricultural system. Then, in the coming centuries, the need for a new agricultural revolution would slowly become apparent.

CHAPTER IV

Agrarian Institutions of the Germanic Kingdoms from the fifth to the ninth century

THOSE Germanic states which were set up on the soil of the Western Empire after its dissolution were of decisive importance in the economic development of medieval Europe. Modern scholarship gives us a conception of the conditions under which they were established appreciably different from that which so long prevailed. A flourishing Roman civilisation was not swept away by wild hordes of barbarians. The new Germanic states were not the swift consequence of a mighty clash of arms, in which the Romans lost land and liberty, followed by the further spreading of the primitive civilisation of their Teutonic conquerors. 'The West Roman Empire passed away without commotion', as a recent student of the problem has put it.[1]

Long before dissolution came at the end of the fifth century peaceful penetration by the Germans had been going on; and that penetration was not simply military. Primarily it was economic. So early as the end of the fourth century the Bishop of Cyrene in Africa had the impression that there was hardly a family left without a Goth or Scythian as waiter or butler, cook or bailiff. Germans had not only risen to the highest ranks as soldiers or officials; great masses of them had found economic employment. Naturally there were crowds of German prisoners, reduced to slavery, scattered over all the Empire. But among the veterans, who were settled in the frontier provinces and furnished with land, there were just as many Germans. The Emperors themselves, as early as the middle of the second century, had settled tens of thousands of subject barbarians in thinly populated parts of the Empire, to provide the land with new cultivators and the army with a vigorous stock. Particularly after the Marcomannic war great crowds of German warriors, with their wives and children, were assigned to important landowners and settled on their great estates, on condition that they were employed only in agriculture and were bound to the soil,[2] unless indeed they volunteered as soldiers. The removal of Britons from England and their settlement in the *agri decumates*, on the Main, in the Odenwald and along the Neckar, were the outcome of a system that was known under Trajan and greatly extended under Marcus Aurelius. Under Probus, in A.D. 277, some of the conquered Germans were sent to colonise the outer provinces, such as Britain and Northern France. Those composite Romano-German states which arose in the fifth century in Italy, Gaul, Spain and Africa

[1] Sundwall. [2] The *inquilini*.

are only the completion of the great movement which had in fact begun long before Caesar's day. It starts with a peasantry of *coloni* and the entry of many Germans as inferior household servants; then it spreads to the rank and file of the army as constituted by Alexander Severus; next it grips the officers and officials; and ends with the setting up of regular barbarian states in the midst of the Roman population. The Germans by no means came into contact with the Romans only as enemies, perhaps on a threatened frontier, or only as traders who exchanged goods with them on the Limes where German and Roman were neighbours. They do not appear simply as soldiers in the army or as veterans settled along the boundaries of the Empire. Not only did they find their way into the imperial administration; they pressed through endless little channels into domestic and agricultural life, in which they were employed in the ordinary every-day jobs.

So the economic 'fall' of the West Roman Empire was completed with no great shock. This is especially conspicuous in Italy itself. There also barbarians had been settled repeatedly in the past—Marcomanni by Marcus, then Alemanni and Taifali in the years 370–77. The mercenaries, to deal with whom there already existed a *fiscus barbaricus* in the middle of the fifth century, now demanded regular grants of land, as they often had before in other places; and they were only using well-worn precedents when they called their leader Odoacer to be King. Following out the Roman quartering system, he assigned a third of the Romans' land to his men as their permanent property. (He had been treating the Romans quite considerately, and had ordered provincials from Noricum to be brought over the Alps into safety, when he could no longer hold the province.) The actual areas of land thus ceded by the *possessores* to their *hospites* were not uniform, for according to the Roman quartering system account had to be taken of each 'guest's' rank.

When in A.D. 491 the Ostrogoths under Theodoric conquered Italy a greater proportion of Roman land was no doubt taken. The lands which Odoacer had given his men (*sortes Herulorum*) passed to the new conquerors. But these did not suffice the far greater crowd of Goths; so new sharings-out had to be made. A prominent Roman, Liberius, who had made himself useful under Odoacer, was given the task. The assignments of land were made in writing (*pittacia*) with great consideration for the Roman proprietors. Often Goths and Romans lived side by side as common owners (*praediorum communio*): the Goth was the Roman's co-proprietor (*consors*). The Roman proprietors remained completely free. Gothic settlement was most dense in upper Italy and the East (Samnium, Picenum). Thinner in the West (Campania, the neighbourhood of Rome, Tuscany), there was little of it in South Italy

and Sicily. It was not a settlement of whole districts by compact masses of new-comers: it was more like the spreading of a wide-meshed net. The decline in the Italian population as a result of previous wars, and the partial falling of the land out of cultivation, eased the re-division. By the acquisition of the imperial *patrimonium*, and by confiscations for treason, the King got property enough to provide for his military following. A fair proportion of the land now again brought under cultivation appears as let out to *coloni*. Gothic names are found among them. Marked inequalities in the distribution of landed property are conspicuous. Besides the nobles serving the King appear large landlords (*potentiores*); the freemen are divided into *honestiores* and *humiliores*. The late Roman agrarian system was still producing its wretched social consequences. First Theodoric and after him especially Totila (A.D. 541–52) found it necessary to support the peasants against the landlords' tyranny. Theodoric instructed his officials to keep down corn and wine prices and, besides that, he had 20,000 modii of corn distributed yearly among the people. He also forbade the alienation of ecclesiastical lands in A.D. 507.

After the breakdown of the Ostrogothic dominion there came a revival of the great landowners' economic power under the Byzantines (A.D. 553–68).[1] By Justinian's pragmatic sanction of A.D. 554 King Totila's land grants were annulled and the property restored to the Romans. So the old Roman system once more acquired powerful support.

The Lombards conquered Italy in A.D. 568. How they occupied the land is not clear, for there are no sources of information in the early years. Yet in spite of the military conquest there can be no question of any general enslaving of the Romans and appropriation of their land. The emergence of the *aldiones* (half-free folk) has misled people. With their personal freedom many Romans may also have retained their land —only burdened with dues and services. They became *tributarii*. It is significant that many Romans, not only servile but also free, fled away to the Lombards to escape the tyranny of their Roman lords; for among the Lombards freedom would be respected.

Devastation during the conquest and the years of warfare no doubt left much land lying waste, and provided the chieftains with an easy way of endowing their war-bands (*gesindi*). The Lombard freemen did not become mere landlords, enjoying without toil rent from the dues of their dependents, and themselves doing no agricultural work. A good many of the smaller proprietors cultivated part of their land (their *sa a* or *sundrio*) themselves; and on the greater estates direct cultivation is found side by side with leasing and payment for land by *tributarii*. From

[1] See below, p. 195.

the first occupation there were great inequalities in property. Beside the poor stand richer folk. The kinship-groups (*farae*) may still have had great importance as the place-names in *fara* suggest; but the persistence of war and the mingling of races must soon have broken them down. Nowhere can we trace any remnants of common property. Where communal life is found, as in the numerous house communities, it exists because of its economic advantages. There was plenty of artificial kinship—*adfratatio*: it was used to ease the burden of dues and services and prevent the land from falling in to the lord for lack of heirs. The true waste land—forest, rough grazing, waters—remained undivided for common use, shared in proportion to the size of the arable holdings.

With the rise of Authari the era of the chieftains (dukes) came to an end (A.D. 574–84). They handed over half their property to the King, and at the same time an adjustment was arranged with the Romans. There was some sort of land-sharing between them and their Lombard *hospites*; but we do not know what form it took. In the years of peace that followed romanisation made great strides, which could hardly have happened if at the very outset of Lombard rule there had been a complete dispossession and enslavement of the Romans. Probably the Roman population was superior to the Lombard not only in civilisation but also in numbers.

Transfers of property must have been greatly facilitated by King Rothar's recognition in A.D. 641 of the right to make dispositions by will for the salvation of one's soul. Besides that, freemen who had no sons might dispose of property by gift. The laws of Liutprand (A.D. 713–35) recognise the equality of Roman with Lombard law in the relations of daily life. Marriage of Romans with Lombard women is permissible, and this must have led to increasing racial fusion.

The persistence of late Roman economic institutions is revealed both in estate organisation and in the various forms of contract for the hire of land. The Lombards did not live together in compact groups. In Tuscany the ancient place-names have survived pretty uniformly right up into the mountains. Church dedications show a similar distribution of pre-Lombard saints' names. On the other hand in places which existed in antiquity names of specifically Lombard saints are common, not infrequently side by side with the sanctuaries of the subject Romans. Along the frontiers, for purposes of defence and on the Byzantine model, the Lombards established freemen (*arimanni*) on public land, for which they had to pay rent. Their holdings, like the Byzantine soldiers' holdings, were entered in official lists, to protect the state against losses through their sale. In this way some free rural communities grew up, and long retained their independence, on the lands of the Lombard state.

In Spain and the South of France, just as in Italy, the Germans found Roman institutions intact and strongly rooted. The Visigothic settlement in Southern Gaul under King Walia took place early in the fifth century. In the mid-century Theodoric began the conquest of Spain which Euric (A.D. 466–85) practically completed. The copious legislation of the Visigothic kings enables us to follow the evolution of economic relations tolerably well. According to Euric's law, two-thirds of the old Roman *fundi* were assigned to Goths, the Romans retaining only a third. But the Visigoths like the Ostrogoths appear as *hospites* who spared many of the Romans' rights of property. King Athaulf left various Roman estates near Bordeaux quite free of any Gothic *hospites*. Where the boundaries of the old *fundi* were not clear, decision lay with a mixed commission to which both Goths and Romans sent elected representatives. Euric's law employs the usual terminology of the Roman *agrimensores*. Romans were protected against arbitrary encroachments. There was no assignment of land by lot: the term *sortes* simply means shares, and is used of divisions among the Goths themselves.

As estates varied greatly in size, the Visigoths did not live entirely on the dues of their dependents but were concerned directly with agriculture from the beginning—especially the smaller men among them. Everywhere there is individual landed property, freely utilisable and not subject to any claims of the family group (*Sippe*) or the remoter kindred. The way in which the land had been shared up obliged Goth and Roman to live side by side: in some places they made joint use of the undivided woodlands and pastures. Obviously, when the sharing was arranged, the Gothic *hospes* would acquire rights of user over these. If one of the associates (*consortes*) made a forest clearing, the other had to be compensated by the assignment to him of an equivalent area of forest, or if there were no more forest left by a share of the cleared land. This passage in the *Lex Visigotorum* (X, I. 9) shows that we need not here assume a German *Markgenossenschaft*; the Roman *compascua* of the *agrimensores* is a sufficient explanation. The shares of the Goths varied, as we have said. The king could make grants from his ample royal lands. Since alienations, purchases and exchanges, as well as testamentary dispositions, were allowed, property became mobile and unequal and, even when it had not originally been so, scattered. Further, that old Germanic pledge of immobility, the heir's absolute claim (*Warterecht*), was set aside as early as Euric's reign.

At first the marriage of Goths and Romans was forbidden. But Leovigild (A.D. 568–86) abolished the prohibition and gave sons and daughters equal rights of inheritance. Racial amalgamation went on apace, especially after Recared I (A.D. 586–601) became a Catholic and

declared Catholicism the religion of the state. With the growing power of the Church came a fresh stimulus to the break-up of the old proprietary arrangements, through the steady growth of gifts and bequests to it. And as many Romans lived among the Goths, and some actually —as Salvian of Marseilles testifies for Southern France and Orosius for Spain—went over to the Goths to avoid the tyranny of their Roman lords, there must have been a gradual Roman penetration even into whatever compact Gothic settlements may have originally existed.

The typical Visigothic form of settlement was by no means that detached homestead which according to Meitzen's theory they took over from the Celts. There were certainly village-settlements. According to the *Lex Visigotorum* they must be assumed normal. They are not later creations. Moreover Celtic elements survive in the village names of Auvergne.

North of the Visigoths stretched the Kingdom of the Burgundians, who had settled in Savoy at the beginning of the fifth century. Thence they spread southwards in the region of the upper Rhone and Saône toward Lyon and north-eastwards over the Jura. Sometimes they had been called in by the provincials themselves, and as *hospites* were given two-thirds of the corn land; of the homesteads, orchards, woods and pastures a half; of the servile dependents a third. Probably there was plenty of untilled arable and little labour power to work it. But the land was not shared in compact areas, the Burgundian hunters and wanderers preponderating in the hilly forest-clad Jura, for example, the Romans keeping to the fertile plains. It is clear from the *Lex Burgundiorum* that Romans and Burgundians lived side by side in the same place. Here also the detached farmstead was not the rule: the greater part of Burgundy and a part of Franche Comté is a land of villages. The sharing was a sharing of property. Burgundians acquired land, not merely some special kind of usufruct. Private property in meadows and vineyards is there also. Where joint property in arable still exists, according to the *Lex Burgundiorum* the co-proprietors can at any time demand a division. But common waste, especially in the form of woodland, persisted. The *Lex Romana Burgundiorum* contains a provision that woods, alps and pastures shall be common to all, and to each in proportion to his property. We find house communities of *consortes*; but we must not assume that the *consortes* were usually mixed Romans and Burgundians, for the *Lex Burgundiorum* prescribes that the houses of the two races are to be kept apart even in the same settlement. The Burgundians were interested in the exploitation of their own lands, for the *Lex Burgundiorum* lays down that the clearing of the common woods shall not be so conducted as to give unfair advantage to any single co-proprietor.

Burgundian like other kings drew on their abundant royal estates to

endow their followers. But every man so endowed might not claim the usual third of the dependents and two-thirds of the corn land in the place where he was settled as a *hospes*, but must be content with less.

The private law of the Burgundians favoured the further subdivision of the land. It was usual for the father to share it with his sons even in his lifetime. He had free disposition of what remained his. The son was in the same position with regard to his share. But this did not apply to a share acquired from the Romans. Already about A.D. 500 there seems to have been plenty of alienation. The king decrees that only those may sell their land who have a share or property somewhere else. If such a Burgundian is obliged to sell, no *extraneus* shall be preferred to the Roman *hospes* as buyer—the 'foreigner' is excluded. Laws were also directed against too numerous gifts and bequests. Those which were not made in writing and witnessed, were to be invalid: five or seven witnesses were required. Further an age, fifteen years, was fixed below which no one might execute a sale or a gift or an emancipation.

Among the Burgundians also property was very unevenly divided. Beside the *optimates*, who are equated with the Roman *nobiles*, appear *mediores* and *inferiores personae*, the former described as *ingenui*. Once there is mention of *majores personae* in opposition to freemen—evidently larger proprietors, but doubtless holders in the village territory. These rules and indications taken together suggest a scattering and mobilisation of landed property.

The Franks seem to have proceeded in a totally different fashion from those Germanic tribes so far discussed. In their oldest law, the *Lex Salica*, nothing is heard of the sharing of land with Romans. It used to be believed that, in keeping with the old conceptions of German 'barbarism', the Franks took the land by force and enslaved the Romans, or even extirpated them as Christians. Archaeological finds have given us a new basis from which to judge these things. Holwerda, making use of them, has maintained that the Frankish Empire was not the result of an offensive war. The course of development was linked with that of the later Empire and there is no violent discontinuity. We hear in the earliest centuries of our era of the settlement of Frankish tribes on Roman soil. Apart from the Batavians who with the Frisians had accepted Roman domination and become highly prized auxiliaries, Sigambrians were settled by Titus on the left bank of the Rhine in A.D. 80. There must have been an unusually important settlement of Franks in Gaul towards the end of the third century. In A.D. 286 Maximian made a friendly agreement for Frankish settlement in the lands of the Nervii and Treveri, as well as in Brabant and on the Moselle. Rather later, Frisians, Chamavi and Chattuarii, having broken into

Batavian land and been defeated there by Constantius Chlorus, were settled on the Somme and the Oise, and even as far afield as Troyes, Langres, Dijon and Autun. In the fourth century Franks are named among the tribes who were settled in Gaul as military colonists (*laeti*). In Julian's time Salians had crossed the Rhine into Roman Toxandria and had been confirmed in their new possessions by the Emperor. Apparently the Chattuarii migrated into the land of the Cugerni on the left bank of the Rhine some time before A.D. 392. As a result of all these movements, Northern Gaul must have been half German before Frankish kingdoms were set up in the fifth century. Already in the fourth, Franks had great influence at the Roman court and attained high military and official rank there. Early in the fifth the *Notitia Dignitatum* records Frankish *laeti* in Brittany. Roman generals like Stilicho, Aelius and Egidius both fought with Franks and received them on Roman soil. In A.D. 451 Franks fought on the Roman side against the Huns.

Thus sections of the Franks had long since acquired land in Gaul, settled among the Romans, and come to know their civilisation. In the fourth century German colonists (*laeti*) had appropriated land without imperial sanction, and in A.D. 399 Honorius was obliged to take action against this abuse. His ordinance begins with the significant statement that people from various tribes have resorted to Roman territory because of the profit to be got from holding land there as *laeti*. Evidently the blending of Romans and Franks was an old story. The original text of the *Lex Salica* has not been preserved. What we have is a later compilation with alterations and insertions, not earlier than the time when Clovis ruled alone (A.D. 508–11). It was compiled after the establishment of the unitary Frankish state when, the Alemanni and the Visigoths having been conquered, the old tribal kingdom of the Franks had long since acquired a universal character. If we had a record from the days of the tribal kingdom, like those of the other German stocks, we could ascertain the character of the original settlement from it. When this *Lex Salica* was compiled there was no occasion to tell of the antiquated situation at the time of the first settlements, even had the early sixth-century compiler known about it. Possibly the Franks also had taken shares of Roman lands, for they had given the Romans military service and protection. At all events their settlement had been peaceful. They allowed a great deal of the old order to endure and they left the freemen their property.

Their king took over both the imperial land and the Church land, with all estates that had lost their lord. From these he could make grants to his military servants, the more easily because the Germans had been in the habit of thinking of such grants as temporary—for so long as the service was rendered, or for so long as the king who had made them lived.

Clovis, who had dispossessed the local kings with a high hand, took up a conservative attitude towards the old Roman order. How conservative is best shown by his adoption of Catholicism. That he did not adopt Arianism like so many other German kings was certainly due to the consideration that a great part of the population of his kingdom was Roman and Catholic. The *Lex Salica* tells us plainly that his Roman and Frankish subjects were regarded as equals. Roman landownership was preserved: we have the *Romanus possessor*, the *Romanus tributarius*. There was no oppression, no enslavement. Frankish civilisation grew from the soil in conjunction with the late provincial Roman civilisation. We must not think of the place-names in *-heim* as those of Frankish 'manors', over against which we can set family-settlements with names in *-ingen*.[1] Nor is the village system specifically German, nor the system of scattered homesteads specifically Celtic. The suffix *-ing* or *-ingen* may imply any kind of connection, by no means only that of the blood. A place-name in *-ing* may indicate equally well a family-settlement or the settlement of a landlord or fighting chieftain with his people. Place-name study shows that the Franks took over at the outset old cultivated ground and settled on Roman and Pre-Roman sites. We have seen that the wealth of the Frankish kings was made up of Roman imperial estates. Nearly all the old Frankish palaces rose on soil which had been occupied in Roman times. The administrative organisation of the Franks was directly linked with the Roman organisation that preceded it. The district (*Gau*) names show this. They are constantly compounded with the names of the chief places in Roman *pagi*, and names of towns and forts—Köln-gau, Bonn-, Deutz-, Metz-, Worms-, Speyer-, Lobden-, Nidagau and many more.[2]

That so-called 'neighbours' right of inheritance' which has been regarded as an old Frankish agrarian institution and was abolished by an edict of Chilperic (A.D. 561–84), as well as the village community's right of protest against the settling of strangers among them (*Lex Salica*)[3], can both be traced in the Graeco-Roman law of the ancient world. Simple economic considerations amply explain them—the natural interests of the villagers over against their lord, to whom fixed dues are owed. Also the untilled land which forms part of the 'village' (*terra subseciva* = *Mark*) had to pay its tax: the so-called 'supplement'—ἐπιβολή, Latin *junctio*—persists in the Germanic mark, and finds here its counterpart. In the oldest Frankish formularies of Angers and Tours (seventh and eighth centuries) it is significant to find still in the enumeration of the appurtenances of an estate the words *junctis et subjunctis*, a clear indica-

[1] See above, p. 35.
[2] For a different point of view see above, p. 23.
[3] See above, p. 34.

tion of the great influence of late Roman on early Frankish agrarian institutions.

Private property in arable land must be assumed to have been the rule when Frankish kingdoms were first established. No certain trace of communal agriculture or communal ownership can be found. He who by his own labour cleared the waste and made it cultivable became its owner. There was no communal agriculture carried on by free village communities. Where communal agriculture is found, it is a later manorial creation. The name Frank, which used erroneously to be taken to mean free, cannot be used to uphold the sociological theory that all the tribesmen were free and equal. It comes from *frak* and means audacious, thrusting. Actually there was no equality among the Franks. The nobility had not disappeared in the years of migration and war. It was always being formed anew by warlike prowess. The body of freemen was not economically uniform. Inequality of property is there from the very start. Our sources tell of richer and poorer. The *Hufe* (*mansus*) is not a normal freeman's holding, but a measuring unit for property composed of a house, arable land, and rights in the waste (*Mark*). We meet also the old Roman terms (*sortes, acceptae*) which like *Hufe* (which comes from *haben*) mean simply a unit of property. So we understand why the *Bifangsrecht*, the right to carry out a clearing of the waste, is not uniform for all, but is proportionate to the size of the holding. Now since people of position, clerical and lay, had shares in the village mark, and the king, the greatest of them all, could always and everywhere give even 'foreigners' the privilege of settling in village territory, the villages and their marks soon acquired a very variegated aspect, and so-called 'mixed marks' became the rule.

Circumstances very different from those examined so far were decisive in the growth of the Saxon tribal state. It did not spring up on Roman soil: it had hardly any contact with the Romans. It was founded by conquerors from Holstein who crossed the Elbe, led by a highly privileged class, the *Edelinge*, who took a ruling place in the state. They were the lords; the *Laten*, who included the conquered inhabitants, were settled on their land. Classes among the Saxons were more sharply and deeply divided than among the other tribes, for racial differences came into play. Freemen (*liberi*) formed the second class. The *Frilinge*, small peasants, were the lower class. Some of them were freedmen (*libertini*) and, as 'less free', were regarded as not much better than the *Laten*. These last were really servile, bound to the soil, though they had more rights than the Frankish *Liten*; they bore arms, paid fines for breach of the peace or the law and were present at the assemblies of the people.[1]

[1] Against this view (that of Lintzel) doubts have recently been expressed, the federal union of the tribes being emphasised (Brandi) and the theory of a conquest called in question (L. Schmiedl).

The forms of settlement fit these social relationships. For it has become evident that the peasants' homesteads of the eighteenth century were not, as Justus Möser held, survivals of the oldest form of settlement. Nor is Meitzen's view tenable that the scattered Westphalian homesteads are of Celtic origin and that the villages were formed later by their agglomeration. Subsequent research, especially into place-names and prehistoric sites, has shown that villages existed in the remotest times. In old Westphalia, village-settlement and homestead-settlement were not in general sharply distinguished; extensive areas show a mingling of the two. And the place-names point to a widespread settlement by groups with a lord; for very many ending in *-dorf* contain a personal name as prefix. Excavation shows that before the Franks came there were not only fortified camps of refuge for the tribes but also halls belonging to the nobility. These became the main centres of resistance against Frankish conquest. Some of the fortified halls of old Saxony were turned by the Franks into 'palaces' after the Carolingian annexation. The finds of Roman coins, some of which go back to the fourth century, reveal the treasuries of Saxon chieftains. And it is significant that these finds have been made in places where chieftains' fortified halls certainly existed, or on old routes that ran by them. No certain proof can be found of settlement by landowning clans or free communities. The patronymic place-names in *-ing* are commonest among the names of homesteads.[1]

It has often been thought that a direct survival of old German clan settlement could be recognised in Schleswig-Holstein, especially in Dithmarschen. There the free peasants (*Bonden*) were supposed to have survived from primitive times and maintained their free institutions, with communal control of the mark. According to this theory the oldest settlements were villages of kinsmen, founded by the '*Slachten*' (*Geschlechtern*) and their subdivisions, the so-called '*Kluften*'. But later inquiries have shown that the '*Slachten*' are in part at least artificial creations which included strangers. As Dithmarschen and Holstein were the original home of the Saxons, what we have learnt of Saxon social arrangements imposes the greatest caution. The widespread occurrence of lords and their dependents may well have prevailed in old Saxon times, and the whole tribal structures may have been continuous. The facts about the Frisians merit careful attention. Even in Roman times they held some of the land which they hold to-day. They have spread from their oldest home by the Zuyderzee right to the Ems. As early as A.D. 12 Drusus brought them under Roman control. In the fourth and fifth centuries they were spreading eastwards and in the middle of the

[1] This is not true of England. Our *-ings*, *-inghams* and *-ingtons*, if ever they were mere homesteads, very early became villages, as Domesday shows [Ed.].

sixth they became dependents of the Franks. Their home was the inaccessible marsh which is cut off by moor and swamp from the high *Geest* (sandy soil) of the interior. Settlement may well have been made from the sea, and then pushed upwards from the marsh to the *Geest*. As far back as we can go we find regular open-field villages in Drenthe and Ostfriesland. The need for dyke-building involves the co-operation of many settlers. The oldest surveys contain place-names in *-thorpe* and *-wick*.

Gifts to the Church, with sales and exchanges, early led to dispersion of property. As the grazing land was naturally extensive, gifts are defined as land of so many beasts or oxen. The existence of *Hufen* cannot however be denied. *Sortes* and *mansi* are mentioned in the oldest sources. The words *hove* and *uurde* may have a similar meaning. The layout of the fields in blocks rather than strips may be due to later consolidations. As the soil of the *Geest* varies in quality, scattered strips would be required if equality of holdings was to be established among the settlers. Division of the marshes, used for grazing, would not have been worth while. The need for economic co-operation against a common natural danger explains the form of the settlements, even if we reject the notion that the marshes were settled by free communities. At any rate lordship had great importance in early times. The gifts of lay lords to the Church prove it, and so do the place-names, which often contain the genitives of a personal name—Edulfesuurd or Vuilbandasuuic.

Moreover Friesland lacks just those forms of property which have been regarded as indications of settlement by free communities—the marks. Meitzen's contention that common enjoyment or communal control of marks would not fit in with the geographical conditions is invalid. Common land (*mêne, mente*) is found both in the marsh and on the *Geest*. But it is not the common property of free 'markers', but infertile and unprofitable land left undivided for the general use of the inhabitants, in proportion to the size of their holdings. Pasturage there is watched by common herdsmen to prevent individual villagers from getting an unfair share. The term *hamrik* or *hemrik* does not mean a common mark, but merely the whole territory of the village community.

The union of several family groups to make up a village community can be illustrated only from very late sources—so late as the seventeenth century. We now know that the general freedom of the Frisian peasantry was also a late product, and that in older Friesland there was a very considerable number of unfree peasant families. Various considerations unite to make probable the assumption that the formation of common property came late. Nor is it true that the Frisians in early times did not practise a riculture, but were primitively pastoral.

Tacitus tells of those Frisians who had pushed down to the lower Rhine in Nero's time, that they promptly settled in permanent homes and tilled the ground (*Annals* XIII, 54). What he adds—*utque patrium solum exercebant*—shows clearly that this had been their regular practice in their original home.

Property was very unequally divided. The *Lex Frisiorum* shows nobles on one side of the free men, half free *Liten* and serfs on the other. The specialised horse-breeding which extensive pasturage facilitated is still found in Carolingian sources, where we meet with *caballarii*.

The records of the founding of the Anglo-Saxon kingdoms tell us but little. As a result it has been possible to hold diametrically opposite views about it. Seebohm's school postulated the persistence of Roman institutions and treated the manor as an offspring of the Roman villa. Other scholars have assumed that the old Roman and Celtic settlements were destroyed and the surviving population enslaved by the conquerors. Something can certainly be said for either view. Probably conditions varied. I am inclined to maintain that in England also there was not a conquest and re-founding of economic life completed once for all. The Angle and Saxon seafarers had trade relations with Britain before the final conquest and had made settlements there. Before the conquest also they had established themselves on the lower Rhine and there come into direct contact with Roman civilisation. They had been strongly influenced by it, as the Anglo-Saxon words borrowed from the Latin show. It was there in Northern Gaul that they became acquainted with Christianity and learnt something of house- and road-building, of fruit-growing and agriculture. No doubt there was in England as elsewhere much plundering and destruction in the wars which followed the fall of the Roman Empire in the fifth and sixth centuries. The firing of Roman towns and villas which the spade reveals is sufficient proof of that. But it is doubtful whether, on this account, we are warranted in assuming the complete destruction of all Roman settlements.

Anglo-Saxon settlement did not take place according to a uniform pattern—whole districts being assigned by lot to family or kindred groups. Later terms like *folcland* and *terra unius familiae* certainly do not prove that sort of settlement; the less so as in the interval great changes had come about, especially through the development of royal supremacy. As long ago as 1848 Kemble himself explained that place-names in *-ing*, even when patronymics, may describe the followers of a chieftain, or the dependents of a lord. So they may well apply to settlements of 'manorial' type. All that we know of the conquest, and especially of the origin of Angles and Saxons in Schleswig-Holstein, points to a military organisation. The tie of military loyalty and service must no doubt already have prevailed over the older ties of blood.

The English open-field system is not a sure sign of an agriculture once really communal. The scattered strips and their persistence through centuries are no proof of the absence of private property, or of communal principles directed towards the maintenance of equality. In fact the way of dividing the fields tells in favour of the view that, just as on the continent, these fields were the private property of the villagers; or that in villages of dependent cultivators, which assuredly existed beside the freer villages, the dependents enjoyed fixed tenurial rights which could not be arbitrarily changed.

In the oldest Wessex laws, those of Ine (drawn up in the last years of the seventh century), we can recognise private property in land. The fact that the term *gyrde landes* occurs (§ 67), applied to the holding of an individual, implies its separation from the property of the community, just as the grant of *bocland* by royal charter implied private property. The same law of Ine contains also evidence against the existence of communal agriculture; for the case is anticipated of a peasant holding land from another for a term of years and paying rent. There is no sort of proof of the supposition that the various tilled 'lands' reverted after the harvest into a really common open field. Assignment by lot occurred only on ground controlled by a lord, not on that of free peasants; and even so it applied only to meadow and waste, not to the arable. And where it occurred, rational considerations account for it.

Both in the oldest charters and in Ine's and Alfred's laws we meet with a division and intermixture of the property of various owners inside the same area of settlement. And these scattered holdings are not found only in compact 'manorial' villages; we find them also in the villages of small free peasants. Ine's laws show that such people had rented land from the lords for their own use. And then we find Celto-Romans too among the free proprietors. The terms *tributarius*, *manens* and *casatus* do not always mean unfree dependents: already in this early age they may describe free settlers. Welshmen were granted free land by the king, for which they paid him rent. The open-field system cannot have been a rigid compulsory organisation imposed by the lords of *-tons* and *-hams*.

Eastward and southward of the continental Saxons the Thuringians had settled. Among them it was once generally supposed that those primitive German conditions which Tacitus sketched had survived untouched. For the Romans never got there: marsh and forest covered the land. Now modern prehistoric research has shown that Thuringia was well occupied in prehistoric times. At the beginning of our era the Hermunduri were settled in the country south of the Harz and Finne and east of the Werra as far as the Erzgebirge. Pushing south, they came into active commercial contact with the Romans. After them other

German stocks, in particular Angles and Varini, as is reflected in the title of their common law *Lex Angliorum et Werinorum*, wandered in from the north. Angles settled along the Unstrut where a district (Engilin) was named after them. The Varini settled down between the Saale and the Mulde (Werensfeld near Bernburg)—just when is not certain. Some would date their immigration in the third and fourth centuries. In any case, in the fifth there was an independent Thuringian kingdom, which presumably resulted from an amalgamation of these tribes.

The dominant form of settlement was the nucleated village (*Haufendorf*), whose very character and field-system presuppose long settled conditions. The *Waldhufen* or 'row' villages of the Thüringerwald are probably later creations that were not established by the Saxons who came in from the north. After the first settlements were made the land, still densely wooded, was cleared in a great colonising movement into which men of other stocks were drawn—North Suabians, Frisians, Hessians (Schwabengau; Friesenfeld; Hassegau). When Sigebert the Merovingian was beaten by the Avars on the Elbe in A.D. 562, Avars and Slavs pressed into the land between the Elbe and the Saale. In the seventh century there was great fighting with the Slavs: Dagobert in A.D. 632 had to make a campaign from Mainz into Thuringia. He had Saxon support. So about A.D. 700 the Thuringian territory of the North Suabians, Frisians and Hessians came under Saxon control. It was not reconquered by the Franks till Pippin's day (A.D. 748).

According to the *Lex Angliorum et Werinorum*—which however only exists in a Carolingian copy of about A.D. 802–3—there were considerable class distinctions. A noble's *wergild* was three times that of an ordinary freeman, and six times that of the half-free. Since a freeman could transfer his inherited possessions to whomsoever he would, a subdivision of landed property was inevitable. It appears in the field divisions of the typical German open-field village—with its 'furlongs' (*Gewanne*) and scattered strips. That 'lordship' was widespread, the class distinctions and the existence of freedmen plainly show. The oldest endowment charters and surveys of the richly endowed monasteries of Fulda, Lorsch and Hersfeld reveal property scattered over a wide area.

The Alemanni, like the Franks, had entered into relations with the Romans as early as the beginning of the third century. In the fourth century at latest they had attained permanent settlements on Roman soil. From the Main, they spread south over the *limes* to the Lake of Constance, eastwards to the Lech, westwards to the Rhine, which they had crossed by the middle of the fifth century: they occupied a great part of the Palatinate, Alsace and Switzerland. With their conquest by the Franks (A.D. 496) they began to be driven out of their northerly territory. But Frankish influence in these pre-Carolingian times must

not be exaggerated, for the old separate and distinct tribal life stands out markedly.

The Alemanni were an especially warlike race and undoubtedly did much damage when they broke across the *limes*. Yet on many Roman sites old Alemannic settlements have been traced. The place-names in *-weiler* cannot, it is true, any longer be conceived of as indications of a direct transfer of Roman civilisation. Their founders were Germans. The foundation was carried on from the seventh to the tenth century. It began in the West and ended in the East of the South-West German 'weiler area'. It is to be noted nevertheless that the place-names in *-villare*, with a German personal-name and a linking vowel, in Württemberg, Baden, Switzerland and Alsace-Lorraine are found everywhere in the narrow compass of the area which has yielded Roman finds.

We have been taught by the spade that the oldest settlements were not clan settlements, as the places with names in *-ingen* were once supposed to be. The clan did not settle in a compact body, but by families spread in separate groups of homesteads or hamlets (*weiler*), each of which had its own burial ground. There can be no question whatever of communal agriculture by the clan when the land was first occupied. Nor can such settlements have included important groups of non-Germans. What had been Roman state property passed into German hands.

Graves and their contents give proof of social differentiation.[1] A few graves are distinguished by their wealth of funeral gifts: we assume specially rich and socially prominent personages. There must have been some servile folk. Indeed there may well have been a high proportion of the 'less free' in those hamlets. No doubt there were already lords and dependents. The termination *-ing*, *-ingen* indicates not merely attachment by blood (the *Sippe*) but any kind of attachment; attachment to your lord, or to your war chieftain.

Like the other laws, those of the Alemanni (from early in the eighth century) reveal no certain evidence of joint ownership of the mark by the Hundred or the Community. On the contrary, a fully developed 'manorialism' appears and a pronounced social stratification, with *meliores* and *minofledi*.

It was long held that the Bavarians settled originally in groups of blood-relations, because so many place-names in *-ing* and *-ingen* occur in the older records. This theory can now be counted obsolete. Assuredly the Bavarians did not enslave and deprive of their land all the inhabitants of the conquered territory any more than the Alemanni did. The *-ingen* place-names are often found along the old Roman roads, and

[1] See above, p. 35.

it has been pointed out that the former Roman forts and more important Roman sites appear as royal property of the Agilolfing dukes in early Bavarian times. The romance place-names of the Salzburg country and the Inn valley also point to this transfer from Roman to Bavarian governmental hands. There were *-ingen* places where the duke had overlordship from the time of the immigration, or where he himself was the lord. The oldest sources show no difference in the economic organisation of *-ing* places and other places.

The widespread supposition that the Bavarians at their first settlement preferred to occupy scattered homesteads is certainly not accurate as a generalisation. The lie of the land no doubt had its influence. In the mountains it might encourage this type of settlement; though very many of the scattered homesteads of to-day are the result of colonisation from the tenth to the twelfth centuries. As its technical terms show, the economy of the alps was already developed in Roman times. The scattered homesteads in the area of Bavarian settlement are no more a racial peculiarity than they are Celtic in their origin. Most certainly lordship existed when Bavaria was occupied. The Bavarians were an amalgam of Germanic tribes known to the Romans as particularly warlike—Marcomanni, Quadi, Naristi, Suevi from the Danube. Their military organisation showed itself in the way the conquered land was occupied. The war-leaders and local chieftains won plenty of land for themselves and shared some of it out among their fighting men and their civil subordinates ennobled by office. In the Bavarian Law of the eighth century lordship appears as an institution of old standing—we have the lord's hall (*casa dominica*) and the services of the *coloni*. The great noble families, which are mentioned in it, had certainly extensive landed property, as had the Church; for the Bavarians were early converted. The hypothesis that, at the time of the Law, the freemen also were lords, in the sense that they did not till their own land but had it tilled for them by half-free and servile dependents, cannot be accepted in that form. Probably a fair number of them were lord and peasant in one, working part of their land themselves and letting off the rest.

The Franks soon took the first place among the German tribal kingdoms. The rest were steadily brought under their rule—the Alemanni in A.D. 496; the Thuringians in A.D. 531; Bavaria soon after under Theudebert (A.D. 534–48) and the Frisians by the middle of the sixth century. Only the Saxons were able to maintain their political independence until the day of Charles the Great. But this Merovingian Empire was moving to its fall, as could be seen already by the end of the seventh century. Pirenne has argued that in the economic sphere itself there is a deep cleavage between the Merovingian and the Carolingian Empires. Whereas under the first, the old Mediterranean-based economic

map still survived, this was ripped up by the irruption of the Arabs. In Carolingian times the economic centre of gravity was shifted to the North. The old classical course of trade, which had kept the Merovingian Empire a Mediterranean state, came to an end. The land of the Franks, cut off from the sea, became an inland state dominated by agriculture, a peasant state with no distant views. Things were made for use, not for exchange, and the ninth century became the golden age of the self-sufficing household (*geschlossene Hauswirtschaft*). For, Pirenne argues, trade and commerce in Carolingian times had only local importance, playing a subordinate part in the whole economy of the Empire. According to this theory, the German conquest of Gaul brought no revival of the decadent ancient world but merely accentuated its decadence. The Merovingian age was a time not of lusty youth but of degeneration. What the German barbarian invaders had not achieved, that the rise of Islam secured—a complete change in the face of the world, above all in its economic features. So the argument runs.

But modern research, paying special attention to the results of the study of German antiquities, has shown that the closed economy of the Mediterranean basin had been loosened and broken through long before, even before the Merovingians. Moreover the North did not first acquire economic importance through the roping off of the Mediterranean. Its importance was no new thing; for the Baltic landbridge carried a considerable traffic from the Black Sea and the South East to the North, and the long distance oriental trade from Asia and Egypt had its most important emporium in Greece.

The Frankish Empire had very successfully welded together German and Roman civilisation on the old Gallic soil, and to do it had won the help of the Catholic Church, whilst other German tribal states, remaining Arian, remained also markedly backward as a result of the religious differences. The Carolingian Empire built on Merovingian foundations; but its northward extension—the final absorption of the Saxons—was no more decisive than that alliance with Italy and the Papacy which at the close of the Merovingian era had been utterly lost.

The initiative came from the Pope. Already under Charles Martel he turned to the Frankish mayor of the palace for help against his Lombard oppressors. It was refused. But Charles' son and successor Pippin, when he dethroned the Merovingian King, made an alliance with the Pope to secure sanction for his *coup d'état*. So in the new great Frankish Empire the two strong youthful powers, Roman Papacy and Frankish Kingship, stood side by side. The Frankish King was the protector (*patricius*) of the Church and, after the fall of the Lombard power (A.D. 774), with its help he rebuilt the Roman Empire of the West (A.D. 800). Southern Gaul was made safe against the Arabs and the

Spanish Mark was established as a glacis beyond the rampart of the Pyrenees. The overthrow of the Saxons, brutally as it was carried out, had yet materially strengthened the German element in the new empire. The safeguarding of the East, and the putting into order of the hitherto more or less independent duchy of Bavaria, had given the Empire—with its equally German Ostmark—a new eastward orientation. This was no inland state. North and South it touched the sea, and the great trade routes of the world ran together in its spacious territory. Charles the Great's plan to join the Rhine to the Danube by a canal was in some sort the natural consequence of the ripe growth of his dominions. With new seafaring provinces on its northern and southern frontiers—Frisia and Saxony; Spain and Italy—the mighty area between acquired new outlets. Moreover a great internal colonising movement now again began, followed by the eastward spread of Christianity, with new bishoprics—Würzburg, Salzburg—as its centres.

At one time scholarship was unduly obsessed by the *Capitulare de villis*, which was regarded as an ambitious economic programme of the new emperor. Model economic institutions, it was supposed, were to be set up on the royal domains, which were to be imitated uniformly on the other great estates, ecclesiastical and lay. Charles placed the centre of gravity of the whole economy on the domains, and created an economic autarky, finding sustenance for himself and his court by residence first at one then at another of his palaces. To-day our gaze is no longer concentrated on the *Capitulare de villis*. More intensive study of other sources, of charters and surveys as well as of many other capitularies, enables us to draw a more complete and more life-like picture of Carolingian economy. The *Capitulare de villis* has lost its critical importance, because we know that it was aimed not so much at a planned economy as against abuses which had broken out in the south of the Empire especially, while Charles' son Louis was in charge there (A.D. 794). It applies only to those royal estates which supplied the King and his court, not to all his lands. Only a part of these were cultivated direct. Probably the greater part was let out for rent and services on various tenures, among which we can already recognise 'hereditary rent' (*Erbzins*) and metayage. Further, there was yet a third group of estates, those which the King had granted as fiefs in return for military or administrative services. A separate record of these was kept, because of the specially great danger that they might be lost to the crown.

The administration of the royal domains was apparently by no means a model when the *Capitulare de villis* was issued. The regulation that there should be adequate accounts and entering up of the various receipts had in fact not been observed by the officials, and had to be insisted on anew. Far more model conditions were to be found on Church

estates. Gregory I (A.D. 590–604) had long since created a well-planned administration for the *Patrimonium Petri*. The development of the different forms of land tenure may probably be traced to the Church, which at an early date both disposed of a great deal of land and had developed the method of the *precaria*, to bind up its economic interests ingeniously with those of donors. Metayage is found already in the seventh-century formularies of Angers, and probably goes back to Roman times.

Direct cultivation for the King was practised where his estates lay thickest. It is found especially on the patrimonial lands of the Carolingians which lay between Rhine, Meuse and Moselle, and in the Ardennes. Here the Frankish kings very often dwelt before Charles fixed his residence permanently in Aachen. But generally speaking royal property was widely scattered; for even the first Carolingians by their rich endowment of the Church and of their vassals broke up their compact estates. We discern not strict centralisation but a far-reaching independence of the various domains (*fisci*), an independence which distance and the lack of appropriate means of transport made inevitable. Royal property and Church property lay often side by side and mixed up in the same village, together with that of great lay lords and of small free cultivators. The royal palaces themselves had no central importance in the economy of the land. They were not the points at which markets or towns developed later. Even the better known palaces never became towns. Not Ingelheim but Mainz, not Aachen but Cologne, showed a town economy at that time. Nor did Tribur or Bodman on the lake near Constance. So too in Bavaria the palaces of Osterhofen, Oetting, Ranshofen, Mattighofen remained unimportant places; just as in the North West did Attigny, Kiersy, Thionville, Gondreville, Verberie, Samoussy, Ver and Herstal.

The sizes of the individual *fisci* varied greatly. There were extensive compact domains covering several square miles, and smaller ones which covered much less. Estimates have been put forward varying from 1000 acres with 3000 acres of forest (Baist) to 13,750–27,500 acres (Lamprecht). However they are quite uncertain! It is not easy to ascertain whether or not there was strict subordination of the administration of the domains to the central administration of the court. A royal *provisor villarum* is once mentioned, but it is doubtful whether this was a distinct and permanent office. The man referred to was also a *missus regius*. And the *missi dominici* were in general under the control of the government. In any case the superintendents of the individual royal domains (*judices*) had a very free hand in their administration. Their subordinates (*juniores*) were *villici* or *Meier* (*maiores*). The *Capitulare de villis* decreed that the *maiores* should not be chosen from among the more important

folk (*de potentioribus*). Some of these *Meier* were themselves directors of a domainal administration, perhaps in places where the domain was of no great size. The economic organisation was many-sided and various. There was no general uniform rigid scheme. Crown land did not fall altogether outside the bounds of a count's authority. He had jurisdiction in cases affecting the *fisci* as well as over complaints of outsiders against those who dwelt in a *fiscus*.

The estates which were intended to supply the court, the so-called *Tafelgüter*, had to make provision (*servitium*) for fixed periods in turn. When they were free from this obligation their produce could be sold locally. The economy of the royal domains was by no means that of a self-sufficing household, in which all the produce raised is consumed; it was an economy that marketed goods in hope of gain. The royal capitularies instructed the *villicus* to strive to improve the income. In the *capitulare* of Aachen (A.D. 801–13) Charles the Great gave general instructions to the *villici* to arrange fellings of timber so as to improve the *servitium*. In the *Capitulare de villis* too, various passages reflect the desire for increased yields and fresh sources of income whenever possible. The King wished to get a conspectus of the content and size of the yields of his domains by ordering adequate accounting for the individual items. There is a streak of rationalisation in all this, which appears also in the reports of the reform of the *Tafelgüter* in Aquitaine by Louis the Pious.

The Church also carried out a deliberate economic policy, as its regulations for the *precaria* show. Numerous donations of real property were made to the Church by private individuals for the good of their souls. The donors frequently received the land back to enjoy its use during their life time. The pious desire to make such gifts to the Church was further stimulated by returning to the donor, by means of the so-called *precaria remuneratoria*, more usufruct than he had actually given. The state found itself obliged to interfere. The *precaria* it must be allowed had great social importance: they secured provision for the donors in case of sickness, old age or invalidity. Again, in cases of military service and journeys to Rome or on pilgrimage, provision was made by means of *precaria* contracts for the wives and children of the absentees or of those who fell in battle. Ecclesiastical estates under a natural-economy thus fulfilled in various directions those economic functions which to-day, in a time of fully developed money-economy, are performed by the great insurance and banking companies. Small landless freemen also had opened to them the possibility of winning a livelihood, with some prospects of profit, by means of the grant of land in return for a rent (*precaria data*). But there can be no doubt that such contracts occasionally brought with them injury to the ecclesiastical

landlords, the *precaria* involving the alienation of a part of their property. For this reason the King repeatedly ordained that these leasing contracts should be recorded by charter, and that the charters should be periodically renewed.

There were constant exchanges of land between ecclesiastical lords. Very often the object was merely the rounding off of their estates. (In many chapters, as for instance at Freising, these charters of exchange were entered in a special book, the *Codex commutationum.*) Not infrequently however the method of exchange may have been adopted in order to acquire in kind what could not have been otherwise acquired because of the canonical prohibition of the sale or alienation of ecclesiastical property. There is an uncommon multiplication of these exchange operations from the middle of the ninth century. To a great extent they served the same ends as the *precaria.*

The ownership of whole villages by ecclesiastical lords was by no means a general thing. Their property was scattered, as is to be expected from the way in which it was acquired—by a great number of gifts of single *Hufen* or fragments of property often lying in different places. The extension of the demesne which they cultivated themselves, like the carrying out of clearing in the woods, was not to any great extent the result of well thought out planning; it came about by donation and exchange of clearings (*Bifängen; comprehensiones*); and colonisation was encouraged by the *precaria* system. By the extensive use of these leases of land, the ecclesiastical lords attracted plenty of free labour: the land was let with the obligation to improve it (*amelioratio*). So at the same time landed property was increased and progress in the utilisation of the land secured. This acquisition of property by labour (*conlaboratus, adquisitio*) was expressly emphasised in connection with the *precaria.* Clearly the striving after gain, the chance of increasing the amount of productive land, lay behind it all. Sometimes the *accolae* or 'land-settlers', who carried out clearings and so completed an acquisition from the waste, appear as dependents of the manor. They formed as it were the outer circle of the manorial landholders, and their tenure was in some cases by limited revocable lease only. Share-tendency, especially that of metayers (*medietarii*), was already widespread; and free cultivators here and there had land assigned to them which had been kept hitherto in the lord's hands, on condition that they handed over half the produce. In Carolingian times even we can descry the *Meiergut*: certain manors are assigned, that is leased, to their *Meier*, their *villici*, in return for fixed rents. Clerks were forbidden to show avarice by becoming *villici* or farmers of land.

Lay lordship often grew at the expense of royal or ecclesiastical lordship; through gifts of land to the king's followers and assignments of it

as fiefs to his officials; or through fiefs which officials acquired from the Church in their capacity as *Vögte* (*advocati*)[1] or otherwise. Though much was really 'loan land', the royal capitularies show clearly that it was often claimed as the property of the holder. The service of the king now played a much more important part than in the earlier period. More and more counts and other royal officers acquired extensive landed property; and although it was only 'loan land', in fact it was frequently bequeathed.

Lay lordship was graded. Taxation to meet famines was assessed on *comites fortiores* and *comites mediores*; and with these latter were grouped for this purpose those *vassi dominici* who possessed 200 homesteads. Those who had less than thirty however were not obliged to pay the tax. Every vassal who had twelve *Hufen* must have a coat of mail. Normally, four *Hufen* was the minimum holding for the full freeman; one of two or three *Hufen* was reckoned to be small.

The *Hufe*:[2] very different meanings have been assigned to it—the normal holding of a freeman at the original settlement: the holding of a servile dependent which was capable of maintaining a family. Either meaning agrees better with a particular economico-political theory than with what is found in the sources. We have just seen that for a free man a holding of four *Hufen* was not large; on the other hand several unfree men might occupy a single *Hufe*. *Hufe* is generally a neutral term like the German words *Hof* or *Gut* or *Landlos*. It was a unit of account which actually had no single meaning. In different districts it represented varying numbers of 'acres' or 'yokes'; often thirty of these went to the *Hufe*. The lord's *Hufen* too (*mansi dominicales*) were not always compact properties or well-defined manorial homesteads; their parts might lie in different places: The *Königshufen* are the result of clearings made on royal property, and because of the less intensive cultivation of such newly cleared land they are big—sixty yoke and more.[3] Besides the *Königshufen* there were private *Hufen* of this sort, of from sixty to a hundred and twenty. The land that made up a *Hufe* was spread over the various furlongs (*Gewanne*) of the village fields. Sometimes a half *Hufe* is simply called a *Hufe*. But we cannot always, when parts of *Hufen* are mentioned, conclude that whole *Hufen* had been broken up. Just because the *Hufe* was a general term, parts of *Hufen* may be primitive; they may for example have arisen from clearings. The *Hufen* of free proprietors were divisible; those under manorial control were not. The lords' economic interest in the stability of their rents made them

[1] The *Vogt, avoué, advocatus* was the lay representative and agent of an ecclesiastical lord. As such he was entitled to certain land and other rights which he was always tempted to stretch and if possible make hereditary.

[2] See above, p. 40 and below, p. 265. [3] See above, p. 46.

hostile to division. To each *Hufe* belonged, beside the homestead (*area*) and the arable, a share in the common mark. This was made up of the uncultivated land—wood, pasture, waters and alps—which was left undivided for the use of all. Access to the mark was a very important economic asset for the villager; it gave him building wood and firewood, pasture for his cattle and horses, and pannage for his pigs in the oak-woods.

There were various types of mark—lords' marks, mixed marks, and marks of free tribesmen. By Carolingian times the last must have been already very rare; for as a result of the many royal land grants and the donations of private people, both ecclesiastical and civil lordship had spread widely and had got a firm footing in the villages side by side with free tenure. There were constant conflicts between lords and villagers about the use of the mark. So we find formal sharings (*divisiones*) by which one part was reserved for the lord, made part of the demesne, the other left for the use of the villagers. Naturally, there were also quarrels among lords, for lay magnates—counts for example—often infringed ecclesiastical rights of user. Boundary settlements were arrived at by a decision of the neighbours (*vicini*), who declared on oath what they knew of the development of relevant customary rights. The Council of Ver (A.D. 844) felt bound to make a stand against the encroachments of the laity on the lands of the Church, and paid special attention to harmful *divisiones* which often amounted to secularisations of ecclesiastical property.

In coming to an opinion about agriculture and social conditions on the land it is important to bear in mind that even in these early centuries —from the fifth to the ninth—the various German tribes were already familiar with towns and markets, in which industry and trade developed.[1] The produce of rural districts was not all consumed on the spot in self-sufficing households. In part at least it was brought to market and carried into the towns, to be sold there. This meant new possibilities of agrarian development. Agricultural produce could be more advantageously disposed of, to meet consumers' needs and the shifting of demand; for a price system was already established.

Further, the way was opened for social change as peasants' younger sons found fresh chances of work in the towns. They could serve as hired labourers (*mercenarii*). The great attraction of the cities and market-towns even for the dependent tenants on great estates is distinctly attested in the *Capitulare de villis*. The numerous manumissions of servile folk, to which the great number of still surviving manumission formularies testifies, must certainly in part have been a consequence of their migration to the towns; and we know from the legal cases about

[1] See Vol. II.

freedom that such people also deserted their lords irregularly, and sometimes were received by the townsmen. According to some of the tribal laws (the Burgundian for instance) freedom could be bought. That would open possibilities of social and economic betterment to wide circles of the rural population. Then again, the peasantry did not only pay their debts in kind; they were very familiar with the use of money. And this greatly eased and encouraged the economic intercourse between country and town.

The price-edicts for agricultural produce (grain, wine, cattle) which Charles the Great was impelled to issue (A.D. 794 and 806) show that there was 'profiteering' in such things, and that the great lords themselves took part in it to the hurt of their peasant tenants. The edict on just weights and measures and the laws against false and light monies were also meant to help the peasant. So too the legal rules against the selling by night of animals and all articles liable to have secret defects. The care for their people which the Germanic kings, from Theodoric and Totila onwards, manifested again and again in the attitude that they took up towards inordinate profit and the injury of the humbler countryfolk was a strong barrier against those social and economic dangers which everywhere and uniformly accompanied the growing economic ascendancy of the great landlords. The lawgiving of the Germanic kings enables us to understand why peasants should transfer themselves from Roman to German lords—there were better conditions, both economic and social, in the Germanic kingdoms. The very aim of the governmental control through *missi dominici* was to seek out the grievances of the oppressed and redress them.

CHAPTER V

Agrarian conditions in the Byzantine Empire in the Middle Ages

THE eastern half of the Roman Empire was economically stronger and more thickly populated than the western half, and it survived the crisis in which the latter perished, though only after the most exhausting and difficult external and internal struggles. For even the sounder eastern half of the Roman polity had the same troubles as the western half, and in spite of all their differences the political, as well as the economic, and particularly the agrarian, conditions were in many ways similar. The decline in the population did not make itself felt so severely in the East as in the West, while in the former with its overabundance of cities the growth of *latifundia* was accomplished more slowly. But here, too, for centuries development was affected by the marked shortage of labour and by the increase in private estates. And here, also, there were the same results—the widespread absorption of the state lands and of the small landowner, and the binding of the peasant to the soil. This process was vigorously opposed by the more highly centralised government of the East, but such opposition was limited by the financial needs of the state; and to the very end it remained unsuccessful.

These financial needs of the state were at all times responsible for the moulding of agrarian conditions in Byzantium. The taxation of Diocletian had imposed the hereditary ground tax on the peasant, and the so-called *capitatio-iugatio* which he created continued throughout the early Byzantine period, linking together the head and ground taxes. Regarded from different points of view *caput* and *iugum* denote the same taxable value: the *iugum* is the piece of land that can feed a *caput*, and the *caput* stands for the human labour expended on a *iugum*. And so the *capitatio*, just like the *iugatio*, is related to the actual soil, and a *caput* cannot represent either townsfolk or the landless. In the same way, a *iugum*, in order to be taxable, must have its corresponding *caput*. The efforts of the government were therefore of necessity directed towards keeping a balance between *iuga* and *capita*, by finding a *caput* for every available *iugum*. Owing to the scarcity of labour this was no light task, and it was for this reason that the exchequer made every effort to bind the *caput* when it was found to the corresponding *iugum*. And so ever-increasing masses of the rural population were tied to the soil. This is a particular instance of the widespread compulsory fastening of the population to their occupation which scarcity of labour forced the later

Roman Empire to pursue systematically. During the course of the fourth century the fettering of the *coloni*, even in the eyes of the law, appeared throughout the Empire; for financial considerations compelled the government increasingly to deprive the *coloni* everywhere of their freedom of movement.

Above all, the overburdening of the rural population with taxes hastened the *patrocinium* movement. In order to mitigate the pressing demands of the state the small landholder put himself under the protection (*patrocinium*) of a powerful lord, and in return placed himself and his land at the service of his patron. The Roman and Byzantine Emperors vigorously opposed this development and fought it for many centuries, often with very severe measures. Yet it was the government itself, driven by financial and military needs, which had handed over the peasants to the landowners. To ensure the tax returns, it had entrusted the collection of taxes from the *coloni* to the landowners, and for the army's sake had made them responsible for recruiting the *coloni*. The dependence of the *coloni* was the inevitable result of the landowners' responsibility for their tax-returns and their military service. The *coloni*, legally free, lost their freedom of movement and became the serfs of the large landowners (*glebae adscriptitii*, ἐναπόγραφοι).

Even in Egypt, relatively the most densely populated part of the Empire, both small freehold peasant property and the once enormous crown and state domains were systematically absorbed by large private landowners. The land of the imperial domain could not find the necessary labour, and the crown resorted more and more to compulsory leasing of its deserted estates. In Egypt the system of the so-called ἐπιβολή (*adiectio sterilium*) had been established from the earliest times. Under it the inferior state land was assigned compulsorily to private landowners (*proximi possessores*) to work, and they were forced to undertake the responsibility for the return of the tax levied upon the property allotted to them. From the close of the third century this system was employed throughout the Empire, and it was soon used, not only for state land, but also for deserted and dilapidated estates of private owners who were unable to answer for their taxes. But such a method could only succeed if those to whom the land was allotted had the necessary economic resources, and so this system, too, ended by contributing towards the increase of large estates. All along the line it was the large landowner who won, and who not only economically checkmated the crown but gradually monopolised important functions of the state.

The struggle against large landed property which the central authority had prosecuted with great vigour, even in Justinian's time, was unable to bring about any fundamental change in conditions. The predominating

feature of rural economy in the early Byzantine period was the great private estate. Great landowners and their dependent *coloni* were the typical figures of the age.

I. *The free peasant village in the middle Byzantine period*

From the seventh century onwards the Empire entered upon a completely new phase of development. Economic and social, as well as political and cultural, conditions showed an entirely different aspect. The period of the later Roman Empire comes to a close, and the history of the medieval Byzantine Empire begins. The Byzantine polity which had survived the collapse of Justinian's work of restoration and the invasions, first of the Persians and then of the Arabs, underwent an internal regeneration. Byzantium had suffered greatly in territory; for Roman Mesopotamia, Syria, Palestine, and the granary of Egypt, were lost to the Arabs. But the very limitations imposed by the new frontiers gave the Byzantine Empire greater stability and internal unity; it had new and much firmer foundations on which to build. The system of government and the administrative divisions of the provinces, the financial arrangements and the organisation of the army—all this was new. Socially the character of the Empire changed, and henceforth its economy stood upon a new basis.

It was the great Emperor Heraclius (610–41) who breathed fresh life into the ageing Roman Empire and restored it by his decisive reforms. His institution of themes not only created a new system of administration and a new military organisation, but it turned the course of Byzantine agrarian development into fresh channels. Just as the binding of the peasant to the soil in the earlier period was due primarily to financial and military needs, so in the middle Byzantine period was his freedom of movement markedly encouraged by the new organisation of the army and the alterations in the system of taxation. Heraclius's institution of themes introduced a strong military element into the imperial administration. The Empire was divided into large military districts—the themes—and each was placed under a governor (*strategus*) who controlled both the military and the civil government of his province. But most important of all were the military settlements within the newly created themes; the so-called 'military estates' (στρατιωτικὰ κτήματα) came into existence and were granted out in return for military service. While the army of the early Byzantine period was largely composed of troops of foreign, and mostly Teutonic, origin, Byzantium now gradually recruited its soldiers from within the Empire. A peasant militia drew from its own soil both the means of livelihood and the resources for waging war.

This creation of military estates shows that it was in Asia Minor, then the backbone of the Empire, that enough unoccupied land was to be found. This is not surprising after the devastating invasions of the Persians and Arabs, which must have swept away so many large landowners. Heraclius's successors continued his work, and in order to colonise the military holdings in Asia Minor they brought into the Empire many elements of foreign, and especially Slavonic, origin. For several centuries to come this institution of military estates by Heraclius and his successors was the very foundation of Byzantine military power. It was a system that afforded great relief to the budget and solved the terrible problem that had arisen after the great barbarian migrations, when the Empire found that the sources from which its army had formerly been recruited were no longer available. It had the further advantage of establishing an important body of free peasants in the Byzantine provinces; for, while the eldest son of a soldier (*stratiotes*) succeeded to his father's duty of military service, the rest of his offspring swelled the free peasant forces which could be occupied in the clearing of untilled ground. Thus a free peasantry developed side by side with the soldiers settled on the land, and, as the latter were the mainstay of the military, so the former, in their capacity of taxpayers, were the backbone of the economic and financial power of the Byzantine Empire. There was neither economic nor social difference between the tax-paying free peasants and the soldier peasants owing military service, who had moreover to pay certain taxes. Economically the military holdings were exactly like the peasant holdings, and socially the soldiers and the free peasants belonged to one and the same class. They were frequently placed in the same administrative and fiscal grouping and were treated by the imperial legislation as a single category.

Although Byzantium certainly had uncultivated land in the Middle Ages, it did not then suffer from so serious a scarcity of labour as it had in the earlier period. This indeed is largely due to the extent to which foreign elements had settled within the Empire and given it new vigour. It was moreover this fact which made possible a fundamental alteration in the system of taxation. In the place of the interdependence of the *capitatio* and the *iugatio* there was a separate levy of head and ground taxes, from the seventh century onwards. The head tax, which appeared in the form of a personal tax levied on the family (really a hearth tax: κοπνικόν), fell on all taxpayers without exception. It was no longer levied on the assumption that it was related to the occupation of a definite unit of land, and the exchequer was therefore no longer concerned to the same extent as formerly with the binding of the taxpayer to the soil. And so from this time onwards there is an abatement in the restrictions placed upon the rural population.

The appearance of a solid stratum of free and free-moving peasants is most clearly revealed in the famous Byzantine Peasants' Law (νόμος γεωργικός) that was drawn up, certainly at the end of the seventh century, and in all probability under Justinian II (685–95).[1] The Law is assuredly not to be regarded as an act intended to do away with the peasants' obligation to the soil. There was no question of any general repeal of this by means of legislation; on the contrary, the strengthening of the free and free-moving peasantry in this central period, as explained above, was the result of a complicated development conditioned by many different factors. The Peasants' Law has a more modest object: it sets out a number of regulations for the protection of both mobile and immobile peasants' property. But it undoubtedly takes account of a free and mobile peasantry, and hence its special historical value, for it supplies the evidence for the existence at the time when it was drawn up of a large population of such independent cultivators within the Byzantine Empire. The mobile peasantry who had as good as disappeared in the early Byzantine era had now become so important that it was necessary to draft a law particularly relating to them. It is true that there were always serfs in Byzantium, just as there were always powerful secular and ecclesiastical landowners; but, while in the early period it is the great landowner and his soil-bound *coloni* who completely dominate the picture, the Byzantine provinces are now increasingly characterised by small free peasant holdings.

If we combine the evidence of our sources we get the following picture of the free Byzantine peasant in this central period. As in the West, so in Byzantium we find two main types of peasant settlements: the nucleated village (τὸ χωρίον) and the separate farmstead (ἡ κτῆσις). In the case of the isolated farmstead the peasants' property was not in scattered plots and the arable land lay immediately round the farm buildings. It was a self-contained farming unit, a kind of hamlet, comparable to the later Russian *chutor*. But the far more common type of settlement was the nucleated village. In the middle of its land stood the little group of peasants' houses lying close to one another, with their farmyards and vegetable gardens. This was the centre round which the peasants' property was grouped, the arable land, the vineyards, and so on. Their land (στάσις) was usually divided up into several little fragments (μερίδες, κατατομαί) which lay scattered in different places.

[1] Scholars still disagree on the question whether the mention of Justinian in the title of the Peasants' Law is to be regarded as an erroneous allusion to Justinian I, or, rather, as Vernadskij, *Byzantion*, II (1925), 169 f., suggests, as a reference to Justinian II. In the solution of this disputed point the decisive factor seems to us to be that the majority, and certainly the oldest, manuscripts give the Law as an extract ἐκ τοῦ Ἰουστινιανοῦ βιβλίου (singular), whereas if Justinian I had been meant one would certainly expect to find βιβλίων (plural).

Like the orchards and vegetable gardens, the vineyards were as a rule fenced. The arable land usually did without any fencing, but there is no doubt that it was in every way the hereditary property of the individual peasants. According to the older theories, the village community in Byzantium was characterised by communal ownership and periodical sharing out of all the village land, the individuals to whom it was allotted being allowed only a limited use of it for a stated period. It is necessary therefore to lay special emphasis on the fact that, as in the Roman, so in the Byzantine Empire, property and land were always hereditary and individual possessions. The holder, even if he were merely a peasant living in a village, had complete and unlimited legal right of disposal over his land. The Byzantine sources show quite clearly that peasant land was handed down from generation to generation by inheritance and that it could be freely alienated by the possessor just as he chose—by sale, by gift, or limited lease.

Besides the arable land and the vineyards which were the personal property of individual peasants, there was the unallotted land. It was usually pasture-land and woods which remained unallotted, but sometimes there was other land which seemed less suitable for cultivation or was for the moment superfluous. If necessary this could also be parcelled out to individuals to be absorbed into separate economic units and to become their private and irrevocable property. When our sources speak of dividing the land, it is not, as we used to suppose, a question of periodically apportioning all the village lands, but of a subsequent parcelling of the land originally left over because it was not needed. These allotments had the effect of assisting the ordinary process of bringing the land gradually under cultivation. As we have already emphasised, in the early medieval period the Byzantine Empire had an increasing amount of cultivable land that was not in use. The problem of how to satisfy the desire for land had not yet arisen. It was only a question whether the capital and the equipment necessary for bringing fresh land under cultivation were available.

The tilling of his fields was the chief occupation of the Byzantine peasant and the chief support of his existence; but the vineyards were also of great importance. Most peasants seem to have possessed vegetable gardens, and beekeeping was very general. Cattle breeding played a prominent part. It was the possession of cattle more than anything else that was the measure of a man's wealth. As the pasture-land mostly remained undivided, the cattle of all the inhabitants of the village grazed together, under the care of the village herdsman, who was paid by individuals in proportion to the number of their cattle. And then there were the village mills—both wind-mills and water-mills—which generally belonged to the whole village community. Craftsmen, who

very often played such an important part in the villages of the neighbouring Slavonic towns of the Balkans, are practically never to be found in the Byzantine villages. This is accounted for, not so much by the fact that the Byzantine peasants supplied their necessary domestic equipment, their tools, their clothes and so on, from within their household (for to a great extent the Slavonic and the West European peasants did the same), but rather by the fact that Byzantium was much richer in cities, and the village therefore stood in closer relation to the town where the peasant could satisfy his needs. Moreover, markets were held periodically in the country districts, and these facilitated exchange between village and town and probably held a significant place in agricultural life. The privilege of holding a market gave the district thus favoured a considerable advantage, and there seems to have been not a little dissension over the fixing of the sites for country markets.[1]

There was naturally a great deal of difference in the amount of property held by individual peasants. There were the big peasants, who had fine holdings, cultivated valuable crops, possessed large herds of cattle and even slaves, bought land or took it on lease. Then there were very poor peasants who could not work their land and who tried to lease it. In such cases it was usually a question of a short-period lease arranged on the metayer system (ἡμίσεια), whereby half the yield went to the tenant and the other half to the owner of the land. In the case of a long lease for the more valuable kinds of cultivation (μορτή) the tenant (μορτίτης) kept nine-tenths of the produce. At least that is according to the provisions of the Law. But the facts that questions arising from this kind of arrangement must have become specially acute, and that the Peasants' Law expresses the regulations relating to it in biblical phrases, indicate that this principle was not always adhered to. In any case there are frequent instances of the payment of the tithe by the lease-holder, but to all appearances the arrangements varied appreciably, according to the respective economic and social positions of the tenant and the owner. With the development of a money economy rent was increasingly, and in later times almost exclusively, paid in money, which meant that the terms varied very much and were arranged to suit individual needs. When state land was leased the rent (πάκτον) was simply treated as a tax, and there was practically no difference between the government tax and the rent.

The superfluous energies of the richer peasants were employed in bringing under cultivation additional land outside the village boundaries. If a peasant had the necessary capital and equipment it was not unusual for him to leave the village and settle down outside its territory,

[1] Cf. Basil II's novel of 996 (Zepos, *Jus*, I, 271 ff.).

building himself a house and transferring thither his activities. So there arose on the outskirts of the village individual properties with their own buildings, very like the hamlets of the separate farm settlements which we have already mentioned. Sometimes these were fairly small peasant holdings (ἀγρίδια) worked by the owner, but sometimes there were also large estates (προάστεια) run with slaves or small lease-holders. These new settlements and the formation of individual properties of this kind were frequently caused by the division of inheritances; some of the heirs would retain the old farm in the village, while the rest would found for themselves separate new farmsteads outside the village boundaries. If, however, economic resources did not run to this, and provided that none of the heirs went into the city as day-labourers, or to other men's farms as farmhands, if, in fact, all the heirs stayed in the village, then they either worked the family land jointly, or undertook to divide it. This last arrangement naturally led to further splitting up of peasant property, and in time this subdivision and scattering seems to have reached extraordinary proportions. To remedy this evil a procedure somewhat like the present-day 'cleaning-up of the fields'[1] was adopted. This was used particularly in cases where a peasant's property lay in two different villages, when, at the peasant's request, the government official would transfer it, so far as possible, to one place.

This complicated village-formation, with the compact central settlement, the confused patchwork of peasant-owned plots lying around it, the unallotted commons and fallow land, and the individual estates on the outskirts, all went to make up a commune. This commune (κοινότης, ἀνακοίνωσις, ὁμάς, μετουσία) represented, however, not so much an economic, as an administrative and fiscal unit. It possessed economic functions only in so far as the inhabitants of a village were naturally united by economic interests and joined together to protect them. Moreover, the self-governing rights of the Byzantine village community were of a very limited nature, for nothing took place in a Byzantine village without government supervision and even the most trivial matters of daily life were controlled by the government officials. The tax-inspector (ἐπόπτης) visited the village for regular and periodically recurring inspections as well as for extraordinary ones made necessary by special circumstances. He undertook the measuring and valuation of the land, and not only levied the general tax on the village district, but also assessed the taxes of the separate members of the commune. He was naturally also responsible for deciding all remissions and reductions in taxation, for defining their extent and the time allowed for payment, all of which involved a thorough examination of the circumstances of

[1] *Feldbereinigung*: the technical German term for that rearrangement of holdings which in England accompanied the inclosure of open fields.

the taxpayers. He also ratified the transfer of property in cases of inheritance and division among heirs, or of purchase and gift, in order to transfer the taxes to the new owner or to allocate them among the heirs.

The financial factor was of primary importance in deciding the character of the Byzantine commune. The Byzantine village community was a fiscal unit. The village formed a fiscal district (ὑποταγὴ χωρίου) and a general tax (ῥίζα χωρίου) was laid upon it, which was then distributed among the individual properties. All property which shared in the payment of this general tax was part of the commune; moreover, the owners of individual estates, who had cut themselves off from the village and carried on a separate economic existence, were members of the village community, in that they had a share in the fiscal burden of the mother-village. On the other hand property exempt from the tax was separated from the commune, even though it lay within the boundaries of the village; and further, if property lying among the peasant-owned plots was taken possession of after the valuation and taxing of the village and then subsequently burdened with a special additional tax (προσθήκη) and separately inscribed in the tax-books, it did not belong to the commune, but was considered as a separate 'independent' property (ἰδιόστατον). This was a characteristically Byzantine feature. It is true that in actual fact the 'independent' properties were mostly large estates. But that was not the deciding factor, for this 'independence' was a purely technical one for fiscal purposes. In connection with this classification, the ownership of the property, its size, the position of the plots, their condition or economic resources—all that was immaterial. One thing only was important: it had to form a special fiscal unit, whether by reason of carrying a special tax and being inscribed in the tax-book under a special heading, or by being exempt from taxation and—in the case of complete exemption for an indefinite period—removed from the registers.

The members of the commune were responsible as a body (ἀλληλεγγύως) for the payment of the taxes. If a peasant lapsed into poverty or abandoned his property, then another, generally his neighbour, had to pay his taxes for him and thus acquired the right of usufruct on the land in question. But if the absent man paid his taxes regularly his property remained inviolable. He who paid the taxes was the possessor. This typically Byzantine principle became fully developed in this period in the so-called *allelengyon* system, which represented a continuation, and at the same time a variation, of the late Roman system of the *epibole*. For, if in the late Roman period, as a result of the serious scarcity of labour, the forced transfer of fallow land was the primary consideration and the imposition of the burden of taxation only a con-

sequence, in medieval Byzantium it is the additional tax which is the decisive factor and the transfer of property the inevitable and logical result.

The *allelengyon* system of payment imposed excessively heavy charges on the peasantry, and this sufficiently explains why membership of a village community was considered burdensome, and why a peasant usually preferred to own a detached property.[1] The taxes were extraordinarily heavy, quite apart from the *allelengyon*, and the additional liability, not only for one's own taxes, but also for those of others, frequently ruined the people upon whom it fell. When the government levied the *allelengyon* on abandoned property, this more often than not had the effect of forcing the decision to emigrate upon those who had so far remained behind, simply because they could not face this extra burden. To prevent the withdrawal of even more taxpayers and greater depopulation than ever, the government found itself forced to give up taxing abandoned property and to remit any such payments, that is, to annul the *allelengyon*. If the absent owners did not return within thirty years this remission of taxes was transformed into a final exemption, and so there appeared the exempt property (κλάσματα, later known as ἐξαλειμμένα), which was thus cut off from the village community. This phenomenon was already known as early as the seventh century, and after the tenth it seems to have become particularly widespread. The appearance of exempt property actually meant the gradual break-up of the system of paying extra taxes, and, although this was still legally and theoretically valid, yet it usually proved unworkable in practice. The rights of ownership over exempt land fell to the state, which could sell, lease, or grant it. Such property was usually lost to the peasant village, for it can scarcely be supposed that the peasant who himself, or whose ancestors, had been unable to take over property merely because of the liability for payment of taxes would, thirty years later, have been in the position to purchase it or even to take it on a lease. This was only possible in exceptional circumstances, and generally the exempt property, when it did not remain in the possession of the state, fell into the hands of the great landowners; and this is one of the factors which contributed to the disintegration of the peasant village communities and the absorption of peasant-owned land into the great estates.

When an important landowner had obtained a plot of ground lying in the middle of a village it was only natural that he should attempt gradually to buy up the land round about and that the neighbouring small owners should become first economically and then legally dependent on him. Another factor which accelerated this same process was the direct alienation of different parts of the village to secular or

[1] In this connection cf. the interesting remarks in the novel of Constantine VII (Zepos, *Jus*, I, 216).

ecclesiastical landowners, either by sale or long-term lease or as a gift. Men who took monastic vows usually made over their property to the monastery, and very often the devout Byzantine before death bequeathed his personal and real estate to a monastery. Thus the great landowners penetrated into the village, the secular lord above all through purchase, the ecclesiastical through purchase but also very often through bequest.

II. *The struggle to preserve the small landowner in the tenth century*

At the beginning of the Middle Ages when the Byzantine Empire had emerged from the turmoil of the invasions of both the barbarians and the Arabs it showed a lack of economic and social differentiation. But this marked a period of transition. Gradually once more a definite class-system and, at the same time, the development of great landed estates became noticeable. As early as the end of the eighth century we see the rise of various powerful families, but by the end of the ninth and the beginning of the tenth centuries the aristocracy had so much power, and had succeeded in being recognised as a privileged class to such an extent, that it claimed to fill the higher positions in the army, and was able, by the repealing of older laws, to secure for itself important economic privileges.[1] The marked capacity of this class for economic expansion found its real outlet in agriculture. In Byzantine cities commerce was so strictly controlled that there was little scope for private initiative; trade and industry were regulated down to the smallest detail, and jealously supervised by the government. The only outlet for the development of private enterprise on a large scale or for the use of superfluous capital was in the acquisition of rural estates. The 'powerful' men (δυνατοί), as the more important and economically stronger elements of Byzantine society were called, greedily consumed the property of the 'poor' (πτωχοί, πένητες). They bought up the holdings of peasants and soldiers, and made their owners dependent upon them.

This was very dangerous for the Byzantine state, for both its financial and its military strength depended on the existence of the small freehold peasant property. The reduction in the number of peasant holdings meant that the state lost its best taxpayers, the decline of the military holdings that it was deprived of its soldiers. The system created by Heraclius, which was responsible for the strength of the medieval

[1] *Tactica Leonis*, ed. Vari, II, § 25. Cf. also II, § 17 ff.; IV, § 3; *Nov. Leonis*, 84, 114, ed. Zepos, *Jus*, I, 152, 186.

Byzantine state, began to be undermined, and the danger of the feudalisation of the Empire was in sight. The Byzantine Emperors were very well aware of what was at stake. They strenuously attempted to protect the small peasant-owner and they vigorously opposed the forces of feudalism. And so there began a bitter struggle between the rising owners of great estates and the central authority, a struggle which lies at the heart of the whole development of internal politics in the Byzantine Empire of the tenth century. It is both the most important and the most dramatic phase of Byzantine agrarian history, and it determines not only the later evolution of agrarian conditions, but also the fate of the Byzantine Empire.

The imposing legislation of the Byzantine Emperors for the protection of the small landowner began with the novel of Romanus I Lecapenus (919–44). This law of April 922 first of all restored the old pre-emption right of the neighbours (προτίμησις) which Leo VI (886–912) had restricted in the interests of the landed nobility, and it formulated this institution in a new and significant way. In cases of the sale of peasant land five categories were to enjoy the right of pre-emption in this order of preference: (1) relatives who were joint-owners; (2) other joint-owners; (3) owners of plots mixed up with the property to be sold; (4) owners of adjoining plots who were jointly responsible with the seller for taxes; (5) other owners of adjoining plots. It was only when all these declined to purchase that the land might be sold to outsiders. This system was intended to protect the small landowner from being bought out by the 'powerful' and at the same time to prevent further subdivision. The 'powerful' were to have no right whatsoever to obtain further possession of peasant land, except in cases where they owned property in the villages concerned (which might, as we have seen, easily be the case as a result of the purchase of an exempted property, thus giving the 'powerful' a pretext for the further buying up of peasant land). Moreover, they might not accept gifts and legacies from 'poor' men, unless they were related to them. He who was convicted of breaking these regulations was to restore the purchased property without being compensated and in addition to pay a fine to the state treasury, provided he was not protected by a ten-year, or in the case of a military holding even a thirty-year, prescription.

This act, in spite of its severity, did not have the desired effect. As a result of the long and severe winter of 927–8 the Empire was afflicted with an extremely bad harvest and there were outbursts of terrible famine and devastating plague. The 'powerful' profited from this time of distress, for they bought up the land from the starving populace at ruinously low prices or took it in return for providing food. This led to Romanus I's novel of September 934, when the Emperor denounced

with the utmost severity and bitterness the selfish greed of the 'powerful', who had 'shown themselves to be more merciless than famine and plague'. Yet he did not insist on a general restitution of all purchased property, as one would have expected from the strict prohibitions of the law of 922. It is true that all gifts, legacies, and similar transfers were declared invalid, and in addition all property had to be restored without compensation, if it had been bought for a sum less than half its fair price. But if it was a question of legal sale, then the return of the property was conditional on the repayment of the purchase price within three years. As far as the future was concerned, Romanus renewed the prohibition of any acquisition of peasant land by the 'powerful', while he insisted that land already acquired should be returned freely to the former owner and a fine paid to the state treasury. This, however, was for the future, and it is clear from the novel of 934 that, in spite of the stern tone, the government measures could not be applied with the severity anticipated. It may be safely assumed that a great deal of the peasant property acquired during the famine remained in the hands of the 'powerful', for it may certainly be doubted whether a peasant who had been forced by distress to sell his land would be able in three years to get together the amount necessary for the repayment of the purchase price. Even in the case of illegal purchase which, according to the requirements of the law, should have been followed by gratuitous restoration of the acquired property, it is doubtful whether the peasant was always, or even generally, given back the rights over his property, for it must be realised that the men who were open to conviction for illegal purchase would usually be the local officials placed over him, or their relatives and friends.

In fact not only did the 'powerful' retain their position, but the buying-up of peasant property continued, and the successors of Romanus I had to issue new laws and to take even stricter measures for the preservation of the small landowner. Constantine VII (944–59), after he alone was in control of the government, in his law of March 947 forbade once more the purchase of peasant land, and insisted on the free restitution of illegally acquired property. Then when land was sold by the 'powerful', other things being equal, peasants were to enjoy the right of pre-emption. Yet for previous purchases the rule which provided for repayment of the purchase price in cases of restitution still held good; though it is, however, true that the law of 947 freed the poorer sellers whose resources were less than fifty gold pieces from this obligation.[1] But later, as we learn from a novel of his son, the 'powerful'

[1] The Byzantine gold-piece (νόμισμα) contained 4·48 grammes of gold, thus representing metal to the value of about 15 gold francs; 72 *nomismata* gave one pound of gold (about 1096 gold francs).

exerted pressure to compel Constantine VII to revoke these prescriptions and to content himself with prolonging the period for the repayment of the purchase price from three to five years.

The Byzantine central authority was naturally most eager to protect the military holdings. These were in the same position as the peasant holdings, and came, on the whole, under similar regulations. A law of this same Constantine VII emphasised the inalienability of the lands from which the soldiers derived their livelihood and means of equipment. And indeed the holdings of both the mounted soldiers and the marine troops of the themes were said to have been worth at least four pounds of gold, and those of the paid sailors of the imperial fleet two pounds each (according to other statements from five to three pounds). The regulations by which illegally acquired military holdings might be taken from the purchasers without compensation were to be strictly observed, and, moreover, it was not only the former owner who might claim the restitution of the military holding, but also, according to claims of priority, the relatives up to the sixth degree, then those who were jointly responsible for the labour or military services, as well as the poorer soldiers who paid their taxes jointly and, finally, the peasants who belonged to the same fiscal district. The period of uncontested possession necessary for land that had formerly been a military holding was lengthened to forty years.

But it was useless. Just as Constantine VII had had to repeat the provisions of his father-in-law, Romanus I, so his son, Romanus II, had to introduce new laws to prohibit this buying-up of peasant and military holdings which had so often been forbidden. If imperial legislation shows an ever-increasing severity, the great landowner's urge to expand seems even more overwhelming. The central government could only slow down the absorption of the small landowner, it could not suppress it. Against the united front of all the 'powerful' even the might of the autocratic Byzantine Empire was of no avail. The great landowners and the officials formed, so to speak, a caste. The more important officials and officers naturally sought to obtain an estate in the provinces; as we have seen, they could scarcely invest their money in any other way; while the richer landowners strove, for their part, to rise into the official class and to secure for themselves, by taking over an official post or buying an official title, the social standing and connections which they lacked. Usually the 'powerful' man was a great landowner and an official at one and the same time. These facts are significant enough to explain why the government measures, in spite of their severity, could have no success. It was in the interests of those responsible for the execution of these measures to let them drop. It was the most powerful economic, the most eminent social, elements in the

Empire whose will was diametrically opposed to that of the central administration. But most important of all, perhaps, was the fact that often the will of the peasant ran counter to the intention of the government. The excessive burden of taxation produced a new wave of the *patrocinium* movement. The poorer peasants renounced their burdensome freedom and placed themselves under the patronage of a powerful master, thus gaining relief from the pressure of duties and services. This explains how it was that the peasants not only sold their holdings to the 'powerful' but often gave them away, which simply meant that they voluntarily became the serfs of the landlord in order to escape from misery and insecurity and to find protection against the excessive state taxation, and, above all, the extortions of the tax-collectors. So the government which was attempting to protect the small free-hold landowners usually had to contend, not only with the opposition of the great landowner, but also with that of the peasant himself.

The aristocracy was always strengthening both its economic and its political position. In the person of Nicephorus Phocas (963–9), a representative of one of the largest and richest families of magnates in Asia Minor ascended the throne. The Byzantine government had hitherto opposed the great landowners' tendency to expand. Now the 'powerful' had their revenge. It was sufficient for Nicephorus Phocas to put an end to the preferential treatment given to the small landowner; his law of 967 deprived the peasants of the prior purchase rights in cases of the sale of property by the 'powerful', and in the name of justice it restored equality of treatment between the 'powerful' and the 'poor'. Conditions were such that this formal equality meant in practice the handing over of the small peasant proprietary to the 'powerful'. On the other hand, as a great military Emperor, Nicephorus sought to strengthen and increase the property of the soldiers, but this in fact was to lose the character of peasant property. In future the value of the inalienable minimum of a military holding was to be not four, but twelve pounds of gold, and the Emperor justified this by pointing to the new and more effective military equipment. This change must certainly have meant that the Byzantine army would henceforth be composed of a different social class. The heavily armed soldiers of Nicephorus, for whom he attempted to guarantee a holding worth twelve pounds of gold, could no longer be the old peasant militia. They could in all likelihood only be recruited from the rising class of the lesser nobility.

But while Nicephorus tried to foster the increasing strength of both greater and lesser secular nobility, he opposed the growth of ecclesiastical possessions. Since Gibbon's day it has been generally assumed to be an axiom that the increase of church and monastic lands was detrimental to the interests of the Byzantine Empire. But this is by no means

obvious. As long as there was a surplus of unused land capable of cultivation, the growth of ecclesiastical property was an asset rather than otherwise, particularly as church and monastic estates in Byzantium were in principle liable to taxation. But as soon as any scarcity of land became noticeable, the further growth of ecclesiastical property at the expense of more productive forms of ownership, especially of peasant ownership, must have caused the state great anxiety. For the public utility of the ecclesiastical lands was naturally less than that of other landowners; and besides the principle of the liability of churches and monasteries to pay taxes was often broken, and their property frequently exempted from the burden of taxes, through the granting of privileges. The law of Nicephorus Phocas forbad all transfer of land to churches and monasteries and also prohibited new foundations, pointing out that earthly riches were prejudicial to the true monastic life, and that there were numerous old foundations in a state of economic decay which men should assist with grants of money instead of making unproductive transfers of land and founding new houses. This bold law of Nicephorus Phocas was repealed by his immediate successor, John Tzimisces (969–76), who, however, being himself a member of a great family, seems otherwise to have continued Nicephorus Phocas's agrarian policy.

The last to fight against the rise of the great landowners was Basil II (976–1025), the greatest of the Macedonian house. He acted with unparalleled energy and proved to be the strongest and bitterest enemy of the landowning aristocracy. He had already broken the political ambitions of the Byzantine magnates in a terrible civil war, and now he set out to curb their economic ambitions. He resumed the anti-aristocratic policy inaugurated by Romanus I Lecapenus, and not only continued it with unwavering consistency, but made it considerably more severe. By his law of 996 Basil II repealed the legislation legalising the purchase of land by the 'powerful' after a definite period of delay. His radical policy was such that he did not fear to confiscate, even when there was no legal justification for this. But the most potent measure which he took in his struggle against the great landowners was the decree that the 'powerful' should pay the *allelengyon* for the poor, i.e. should be responsible for the peasants' tax arrears. Thus the burden of the *allelengyon* system which had, up to then, been borne by the neighbours of the insolvent taxpayer—according to the principle of the general liability of the whole village community for the payment of taxation—was transferred to the great landowners alone, without their being granted the right of usufruct on the property concerned. This measure had a twofold effect: it gave the treasury greater certainty of securing the *allelengyon* money, the payment of which, as we have seen,

was often beyond the resources of the peasants; and it dealt the 'powerful' another heavy blow.

The opposition was crushed, but the moment that Basil II died it rose again. The death of Basil II was the turning-point in both the political and the economic development of the Byzantine Empire. His ineffective successors were not in a position to continue the struggle. Only a few years after his death the 'powerful' succeeded in getting the *allelengyon* payment abolished, and with it went, for ever, the whole system of additional taxes, which had been a fundamental element of the Byzantine method of taxation. The peasant could no longer pay the additional taxation, the 'powerful' would not. And the immediate interest of the treasury in the retention of this system grew less because, as the central administration became weaker from the eleventh century onwards, the system of farming out the taxes arose. This meant that, in the provinces where that method was employed, the tax-farmer took over the general responsibility for the payment of the taxes. It is true that the laws protecting the small landowner were not officially repealed, but after the death of Basil II the long series of these laws came to an end, which amounted to the same thing. For, as even the government regulations of the tenth century, in spite of their extreme severity, had been unable entirely to suppress the buying-up of peasant and military lands, now the passively benevolent attitude of the government meant that the great landowners' capacity for expansion could develop to the full. The destruction of the small freehold properties continued unrestricted; the great landowners absorbed the land of the peasants and soldiers and made the owners their serfs.

The 'powerful' had won. The central authority was forced to capitulate to them in the end. It had to give rein to a development which it could no longer check, and to leave the field open for the vigorously advancing class which had achieved both economic and social predominance. Thus the economic and social foundations on which Byzantium had previously rested had collapsed. The state relaxed its strict centralisation and the feudalisation of the Byzantine Empire began, the small freehold landowner being sacrificed in the process. Certainly there were free peasants in the late Byzantine period; but, whereas in the middle Byzantine period, from the seventh to the beginning of the eleventh century, the free and freely moving peasantry is the chief factor in agrarian development and the backbone of Byzantine agriculture, from the eleventh century onward, just as in the early period, the great landlord dominates the scene. The agrarian history of the late Byzantine period is that of great landowners and their dependents.

III. *The great landowners and their dependents in the late Byzantine period*

The decay of the peasant and military holdings implied a considerable fall in the state revenues and a fatal decrease in military resources. From the military point of view the Byzantine state was so impoverished and so weak that, from the second half of the eleventh century onwards, its very existence was imperilled. If the Comnenian dynasty succeeded in restoring Byzantine supremacy and creating a new army, it was only at the cost of extraordinary sacrifices on the part of the people. They were burdened more heavily than ever by the excessive taxation and the numerous public services required of them; and still the taxes were relentlessly increased. It was considered by no means unusual for the tax-farmers, when they undertook to levy taxes in a certain province, to make themselves responsible for collecting twice the nominal amount; this was regarded as a normal matter and scarcely worth mentioning.[1] Besides the actual tax assessment, the tax-farmer had to secure an additional sum for himself, for this was, after all, the point of his bargain. The high-handed extortions of the tax-officials and the tax-farmers were the subject of continual complaint from the Byzantine taxpayers. The population felt the oppression of their misdeeds even more than the actual burden of the taxes and the raising of the sums required.

Besides the land and head taxes, which went to make up the actual state tax (δημόσιον, δημόσιος κανών, and also simply τέλος), the rural population had to pay a whole series of regular and extraordinary dues, and to furnish various perquisites to the tax-collector. In addition there were the payments in kind and the labour services, the number and range of which were particularly oppressive in the late Byzantine period. Since the financial strength of the state had decreased at a time when its military needs were more varied than ever, and since the far-reaching decline of the native military resources compelled the government to recruit large numbers of foreign mercenaries, the population was for the most part engaged in providing for the defence of the country and in supplying the needs of the army. It had to find material and labour for the construction of ships, forts, bridges, and highroads. Above all, it had the crushing duty of giving the imperial officials and the army food and lodging (μιτάτον, ἄπληκτον), of doing transport work (ἀγγαρεία), and of supplying troops passing through with every kind of provision either free or at a very low price.

[1] Cf. Zepos, *Ius*, I, 334.

In principle the whole population of the Empire was liable for these duties; but whereas the small landowner was completely at the mercy of the high-handed officials and military officers, the great landlord was able to protect himself from them to a far greater extent, and even to obtain an imperial order forbidding officials and officers from setting foot on his land. Such privileges had originally been granted by imperial chrysobull to churches and monasteries as a sign of the Emperor's special favour. From the eleventh century onwards such grants increased in number and were frequently made to secular landowners as well. The imperial chrysobull granted exemption (ἐξκουσεία) from part, or the whole, of the taxes and public burdens. Often only a partial remission was granted at first and a number of payments would be expressly excluded from the exemption, above all the land tax, the pasture tax, and the obligation of constructing fortifications, which in the last centuries of the Byzantine Empire had generally been replaced by a cash payment. The landowner could, however, make a further request and obtain a new chrysobull granting him full economic and financial immunity. The Byzantine state observed great caution in granting legal immunity, yet the exercise of lesser jurisdiction by the landowners, of which there are isolated instances as early as the eleventh century, seems to have been by no means unusual after the fourteenth century. Legally the great landowners were not favoured and they were subject to regular taxation; but through the granting of privileges more and more exceptions were made, mostly in favour of them and of the more influential monasteries.

There were three kinds of great landed property in Byzantium: the crown land, the estates of the nobles, and ecclesiastical and monastic land. The crown land (θεῖοι or εὐαγεῖς οἶκοι, also ἐπισκέψεις) consisted of the private property of the imperial family and the actual state domain. In principle, and technically for administrative purposes, the state land was distinct from the imperial private property, but in actual fact the Emperor had control over the state land, just as he had unrestricted control over all the state resources. The state land seems to have been scattered throughout the Empire, now in large massed estates, now in small parcels having their origin in the taking over of exempt property. It certainly had no fixed extent. Out of the great reserve of state and imperial domain, lands were continually being given and lent to persons who had rendered services to the state or had been able to win the Emperor's favour, and above all to churches and monasteries. On the other hand the state was continually receiving new land, not so much from exempt land, which counted for little by reason of its small extent, but rather from the very frequent confiscation of estates, which was the punishment of those imperial officials who had

been convicted of hostility towards the government or who had fallen into disfavour.

But if state property fluctuated in amount, ecclesiastical property was in a condition of continuous growth. For it was continuously fed by the endowments of the devout of every class, from the Emperor down to the humblest peasant. The alienation of land once dedicated to an ecclesiastical institution was, on the other hand, forbidden by ecclesiastical and secular law, and therefore only possible in exceptional cases and under special circumstances. The most influential churches had very considerable possessions, especially St Sophia at Constantinople. Sometimes the estates of the individual prelates, metropolitans, archbishops, and other churchmen, grew to important size. Closely related to the church were the charitable institutions, extraordinarily numerous in Byzantium: orphanages, homes for the aged, free hostels for travellers, hospitals, and so on. They enjoyed the most munificent support of the devout Byzantine Emperors, and were likewise richly endowed with landed property.

But the most important part of the church's property consisted of the monastic estates. By reason of the reverence with which monastic life was regarded in Byzantium, most of the gifts of land naturally went to the monasteries, and came from such sources as pious foundations for a particular purpose, grants of land from those entering a monastery, or bequests. It was, therefore, above all to gifts that the gigantic and ever-increasing estates of the monasteries scattered over the whole Empire owed their origin, and it was but rarely that their growth met with even temporary opposition from the government. On the contrary, the monasteries enjoyed the most generous imperial privileges and received rich gifts of land from the Emperors. Many Byzantine monasteries, whose records we are studying to-day, give the impression of a flourishing economic life and reveal an unlimited capacity for territorial expansion. But the economic conditions of individual monasteries were very varied. Those which enjoyed no privileges were often far from prosperous; they had taxes to pay and all the public duties to fulfil; they also had to supply recruits and were exposed to the violence of the civil and military officials. Land that was subject to taxes and public duties could in certain circumstances become a burden. But the prohibition of the alienation of church land hindered any normal economic regulation and the attainment of a right proportion between the supply of land and the resources necessary for working it. The monasteries which prospered were those which controlled sufficient capital and the necessary labour, and which had been able to obtain from the Emperor immunity from the state taxation; and it is just these monasteries whose records have come down to us. But it would seem

that side by side with these there existed many poor monasteries and derelict monastic estates. While the former, which were economically flourishing, strove to increase their property, the latter, whose activity had diminished and who lacked capital and labour, attempted to get rid of land that had become unremunerative. This is the key to the understanding of the institution of the *charisticarioi*, which provided an outlet for the monastic economic activities that had been checked by the principle of inalienability. It is true that the leasing of monastic land offered a certain compensation for the veto on alienation; but even leasing beyond a certain period was usually forbidden to churches and monasteries. Moreover, there was not merely a problem of monastic lands; there were also impoverished monasteries which were in need of economic assistance. Such monasteries, together with the lands belonging to them, were given over to the so-called *charisticarioi*, who were influential laymen with great capital resources, and whose function was to administer the monastic lands in question and to attempt to restore their economic health. This institution, which was known from the fifth century onwards, spread enormously after the late tenth century, and reached its climax in the eleventh century. Again and again it met with strong opposition from the church; and, as at the Council of Chalcedon as early as 451, so it was sternly and repeatedly condemned by later synods. For instead of looking after the financial wellbeing of the monasteries, the lay administrators regarded them as financial concerns for their own profit; and they cared even less for the moral and religious obligations of monastic life than for the economic interests of the monasteries. But this system nevertheless continued to exist and was expressly defended by several influential prelates, the reason being that, in spite of its many disadvantages, it must have fulfilled a vital need of monastic economy. From the period of the Comneni onwards the system of the *charisticarioi* began a new phase in its development. The Emperors took into their own hands the granting of the *charisticaria*, in order to confer monastic estates—and certainly not the worst—as benefices. Henceforth the system served the interests of the state, not those of the monasteries and churches, while the abuses connected with it only increased in number. This stage marks the degeneration of the institution and apparently the beginning of its collapse.

In every period it was the property of the great lay landowners that expanded most conspicuously. It was their hunger for land which devoured the property of peasants and soldiers; it was they who, as *charisticarioi*, seized for themselves unalienable church land. The nature and extent of the secular nobles' property were very varied. Both the greatest magnates and highest dignitaries, as well as the lesser officials and officers, belonged to the class of the 'powerful'. However sharply

the distinction between 'powerful' and 'poor' stands out, yet the boundaries were never rigidly fixed: status was determined, not by origin, but by the way of life, and so ultimately by the financial circumstances of the individual at any given moment. Peasants who had become rich and managed to amass considerable property and no longer needed to earn their living with their own hands—these were counted among the 'powerful' without further question.

But besides the landowners who had recently risen from the ranks and the holders of the less important official posts owning relatively modest estates, there were the possessors of the great *latifundia*, owning enormous groups of estates with hosts of serfs and herds of thousands of cattle. Often they had their seats in the capital, where they occupied important posts and drew the revenues of their property. For them the acquisition of land was a safe way of investing their wealth. From the eleventh century onwards, the landowning nobility, having carried the day and defeated the imperial power on both economic and political issues, thus making the state the defender of its interests, was generally able, like the churches and monasteries, to secure far-reaching privileges by means of imperial chrysobulls. But the most striking phenomenon in the life of the late Byzantine provinces, and the most characteristic accompaniment of Byzantine feudalisation, was the *pronoia* system which appeared after the middle of the eleventh century. As a reward for services rendered or as a basis for the discharge of definite official obligations, the Byzantine magnates received lands to administer (εἰς πρόνοιαν), and with the land were handed over the peasants living on it who became the *paroikoi* of the *pronoetes*. A grant of *pronoia* differed from an imperial gift of land in that it was given—at least to begin with—for a definite period, generally for the lifetime of the recipient, and could therefore neither be alienated nor inherited. In return the *pronoetes* received far-reaching privileges and rights of immunity. From the time of the Comneni the *pronoia* system was given a military character, in order to provide a certain compensation for the widespread disappearance of military holdings. The *pronoetes* had to perform military service and to supply a certain number of soldiers according to the resources of the property granted him. The term *stratiotes* is now frequently applied, not to the old peasant soldier, who, it is true, is still occasionally met with, but who now plays a quite subordinate part, but rather to the *pronoetes*, whose levies, together with the foreign mercenaries, form the basis of the Byzantine military strength in the late period. The process of evolution had now produced a situation in which the great landowner became the chief support of the Byzantine Empire and, through the *pronoia* system, the chief source of its military power. Thus the *pronoia* system became more and more important and

widespread, and even found its way beyond the Byzantine frontiers into Serbia and the territory of the Venetian republic. Lands of varying size, sometimes smaller estates, sometimes larger ones, as also fishing rights, salt works, and so on, were granted out to *pronoia*. In the area allotted to him the *pronoetes* himself raised the taxes, part of which he paid to the treasury, part of which he kept for himself. Hence the more important *pronoetai* must have had their own administrative machinery. The *pronoia* lands were more or less autonomous and were as a rule outside the central administrative system, a fact which tremendously accelerated the process of feudalisation. When in A.D. 1204 the western powers set up the Latin Empire in Constantinople, and the western barons created a number of principalities for themselves in Greek territory, they found that they were completely familiar with existing conditions, which they could take over without much alteration. They used the significant terms *fief* and *feudum* as adequate equivalents of the Byzantine *pronoia*. The Frankish rule in Greek lands furthered the process of feudalisation, and produced conditions typical of a highly developed western feudalism, with a complicated hierarchical system of relations between vassal and lord such as Byzantium had never known. But even on purely Byzantine soil in Asia Minor, as far back as the middle of the thirteenth century, there is an instance of a *pronoetes* who calls himself 'imperial vassal and knight' (λίξιος καὶ καβαλλάριος).[1]

The last stage was the conversion of the conditional and temporary possession of the *pronoia* estates into hereditary and unrestricted ownership. The distinction between *pronoia* estates and the hereditary estates vanished so completely that the very term *pronoia* gradually lost its real meaning and was applied to the most varied kinds of property. In the same way in Muscovite Russia the distinction between '*pomestya*' and '*votcheny*', i.e. estates held temporarily on condition of discharging military service and hereditary estates, disappeared, even though the development in the two cases differed here and there in detail, and at many points was quite different. The assimilation of the *pronoia* estates to other Byzantine property was made easier by the fact that, on the one hand, in the late Byzantine period great landed property of all kinds, except in so far as it was protected by privileges, was liable for the supply of recruits, and that, on the other hand, with the growing power of the *pronoetai* and their ever-increasing assertion of their independence of the central administration, the actual military services of the *pronoia* estates diminished faster and faster as time went on, until at last they were scarcely different from the modest liabilities of the hereditary estates. The tottering power of the state could no longer oppose the efforts of the Byzantine magnates, and from the fourteenth

[1] Miklosich-Müller, IV, 81 (of the year 1251) and *passim*.

century onwards estates originally granted κατὰ λόγον προνοίας were more and more frequently, as a result of pressure from the *pronoetai*, handed over κατὰ λόγον γονικότητος, or κατὰ λόγον δεσποτείας,[1] i.e. they became the hereditary property of the *pronoetai* and were lost to the state. The circle was complete: the hereditary landowners had obtained far-reaching privileges such as applied originally only to the conditionally granted fiefs of the *pronoetai*, while the *pronoia* estates enjoyed all the advantages of private and hereditary property.

However varied and diverse the different kinds of Byzantine estates were, the principles on which they were worked were on the whole the same. On state and imperial domains, on ecclesiastical and monastic estates, on the hereditary and the conditionally granted property of the nobles, there were always the two means of economic development—tenancy and serf labour. On the other hand, as the ancient world falls more and more into the background, slaves become less important, and in the last centuries of Byzantium disappear completely. The most usual form of lease was the *emphyteusis*, well known as far back as the late Roman period, that is, the hereditary lease with liability for the improvement of the land leased. With the so-called perpetual *emphyteusis* (διηνεκὴς ἐμφύτευσις) the contract was valid for three generations; the short-term *emphyteusis* (ἐμπερίγραφος ἐμφύτευσις) was usually for twenty-five or twenty-nine years, this being accounted for by the fact that residence on the landlord's ground for thirty years made the tenant his lord's *colonus*. Such considerations must have had less and less weight as time went on, and although the lease for a stated period is found existing side by side with the 'perpetual' lease, it was chiefly used on ecclesiastical and monastic estates; for church land was in principle inalienable, and could only be leased for an indefinite period on the estates of certain churches. But it seems that with every kind of tenancy it was possible to renew the lease, in which case the tenant usually had to pay a fine, or entrance fee, equal to twice the annual rent. In matters of detail conditions of tenancy were very varied and were settled according to the relations existing between the contracting parties. If it was a question of clearing untilled land for the cultivation of valuable crops, then it was agreed that the payment of rent should not begin until several years after the contract.[2] In the eleventh century the normal rate of annual rent for a lease seems to have been 1 *nomisma* for 10 *modioi* of arable land (1 *modios* is about $\frac{1}{12}$ hectare).[3] In the fourteenth century the rent for a lease was somewhat lower, for then, in an age when the Byzantine gold coin was about two-fifths of its original value, one paid

[1] Cf. Sathas, Μεσαιωγικὴ Βιβλιοθήκη, I, 39 ff.
[2] Miklosich-Müller, III, 237 f.
[3] *Ib.* IV, 15 (of the year 1073).

1 *nomisma* (*hyrepyron*) for 25 *modioi* of good land or for 50 *modioi* of inferior land.[1] The rent of vineyards was about ten times as high as that of arable land of average quality.[2] Seeing that with the ever-widening extension of money economy the actual price level did, on the whole, rise very appreciably in the last centuries of the Byzantine Empire, these data imply a relative fall in rents. The explanation of this can undoubtedly be found in the devastation of the large estates in consequence of foreign invasions and the generally chaotic conditions in the decline of the later Empire. In the division of the produce in kind between the owner of the land and the tenant, the former seems to have claimed no longer the tenth, but only the half of the tenth.[3] All points to the fact that the economic decline in the age of the Palaeologi brought misfortune to the landowners, in spite of the powerful position which they had secured for themselves.

The lands of the dependent *paroikoi* were the most economically productive part of the landed estates. One could scarcely say that there was any fundamental difference between the *paroikoi* of the state (δημοσιακοὶ πάροικοι) and the *paroikoi* of private landlords. The state *paroikoi* could always be transferred to the *pronoia* of either a secular or an ecclesiastical lord. A transference of this kind could mean either the deterioration or amelioration of the condition of the *paroikoi* according to the general situation of the landlord, whose land might or might not have to bear many public services. For the rest the position of the *paroikoi* of one and the same landlord could be very different in individual cases, as we shall see. From the legal point of view the *paroikoi* were completely distinct from the free peasants, in so far as they had only a *dominium utile* over their land, while the land of the free peasants was under their *dominium directum*. But there was no economic or social gulf between them; economically the comparison did not usually tell in favour of the free peasant. It often happened that members of the same family were under a neighbouring landowner, some as free peasants and some as *paroikoi*. Priests and other clerics often had the status of *paroikoi*, and they could, indeed, be the *paroikoi* of *pronoetai*.[4] The land of the *paroikoi* was their heritable possession. The landlord could not evict them, and indeed he had a vital interest in keeping his *paroikoi*. The relation of the *paroikoi* to the lord was so defined that they paid him a rent and as a rule had to perform prescribed services on the lord's demesne. But they kept their personal freedom. One might say that the *paroikoi* were bound to the soil of 'the manor', not personally, but

[1] *Vizant. Vremennik*, XVII, Prilozh. Nr. 92 (of the year 1323).
[2] Uspensky, *Materialy*, XXX, 1 ff., 21 (*Practicon* of the monastery of Chilandariou).
[3] *Vizant. Vremennik*, XVII, Prilozh. Nr. 30.
[4] Miklosich-Müller, IV, 71, 81.

financially and economically. They could not leave their lord in so far as they had economic and financial obligations towards him; if they did, the lord could demand, and in some circumstances compel, their return. It was not unusual to find the *paroikoi* leasing land from another lord with the permission of their own lord. There are instances of their settling in the nearest town—presumably as craftsmen—and if they made their due payments their lord had no cause for complaint.[1] This makes it clear that there were *paroikoi* who owed the landlord rent alone and had to perform no direct services. Indeed the owners of large lordships did not need to demand labour services from all their *paroikoi*. So far as possible, the services were valued in money and commuted, in the same way that the state often took money payments in lieu of obligatory labour services. But the *paroikoi* were normally employed on the estate in definite manual and team works. Then there were also agricultural labourers who had no property of their own, but who lived on the estate as farm hands. They took the place of the slave labour by means of which Byzantine estates in the early Middle Ages were still largely worked. It is significant that they were called δουλοπάροικοι or πάροικοι δουλευταί, which shows clearly how like they were to slaves.

The *paroikoi* who had their own land mostly lived in villages as the free peasants did; the arable land was grouped round the peasant homesteads which, with the orchards and vegetable gardens, formed the centre of the village. Usually the peasant families were very large; married sons often remained on their father's farm, so that family communities grew up, although these never reached the size of a Serbian *zadruga*. The main concern of the Byzantine peasantry, the free as well as the servile, was always the arable land and the vineyard, and, after these, cattle breeding; in certain districts the cultivation of the olive was also very important. As in the late Roman period, so in medieval Byzantium and also in the contemporary Muscovite kingdom, it was possible to distinguish between three grades of land according to their value. In the thirteenth century one paid almost 1 *nomisma* (which was then worth three-quarters of its nominal value) for 1 *modios* of good, 2–3 *modioi* of medium, and 5–10 *modioi* of inferior land; for vineyards one paid then on an average about 6 *nomismata* for 1 *modios*; an olive tree with the land belonging to it cost about 1 *nomisma*, without the land about $\frac{1}{3}$ *nomisma*. Usually the property of the *paroikoi*, like that of the free peasants, was divided into several small strips of land. There is an instance of a *paroikos* who had 75 *modioi* of land altogether (i.e. about 6 hectares) and possessed not less than thirteen separate parcels: one also finds minute parcels which were only 1 *modios* in size.[2] One of the

[1] Cf. Miklosich-Müller, IV, 2 f.

[2] *Vizant. Vremennik*, XVII, Prilozh. Nr. 40.

monasteries on Athos was given by the Emperor 748 *modioi* of the best land on the island of Lemnos, and this was divided into twenty-two separate plots of land of which some were only 3 *modioi* in size.[1] There were no doubt larger properties, but as a rule the lands owned by the state and the lands of the monasteries, mostly acquired by bequest, were widely scattered in fragments. Hence the great variety of conditions of possession; all kinds of landownership lay intermingled and intersected. There is a case of a single village that belonged partly to a monastery, partly to a private landowner, and partly to the state.[2]

It would be wrong to conclude from this that there was any real land shortage, for Byzantium never lacked idle land. The greater part of an average estate remained, as a rule, uncultivated, used at best as grazing ground; a great deal was leased out, for the holdings of the *paroikoi* certainly formed the most productive, but also the smallest, part of the landed estates. The difficulty in making proper use of the larger estates was partly due to the primitive conditions of economic technique; for in this respect the Byzantine Empire, so far ahead in culture, was in many ways far behind the West. Thus Byzantium to the end of its days continued to employ an extremely uneconomic and antiquated harness for draught animals, while by the tenth century the West had evolved a greatly improved method of harnessing, which from the thirteenth century onwards was also found in Serbia. True, as we have already said, in medieval Byzantium the superfluity of uncultivated land was not so great, the need of workmen not so pressing, as in the early Byzantine period; and in times of economic activity the classes which were then strongest showed a marked desire for land. But it must be remembered that this desire was only for the best kinds of land. It is an open question whether, for the big landowner who seized the property of the peasants, it was not in the first instance really a matter of acquiring labour by reducing the free peasant to the position of a serf, rather than of acquiring land. Monastic documents often give the impression that the monasteries, as recipients of imperial bounty, laid the greatest stress, not on the gift of the actual land, but on that of the *paroikoi* allotted to them.

Paroikoi were distinguished according to their possessions and their economic potentiality. In estimating this, the conception of the ζευγάριον was used, which meant primarily a yoke of oxen; but in a derivative sense, like the Roman *iugum*, it meant an economic and fiscal unit, in which the peasants' wealth and tax-paying capacity was measured. A property was said to consist of so many ζευγάρια, and peasants are described, according to the value of their possessions, as ζευγαράτοι, or βοϊδάτοι, or also as ἀκτήμονες. The *zeugaratoi* were those *paroikoi* who

[1] *Akty Russago na svyatom Afone monastyrya*, Nr. 25 (of the year 1407).
[2] Miklosich-Müller, v, 192 (of the year 1350).

had a yoke of oxen and a plot of land of a given size and quality, that is, land that could be managed with the help of a yoke of oxen. The actual area varied with the quality of the land and with local conditions from less than a hundred, to even more than two hundred, *modioi* of arable. This was the normal size of an adequate peasant holding. Besides the *zeugaratoi* there are occasionally found *duozeugaratoi*, who had a double share of land and two pairs of oxen. Those *paroikoi* who were known as *boidatoi*, on the other hand, had only a single ox and half the normal unit of land. Lastly, there were the *aktemones* who had no land, and no draught animals, except perhaps a donkey. The payment owed varied with the holding. On one estate in the seventies of the eleventh century the *zeugaratoi* paid a ground tax (συνωνή) and a hearth tax (καπνικόν) of 1 *nomisma*, the *boidatoi* paid $\frac{1}{2}$ *nomisma*, while the *aktemones*, being landless, contributed no ground tax, but only had to pay the hearth tax ($\frac{1}{2}$ *nomisma* if they had a donkey, $\frac{1}{4}$ *nomisma* if they had no draught animal). Domestic animals were subject to a special tax, the grazing tax (ἐννόμιον); for the bigger cattle 1 *milesarion* (a silver coin worth $\frac{1}{12}$ of a *nomisma*) per head, for sheep 1 *nomisma* per 100 beasts.[1] The landless folk were mainly occupied about the flocks and herds. Nevertheless, the boundaries between the various categories were not rigid. The landless folk might be provided with land and the corresponding equipment and promoted to the class of the *zeugaratoi*.[2] Since there was no lack of land, landlessness was usually only a transitional stage.

The status of προσκαθήμενοι, which often appears in the sources, was also an intermediate one. Usually peasants who had settled on the land of an estate only a short time back were so described. After a definite time they became *paroikoi* and could be inscribed as such at the next official inspection, whether as *zeugaratoi* or as *boidatoi*, according to the possessions which they had meanwhile acquired.[3] In the late Byzantine period there is plenty of binding to the soil; but among a large part of the population there is also plenty of wandering. The later the period and the more uncertain the conditions in the declining Empire, the more often we find this floating class of 'foreigners', the 'free' (from the point of view of taxation), the 'unknown to the treasury' (ξένοι, ἐλεύθεροι, τῷ δημοσίῳ ἀνεπίγνωστοι). Some of these were probably inhabitants of the districts devastated by hostile invasions, some people who had once been free peasants, or *paroikoi* who had fled from impoverished estates. Sooner or later they settled down on the property of bigger and richer landowners to become their *paroikoi*. This colonisa-

[1] Miklosich-Müller, VI, 15 (of the year 1073).
[2] *Izvestiya Russ. Archeol. Inst. v. Constantinopole*, VI, 36.
[3] Cf. Miklosich-Müller, IV, 182.

tion was doubtless to the interest of the landowners, who thus gained new workers. So we see how big landowners—so far as our sources tell us they are nearly all rich monasteries—protect themselves by securing beforehand a chrysobull giving the imperial assent to the settlement of such people. But the landlords concerned do not merely wait for the appearance of new settlers: they know how to entice them by various devices. Here we meet a phenomenon that is of great general significance in economic development: the smaller and poorer estates lost their workers, who flocked to the bigger, the richer, and—what is perhaps most important of all—the privileged, estates.

Impossible as it is to make any generalisation as to whether the condition of *paroikoi* was better on imperial or private property, on the estates of the church or on those of the secular nobles, it is, however, a clear and unmistakable fact that the *paroikoi* on the bigger and more privileged estates were in a considerably more favourable position than those on the smaller and unprivileged. The less land an owner possessed, the greater the demesne from which he lived in proportion to the whole estate and so the smaller the number of his *paroikoi*, the more must he burden each *paroikos* with demesne services. On the other hand the *paroikoi* on the bigger estates which had more workers could give their chief attention to the cultivation of their own plots, since their work would be less necessary on their lord's land. The difference between the privileged and unprivileged estates affected the position of the *paroikoi* even more strongly. If, by reason of an imperial privilege, an estate enjoyed exemption from taxes and from public services, this was a great advantage, not only for the owners, but also for the *paroikoi*. No doubt, the claims of the state were transferred to the owner, but part of the burden fell away, above all the particularly onerous duty of entertaining officials and quartering soldiers. To this extent the position of the *paroikoi* whose lords possessed immunities was doubtless more favourable than that of the free peasants—a circumstance that explains much in Byzantine development. The *paroikoi* who had to meet the full force of the demands of both private landowners and the state were in a very different position. It is clear that they were tempted to migrate to the privileged estates; and in any case they were so terribly overburdened that their powers of production were affected, which inevitably reacted on the economic prosperity of their lords.

This explains why the small estates everywhere fell into ruins, and also why the unprivileged big estates grew increasingly poorer, while only the very large estates which were endowed with rights of immunity flourished. These separated themselves from the enfeebled state, entered into competition with it as autonomous powers, and cut into its economic and political foundations. The course taken by Byzantine

agrarian history provides at every stage the key to the understanding of the whole historical evolution of Byzantium. Just as the power and the internal stability of the Byzantine Empire in its best days were based on sound agrarian conditions, so its downfall was in great measure determined by the less happy course of its subsequent agrarian history.

CHAPTER VI

The Rise of Dependent Cultivation and Seigniorial Institutions

I. *The Problem*

Our object being to inquire into the origins of the rural *seigneurie* in Western and Central Europe, our first task must necessarily be to form as clear an idea as possible of what it was like when fully developed. You cannot study embryology if you do not understand the grown animal.

The seigniorial system, or to use the name under which it is known in England, the manorial system, was not based on slavery in the true sense of that word. Whatever their legal status may have been, even if it went by the name of serfdom, the peasants who composed a *seigneurie* were in no sense human livestock, fed by their master and owing the whole of their labour to him. They lived on the produce of fields that they cultivated on their own account, which were usually handed down from father to son; and if the opportunity occurred they could sell or exchange the produce in order to procure other necessaries of life. They usually formed little rural communities with a strong esprit de corps; exercising common rights over waste land where their flocks could graze and they could gather food; able to regulate the arable land itself in the common interest with a jealous insistence. But they did not work only for themselves, or for Church and Ruler: a great part of their toil went towards the maintenance of one who stood immediately above them.

To this lord, as they called him, the cultivators of the soil owed, first, a more or less important part of their time; days of agricultural labour devoted to the cultivation of the fields, meadows, or vineyards of his demesne; carting and carrying services; and sometimes service as builders or craftsmen. Further, they were obliged to divert to his use a considerable part of their own harvests, sometimes in the form of rents in kind and sometimes by means of taxes in money, the preliminary exchange of produce for money being in this case their affair. The very fields that they cultivated were not held to be theirs in full ownership, nor was their community—at least in most cases—the full owner of those lands over which common rights were exercised. Both were said to be 'held' of the lord, which meant that as landowner he had a superior right over them, recognised by dues owed to him, and capable in certain circumstances of overriding the concurrent rights of the individual cultivators and of the community.

Finally, the lord did not merely draw from his peasants valuable revenues and an equally valuable labour force. Not only was he a *rentier* of the soil and a beneficiary of the services; he was also a judge, often—if he did his duty—a protector, and always a chief, whom, apart from any more binding and more personal tie, those who 'held' their land from him or lived on his land were bound, by a very general but very real obligation, to help and to obey. Thus the *seigneurie* was not simply an economic enterprise by which profits accumulated in a strong man's hands. It was also a unit of authority, in the widest sense of the word; for the powers of the chief were not confined, as in principle they are in our capitalist enterprises, to work done on his 'business premises', but affected a man's whole life and acted concurrently with, or even in place of, the power of the state and the family. Like all highly organised social cells the *seigneurie* had its own law, as a rule customary, which determined the relations of the subject with the lord and defined precisely the limits of the little group on which these traditional rules were binding.

For more than a thousand years the *seigneurie* as thus defined was one of the dominant institutions of Western civilisation. Firmly established already in many lands at the dawn of the Middle Ages, its reign over the European countryside came to an end only in times which historians, accustomed to reckon in centuries, would describe without hesitation as recent. Although it was overthrown, while still in full working order, by the French Revolution in 1789 and 1792, it finally came to an end in Central Europe only as a result of the democratic movement of 1848. England, with still greater respect for the past, waited until 1 January 1926 before removing the last 'manorial incidents' from her law; though it is true that for very many years they had been little more than empty legal survivals. In the course of such a long existence the institution of the *seigneurie*, which had always differed in character from place to place, inevitably underwent many and often very profound transformations. One feature might disappear while another became more accentuated. From the close of the Middle Ages, for example, services may be seen giving way almost completely to dues in money or in kind throughout Western Europe and Italy; while in Eastern Germany the demesne swallows up most of the dependent peasant holdings, and their tenants are brutally depressed to the level of a wretched rural proletariat. In England the governmental aspect of the manor gradually loses a great part of its legal force, henceforth being only enshrined in social habits or merged in the political domination of a class; the squirearchy, in short, emerges slowly out of manorial lordship. But in what science has the presence of variations or varieties ever interfered with the recognition of a genus? The fundamental features here recalled

define accurately a clear and distinct type of social structure, which had great resisting force and by which through the centuries man's destiny has been so powerfully influenced that even to-day, in every country on which it left its mark, the divisions of property, the distribution of rural dwellings, the countryman's habits of mind, can only be explained by reference to its ancient and now abolished authority.

It must be admitted that the genesis of this institution which has held so great a place in European history remains singularly obscure. Because the documents are few and for the most part late. Also because they are terribly scattered, in time and still more in place. In Gaul, Italy, the Rhineland, they scarcely allow us to form any distinct picture of the *seigneurie* earlier than the ninth century—and then it was unquestionably very old. For England we must come down almost to the Norman Conquest. Before the great descriptions to be found in the Carolingian surveys or in that of William the Conqueror, we must do as best we can with a few most fragmentary scraps of evidence, or the indirect witness of archaeology, place-name study, or the study of the meanings of words. It is needless to say how little we know of German society before the great invasions. Perhaps we are not always fully aware of our desperate ignorance of the fundamental structure of whole sections of the Roman world, and in particular of Eastern Europe, in imperial times. No doubt we have the fine inscriptions from African estates; and further East, preserved by the fortunate drought of a desert climate, the invaluable archives of so many great Egyptian estates, from the time of the Ptolemies downwards. But is it possible to believe that a few centuries of a common political domination can have sufficed to obliterate the diversities between societies so different in their conditions of life and historical traditions as those of the Nile Valley, Berber Africa, and Gaul? And the picture that might be composed by lines taken in turn from a village of the Fayyum under the Lagides, from an imperial *saltus* on the high plateaus of Algeria, and lastly from a monastic *fisc* of Charlemagne's Île de France—would there be any real chance that this would express a genuine continuity? No doubt Egyptian and African evidence can throw precious light on the origins of the western *seigneurie*. But only if we ask of them what they can legitimately supply. That is information, not about the actual thing that we are studying, but about analogous things. In short, we must treat them as documents of comparative history.

And it is on comparative methods that we must mainly rely. On comparisons of the European development with parallel developments that may be studied outside Europe? No doubt. But also, and perhaps mainly, on systematically conducted comparisons of the various regional developments within European civilisation itself. For the

establishment of the seigniorial system was not carried through in all of them at the same date nor with the same rhythm; nor was it everywhere equally complete. These divergences and these imperfections are of the nature of experiments, to which special attention should be given in causal analysis. Unhappily, inquiry in this direction has not hitherto been so persistent as could be wished. Confined to their special provinces, scholars have not as a rule posed their questions widely enough to bring the diversities clearly into the light. So true is this that, in this capital matter, we are dealing not with settled conclusions but with an inquiry that is still proceeding.

These considerations determine at once the limits to our ambitions and the method of the inquiry. To state the main problems with all possible precision; to suggest cautiously some working hypotheses—modest as these achievements may seem, the historian of seigniorial origins to-day should not aim at anything more striking. Moreover he cannot follow strict chronological order. He might as well try to follow a track by night. He must start from what is least imperfectly known, collecting one by one various indications which may help him to understand a more remote and more obscure past. Such a method of exposition must necessarily be rather slow, and very unlike that appropriate to questions that have been more completely answered. At least it will follow faithfully the actual lines of research; and perhaps, after all, one may interest a reader best by describing to him how one groped for truth in the laboratory.

II. *Seigniorial types of the early Middle Ages*

We are still far from the possibility of constructing a map of the 'seigniorialisation' of Europe; but we may at least try to distinguish roughly the principal areas which such a map, could it be completed, would mark out with a precision that to-day is out of the question. First, we discern a vast area throughout which the *seigneurie* was firmly established in the ninth century, and no doubt had been long before that; where for many centuries it influenced the whole of social life profoundly—most of Italy; North-Eastern and South-Eastern Gaul, with its Catalan and Rhenish promontories; and even beyond the Rhine great regions of Southern and Central Germany. Secondly, a region of late but marked 'seigniorialisation'. England is its chief constituent area, but probably we ought to add, though with a still later start and a much less vigorous growth, Denmark. Then come the regions of incomplete 'seigniorialisation'—South-West Gaul, the Saxon plain. Last, the lands that have no *seigneurie*—Friesland, Dithmarschen, Norway, perhaps Sweden. It will be simplest to begin our search in

the first area and, more particularly in Gaul, because of the greater abundance of sources. And naturally we shall go back as far as we can with any confidence, that is, as we have already said, to early Carolingian times.

It must not be forgotten that even for Carolingian Gaul our knowledge is very fragmentary. We know much about only one class of *seigneuries*. They are found in the region of big villages north of the Loire, and are themselves unusually big. Those that can most easily be described belonged to monasteries. But we know enough of the royal estates to be able to say that, in their main lines, they hardly differed from the ecclesiastical; and as these last had come to the Church by gifts, sometimes made only a few years before the documents provide us with a detailed account of what had been given, we are entitled to hold that the general lines of the picture apply equally to the estates of the great lay aristocracy at that time and place. This is the type from which our inquiry must necessarily start: later we may extend it to other types.

Seigneuries of this type were distinguished by the union, and that extremely close, of a very great area cultivated directly by the lord—the demesne, or as it was usually called, the *mansus indominicatus*—with little dependent peasant holdings which, following a rather later usage, we shall call the 'tenancies' (*tenures*).

The management of the demesne radiates from a group of buildings—dwellings, barns, cattle sheds, workshops—sometimes fortified, and known as the court; *curtis*, that is the enclosure. Around it lie gardens, ploughlands, vineyards, meadows. As a rule the *mansus indominicatus* also includes forest land, often very extensive, and grazing lands. But since they are generally subject to rights of user by the community, these stretches of woodland and waste are not so completely at the lord's disposal as the other parts of the demesne; for the moment let us leave them on one side. Even when limited to its cultivated fields and meadows, the *manse domanial* remains very great. Its area will regularly be one third, one half, or sometimes almost even the equivalent, of that of the similar lands held by the body of peasants. So two very grave problems faced the lord. A 'marketing' problem; how to make the best use of the produce of this extensive agricultural enterprise. A 'labour' problem; how to find hands enough to keep it going. Turn for the moment to the second.

Wage labour proper was not of much account. It was not unknown; but it was only called in now and then, for those great seasonal operations in which men volunteered to work for hire. On the other hand, on most demesnes there still lived some slaves who, being fed by their master, worked always under his orders; they were called his *pro-*

vendiers, because they got their *provende* (*praebenda*) from him. The surveys (*censiers*), whose main object was to determine the relation of the lord with his tenants, as a rule pay very little attention to this servile personnel of the court; the description of the estates of Saint Germain-des-Prés mentions them only once and then quite incidentally.[1] But we have nevertheless enough textual references to justify us in counting the slaves as a normal element of nearly every *seigneurie*. What we should most like to know would be their numbers. Unfortunately we seldom can. But everything suggests that they were small, at least in relation to the size of the huge fields of the demesne. There were exceptions no doubt. But the exceptions were not due so much to a great abundance of slaves as to the existence here and there of small demesnes. Thus in A.D. 862, on the 'royal manor' of Ingolstadt, the twenty-two slaves of both sexes attached to the court might themselves have done nearly all the work needed to cultivate fields then limited to about 110 acres.[2] The case—it has no parallel in Gaul—is worth quotation, because it illustrates excellently the extreme variety of seigniorial types, due in great part to the survival of ancient arrangements. It was without doubt an exceedingly rare case, especially among royal estates. On the majority of *seigneuries* in Carolingian Gaul the situation must have been much more like that on those Italian *seigneuries* which happen to have left to us rather more precise information, and where we see, for example, in the ninth century, on a Farfa estate, a group of only ninety-three fed slaves against one of more than 1400 tenants. Early in the tenth century, on the immense estates of Santa Giulia of Brescia, we find, it is true, an appreciably higher proportion; but still only 741 against nearly 4000. And the reckoning includes the relatively large group of strictly domestic slaves. The very modest gangs of agricultural workers which slavery thus provided, though useful because they were always at hand on their master's farm, were obviously incapable of meeting the needs of those great employers, the aristocracy, the King and the Church. These had to look in a very different direction for their principal labour supply.

The 'tenancies' furnished it, in the form of the compulsory services of their holders. Each tenant, as a rule, had assigned to him some of his master's fields, to be tilled for the master. But this ingenious form of piece-work could be applied only to a relatively small fraction of the demesne. The rest was cultivated by means of labour services, applied either to carting or to the numerous and varied daily jobs of any agricultural undertaking. Periodically the peasants were called together,

[1] xxv. 8: fimina de fisco dominico.

[2] *Mon. Germ. Diplomata regum e stirpe Karolinorum*, vol. I, *Ludowici Germanici Dipl.* no. 30.

often bringing their teams, by the directors of the *seigneurie*, and despatched to do whatever was required at the moment. These services, usually occupying several days in the week, were immensely burdensome to the peasant, much more so, as things then were, than the various dues supplementary to them; but without them the central undertaking could not have flourished, nor even carried on. Had the little peasant holdings been vacated, the lord's barns would have emptied and his fields lain fallow.

The first striking fact about the organisation of these *tenures* is its regularity. The greater part of the soil held from the lord was split up into units, in theory indivisible, called *manses*. These in turn are arranged into groups, and each member of each group bears approximately the same burden. Postponing the problem of the *manse*, let us consider the principles which determined the classification of these master-cells of the seigniorial organism.

There were two main groups of *manses*, those called servile and those called free. They were not necessarily found side by side on every *seigneurie*. But most *seigneuries*, especially the greater ones, contained both sorts. Three marked characteristics distinguished the two groups. Usually less numerous on any given *seigneurie* than the free *manses*, all told the servile *manses* were certainly much fewer; on the lands of Saint Germain-des-Prés, as known to us from the early ninth-century survey, there were only 191 servile against 1430 free; on those of the Bishop of Augsburg, at about the same date, there were 421 against 1004. The servile *manses* are also regularly smaller than the free *manses* of the same *seigneurie*. Lastly, they have different burdens, heavier and—when services—more indefinite. More subject to the master's arbitrary power, in this and many other features such as exemption from military requisitions—that honourable obligation of free men—they recall the lowly status of slavery. So do the names of the two groups. In the beginning, the servile *manse* had been the holding of a slave—but of a slave settled on the soil, turned into a farmer, and consequently far removed in his daily way of life from his colleague the fed slave (*provendier*); the free *manse* had been the holding of a free man.

However, by the ninth century, this antithesis no longer agreed strictly with the facts. No doubt the burdens originally laid on the soil remained. Besides, the doctrine, if not always very precisely the practice, of personal law still distinguished—according to the old standards—the slave landholder from the free, who was generally called a *colonus*. But it did not follow that the soil and the man were always in the same class. Plenty of *coloni* held servile *manses*. Still more peculiar—for these free holders of land once stigmatised as servile may well be freedmen, or their descendants—free *manses* might be held by slaves. This anomaly

struck and worried contemporaries just as it does us. That is why some surveys, while still keeping the two traditional categories apart, chose terms to describe them which, neglecting all legal standards, were based simply on differences of obligations. By a significant vacillation, the compiler of the '*polyptyque*' of Saint Maur-des-Fossés sometimes wrote 'servile *manses*'and 'free *manses*', sometimes—and even when referring to the very same holdings—'*manses* which owe manual services' and '*manses* which owe team services'. Later, the distinction was to disappear altogether from the vocabulary of surveys.

It is then perfectly clear that the antithesis of these two sorts of tenure originated at an appreciably earlier stage of social evolution, although for lack of sources we can only trace it in an era of decline. It opposed to one another two elements in the seigniorial structure, which in fact were being steadily welded together—two sedimentary strata of which no one could state a priori that they had been laid down at the same stage of development, or under the influence of similar conditions. Here is a formidable problem for research; but before tackling it it will be well to complete our bird's eye view of the field of early 'seigniorialisation'.

Although a legal entity and, as such, incapable of division, the *manse*—in regions of nucleated villages—was only very seldom in fact a single undivided stretch of land. It was usually made up of many strips scattered over a much divided soil. The demesne itself was made up as a rule of various fragments, usually bigger than those of the peasants, but more or less mixed up with them. The tenants' houses were in the village, round about the court; so that the rural scene itself reflected the interdependence of the constituent parts of the *seigneurie*, and greatly facilitated the working of the system, by placing the man who owed services near the place where they were needed. But we must make no mistake; there was no exact correspondence between village territory and *seigneurie*, though sometimes they did correspond. Even neglecting for the moment any completely independent peasant holdings that might survive among those that were dependent on some lord, many a village had several lords; and even in regions where settlement was highly concentrated a *seigneurie* might include *manses* scattered over the fields of several villages, sometimes relatively remote from the centre; so much so that, as is seen in the Montierender survey, some of the lord's men made a longish journey before reaching the demesne on which they had to work. Elsewhere, it became necessary to abandon the services due from *tenures* which were too remote.

And there existed already, in the Gaul of those days as in contemporary France, vast regions where men lived not in villages but scattered

in smaller groups. There the *manse* was a single block of land, or nearly that. About the house of the *masoyer* (*mansuarius*) were grouped his lands, generally very extensive, for—since we are here dealing with regions of poor soil—they were only tilled intermittently, harvests alternating rather capriciously with fallow on the same plot. So constituted, and inhabited as a rule by one or two good-sized families of the patriarchal type, the *manse* lay sometimes quite by itself. Elsewhere, with a few others, it formed a tiny hamlet. Obviously such a scattering of the rural population was inimical to collaboration between demesne and tenancies. It presented awkward practical problems, of which various sections of the survey of Saint Germain-des-Prés relating to the woodlands of the West give us a clear notion. There being no big village to serve as the unit of administration, each 'estate' included a large area covered with a loose network of dependent *manses*. Although it existed, the demesne strikes us as uncommonly small when compared with other geographical regions: only 10% of the cultivated area at Boissy-en-Drouais; 11·5% at Villemeult; whereas about Paris it touched more than 32% at Villeneuve-Saint-Georges and more than 35% at Palaiseau. If a *mansus indominicatus* in the woodland country was given to monks, they might be obliged to turn it into tenancies, because they could not conveniently make direct use of it.

But it must be clearly borne in mind that these difficulties were mainly those of the great *seigneuries*, themselves integral parts of landed properties both huge and widespread. Always difficult for the administration, because it was necessary to divide the produce into two parts—one to be disposed of on the spot without too much loss, the other to be dispatched to a single and often rather distant point of consumption, the monastery—properties of this class became still more awkward to manage, when to the distance between the various units of administration was added, within those units, too great distances between each tenancy or each field of the demesne. These conditions were much less unfavourable to little lords who lived on the spot. Consider the *seigneurie* of Ebbon and Eremberge, right in the woodlands of the Corbonnais, which they gave to the monks of Saint Germain-des-Prés, to receive it back from them, by the way, perceptibly increased, as a *precarium*, that is in return for a rent in money. It is of no great size—about 120 acres of arable and 48 of meadow; whereas monastic *seigneuries* usually reckoned several hundreds, even thousands, of acres. But it is made up of a *mansus indominicatus* and nine tenancies, so divided that the demesne covered rather more than 34% of the arable and about 57% of the meadowland, which naturally meant heavy services for the tenants, services which in this case were at the lord's discretion. So it reproduces at every point, only on a much smaller scale, the

Enclosed fields about a hamlet in Central France (Dép. Allier).

structure of that classical *seigneurie* of which a *fisc* of the Church or of the King provides the giant type. People so modest as Ebbon and Eremberge were not able to compile fine surveys. That is why our sources do not tell us much about these little rustic lordships. But they emerge here and there, through some lucky documentary reference, made up, according to the nature of local settlement, now of a fraction of a village, now of a hamlet or even of some scattered *manses*. Perhaps, all things considered, they were the most numerous kind of *seigneurie* to be found on western soil. Their internal constitution does not seem to have differed much from that of their bigger sisters; and they could adjust themselves easily enough to any type of settlement.

In its essential features, which are all that matter here, the picture of the *seigneurie* just sketched for Carolingian Gaul would be correct, almost line by line, for Southern and Central Germany and for Italy, about the same date. But for Italy there is a weighty reservation.

North of the Alps, contractual relations between individuals played an insignificant part in the inner life of a *seigneurie*. In spite of their looseness, which itself indicates a legal habit of mind very different from ours, the texts give a very clear impression that the relations between the master and the little cultivators were determined more often than not by custom alone, a custom the same for all the group, or at least for all *manses* of the same class. Exceptions there doubtless were. The agreements for protection, of which we shall speak later, usually went with a grant of land. Often enough the generosity of the lord was, in truth, only apparent; he was merely giving back some property which his client had previously surrendered to him, now burdened with fresh obligations; and the game of surrender and regrant simply transformed a holding formerly autonomous into one under authority. But the question whether the grant was real or nominal did not change its profound significance; in either event it ended by creating a tenure which we may say was rooted in contract. With this limitation however that, although it was the product of two acts of will, the agreement had no sense save as part of a vast system of custom. Agreements of this type are as a rule singularly vague; they do not determine exactly either the liabilities of the land or, what is still more curious, for how long the recipient is to hold it. That is because they tacitly assume the local custom; and the customary rule as to the second point was almost invariably that of heredity. There can really be no doubt that, whether by tradition or by sufferance, tenancy normally went from father to son. True, some *manses*—regularly described as *censiles*—were actually let for terms of years. But they are very rarely found.

As for the *precarium* contract, also a kind of letting for a limited period, its range under the Carolingians was confined almost exclu-

sively to persons in rather high places and to estates very far removed from those of peasants; though at an earlier date it may have been wider. It was in regular use between the religious houses and the lay aristocracy, whose members found in this legal procedure an easy way of snatching *seigneuries* or parts of *seigneuries* from the Church, while nominally only renting them. It is very rarely met with in the relations between the lords and their men. Custom, on which they were based, gave its own perpetuity to the rights over land of the majority of these dependent folk.

Now Italian conditions contrast with these in two marked ways. Not only did a great number of Italian peasants hold lands burdened with dues and services to a lord by a regular contract (the *livello*). This contract, further, gave them a tenure limited in time, either to one or more lives, or—and more usually—to twenty-nine years, so as to avoid the prescriptive rights which went with a thirty-year tenure. It is in fact highly probable that more often than not the lease was renewed at the expiry of the fixed period. Some deeds even anticipate this renewal and fix the price that is to be paid for it. The practical reasons which everywhere favoured heredity were at work in Italy as in other countries: labour was so rare that what a lord most feared was its loss. Yet such a tenure was none the less by definition temporary, and re-ted on a contract explicitly formulated at each renewal. The contrast so revealed between the societies north and south of the Alps is a structural difference which must always be borne in mind.

III. *The decline of slavery*

In the description just attempted, one fact above all claims attention. It is not enough to say of the ninth-century *seigneurie* that it contained only a few slaves housed and fed on the demesne. The institution itself, its fundamental principles, assumed a society in which really servile labour played only an unimportant part. If there had been plenty of slaves for sale, and their work had covered their cost, why exact so many services from your tenants? And as the burden of dues was necessarily in inverse relation to that of services, would not good sense suggest taking from the *manses* more of the crops and fewer days' work? But that is not all. Itself the antithesis of a slave system, the *seigneurie* had grown up precisely when such a system was on the decline. On this falling curve of slavery the ninth century marks only a point, but a point in fact very near the end.

No doubt we must not exaggerate, even for the Roman world, the position held by vast *latifundia*, tilled by gangs of slaves, sometimes in irons. The existence of a numerous free peasantry—who might all the

same be under the domination of magnates or chieftains—is proved by indisputable records; and, as we shall see, it was on this basis that the *seigneurie* itself was in great measure built up. Yet it is nevertheless true that round about A.D. 1 slavery was very widespread in the Empire; that the rich in particular had at their disposal great troops of slave labourers whom they employed, not only in domestic work and handicrafts but also in agricultural work; that especially on great estates, apart from some paid labourers hired in times of pressure or for specialised tasks, the work was done almost exclusively by slaves. Even in Germany, slaves, though no doubt many fewer, were found in all comfortable homes; at the time of the invasions the chieftains brought slaves of their own race into *Romania*; in raiding there they got plenty more. At the start of the Merovingian era, Gregory of Tours and the contemporary lives of the Saints, with the letters of Gregory the Great for Italy, give us a quite clear impression of a society in which the slave is still a very familiar type; in which you sell in the markets of the Frankish Kingdom captives from Italy; at Naples captives got by raids from Gaul; in which women slaves grind at the mill in the lord's court and slave shepherds tend the flocks. Two or three centuries after the age of the great Carolingian surveys, in which already the importance of slavery had dwindled so much, it played only an insignificant role in the greater part of the West, and a role exclusively domestic.

The decline of slavery is incontestably one of the most notable facts in our western history. Like all great facts, it is hard to explain. Broadly one may say that three groups of causes, converging, brought it about—the military, the religious, and the economic.

Servile labour, as the men of the ancient world were well aware, almost always gives a wretched return; many hands to finish off few jobs, that is apparently its motto. The slave is a form of capital with modest yield, the more modest because you must deduct from his output the cost of his keep. He is, besides, a fragile form. If he is sick he has no output, but the costs of his keep run on. If he dies—and his life was often short, especially if he were enrolled in the great teams of the *latifundia*, where living conditions were necessarily very harsh—or if he runs away, so does the capital invested in him. Was it not Varro who, for this reason, advised employers to prefer, in unhealthy posts, free wage-earners whose death would cost them nothing? All this has little importance so long as the slave can be replaced cheaply. If he cannot, losses may swallow up profits. Now the birthrate on a slave estate is hardly ever high enough for the regular maintenance of a herd of slaves. Experience has proved it: of all forms of breeding, that of human cattle is one of the hardest. If slavery is to pay when applied to

large-scale enterprises, there must be plenty of cheap human flesh on the market. You can only get it by war or slave-raiding. So a society can hardly base much of its economy on domesticated human beings unless it has at hand feebler societies to defeat or to raid. That was the position of the white men of the West Indies towards black Africa from the sixteenth to the nineteenth century; of Abyssinia yesterday, surrounded by primitive and ill-armed tribes; of old Rome in her days of conquest. The legions had supplied huge labour battalions, who toiled in the field or on the public works under the lash or the threat of the *ergastulum*. The relative peace of the first two centuries of our era appears to have made their recruitment appreciably harder. New methods then began to appear in the administration of the *latifundia*; to which we shall refer shortly. Evidently the return to an almost chronic state of war, with the repeated attacks of Persians and barbarians, produced subsequently some revival of the slave trade, in spite of Rome's military decadence. The great invasions at the end of the fourth and the beginning of the fifth century led to a further revival. And it was not only the invaders who made money by slave dealing: anyone rich enough could seize the opportunity. The records show that when the Germans had ravaged a country they sold their prisoners readily in *Romania* itself. But all this meant only a temporary rise in the general downward movement of the curve of slavery.

At first sight it may seem astonishing that the very warlike Middle Ages had so few slaves. Here religious considerations intervened. Not that Christianity proscribed slavery as such. At least the prevalent form of Christian doctrine that soon became official did not. As between those extremists who were not afraid to teach the slave to despise his master and even run away from him and the Council of Gangra which excommunicated them in A.D. 324, the future lay with the Fathers of the Council. Like the great philosophies of antiquity, Christian ethics as ordinarily received made it the master's duty to treat his slaves well, because they were his brothers in Christ; but according to St Paul it was also the slave's duty to obey his master. A deliberate supporter of the established order of society, the Church was profoundly indifferent to all plans for reforming this world below, so negligible in its eyes compared with the City of God: 'Christ', Primasius of Hadrumetum writes, 'came to change men's hearts, not their conditions of life.' A structure of ideas, in which it is not difficult to recognise the use of some devised by pagan wisdom, helped to support the conclusion. Slavery was no doubt opposed to the Law of God (the philosophers had said, to the Law of Nature). So, for that matter, was property. But both institutions sprang from the Law of Nations, to which, ever since the Fall, mankind ought to submit as to a necessary evil and a

well-deserved punishment. No doubt the freeing of slaves was an act of piety; and it is not impossible that the desire to win salvation may have had something to do with the numerous manumissions during the first centuries of the Middle Ages. But we shall see that other, and much more earthly, causes contributed at least as effectively to the great momentum of emancipation. It was never a sin to have slaves, even to have Christian slaves. When a slave born in paganism was baptised the Church rejoiced. She never required the new convert to be set free; rather she hoped that, by faithful service, much better than that of his comrades who remained in sin, he would show to his master the loveliness of true religion.

On the other hand, the Church refused resolutely to sanction the enslavement of Christians, true Christians, that is Catholics. By so doing she merely extended, but so widely as to alter its whole character, a rule that had come down from the most remote past of pre-Christian civilisations. The slave had always been, before all else, a captive: beyond the little territory of the tribe or the city stretched a vast region peopled with men who had no rights at all. You could seize them as and when you wished. Now the new religion had replaced the tiny pagan city by the immense city of the spirit, to which all Christians belonged. Outside this *societas christiana* you might still treat men as cattle, and if you took them prisoners keep them as slaves. But if a Christian captured another Christian he was obliged to respect his free status. Perhaps one of the finest triumphs of Christian ethics was the enforcement of respect for this maxim, slowly to be sure, for it is still being recalled in England early in the eleventh century, but in the long run most effectively. So it came about that the perpetual wars among Catholics left numberless dead; prisoners who sometimes sighed their lives out in dungeons— it was William the Conqueror's principle that they should; but, after the age of the great invasions, hardly any slaves. Yet you could hunt for slaves in the countries round about; Celtic Christians of the far West, generally treated as heretics; Islam; Slavonic, Baltic or Finnish 'paganries'; and even, from the eleventh century, Greek Christians who by that time were all but cut off from the Catholic world. But these were all distant lands, or lands difficult of approach. They could supply warriors or traders with a few slaves; they could not maintain a great servile economy.

Still that does not explain everything. In the Roman world itself, the division of *latifundia* into small farms can be clearly traced from the second and third centuries; eras, no doubt, in which human merchandise was becoming more rare, but in which the supply was far from exhausted. Later, during the early Middle Ages, the tenurial system managed to establish itself, although in fact the existing servile population, if it had

been employed in the old fashion, might have been exceedingly useful, and although the slave trade itself was far from extinct in the West. Setting out from the frontiers of the Slavs, or from Britain, slave caravans guided by slave-traders still traversed Germany and France in the tenth and eleventh centuries; but it was to reach ports from which the goods could be shipped to Byzantium or, more often, to Mohammedan Spain. The captives kidnapped beyond the Elbe, when they were not in this way disposed of outside Western Christendom, were used—even in Germany—much oftener as tenants for the waste spaces of a *seigneurie* than as domestic slaves in the lord's court. Even the revival of seaborne trade, from the twelfth century, which put on to the Mediterranean markets a much greater supply of wretched creatures, kidnapped in North Africa, the Levant, or on the shores of the Black Sea, though it filled rich establishments with domestics and concubines, and added a few slave farm hands, did little more—except perhaps in the Balearic Islands and in Sicily. Obviously the working of great estates by slave labour was no longer considered possible or desirable. The grouping about a central establishment of dependent holdings, saddled with dues and services, was preferred. That was because the control of a great rural establishment based on slavery raises very delicate problems of administration, which can only be solved with success in a particular economic and mental environment. The maintenance of great masses of human beings must be provided for without using up all the produce of the soil on their keep—or any of the most profitable produce. With part of the income—but never at any time the whole—men must be bought continuously to maintain the stock of labour. In short, an economy must be kept going—on a large scale and with intelligence—based on exchange and profit, an economy which the conditions of life and the growing scarcity of ready money ever since the later years of the Empire made it a less and less simple matter to organise. It is easy to follow, in the letters of Gregory the Great, the parallel progress of a sort of economic debility—revealed at one time by grave difficulties in the commissariat, at another by the abandonment of great cattle-breeding enterprises—and of the replacement of troops of slaves by tenants. Slave labour requires close oversight: long ago Columella had recommended the system of small farms on parts of the estate too remote for frequent visits by the *pater familias*. Now an aristocracy of men who were primarily soldiers was singularly ill fitted for that kind of oversight. And its retainers, fighting men and little else, could not give much help. As for the monks, they ought to be spared every kind of work which would distract them from prayer, liturgy, and the practice of asceticism. Lastly, estate management requires careful account keeping; a thing which became more and more difficult for average

administrators, in the ignorance and disorder which the great distress of the opening Middle Ages brought with it. The repeated, and almost puerile, instructions which abound in the estate ordinances of the ninth century—in Charlemagne's *Capitulare de villis* or the statutes of Abbot Alard of Corbie—show us how hard it was for the great men to make their subordinates apply the most elementary rules of book-keeping. To adopt tenancy as a solution was the line of least resistance. Labour kept itself; the families, each settled on its scrap of land, grew in the natural way. It was merely necessary to take care that the days of work on the demesne were duly given—and that was mostly done for you by custom. As soon as slaves, at the places of sale, were no longer a commodity attractive because abundant, and therefore cheap, the new tone of social life and the new habits of mind were all against any effort to maintain the old, and far too complicated, methods.

The evolution which had affected the slaves in this way would be reproduced, rather later, almost feature by feature, under the operation of the same causes, in the case of the vassals. They had originally been a fighting *comitatus* and they had fed in their chieftain's hall. Gradually it was thought more convenient to give each of them an estate on which he and his family could live. It was assumed that he would still perform his old duty, just as the slave—now liable to render services—went on working on the demesne. But the vassals' duties were of quite a different sort—instead of humble agricultural labour, military service, attendance at the lord's court, 'counsel'. Moreover the fief which owed them was not a peasant holding; it was as a rule itself a *seigneurie*, large or small. These are weighty differences; they led to absolutely opposite social classifications. But viewed from the economic angle, the positions of the two classes are fundamentally similar. Under the early Norman kings, many an English abbey, after having tried to keep armed knights about the place and feed them at its own expense, had to make up its mind to assign fiefs to them, cut out of the monastic lands. Whether you liked it or not, the social environment, from top to bottom of the social scale, was against the 'prebend', the system of maintenance on the premises.

In fact, the troops of slaves who had once lived on the great estates dwindled away from year to year mainly because their masters were always turning them into tenants, 'hutting' them as the phrase was; giving each his own hut (*casa*), of course with the necessary fields. Evidently this reduced the land which the lord had formerly cultivated himself. Huge as they seem to us, the *mansi indominicati* of the ninth century must have been appreciably smaller than the *latifundia* which had preceded them. Sometimes the slave, now turned into a farmer, was freed at the same time. But often he remained legally in slavery.

There had always been some grants of land to slaves. But in the time of Varro, Cicero's contemporary, they were not usually given regular holdings—just scraps of land big enough to carry a few cattle, as rewards for good service. In the first century Tacitus found, or thought he found, slaves with their own *penates* in Germany; and he marked the contrast with Roman usage. (Perhaps what he really found were not true slaves, but that superior grade of dependents, conquered folk or freed men, whom the Germans called *laet: lidi.*) Clearly, the practice spread shortly after his time. Jurists writing about A.D. 200 treat it as normal. It went on spreading in the following period. Imperial policy helped to strengthen it. As we shall see, the government, anxious both to keep up the yield of the land and to facilitate tax-collecting, had decided under Constantine that the freeborn farmers, the *coloni*, ought to remain on their farms from generation to generation: the lessors might not evict them. If its plan was not to miscarry, government could not overlook the now important group of *servi casati*. Already in 367–75 a law, which refers expressly to the policy previously adopted towards the *coloni*, absolutely forbade the sale of 'rural slaves, whose names were on the tax-rolls', without their land. That, it is true, only prevented the master from making easy money out of his slaves by selling them apart from the soil to which they were henceforward bound. Inside the servile group, thus tied to a given area, he could do as he liked. But apparently he was deprived later of a right which, it might have been thought, was of the essence of property in slaves—that of diverting the personnel of the 'tenancies' to other tasks. We have lost the relevant evidence: we do not even know whether this principle was established by Imperial law or simply applied by the lawyers. But its existence is beyond doubt; because after the fall of the Western Empire Theodoric abolished it in Italy by his Edict. Once a farmer always a farmer: the rule applied alike to freeman and slave. In other words, whether the *latifundia* had been cut up to make holdings for slaves or for humble freeborn men, it was legally impossible to go back to the system of slave-gang tillage. True, we do not know how far this legislation was applied. Issued near the end of the Empire, its life was in any case short, and no doubt economic forces worked more powerfully than any law. For there is every reason to think that the transformation of slaves into tenants went on after the invasions during the first centuries of the barbarian kingdoms.

Let us make the best picture we can of the position of the 'hutted' slave. In strict law he remains a slave, unless formally freed; as a slave subject to his master's arbitrary authority; generally speaking excluded from the courts of law; unable—in a barbarian state—to sit in an assembly of freemen; unfit for Holy Orders. Originally, the land that he tilled was in no sense his: it was only a detached bit of his master's,

and his master could take it back at will. Carolingian surveys still go on saying of these men 'that they must serve whenever they are told to do so'. Their holdings, according to the primitive classifications servile *manses*, had their defined duties, often very humble indeed; even should they by chance hold free *manses*, their wives might owe weaving labour, owe it perhaps in the lord's workshops, a thing that could not be demanded of any free woman. But, in practice, the master has 'hutted' men whom he used to keep because it pays him to do so. There is no reason why he should not let the arrangement become hereditary. And as the whole object was to make a man responsible for his own maintenance, and as he paid rent both in dues and services, he must be left time enough to till his land; failing that, he can neither live nor pay. So he and his fellows will only be employed within limits on the demesne. As he has the status of a cultivator he must be allowed some initiative. The Lombard law which forbids him to sell land without permission, allows him to sell cattle, if it will be good for his 'hut'—and that is a dangerously elastic provision. Finally, since he has his own hearth, is head of a little household, perhaps even has some other slaves as farm labourers, he is inevitably freed from the more direct pressure of his master's power. In short, at once slave and tenant, in the end he is likely to become much more tenant than slave. His obligations tend to be regulated more and more by customary rules which, though not quite the same as those affecting freemen, form a sort of appendix to them. And as all medieval society was dominated by the idea that what was customary was also right, breach of these customs—which are set out in the surveys—soon becomes a wicked thing; and after that, a crime. Speaking of the royal slaves, clearly distinguished from the *coloni*, the free tenants, the bishops assembled in 858 at the synod of Quierzy address Louis the German thus: 'Let your officers be careful not to require of them more than they rendered in your father's day.' In 905 a royal *missus* forbade the Abbot of St Ambrose at Milan to impose on his slaves at Limonta heavier burdens than they had owed when they belonged to the king. From the ninth and early tenth centuries the various grades of dependent cultivators are in process of assimilation into a single class, although originally they and their holdings had been in classes far apart. The process was far from completed. Most of the surveys still refused to mix up free and servile *manses*. Official terminology, legal rules, with their strict lawyerly style, maintain as best they can the line between the free and the servile tenant. Habit and common speech had already nearly erased it.

It is curious that this fusion—accomplished in that great creative epoch of the tenth and eleventh centuries, an age whose terrible shortage of documents has hidden from us the details—did not lead to the

disappearance of the word *servus* (become *serf* in Romance speech) nor yet to the wiping out of the idea of servitude. We are not here concerned with the actual history of medieval serfdom. But the survival for almost a millennium of words which seem to recall slavery may bring—has in fact often brought—such errors in its train, that a sketch of the main lines of evolution is called for. Among the members of *seigneuries*, in the twelfth and thirteenth centuries, many—far more than the Carolingian slaves, 'hutted' or not—are held to lack that legal quality called freedom. Yet neither the French or Italian *serfs*, nor the German *Eigene*, nor the English *bondmen* are slaves; not even as a rule descendants of slaves. Not slaves in the legal sense, because they do not belong in body and goods to a master; their relations with their lords are fixed by custom; they have their own possessions; and no one regards them as human beings devoid of rights. Still less slaves in the economic sense: they do not live on the demesne; they have their fields for which they pay dues and services; in short, they are tenants. Even the 'every day' serfs in Germany (*Tageschalken; servi cotidiani*), unknown elsewhere in the West except in Sardinia, though they owe daily services as their name implies, are much more like labourers than slaves; they have their own cottages and scraps of land. What really has changed is the very content of the notions of 'free' and 'unfree'. Henceforward the 'free' man is the man who can choose his own lord—as a vassal does, whose homage must be renewed as lord succeeds lord, under pain of losing his fief no doubt, but in theory of his own free will; as the peasant also does who is only bound to his lord by holding some *tenure*, or living on some particular spot. That is the position of the French *libre vilain*, the German *Landsasse*, the English *socman*. The 'unfree' man, on the other hand, is the man bound to a lord by a tie that is personal and hereditary, a tie which in some fashion attaches to his body from birth, and is in consequence rather degrading and socially incapacitating. These new forms of very ancient juridical conceptions, appearing—as it strikes us—rather late in time, had occurred inside *seigneuries* already formed, *seigneuries* with no slaves. We may even say that they assume the absence of slaves. For such changes of meaning were only possible because the notion of slavery had lost its ancient content, almost spontaneously.

Instructive as these facts are, it must not be forgotten that they bear only on one aspect of the *seigneurie*, and that perhaps not the most important aspect. Using the terminology of the Carolingian surveys, the rise of servile *manses* is perfectly explained by the decline of slavery and slave gangs. This decline may therefore suffice to account for the formation of that very rare type of *seigneurie* which contained servile *manses* only, like Drancy, held in the ninth century by Saint Maur-des-

Fossés. But it will not explain the formation of any other type. No doubt some free *manses* had a similar origin: there must have been among them a fair number of farms of ex-slaves who had been freed at the same time that they got their land. The freedman almost always remained bound to his old master, now his patron, and became his tenant, if he was not that already. We could not understand the multiplication of manumissions, during the first centuries of the Middle Ages, if these relations of tenurial and personal subordination had not persisted. Manumission did not imply the loss of all rights over a man; it only modified the nature of his subordination. In a word, the movement towards 'freedom' was at that time, in many ways, merely an episode in the decay of the *latifundium*, which was being gradually replaced by a regime of dependent tenure. It is also likely that the great proprietors when splitting up their demesnes were sometimes led to 'hut' a few landless or evicted freemen on some of the new-made holdings. That would lead to the creation of more free *manses*. But can we really suppose that all, or even the majority of, the little holdings which, although dependent, were labelled 'free' can have arisen in either of these two ways? Apart from the fact that our texts, in some cases, clearly tell a different story, mere probability is against any such hypothesis. Can we picture, across the ages, these societies of ours as built up exclusively from crowds of slaves, here and there a few day labourers, with above them all a handful of masters? We have then to explain how innumerable peasants, by ancestral status free—in the primitive sense; not slaves—had got entangled in the meshes of the *seigneurie*. That is really the crucial problem.

IV. *Government and the rise of the Seigneurie: from the colonate to the immunity*

Only a few centuries were needed for the transformation of most of the slaves into tenants. A much longer time elapsed before the peasantry as a class was so transformed. Even in those areas earliest 'seigniorialised', the existence of completed *seigneuries* of the classic type from Carolingian times by no means excludes other kinds of rural organisation. The best comparison available for the condition of the Italian or Frankish countryside during the early Middle Ages is undoubtedly to be found in Latin America of the nineteenth century. The *haciendas* of Mexico or Chile, with their villages of *peons* in strict subjection, never formed a network so close as to leave no room for small independent landowners. In some French provinces, such as Burgundy, for which the documentary evidence is particularly abundant, we can clearly

watch a long drawn out conquest by the *seigneurie*, resulting in uncertain and shifting relations with the conquered soil, right down to the thirteenth century. This is even clearer in England; and over wide areas conquest would never be complete. This very slow motion gives the historian opportunities for ascertaining and measuring the flow at many points. But it greatly complicated the movement, which passed across a series of very different social systems; so that care must be taken not to transpose automatically into a remote and misty past facts established for a later, and better documented, age. The simplest method will be to examine in turn the various agents whose working we can discern.

Older historians paid special attention to the action of the state, no doubt because the relative abundance of surviving governmental regulations made that action more easily traceable. But in this matter two great periods must be kept carefully apart—the last centuries of the Roman Empire; the age of the barbarian kingdoms, of the Carolingian Empire, and of its decline.

From our present point of view, the fundamental institution of the Later Empire is obviously the colonate. But the term must be used precisely; scholarship has suffered too much already from its vague use. The word *colonus* originally meant simply a cultivator. It was used early to describe, more particularly, one who cultivated for someone else, a farmer, a tenant. We may therefore, quite properly, describe as a movement towards the colonate that increase of small independent holdings so characteristic of the Roman world from about the second century. But it is probably wise to give the term that stricter legal meaning to be found in the legislation of the fourth and fifth centuries. Since Constantine's day, or perhaps rather earlier, there had been a great change in the situation of those cultivators who were not also proprietors: the law bound them from father to son to the land that they held—at least when they had held it for a certain period, which came gradually to be fixed at thirty years. So the *colonus* is no longer just a man who tills the land of another man. That he always is; but as this fact henceforward entails serious legal consequences, he is something more—a man who cannot quit his land and whom no one can detach from it. Personally, he remains free, in the sense that he is no one's slave, and so escapes the open brand of slavery. Imperial law never confused him altogether with the 'hutted' slave. But a sturdy fiction made him slave of a thing—his own fields, the clods to which he sticks, as they say, so closely that he cannot be pulled from them 'even for an instant'. In short, in the colonate so understood we are not dealing with an economic practice, in itself almost universal, but varying in extent from time to time. We are dealing with a legal institution, well defined and highly significant of a particular phase of history. Its

possibly Hellenistic precedents do not here concern us. Its being and strength came not from the past but from the environment. It was introduced, like one of the wheels of a well-designed mechanism, into a vast scheme of social order conceived by a government on the defensive. In this Empire that resembled a besieged city safety seemed to lie in strict discipline, methodically organised food supplies, a regular yield of the taxes. To gain these ends, the Emperors or their staff saw no better way than that of attaching almost every man, by hereditary and unbreakable ties, both to his mobilisation centre and to his tax quota; the decurion to his municipal office (here the laws themselves draw the parallel with the colonate in so many words); the soldier to the army; the artisan to his trade *collegium*; lastly, the farmer to his fields.

These compulsions had not been devised in the interest of the great landowners. They bore on them also, and for that matter galled them. It was no longer possible, without breaking the law, to recover a bit of land in order to increase the demesne; to replace a tenant by a better man; to make provision in vacant parts of the *villa* for peasants who had run away from another lord. However, the new legislation cannot have seemed altogether unfavourable to the great landlords; for they had in some sort anticipated it by the simple exercise of the pressure of the strong upon the weak—so much so that one might perhaps even call the laws class legislation. A constitution of 244 shows us, in effect, that at this early date proprietors were trying, quite illegally, to retain tenants or their heirs after the expiry of their leases; and even that it had 'often' been necessary already to declare this practice illegal. It was because the labour problem had become acute in an empire where population was declining and influx of slaves slackening. If you had a man you did not lightly let him go. Imagine a system of control to-day under which an employer might not dismiss his men, nor the men leave the factory. No doubt it would be incompatible with economic liberalism, inimical to business expansion except by the buying up of rival concerns—yet it would most certainly transform each business into a disciplined group, exceedingly stable, in which the employer's authority over men who could only get a living on his premises would be greatly increased. Especially if the law made no mention of wage-rates. Now the imperial rescripts about the colonate never breathed a word about the tenants' burdens, except to refer to the custom; and as we shall see custom could be changed without too great difficulty. The comparison does not run quite on all fours, because it neglects differences of social environment. Yet it may help to suggest the way in which the binding of the *colonus* to the soil reinforced most effectively the dependence of small landholders on their lord. The institution so created ended in making perpetual relationships which apparently

had often been thought of as temporary or revocable: it changed obligations of private contract into rules of public law, to the enforcement of which the state directed its still considerable powers.

More than that. Working along another line, policy towards the colonate ended by making the yoke of the aristocracy on the peasant heavier. Not that Emperors ever adopted the principle of governing through a caste of lords with quasi-legal powers. On the contrary, they always showed themselves properly suspicious of any interference between the sovereign and his subjects by local patrons or chiefs. But officials were too few, the administrative machinery too difficult to handle, for direct and permanent access to the masses; whether they would or not, emperors had often to make use of the higher ranks. It is very characteristic that—apart from some rules peculiar to the Hellenistic East, and based on its special traditions—not all peasants, which would have been logical, but only farmers were attached by the law to the soil. That was because the matter could be left to an existing authority and, if the law was not obeyed, a conspicuous individual, the great proprietor, could be called to account. Men were raised for the army from among the *coloni* by this same individual. More serious still, if we bear in mind how tragic the tax-burden was for taxpayers and the financial problem for the government, was the fact that this *dominus fundi* was responsible for collecting the taxes of his tenants. After all, only inscription on the tax rolls made the system work; a rescript of 399, the more interesting for us because it applies to the West—it is addressed to the Pretorian Prefect of the Gauls—states that the *coloni* are 'the plebeians assigned by inscription to an estate'. And as the old word *colonus* might be considered ambiguous, because as we have seen it meant simply a man who cultivates the land of another, technical language referring to these fiscal arrangements tended more and more to describe the farmer bound to land that he had held for thirty years by the more exact term of *colonus adscriptitius*, even just *adscriptitius*. This recourse to the collaboration of the great men involved such dangers for the central power and was so closely associated with all the principles of the colonate that when, at a later date and in the East, Emperors from the time of the Heraclian dynasty were trying to improve the machinery of the state, they believed that they could only do it by an entirely different agrarian policy which should foster communities of self-governing peasants. In the West, the Empire never had time to reverse the engine.

No doubt the law of the colonate had certain advantages for the cultivator. If he was not absolutely sure of keeping the same farm for ever—for being attached to the whole *fundus*, not to any particular part of it, he could always be moved legally from one to another—at least

he was safe from actual eviction. He no longer ran the risk of becoming that most wretched of beings, a landless man. But his inability to move as he liked was so suggestive of servility, his dependence on a great man had such humiliating aspects, that these characteristics of his tenure soon brought with them a string of other restrictions; and the whole body of them became the criteria of a new social class placed at the very bottom of the ladder, in spite of its theoretical 'freedom'. By a significant change of language, where the old lawbooks talked about the *patronus* of the *coloni*—a classical name for a man who could give orders to a still free dependent—the later just used the word master (*dominus*), as you would for a slave. Already, in one of the earliest documents dealing with the institution, Constantine threatened with chains *coloni* suspected of planning desertion. That was the regular punishment of runaway slaves. Two and a half centuries later Justinian could write that it is not certain which is the worse, the condition of the slave or that of the *adscriptitius*.

Such were the laws. One would like to know how far they were carried out; especially those regulating that attachment to the soil which, to be effective, needed such elaborate police supervision. No doubt there were soon abuses enough, and more as the Empire declined. Society was not adapted to the strait-waistcoat that it was told to wear. In the fifth century Majorian complained of 'the dodges of those who will not stay in that state of life to which they were born'; and one chance bit of evidence tells us that *coloni* managed to slip from their native soil even into the imperial bureaucracy.[1] Yet this legislation of social defence must have contributed greatly to strengthen the tenurial system.

But quite evidently it did not create it. The laws never said that little independent peasants should submit to the authority of stronger men. They merely laid it down that a man who holds his land from another may not quit; and so will remain, with his descendants, perpetually bound to a subjection towards this patron, or this lord, which assuredly goes far beyond the ordinary economic relation of tenant and landlord. There would be no sense in such a policy unless it affected a numerous class, and it could hardly have worked—probably the very notion of it could not have arisen—unless it had been based on social customs which had long favoured the dependence of the weak. Even heredity and continuity of tenure were well known in practice long before they were prescribed by law, and before labour shortage forced the great landowners to adopt them. The Antonines were ruling over an Empire that had no need to contemplate laws of Constantine's sort when the farmers on an African domain described themselves as 'children born

[1] *Nov. Valentin.* III, XXVII, 1.

and brought up on the soil of the estate'.[1] The system of the colonate is only intelligible if we suppose that there existed before it a sort of embryo *seigneurie*.

Although an imperial law had proposed, in so many words, to fix the *colonus* to the soil 'for eternity', the legislation whose principles were laid down by Constantine was really only influential for a very short time, at least in the West—just as long as the Empire survived, or as long as it retained its vigour; no longer. This alone warns us not to exaggerate the influence of imperial policy. No doubt, in the barbarian kingdoms, *coloni* remained bound to their old masters, and the more securely as the personal nature of the tie became stronger, in a society which understood much more easily the notion of subjection to a person than the subtle fiction of 'servitude' to a piece of land. But the rule of bondage to the soil was not applicable if the state was not strong enough to track down runaways and, if necessary, impose its will on those who gained by welcoming them. The principle is of universal application. You cannot have a peasantry effectively bound to the soil without a strong central police authority; as in the Roman Empire; in Tsarist Russia; to some extent in Plantagenet England, in contrast to twelfth- or early thirteenth-century France. What police authority had the Merovingians? Or the Lombard kings? In fact, neither the barbarian laws nor the Carolingian capitularies contain a line that forbids tenants to desert their land, or the master to tear them from it. It is the lord's business to keep his tenants, legally or illegally. As the hall-mark of a class, the legal principle of *adscription* fell into neglect. A new public law was to intervene in another way.

The difficulty which the later Empire, strong as it was, had found in direct government could not fail to be more acutely felt in the states which sprang up among the debris of *Romania*. The barbarian kingdoms could not handle the mechanism of administration that they had inherited. As for the old Germanic system of freemen's assemblies, it functioned with difficulty amid grave social transformations, and was ill suited to huge kingdoms, whose needs and whose size were utterly different from those of the little tribes and tribal leagues of yesterday. Finally, the decline of trade and the growing scarcity of money made the extension, or even the maintenance, of a large salaried officialdom more and more difficult; whilst every kind of obstacle to communications hindered the action of the central power. It seems that the Visigothic monarchy had already appreciated the possible means of making good this lack of direct control. The point was recognised quite clearly when the Carolingian dynasty, under Pepin and Charlemagne, made its ambitious—and in the long run vain—attempt to

[1] *C. J. G.* VIII, 10570, ll. 28, 29.

utilise the relation of dependence, which already held men together, for the maintenance of public order. 'Let every lord put pressure on his dependents, that they may better and better obey and accept imperial orders and instruction': that phrase from a capitulary of 810 summarises with trenchant brevity a thoroughly deliberate policy.[1] But already almost everywhere practices had grown up, through sheer necessity, which the Carolingians, for their part, could do no more than systematise, though they tried to do this with characteristic energy.

Quite in harmony with Roman tradition, the barbarian kingdoms had as a rule trusted the lords to bring their free followers to the host; to levy from them, and subsequently transmit, supplies in kind for the army; and to handle the taxes in the same fashion, so far as any taxes survived. The sacrifice of the tax revenue itself ordinarily found in Frankish 'immunities', to which reference will be made shortly, together with that of all the public services made in special—but very rare—grants, marked however a step forward and a most decisive one. But the innovation, in principle at least, affected primarily the judicial field.

The judicial history of the barbarian states presents many very complex and often obscure problems. What makes them especially troublesome is the difficulty of drawing the essential yet infinitely delicate distinction between what the law prescribed and what really happened. A full discussion is out of the question here. Yet the broadest lines can easily be made clear. By a series of privileges, in the Frankish state called immunities, which have parallels under other names almost everywhere and especially in Anglo-Saxon Britain, the Kings grant to certain lords rights of jurisdiction over their lands and the men who lived on them, even when free. As a matter of fact, the Frankish immunity, in its strict sense, seems to have been granted almost exclusively to churches. Whether it was ever extended to laymen is disputed; if it ever was, the thing happened very rarely; for the formularies ignore it. But a similar result was reached by the working of the donations which were so freely made by the king to his followers, sometimes in the form of benefices, sometimes as out and out gifts. The royal domains too, controlled by their own administrators, were largely withdrawn from the authority of the king's regular agents; and their position was in fact that on which the immunities for religious houses had originally been modelled. Now when a royal domain was granted to a private person it was regularly given 'the whole immunity' which it had previously enjoyed, as the texts put it. Probably the larger part of great men's estates came to them in this way from princely generosity; and no doubt they had

[1] *Capitul.* I, no. 64, c. 17.

early been able to extend the advantages enjoyed on that part to their hereditary lands, either by express grant or by simple usurpation. The princes were influenced in making the grants, or tolerating the usurpations, by various motives—piety or, if that is preferred, anxiety about their own salvation, in the case of ecclesiastical *seigneuries*; the pressure of the aristocracy, eager to increase its own authority and, above all, to keep the detested officials of the Crown from intruding on its lands (their exclusion was the essence of the Frankish immunity); finally, the fact already noted, that no prince was able to act effectively in such matters, either in person or through trustworthy agents. The royal concessions, it should be added, were not absolutely comprehensive. In certain cases and for certain crimes they reserved the rights of the king's courts, the sole business of the grantee, in such circumstances, being to insure the appearance in court of his subordinates; and no doubt the kings, when acting in this way, thought that they were sacrificing what they were very likely to lose in any event in order to keep what might be saved. Only, as it happened, since the state got weaker and weaker—on the Continent, after the collapse of the Carolingian Empire; in England at the time of the Danish invasions—the lords kept those judicial powers that had been given them and usurped all or part of the rest, though the extent of these usurpations varied greatly from country to country.

Now in this way the *seigneurie* acquired a powerful instrument of consolidation and expansion. Not merely through the bare right of judicial decision, but also and perhaps mainly through the confusion of this right with the right to issue orders and punish those who disobeyed; in Frankish terminology, the *ban*. This valuable right had originally been reserved to the king and his representatives. Even so, it had been in danger of falling into private hands. For the high officials, exercising it as agents of the king, often monopolised it for their own advantage. The capitularies reveal clearly the way in which counts, or their subordinates, were apt to treat as their own dependants those whom the state had entrusted to them. They went so far as to force the unhappy and almost defenceless freemen to work like 'corvéable' dependants in their fields and vineyards and meadows. Many a group of men was annexed to a *seigneurie* in this lawless fashion, there can be no doubt. But the working of the immunities had far wider and far more durable results than this. Among those who lived on immune land, or those who though living outside it had commended themselves to its lord, a great many had at the outset been very loosely bound to the lord and owed but little to him. The *ban* allowed him to stiffen up both the relationship and its practical burdens. It is significant that, on the Continent, many of the largely novel rights which lords are claiming from the tenth century onwards—especially

the monopoly of mill, oven, and winepress—are ordinarily called *banal* rights. It is not less significant that in England, where in many ways the course of events was so different, the typical tenure of a free man came to be called socage, from soke, the exercise of judicial power.

But, here again, we evidently have to do with a development which, though capital, is still secondary. Let there be no mistake: immunities and the like gave legal force to an existing movement, and canalised it; strictly speaking, they created nothing. Indeed it was not before Justinian's day that the law, for the first time, did expressly permit the *dominus fundi*, in one particular case, to chastise his *coloni* 'moderately'; and of western countries, only Italy obeyed Justinian. However, there had always been one exception: ever since *coloni* were first bound to the soil, the law had made it a lord's duty to keep them there by force. But for the state to require great proprietors to hand over malefactors found on their lands, as it did, was already a partial delegation of public authority. Moreover is not every huge enterprise almost necessarily led to provide its own internal policing, indeed its own courts? In our case, this necessity was the more strongly felt because the enterprise formed a close group, isolated in the country, and often a very long way from any centre of government. The sort of thing that we can see, almost under our eyes, on a Latin American *hacienda* can help us to imagine the play of forces on an average Roman *fundus*. In fact, our sources show clearly that, from the end of the Empire in the West and in the first centuries of the barbarian kingdoms, the 'powerful', who naturally exercised the traditional right of punishing even their 'hutted' slaves, and maintained discipline when slaves quarrelled among themselves, stretched these powers so as to include all their dependants. So much so that the Emperors felt obliged to prohibit private prisons in 388—for freemen of course; the slaves' *ergastulum* had always been there. Rather more than a century later the biographer of St Cesarius of Arles, boasting of his clemency, tells us how very few strokes of the rod the good bishop inflicted on his 'free' dependants or on his slaves. On the legal side, this private justice, in so far as it was not considered simply as an abuse, was not easily distinguished from ordinary domestic discipline or settling of disputes. In fact it was already a rudimentary seigniorial justice; for the 'immunity' could not have worked with success if its recipient had not long been used to play the part assigned to him in his grant.

Beyond doubt the story of seigniorial origins is closely bound up with that of the states. These, as a matter of fact, made history less through their legislation than by their sheer debility. The *seigneurie* grew at their expense. In this connection nothing is more significant than the history of one single word: the word written *angaria* in the Latin sources. It came from the term which, in Achaemenian Persia, was applied to the

messengers of the Great King. Borrowed, by way of Hellenistic civilisation, from that old Iranian monarchy which served as a model of empire for the Mediterranean world, the Romans used it, first of all, to describe levies made for the postal service; then to any services owed to the state. The Middle Ages applied it to services (*corvées*) owed to the *seigneur*: there were in fact hardly any compulsory services but those. It would appear that requisitions for the king's army, still often referred to in Carolingian surveys, were subsequently swallowed up into the dues demanded from the tenant by his master. Each line of inquiry leads to the same conclusion; these effects of vicissitudes in the strength of the state; the particular character of its decadence; perhaps in some degree that decadence itself; none of these things could be explained without the underlying system of a dependent peasantry, on which the forces from above played. It is the nature of that substratum that we must now try to examine.

V. *Protection and Commendation*

It is well known that the later years of the Roman Empire witnessed, not the birth of a system of personal patronage, for the institution had remote precedents in all constituent parts of *Romania*, but at least its immense expansion. The best because the simplest and most comprehensive formula describing what the weak man expected of his strong protector—the client of his patron—is that of St Augustine. 'To any one who threatens him a great man's client replies: So long as my lord here is safe and sound you can do nothing against me.' We must remember that the adversary so addressed need not be a private enemy or a rich oppressor. He may just as well be a recruiting sergeant, a judge, or—most likely of all—a tax-gatherer. The state, which expected a great deal from weak men and did not quite know how to protect them against the worrying of its own servants, had difficulty in bending the strong to its will. To avoid its pressure, there was no surer means than to hide in the shadow of some high-placed or rich individual. It was not always willingly that a man acquired a master in this way. To increase his authority, his prestige, his fortune, every fairly high-placed personage wanted to surround himself with as many dependants as he could: they owed him help, service and sometimes actual dues. The great man could thus exert every kind of pressure—and no doubt his seizure of control, whether abrupt or gradual, was at least as common as the spontaneous search for his protection.

Many of these clients were peasants: *clientela rusticorum* is a contemporary and semi-official term. Among the many kinds of agreements for protection, one of the most stringent, but probably not least

common, was that by which the small cultivator transferred his land to his patron. He was not as a rule actually dispossessed. He gave it to get it back again; but henceforward as a *colonus*. So the great *fundi*, with their massed dependent tenures, extended their nets further and further. And individual acts of submission were not the only sort. Whole rural communities sometimes accepted a protector. Thus arose that *patrocinia vicorum* so often denounced in the laws. For the establishment of these 'one-man' villages, villages from which that man could so easily exclude royal judges or tax-gatherers, rightly appeared a very grave evil. The Emperors fought against it, but without much success. Forbidding it for the future in 415, they were obliged to condone all the past. It is true that this collective subjection seems to have been mostly found in the East. But it is hard to believe that the West was quite free of it. It did not create *seigneuries* in the medieval sense. The protector of a village, there can be little doubt, received presents or dues from his clients, by way of recompense; but being a stranger and having usually no demesne there, he did not claim services; and the land was not at law 'held' from him. Even when the villagers were *coloni*, they sometimes chose a patron whom they thought would be a better protector than their *dominus fundi*. He was usually a soldier. In this case patron and landlord were not blended. But, as we learn from a discourse of Libanius, the patron tended to supplant the lord. It was not yet strictly a seigniorial system. That assumes the union of power over men with power over land. But it was clearing the way for it. Already the shadow of the soldier-lord is being thrown across the countryside.

After the invasions this drift towards order and obedience was naturally accentuated. It spread to Germanic societies which—apart always from Scandinavia—found themselves for the first time closely associated with the Roman world in the same political organisations and, as time went on, in a common civilisation. The movement drew fresh strength from the collapse of state authority combined with the last attempts made by rulers to exercise powers which, weak as they were, they had not resigned themselves to lose. We have several records of peasants who surrendered themselves and their lands to a master, in order to avoid military service. There was another motive force at work; the weakening of the principle of consanguinity—in clans, tribes, or similar groups; groups which, in Germany and perhaps even in *Romania*, had long been thought of as a man's adequate shelter against the arrogance of the strong. Friesland furnishes a most illuminating instance: a land where there was neither lord nor vassal, it was also one of the lands in which the bonds of blood proved most durable. Relations between lord and dependant naturally borrowed some fresh colouring from the influence of Germanic tradition; *chivage*, which

became a characteristic test of complete subjection, is no doubt connected with the poll taxes of freedmen (*lites* or *Lazzen*) in Germanic law. The habits of the German *comitatus* left their mark on the relationship of lord and vassal. At length, as all know, there blossomed out what we generally call the feudal system—defining it by criteria drawn both from the rules which bound the higher ranks and from the scheme of political organisations. No doubt it would be more exact to call it the system of vassalage and of the fief. A very simple and striking test proves that there was some relationship between feudal institutions and the essentials of the seigniorial system. Most societies which had no *seigneuries*—such as Friesland, Dithmarschen, Norway—also had no vassalage and no fiefs. No doubt there is at least one exception: Sardinia, with no vassalage and no feudal tenures, nevertheless had rural *seigneuries*. Still, there remains this general coincidence. And there is a fact perhaps more significant still: regions imperfectly 'seigniorialised' were also imperfectly feudalised. Here the test is the number of allodial holdings. An *alleu* (*allod*) was a holding absolutely free, over which no superior had rights, which owed dues or services to no one, the possession of which involved no loyalty or obedience to any individual. The little rustic holding that had remained outside the seigniorial net was an *alleu*. So might a *seigneurie* be in spite of its basic stratum of dependent tenants, provided the lord owed homage for it to no one. Now, wherever we find a comparatively large number of allodial *seigneuries*, we note that far more peasant *alleux* than are to be found elsewhere have also survived, for a long time, or even permanently; in Saxony, for example, or in south-western France. Again, England before the Conquest, where relations of vassalage were most imperfect, had also a very loose system of dependent peasant tenures. These coincidences cannot be the result of chance; and in fact the relation between these two sides of the social structure are tolerably clear. Both reflected the same needs, though at different stages of the social hierarchy; and in both the needs expressed themselves in customs which were in many ways similar.

In the upper social classes, the bond of protection and subjection was embodied in two legal acts, often simultaneous. The personal act: homage, with its symbolic rite and usually its oath. The real act: the owner of an *alleu*, in this case normally a *seigneurie*, yields it to his lord, to receive it back from him henceforward as a fief involving military and other services, and the obligation of fidelity. Turning to what we may call the peasant classes—using the term to cover actual cultivators of very varied grades—we notice a most striking parallel between the base and the summit of the social hierarchy: we find that these humble folk also deliver up to the lord both man and land.

Defective as our sources are, from Carolingian times to the twelfth century two sorts of characters or references exist in really impressive numbers. At one time we see the peasant, just like the humble folk of the later Empire, yielding his land to a lord, then resuming it, but burdened with dues and services. 'There are here', the survey of Santa Giulia of Brescia records from about the year 900, 'fourteen free men who have handed over their property to the hall (*curtis*), the condition being that each shall do one day's work a week.' At another time it is the man himself who seeks the protection, the *mundium* of a lord, 'commends himself' to him in the phrase which is specially common in England. Few things are more instructive than this word *commandise*: it was also applied for a long time to the homage of a vassal, and by this double use shows clearly the original relationship of these two degrees of personal subordination. But there was a capital difference between them. The high-born man submits himself and his life alone: the little man almost always gives away his posterity; and that was why obligations of this sort, which robbed the descendants of any power of choice, seemed opposed to freedom and came in the long run, as we have seen, to be described as servile, in that new sense which the word gradually acquired.

Perhaps because the personal bond was in this way so strict, the two sorts of submission were less necessarily associated among the lower than among the upper classes. The high-placed owner of an *alleu* who accepts it as a fief must take his vassal's oath. The peasant owner can quite easily change his coat for that of a tenant without changing in any way his personal status. In tenth- and eleventh-century Burgundy tenures of this kind were often expressly called *franchises*: even the dues which they owed were also often called *franchises*. The tenant was in this way labelled a freeman. But we must take care in our interpretation: the *franc tenancier*—the *Landsasse* of German surveys—it is true was attached to his lord by bonds far less galling than those of serfdom: they did not rob him of the social privileges of 'freedom'; and, above all, they did not bind the 'bodies' of his descendants. All the same, he became one of a disciplined group: he owed help and obedience to the lord of his land, and might expect from him some measure of protection. It can never be too often repeated: in the Middle Ages to be free was not to be masterless; it was to be attached to one's master in what was felt to be an honourable, and was not an hereditary fashion. The protection offered by the lord in case of danger was moreover—as our sources show—the already discounted payment for the new burdens accepted by his small holders.

When we turn to the acts of personal surrender, which are apparently at least the more numerous, we note with some surprise that as a rule

they make no reference to the land. The only dues usually stipulated for are those laid on the man himself or his descendants: most often they take the form of a poll-tax. But who would suppose that the protecting lord expected to get only these very modest sums? Everything indicates that—except in the obviously rare cases in which he was dealing with indigent landless men—he used the disciplinary powers which were recognised as his to bring the property of his client under control and burden it with dues and services—either by tacit agreement, or even by breach of the original contract. So that when by chance the land already owed a quit-rent to someone else, there was risk of such a dispute as that which broke out at the opening of the tenth century between the Abbey of St Gall and the church of Constance, between the old lord of the soil and the new lord of the man. From the eleventh century, the *mundiales* of the monasteries of Lorraine, whose name clearly refers to the protection, the *mundium*, of these humble folk, owed quite heavy agricultural services.

We must not be misled by the mere form of these contracts. We must deal with them as cautiously as with the 'patronates' of the later empire. The medieval contracts of subjection regularly purport to be inspired by the free will of the new subject and especially, when the lord is a church, by piety. But in social life is there any more elusive notion than the free will of a small man? No doubt that competition between large and small farming found in other ages, which made the small man's position difficult, is not in question here. Apart from its demesne, the *seigneurie* was nothing but an agglomeration of small dependent holdings: a peasant *alleu*, once handed over, simply took its place in the mosaic without any change in its cultivation. But there were many other forces at work to make the small man pliable; from hunger—sometimes a declared cause, but generally in the case of landless labourers—to the wish to share in those common rights which a lord reserved for his dependants; up to that sheer oppression, about which the written contracts are of course chastely silent, but which many other sources disclose.

Consider, for instance, the charter of the monastery of St Mihiel which records the tribulations of a widow in a village of Lorraine. She was a well-born woman—the document says 'noble'—and her land, classed as an *alleu*, was by tradition exempt from all burdens. Nevertheless the officials of a neighbouring lord claimed a quit-rent from this little estate. All that the lady could do to escape their persecution was to accept the protection of the monks. But for this way of escape, can we doubt that the *alleu* would soon have become a *tenure* of the village tyrant?[1] Elsewhere, if violence did not create ties, it strengthened them

[1] Lesort, A., *Chronique et chartes...de Saint-Mihiel*, no. 33.

remarkably. The chronicle of the Swiss monastery of Muri has made famous the adventures of the peasants of Wolen, about the middle of the eleventh century. Free allodial holders, they had seen fit to seek as protector a powerful man call Guntramm; they surrendered their lands and got them back for quit-rents. This was all that they had agreed to. Their position was thus more favourable than that of the older tenants who owed heavy services. But Guntramm soon tried to bring them down to the same level. He demanded plenty of work on his demesne. He claimed payment for their traditional use of the forest. Relying on their rights, the peasants decided to make a protest. They went to Solothurn where the king was staying. But among all the great barons this handful of rustics, with their coarse patois, could not get a hearing. When their village passed subsequently to the monastery, the services had been sanctioned by long usage: the monks continued to exact them. In this troubled society, whose central authority could not get into effective touch with the masses, violence helped to transform social conditions the more effectively because, through the play of custom, an abuse might always by mutation become a precedent, a precedent a right.

It cannot be doubted that many new *seigneuries* were created in this way—probably far more than we shall ever know. For our sources have the grave defect of telling us almost exclusively about the great *seigneuries*, which also were usually the oldest. The seigniorial system was far from losing its powers of growth by the end of the first feudal age. Any possessor of a fair-sized rural estate—a peasant grown rich, a manorial official grown important in his master's service, a lucky man-at-arms—had only to stop tilling it all himself, cut two or three holdings out of it, or attach some other peasant's holdings to it; and soon this parvenu would become a lord in a small way. For in those days it was hard to think that one man could hold land of another, especially if it was held from father to son, without being, by that very fact, in some way under his landlord's authority. Feudal society did not understand purely economic relationships. Justice itself was so close to the business of carrying out judicial decisions, that the right to levy dues on land carried with it, almost automatically, the right of deciding cases that arose out of the levy: we actually know of a *vilain* in the Île de France, so late as the twelfth century, who although a tenant had a sub-tenant below him, and who managed to establish his claim to judge his sub-tenant if he did not pay his quit-rent.[1] The distinction between a lord and a mere lessor, between a subject and a mere lessee, would only be established very slowly, and by the action of a jurisprudence more refined than that of the early feudal centuries.

[1] *Cartulaire du prieuré de N.D. de Longpont*, no. 35.

But we must admit that most cases clearly known to us reveal, not so much the absolute beginnings of seigniorial power, as the extension of powers already existing. Here and there—in Germany particularly down to a rather late date—we see whole villages submitting themselves to some great man who, however, owns other villages. Elsewhere, fairly important groups submit by common consent. But usually, like the fourteen freemen of Brescia or the villagers of Wolen, they submit, whether they like it or not, to some ancient *seigneurie*. And most of the acts of submission are those of single families. As only a master already strong could protect a man effectually; as only a prominent personage of this kind could put decisive pressure on a man (we must always consider heads and tails!)—the protector of lands or body was generally an individual, or religious institution, already protecting other dependants in the same fashion. So a *seigneurie*, once only a modest nucleus, threw out long tentacles on every side. This dispersion through growth raised serious problems of administration. It certainly did make the working of the system of labour services and the upkeep of vast demesnes appreciably more difficult. But no essential change had been made in the nature of the institution. Even when the lord was a new man in every sense of the word, his relations with his tenants were likely to be modelled on a traditional plan. The very silence of so many documents as to the precise meaning of the tenant's burdens, a silence which can only be explained by an implied custom, is in itself exceedingly instructive.

But one country provides us with a still more significant experiment. Consider the structure of English society during the century before the Norman Conquest. The great men have vast demesnes cultivated largely by slaves—for slaves remained much more numerous at this time in England than on the Continent—but also with the help of tenants' services. Other slaves are established on the land. Side by side with these servile tenures are quantities of little dependent holdings, whose holders are still counted freemen. They are for the most part regularly protected by someone. Anglo-Saxon society is exceedingly disturbed, like the continental societies, and the independence of the weak is gravely endangered. Like the Carolingian state, the Anglo-Saxon state wishes humble men to have superiors who can vouch for them; it is extremely suspicious of lordless folk. (It also makes use at the same time of methods of collective responsibility unknown in Frankish Gaul.) Yet there still survives a very dense network of peasants whose land is held from no lord, held allodially as they would say elsewhere. Everything has its parallel across the Channel. And yet it is hard to speak of an English seigniorial system. At most there is only the first sketch of such a system. All the institutions are so loose, so shifting, so ill adjusted, that

they cannot produce well articulated and disciplined groups fit to conduct economic enterprises that will function properly. The holdings are often scattered far and wide, not conveniently arranged about a central demesne. Some of the dependants seem only to have commended their persons. But many have 'come to the lord with their land'. Among these, some can break their tie with him at will: 'they can go with their land to whatever other lord they wish.' Sometimes jurisdiction is with one lord while service is owed to another; or jurisdiction over a man is with a lord to whom he is not commended. And as the role of judicial assemblies of free men, on the German model, remains considerable, it complicates matters; for the king may have handed over one of these 'hundred courts' to some great man, his perpetual delegate, who will thus become one more personage on the list of those upon whom the peasant is, in some sense, dependent.

It is not our business to try to explain how, out of all these diverse elements, the conquering aristocracy, with brutal vigour, managed to build up the manor. But the value of one significant word should be stressed—the classic word 'manor' itself. In the Norman French of the conquerors, it had nothing to do with jurisdiction. It meant a good substantial house, such as a Norman lord usually occupied. But when they had to find a label for the complex whole of dependent farms and subject people which henceforward was grouped about the fields of the demesne, one name came naturally to their lips—the name of the headquarters from which orders were issued, and to which were brought both the lord's harvests and the pennies or the produce that tenants owed. In just the same way in Eastern France *cour*; in Italy *corte*; in Germany *Hof*—that is, in each case, the lord's own dwelling enclosure—often served to describe the whole *seigneurie*, including the *tenures*. In England, in the early days, hall was readily used as the equivalent of the foreign word. The house of the local magnate was the necessary centre of every genuine *seigneurie*.

The lesson to be drawn from England is clear. Castille enforces it, if anything with greater emphasis; because in Castille no conquest, imposing by violence arrangements favourable to the interests of the conquerors and agreeable to their habits, had come to disturb the natural course of evolution. Castille too had known a system of peasant commendations which, under the name of *behetrías*, often embraced whole villages;[1] but it only led very late and very rarely to the establishment of *seigneuries* properly so called, on the French, German or Italian model. Relationships of commendation, of the sort that we find in the feudal era and that immediately preceding it, were able to give to an existing seigniorial system immense expansive force; but by themselves were

[1] Cp. p. 347 below.

powerless to create such a system, and to make of it a clearly defined social type, juridically and economically dominant. In those countries that were 'seigniorialised' profoundly and spontaneously, seigniorial origins go back to social arrangements older and unhappily much more obscure than feudalism or the patronate of the later Empire.

VI. *Chiefs and Villages*

The surest index that we have of the existence of rural chiefdoms in primitive Europe comes from the study of place-names. Everywhere, masses of the most ancient villages bear the names of men, generally followed by a proprietary suffix which varies with the language. In *Romania*, Germanic personal names in combinations of this kind usually indicate that the place was only named after the invasions, and so do not take us very far back. But the map swarms with Roman names. In France for example there can be no doubt that the vast majority of the Antonii of Antony or Antoigné, or the Flavii of Flaviac or Flavy (to quote a couple of examples from among thousands) lived under the Emperors. Here and there older ages of Gaul are revealed: Brennus, of the legendary capture of Rome by the Gauls, survives in the Brenats and the Bernys. Roman or Romanised Italy has its Corneglianos and Savignanos. Germanic countries show native personal names with various suffixes, of which the oldest are in *-ing* and in *-heim*. (The old view that the *-ing* suffix implied tribes or clans has given way to the view that it merely implies any sort of dependence; the Heuchlingen may be Huchil's men or his relatives, perhaps both.) But it is not enough to establish that names of this sort exist almost everywhere we ought to be able to measure their density, which obviously varies from region to region. Unfortunately place-names study has not yet reached the statistical stage. It does, however, seem that the density is particularly high in Gaul.

Naturally, names of this sort had no guarantee of immortality. A revolution in village life might always lead to a change of name. But for that, names with a Celtic element would obviously be far commoner in France than they are; moreover we know about medieval rebaptisings of villages. Yet such changes occurred only sporadically and at long intervals. (We shall see shortly why they were probably most frequent at the opening of the Roman era.) As a rule, the settlement and its territory retained, through the ages, the name of some long forgotten person; as if a half religious reverence clung to the memory of the ancestor whose aura still floated over the soil. What precisely had this eponymous hero been when alive? A great proprietor who assigned land to his slaves? All that we know of old Celtic, Italiot or German society—in which slaves were beyond a doubt infinitely fewer

than free men—or, indeed of the society of the Roman era, in which there was never anything like a complete system of rural slavery, absolutely excludes this as a general explanation. Was he a lord? In the medieval sense of the word it would be an anachronism so to describe him. Yet whatever juridical word would fit him best—and in this connection we must recall, with Antoine Meillet, the extraordinary mobility in Indo-European languages, of substantives expressive of the authority to command—how can we fail to suppose that this man whose name the village took was some sort of a chief or, in the phrase that French documents of the *ancien régime* still applied to the seigneur, '*le premier habitant*'?

Scanty as narrative sources are for these remote times, they still yield a little valuable information. Caesar pictures Gaulish society before the Roman conquest as dominated by an aristocracy of 'knights' who owe their strength to their 'clients'. This latter Roman term could give only an approximately accurate notion of the Celtic reality. To Caesar's mind it implied men free but dependent. Themselves probably of very varied rank and condition, they would be attached to the chief by all kinds of ties of subordination and interest, including—as so often, under our eyes, with the Chilean *peon* and his *haciendado*—that of debtor and creditor. Although some may have lived in the master's house, there were certainly far too many of them for that to be the rule: how could he have fed them? And as they cannot have been concentrated in the towns, which were few and unimportant, they must have been, for the most part, countrymen. Besides, the great men who were surrounded by these vast clientèles were also rich men. Most of their wealth must have come from the land. But how? Likely enough slaves cultivated some land for them directly—some modest embryonic *mansi dominicati*. We cannot imagine that they had vast slave gangs working on *latifundia*. There is no suggestion that crowds of slaves surrounded them. Can we doubt that they drew largely on requisitions or gifts from peasant clients? And that there were whole dependent villages is not merely a matter of conjecture. Caesar tells us that Lucterius the Cadurcian had the fortified 'town' of Uxellodunum dependent on him. It is highly probable that this was not an exceptional arrangement.

Turn to a related society at a parallel stage of evolution, first-century Germany. Tacitus calls the hereditary chiefs of little local groups *principes*. In the same language, familiar to Latin writers, Livy had pictured the 'princes' of the eagles' nests among the mountaineers of Northern Italy; *principes castellorum*. And this is how Tacitus describes the revenues of these odd little potentates, or at least that part of their resources which did not come simply from their own land cultivated by a few slaves or freedmen whom they sometimes set up as farmers.

'It is the custom', he says, 'that each tribesman shall give the chief presents either of cattle or of part of his harvest. These free gifts are marks of respect, but they also supply the needs of those who receive them.' This description is most instructive. The gift, Tacitus insists, is free. But it is also customary. In a society ruled by respect for the past, a traditional gift is very near indeed to an obligation. After all; gift and custom; we may say without exaggeration that these linked notions dominated the beginnings of seigniorial dues and services. In the Middle Ages dues were usually called simply 'customs'; as if, when you thought of any due, you had in mind immediately its sole juridical basis. And page after page could be filled with the deliveries in kind, in money, or in service which—throughout the whole evolution of the *seigneurie*—were described as gifts, prayers, *demandes*, *bede* (that is, in modern German, *bitte*), boon-work, *bienfait* (*beneficium*, in the *polyptyque* of Montierender), *requête*, *eulogies*. Simple terms of courtesy, for the most part, no doubt, or even hypocritical disguises of harsh compulsions; when a man was angry or perfectly frank he might talk about 'exactions'. Yet the terms had often some correspondence with ancient fact. First you made a request, doubtless accompanied by gentle but firm pressure; later you made a demand, arguing from precedent. Those 'oblations' of capons, of pigs, of loaves and even of money which, as late as the twelfth century, some Lotharingian tenants had to bring to their lord in person, when they paid him solemn visits on certain great occasions, differed very little from the gifts reported by Tacitus. Like them they were marks of respect; like them they symbolised submission in its most concrete form; like them, in the end, they were made obligatory by an iron tradition.

There is no great difficulty in finding other relevant evidence. The most useful comes from societies which were absorbed into western civilisation rather later than those referred to so far. The *machtierns*—that is to say chiefs who stood surety for their men—referred to in some Armorican sources of the ninth to the eleventh century, have been much discussed. There can however be no great doubt about the main features of the institution. Some Latin ecclesiastical writers who relish both the pun and the hit at a lay power call these *machtierns* the parish tyrants: they 'own' the parish (*plebs*: Breton, *plou*): they 'reign' over it by hereditary title. They witness grants of land in the parish. Perhaps they sometimes levy a fine when land changes hands by sale, as the medieval seigneur did later. In fact we know that they became vassals at an early date. Some of them are even found among the vassals of the Frankish Empire; some founded knightly families.[1] We can hardly fail to recognise them as ancestors, part ancestors at least, of that

[1] de Courson, A., *Cartulaire de l'abbaye de Redon*, nos. CXCVI, CCCLX.

Breton seigniorial class which later documents reveal. In a kindred society, that of Wales, though at a still later date and no doubt under the influence of neighbouring English institutions, the 'kings' of the *cantrefs* or hundreds became lords of the ordinary sort. This last instance shows us clearly how an embryo manor, and under favourable circumstances a real one, could develop itself around the nucleus of a small demesne the cultivation of which had been mainly entrusted to slaves, by subjecting different categories of dependants to food-rents, to the duties of forced hospitality, and to some services. In this case the dependants would include *taeogs*, probably for the most part men of a conquered race, and free tribesmen who had to obey the chief in spite of their hereditary 'liberty'.

Analogies can be drawn, hints can be taken, from more remote civilisations. The history of the Comans, established on Hungarian land in 1243, starts indeed quite differently from anything western. They were in fact pastoral nomads who had taken abruptly to a sedentary life. Western peasantries had only passed from a collecting and hunting to an agricultural civilisation very slowly, and in remote ages. But much can be learnt from the way in which, among these former shepherds, a nomad chief was gradually transformed into a landed proprietor. In the Maghreb to-day a great man—often a marabout—may succeed, by an equally significant transformation, in securing control over a rural community and making it tributary to him. Even among the Thai of Indo-China there are distinct traces of a similar process. The chiefdoms of black Africa, when we get to know them better, will no doubt also furnish examples.

Coming back to the European *seigneurie* we can unearth in it various survivals from a very remote past. We have all heard of those practices which old French feudal lawyers called *droits ridicules*, a term which shows how much the practices surprised them. They are such things as games, dances, various rites (a compulsory bath for example) which the inhabitants of certain villages, or some of them, and particularly the young folk, had to perform before their lord. Belated attempts were made to find rational explanations of these things; but really they had none. Take the famous duty of flogging the moats of the château on certain nights, in order, so they said, to prevent frogs from disturbing the lord's rest. Would the sound of beaten water be really more conducive to sleep than the sound of croaking frogs? Why only on certain nights? Was the lord to lie awake the rest of the year? Let the folklorist explain these customs if he can. What concerns us is that in them the seigneur acts the probably very ancient part of a kind of president over ritual practices which have come down, there can hardly be any doubt, from an immense antiquity. And if the *jus primae noctis* sometimes

did exist (and there are a few ugly suggestions to that effect, especially in documents from the Pyrenees) we most certainly have not to interpret it as the product of a petty tyrant's lust. We must look rather to some very old rite by which the chief deflowered virgins; and for this parallels could be found for us by anthropologists.

But the inquiry must not be conducted solely from the side of the lord. We can get just as important evidence from the study of peasant society itself. The master of a slave gang has no organised group with which to deal. The authority of a chief, on the contrary, is superimposed on such a group but does not abolish it. It is therefore of the utmost importance to observe that in the countries with which we are concerned the *seigneurie* had by no means killed the village community. As far back as we can go, we find the two institutions living side by side. However dependent the rustic might be on his master, he was still always under the authority of the village group of which he was a part. That group never lost its own collective life, often very intense. No doubt its cohesive force varied with regional traditions and forms of settlement. But let us consider, for example in France, the districts where it was most fully developed. We shall find them unquestionably north of the Loire and on the Burgundian plain. In this land of big villages, open fields and long strips, regularly grouped in 'furlongs', the face of the country with its distinctive design suggests irresistibly that the original occupation of the soil was planned. Collective grazing rights over the stubble, and the compulsory rotation which forbade the cultivator to choose his own crops, were binding on all, often even on the seigneur and his demesne lands. Now this was also the classical area of the *seigneurie*, the one in which it was oldest and most solidly established. So it would be a grave error to assume any necessary opposition between the bonds of the village community and those of the *seigneurie*. Although custom was mainly responsible for the maintenance of the collective rights over the fields and the grazing arrangements, there was necessarily occasional intervention by some regulating authority with the sanction of some court in reserve. Under medieval conditions the lord's was the only court—and its members were often peasants. At law, the lord alone could issue orders, through his right of *ban*. In practice however he often left a fairly wide field for the action of the community itself, especially in the election or nomination of the village officials who saw that the rules were kept. Methods varied indefinitely, not only from region to region, but also from place to place in the same province. Yet it is never to be forgotten that even when the lord had the most complete monopoly of the issue of agrarian orders, he was always supposed to act in the interests of the community and as the interpreter of its tradition.

But two chief classes of evidence above all enable us to establish the survival of very ancient village institutions underlying the *seigneurie*. They also make clear the fluctuations in the progress of seigniorial power. They come from the history of peasant agriculture and from that of common rights.

The *manse* we have already met. There is no more mysterious institution in all agrarian history. Nor is there any whose interpretation, if ever we can be quite certain about it, will throw more light on the remote pages of that history. A complete and certain interpretation is not yet possible; but some facts about the *manse* are already sure.[1]

First, that it is found almost all over Europe, under all sorts of names; *mansus* most often in Romance lands, but in western Gaul under that of *factus*, a desperately obscure old word; *hufe* in Germany; *hide* in England; *bol* in Denmark; possibly *ran* in Armorica. Contemporaries already recognised that these words all meant much the same thing; and the facts behind them were markedly similar. Because of the nature of our sources, the functions of *manse*, or *hide*, or *hufe* (omit for a moment the *bol*) appear most clearly to us as part of the seigniorial organisation. It would obviously be a mistake to assume a priori that this aspect of the institution was primitive. But, as it is the aspect most easily examined, we may well begin with it.

In the medieval *seigneurie* a *manse*—for convenience we will keep to that word—was the customary unit of tenure. But all holdings were not *manses*. The manse often had as its neighbours, and on the same *seigneurie*, dependent holdings otherwise described. Their names varied: in Gaul the commonest was *hôtises* (*hospicia*); also *apendariae*, *laisines*, later *bordes* or *chevannes*; in Germany *Schupposen*. Just like the *manse*, the *hôtise* served as a unit for surveying purposes. In this period, we never hear of renders in money or kind or services as due from separate pieces of land. Apart from the strictly personal obligations, it was the entire holding, whatever it might be, that owed. Whether one tenant held it all or not was of no great importance. Although scattered all over the fields, its parts, from the seigniorial point of view, made up a single taxable unit. But often the liabilities varied, in an oddly capricious way, from one *hôtise* to another. The *manses*, on the contrary, as we already know were divided into well defined juridical classes; *serviles*, *ingénuiles*, occasionally *lidiles* (from the Germanic *laet*, latinized as *lidus*, a freedman or sometimes the member of a conquered population). Within each category, and on the same *seigneurie*, the obligations were in theory uniform; so much so, that if you knew what was owed by the first on the list, you knew about all the rest. It is true that, now and then, there were subsections with different obligations within the

[1] Cp. p. 40 and p. 191 above.

same category. These anomalies, which in fact did not make things much more complicated, were found almost exclusively on the great *seigneuries*. Probably they reflect their history, each subsection corresponding to a fresh accession to their vast complexes of lands and rights, which had been built up stage by stage. Thus the rules for a *hôtise* were the result of the circumstances of each individual case; the rules for a *manse* were a matter of group-custom. If we bear in mind further that there were always far fewer *hôtises* than *manses*; that they were on the average considerably smaller; and that, finally, among their very miscellaneous occupants are often found men expressly described as newcomers (*advenae*), we can hardly fail to see in them little holdings created late, on land hitherto unoccupied, by squatters, some of whom came from a distance while some were perhaps just younger sons of needy local families. The very words *borde*, *chevanne*, *Schuppose*—which literally mean cabin—are significant. This practice of extending the description of the dwelling to the land dependent on it was common enough: the word *manse* (*meix* in Middle French, *mas* in Provençal) also, strictly speaking, meant the cultivator's dwelling. But the man who had a *manse* had a real house; he who held a *hôtise* seems to have had nothing but such a hovel as the custom of many villages—and not so long ago—allowed paupers and immigrants to build for themselves on the fringes of the commons, provided the materials were shabby enough. Documents later than the Carolingian surveys suggest that holders of *manses* were the only people who had a full share in the rights of common. In fact a *hôtise* was frequently a tenure *in posse*; when it had reached a certain size—probably by bringing fresh land under cultivation—the lord might decide to assimilate it henceforward to a *manse* or half *manse*; as if a well managed *seigneurie* ought, in contemporary language, to be all *amansée*. In short, the *manse* was the representative, and certainly the primitive, cell of the 'seigniorialised' village.

But a still more important feature differentiated it from the *hôtise*: its permanence. No doubt during the era in which we can first clearly grasp the methods of seigniorial administration, that is the ninth century, its indivisibility seems no longer absolute. Often two or more tenant householders live side by side on the same *manse*; a thing almost unknown on the *hôtises*, because as these had no standard size, if one of them was cut up, you simply said that there were now two or more. But the *manse* remained a fiscal and administrative unit, even if split among several holders. The surveys very seldom show the least interest in the way in which the land and its burdens were divided up among the heads of the holding families. The burdens, the only thing that mattered, were those of the *manse* as a whole; the coparceners owed them in common and, no doubt, jointly and severally. But it

can hardly be supposed that the subdivision of the *manse* was a primitive thing. It would appear to be only the first stage in that disintegration, which was to lead—at amazingly different dates in different regions—to the disappearance of the *manse* itself. A unit of survey which, once it no longer coincided with the working facts, appeared only as a fictitious entry in the books of seigniorial administration, could only be preserved by a great effort, an effort that was almost bound to fail in the long run. We notice that the survey of Saint Germain-des-Prés is already forced, whether it likes it or not, to find room in its statistics, indeed sometimes in connection with the levying of dues, for the hearth as a unit. Other documents of the same date prefer to reckon by households, or by *coulonges* (*coloniae*), each containing a single ménage of tenants, rather than by *manses*. The way in which the documents have survived enables us only to observe the system, which was no doubt very old, at a time when—at least in the big villages of northern Gaul—it was already in a state of decay. Everything suggests that the original rule had been everywhere: one *manse*, one family. It was Bede who translated the English word *hide* by *terra unius familiae*.

The energy which the seigniorial authorities expended in trying to maintain the system is sufficient proof that, by its regularity and stability, it greatly helped the levying and guaranteed the yield of the dues. But there is more direct evidence to the same effect. In 864 Charles the Bald is trying to check the threatening break-up of the *manse*. His expressed aim is to preserve the *seigneuries* from 'confusion', indeed from 'destruction'. In fact when, at a later date, the break-up was complete it became necessary to assess the dues on each parcel of land or on every house; and to require services from each head of a household in person. This was a great and troublesome complication which helped to hasten the remodelling of the *seigneurie* itself. Following the matter further, we can be sure that some of these *manses*, so useful to the lord financially, had been made by him in his own interest and all of a piece. These were the servile *manses*, cut out of the demesne for the use of the 'hutted' slaves. So too, no doubt, were those formed here and there, in conditions probably parallel, to establish freedmen (*manses lidiles*). But can we believe that the whole system was made by the lords? That the *manses ingénuiles* in particular, or most of them, were so made? This would imply that they functioned only inside *seigneuries*. But there were *manses* or *hufen* in the Frankish state, and in England *hides*, in the hands of freemen who were subject to no one, either in person or for their lands, and who themselves cultivated holdings so described, as the Carolingian military capitularies, among other documents, testify. As for the Danish *bol*, it was to be found all over a country which at that time was in no way 'seigniorialised'.

The history of public finance provides further valuable evidence. Taxing authorities in great states made use of the *manse* or its equivalent; perhaps from as far back as the Roman Empire, if it is true—as it may well be—that the taxable units originally corresponded with agrarian cells of this type. The unit was officially called a *caput* or *iugum*, but in the provinces we know that there were a great variety of equivalents for these terms. We know too that Franks and Anglo-Saxons used the *manse* or the *hide* as the unit, when they made their levies to buy off or to fight Scandinavian pirates. This fiscal use reacted in the end on terminology: in Frankland the demesne which the lord himself cultivated was also called *mansus* or *hufe* (but with a distinctive prefix: *indominicatus, Salhufe*). If in England, on the contrary, the demesne was never called a hide, the reason seems to be that this was because it was not taxed, whereas among the Franks it was. However, no one would fancy that peasant *manses*, whether *tenures* or *alleux*, were simply invented and put on the map by bureaucrats who lacked a proper survey. Apart from anything else, their date and their regional distribution are all against such a notion. We hear of *manse* and *hufe* and *hide* well before the Scandinavian invasions; and the tax system of the later Empire, which one might perhaps be tempted to accept as the creator of the Roman *mansus*, could obviously not have created the *hufe* beyond the Rhine, or the *hide*; still less the Danish *bol*. Evidently, governments or their experts did no more than utilise a system of land division already existing and widespread in ancient European rural society. And the lords did the same, for their own ends.

Terra unius familiae: Bede's words give us in all probability the key to the institution in its primitive form. But we are not to think of the little matrimonial family of our later ages. Ill informed as we are about the history of blood relationships in the dawn of our civilisation, there is every reason to think that the group, whose original shell was the *manse*, was a patriarchal family of several generations and several collateral households living around a common hearth. Subsequently, the progressive disintegration of these large groups of blood relations, accompanied no doubt by a growth of population, led to the break-up of the *manse* itself; and the indivisibility that the lords were striving to maintain, from the ninth century onwards, was perhaps only a survival of old communal rules of inheritance which they had adjusted to their own interests. In the same way the Turks, as supreme landlords in Yugoslavia, preserved the integrity of the peasant *zadruga* until very recent times. It is certain that subdivision among many heirs, entailing a perpetual rearrangement of the tenancies, could not be viewed favourably by authorities anxious to maintain a regular levy of rents and services. In fact, they only acquiesced in it under pressure of changes

in the surrounding legal atmosphere; or when the fines that they could exact at the deaths of tenants yielded more than the annual dues, and so made an increase in the number of occasions on which a fine could be secured advantageous to them. This only began to happen when the seigniorial system was nearing its decline.

So we have every reason to suppose that the primitive occupation of the soil was carried out by patriarchal groups. Sometimes they lived apart from one another; in that case, protected by their isolation in regions of scattered settlement, they usually manifested remarkable power of resisting subdivision. Elsewhere they formed parts of larger, nucleated, village communities. Their shares were not equal. Tacitus had observed this inequality in the German villages long ago. And in the ninth-century surveys, although their descriptions are not so detailed as might be wished, nothing is more striking than the immense differences in area among *manses* of the same class within the same *seigneurie*. The exceptions to this that we find are probably to be explained by a secondary settlement in which the plan was made artificially regular. This lack of uniformity in the size of the typical *tenure* is, at first sight, the more surprising as it contrasts with the almost absolute uniformity of burdens. At Villeneuve-Saint-Georges, for instance, the smallest free *manse* has exactly the same burdens as the largest which, besides having 40% more meadow and 60% more vines, contains rather more than fifteen times as much arable land; and each was worked by a single household. It is perfectly clear that these ancient peasant societies had nothing democratic about them, quite apart from any lord's power. On the other hand, it is of the greatest interest to observe, in connection with the origins of that power, how the burdens laid on a whole category of different-sized *manses*—sometimes up to nearly a hundred in great *seigneuries* and big villages—were strictly equalised. The patriarchal family being the primitive cell of rural society, each owed the chief the same weight of dues—or, if you like, of presents—and the same amount of work.

No complete account of the lord's relations with the village community can be derived from study of the cultivated land alone. For however great its contribution to livelihood, agriculture had by no means altogether displaced the very ancient practices of pastoral life, hunting, and food collecting. By his fields alone the peasant literally could not have lived. All about the area more or less permanently cultivated and, when under crops, held in strict individual or family possession, he required access to immense stretches of common waste left in its natural condition. These moors and marshes and forests did not merely furnish necessary food for his cattle. His own nourishment depended on them; for wild vegetables and fruits were even more

important in his dietary than wild game. Nearly all his implements were of wood. His fire was of wood or turf. His beasts were littered on heather or dry leaves. Even his arable needed the waste; for generally it got no fertiliser except sods of turf or piles of reeds spread on the land before the seed was sown. In villages where there was no lord, or where the lord's power was a late growth, the village community sometimes retained absolute control of these common lands; it owned them, in feudal phrase, *en alleux*. It is noticeable moreover that where common rights were specially important to the peasant—as in the largely pastoral life of the Alps and Pyrenees—there the lord's hand always lay less heavy than on the neighbouring plains. So too on the shores of the North Sea, in Friesland or Dithmarschen, the need for collective effort to drain marshes or keep out the tides probably acted as an obstacle to the progress of the lord's power. For anything that made a community more coherent favoured its independence. But throughout the greater part of Europe, where common was essential but still only a sort of annexe to the arable, the lord almost always extended his power over commons as well as over fields.

If we were to trust formal language, we might even think that this power had wiped out that of the peasants at a very early date. The ninth-century surveys generally treat forests and grazing land as part of the demesne. But that was the result of a simplification—heavy with consequences, as it proved. A turn of phrase common in the Frankish documents describes the realities better. When a charter of sale or gift enumerates the elements that make up a *seigneurie*, it usually inserts, side by side with the fields meadows or vines of the demesne, and its profits from the *tenures*, the *communia*; thus indicating that the land subject to collective use was also placed under the master, and yet that he remained compulsorily obedient to 'common' usages over it. Such overlapping rights are repugnant to the relative precision of our more developed juridical thought. But we must not boast of our clarity: how would our immediate ancestors, trained on the strict Roman law, have described the so-called property of the humblest shareholder of a great company in its goods? In any case these entanglements were in no way strange to men who saw a whole hierarchy of rights, one above another, resting on nearly every scrap of land. It is no doubt vain to look for the true medieval 'owner' of the commons. But who 'owned' the *tenure*? The cultivator? His lord? Or, with the establishment of the feudal system, one of the various personages of whom the lord held in fief, or in sub-fief? The truth is that the peasants' rights of user over the commons, and the lords' superior rights, were regarded as equally worthy of respect. The latter were recognised—as in the case of the *tenures*—at one time by certain levies from the individual peasants;

at another, and apparently a later, time by a quit-rent on the common land, paid by the village community as a whole. And of course the demesne had its share of all common rights.

That this system, with its many dangerous uncertainties, led to frequent disputes and abuses of power the documents give eloquent witness. The earliest struggles between lord and community about woods or wastes—or at least the earliest certainly known—date from the ninth century. They became specially bitter after the great clearances of the eleventh, twelfth, and thirteenth centuries had considerably reduced the area of surplus land; at a time when the revival of Roman Law had given the lord a formidable new weapon. Too often it was a case of earthenware pot versus iron pot. But there was no weakening about the principle of divided rights. 'Flowing water and springs, meadows, grazing grounds, forests, *garrigues* and rocks', the Customs of Barcelona record, about 1070, 'belong to barons not to be held *en alleu*' (that is, in disregard of any rights but their own) 'or as part of their demesne, but in order that their people may enjoy them at all times.' The lord was not merely the chief of individual men, and as such endowed with authority over what property each man held; he was also the chief of a group, and consequently the supreme master of lands subject to group use. So that the *seigneurie*, so far from being in opposition to the village community, was dependent on its existence for a particularly important aspect of its own powers and revenues.

VII. *A general sketch of the evolution*

After this search down converging roads, we must now try to describe that whole evolution which ended in the appearance of the classical seigniorial system; or rather, those evolutions. For we are bound to take regional peculiarities into account. These we have stressed from the first. In the various curves, many sections must show the dotted lines of hypothesis—and others must remain blank.

In the beginning, we catch glimpses of peasant communities under their chiefs, to whom the various families (in the wide sense) that made up the group owed ritual gifts, and no doubt also assistance in a general way, which would be sure to take the form of certain services. The existence of these village chiefdoms is clearly attested in Gaul before Caesar and in Germany before the invasions; it may be traced in the society of Armorica; it appears more distinctly in that of Wales. We may assume something of the sort in ancient Europe more or less everywhere. Evidently we are here in touch with one of the oldest lines of cleavage in our civilisation. Medieval and modern nobilities grew up much later and in a very different environment. The medieval

nobility, as defined by the custom and law of the twelfth and thirteenth centuries, was distinguished by its hereditary calling to knighthood. The noble man was normally also a military vassal; and it was from the customs of vassalage that the noble class, once it had been consolidated, borrowed its way of life, its class cohesion, and the fundamental rules of its law. These are all relatively late institutions. But, viewed on his economic side, the noble man is also a man who lives by the land without working on it. He is at once master and exploiter of those who do the work. In short, the typical noble fortune is a seigniorial fortune; so that we can hardly fail to recognise in the distinction between nobles and common folk the direct outcome of that ancient cleavage which had occurred in the dawn of history between 'client' peasants and the local chief who was fed in part by what they gave him; between the people of Brennacum and that Brennos who gave his name to the village. And it is hard not to believe that, in spite of repeated remodellings, of social rise and fall and the luck of all sorts of adventurers, the old core of the noble class was formed by the descendants of these rustic chieftains, among whom were recruited—for they had to be recruited somewhere—most of the vassals and most of the knights. The stories already told of that Breton *machtiern* who became an Emperor's vassal, and of that other one who founded a knightly family, are no doubt symptomatic.

But the word 'chief' is beyond dispute much too vague. From what sources did these people draw their power or prestige? It is particularly tempting to link primitive village organisation with that of the clan or the tribe, and to imagine behind the figure of the lord-to-be the Old Man of a group of kindred, or someone who claimed his place; the group, of course, being bigger even than that of a patriarchal family. This may sometimes have been the actual course of events. A Bavarian formula of the Carolingian era seems to identify *vicus* and *genealogia*. We know from our sources and from place-names that the Lombards and Burgundians, and from place-names that the Franks, sometimes settled on the land of *Romania* in *farae*, groups bound by blood relationship. But a point already noted, to which reference must again be made, suggests that the facts were rarely so simple.

As early as we can study the *seigneurie* we find that it by no means always corresponds with the village territory. On the contrary, the territory is frequently divided among several seigniorial allegiances. Many scholars, in many countries, have noticed this, almost always with the same surprise; for the notion that there must be an exact correspondence seems innate. In fact, as comparison of special studies proves, what each historian inclines to treat as an exception in his region was really, if not exactly normal, at least exceedingly wide-

spread. No doubt in many instances we are dealing with a secondary subdivision. In particular, as the habit developed of 'housing' vassals who had previously fed at their master's board, great lay lords and ecclesiastical communities were obliged to cut fiefs out of their lands, on which these armed followers might live. These grants were often made up of fragments cut from much greater *seigneuries*, indeed even out of *manses* taken here and there from different *seigneuries*. The vassal would be more faithful if his scattered fee made autonomy on his part difficult. In this way the break-up of villages between many masters increased perceptibly. The working of donations, and indeed of sales, to the Church had similar effects: if you had a whole village you did not always give or sell the whole of it. Add to these divisions those due to inheritance. And yet it is evident that we cannot always, or even ordinarily, explain the presence of several seigniorial authorities, side by side on the same ground, by a supervening disintegration. Often enough we can see a directly opposite evolution—towards integration. Look at the hamlet of Mons Acbodi, in the wooded land of western Gaul, early in the ninth century. Besides the little *seigneurie* of Ebbon and Eremberge already described, there were four *mànses*. One after another they were given to Saint Germain-des-Prés, by individuals whom we are fully entitled to regard not as cultivators but as overlords of the soil drawing dues from it. The monks joined them to the *seigneurie* of the married couple; and the whole, by an agreement with Eremberge who was probably by that time a widow, became a single seigniorial estate, held from the Abbey as a *precarium*. It would not be difficult to point out traces of a similar concentration elsewhere, in Domesday Book for instance.

If we are to form a just notion of the odd juridical medley that might exist on some estates, we must take into account, besides the holdings dependent on different lords, those that had no lord at all. The survival of these independent islands, their fields mixed up with those of adjacent tenancies, was apparently in no way opposed to the existence of a very ancient system of rural chiefdoms as attested by place-names. It was certainly not without good reason that, at some point in Gallo-Roman history, the inhabitants or the neighbours of the village of Florac in the Bordelais had got into the habit of calling it the village, the land, the estate of Florus. Yet at the very end of the Middle Ages peasant *alleux* were still to be found there. And this instance is quoted at random from among a crowd of others.

In order to try to understand what may have happened in such cases, the best way without doubt is to examine one of the rare countries in Europe where we can watch, at a date which makes it visible, the birth of a central village authority. Friesland, we know, was for

centuries a land without lords. However, from the fourteenth century, we can see rising above free communities the authority of chiefs, *Häuptlinge*. They were strong enough, especially in the east of the country, to force peasants, who were called their subjects (*Undersaten*) and whom in return they undertook to protect, to work for them, to fight for them, and to obey the rulings of their courts. But these new dynasties did not, in general, manage to create true *seigneuries*; at most, as their latest historian puts it, only 'amorphous' ones. Neither the economic nor the political conditions were favourable to the strengthening of such local authorities from that time forward. But we have here evidently at least in embryo an institution which, under more favourable conditions, might have grown from chiefdom into *seigneurie* proper. Now two points deserve to be especially borne in mind. Most of these potential *seigneurs* appear to have been simply peasants richer than the rest, and—more important still—men who had managed to surround themselves with armed followers, living with them in fortified manor houses. Secondly, their most appropriate name, and that which in fact contemporaries usually gave them, was not so much chief of a village as chief in a village. For in many places several families of their type had sprung up, and it was only in course of time that occasionally—but not always—the most powerful stock managed to get rid of its rivals. We may well suppose that many genuine *seigneuries*, far back in time, had no other source than some such differentiation of wealth and strength, in short a lordship *de facto* which by gradual mutation became a lordship *de jure*. And as it was simply a member of a group who, rising above the crowd, received first one man's submission and then that of another, you might have in a single community several such chiefs, with independent families surviving beside them. No doubt that was not the story of all seigniorial villages. There were mass submissions too; but neither were they the only sort. When we read in the *Fors* de Bigorre, about 1110, that the right to control the use of the village boar should belong to the 'best knight' of the place—that is the one whose family was strongest, richest, or most respected—we can hardly fail to recall Friesland with its little communities divided by tradition among their several rustic potentates.

Whatever their origins, and the more we knew about them, the more varied we should probably find them, these village chiefdoms of early days were still far enough from the genuine *seigneurie*. It is in Romance countries that they can most clearly be seen acquiring the true seigniorial character, but only very gradually.

Roman domination, in its early years, would seem to have worked in two ways. The abundance of servile labour that conquest supplied, and the confiscations of land, helped rich men to build up directly cultivated

demesnes on a much larger scale than before. The slaves formed a much greater part of the rural population, and great *latifundia* were sprinkled among the peasant holdings. As for the groups dependent on village chiefs—in their case it seems we must distinguish rather sharply between the position in Italy and that in the rest of *Romania*. In spite of the vast areas cultivated by slave gangs, there was no lack of farmer or tenant groups on Italian soil. But everything suggests that they were less widespread there than elsewhere. The slow and harsh conquests, the Social Wars, the work of colonisation, the rearrangements of property, must have destroyed the power of many a little local Italian dynasty. However that may be, it is certain, in any case, that the numerous small independent cultivators, whose existence in Italy imperial sources prove, appear still more clearly in early medieval records—the records of that very general practice of the temporary lease of land, the *livello*, which, as has been seen, was essentially different from the hereditary tenure which prevailed beyond the Alps. In the Provinces, on the other hand, the establishment of a scientific tax system—a thing Italy, as is well known, had long lacked—helped to stiffen relationships hitherto no doubt rather lax. Subordinate tenancies were not entered in the tax books under headings; they were all included under one *fundus*, the complex estate of the local magnate. It was probably at this time that so many old Gaulish villages, entered under the Roman or Romanised name of the magnate of the day, were rebaptised for ever. Every system of land taxation aims at simplicity, and in almost every civilisation, when a new authority has introduced such a system, the effect has been to make more rigorous any half-developed relationships of peasant subjection that may have existed already; in British India, for example, early in the nineteenth century, and in Irak in our own day. Later, the colonate tightened the peasants' bonds again: the simple dependant, whose land, far from being a fragment detached from a greater estate, had been known within the memory of man to belong to the patrimony of his family, was easily confused with the farmer who held his by a recent grant. The magnates who appear in the funeral bas-reliefs of Igelou or Neumagen receiving offerings and dues from their tenants had already the air of *seigneurs*.

But the great fact that, from about the second century, would give the *seigneurie* very nearly its final form was the decline of slavery. Its action would be felt beyond the Roman era; and then it would be operative even outside the Romanised world. The decline would not have been so important had there not previously been formed the great demesnes cultivated directly by their owners. We have seen how these *latifundia* were partially cut up into servile holdings; but only partially. Even if complete cutting up had been desired, there would not have been

slaves enough to occupy the whole of such vast areas. Unless the land was to tumble down into waste, new sources of labour supply had to be found. They were found in the services of dependent peasants. Services had not been unknown in the old colonate. But they had been a much less serious burden than the dues in money or in kind. As the inscriptions of the African *saltus* show, they were hardly used except at the peak points of the agricultural year—ploughing, weeding, harvest—and, being thus cut down to a few days a year, their main use was to limit that of hired labour at these critical moments, although some such labour was occasionally needed. It is significant that classical jurists when discussing the letting of land never mention services. It is probable that under the later Empire many more began to be demanded, sometimes quite illegally. In one of his homilies, St John Chrysostom appears to refer to such demands;[1] and one cannot but suspect—the sources do not justify any certainty—that they may have been in part responsible for the terrible *jacqueries* of this period. The lord's demands certainly continued and became more urgent after the invasions. The laws of the Alemanni and the Bavarians have preserved for us the main part of a law from the first half of the seventh century which regulated the obligations of ecclesiastical *coloni*. Comparing this law with the information that we get from the Carolingian surveys of two centuries later, we see clearly a heavy increase in the labour services demanded from free *manses*. Near Paris, the *polyptyque* of Saint Maur-des-Fossés, compiled in the ninth century, seems to contain a memory of the introduction into one of its villages of services previously unknown there.[2] Such an increase of burdens was, beyond question, incompatible with the custom which, since the Roman era, regulated strictly—as both codes and inscriptions prove—the relation of landlord and tenant, within each *fundus*, *praedium* or κτῆμα. These customs were certainly maintained and respected by the courts of the barbarian kings. But there were many ways of getting round them. Sometimes the public powers interpreted them very loosely: in spite of the protests of royal and ecclesiastical *coloni*, a capitulary of Charles the Bald did not hesitate to include some entirely new tasks—one of them at least, marling, clearly presented as a recent technical innovation—under the heading of legitimate obligations. Simple abuses of power, leading to the establishment of precedents, were probably even more important. And pressure on the weak was freely disguised, as usual, under pious phrases about 'prayer'. The lord's *corvée* itself, in Romance countries, gets its name from this disguise (*corrogata*: the service 'collectively craved'). That did not make it less harsh; and no doubt when kings denounced

[1] *Hom. in Math.*, 61, 3 (Migne, *P.G.* vol. LVIII, col. 591).
[2] Guérard, *Polyptyque*, II, 287, c. 16.

the oppression of the poor, as they so often did, they had in mind, among other things, these burdens that were being imposed without any kind of justification in ancient custom.

Yet from that time forward new factors in the situation favoured the imposition of still more burdens. As a natural consequence of that widespread insecurity which replaced the *Pax Romana*, in many places a concentration of homesteads can be noticed during the early medieval centuries. This obviously encouraged seigniorial control and the use of labour services. Above all, the general establishment of personal commendation and the usurpation of public rights—mainly those of justice and of *ban*—strengthened the lord's grip, and enabled him to extend it to holdings which had hitherto escaped him.

Thus behind the classic *seigneurie* our enquiry reveals long and obscure beginnings. A very ancient structure of rural chiefdoms was the essential nucleus, and about it the centuries deposited their successive layers one by one. Then the economic conditions of the early Roman era created the great demesnes facing the family holdings of dependants. The conditions of the late Roman era and of the early Middle Ages led to the coexistence, and subsequently the fusion, of *manses* cultivated by 'free' tenants with the new servile holdings, and, above all, linked the demesne to the holdings, of whatever type, by heavy bonds of service. Finally, the institutions of the feudal age gave the *seigneurie*, always aggressive, its finishing touches as a disciplined group whose members were harshly exploited. And yet the rural community had always retained a great measure of collective action under its chiefs. To the system thus slowly built up by one deposit after another Western and Central Europe owed some of the most significant aspects of its civilisation, especially during the Middle Ages. In societies where there were hardly any slaves, and in which the only property that really mattered was property in land, nothing but this system of dependent agriculture could have kept alive the military and clerical aristocracies, or even monasticism itself. The Blessed Raimon Lûll, in his *Book of the Order of Chivalry*, once expressed with brutal frankness what appeared in his day to be a necessary part of the divine plan: 'it is seemly that the men should plough and dig and work hard in order that the earth may yield the fruits from which the knight and his horse will live; and that the knight, who rides and does a lord's work, should get his wealth from the things on which his men are to spend much toil and fatigue.'[1]

[1] Raimon Lûll, *Libro de la orden de Caballeria*, ed. J. R. de Luanco, I, 9.

CHAPTER VII

Medieval Agrarian Society in its Prime

§ 1. France, The Low Countries, and Western Germany

I. *The General Framework*

THE regime of the great domain in Western Europe underwent, between the eleventh and fourteenth centuries, a transformation which cannot properly be understood without some preliminary examination, in the same geographical and chronological framework, of three phenomena. These are the modifications which took place respectively in the extent of land under cultivation, in the management of the soil and in the character and distribution of landed property.

A. *The extent of land under cultivation.*

One of the most essential features of the period under consideration is that it was a time of land reclamation on a large scale. This became extremely active from the second half of the eleventh century onwards, and was evidently associated with the growth of population which seems to have occurred at this time. The problem has been discussed in an earlier chapter but some recapitulation and expansion will be in place here.[1]

In France, the movement appeared earlier in some regions than in others; land was being reclaimed from the sea in Flanders from the beginning of the eleventh and perhaps as early as the tenth century; the first serious attacks on the forests of Normandy and Maine seem to date from the same time, while the attempts to bring the plain of Roussillon, ruined by the Arab invasions, under cultivation were perhaps earlier still. Nevertheless in the kingdom as a whole and in neighbouring regions like the Dauphiné, although the clearances sometimes began in the eleventh century, the twelfth and thirteenth centuries were the real age of reclamation. This is true alike of long-civilised districts like that between the Seine and the Loire and of the Alpine forest zone. Progress was not indeed uniform everywhere. Thus in Normandy the summit of the curve does not appear to have been attained until rather a late date, about 1260, under St Louis; and it should be noted that while the clearances ended almost everywhere round about 1300, they were still going on long afterwards in the South West.

With the exception of Western Lotharingia, where conditions resembled those in Northern France, the state of affairs in Germany was

[1] Cp. p. 69 above *et seq.*

somewhat different. There, the twelfth century was the great age of the *Urbarmachung*. West of the Elbe, the clearances seem to have ceased after the first half of the thirteenth century; the colonisation of the Slav districts east of the river was absorbing all available energies. Almost alone the Bavarian Alps were still the scene of attempts at reclamation, though often with merely ephemeral results.

This great effort all over Western Europe to bring ever wider stretches of land into the service of mankind was the result of a series of initiatives. First among those who took the lead were the religious houses. The older Benedictine monasteries attacked the forests and wastes of Roussillon, the marshes of Saintonge, the forests of Maine, Île de France, and Bavaria, and the uncultivated lands in the high valleys of the Vosges and the Alps of Switzerland or the Dauphiné. A still more important role was undoubtedly played by the new monastic orders which appeared in the twelfth century, the Premonstratensians and above all the Cistercians; there is something at once more resolute and more systematic about their methods. In the solitary places in which for preference they founded their abbeys, they undertook the assarting of waste lands. Dutch place-names that end in *-rode* and French ones in *-sart*, which in present-day central Belgium (Eastern Flanders, Brabant, and Hainault) signify reclaimed woodland areas, may often be traced to the work of the "white monks" or the followers of Saint Norbert, and the work of the Cistercians in clearing the forests of Normandy seems to have been no less important. But it was Germany between the Rhine and Elbe (we are not here concerned with the colonial East) which benefited more than any other country from their efforts. A whole series of daughter-abbeys sprung from the Rhineland monasteries of Altenkamp and Altenburg made a powerful contribution towards transforming the woodlands and heaths of Saxony, Thuringia, and Lusatia into arable and pasture; similar work was done in Bavaria by other houses of the same order.

A certain number of ecclesiastical and lay princes likewise played a decisive part in the clearances. One has only to call to mind those large-scale operations of repopulation and reclamation, real *poblaciones*, which were undertaken by the Bishops of Grenoble in the Graisivaudan, so cruelly ravaged by the Saracens. In Germany it was Archbishop Frederick of Bremen, in 1106, who first called upon colonists from Holland to reclaim the low-lying boggy region to the north-east of his see, and his example was followed by his successors. No less remarkable is the case of Flanders. In the twelfth century the Counts lavished grants upon the abbeys and chapters recently founded in maritime Flanders or in the Ypres region behind it; sometimes they received 'new lands' (*terrae novae*) still exposed to the inundations of the sea, sometimes waste

lands (*wastinae*), sometimes sheep-pastures (*bergeries, bercariae*) and meadows designed for vast goose-greens, which had but recently been reclaimed from the waters. The object appears to have been to bring into use two waste regions in the interior of the County, the marshy coastal zone and the zone of woodland and heath stretching from Ypres to Bruges. The religious houses were thus the agents of a deliberate policy of drainage and clearance on the part of the Counts. Alongside these efforts by territorial princes, which will serve as a few examples out of many, may be placed those of the King of France himself, in the interior of the royal domain. More than one assart between the Seine and the Loire was undertaken under his auspices in the twelfth century. His motives, however, were political rather than economic, for his concern was mainly to destroy the haunts of brigands who menaced the communications between Paris and Orleans, and to make the roads safer by multiplying new settlements in the district.

The fund of labour at the disposal of those who set on foot these clearances was not the same everywhere. The Cistercians to a very great extent set their own hands to the plough and a large part of the credit for the Order's achievement must go to religious of an inferior rank, lay brothers or *conversi*, working under the supervision of the monks. But in the main the conquest of the soil of Western Europe, from the end of the eleventh to the beginning of the fourteenth century, was the work of peasant labour. The tenants of cathedral or collegiate churches, of monasteries, and of lay lords, cleared the unproductive parts of the estates to which they belonged, and from marsh and heath, woodland and coppice, carved out new fields to lie alongside those long under cultivation. Such are the *Rotures* referred to in the fields of the ancient village of Spoy in Burgundy, and such too the *Paelvelt*, the *Dummelvoer* or the *Boeckxdonck* which came to be added to the three original fields of the Brabantine village of Grimbergen. These have been recently studied; but it would be easy to multiply such instances almost indefinitely. It was with the labour of their own people, too, that some lords undertook clearances on a larger scale and at times remote from the centre of their estate administration. Thus the reclamation of the upper valleys of the Vosges was carried out by the Lorraine abbeys of Remiremont and St Dié, by means of the labour services of the *mundi-tiones*, or men under their protection.

In many cases, however, 'foreign' labour was used; colonists, in the true sense of the word, were called in. As a result of the growth of population in the eleventh century and the impossibility of an indefinite subdivision of holdings on the older estates, a considerable and growing reserve of surplus peasant labour had come into existence. The legal status of the men of which it was composed inevitably varied enor-

mously, but this mattered little to the landowner in need of 'hands', and, barring unhappy accidents, it was likely to remain unknown in the new home of these colonists, or *hospites*, as the contemporary documents frequently call them. Lords anxious to clear their woodlands, or to substitute field and meadow for waste and heath, would offer their 'guests' particularly favourable conditions as to tenure, personal status, and seigniorial rights. These conditions varied from place to place, but their common characteristic was that they established a privileged class. This is true of the *hospites* whom Suger settled on the land of the abbey of Saint-Denis, when he was reforming and tightening up its administration (*c.* 1125); or those whom he set to cutting down the forests of new estates such as Vaucresson. It is true of the *hôtes* to whom the monks of Saint Vincent of Le Mans, in the eleventh and twelfth centuries, would grant some uncultivated piece of land on condition of bringing it under cultivation, or whom they would invite to establish themselves in some new settlement or *bourg* (*burgus*) destined to be the starting point for clearances on a larger scale. It is true of the *hospites* whom the chapters, abbeys, and lay lords of Hainault employed in the twelfth and thirteenth centuries to lay down new meadows or ploughlands. It is true, also, of those Dutchmen and Flemings who in the twelfth and early thirteenth centuries betook themselves in ever greater numbers to the lower Weser and Elbe, and by building dikes and establishing a system of drainage won the land to a fertility never known before.

For the *hospites* often came from afar. The Flemings and the Dutch established in the extreme north and shortly afterwards in the east of Germany were no exceptions. Large numbers of Rhinelanders and probably of Westphalians too followed their example. In France it has been observed that in the twelfth and thirteenth centuries Limousins and Bretons helped in the deforestation of the left bank of the lower Creuse, and men of Saintonge took part in the peopling of the district at the mouth of the Garonne (Entre-deux-Mers). Often the work was ordered and directed by real 'clearance contractors'. This was almost always the case with the reclamations carried out in North Germany by colonists from the Low Countries or from the Rhineland and Westphalia. The landlord would employ a *locator*, who frequently belonged to a knightly family; the *locator* would divide the land among the immigrants and for some time at least would direct operations. Recent researches have brought similar cases to light in France; in Brie in the thirteenth century a good deal of the recovery of land from the forests was directed by clerical persons who undertook the business of clearance wholesale and dealt in their turn with sub-contractors.

In the present state of our knowledge it is impossible to give even approximate figures for the area brought under cultivation during the

eleventh, twelfth and thirteenth centuries. We can do no more than state the bare fact that the increase was considerable and point to the retreat of forest, heath, marsh, and bog, even, in the coastal districts, of the sea itself, as the counterpart of this extension.

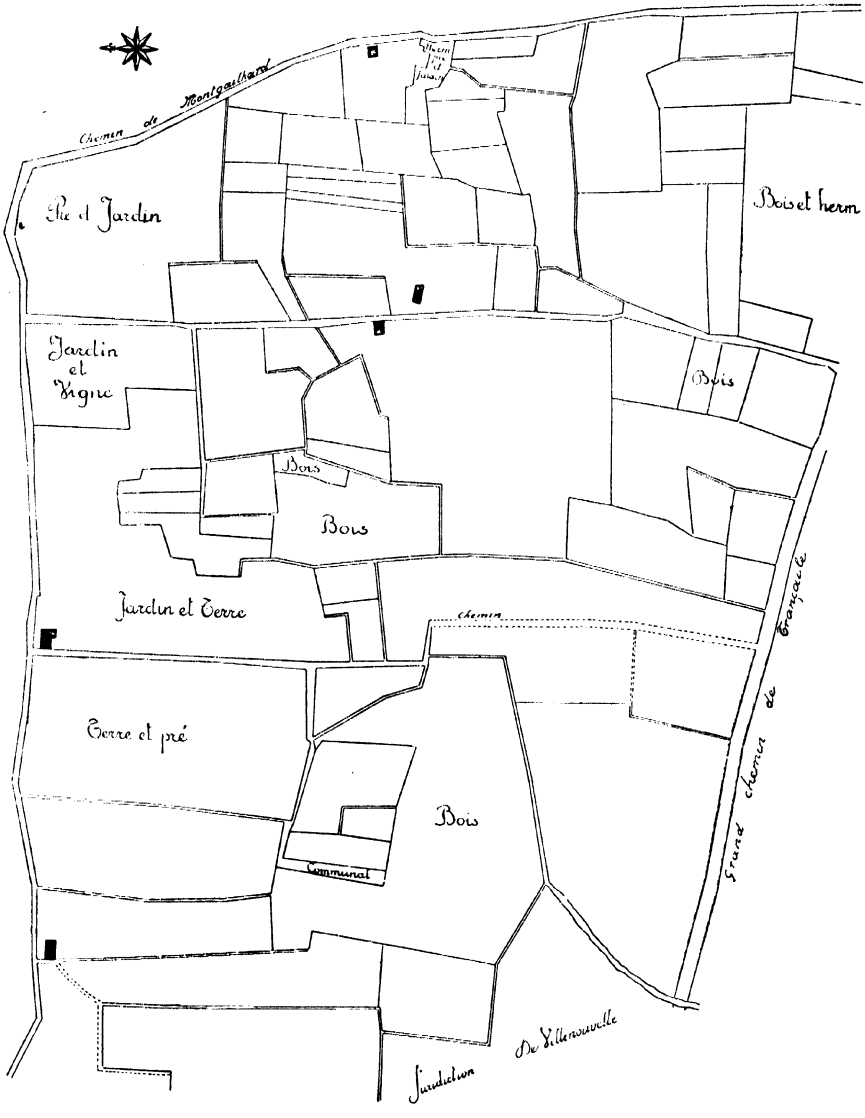
We have already had occasion to remark that a necessary consequence of the clearances was the creation of new settlements, some nucleated and some dispersed. Sometimes the type of settlement established was determined by the nature of the soil or by the general lie of the land. The isolated farmsteads of the Flanders seaboard were established one by one as new areas were definitively won from the sea. In the country west of Paris, where for the most part the villages are few and relatively large, one nevertheless comes across a considerable number of small scattered hamlets; this is because huge stretches of forest often prevented the pioneers of the thirteenth century from grouping themselves into villages at the centre of large areas of cultivation. Other factors of a completely different order may have led to the same consequences; for example it has been rightly pointed out that the Cistercian rule, by ordaining that monks should live apart from laymen, caused the 'granges', or centres of cultivation, of the order to be established far from villages, even in those regions where grouped settlements were the rule.

However, the essential factor to grasp in discussing the effect of the assarts on settlement is the appearance of numerous new villages. Some were spontaneous formations. Others were created by lords, as were the *villes neuves* of Flanders, Hainault, Northern France, Normandy, the Île de France and Burgundy, the *bastides* of the South, and the *bourgs* of the West, all of which served to accommodate the *hospites* who came to clear the wastes. The colonial villages in North Germany and the *Waldhufendörfer* hewn from the forests of South Germany have an analogous origin.

B. *The cultivation of the soil.*

The period envisaged here saw no considerable progress in the way the soil was cultivated and certainly no progress in agricultural technique. In the main methods remained almost unchanged; there were the same two-year and three-year rotations, there was little or no change in the shape of fields, whether open with long strips, open with irregular subdivisions, or enclosed; in the open-field districts, the system of 'common of shack' (*vaine pâture*) was practised as in the past.

It can safely be said, however, that a greater activity prevailed, and that more effort was made to get a better yield from the land. In Germany at any rate, where technique had hitherto been even more rudimentary than in France, some endeavour seems to have been made towards more intensive manuring and a better working of the fields.



Open-field with irregular subdivisions in Languedoc, near Toulouse.

This intensification was closely related to the clearances that we have already discussed. It showed itself notably in the cultivation of formerly barren parts of the demesne, which were rendered fit for use by 'local' clearances undertaken by the lord's tenants at will. These newly cultivated areas, or *Beunden* as they are called in German, were often in full yield as early as the twelfth century. The phenomenon was very widespread, and is also to be found, though in a distinctly less marked form, on the part of the domain which was in the hands of the tenants, the *terra mansionaria*. The factor contributing most to an increased yield from the tenants' holdings was the great diminution in labour services, with which we shall deal later, for this meant that the peasants were able to devote all their attention to the cultivation of their own holdings, and thus to bring about a marked increase in their returns.

It is of some interest to observe that while the type of agrarian economy does not seem to have changed, and while, for instance, over the greater part of France arable farming and stock-raising were associated, there were often changes in the use to which the soil was put. In Flanders the lands reclaimed from the sea generally served at first for the feeding of flocks; a considerable number of these sheep-runs and goose-greens were transformed into arable fields during the twelfth and thirteenth centuries. The same thing happened to many meadowlands in other districts. In certain corn-growing regions the need for increasing production was so great as to bring under the plough marginal lands which subsequently had to be allowed to revert to pasture; in Germany this was notably the case in the mountainous parts of Bavaria. In France, a considerable development of vine growing can be observed during the tenth and eleventh centuries. Newly cleared lands were often planted with vines where soil and aspect permitted; moreover, large landowners would occasionally convert arable lands of low yield into vineyards, particularly in the West.

This relative intensification of cultivation doubtless had more than one cause, but it seems clear that the essential factor was an increase in demand. While in the preceding period a part of the produce of the estate had certainly been sold outside it, production had not been organised with that end in view. In the twelfth and above all in the thirteenth century, on the other hand, the towns were providing an increasingly important outlet for agricultural produce, so much so that it was becoming more and more essential to organise production with a view to urban markets. In this respect the Cistercian abbeys were often in the van and at an early date were organising their estates with a definite view to the victualling of towns.

C. *The distribution of landed wealth.*

It is impossible here to give a detailed account of the distribution of landed wealth in France, Western Germany, and the neighbouring countries between the eleventh and fourteenth centuries. It will at most be possible to indicate certain tendencies or certain variations.

To begin with the royal possessions, there certainly seems to have been a progressive increase in the landed wealth of the Capetian kings of France. The graph is indeed far from being regular; considerable losses took place, notably under Robert II and Philip I, as a result of donations or restitutions to religious houses, and also through the usurpations of many vassals and sub-vassals in the interior of what is usually known as the royal domain. But from Louis VI onwards these began to be recovered, and under the rule of his successors, especially Philip Augustus, the considerable extensions of the royal domain brought about a corresponding increase in the king's wealth, through the acquisition of the whole or part of the property of dispossessed territorial princes. The annexation of Normandy in 1204 is particularly deserving of attention in this respect in view of the exceptional number of estates, lands, and franchises which it brought into the patrimony of the dynasty. The annexation in 1271 of the southern territories belonging to Alphonse of Poitiers—Poitou, Toulousain and their appurtenances—brought no less an increase in wealth. On the other hand, the grant of portions to the princes of the royal house necessarily produced a diminution in the extent of the king's landed possessions.

In Germany the situation was very different. As in France, the great *fisci* of the Carolingian period, comprising several *villae*, were broken up; and neither in extent nor in structure was there henceforth any essential difference between royal and ecclesiastical estates, even when the name of *fiscus* continued to be attached to these now autonomous domains. But despite large gifts to religious houses, the landed wealth of the German monarchy remained very considerable in the eleventh and twelfth centuries, consisting as it did not only of entire domains, but also of other elements, such as the enormous game reserves constituted by the 'forests'. It was distributed over the whole of Germany. Usurpations were not unknown, particularly in troubled periods like the reign of Otto III and the minority of Henry IV, but they were followed, notably in Saxony under the latter king, by efforts at recovery and at the extension of the royal domain. The results of these efforts were wiped out in the intestine strife following upon the Investiture Quarrel, and from this time onwards there was a pronounced decline in the territorial wealth of the royal house. The policy of the first Hohenstaufen, aiming at the formation in South-West Germany,

especially in Alsace and Suabia, of a considerable collection of domains (*Hausgüter*) had only ephemeral results, and the decadence of the German monarchy in the thirteenth century definitely precluded any possibility of a reaction capable of stopping the rot.

The great majority of our sources—original charters, cartularies, documents concerning estate administration and chronicles—are of ecclesiastical origin. Hence the vicissitudes of the property of religious houses are relatively well known. The patrimony of the Church was enriched by many new acquisitions during the period under discussion. To this end various factors contributed. First, the phenomenon treated in an earlier chapter, the absorption of small properties belonging to free men who had placed themselves under the protection of religious houses, continued throughout the eleventh century, and is still to be encountered in some regions of Germany and also in France at the beginning of the twelfth century. Rich churches with accumulated revenues at their disposal would round off their estates by lending money on 'mortgage', i.e. by arranging a loan secured by a piece of property of which the income went to the lender without reducing the principal. As pursued by the abbeys of Normandy, Flanders, and Lotharingia, this practice has been the subject of detailed study, but it is also to be met with elsewhere. In the eleventh and twelfth centuries it led to the incorporation of a not inconsiderable number of domains, isolated pieces of land, and revenues derived from land, such as tithes, into the patrimony of the creditor churches; for borrowers often found themselves unable to redeem properties given as security for loans. In certain countries, for instance in Flanders and the Lotharingian principalities, this activity of the monasteries as credit institutions persisted right to the end of the thirteenth century. But two reservations must be made for this later period; the use of mortgages was almost entirely confined to the new foundations, as distinct from the older Benedictine abbeys; and the new riches which they acquired by this means consisted no longer of land but almost exclusively of tithes.

There must also be taken into consideration the successful recovery by many religious houses of lands previously usurped from them. Recoveries of this sort were especially frequent from the second quarter of the twelfth century onwards, under the influence of the victorious Gregorian ideals. It should be noted however that the amount of land so recovered never or hardly ever equalled the mass of property which had been seized from the Church in the late ninth, the tenth, and the eleventh centuries. The restitutions which were made under the influence of the ideals of the Reform movement were of the nature of bargains in which both parties abandoned some of their rights and claims.

The new acquisitions of religious houses from the eleventh to the thirteenth centuries were principally the result of donations. There was a considerable flow of these until towards the end of the latter century, though they diminished progressively in volume. The decline in royal gifts is particularly striking; in Germany even more so than in France, where royal liberality had never been comparable with that of the Saxon and Franconian kings and emperors. After the turn of the eleventh and twelfth centuries, when the Investiture struggle was at its height, the gifts of the German sovereigns to the Church became less frequent. They grew rarer and rarer during the twelfth century, and came to an almost complete stop in the thirteenth. It seems hardly possible to trace a common graph for the donations made by territorial princes and nobles; their amount would depend on the wealth of each individual, on his attitude towards the Church, and on changes in his power and policy. It may, however, be safely affirmed that by the thirteenth century, in some districts by the middle of the twelfth century, this group of benefactors was no longer making donations to religious houses in any number or of any size. The additions to ecclesiastical estates resulting from the generosity of kings, princes, or nobles were subject to the same rule which we have already noticed in the case of acquisitions of land and land-revenues by means of mortgages. The older Benedictine abbeys were the recipients of very few gifts during the thirteenth century or for that matter during the greater part of the twelfth; the principal beneficiaries were monasteries and chapters belonging to more recent orders, Cistercians, Premonstratensians, and Austin Canons. On this point detailed studies devoted to Flanders, Brabant, and the Lotharingian County of Namur all lead to the same conclusion. For instance, take the case of two Cistercian abbeys founded during the course of the twelfth century, De Duinen in Flanders, Villers in Brabant; by the end of the thirteenth century each of them found itself, thanks to the generosity of the faithful, in possession of an estate of about ten thousand hectares. A sampling of the sources relating to other regions indicates that this phenomenon is not peculiar to the three principalities mentioned.

We must also inquire whether there were any changes in the character of the grants during our period, and if so what those changes were. To this it may be answered that in all the diverse regions of France, Germany, and the surrounding countries, if local variations of secondary interest be excluded, a similar process is everywhere apparent. In the first place, grants of a whole *villa*, of a domain in its entirety, such as more than one church used still to receive in the tenth century and (at any rate in Germany and by royal grant) in the eleventh century, were now quite exceptional. The lands given to religious houses during the

eleventh and twelfth centuries were normally fractions of domains, frequently termed *allodium* or *praedium* or stated to correspond to one-half, one-third, one-quarter of a *villa*. Often enough the monastery would attempt to gather the *villa* together again either by obtaining fresh grants, or by purchase. Sometimes the grant would be specified as a seigniorial demesne (*mansus indominicatus*), a fraction of a demesne, or so many *Hufen* or *manses*; when the latter were at all numerous they would often be extremely scattered. Consider, for example, the elements which went to make up the endowment of St Peter of Lille by Baldwin V, Marquis of Flanders in 1066; the chapter received ninety-five *manses*, which, with the manse averaging about twelve hectares, is a good deal; but these *manses* were scattered over twenty-three different localities, in none of which it obtained more than fifteen. Frequently a grant would consist of a few *bonniers*, or roods or acres, or a field, a meadow, a sheep-pasture (*bergerie*), crofts (*courtils*), a wood, or the like.

But side by side with land, other kinds of wealth appear with increasing frequency in the grants; tithes, fractions of tithes (often the *medium*, corresponding to two-thirds of the tithe of a place), quit- and other rents, rectories (*altaria*) with their endowment and their regular and occasional revenues, rights of user, among which fishing rights merit particular attention, and *novales*, or tithes of 'new lands' in newly cleared or newly drained districts. When the grant brought not the whole, but only a part of an *altare* or a right derived from land within the patrimony of a church, the beneficiary would often try (particularly in the case of tithes) to obtain the remainder just as they tried to reconstitute domains of which they were given fragments.

In the thirteenth century *altaria* and revenues derived from land, of which tithes were by far the most important, occupied a far more important place than land itself in donations to religious houses. Grants of land were now becoming smaller and smaller in area, and donors frequently burdened them with life charges.

We shall not venture to express a categorical opinion on the question whether as a whole the rural property of the Church increased or diminished between the eleventh and the fourteenth centuries. If the *terminus a quo* be placed towards the end of the third quarter of the ninth century, there can be no doubt that there was a decrease, and indeed a very marked decrease. And even within the chronological limits covered by the present chapter, it is not unreasonable to assume that, taking the whole of Western Europe from the Pyrenees to the Elbe, there was a diminution.

For although these centuries were marked by recoveries and by numerous grants, and indeed by grants which in certain countries and at certain times had an almost wholesale character, the losses were none

the less considerable. Usurpations committed by kings, territorial princes, *avoués* and other lords, and likewise by the domain officials, had all robbed the religious houses of large parts of their estates; we shall return to this matter in detail when discussing the decomposition of the domain. Other parts had been lost, in fact if not in law, through enfeoffment; in these the religious houses retained only a *dominium directum* which was progressively being stripped of most of the attributes of a property-right in favour of the *dominium utile* of the vassal.

The property of the older Benedictine abbeys had been harder hit than that of any others. This was chiefly because the tenth and also the eleventh and early twelfth centuries were the heyday of the usurpations, and at that time the rich Benedictine monasteries were alone in offering a prey to lay attempts at seizure. Not quite alone, indeed, for several episcopal sees and collegiate churches suffered in the same way; but these on the whole had defended themselves or had been defended more successfully. Furthermore, as we have seen, the older Benedictine abbeys did not reap fresh benefits from the grants made to religious houses during our period. That is why so many of them became impoverished and sometimes even ruined in the thirteenth and fourteenth centuries; they fell into debt and had to alienate part of such property as remained to them. The example of Saint-Germain-des-Prés is noteworthy. The twenty-two domains listed in the *Polyptyque* of abbot Irminon comprised in all about 32,748 hectares at the beginning of the ninth century; and this was certainly only a part of the landed property of that famous house. A rental of 1384 gives the whole property of the abbey as about 2434 hectares, enfeoffed lands being naturally omitted. We are, indeed, compelled to compare the position at dates well outside our period, and it must be remembered that the second half of the fourteenth century in France was a time of particularly acute crisis; doubtless not all Benedictine abbeys underwent such catastrophic changes of fortune as Saint-Germain-des-Prés. But it is safe to say that the wealth of these abbeys was, without exception, in decline everywhere up to the end of the thirteenth century. In thirteenth- and fourteenth-century Germany great Benedictine abbeys do not seem to have enjoyed effective possession of more than 300 *Hufen* (of about 30 *Morgen*), or, allowing about 10 hectares to the *Hufe*, 3000 hectares. For comparison let it be recalled that under Charlemagne an official statement inserted in the *Brevium exempla ad describendas res ecclesiasticas et fiscales* attributed 1507 *manses* or *Hufen* to the church of Augsburg alone.

Much less is known about the landed property of laymen; the sources are rarer and less explicit. Those territorial princes who had succeeded in maintaining or extending their power had certainly not seen their property diminish, and in many cases it could not but increase. Such

was the case with the majority of the princes in what was to become the Low Countries, the Count of Flanders and the Lotharingian dukes and counts. It was also true of Germany, though in the thirteenth and fourteenth centuries the extent of the princely estates seems to have been greater in the interior of that country than on the Rhine, where princes were more numerous. The amount of princely landed property grew in Germany at the expense of the monarchy and the Church, especially during the twelfth and thirteenth centuries. In France, on the other hand, the growth in the royal power resulted in a great reduction in the number of territorial princes, particularly in the thirteenth century; and the sum total of their landed property followed a course opposite to that described for Germany.

In the present state of knowledge it would be both difficult and dangerous to say what changes took place in the amount of land held by lay lords other than territorial princes. Here local differences are too considerable, and we shall confine ourselves to remarks of a very general nature. During the first centuries of our period, the eleventh and twelfth, the property of the nobles must have increased materially as a result of usurpations, enfeoffments, and appointments to the position of *avoué*; though this increase would be less in districts where a strong power like that of the counts of Flanders, the dukes of Normandy, and certain German prince-bishops could curb these activities. Over the greater part of Germany the increase in the landed wealth of the nobility, particularly the estates of medium size, continued throughout the thirteenth century, but this does not seem to have been the case in France, where the growing power of the central government was now better able to prevent the acts of violence which until then had served the interests of the barons. Moreover, as will be seen further on, the economic and political crises of the fourteenth century, which in France even more than in Germany had a serious effect upon all landed property, fell particularly heavily on the property of the nobility.

Peasant proprietorship no longer occupied a place of any importance during the period here dealt with, though it never disappeared entirely. It remained very important in Frisia; and although in North Germany, Saxony, and Thuringia (where it had originally been particularly vigorous) it was very much reduced during the eleventh century to the advantage of the king, the Church and the nobles, it was far from being eliminated. It survived also in other parts of Germany, and is to be met with in several parts of France, including Brittany, the South West, Burgundy, and also beyond the frontiers of the kingdom, in Provence. Moreover, side by side with the older peasant proprietorship, on the whole in retreat, there were growing up during our period, if not a new peasant proprietorship, at any rate peasant holdings possessed of most of

the attributes of legal ownership. We shall have occasion to return to this matter in studying the effects of changes in domanial administration.

In concluding this outline, a word remains to be said about the landed wealth of the bourgeoisie. As soon as trade began to enrich the burgesses of the towns to an extent which allowed them to withdraw from their business a part of their wealth and use it as a foundation for a more stable fortune, they began to buy lands in the country. This normally happened at a fairly early date in those districts where towns first developed a vigorous growth; it is visible in Flanders as early as the twelfth century. But its chief period is the thirteenth and fourteenth centuries. It should, however, be observed that from the beginning the rural properties of the bourgeoisie were in the nature of investments pure and simple. Except in very small, semi-agricultural towns the burgesses neither tilled the soil themselves nor organised its cultivation; they were content merely to collect its revenues.

II. *The Decomposition of the Classical Domain*

The dominant fact in the history of domanial institutions from the eleventh to the thirteenth centuries is the decomposition of the *villa*, or of what we may call the 'classical' domain. Its structure and economy have been analysed in an earlier chapter, and indeed it was in the Carolingian period that it was most widely distributed and was in the most perfect state of equilibrium.

A. *Distribution of the* villa *at the beginning of the eleventh century.*

The 'classical' *villa* was far from being the general rule even at the beginning of our period; indeed, as we have seen, it was far from being so even in the preceding period. It must further be noted that the *villa* was not always a great domain, even when it presented all the features described in the *polyptycha* of the ninth century.

In Northern and Eastern France it would generally be about the size of a large village—sometimes even of several villages; and there were many domains of this type further south too, between the latitude of Paris and the river Loire. In Brittany the domain was much smaller. In those parts of the West where it existed, such as Normandy and Anjou, it was generally of medium size; so too in the Midi, and often in Burgundy also. Large, sometimes very large *villae* predominated in the basins of the Seine, the Oise, and the Somme, and were widespread to the north of the frontier of present-day France, in the south of modern Belgium, around Tournai, in Hainault, in Brabant south of Brussels, in the districts around Namur and Liége, and also in the Ardennes. In

Dutch-speaking Flanders and Northern Brabant, in Holland, in the prince-bishopric of Utrecht (the *Sticht*), and in Guelderland, the classical domain was less common, and where it did occur often seems to have been rather small. In Maine, in the West, the *villa* was almost unknown. There the larger landed properties were made up of a number of holdings or *bordages* (*bordagium*) constituting quite autonomous farms and frequently of one or more of the *bourgs* whose origin has already been explained. The latter sometimes served as centres of collection for the rents due from the tenants who cultivated their lands solely on their own account and were exempt from all labour services. The same holdings, sometimes called *borderies* and most often formed into groups, are to be met with in other regions of the West, such as Brittany, Normandy, Poitou, Saintonge, and Anjou.

In Germany the domain, or *Villikation*, was nowhere unknown. But it was extremely rare in Frisia, and in its classical form infrequent both in Saxony and in Thuringia. It was far more widespread in the West (the Rhineland, Lorraine, Alsace), in the centre (Franconia) and in the South (Suabia and Bavaria). The abbey of Werden on the Ruhr provides us with a characteristic illustration of this statement. It owned truly classical domains on the Rhine, in Friemersheim and the district round, and also in Eastern Saxony, round Helmstedt. But it also had in Saxony a very large number of *manses*—between 450 and 900; these were extremely scattered, constituted separate unities, and were only grouped into *ministeria* to facilitate the collection of dues, whence the German name of *Hebeamtbezirke* given to these groups.

Finally it should be observed that the *villa* or *Villikation* occurred on the estates of lay lords as well as on those of churches or kings. The domains of lay lords, however, usually seem to have been smaller in area.

The above rapid survey suggests that the 'classical' domain may at any rate be considered the typical form of land management at the beginning of the period under consideration. It is therefore appropriate to make the changes which took place in its structure the central point of our narrative.

B. *The break-up of the* villa.

In discussing the distribution of landed wealth, allusion was made to the losses, both of whole domains and parts of domains, which were suffered by ecclesiastical estates as a result of usurpations and enfeoffments. At this point it is the loss of parts of domains which calls for particular consideration, for it was one of the most important factors in that disintegration of the *villa* which was so characteristic a feature of our period.

In point of fact, it was no new phenomenon; it had occurred to many

religious houses as early as the tenth century. For instance, it has been possible by comparing inventories at the beginning and end of that century to trace the evolution of the domains belonging to the abbey of Marmoutier, in Alsace. It is clear that the majority of them had greatly diminished in extent because large portions had been enfeoffed, willy nilly, to *avoués, sous-avoués,* or vassals of the Bishop of Metz. Such a situation had certainly been of common occurrence, in France as well as in Germany.

The process went on in the eleventh and twelfth centuries and was accompanied, as it had been in the preceding century, by usurpations pure and simple which were not even veiled by the juridical pretext of enfeoffment. This is observable everywhere where the history of the domains of a monastery has been studied: it took place in those of Reichenau, in Suabia, and of Werden on the Ruhr, in the Rhineland; in the estates of Lobbes in the region of Sambre-et-Meuse and in those of Saint-Bertin and of Liessies, in Artois, Flanders, and Hainault; in those of Saint-Denis in 'France' and of the abbey of Saintes, in the South West. A strong impulse was given to the process by the obligation laid on the German abbeys in the eleventh and again in the twelfth century to maintain numerous vassals and *ministeriales* for the royal service. In general, on the monastic estates, the domains forming part of the *mensa abbatialis* seem to have suffered worse from enfeoffments, and hence to have undergone greater losses, than those of the *mensa conventualis.*

Besides the above-mentioned factors in the breaking-up of domains, in which we have been mainly concerned with ecclesiastical and especially with monastic estates, there was another which was peculiar to lay estates, to wit, the division of lands among co-heirs. To this must be added pious gifts to the Church, the majority of which, from the eleventh century onwards, consisted, as we saw, of fractions of domains. In certain districts, such as Hainault and the Namur region, where a study has been made of lay estates in the eleventh and twelfth centuries, the conclusion has been reached that there were no longer any entire *villae* remaining in the lords' hands.

The partition of domains led to their multiplication, and, thus inevitably, to new groupings. On the one hand it became necessary to attach to some centre of administration the scattered fragments of a domain whose unity had been destroyed by enfeoffments or usurpations; and sometimes new acquisitions due to the generosity of the faithful were similarly attached to it. On the other hand it was sometimes found advantageous to break up a seigniorial demesne which had become too large in proportion to a reduced number of tributary *manses.* Whatever factors may have been at work—and account must always be taken of those which were accidental or local—there is no

doubt that such multiplication and grouping took place. One of the best examples is that of Friemersheim, a *fiscus* belonging to the abbey of Werden on the Ruhr, on the left bank of the Lower Rhine. This immense domain, which carried a single unit at the end of the ninth century and during the tenth century, was divided in the eleventh and twelfth centuries into a series of separate domains, Burg, Friemersheim and Asterlagen, the first two forming part of the *mensa abbatialis*, while the third belonged to the *mensa conventualis* and as such was administered by the provost.

This fragmentation was only one aspect of the decomposition of the classical domain. We must now turn to a dual process of even greater importance: the disintegration of the two elements, the *terra indominicata* and the *terra mansionaria*, which together made up the *villa*.

C. *The disintegration of the demesne.*

Many demesnes had been affected by the disintegration now to be discussed before the opening of our period. However, the majority of *villae* in the early eleventh century still seem to have retained a demesne, even though it might be already diminished as a result of enfeoffments, usurpations, or other factors. In the opinion of the writer it is impossible for this period to give any estimate of the average ratio borne by the extent of the demesne to that of the holdings. The nearly equal totals (16,020 hectares and 16,728 hectares respectively) of the demesnes and manses on the twenty-two domains of Saint-Germain-des-Prés which are listed in the *Polyptyque* of Irminon at the beginning of the ninth century are unlikely to have remained the same at the beginning of the eleventh century. It may be surmised that the first total would have diminished more than the second. Nor is it probable that the generally accepted figure of between one-quarter and one-half, for the ratio between the cultivated lands of the demesne and those of the holdings on the great domains of what is now France between the eighth and tenth centuries, holds good for the beginning of the eleventh century, though the diminution in the demesne is impossible to estimate. For Germany, it has been calculated that in the eleventh century demesnes covered rather more than 13 % of the domains of the abbey of Lorsch, and about 20 % of those of St Emmeran of Regensburg. But these figures are given with reserve, as a mere indication of an order of magnitude.

One of the most important contributory factors in the disintegration of the demesne in the eleventh and twelfth centuries is to be found in the usurpations carried on by the estate officials, chiefly by the stewards or bailiffs (*maires, meier, maiores, villici*) but in a lesser degree by other agents (provosts, foresters, and so on) and, on ecclesiastical estates, often

by the *avoués*. Those of the stewards or bailiffs, which may be singled out for particular notice, took a great variety of forms. They would appropriate for themselves a large part of the revenues which they were entrusted with collecting on behalf of the lord. They would add lands belonging to the demesne, sometimes the demesne farm itself, to their own *ex-officio* holdings. This conglomeration of lands they would claim to hold as a fief and naturally as an hereditary fief, for they usually succeeded in making their functions hereditary. The process is clearly illustrated in the case of the steward of the *villa* of Halen, belonging to the abbey of Sint-Truiden and situated in the present-day Belgian province of Brabant. The conduct of Jan the steward, by origin a serf, was such that he was rightly termed *reddituum villae ipsius plus quam dici potest vorago... et calamitas*. He took advantage of the anarchy at the end of the eleventh century to get possession of part of the abbey property which rightly belonged to the demesne, and to raise himself to a higher status. He was succeeded by his son Macarius, who continued his depredations, and went so far as to convert his house into a stronghold. In 1146 the abbot was obliged to conclude an agreement with him which had the effect of legalising the usurpations of father and son and allowing him henceforth to hold the part of the domain revenues and of the demesne lands which he had appropriated. It was further agreed that he should hold in fief the neighbouring land of Meldert, which his father had seized.

Our example is taken from a section of the Low Countries—Lower Lotharingia—which at that time was part of Germany. But it is only one instance of a general phenomenon. The same sort of thing is to be found upon almost all the domains of German churches and abbeys which have been studied; at Reichenau and Saint Gall, in Suabia, and at Paderborn in Westphalia, to cite but a few examples. In Germany it was complicated by the fact that there the stewards and other domain officials like the cellarers (*cellerarii*, *Kellerer*) had become members of that aristocracy of the unfree, that knighthood of servile origin, the *ministeriales*, and so could count on their fellow *ministeriales* to support their pretensions. But even though this addition to the difficulties of the lords did not arise in France, the usurpations of stewards, provosts and foresters followed the same course there as elsewhere. For a proof of this, one has only to read the little treatise which Abbot Suger wrote on his reorganisation of the property of Saint-Denis, and it would be easy enough to support these examples by cases drawn from other parts of the French kingdom as distant and as different from one another as Flanders, the Chartres district, Burgundy, and Saintonge.

Another factor contributed no less than the usurpations of domain officials to the disintegration of the demesne: the decline of labour ser-

vices. In estimating its importance, it must be remembered that labour services were the principal dues owed by the tenants of the *villa* to the lord, being far more important than quit-rents (*cens*), and that both industrial and agricultural corvées were extremely heavy. Labour services were gradually reduced to insignificance during the period under study. Their decline can be detected as far back as the end of the Carolingian period and it became progressively more marked. One reason appears to have been the decrease in the size of the demesne as a result of enfeoffments and usurpations, and other factors shortly to be considered. The movement, as has been said, certainly began before our period, at any rate in France, the kingdom of Burgundy, and the westernmost parts of Germany; and a constant action and reaction took place between the decline of labour services and the disintegration of the demesne. Other factors also came into play. One of them—and it was of capital importance—was certainly the resistance of the tenants, who hated sacrificing the cultivation of their holdings to work on the lord's fields. The struggle, carried on as it was by a sort of passive resistance, has left little trace in the documents, but that it took place appears to be beyond dispute. The fragmentation first in fact and later in law of the unit of tenure, the *manse* or *Hufe*, with which we shall deal later on, played into the hands of the resisters and made the task of the lord who tried to exact regular labour services very difficult. Account must also be taken of factors of a less fundamental and less general character. Since the twelfth century, perhaps since the second half of the eleventh century in areas of early town development, the attraction exercised on tenants by the towns and later by the privileged *bourgs* may have led lords to reduce their demands for labour services in order to dissuade tenants from deserting their estates. Moreover, during and after the eleventh and twelfth centuries lords, and especially ecclesiastical lords, not infrequently wanted above all else to have fixed revenues at their disposal, and themselves encouraged the commutation of labour services for rents in kind or in money, thus to a great extent giving up the direct cultivation of their demesnes.

The reduction and sometimes complete suppression of labour services did not take place everywhere at the same time or in the same fashion. In France, in the neighbouring parts of the kingdom of Burgundy and in Germany west of the Rhine, it occurred fairly early. But there were some local differences. Industrial services, which had disappeared almost completely over the greater part of France, at all events in the district round Paris, by the first few years of the twelfth century at latest, did not disappear until the beginning of the next century in the County of Namur. Agricultural services, where they did survive, were no longer of very great importance; instead of three days a week, the

burden current in the Carolingian period, they would now amount to a few days—two, three, six, ten, occasionally but rarely more than ten—a year. These figures have been observed in the villages around Paris, as for instance in the old domain of Thiais, belonging to the abbey of Saint-Germain-des-Prés; Flanders and Hainault show similar results. Sometimes agricultural labour services disappeared altogether. This seems to have been the case as early as the eleventh century on the domains of the abbey of Saint-Bertin, while out of 120 villages in which the other great Flemish abbey of Saint-Vaast of Arras had tenants, agricultural services survived in ten only in the twelfth century, and in six of these ten the maximum was three days a year. On the domains of the Benedictine abbey of Affligem, founded towards the end of the eleventh century on the borders of Flanders and Brabant, no trace has been found of agricultural services. On the lands of the abbey of Marmoutier in Alsace, the *servitium triduanum*, or three-days-a-week corvée, was still being exacted in the tenth and the first years of the eleventh century. But it became obviously more difficult to impose as the latter century proceeded, and in 1117 it was abolished and replaced by a money rent. Labour services on the demesne meadows—fencing, mowing and haymaking corvées—in general survived longer, and the same is true of carrying services.

In Germany beyond Rhine, the movement was slower and less general. Whereas on the left bank of the river, on the domains of the abbey of Werden on the Ruhr, at Burg and at Friemersheim, building and labour services had been all replaced by rents in wheat, oats or in money by the end of the twelfth century, a three-days-a-week corvée, applying to numerous tenants, is still to be met with on some domains in Saxony at the same time. On the other hand, on other domains in Saxony and Franconia about which it has been possible to gather information the field corvées had been very much reduced, although these were sometimes still as much as one day a week. As was the case west of the Rhine, work in demesne meadows and carrying services generally lasted longer than the others.

The diminution or disappearance of labour services necessarily had the effect of breaking the close connection which had existed in Carolingian times between the demesne and the holdings. But it also had a more immediately inevitable consequence; it produced a profound and inescapable change in the demesnes themselves. The *servi proprii* or *quotidiani*, the *hagastaldi*, the *solivagi*, the *provendarii*, that is to say the domestic serfs who were the descendants or successors of the slaves formerly attached to the demesne farm, were too few in numbers to work unaided the *culturae* of the *terra indominicata*. Hired labour indeed now played a far more important part than it had done in the eighth,

ninth, and tenth centuries. On the domains of the abbey of Sint-Truiden, at the end of the eleventh century and the beginning of the twelfth, the monks had recourse largely to hired labour not only for the tillage of their fields, but also for mowing and haymaking in their meadows; and this is far from being an isolated instance. But, speaking generally, hired labour could not be more than complementary to that drawn from other sources. In spite of the increase in population of which we have already spoken, the available supply of hired labour was insufficient to enable demesnes of the Carolingian type to be cultivated entirely by its means.

Having studied the principal factors in the disintegration of the demesne, we must now see what form the disintegration itself took.

The first point to observe is that lords were obliged to cut their losses and to recognise the stewards' usurpations. An important part of the demesne lands, often including the former *casa indominicata*, or *Fronhof* of the German domains, would be abandoned to the steward, who would cultivate it for himself and collect a part of the rents of the holdings, also for himself. He would owe to the lord only *redevances forfaitaires*, quit-rents (*cens*) up to a fixed amount, and generally also strictly limited hospitality rights. Examples abound, extending from the mid-eleventh century to the thirteenth century; they are met with in Western Germany, in Lotharingia, in Flanders, in Northern France, to quote only the regions where 'soundings' have been taken. Most date from the twelfth century. The case of the domain of the abbey of Sint-Truiden, at Halen, is so typical as to be worth quoting. In 1146 it was no longer merely a question of lands appropriated by the *maire* and held as if they were his own. The *curtis* was openly in his hands; he no longer had to answer for the rights he exercised as steward; the poll-tax due from the members of the *familia*, the rents of the *mansionarii*, *i.e.* the tenants holding lands in the *terra mansionaria*, the bridge tolls, and a whole series of other productive rights were in his possession. To the abbot he owed but two quit-rents a year of fifteen *solidi*, and lodging for a day and a night (but without free supply of bread, wine, or forage) on the occasion of the general courts held three times a year.

On some domains the steward remained charged with the collection at the *Fronhof* of those domain revenues which had not been abandoned to him, and was answerable to the lord for them.

Thus in many cases a great part, sometimes the greater part, of the demesne had become a distinct estate, to which there were likewise attached rights and sometimes lands among the holdings of the original *villa*. The steward, thus turned lord, often had an agent to run his farm for him. This was certainly the case on the *villicatio* of Burg and Friemersheim, held of the abbey of Werden on the Ruhr about 1230 by

one *Wilhelmus de Vrimershem, miles*. The same was true of the *maire* of Douchy, a domain of the abbey of Sint-Pieter of Ghent, in Hainault; a charter of 1220 mentions a *villicus* nominated by the *maire* to exercise his powers on the spot. These will suffice as examples.

Another fact worthy of notice is the creation of secondary centres of cultivation to which peasant holdings were sometimes attached. Often, moreover, these secondary centres would cease to be directly dependent on the lord, and would be granted at quit-rents, sometimes after they had been appropriated by domain officials. Thus there were in the twelfth century upon the domain immediately surrounding the abbey of Sint-Truiden two secondary *curtes* besides the *curtis indominicata* of the abbey. Of these, that of Melveren was cultivated directly, but that of Metsteren was held at a quit-rent by *forestarii*. Parallel cases seem to have occurred on the domains of Saint-Denis in France and on the Rhineland estates of Werden on the Ruhr, at the same period.

These were not by any means the sole features in the transformation of the demesne. A considerable part of the land under direct cultivation or capable of it was being transformed into tenancies. In the first place there were certain demesne strips which used to be cultivated not by means of the 'week-work' due from the tenants (the *curvada* of the Carolingian *polyptycha*) but by means of what has been called piece-work or *corvée aux pièces* (the *riga* of the same documents), whereby a certain piece of land had to be tilled by the occupant of a certain holding. These fractions of *culturae* were called *ansanges* (L. *ancingae*) in the Lorraine district, and *petitorii iornales* along the lower Rhine; but they are also found elsewhere. They generally ended by being converted in the eleventh or twelfth century into holdings at a quit-rent (*cens*), greatly to the advantage of the tenants upon whom the burden of their cultivation had originally rested. Other lands were removed from 'direct' cultivation by the creation in the eleventh and twelfth centuries of holdings for the serfs attached to the demesne farm, who had originally been supported on it. This was of widespread occurrence; it is to be found both in France and Germany. These creations were usually small holdings, clearly distinguished from the manses, and sometimes had a special name like *curtes*, or *dominicales curtes* on the domains of the abbey of Sint-Truiden. In many German-speaking regions they were designated by the words *kot* or *Haus*; hence the various names applied to their occupants, *kossaten* or *Kötner* in Brabant, the Rhineland, and Saxony, *Häusler* in Suabia. Doubtless the *serfs cottiers* in France had the same origin.

The wastes and less fertile parts of the demesne—the *Beunde* of the German documents—and the poor or water-logged grasslands were also largely being converted into holdings during the eleventh, twelfth and

early thirteenth centuries. Efforts were made to bring them under cultivation, or to improve them, by what we have termed 'local' clearances. The division of land, at any rate in France, present-day Belgium and on the left bank of the Rhine, was carried out by means of grants not *à cens* but *à champart* (*campipars, agrarium*) or *terrage* (*terragium*), that is to say, in return for a share in the produce. As it was almost exclusively arable land which was being handled in this way, the rent would be fixed in sheaves; very frequently the tenant had to pay the twelfth sheaf, though heavier rates, e.g. the tenth, sixth, fifth, or fourth sheaves are to be met with. It would appear that in certain parts of France, for instance in the district round Paris, grants *à champart* were not originally hereditary, but became so before the thirteenth century. This, however, is exceptional; nothing similar has been found in those parts of modern Belgium, like Hainault and the Namur district, where *champart* and *terrage* have been studied.

Attention has been drawn to the fact that in the region of the Middle Rhine and Moselle during the second half of the twelfth century grants of the *Beunde*, or of large portions of it and even of other parts of the demesne, were being made not to individuals but to groups of tenants. This has been misinterpreted to support an erroneous belief in a primitive communism. It is perhaps to grants of this nature that we must look for the beginnings of some of the 'marks' to be found in many parts of Germany and in the east of what is now the Netherlands at the end of the Middle Ages and in modern times, which in appearance were collective estates belonging to peasant communities.

While, as has been said, meadowlands were generally retained in demesne longer than arable lands, they also were sometimes granted to tenants. To cite only one example, out of the eight demesne meadows on the domain immediately surrounding the abbey of Sint-Truiden, three were held at quit-rents, or in other words had become or had been divided into tenancies, in the twelfth century.

It may perhaps also be mentioned that during the twelfth and thirteenth centuries the tenants' efforts to consolidate and increase to their own advantage the rights of usage which they enjoyed in the demesne meadows, woodlands and wastes (*warechaix, terres vagues*) often amounted in practice to the complete expropriation of the lord. It is difficult to get a clear idea of this process because it has left no traces in the documents except here and there where there was a struggle in which some lord succeeded in preserving a part of his rights. Such was the controversy which arose between the abbot of Saint-Bertin and the tenants of his domain of Arques, over a *mariscus* the use of which they had entirely usurped and which they were proceeding to treat as their own possession; in 1232 the abbot managed to enforce regulations limiting

the rights of the tenant community. A similar solution was adopted in many other places; when a lord, were he proprietor or tenant in fief, saw his right of usage and even his ownership of part of his lands disputed and threatened by the tenants enjoying the use of them, the situation was ended by coming to an agreement. Usually this meant a partition of the land in dispute, and over the part whose use had been abandoned to them the tenant community did in fact exercise most of the attributes of legal ownership. This was the origin of many 'commons' in Belgium and Northern France.

What was left of the demesne after all these usurpations? In some places it disappeared altogether, but as a general rule it survived, though in a greatly diminished form. On the domain of Thiais, on the Seine, belonging to the abbey of St Germain-des-Prés, the demesne had an area of 257 hectares at the beginning of the ninth century, and only a little over 91 hectares in 1384. A sampling of the sources relating to districts so distant and so different from each other as the district round Paris and Hainault suggests that this was the general trend, at any rate from the point of view of the sort of change in size which took place. Naturally the extent of the demesne varied from district to district, so that no general rule can be laid down.

Besides a fortified residence, or castle, on most lay estates, the elements making up the demesne were arable fields (*culturae*, *coutures*), meadows, vineyards, and woodlands; the proportion of each naturally varied, and all were not invariably present. Then there would be a demesne farm, or *curtis*, often new, and different from the one which had already been seized by some manorial official. The management of the farming would be undertaken by a new official, who on ecclesiastical estates would be under the supervision of a monk, often called a *praepositus*. From the twelfth century onwards the *praepositus* himself often took on the work.

D. *The disintegration of the holdings.*

The part of the domain in the hands of the tenants itself underwent a disintegration parallel to that of the demesne. But this disintegration was produced in a different way.

To understand the process we must begin with the unit of tenure of the *terra mansionaria*, generally called *mansus*[1] or sometimes *mansura* in the Romance districts and the Germanic borderlands, and *Hufe*, *hoeve* (most often in the Latinised form *hoba*) in the Germanic districts proper. Sometimes the terms *colonia*, *colonica*, or in Southern Gaul *condoma*, *casalis*, have the same meaning. The *hostisia* (when this word does not mean the holding of a *hospes*) common between the Rhine and the

[1] See above, p. 265.

Loire, the *accola* and *borda* (F. *borde*) found in the West and in Roussillon, and the *apendaria* to be met with in Languedoc, are smaller holdings.

The extent of the unit of tenure naturally varied considerably; it was a function of the productivity of the soil and of other factors too. However, we shall not go far wrong in reckoning the average size of the manse or *Hufe* at something over 10 hectares; say from eleven to fifteen. Such an estimate would appear to be justified by a sampling of evidence relating to the Parisian district, the Midi, Brabant, Lorraine, the Moselle country, Franconia, and Bavaria. It must however be borne in mind that some manses were much smaller and others much larger than the average.

During our period the number of manses upon the older domains often diminished considerably. This was evidently due, as in the case of the demesne, to usurpations and enfeoffments. The evidence of the sources, even when those are discounted which express the exaggerated complaints of such and such a bishop or such and such an abbot, is irrefutable. To quote only a few examples, the seven domains of Marmoutier in Alsace not immediately surrounding the abbey contained 173 manses at the end of the tenth century and only 113½ at the beginning of the eleventh century. In the early twelfth century more than 30 manses were lost to the Halen domain of the abbey of Sint-Truiden, thanks to the activities of the *avoué* and of a neighbouring lord. At Friemersheim and Burg, Rhineland domains belonging to the abbey of Werden on the Ruhr, the 54 manses in existence in the mid-eleventh century had been reduced to 38 by the end of the twelfth century. Sometimes, however, such losses might be partially repaired, when the *terra mansionaria* of one domain was increased by adding to it lands which had originally belonged to another and from which they had become separated as a result of inheritance or subdivision or of the alienation of single manses or groups of manses.

As early as the end of the tenth century, and to an even greater extent during the eleventh and twelfth centuries, certain manses were tending to become detached from the rest by reason of the special duties laid upon their holders. This phenomenon was by no means new; compare for example the tenures of the *caballarii* of Saint-Bertin in the second half of the ninth century, or those of the *scararii* of Prüm at the end of it. But it now became both more common and more widespread, at any rate in Germany, including the westernmost parts of that realm. Manses, *que cum caballis serviunt*, thus singled out of the mass of ancient free manses in several of the Alsatian domains of Marmoutier appear during the first half of the eleventh century, but are not yet distinguished in the documents of the tenth century. The *equiarii mansus* to be met with on the domains of Werden on the Ruhr in the twelfth century

probably had the same origin. In the opinion of the writer these manses did not always constitute the *fiefs de service*, or *Dienstlehen*, of *ministeriales*. But they clearly enjoyed a privileged status so far as the dues of their holders were concerned, and they did not play the normal role of manses in the life of the domain.

But the most important feature in the process of disintegration of the *terra mansionaria* was the decomposition of the manse itself. This is a fact common to all the countries here discussed, and it had been long on the way. In the ninth century it was by no means uncommon for two or even three households to be settled on the same manse. At a very early date it is observable that the dwelling-house and close do not share the lot of the farmland making up the holding; in the eleventh century, and sometimes earlier, the former under the name of *mansus* (*meix*, *mès*, *mas*) or *curtile* (*courtil*) is clearly distinguished from the *territorium*, *sors*, or *terra*. While the *curtile* generally remained entire, the other lands were divided. This had already happened throughout most of France by the twelfth century. In Lotharingia conditions were the same as in Northern or Eastern France; by the end of the twelfth century the manse was almost gone as a unit of tenure, even as a divided holding, in Brabant, Hainault, and the districts round Namur and Liége. It survived only as a land measure, the equivalent of a certain number of *bonniers*. Moreover, in Lorraine and around Namur it had given way to a smaller unit, the *quartier*, which in its turn was often subdivided in the thirteenth century. In all these districts and throughout the greater part of France the manse had ceased to be even a rent-collecting unit. It seems, however, to have preserved this attribute longer in enclosed districts, notably in the Limousin, where the lands were grouped around the dwelling-houses. In Germany, including the Rhine and Moselle districts, the *Hufe* was also divided in the twelfth century and especially in the thirteenth into fractions of one-half, one-quarter and even one-eighth (*Halbehufe*, *Viertelhufe*, etc.). But this division, while putting an end to the *Hufe* as a unit of cultivation, generally allowed it to survive as a unit of collection.

In places where the break-up of the manse was both early and complete, it resulted in a regrouping of holdings. As a result of divisions among heirs, or alienations, a *curtile* or *mansus* might be joined to lands derived from another manse, from the break-up of the demesne, or from clearances. In this way there were formed the entirely new holdings which in thirteenth-century Flanders, Hainault, and Northern France were frequently called *hereditas* (Fr. *héritage*; Dutch *erve*), and which now preserved only the feeblest connection, if any, with the older manse. The *hereditas* might, indeed, consist of a farmhouse (*curtile*) alone or land alone, but usually it comprised both.

III. *New Forms of Manorial Organisation*

The break-up of the *Villa* was but one aspect of the changes in manorial organisation which began in the tenth century, were in full swing in the eleventh and twelfth centuries, and were completed in the thirteenth. Besides the negative aspect which we have been dealing with hitherto, we have to discuss the positive aspect of this change. While demesnes and holdings alike were disintegrating, and the connection between them was broken, the lords had been seeking to adapt themselves to the new circumstances; and from their efforts at adaptation were born new forms of manorial organisation. Before describing these, something must be said about the efforts at reorganisation and in particular about one of the methods of which use was made.

A. *Attempts at reorganisation.*

The only attempts at reorganisation known to us during the period under discussion were those on the ecclesiastical estates. These efforts were numerous, and some of them appear to have been in the nature of a continuous process. Allusion has already been made to the attempts made by many religious houses both in France and Germany to build up by gift or purchase the complete *villae* of which they had already been granted parts. To judge by the situation revealed in documents of the thirteenth and early fourteenth centuries, this policy met with success only in a very limited number of cases. The same is true of the efforts made by many religious houses to recover domains or parts of domains usurped by kings, princes, nobles, and even bishops; there were, as has been said, some restitutions of this sort, but altogether they represented but a small proportion of what had been seized.

Besides these continuous efforts, there were those undertaken from time to time on particular estates. The history of many abbeys and of a few cathedral or collegiate churches preserves the memory of some abbot or prelate who, in the twelfth or thirteenth century, employed his gifts as an administrator in an effort to bring order out of the chaos which threatened the property of his house. A famous instance is that of Suger, who reorganised the estates of Saint-Denis during the second quarter of the twelfth century. His reorganisation, of which he himself has left an account in his *Liber de rebus in administratione sua gestis*, remained the foundation of the economic life of the abbey until the eve of the Hundred Years' War. No less remarkable, though in fields more modest than that illustrious and wealthy house, were the achievements of Meinhard (1132–1146) at Marmoutier, about the same time; and in the mid-thirteenth century, of Hugues-Varin at the abbey of Liessies in

Hainault, and of Willem van Rijckel at the monastery of Sint-Truiden near Liége.

The striking feature about these attempts is their lack of any general guiding principle. Such men worked in a hurry, they made the best of what they had, they simplified, they were opportunist in their methods; little effort was made to return to past conditions. Of the reforms known to us, the nearest to such an attempt was that of Meinhard, who wanted each domain to have its *terra indominicata* and *terra mansionaria*; but even so it is chiefly dominated by the desire to simplify administration by making the types of holdings more uniform. Although Suger was concerned to maintain or to create within each manorial unit a demesne, generally of small extent, the measures he took were nevertheless most directly inspired by local conditions. The *curia* of Saint-Lucien, close by Saint-Denis, was cultivated by *servientes* who paid an insufficient *cens* to the abbey; he settled eighty *hospites* on the land there, constructed a new *curia* (La Courneuve) and it produced twenty pounds more a year. At Le Tremblay, Suger bought back the *exactiones* of the Countess of Dammartin, and built a new *curia* with a grange to receive the produce of the *champart*; these and other measures considerably increased the income from the domain. The situation at Beaune-La-Rolande, in Gâtinais, was improved by the recovery of usurped pieces of land, the lightening of royal *exactiones*, the introduction of *hospites*, and the encouragement of vine-growing. At Guillerval, near Étampes, in the same district, the abbey revenues were increased by the creation of a *curia* to replace the one usurped by the steward, and the substitution of a produce-rent for a quit-rent.

One of the features which may be distinguished as common to these various attempts at reorganisation is the creation of a larger number of property-groups, in order to assure a more regular collection of revenues, especially from isolated properties. During the rule of Abbot Meinhard at Marmoutier, the original number of four *curtes* on the remoter abbey estates in Alsace was increased by thirteen new foundations; and this is typical. Parallel examples could easily be multiplied in France and Germany. Another common feature was the compilation of inventories; that made and kept up to date by Abbot Willem van Rijckel of Sint-Truiden between 1249 and 1272 served as the basis of his reorganisation. Yet another feature was the special attention paid to the careful collection of all revenues, quit-rents, produce-rents, and tithes, and to their revaluation when circumstances permitted. Finally, in certain instances new methods were adopted, as we shall see later on.

The few documents which are preserved concerning the manorial administration of princes and nobles at the end of the twelfth and in the

thirteenth centuries show that the attempts made by many of them to secure better management and bigger revenues from their estates were marked by the same main features. These—inventories, regrouping of properties, a rigorous control of revenues—were all to be found on the estates of the Count of Flanders in the early twelfth, perhaps as early as the late eleventh century; but it is impossible to generalise from facts concerning so exceptionally rich and powerful a personage.

One observation concerning these attempts at reorganisation remains to be added to those already made. In the course of the twelfth century and to an even greater extent of the thirteenth religious houses were generally alienating the remoter properties from which they drew some particular commodity. This is not to say that they gave up the practice of using certain domains for specialised forms of production. In the thirteenth century Saint-Denis drew its corn supply mainly from the domain of Cergy on the Lower Oise, and in the second half of the twelfth century the abbot of Werden on the Ruhr got all his breeches from his Saxon domains in and around Lüdinghausen. But really remote properties, far from the centre of administration, like those which religious houses in the Low Countries held in the distant vine-growing districts of the Rhine, Moselle, Champagne, and Paris, which were difficult to run and to defend against usurpations, were most often sold or exchanged. For the development of trade was now making it easy to buy wine or other commodities not produced on the spot.

B. *Leases for a term of years.*

Among the measures undertaken to reorganise the domain was the adoption of a new method of granting land, letting it out on lease for a fixed term. This is so important, both in itself and in its consequences, that it must be discussed in some detail.

The first grants for a fixed term appear to have been expedients dictated by special circumstances, as when in the first half of the twelfth century the abbey of Saint-Denis leased the domain of Beaune-la-Rolande, in Gâtinais, to the *servientes* who managed it, for the sum of thirty pounds per annum, renewable annually. There were cases of this kind elsewhere, for example the leasing in 1126 of a mill on the domain of Harnes in South Flanders, by the abbey of Sint-Pieter of Ghent, and six cases of lease for a term of years known in Normandy during the twelfth century, the first two dated 1110 and 1113.

But apart from such rather isolated instances, we must wait until the second half or end of the twelfth century, or even as late as the thirteenth century, before leases become part of the normal method of supporting the domain. In France there are examples dating from 1183 and 1200 in Maine; they are encountered in Burgundy in 1227, perhaps 1216, and

in 1219 in Roussillon. In the Low Countries, they were quite usual in Hainault and around Namur by the end of the twelfth century; but the first known documents relating to Flanders, Brabant, and the Liége district in which they occur are not earlier than the second quarter of the thirteenth century. In Holland leases appear to have been a novelty at the end of that century. In Germany beyond the Rhine, the earliest evidence for the region where they were to develop most widely, Lower Saxony, dates from 1176. These commencing dates are given only by way of indication; exhaustive study would perhaps enable them to be pushed further back. Moreover, the majority of leases must have been made verbally, so that no trace is left of them.

The practice of granting fixed-term leases seems to have been applied in the first place to demesne farms, which were very often leased in this way throughout the thirteenth and fourteenth centuries. The older *curtes* of the domains were often so dealt with, and still more the *curtes* of recent creation, over which the domain officials had not yet been able to acquire rights prejudicial to the lord. In some parts of Germany the lords made systematic efforts to get such rights abolished and to impose leases upon stewards; for example in Lower Saxony, where the name *Meiergut* was first given to *curtes* leased to *Meier*.

But fixed-term leases were not confined to demesne farms and to the lands belonging to them. A large part, sometimes even the whole of the land still in demesne, was often divided up and let to farmers for a fixed term. This applies mainly to the *culturae* (*coutures*), or arable fields and to the wastes (the *Beunden* of the German documents), but we also meet with leases of meadows and even of woods. The leasing of demesne lands was often carried out as part of a deliberate policy, as was done when Abbot Willem van Rijckel was reorganising the domains of the abbey of Sint-Truiden in the mid-thirteenth century; and the Counts of Namur seem to have taken the same line in the thirteenth and fourteenth centuries. It may also have been so in part of Normandy, for the thirteenth-century rental of Mont-Saint-Michel lists more than two hundred leases in Verson and Bretteville alone. It is not possible, however, in the present state of research into agrarian history, to attempt a geographical survey of the regions in which the custom of letting out the demesne in parcels became general during this period. It was very rare for customary holdings previously granted in perpetuity at quit-rents (*cens*) to be subsequently let out on lease by the lord, even when chance caused the *dominium utile* to revert to him. Examples are to be met with on the estates of the abbey of Sint-Truiden in the thirteenth century, but these appear to be isolated. There was, however, one region where this observation certainly does not apply, viz. North-Western Germany and in particular Lower Saxony. The lords there were usually enfranchising

their semi-free tenants during the thirteenth and fourteenth centuries; their method was to buy up the reversion of their holdings, and to let them out again, usually after regrouping them into larger units, under the name of *Lathufen*, but this time for a fixed term *an Meiersstatt, i.e.* on the model of the *Meiergüter*, or *curtes* let on lease. Similar leases in Hessen went by the name of *Landsiedelleihe*.

Leases for a fixed term were applied not only to land, but also to rights and dues. In the thirteenth and still more frequently in the fourteenth century, tithes, rectories, various rights of user, and miscellaneous revenues were all let on lease. This happened everywhere; there was even one district of France, Auvergne, where rights and dues appear to have been leased before the same system was applied to rural properties.

Fixed-term leases took two different forms; leases in return for a share of the harvest (*bail à part de fruits*) and leases for a fixed rent (*bail à ferme*).

The former was a lease by which the landlord was paid a rent corresponding to a certain proportion of the crop and sometimes also of the natural increase of the livestock. This proportion was not always the same; sometimes it would be one-third, or one-quarter, but most often it would be one-half, whence the names *medietaria, métayage, Halbpacht*, and in Dutch *helftwinning*, often applied to the contract. There were other more general terms, e.g. the German *Teilbau*, and the Dutch *deelpacht*; in Hainault a produce-rent in which the lord's share was one-third was called *tierce part*. The lessee was called *medietarius, métayer, Halfmann* or *Halfen, halfwinner*. Metayage is to be met with in all the districts where leases for a term were in use; it appeared at the same time as the lease for a fixed rent, to be dealt with later, and functioned alongside it as a recognised form of tenure during the thirteenth and fourteenth centuries. In some regions, however, it soon fell into disuse, notably in parts of Northern France, Flanders, Hainault, the Namur and Liége districts, and in Western Germany. On the other hand, it became firmly established in Artois and over a great part of Western and Southern France, notably Anjou, Maine, Limousin, Poitou, Roussillon, Quercy, and Provence; it was also popular in Burgundy. In most of these districts it seems to have been an adaptation of local custom; the *medietaria* occurs there in the eleventh and twelfth centuries, in the form of a customary holding in perpetuity with a rent equal to half the produce, apparently a variety of the *champart*. Temporary leases *en métayage* probably arose out of attempts to give greater flexibility to this form of tenure.

In a *bail à ferme* the landlord's rent consisted of a quantity of goods or a sum of money which was fixed for the duration of the lease, or varied

only in accordance with provisions made at the time the contract was concluded. Thus the return from such leases was not proportional to the yield of the soil. Except in the regions already mentioned where metayage continued to expand, the fixed rent superseded it. It went by various names; *firma* (*ferme*, or in Normandy *ferme muable*) was widespread in France and part of modern Belgium; *amodiatio* in certain parts of France. The terms *commissio*, *pensio* were used in Germany, and *pactum*, *pactus* (*Du. pacht*) in Dutch or Low-German speaking countries.

The duration of metayages or fixed rents varied very much. Some were made for the life of the lessee, as was frequently the case in thirteenth-century grants of *curtes*, both by ecclesiastics and laymen. In the fourteenth century leases for life became less common, and in Hainault, for example, *curtes* (commonly called *censes* in French or Picard documents) were most often let for a fixed term of years. The duration differed according to the region concerned. In some parts long leases were the rule, as for instance in the Chartres district in the thirteenth century where few leases were for a shorter period than twenty years. In Normandy the term varied from one to fifteen years, in Hainault from three to eighteen, in Lower Saxony from three to twelve. It is noticeable that in general the term was most often for three or a multiple of three years, which is explained by the practice of a triennial rotation on the fields. Indeed, in the leases *à ferme* or *à métayage* concluded by Willem van Rijckel, Abbot of Sint-Truiden, it was generally stipulated that the land was let for six years or four harvests. This was to prevent the employment of a method of cultivation which might exhaust the soil—the *Raubkultur* of German economists.

The grant of a lease was frequently accompanied by special provisions. It was not uncommon for the lessor to supply at least a part of the stock and implements; sometimes clauses in the lease would insist that respect be paid to rules or usages relating to cultivation, e.g. to the manuring of fields. Sometimes the lessee would have to give sureties or pledges for the payment of the rent and the performance of other conditions.

The profound difference between grants of land for a term of years and the grant of permanent holdings was not grasped immediately by contemporaries everywhere. Opinion on this point varied from place to place. In Burgundy and Auvergne, for instance, until the fourteenth century and even later, a lease of land was treated as if it were really a sale, though of temporary effect; and the lessee was held to have a real property-right in the land. This right was also allowed to the lessee over the greater part of Germany. On the other hand, in the future Netherlands, the lease early developed as a vigorous and distinct institution; in the mid-thirteenth century on the domains of the abbey of Sint-Truiden, near Liége, leases were regularly revoked when lessees defaulted on the

rent. More remarkable still, as early as 1201 the court of the Count of Hainault rejected all attempts to assimilate leases *à métayage* to grants *à champart*, holding that only those who held *sub censu vel reditu aliquo seu in feodo* had a customary tenement with a real right in the land (*tenuram vel jus*); a metayer could not enjoy the status of a *tenancier*, or any real property-right, but must be content with a mere personal and non-hereditary right.

What was the cause of the adoption of leasehold from the end of the twelfth century onwards? The decline and partial disappearance of labour services is only an ultimate cause; it largely explains the partition of the demesnes, but it does not explain why, at a given moment of this partition, leases for terms were substituted for customary tenures. Was it due to the lords' desire to defend themselves against a continual decline in the value of money, carrying with it a depreciation in fixed money rents (*cens*)? This explanation may hold good for the end of the Middle Ages and for the sixteenth century, but it seems to be of doubtful validity for the period under discussion. It is improbable that contemporaries in France and Germany were clearly aware of the decline in the value and purchasing power of money, a subject for that matter little studied up to our own time. The administrators of the royal estates in the *bailliage* of Rouen in the thirteenth and even in the fourteenth century, in letting out land for rent appear to have made little difference between customary holdings for fixed quit-rents and leases for a term of years, charging virtually the same amount in both cases. This attitude may be explained by their mistaken belief in the stability of the currency and also by the fact that to them letting on customary tenure for rent (i.e. in perpetuity) had the advantage of greater ease of administration and relative freedom from the risk of losses through vacancy.

In the opinion of the writer, therefore, the greatest influence in the spread of leases was the desire of the lord to share in the increased productivity of the soil. Leases allowed the adjustment of rents at relatively short intervals. They had also the advantage of allowing the lord to choose a 'farmer' or a 'metayer' for his personal qualifications, because *quem bonum terrarum cultorem noverat*, to quote a Hainault charter of 1201; and to get rid without difficulty of a man who did not carry out his obligations. The lord gained more freedom in the disposal of his lands, and was assured of a more substantial profit from them.

But while the appearance and spread of leases for a term of years was of great importance, they did not become so general during our period as to oust altogether the system of customary tenures, save in certain parts of Germany such as Lower Saxony and to a lesser extent Westphalia, Northern Hessen, Bavaria, and the high Suabian plateaus. In

France most peasants continued to hold their lands by tenures of inheritance, and the same seems to be true of South-Western Germany, Hainault, and the Namur region. In the last two districts, the properties let out on lease were mainly largish farms (50 hectares and upwards around Namur) which had been carved out of the dismembered demesnes. In Flanders, judging from the few facts at our disposal, *bails à ferme* appear to have become far more widespread after the second half of the twelfth century. The abbey of Sint-Pieter of Ghent not only leased all its *curtes* and the lands appertaining to them, but also a large number of separate parcels of land, especially in *polders* reclaimed from the sea, and certain tithes. A *Liber inventarius* drawn up in 1281 on the occasion of a reform in the estate organisation shows that out of a total revenue of £228. 17*s.* belonging to the office of the *custodia*, £196 came from leases and only £32. 12*s.* from quit-rents; similar proportions occur in other offices of the house, notably in that of the provost of Brabant. At the end of the thirteenth century even lands owing a quit-rent were leased; in other words the right of collecting rents due from land was farmed.

It must be emphasised that this question has been the subject of but few monographs or preliminary studies, and that any conclusions must therefore be imperfect and provisional in the extreme.

C. *The new structure of the domain.*

It is now time to describe the new forms assumed by domain organisation during the course of the twelfth and thirteenth centuries. Speaking very roughly, two types of domains can be distinguished; those which retained, at any rate in its general outline, the classical *villa* structure, and those in which there was no trace of this structure, either because it had disappeared, or because it had never existed. Both types might easily occur among the estates of a single lord.

To begin with the former type of domain: it must be emphasised at the outset that it hardly ever corresponds to a present-day village or to what under the *ancien régime* was a rural parish, still less to a group of villages or parishes. Most villages were divided among several domains, and many domains had lands in several villages; this was a consequence of the disintegration of the *villa*, which has already been discussed.

The demesne or home farm did not present everywhere the same aspect. We have seen that a very large, often the largest, part of it had frequently been usurped by the steward along with the original *curtis*, and had thus become a separate domain, completely distinct from the rest of the *villa*. When this happened, the remainder of the demesne, with a new *curtis*, would be put under the authority of a new official, often himself termed *maior* or *villicus*, who would act as the lord's agent.

He would direct the cultivation of the demesne—already much reduced and in process of being reduced still further—and it would often be devoted to relatively specialised crops such as vines, hops, and pulse, or sometimes to stock-raising. The labour services which survived would be used to work a few *culturae* or a few meadows and to ensure the transport of crops or beasts to market. However small the demesne, the labour services were never enough to cultivate it, and more frequent recourse had now to be made to hired labour. Moreover, with the thirteenth century there was a great increase in the partial or total commutation of labour services, though this was perhaps less marked on the smaller lay domains than on the great domains of the Church and the princes. The agent who managed the farm would also collect the rents of lands leased for fixed rents or to metayers.

If there had not been on any given occasion a definite separation between the lands abandoned to the steward and the part of the demesne remaining in the lord's hands, there would generally not be a new *curtis*, or a new agent. The successor of the former steward would continue to direct the cultivation of what remained of the demesne on the lines indicated above, but with this significant difference; he would run it for his own profit, most frequently paying the lord only a *redevance forfaitaire*, or in the case of a lease a fixed money-rent or a share of the harvest.

Whatever the origin or the composition of the peasant holdings, they now had one common characteristic; they paid dues in money or in kind, to which labour services had become purely accessory. It is hardly possible to generalise as to the relative importance of rents in kind and rents in money. It has been calculated that of 1131 holdings out of the 1300 belonging to the abbey of Saint-Vaast of Arras between 1170 and 1192, a quarter paid a money rent, another quarter a rent in money and cereals, and the remaining half a rent in money and capons, together with an occasional loaf of bread. But generalisations are impossible, and account must be taken of local conditions; thus while in Roussillon in the twelfth and thirteenth centuries rents were almost always in kind, they were usually mixed on the estates held by the abbey of Werden on the Ruhr, in Saxony and on the lower Rhine. In certain districts there was a tendency to replace quit-rents by *champart* or *terrage* when occasion offered; we find this for instance in the Namur district, in the twelfth and thirteenth centuries. More remarkable is the fact that throughout a great part of France during the second half of the twelfth and in the thirteenth centuries, around Orleans, in Normandy, in Languedoc, in Roussillon, in Poitou, and in Burgundy, produce-rents and rents in kind were frequently converted into money-rents. That the tenants gained by this is obvious. But what of the lords? Their chief

object seems to have been a greater ease of administration and a more regular revenue, and they were certainly under the delusion that the value and purchasing power of money would remain fixed. This delusion was to persist in the fourteenth century, and was so strongly held that both in France and in Germany a large number of temporary leases were converted into permanent and hereditary ones, i.e. into something identical with customary tenures paying a fixed *cens*.

During the twelfth and especially the thirteenth centuries more and more of the customary holdings were moving in the direction of a form of tenure which owed a simple quit-rent and no labour services, the *freie Erbleihe* of German writers. Some holdings had enjoyed this status from time immemorial; others acquired it through being at some time attached to a domain too remote for labour services to be practicable; others again were privileged through having been created as a result of reclamations (the *sartes* or *sarts* of the Namur region) and yet others had been freed of labour services by commutation or otherwise.

We have described how the changes in the domain during the late twelfth and thirteenth centuries rendered the holdings more and more independent of the lord. The change was clearly to the advantage of the tenant, as is shown by the history of the *complant*, that is to say the contract which was the original basis of many holdings in France and the neighbouring countries where the vine or the olive was cultivated. This contract, common in Burgundy, Dauphiné, Auvergne, over the whole South, including Provence, and over the whole West including Southern Brittany, provided for the grant of a piece of land by the lord to the *complanteur*, who at the end of five years would return one-half of it, planted, to the demesne, retaining the other half in tenure at a quit-rent or produce-rent. Such was the general rule in the eleventh and twelfth centuries; in the thirteenth century the clause providing for the return of one-half of the land to the demesne disappeared almost completely.

It remains only to consider the other elements making up a domain. We have already described how the commons had been the subject of conflicts between the lord and the tenants; conflicts which were generally ended by a settlement and often by partition. During the thirteenth and fourteenth centuries the lords made new efforts to defend and sometimes to extend rights of this sort. Then there were mills, and in some districts salt-pans, and such rights as the entry fine when a holding changed hands, and so on.

Thus even on the domains in which the classical organisation was preserved, the cultivation of the soil by or on behalf of the lord had become of little importance. The domain was now principally a rent-paying institution, its revenues derived from the tenants who occupied the land. This characteristic was of course even more strongly marked in those

conglomerations of land in which the *villa* structure had disappeared, or had never existed. In such 'pseudo-domains' the only bond of union was geographical; they consisted of *curtes* leased or granted at quit-rents, single holdings or groups of adjacent holdings, parcels of land let on lease, and various dues such as tithes, the fruits of rectories (*altaria*), and so forth. All organic connection between these elements was lacking. The group existed simply as a unit of administration, chiefly for the collection of revenue by a seigniorial representative who played the part and often had the title of receiver.

Mention has been made of tithes and *altaria*, and the growing importance of these elements in ecclesiastical estates must be insisted on. Tithes, which had been usurped on a large scale by laymen during the tenth and eleventh centuries, were very largely recovered by the Church during the twelfth and thirteenth centuries. But they had now become the property of abbeys and chapters instead of parish churches, and from about 1150 to 1250 were the principal source of wealth of many a religious house. The fact that they had usually remained proportionate to the yield of the soil made them particularly valuable as a source of revenue. Rectories were also a source of a variety of revenues, and thanks to the glebe (*dos*) and casual receipts (*oblationes*, etc.) they played at this time an important part in the income of religious houses. To take only one example, which it would be easy to multiply for both France and Germany, about 1150 tithes and *altaria* played a much greater part in and produced a far greater share of the income of the great abbey of Echternach, in Luxemburg, than did landed property.

Tithes and *altaria* were principally to be found among the properties of the Church. On the other hand, in the thirteenth century many estates, even those of laymen, included rents levied on lands in which the lord had no other property-right. Abbeys and cathedral or collegiate churches often acquired these by donation, and both they and laymen frequently bought them for cash.

Some space must be given to the estates of the new monastic orders, Austin canons, Praemonstratensian canons, and Cistercians, which were particularly prosperous during the twelfth and thirteenth centuries. Little need be said of the Austin canons beyond the fact that the wealth of their houses seldom consisted in landed property on any scale. Their lands were mostly scattered peasant holdings, attached for administrative purposes to some *curtis* which acted merely as a centre for the collection of rents. By far the greater part of their patrimony consisted in tithes and *altaria*, if we may judge by the example of the numerous abbeys of this order which flourished in Southern Flanders and around Namur during the twelfth and thirteenth centuries. The organisation of the estates of the Praemonstratensians, or Norbertines, was somewhat

different. Tithes, which they were at pains to acquire or to collect together again where they had been divided, and appropriated churches certainly played an important part in their economy, but so also did land. Like all estates built up relatively late in the Middle Ages, these possessions were usually very scattered, but were grouped as far as possible round *curiae* created for the purpose. The canons farmed a good deal of their land themselves, undertaking both cultivation and the reclamation of wastes. The *curia* would then become the centre of an estate, which in Flanders and Brabant might be as much as 50–100 hectares. A *magister curiae*, himself a regular canon, would direct the work, which was carried out by lay brothers, assisted by lay servants or *famuli*. The average number of lay brothers on each of the fifteen *curiae* of the abbey of Ninove, in South-East Flanders, was seven or eight. But all this did not preclude the granting of pieces of land as peasant holdings.

The organisation of the Norbertines was mixed in type; that of the Cistercians was homogeneous, at least in the golden age of the order in the twelfth century. The *Instituta generalis capituli apud Cistercium* confirmed by the Pope in 1152 were formal on this point: *Ecclesias, altaria, sepulturas, decimas alieni laboris seu nutrimenti, villas, villanos, terrarum census, furnorum seu molendinorum redditus et cetera hiis similia monastice puritati adversantia nostri et nominis et ordinis excludit institutio.* All the essentials of manors and manorial groups, lay and ecclesiastical, were excluded, save only the bare earth. On it the 'white monks' worked, clearing wastes (mention has already been made of their leading share in this movement), raising crops, and pasturing their cattle. *Grangiae* or *curiae* served as centres of administration for their lands, wastes, pastures, and ploughlands. As gifts of new land came to a Cistercian abbey, new granges would be established; the abbey of Villers in Brabant, founded in 1146, had created fifteen of them by the end of the twelfth century. Reclamation, tillage, and the care of flocks were undertaken exclusively by lay brothers (*conversi*) assisted by a few *famuli*; the *grangiarius* who directed operations was himself a *conversus*.

The methods of estate management characteristic of the Praemonstratensians and the Cistercians were not maintained in their entirety. In the Norbertine abbeys, direct cultivation gave way before rent collection; by 1300 most of them had given up cultivation by lay brothers and those of the *curiae* which had not already been granted in return for quit-rents were let on lease. As for the Cistercians, as early as the twelfth century they had begun to be less strict in the observance of their rule. Through accepting donations as they stood, the abbeys were acquiring holdings held by quit-rent or produce-rent, and also tithes. In the thirteenth century it is not uncommon for a single

grangia to have attached to it lands under direct cultivation, lands granted in return for a *cens*, and even also lands let on lease. In the fourteenth century the system of the *conversi* was to encounter a grave crisis and to disappear almost completely as an economic institution, and this meant the end of the method of direct cultivation. Like the other ecclesiastical lords, the Cistercian monasteries were to become first and foremost landlords, *rentiers* of the soil.

D. *The domain as the basis of the* seigneurie.

During the period from the tenth to the thirteenth centuries, side by side with the great transformation which was changing the Carolingian villa into the loosely organised forms of domain which we have been describing, another process was at work; the domain was becoming a *seigneurie*. Of course, the Carolingian domain was already a *seigneurie* in a very considerable degree; the lord, *potens vir*, or church, exercised a jurisdiction which though certainly very limited, was all the more real because it dealt with what were later to be called cases of *basse justice*, that is, in effect, those which occurred most often. He had at his disposal the legal sanctions essential for maintaining order on the domain and assuring its cultivation. Churches, benefiting by the privilege of Immunity, contrived to consolidate and extend these powers. In the Carolingian period we meet the first signs of a custom which was to become widespread; the use of the word *bannum*, to describe this right to judge, to command and to punish, whereas the term properly signified the right to judge, to command and to punish wielded by the king and his representatives. The decay of central authority, especially in France, and the grants to ecclesiastical magnates, to bishops and even to abbots, of powers normally appertaining to the public authority, especially in Germany, were the principal factors making for a new increase in the power of the lords between the tenth and twelfth centuries. Nor must it be forgotten, at any rate so far as the incrasee in the power of lay lords is concerned, that many of them, through their position as *avoués* of ecclesiastical estates, had acquired an authority beyond the limits of their own lands, or had abused their positions to acquire or to extend such an authority.

It is difficult to grasp this process in detail; but the evidence which has been assembled regarding West and South-West Germany, Alsace, Lorraine, Hainault, and the district round Paris, would, in so far as it is permissible to generalise from it, appear to lead to the following conclusions. On the one hand, the lord was extending his authority beyond the territorial limits of the domain, strictly so called; he extended it to lands held by 'precarial' tenure, to lands not in themselves belonging to him, but inhabited by persons under his protection (*homines sancti*,

censuales, etc.) and to adjacent lands which had no connection, even personal, with him, but which he had brought under his authority or which had been placed under his control by royal decree. On the other hand, within the domain itself, he was extending his power to control all who happened to live on it, whether or not they were his 'men' or his tenants. Finally, by use of his *bannum*, he imposed on all alike a number of dues, the justification for which was no longer any property-right in the land, or any authority over persons by reason of their legal status, but simply the fact that by legal or illegal means he had got into his hands a part of the dismembered authority of the state.

In this way there was being constituted, principally from the eleventh century onwards, a new kind of *seigneurie* typified by its very name; for it was called *bannus* (*Bann*) throughout the greater part of Germany, including Lorraine, and *potestas* (*poesté*) in most of France. To the rights he exercised as lord of a domain, the *seigneur* would add a number of others, varying very much from place to place and often provoking disputes between neighbouring *seigneuries*. During the eleventh, twelfth, and thirteenth centuries more and more importance came to be attached to these rights of seigniorial origin (*exactiones*, as they are often called in the documents) in proportion as the rights of domanial origin weakened and diminished in number and yield. Thus it was sometimes possible, in the twelfth and thirteenth centuries, to obviate the results of the decay of the older corvées by the creation of new corvées imposed on all the inhabitants of the *seigneurie*; maintenance, industrial, carrying, mowing, ploughing and other corvées which, however, were much less numerous and less heavy than the domanial labour services at their zenith. The right to lodging was extended in the same way and occasionally also the military service due from villeins. The seigniorial monopolies or *banalités*, which developed considerably between the eleventh and fourteenth centuries (monopolies of mill, oven, winepress, of the sale of certain products like wine, and so on) had the same origin.

Finally there was a tax which belonged to the same group of seigniorial *exactiones*: the tallage or aid (French *taille*, *aide*; Latin *tallia*, *auxilium*, *precaria*; German and Dutch *Bede*), which became an essential part of the life of the *seigneurie* during this period. In the eleventh century it was neither fixed nor regular, but was levied whenever the lord needed material assistance and upon all his dependants. It was called the arbitrary tallage, or the tallage at will. The interests of the lord and those of the persons subject to tallage led to a change which was not carried through without violent collisions, and which took very varied forms. The important point is that sometimes as early as the twelfth century, and as a rule (though there were exceptions) in the thirteenth, the character of the tallage levied on the inhabitants of a rural *seigneurie*

altered. First it became periodical, usually annual; that was in the interests of the lord. Secondly, its amount became fixed; this was in the interests of the tallaged. This fixed tax was called in France the *taille abonnée*. The sum due would be assessed among the inhabitants of the *seigneurie* on the basis of their possessions; extent of land held, number of horses, and so forth. Sometimes 'extraordinary aids' would persist in addition to the tallage.

The aspect of the *bannum* which most helped forward the development of seigniorial exactions was certainly the right of jurisdiction. By providing for the punishment of those refusing to obey, it made possible the organisation, often in the face of lively resistance, of a system of burdens which at least in part were new. Proof of its importance may be found in the fact that over a great part of thirteenth-century Germany the surviving corvées, chiefly transport and building corvées, were owed to jurisdictional lords and to *avoués*, and that in France both the *banalités* and to a certain extent the *taille* were linked with rights of jurisdiction.

IV. *Changes in Rural Society*

We are dealing here not with changes in the legal status of the rural population, but with changes in its social condition. The problem has two main aspects; on the one hand the degree to which the rural population was dependent upon the lords, and on the other hand the extent of its prosperity. Obviously facts relating to personal status are essential to a discussion of these matters, just as conceptions of private and public law are inseparable from any account of the domain and the *seigneurie*.

A survey of Germany at the beginning of the period under discussion, i.e. in the eleventh century, would show that except for a still quite large number of small and middling free proprietors, mainly in Frisia, Saxony, and Thuringia, the greater part of countryfolk were in a state of definite dependence upon the lords of domains or domain-groups. Their dependence was both real, resulting from their tenure of land, and (except for wholly free tenants) also personal, by reason of the more or less extensive restrictions on liberty which characterised their status, whether they were serfs (*Leibeigenen*) or whether they belonged to one of the numerous categories of 'protected' persons (*Hörigen*). The same is true of the westernmost parts of Germany, i.e. Lotharingia, and also of the most northerly part of the kingdom of France, especially Flanders and the neighbouring regions. Over the rest of France a movement was in progress during the eleventh century, and reaching completion early in the twelfth century, which made for a greater uniformity in conditions by reducing to serfdom the great mass of the rural population,

even those originally free or semi-free, like the *colliberti* or *culverts*. Some districts were exceptional, like Normandy, where serfdom only applied to a minority and had disappeared before 1050, and at least part of Languedoc, where serfdom seems to have been much less widespread than in the districts of the Seine and Loire, and possibly also Provence, beyond the borders of the French kingdom. Besides the serfs, among whom must be classed the *mottiers* and the *quevaisiers* of Brittany and the *homines de remensa* of Roussillon, this movement left only the *vilains* or *manants* (L. *villani*, *manentes*) who were reputed free, though the restrictions placed for the lord's benefit on the free disposal of their persons and goods make it doubtful whether they should be recognised as such.

The ultimate fate of the rural masses was not the same everywhere. In France, as the disintegration of the classical domain proceeded, the autonomy of the members of the servile population increased, and the personal bond uniting lord and serf relaxed. It might be said that the property-right of the lord in the serf tended to become a personal right, in virtue of which the former might demand of the latter certain dues and services. Nevertheless the notion was becoming more and more widespread that serfdom meant the existence in society of a class of altogether inferior beings, on whom rested a load of disgrace and dishonour. The formation of new groups of freemen in the towns and even in the country districts, often through the creation of rural communes which sometimes were revolutionary in origin, encouraged the serfs to seek enfranchisement. Begun in the twelfth century, emancipation was mainly achieved in the thirteenth and early fourteenth centuries, sometimes by the falling into disuse of the chief servile dues, *chevage*, *mainmorte*, and *formariage*, but more often by individual or collective acts of enfranchisement, usually in return for a money payment. In certain regions like the district round Paris and the Beauce, the movement was completed before the second quarter of the fourteenth century; in others, such as Champagne and Sologne, it took until the sixteenth century. In Central France and Burgundy, and in Franche-Comté, which was part of the Empire, freedom was not achieved until the Revolution.

The enfranchisement of the great mass of serfs had the effect of widening the social gulf between those serfs who remained and the rest of the population. The trend of opinion in the thirteenth and fourteenth centuries was towards the view that serfs, by reason of their inherently inferior status, were subject to the arbitrary will of their lord; on them alone there now rested all the burdens and restrictions which had formerly been common to all 'dependent' cultivators of limited freedom. In the twelfth century it had been common for lords to take measures to prevent their tenants leaving the domain. By the late thirteenth and fourteenth centuries this restriction had become the distinctive mark of

the serf, and the Roman lawyers, who had hesitated between assimilating his status to that of the slave of antiquity (was not the serf also called *servus*?) or to that of the *colonus* of the later Roman Empire, found in imperial decrees on the colonate provisions justifying the novel claim that 'the serf is bound to the soil'.

The enfranchisement of the serfs, with all its effects both immediate and ultimate, was not the only important change in the social structure of the French population during the period under discussion. The personal freedom of other sections of the population was being increased considerably, and was being fortified against counter-offensives on the part of physical or moral influences desirous of restricting it. This was the result of two main factors, which in practice were frequently complementary, intermingled, or confused. There was, on the one hand, the creation, to which reference was made in discussing the clearances, of new settlements whose inhabitants enjoyed a privileged status. Such were the *villes neuves* founded in such large numbers in Northern and Central France during the twelfth and thirteenth centuries, and the *bastides* (some of which were never more than villages) founded in the South, especially during the thirteenth and fourteenth centuries. On the other hand, there was the grant of charters of enfranchisement, 'customs' agreed to by the lord at the request of the inhabitants of the *seigneurie*. Such was the 'charter' of Lorris in Gâtinais, granted by King Louis VI in the first half of the twelfth century, which served as a model in Gâtinais, Sénonais, Orléanais, Auvergne, and Berry;[1] and the 'law' of the *ville neuve* of Beaumont, in Argonne, granted by Guillaume aux Blanches Mains, archbishop of Rheims, in 1182, which was similarly a model in the County of Rethel, in Champagne, and beyond France also, in Luxemburg, the County of Chiny, Barrois, and Lorraine. The promulgation during the twelfth and thirteenth centuries of these charters of enfranchisement, of which but two examples out of many have been quoted, was generally brought about through a revolt of the inhabitants of a *seigneurie* against abuses in the lord's administration, often backed up by revolutionary action on the part of a sworn commune. Often the lord would exact payment for the grant.

The essential feature of the constitutions granted to the *villes neuves* and of the provisions of the charters of enfranchisement was the limitation of the arbitrary will of the lord and the reduction of the dues burdening the inhabitants. They applied, that is to say, as much if not more to free *vilains* or semi-free dependants, as to serfs. Serfdom did indeed continue to exist in more than one *ville neuve* and in more than one place which had been granted a charter of enfranchisement. But the development of the new conception of serfdom as a state in which

[1] See above, p. 72.

the burdens imposed on individuals were completely arbitrary was often to lead in the fourteenth century to the disappearance of serfs from the enfranchised *seigneuries*, except for a few persons who remained still subject to the arbitrary will of the lord.

Contemporary with the enfranchisement of the mass of the French rural population was a similar movement in the districts which, at the end of the Middle Ages, were to unite to form the Netherlands. We shall not enter into details here. In Flanders enfranchisement appears to have been completed in the thirteenth century, at any rate over the greater part of the County. Perhaps the special privileges given to the *hospites*, who reclaimed, drained, and brought under cultivation the Flanders seaboard, contributed towards the early granting of the status of freemen to the inhabitants of that region. Over the whole country, but especially in the North, where as we have seen the domanial regime was weaker, the enfranchisement of serfs and semi-free dependent cultivators must have taken place as early as the twelfth, or even in part in the eleventh century, perhaps without the need for definite measures. When the Count, in 1232, suppressed the *melius catallum*—a mild form of *mainmorte*—for those under the jurisdiction of the *scabini* in the castellany of Bruges, the decision obviously applied to a population which could not, or could no longer, be held to be servile. Serfdom survived longer in certain parts of Flanders, for instance the Alost district. In Hainault, where the question has been more closely studied than elsewhere, a situation has been found very similar to that of Northern France; speaking generally, the enfranchisement of the rural population took place there in the second half of the twelfth century and in the thirteenth. The means by which it was brought about were the creation of *villes neuves* and the grant of *chartes-lois*; to which must be added, since in Hainault the lay patronage (*avouerie*) of ecclesiastical domains was very flourishing, the restraints imposed by numerous religious houses on their *avoués*. As in France, the result of these measures was essentially a limitation of the arbitrary power of the lord and a restriction of personal burdens. The *chartes-lois* of Hainault did not bring about the disappearance of serfdom; some of them, indeed, do not seem to have applied to serfs.

Passing from Hainault, which as a Lotharingian County formed part of Germany, to Germany proper, it is equally plain that there too from the eleventh century to the thirteenth the rural population was acquiring a greater and greater degree of personal freedom. Here the process was not due to measures of enfranchisement, but to the changes already mentioned in the organisation of the domain. While serfdom properly so-called (*Leibeigenschaft*) was on the decline, the various groups of semi-free 'dependent' or 'protected' cultivators (*Hörigen*) remained

important, and among them were to be found the descendants of many servile tenants. In the North, however, in the region of the *Marschen* there were numerous colonists of Flemish, Dutch, or Rhenish origin, who were acknowledged to be personally free and enjoyed a privileged status (sometimes called *flämisches Recht*) so far as their tenure was concerned.

Charters of enfranchisement designed to limit the arbitrary power of the lord are not met with in Germany. The records of the rights and duties of the inhabitants of a *seigneurie*, sometimes quoted in this connection, are either collections of customs established by the lords themselves (*Hofrechte*) or 'statements of rights' (*Weistümer*) drawn up on the basis of an inquisition among the inhabitants by lords, usually ecclesiastics, as a protection against the pretensions of their *avoués*. They generally contain no innovations, at any rate not before the fourteenth century. They were in common use all over Germany, including Lorraine.

A greater freedom in relation to the lords did not however necessarily imply an improvement in the condition of the rural population; it might bring with it serious disadvantages. Thus in the thirteenth and fourteenth centuries the *Laten* of Lower Saxony, who had been freed by their lords from all labour services and numerous other obligations, and had become leaseholders instead of 'customary tenants', were yet in a position far more unstable and precarious than the *Laten* of Westphalia, who had remained 'customary tenants' personally subject to their lords, who were making a strong effort during the fourteenth century to bind them to the soil. This latter attitude of lords towards their *Hörigen* was tending to become general in Germany at that time.

A word must also be said concerning the special position of peasant populations settled in mountainous districts such as Switzerland and the Dauphiné. There, vigorous communities of freemen, independent of all domanial bonds, were to be found in the thirteenth century. Their existence must be attributed at least in part to the settlement in this region of free colonists or *hospites* come to reclaim the wastes. Nevertheless the very growth of such communities and the search for new lands to which it led brought them into conflict with the lay or ecclesiastical lords who claimed to exercise rights of one sort or another over the land, while on other occasions conflicts of this kind would be started by the lords themselves, desirous of increasing their authority and their revenues. Usually the struggles, which were at times very violent, were brought to an end by agreement in the fourteenth or fifteenth century. Agreements thus reached generally favoured the freedom of the members of the community as against the lords.

In conclusion it may be useful to summarise the evidence which we

have been able to assemble concerning changes in rural society between the eleventh century and the beginning of the fourteenth. In the first place, as a result of the dissolution of the classical *villa* and the progressive loss of force of the *dominium directum* over the rural tenancies, the tenants tended more and more to become in practice small or middling peasant proprietors. They were still, indeed, subject to real or seigniorial burdens of a personal kind, but these burdens were becoming steadily more limited and less heavy. Moreover, it was the tenants who chiefly benefited by the rise in the value of agricultural produce. This is illustrated by the fact that it was in the districts where urban markets most easily absorbed the produce of the countryside, such as the region around Paris and Beauce, that the enfranchisement of serfs by purchase was earliest and most widespread. The implication is that the sale of country produce had really enriched the peasantry and enabled them to accumulate liquid capital reserves.

It would seem, therefore, difficult to avoid the conclusion that, by and large, the prosperity of the rural population in Western Europe increased very considerably between the eleventh and the beginning of the fourteenth century. Conversely, the wealth of the lords was on the decline. Efforts at adaptation had been made; recourse to leases (though on a very limited scale) had improved the situation; but no real remedy had been found. New dangers menaced the wealth of the lords which they were, at any rate for the time being, in no condition to withstand.

Medieval Agrarian Society in its Prime

§ 2. Italy

I. *Land Reclamation*

Throughout the Middle Ages Italy retained the Roman agricultural technique. There was neither any noticeable decline in the earlier centuries nor any considerable progress in the later, and if Italian agrarian conditions about 1400 differed markedly from those of imperial times, as they did, the change was due mainly to the clearing, dyking and draining work undertaken during the intervening years.[1]

The fertile Italian soil was only won for agriculture slowly and laboriously. In ancient times the most easily cultivable regions had been the most densely settled—the arid cornlands of Sicily and the South, the marginal lands by the western sea, Campania (Terra di Lavoro), Latium (the Roman Campagna), and the dry hill country on the coast of Etruria, all light, easily cultivable soil. Only stubborn and long drawn out labour gave their present fertility to the plain of the Po and to inland Tuscany, now the best agricultural areas. In both, in addition to forest, water and 'drowning' had been the chief enemies. How extensive the cultivated area was in Lombard times we do not know. But, at a very early date, lords can be seen encouraging their tenants to add to it, by offering favourable terms. In some districts a division of the newly acquired land, after a certain number of years, was even made on the basis of the cultivator acquiring a half or more of it as his own absolutely. Or the tenant might be given a very easy rent, which was either raised to the normal level after a term of years or, very often, kept low in perpetuity. Similar arrangements might be made if the tenant agreed to improve the land by planting vines and fruit trees. But these small-scale improvements could not have brought about that thorough transformation in the framework of Italian agriculture which can be noticed after the year 1000. The winning of what land remained to be acquired called for large-scale collective efforts.

In inland Tuscany the main obstacles were the sills across valleys which turned great parts of the valley bottoms into swamp. Both monasteries and the commune of Siena aided the work of cutting through these sills. Perhaps the success of the work is shown by the fact that the roads, which had previously followed the dry hill crests, from the thirteenth century could follow the valleys—though the transference may be due to the growing replacement of pack animals by carts. It was again the rivers, with their frequent inundations, which needed regula-

[1] See p. 118 above.

tion in the valley of the Po. Their marshes were largely wooded as eighth-century charters prove. Even after A.D. 1000 there were woods of over 2000 acres near Mantua. An estate sold in 1094 had about 725 acres of cultivated, and about 1250 of uncultivated land. On another in the same year the proportions were 1250 and 3025. And these are by no means extreme cases.

The only solution was river embankment. Dykes had been built in the twelfth century, and about 1300 the continuous dyke from the mouth of the tributary river Oglio to Ostiglia, near Mantua, was completed. As early as 1197 the monastery of St Benedict in Polirone had drawn up a plan of main and subsidiary dykes. In 1214 the Bishop was dividing the work of construction among the villages in Isola di Revere. In 1242 we also hear of dyke-building by the commune. Generally speaking, the river in this neighbourhood had been made harmless before 1230. But protection against superfluous water was not enough. The provision of more water for certain crops was just as important. In this work the Cistercians were pioneers. The monastery of Chiaravalle near Milan had an irrigation canal at work in 1138. A century later the initiative had passed to the commune: Milan's great irrigation canal, la Muzza, was begun in 1220 and finished in 1239.

After the thirteenth century, the geographical divisions of Italian agriculture did not change. To-day there is still a marked contrast between the valley of the Po, with a wheat yield of some 26 bushels to the acre, and the South with a yield not quite half of that. In the long summer heats of the South intensive corn-growing is impossible: the climate is more suited to the olive and the vine. That in spite of this the medieval South was, as we shall see, the great cornland was a consequence rather of marketing than of geographical conditions.

II. *Settlement*

Morning and night in the hill countries of Central and Southern Italy, one can still see long processions of land-workers, on mule-back or on foot, making their way from their homes in the high villages to the fields on the low ground. So their ancestors trudged daily to and from the fertile lowland, less safe than the high-perched village from enemies and malaria. Since classical or medieval times these villages or townlets—either name is equally applicable—have often retained the walls and entrance gates which add to the natural strength of their hill-top sites. Such a settlement was called in the Middle Ages a *castello* or *borgo*. The difference, where it existed, lay in the stronger fortifications of the *castello*. These fortified villages were of very different ages. In the Centre and the North some go back to the long wars between the

Lombards and Byzantines. But even there, most are of later date: the two centuries before and after A.D. 1000 were the great period of *castello* building.

A few foundation charters of such places have survived. A lord who could authorise fortification would invite the peasants of a district to build a *castello*, making some concessions to them in return. By 1051 the monastery of Subiaco had actually got all the peasants on its estates into such places. In 1187 the future Henry VI permitted his *fideles homines* in Fucecchio on the Arno to build a *castellum*: their houses, and those of any immigrants, were to be held free of payment and were alienable. The *castelli* varied greatly in size. Matelica in the Marches, about 1300, had some 8000 inhabitants—including those in its district. When Villafranca was founded near Verona in 1185 there came to it 179 families. In the neighbourhood of Rome a population of about 500 was normal. On the other hand in the Bolognese hills, about the year 1235, an average *castello* had from ten to twenty houses, the lord's house with its tower dominating the rest. If this house was made into a regular fortress, as it might be, it was called a *rocca* or in Tuscany a *cassaro*. Besides the tower of the *rocca*, there was often a tower of the commune, and another of the church. The whole *castello* was protected by a wall and ditch with one or two gates.

Unfortified villages were invariably smaller than the *castelli*; though they also often lay about a church. Contrasted with both were the agricultural towns (*terre*), whose population often approached or even exceeded 10,000. Most Italian towns were in this group. The Marches, for example, were sown thick with towns; but only Ancona did any trade worth mentioning. Many of the towns of the Centre, Orvieto for instance, lived primarily by agriculture. Even at Bologna, land-workers living in the town were of some importance.

Scattered homesteads were comparatively rare, as might have been expected in such unsettled times. Besides, the Italian soil is so fertile that very little land will support a family. Even a fair-sized village need not therefore have much land, nor need any parts of the land be unusually remote. This was an additional reason for not building houses in the fields.

Lords by no means always lived in *castelli*; though often the building of a detached castle came later than that of the *castello*. From the thirteenth century such castles became much commoner in Tuscany; and about Bologna residential castles were built especially by townsmen. In the same period lords of many *castelli* drove out or bought out the inhabitants and made the whole place into a single *cassaro*. We hear of this most in Tuscany, for example at Passignano, where however the lord, a monastic lord, had to preserve the old parish church inside the

new castle. But there are instances from Lombardy of a lord gradually absorbing a whole *castello* for his own use. The evicted inhabitants either built a new suburb, a *borgo*, outside the castle—as at Passignano—or they went right away. The era in which most detached castles were being built coincides with that of an increasing concentration of the population. This took place not only into the great industrial and commercial towns such as Milan, whose population has recently been estimated at 175—180,000 towards the end of the thirteenth century; or Florence and Venice with about 100,000; Palermo with over 50,000; or Naples with 30,000. Pure agricultural towns such as Jesi and Matelica in the Marches also show extensive immigration. Between the years 1211 and 1217, about 1000 people came into Jesi, ninety-four families of them from a single *castello*; and Matelica, which now has 3000 inhabitants, received 230 families between 1226 and 1253. After Chieri in Piedmont had acquired fortifications and self-government, the inhabitants of the neighbourhood moved into the town in such numbers that by 1200 they had emptied a radius of 4–5 kilometres.

The driving forces in this concentration were the same as those which had produced the *castelli*. A town was safer than a *castello*. Anyone who had become a burgess could always count on the help of the town authorities against oppression by a lord. And no doubt the vigorous economic life of the greater towns exercised a general attractive force, though we are not well informed as to its detailed working.

As a result of this immigration the towns grew fast and there were constant extensions of their fortified area. How the balance of population lay between town and country, however, no one has ventured to estimate. We have, it is true, census returns for the territories of certain towns. There were about 30,000 people in the town of Padua in 1281 and at least 60,000 more in its territory; which gives thirty-nine to the square kilometre. In 1395 the *contado* of Bologna contained 35,500 souls. Only for the Kingdom of Naples and Sicily has a synthesis been attempted. Beloch believes that it contained some 2,500,000 people in the thirteenth century, of whom more than 50,000 were in Palermo, 30,000 in Naples, 25,000 in Messina, 10,000 in Catania, and so on. However, these figures do not tell us what we most want to know, the relation between the agricultural and the non-agricultural population; because many townsmen were agriculturists. But it is evident that the non-agricultural strata were relatively stronger in the North. And this fact was fundamental for the economic development of agriculture.

III. *Landownership: Owner and Farmer*

Both *castelli* and open villages in the thirteenth century were generally self-governing. For years there has been discussion of the origins of the *comune rurale* with which we are not here concerned. It is at least evident that, in Italy as in Europe generally, there had been quite formless associations of sharers in the common lands, which may go back to pre-Roman times, and which were supervised more or less actively by those organs of the state which later were feudalised. In the period after A.D. 1000 their members, often led by the small local nobility, learnt how to acquire greater and greater liberties from the *dominus loci*. Their elected Consuls, and later the Podestá, acquired together with administrative functions the lower justice which the *rustici* often bought from their lords. Higher administration and justice mostly fell, in course of time, to the cities, either by conquest or by treaty with the *domini*.

The inhabitants of a *castello* were normally divided into *milites* and *pedites*, or in some places just *maiores* and *minores*. The line of cleavage was the military service of the *milites*, who served on horseback, and the privileges that went with it. The *pedites* could be either free or dependent. Or it might be better to say that the majority were in some way or other dependent and at the same time from other points of view free. When Figline accepted the rule of Florence in 1198, and it was agreed that an unfree class, the *masnaderii*, should be exempt from the cattle tax, all the 148 *pedites* of Figline declared that they were *masnaderii*, and only those six who had concluded the treaty were obliged to confess themselves free. This and similar instances show that there was nothing terrible in unfreedom at that time. Even in the thirteenth century many people voluntarily chose a lord and became bound to the soil. Their class was in many places called that of *manentes*. They were personally bound to their lord, either by inheritance or by oath sworn to him, but in practice their position differed very little from that of the free farmers. For free and dependent alike, conditions were regulated by the custom of the place. On town territory, dependent tenures gradually disappeared during the thirteenth and fourteenth centuries. They only dragged on for another century in the little urbanised Friuli. There was actual legislation about it in only a few towns. Of these Bologna was the chief: in 1257 its commune freed all *servi, ancillae et homines de macinata*.[1] The interpretation of the phrase is not quite clear: perhaps it only applied to those unfree of body (*i schiavi*), possibly imported

[1] *Macinata=masnada*, the unfree *meynè* of the feudal lord that Bologna wished to discourage.

slaves. However that may be, unfreedom was definitely abolished at Bologna in 1304.

But most manumission was done by individual acts. Freedom at this date really meant no more than an eventual reduction of burdens, and so the dependent cultivator normally paid for it, unless he were set free as an act of piety. The peasant had no great objection to being obliged to stay on his land. What he most valued was the heritable right to its use. If he had wanted to leave it the owner would not have stood in his way; in fact the owner would probably have paid something to induce him to give it up. And we must bear in mind that the unfree peasant of the thirteenth century, even when he paid a high rent, was not the lowest man on the social ladder. He had his independent holding. How far the landless day-labourer or farm servant stood below the poorest tenant is strikingly shown in the customs of Anghiari in Tuscany. Anyone who worked for a fixed wage, in the fields or elsewhere, belonged to the *minores*; all other non-noble people to the *mediocres*. Anyone who dragged a nobleman by the hair was fined 60 *soldi*. For dragging a *mediocris* the fine was 40, but for one of the *minores* only 10. It was these same *minores* who were called later at Bologna the *malnutriti*.

In Italy there was no mass emancipation of peasants through migration to the towns. In most towns an immigrant had to wait ten years before becoming a burgess. Immigrants were not so much runaway 'villeins' as the richer farmers and those free landless labourers whose movements are so hard to follow. On the whole, in fact, the disappearance of unfreedom was a process of secondary importance in Italian agrarian history. It did not increase the mobility of labour, for the free cultivator was, economically if not legally, as much bound to the soil as the unfree. Much more important was the fact that in this same period long leasehold changed from a contractual into a possessory institution, and so became alienable.

The long lease—often recorded in a written document—had always been characteristic of Italy. It had many names, varying from district to district. The emphyteusis for three generations was widespread in what had been the Byzantine provinces. There the occupier of the land was often a dependant of the ruling classes who got a big holding for a modest rent. Actual leasing of small holdings to peasants took the form of the *livello*, often for twenty-nine years, but also for longer periods, up to sixty or sixty-two, or even in perpetuity. In Lombard territory the *livello* contract was universal both for large and small holdings. Both emphyteusis and *livello* tended to become hereditary. In the thirteenth century these two tenures coalesced into the system of hereditary farming. This medieval inheritance of contracts brought into being a peculiar duality of property rights. In the case of an

hereditary *livello*, the land could be treated either as the property of the lessor, who got rent for it, or as that of the tenant, who incurred a servitude in connection with it. Further, as the incoming tenant often paid a 'fine', the process could with difficulty be distinguished from a sale with servitude. The contracts often contain such significant terms as *venditio ad fictum* (rent), *venditio et investitura*, which suggest the ideas both of sale and of lease.

In fact the lessor had little enough chance of recovering disposal of the land. Even when the lessee could not pay his rent, custom often allowed him a long period of grace. The conditions of the rent contract were decisive for the way in which the tenant regarded and treated his land. Had the rent payments been high it would not have been difficult for the legal owner to retain control of the land. But as they were low in relation to the gross yield, the right to the lease became for the tenant a valuable property which he would not alienate without compensation. If the lessor was not prepared to pay something to recover control of his land, there were sure to be people very willing to take over the lease. To this the owner was not tempted to object; he merely tried to make as much as he could out of the transfer of tenancy.

And so there grew up by degrees free alienability of leased land. Our records reveal several stages in its development. The Bishop of Asti, for example, made a series of contracts with the inhabitants of his *castelli*. In 1112 he allowed them to sell only to his own people and demanded a quarter of the sale price. In the later twelfth century he allowed free sale among his own people but took a third on sales not to his *homines*. The purchaser had in every case to take over all the obligations of the seller. In 1210 at Vico, however, the Bishop permitted sale without any limitation or any payment.

Soon it became impossible to distinguish small owners from *libellarii*; for the 'allodial' peasant also often had obligations, though no doubt legally of a public character. In its *estimo* of 1235 Bologna described the fields not by the names of the nominal owners but by those of the leaseholders. And so a well-developed peasant proprietorship came into being. But this did not mean that large ownership had disappeared. At Orvieto, whose property taxation-list of 1299 has survived, well over half the land was in large estates. At the same time the dissolution by sale of the older ecclesiastical and feudal domains was creating new ones. At Mantua, Bologna, Milan and Florence, nobles, burgesses and monasteries built up new domains in this way.

In the South the course of events was different. Climatic conditions were unfavourable to intensive cultivation of small holdings. So the *latifundia* still predominated, though the small men here and there rented an additional acre or two from the great. The long summer heats

were against regular crop rotation: from time to time land was taken in from the grazing grounds for corn growing. Where cultivation was permanent, that is in market gardening, long leases are found. But none of this applies to Campania (the Terra di Lavoro), where conditions more nearly resembled those of the North.

This was the situation, in many ways a happy one, of the thirteenth century, when Italy as a whole showed an unusually high proportion of land cultivated by those who were virtually its owners; but it was not to endure for long. Rents were so high in the new era that even a small proprietor could draw an appreciable income by letting his land. He let it, however, not in the permanent fashion that we have been discussing but on short lease. By no means all leasing agreements had turned into practical ownership by the lease-holders. It has often been pointed out that in the thirteenth century long-term agreements contain low, often merely nominal, rents, while in short ones the rent is considerably higher; but this fact has not been satisfactorily explained. That these favourable contracts were of the nature of gifts or, if the entry fine was especially high, of sales has been rightly insisted on. Ecclesiastical institutions, who might not sell or give away, used such devices among others to reward services or win friends. The contracts might also cloak a kind of rent purchase, if the *libellarius* sold the land to the lessor with the intention of getting it back at once by *livello*. In this case obviously the rent need have no relation to the value of the land but only to the purchase price. Such proceedings are found so early as the ninth century near Siena, and in the twelfth near Milan.

A contract of this kind would evidently be made as long as possible to give value to the concession or gift. And no lessee would abandon such an arrangement. So the number of perpetual leases with low rents increased as time went on. On the other hand leases based on commercial considerations grew shorter. Beside the lease in perpetuity or for twenty-nine years, the short lease steadily gains ground. Such leases may be given by out and out owners, by holders of emphyteuses, or by *libellarii* with low rents. But the conditions varied greatly at different times. In the period before A.D. 1000 large estates contained much demesne, cultivated by fed slaves, *prebendarii*, or by the services of peasant tenants. At that time these services appear prominently in the contracts. They often ran to three, sometimes even five, days a week. Yet some contemporary agreements mention none at all. Apart from services, tenants owed all sorts of dues in money and kind—wine, corn, olives, oil, often swine and capons. An episcopal document of A.D. 777 from Lucca mentions, for example, the following: two weeks' work a month, one third of the spring crops,[1] three jars of wine and a pig. So

[1] The probable meaning of a rather obscure reference to the spring sowings.

besides the fixed services there were such shares in the crops. They varied amazingly, but from a quarter to a third might be treated as normal—in a commercial contract.

Every combination of services, fixed dues, and shares of the crops could be illustrated with ease from the twelfth and thirteenth centuries. Torelli has studied a mass of contracts from the country about Mantua. His conclusion is that the normal standard payment was fixed in corn. Near the town the rate was 3 *staia* per *biolcha*, farther out 1–1½ *staia*, whether the land was arable or vineyard. He reckons that 1–1½ *staia* equal from a quarter to a third of the average yield. Towards the end of the century, however, share-tenancy was giving way more and more to fixed money rents; and the last of the services and feudal dues were vanishing. Torelli claims to have demonstrated that share-tenancy held its own better than tenure by fixed rent against the peasants' attempts to escape from their obligations. In Bologna the giving of land to peasants for a fixed rent, *fictum*, was actually forbidden in 1376, because the peasants' attempts to get share-tenancy replaced by it 'might bring no small injury to proprietors'.

One thing was common to all these various types of lease: the lessor did nothing more than provide the land and perhaps also a house. But very early we find examples of a type which was to be of the utmost importance in the future—*mezzadria*. We call it a type of lease because that is what it was in the beginning. When fully developed it can just as well be treated as a wage or an association contract, and it is this association aspect which is most emphasised in discussing its principles to-day. Its name implies the division of the harvest into two equal parts. The high share that the lessee has to concede is rendered possible by the acceptance of certain obligations by the lessor. Scattered examples are found early. A rustic priest near Siena leased in A.D. 821 a holding with buildings, vineyard and arable, wood and meadow. He contributed an ox and promised half the seed-corn. The lessee had to give half the crop and half of what the ox brought in to him. The lessor could not denounce the contract. In A.D. 850 the Abbot of Farfa leased a piece of land for three generations. The monastery supplied half the seed-corn and got half of the crop.

In an age when yields in proportion to sowings were much less than they now are, the supply of seed-corn was certainly of great importance. Still more important was the ox: in one contract of A.D. 818 the lessee agrees to work a quarter of a week for his land, but if a yoke of oxen is supplied he will make it half a week.

The owner's new obligations gave him a new relationship to the tenant. The man who helps to supply the corn can help to decide the crop. If you furnish the cattle you have an interest in their management.

And so in course of time the direction of farming operations passed to the owner. In some Sienese *mezzadria* contracts of 1221 even the supply of manure is dealt with; and the owner has a say in its use. It is interesting to note that in these contracts houses are not mentioned; and in many similar contracts from Cortona of 1272–1278 a house is only very seldom let with the land. The normal conditions of Italian settlement explain this: a man had his house in the town or townlike village, not somewhere among his fields. For that reason, the peasant homestead, as understood north of the Alps, developed very slowly. The cultivator rented or bought land in proportion to the number of his family. After a few years the size of his holding might be completely different. This variability of the agrarian unit is peculiar to Italy.

About Bologna, however, in 1264–9 more houses are found outside the town. And two Bolognese contracts from those years contain new conditions which give still greater authority to the owner. He decides when and where and how much the land shall be manured. The tenants must grow flax when he requires it, though the owner it is true must get his part of the field tilled for the crop. He can also require the tenant to grow beans. The necessary work to be done by the tenant was precisely laid down. Yet the owner supplied neither seed-corn nor cattle. Still further control is revealed in a Sienese contract of 1331: the tenant is required to live in a house on the estate, not to work outside of it, and to keep a farm-servant. However, sometimes the owner bore a part of the expenses of harvest; and there are instances from Naples of this help being paid with half the crop, and of his getting only a fifth if he did not furnish it.

In the earlier *mezzadria* system the duration of the contract was of no great importance. Even in the thirteenth century the unlimited contract was still quite common. But some contemporary agreements were much shorter. Three years is the shortest; ten years the most usual. But too great stress should not be laid on the stated duration. The agreement was generally renewed, just as it is to-day, and, on the other hand, there grew up gradually a right of either party to denounce it, Michaelmas being the date for such determinations of contracts.

Mezzadria spread more and more during the later Middle Ages. At Cortona in 1260 the old fixed tenure was still the more frequent, but *mezzadria* dominated later. At Asciano near Siena there were only a few *mezzadri* in the thirteenth century; but in 1465 it was said of one village that it contained no single proprietor but only tenants and *mezzadri*. This supremacy of *mezzadria* was connected with a regrouping of the population which has still to be described.

IV. *Small and Large Holdings*

There can be no doubt that in thirteenth-century Italy the peasant economy was normal. The disappearance of *terra dominica* can be inferred from that general vanishing of services which is to be observed shortly after 1200. New agreements hardly ever mention them. The *terra dominica* itself was mostly let in small parcels. The situation in the Sabine *castello* of Roviano in 1268 is typical: the inhabitants paid for their land a quarter of the harvest and the *demainum* was let for a half—incidentally a striking illustration of the difference between the hereditary lease and the commercial lease.

A theoretical, purely theoretical, standard peasant holding was a *mansus* of some 25 acres. Whatever its size, it was always composed of a variety of fragments, brought together by purchase or renting, and held on the most varied terms. Near Mantua a single field of more than $7\frac{1}{2}$ acres was exceptional. One peasant there rented eight fields; another at Piacenza a homestead and twenty-four. Holdings were by no means always capable of being worked by a single tenant. Relatives often lived together and contracts are often made jointly in two names. At Florence in 1348 two men and a woman are treated as the normal labour-force of a holding (*Statutum Bladi*, § 145). That implies a hired farm-servant. It is by no means an isolated instance. In Piedmont farm-servants were called *masnengi*, in Latin *famuli*. Formal wage contracts were made with them, breach of which was punishable. Near Bologna the servants got board, lodging, clothing and from 2 to 9 silver *librae* a year.

But for harvesting and threshing their labour was not enough. Casual labour from the neighbourhood was then taken on for three or four days at a time. Townspeople also went on to the land, for wages were good—at Bologna 6–7 silver *soldi* a day in 1380, that is one-fiftieth of the price of an ox. And the great differences of elevation in Italy enabled country folk from the higher villages to earn money as migratory labourers before their own harvests were ripe. We meet such migrants at Cave, south-east of Rome, at Viterbo and in Piedmont, where they entered into regular harvesting contracts.

Peasants' houses, both in *castelli* and villages, were often made of wood in the earlier centuries. But in our period stone was more and more used, for forests were disappearing. Yet even in 1387 the houses on the Bolognese plain were largely built of wood, and all were thatched. The Piedmontese house had one or two rooms. There was often an outhouse where tools and implements were kept. In inventories of peasants' goods and in the *estimi* (valuations for taxation) barns often occur, stalls

for cattle very seldom. Presumably they were made of wicker-work and treated as valueless, or the cattle were stalled in the house. Besides the house, which the peasant usually inherited or rented, and the land, the only necessary capital was in implements and cattle. A few inventories deal with the implements, but only with the valuable metal ones. The chief of these, after the ploughs, are mattocks of various types—for more superficial or more thorough work. In reaping the sickle was used. Carts with or without iron tyres are rare; even manure was carried on mule- or ox-back at Siena and elsewhere. Besides the agricultural implements, those for carpenters' and weavers' work were often to be found. A mattock at the end of the fourteenth century at Bologna cost 18–20 *soldi*, or, say, one-sixteenth of the price of an ox. A yoke of oxen cost from 20–50 silver *librae*, a sum for which you could also buy a peasant homestead.

The high value of working cattle explains the frequency of the *soccida*, cattle-hiring. The lessor at Bologna, often a merchant, must have done good business, for the profits were extraordinarily high. This all points to that lack of capital among small cultivators which hindered them from rearing or buying cattle. The lack also accounts for the *mezzadria* system itself.

That the demesne should be let to tenants was not an absolute necessity. After services had disappeared it might have been worked by hired labour; and there were instances of this. Among ecclesiastical proprietors the Cistercians in particular had at one time extensive demesnes cultivated by lay brothers (*conversi*) and farm-servants. Their centres were granges with cottages for the labourers, and sheds. Chiaravalle near Milan ran a grange, sometimes with tenants, but sometimes apparently with direct labour in this fashion. The textbook of agriculture which the Bolognese jurist Petrus de Crescentiis completed in 1305 had such large exploitations in view. Unfortunately he neglects the economic side of the problem: the classical sources on which he mainly relied did not help him there. So we learn nothing whatever about the labour system. But he does say a good deal about the estate buildings, and as Palladius and his other classical authorities do not say much, what he tells us must be at first-hand. His ideal villa, if not situated in a town or *castello*, should if possible be fortified; at least it should have a tower of refuge. But often it stands on the open plain. A road divides the buildings—on one side the tiled 'manor house' and the garden, on the other the labourers' houses and the stables. If the owner is non-resident, his agent lives in the 'manor house'. Peter's hardly attainable ideal was to have the whole estate continuous. Evidently that was what monasteries and other large owners aimed at. Peter himself owned separate fields of from about $2\frac{1}{2}$ to about 23 acres

in extent near his country house. But what he tells us shows that he managed to round off the estate somewhat: the area of contiguous fields grew with time. But as a rule large estates were very far from continuous: Torelli speaks even of their 'pulverisation' near Mantua in the thirteenth century. One family there had 125 acres in ninety separate bits. But there were also fields of as much as 100 acres, and actually one of 450.

We cannot estimate the agricultural yields in any general way. Torelli reckons that near Mantua the yield was 5–6 *staia* of wheat per *biolcha*, which is less than 7 bushels to the acre. In 1879, before modern agricultural methods had been adopted, it was nearly 14 bushels. To-day it is from 27 to 33 bushels. But these figures are not decisive. It is more important to know yields in relation to labour expended and to the standard of living of the period. For that we can refer to *mezzadria*, which in central and late medieval times was as common as it is to-day. If peasants were ready to surrender half the crop, the yield must have been satisfactory in relation to the area at their disposal and the claims of those who did the actual work.

V. *The Branches of Agriculture*

Medieval Italian agriculture was much less specialised than it is to-day. The peasant's natural tendency to grow everything that his household consumes was strengthened by the high costs of carriage. So we find in many places cultures now abandoned such as the olive in Piedmont and the once famous wine of Melfi in Basilicata. Some crops were raised in Italy which have now disappeared or are quite unimportant—cotton and sugar cane in Sicily and South Italy and saffron, an article of export from Aquila in the Abruzzi from the fourteenth century, and in the thirteenth grown in the Tuscan hills, in the Marches and in Piedmont. But although there was a common basis of agriculture everywhere, most parts of Italy had some speciality that was produced for export. This is truest of the corn-growing of Apulia and Sicily, regions which, with extensive agriculture, raised far more corn than their thin populations consumed. We are specially well informed about Apulia, because the kings of Naples levied an export duty nearly equal to the internal price; and the duty and the export licences connected with it were the foundations of their financial dealings with Florentine banking houses. In 1310 the export of 135,000 loads (*salme*) was sanctioned, and next year 60,000 more. On 7 June 1320, the Vicar-General of the Kingdom granted the societies of the Peruzzi, Bardi and Acciaiuoli 120,000 *salme*, to be exported from Apulia by the end of November. It is doubtful whether all this came from a single year's harvest; at least we hear of no

export in the previous year. But the export of 144,000 more loads was sanctioned in 1321 and another 10,000 on 11 February 1322—all from Apulia. Yet the concession to the societies on 10 April 1322 of 119,000 loads from Apulia, 1500 from the Abruzzi, 5000 from Calabria, and 5000 from the district about Naples was clearly more than those regions could supply. By 26 January 1325 these export figures had not been reached, and in 1323 the *popolari* in Barletta had rioted against the export. Finally, in 1326 the societies were allowed to export 110,000 *salme* a year for five years. It is not quite easy to relate these licences to the actual exports. They may be maxima for good harvest years. When the harvest failed in 1328–9 there was no thought of such huge figures. So perhaps we may estimate Apulia's surplus for export in a good year at 100,000 *salme*, that is some 86,000 quarters, perhaps enough to feed 100,000 men.

About Sicily we are less well informed. But we know that Florence and Venice imported grain from Palermo; and the various measures given by Pegolotti imply a corn export in all directions.

In North Italy, as we shall see, corn export was at best only tolerated and usually forbidden; so there was no prospect of large-scale local specialisation. Yet the region of Siena seems to have had a surplus on which Florence drew. We also hear of corn transport to Florence from Romagna; but this may be corn from overseas, and it came only in emergencies. Wine was often made for export in the North. We hear of it from all sorts of places—Piedmont, Bassano on the Venetian *terra firma*, and so on. But even of wine the South seems to have had a greater surplus. It sent its *vino greco* to the North and also to the Levant Pegolotti mentions wine export from the Marches to Cyprus; and wine from Patti in Sicily was shipped to Constantinople. Olive oil too was produced for the market. With corn and wine it was an Apulian export: it was mostly produced near Bari. The Gaeta district also had a surplus, and it was possible to ship oil to Constantinople from Venice and the Marches.

Among textile raw materials flax and hemp deserve mention. Both were grown everywhere for local use, but more flax than was needed locally was grown about Naples, and also about Milan. Similarly the neighbourhood of Bologna raised a great deal of hemp.

The products of cattle rearing came to market primarily from the Abruzzi and Apulia, whose grazing system has already been mentioned. Sicily and Sardinia also sent cheeses to the cities of the mainland. But it is typical of the uniformity of medieval agriculture that sheep were kept quite normally even on the intensively cultivated plain of the Po, where to-day they are no longer found. This summary account bears out broadly the contention that there was little agricultural speciali-

sation; even if not all of the cultivator's produce found consumers in his own neighbourhood, yet all varieties of it entered into his export. Apulia exported wine and oil and cheese as well as corn.

It would be most interesting to know the acreage occupied by the various crops. So far that has only been ascertained for the country round Mantua. There, in the thirteenth century, some 9000 acres were divided in this way: 5500 were arable and pasture; 2500 were vineyard mixed with crops—corn was grown between the vine stocks just as it is to-day; 500 acres had vines only; and 500 were woodland. More vines than the average were grown close to the town: 35% of the area there was vineyard, and 25% vines mixed with crops; whilst further from it corn-growing dominated.

VI. *Marketing Organisation*

Besides the great cities with something like 100,000 inhabitants, there were in North Italy many medium-sized towns of 20–40,000, like Siena or Modena. Although an important part of the population supplied their own needs by actually tilling the land or receiving its crops as rent, a wide and receptive market for agricultural produce remained. A Florentine corn-merchant of the fourteenth century, Domenicho Lenzi, was of opinion that Florentine territory could supply the town's needs for only five months of the year. The rest had to be imported. Food prices in Florence were the highest in all Italy. In the South, where towns were small and corn prices depressed by the unduly high export duties, the position of the agricultural producer was correspondingly unfavourable. In 1336, local corn-merchants in Manfredonia and Bari sold at a figure less than the export duty. And to find what the grower got, we should have to deduct their profits and the cost of transport to the port of sale and shipment.

There is a yawning gulf, at many points, in our knowledge of agriculture between Columella and modern times; it is widest when we come to the business side and the connection of agricultural units with the market. Even Carli's new work on medieval Italian markets has not altered the situation. Above all we lack published account books of merchants who dealt with the peasants. So not much can be said here. Carli was struck with the great number of small markets before and in early communal times. His explanation of this fact is that the inhabitants of the smallest districts, the *curtes*, traded among themselves in these markets and exchanged their produce for that of local craftsmen. But what would peasants have to exchange with one another when each grew all that he required? There cannot have been much price determination and market sale in his dealings with smith or carpenter: it must

have been a case of making to order, or peddling. Unless these market charters met no real need—and no doubt that was often the fact—the local markets must have served a different end. What that end was it would be easier to guess if we knew in what sized places and how often markets were held, and for what district each market was of decisive importance. In spite of these gaps in our knowledge, the hypothesis may be ventured that these local markets furnished from the start the main opportunity for exchange between peasants and townsmen. Our documents prove that right through the Middle Ages a large proportion of the peasantry had money enough to be able to pay rent in it. As the greater towns grew by foreign trade and by industry, the countryman's chances of disposing of his produce grew equally. But we can hardly suppose that people from remote districts were regular attendants at the markets of such towns. Some local ordinances contain a rule that such and such foodstuffs may not be engrossed within a given area, which implies that the countrymen of that area will keep the market supplied. For example, fruit-sellers at Viterbo may not buy within a 4-mile (6-kilometre) radius; and the purchase of working oxen on market day was forbidden to dealers within a 12-mile radius. At Pisa the forbidden radius for pig-buying was 3 miles. Similar rules are found in other places and give us an idea of the working area of city markets. Country people living farther afield must usually have been obliged to rely on the markets of *castelli* or villages where they could meet cattle, corn, wine and oil dealers and could buy what goods they required.

We know a great deal about Italian long-distance trade but just as little about these humble transactions, which we can only watch occasionally. The Bardi in 1336 did not buy their corn in little Apulian places but *a diversis personis* in Manfredonia and Bari, one of whom came from Ravello in Campania. In 1290 two dealers in Castelfiorentino, south-west of Florence, went bankrupt. They had long had a shop in the *castello* and dealt in wool, saffron, hides and many other things. Finally they bought on credit crocus (saffron) for which they could not pay from—among others—a man of Tresanti, 6 kilometres east of Castelfiorentino. This firm kept a *liber rationum* and took credit against a mere entry in this book. Probably a great part of the trade with the country people was conducted by means of such entries of receipt and delivery of goods.

When the Centro in Florence was being pulled down a letter was found in a wall written by a servant of the Davanzati from Coiano in Valdelsa. His business was to buy wine, oil and corn. The wine he had bought in small lots from the *lavoratori*, small tenants, in San Miniato. He could only get at them on Sundays, the market day presumably, as in so many parts of Italy it still is. That Florentines went to the *castelli*

to buy corn is proved by an official act of 1280. Notaries were sent to the markets of Empoli, Borgo San Lorenzo, Marcialla and Figline to compel people who bought corn there to offer it for sale in the corn market of Florence at Or San Michele. These places would seem to have been the chief markets at the four points of the compass about Florence. At Viterbo the ordinances expressly allowed burgesses to buy corn in the *castelli* to take to Florence, but it might not be sold to 'foreigners'.

What effect can such market sales have had on rural economy? Besides providing cash for dues of one kind or another, they helped the peasant to buy his salt, his wood and such articles as could not be made at home. Apparently in the earlier times handicraft did not flourish much in rural districts. Palmieri, who has studied the situation in the hill country of Bologna, finds smiths commonest in the *estimi* of the fifteenth century. In 1475 he finds tailors. In the thirteenth century there were smiths in Passignano near Florence and the monastery there had a shoemaker's shop in 1219. A village near Pisa in 1233, among its fifty-five residents, contained a smith, a baker and two shoemakers. But in Italy where does town end and country begin? In the bigger *castelli* and agricultural towns there were plenty of craftsmen. Small towns in the Marches had gilds with political importance before 1250, which implies a well-developed craft life. Castelfigline in the valley of the Arno had a tailors' gild in 1233: its ordinances still exist. Tailors there did small-scale buying for the cloth merchants. It was the same in other places.

Finally, it must not be forgotten that the countryman sold the produce of his household's by-industries. About Florence in particular the village women span yarn for the clothmakers of the town.

VII. *Economic Policy of the Towns*

Nothing affected agriculture more decisively than urban economic policy. Every town government, whether dominated or not by the *popolari*, was bound to do what it could to keep landless townsmen contented by keeping down the price of food. There are two classes of policy to be considered. First export prohibition, applied thoroughly to corn. We have seen that this prohibition, by making corn-growing less profitable, by no means tended to keep prices permanently low. Sometimes it was applied to other things—to oil for example at Bassano, with the result that olive-growing developed late. At Montiglio in Piedmont there was a prohibition of the export of wine. But the larger communes were not content with this rather passive policy; they undertook the import of corn, often at great cost. Florence did, for one. The effect can be seen in the Florentine corn-price curves which Dom Lenzi has studied thoroughly for the second and third decades of

the fourteenth century. In spite of all the efforts of the commune there were considerable fluctuations: in 1320 between 9¼ and 12 *soldi* per *staio*, and in 1311 between 14 and 17½. In the years 1316–19, however, if account is taken of changes in the value of money, August prices varied only in the ratios of 100 : 108 : 119 : 90. In view of the heavy requirements this last record is remarkably favourable. During the next decade, however, we get the famine price of 50 *soldi* on 7 June 1329, while in the following April the commune itself was paying 38 *soldi*. It was only in 1331 that the price got back to the normal 10½. In the previous years crop failure had been so general that no export licences from Apulia were to be had after 1327.

It is very hard indeed to interpret the repeated attempts to encourage wine-growing and market-gardening. The ordinances of Padua, for example, prescribe that one-twentieth part of every man's land shall be in vines. In Monterappoli in Valdelsa, in 1395, every man above the age of fifteen must dig in April a garden of one-sixth of a *staio* and must sow in at least cabbages, garlic, onions and *minuto*. Other clauses of the same ordinance require every owner or tenant who has a head of cattle to plant eight fruit trees yearly and sow a certain part of his land with beans. In Sambuca, in 1291, there must be a garden for every hearth. And very many more such rules could be quoted. Are we to conclude that these cultures which required more labour, but brought in better returns, were not so common as seemed desirable to the urban consumer? Or were progressive cultivators in little places like Monterappoli and Sambuca trying to force progress on their neighbours?

All the ordinances give much space to police measures. As the fields lay far from towns or villages there was plenty of theft. There were special crop watchers, but there was always a risk of raids on the ripening crops. To prevent this the vintage had always to begin in every vineyard on the same day. Grapes might not be moved by night; beasts might not graze in a vineyard before vintage; and so on. Attempts were even made to prevent any free movement in the fields.

The ordinances also reflect the employers' point of view. Labourers are often forbidden to work for 'foreigners', which no doubt generally meant that they could only rent land from inhabitants of the district. At Viterbo not only were people forbidden to go 'abroad' to thresh, but 'foreign' harvesters who came into town territory had to stay there. Similarly at Civitavecchia the creation of labour gangs for work elsewhere was forbidden. At Sambuca the right to seek work outside the district was limited. It must however be admitted that opposite points of view are to be found. Piedmontese ordinances often forbid the letting of land to 'foreigners' and punish breaches of contracts with farm-servants.

A very common type of ordinance was intended to guarantee that townsmen's land should not lack tenants. If no tenant came forward—who would take the land on the usual local conditions, of course—either because some great man stood in the way or because the countrymen were carrying on a boycott, the law of many towns required the rural commune to become tenant of the land. The Florentines after the Black Death thought the need for tenants so much more important than the need for labourers, that they ordered all married men who had no land to rent it and not work for wages. A wage tax was also laid on day labourers, and such taxes were found in many other places. The towns also did their best to assure good cultivation of their citizens' land. At Ravenna tenants were forbidden to till their own land, or that rented from non-citizens before that of a citizen. Three ploughings before sowing and the covering of sown seed with the plough were often obligatory on rented land. Similar rules were laid down for rented vineyards and the like. The town ordinances dealing with such matters often reproduce the conditions of the *mezzadria* contracts. Finally, the occasional stipulations intended to guarantee the quality of wine sold for export deserve mention. They have the same object as the rules of craft gilds about materials and workmanship.

VIII. *The Townsmen and Agriculture*

The keen interest taken by urban authorities in agriculture and the fortunes of rural employers of labour suggests important and extensive landownership by townsmen. In fact there are many literary references to that economic conquest of the countryside which is said to have accompanied political conquest. Enriched by trade, we are told, burgesses had invested in land, and by moneylending had acquired it from nobles, monasteries and peasants. On the other hand Plesner has recently shown that in two Florentine rural communes the course of events was quite different. True, about the year 1300, the land was mostly in the hands of townsmen, either owned absolutely or held by hereditary rent. But this had come about because, in the course of the thirteenth century, the more important proprietors had moved into Florence and become notaries, merchants, craftsmen, without relinquishing their land in their old homes. They had already added to it by purchase. This demonstration of the relations between town and country in certain instances is bound to affect markedly the opinions of historians about Italian urban life.

But how general was such a course of events? Only research into the history of as many towns as possible, in all sorts of various environ-

ments, can give the answer. So far little enough has been done, and here only a few suggestions can be offered. Lopez has shown from two collections of notaries' documents that at Genoa, in the middle of the thirteenth century, there was a conspicuous division between trade and landownership. Landowners were not in the habit of putting money into *commenda* ventures and the merchants had not much land. On the other hand, Giacomo Vigno, banker and merchant of Chieri, had at his death, besides money due to him in the town and district, numerous fields and meadows scattered all over this territory. Similarly Petrus de Crescentiis had bought his land himself, apart from his wife's dower land; and other instances of the same kind could be quoted from Florence, Venice and Siena.

It would appear therefore that in relation to the land the Italian burgesses must be placed in several groups. First, those who lived in the towns but themselves cultivated fields in their vicinity. These would mostly be not true peasants but craftsmen and others who got their food supplies in this way. If a holding of 25 acres could both support the tenant's family and at the same time pay away a considerable share of the produce as rent, a true owner could do with much less. In fact most owners in Chieri had less than $9\frac{1}{2}$ acres. Divided into holdings averaging $12\frac{1}{2}$ acres, the area that was cultivated from the town would have supported perhaps a thousand families. And that is more than half the population. There was very little renting in this suburban zone; those who did not work themselves hired a farm-servant who worked under their direct control.

That was not a possible arrangement where the fields were more remote. So people who migrated from the *castelli* to the great towns had to let their land. The favourite method in the places studied by Plesner—Giogole and Passignano, the first about 7 and the second about 33 kilometres from Florence—was *mezzadria*. It is a tenure which assumes close relations between the owner and his land, as we have seen. The owner provides seed, perhaps cattle; he has a voice in determining the crops and as harvest approaches he is warned to come out or send an agent to supervise it. So this tenure best suits owners in the towns who have either recently left the country or who have so much landed property that its management is more than a casual occupation. Some people—newly enrolled burgesses in Pisa and Padua—if they wanted to pay taxes as townsmen, not as *contadini*, were only allowed to go to their villages in harvest time to supervise their land.

Finally, a third group was composed of those townsmen who regarded land as an investment and built up big estates which eventually, like Petrus de Crescentiis, they managed themselves, or entrusted to an agent, or let out to tenants. The relative importance of these different

groups needs further enquiry before a satisfactory opinion on the relations of town and country in the communes can be ventured.

In any case, in the smaller towns, those people who drew a considerable part of their maintenance from agriculture must have been a very important element from the first. The existence of this stratum, and the political dominance of the burgess over the peasant, are the facts that determined the close interconnection of town and country. And, all things considered, it was precisely that interconnection which differentiated the agrarian conditions of Italy from those of Central Europe at the height of the Middle Ages.

Medieval Agrarian Society in its Prime

§ 3. Spain

I. *Geographical Conditions*

A glance at the topographical and meteorological characteristics of the Iberian Peninsula is the first prerequisite of the study of Spanish economic history. The contrasts of topography, climate, moisture, soil, and other physical features for a country occupying less than 200,000 square miles are indeed sharp. From the lofty Pyrenees, which fall a little short of preventing land communication with France, to the Sierra Nevada on the south, high altitudes prevail, the mean elevation of Spain exceeding that of any European country except Switzerland. Most of the interior forms a high, rugged plateau, or *meseta*, which is subdivided by numerous mountain chains. Between the ranges, which generally run from east to west, lie the valleys of the five principal rivers. The Guadalquivir has always been navigable as far as Seville and the Ebro carried some commerce in the Middle Ages; as a rule, however, the river currents are too swift and the water supply too uncertain for the development of inland waterways. Torrential rains, which often follow long periods of drought, and rapid evaporation from excessive temperatures aggravate the problem of water utilisation in the central region.

Leaving the arid *meseta*, one may descend easily to the fertile Andalusian plain where fairly abundant moisture is counterbalanced by intense summer heat. Access to the Biscayan coastal plain is blocked by the Cantabrian cordillera extending from the Pyrenees to the westernmost coast of Spain. Similarly, the highlands of Aragon impede communication between Castile and the Mediterranean shores, except through the valley of the Ebro. Galicia, in the extreme north-west, and the Mediterranean regions generally enjoy an equable climate, but the Castilian *meseta* and the uplands of Aragon are very cold in winter and extremely hot in summer. Rainfall in the north and west is abundant, Santiago's mean annual rainfall of over 64 inches being the maximum in Spain; on the other hand, parts of the south-east have an annual precipitation of less than 8 inches.

Geographic variety, producing diverse modes of agricultural and pastoral life, and the isolation resulting from the natural barriers to interregional commerce largely account for the exaggerated separatism of Iberian peoples. The history of Spain, like that of Germany down to the nineteenth century, 'may be summed up in the one word *Particularismus*'.[1] Portugal, severed politically from Castile in the twelfth

[1] R. B. Merriman, *The Rise of the Spanish Empire*, I, p. 35.

century, possessed no racial, cultural, economic, or physical differences which were not equalled by many regions of the peninsula held within the orbit of Castilian or Aragonese suzerainty throughout the medieval period. The pronounced differentiation of social phenomena arising from isolation and separatism presents a serious obstacle to a comprehensive survey of Spanish agrarian conditions. No problem better illustrates the pitfalls of generalization than the thorny question of feudalism.

II. *Social Conditions and Tenures*

Older writers, undertaking works of synthesis upon a meagre basis of fact, reached diametrically opposite conclusions as to the existence of a Spanish feudal system. In recent times, a few scholars have produced material from the archives supporting the thesis that full-fledged feudal regimes flourished in Roussillon and Catalonia—regions essentially Frankish during the era of reconquest. As for the rest of Spain, the safest conclusion seems to be that it possessed 'much feudalism but no feudal system.' The publication of a vast number of documents and a few monographs on regional and local history has initiated a complete re-examination of the question as it applies to Castile, and one may hope that interest in the subject has sufficient vitality to survive contemporary tragedies.

The study of feudalism is important for economic history in so far as it throws light on the condition of the rural population. Unfortunately, the study of the character, efficiency, and well-being of agricultural labourers has interested few investigators. Information on these topics appears as by-products of work primarily concerned with medieval property rights, land tenure, and legal institutions.

The various arrangements for appropriating land and natural resources in Spain were in part products of the country's unique role in making Europe safe for Christianity. Iberia, except for a somewhat indefinite area in the mountains of Asturias, was overrun by the Moslem invaders during the eighth century. The Reconquest, which before the end of the thirteenth century restored nine-tenths of the peninsula to Christian rule, created the necessity of resettling and defending a vast area and reorganising land and labour for the sake of production. Although a significant portion of the land remained continuously in control of the royal family, the crown seldom possessed sufficient power to retain effective jurisdiction throughout the realms carved out of conquered territory. Willingly and unwillingly, medieval sovereigns surrendered titles and economic interests in land to those on whom they depended for military services and for the financial means of waging

war. For all practical purposes only two classes, the nobility (in part, of course, a creature of the Reconquest) and the clergy, were in a position to benefit permanently from these circumstances. Attacking the abuses of entail and mortmain, many kings attempted to limit the accumulation of real property in the hands of the lords, lay and ecclesiastical. Their success was slight. Feudal or non-feudal, an oligarchy of counts and dukes, prelates and religious corporations, acquired claims of one sort or another to most of the land: they were the landlords of medieval Spain. Slaves, serfs, tenant farmers, and wage earners formed the backbone of the agricultural labour supply.

It is impossible to ascertain what proportion of the rural population was genuinely enslaved. The Reconquest did much to swell the ranks of Moorish slaves in Christian Spain and of Christian slaves in Moslem territory. An active market for slaves of all races and creeds existed in Catalonia, where in the fifteenth century the provincial government, alleging a serious shortage of labour, undertook to insure slave owners against loss from the desertion of their human chattels. Slaves worked the estates of some monasteries and the ownership of a slave or two was a frequent luxury in the higher clerical ranks; but from the seventh century the Church often lauded manumission, forbade the sale of Christian slaves, and inveighed against the cruel treatment of bondsmen, doubtless achieving in some degree the amelioration of their condition. In any case, it seems likely that slaves were more important as personal servants than as field workers. The great mass of rural society enjoyed an economic, social, and legal status somewhat better than that of slaves, somewhat worse, in most instances, than that of a free landed peasantry.

The Reconquest did create, at least in Castile, a large class of cultivators who owned the land they cultivated. For more than a century the frontier between Christian and Moslem Spain was a broad expanse of sparsely settled or uninhabited territory which could be colonized only by offering land on most advantageous terms. In this area the free peasant farmer, owner of a small acreage, was the typical settler during the ninth and tenth centuries. Subsequently, both the legal and the economic status of the Castilian peasant-owner changed for the worse. Because of actual need, during long decades of dynastic and baronial warfare, or as a result of the violence and intimidation of the upper classes, most peasant-proprietors faced the necessity of buying 'protection' from the prince or a count, an abbot or a bishop. The price of this service was the mortgaging of the peasant's land, the outright cession of at least a part of his real property, the payment of annuities out of the fruits of the land, or some other economic obligation in token of his acceptance of a superior's patronage. Thus arose the *benefactorias* (later known as *behetrías*) of Asturias, Castile, and Leon, a form of

personal and economic subordination not unlike the Roman *commendatio.*

The fourteenth-century *Becerro*, or 'Celebrated Book of the *Behetrías* of Castile', catalogues over six hundred villages whose residents had individually or collectively accepted this form of patronage and records in detail the taxes (*derechos del rey*) and the seigniorial dues (*derechos del señor*) required of each farmer. Peasants of this category retained their personal freedom as well as limited rights to dispose of their land. (A peasant on a given *behetría* could not, for instance, convey his real property to a person under the jurisdiction of another lord.) Most of the evidence supports the conclusion that an increasing burden of dues, perhaps reaching its apogee in the fourteenth century, had the effect of absorbing the full economic rent of the peasant's land. Thus, except for security of tenure, ownership frequently amounted to little more than a legal fiction. Economically considered, many tenant farmers were better off than some of the supposed peasant-proprietors of the fourteenth-century *behetrías.*[1]

Although nuclei of unencumbered farms operated by peasant-owners may have flourished continuously, tenantry under one guise or another was certainly the predominant characteristic of land tenure in medieval Spain. The variety of contractual and customary obligations undertaken by tenant cultivators was almost infinite. The serfs (*payeses de remensa*) of Catalonia paid as ground rent either a fixed payment in kind (*census*) or a certain percentage of the crops. In the latter case, payments ranged from one-eleventh to one-half of the principal products, shares of one-quarter and one-fifth having been common rents for vineyards and olive groves. In twelfth-century Aragon, vineyards were commonly rented for one-third of the wine produced; in Aragon and Navarre the *exaricos* (non-Christian farmers who were not expelled by the Reconquest) continued the Moorish practice of paying quit-rents of one-fifth of the crop. Wheat, barley, and wine were by far the most common produce-rents on the estates listed in the *Becerro*; money dues, though usually nominal in amount, are exceedingly common in this fourteenth-century record.

On the monastic estates (*abadengo*) of Sahagún the peasants paid rents of one-half the produce, while they bore only one-third the expenses of raising it. Data of this sort, however, are insufficient for estimating the probable net returns to the tenant farmer. Rents varied directly with

[1] Tenants on the lay estates (*solariego*) of Arroyo paid as *derechos de los señores*: 2 *almudes* (about ¼ bushel) of wheat, 2 *almudes* of barley, 1 hen, and 2½ *maravedís* in money. Equivalent dues on the *behetría* of Cileruelo were: 6 *almudes* of wheat, 12 *almudes* of barley, 1 hen, and 4 *maravedís*. Abundant data of this sort are found in the *Becerro.*

the number of oxen owned by the cultivator, presumably because the acreage worked varied correspondingly. Since custom was strong and the bargaining power of the peasant generally weak, other observed variations in rents and dues may not be explained wholly by differences in the physical condition of the land. Furthermore, low rents may have been combined with a long list of complementary labour services, some of which were not owed by tenants whose rents appear to be high.

In fact, it was the complicated and oftentimes arbitrary structure of the dues and personal services demanded of the peasant which contributed most to his semi-servile condition. Labour services were depended upon primarily for exploiting the demesne farm. Catalonian serfs generally devoted not more than six days a year to labour on the lord's land; a day a month appears to have been the maximum. But tenants of the Monastery of San Pedro de Cardeña (Burgos) worked the monks' farm twice a month, furnishing their own oxen; and once a year they hauled wine to the wine cellars and supplied the monastery with firewood. Boons of a day a month and even two days a month prevailed on some of the *behetrías* and *solariegos* of Castile. More important perhaps, in Spain as elsewhere, than the absolute amount of labour required was the fact that it was demanded when the peasant needed to attend to his own crops.

Other requirements besides boon work frequently prevented the peasant from taking care of his own fields to the best advantage. A typical charter granted to the town of Soria in 1256 established penalties for picking grapes before a certain day of the year; and farmers in Peñafiel could not begin to cut their grain until the church bell gave the signal for taxgatherers to occupy the fields and collect the tithes. Finally, when the farmer had harvested his crops, he was often required to submit to such 'bans' as those which forced him to grind his grain at the lord's mill or press his grapes in a monopolized wine-press. On the *abadengo* of Sahagún the monks forbade their tenants to have ovens in their cottages, lest they should neglect to use those of the monastery. When the friars wanted to sell their wine, no one else could offer wine for sale in the same market; when they wanted to buy products for the monastery, other potential buyers were similarly excluded from the market-place.

A characteristic of much non-slave labour in agriculture was the prohibition or severe limitation of its migration. Both the *payeses* of Catalonia and *solariegos* of Castile were generally regarded as perpetual tenants, bound to the soil by their tenure, like the *coloni* of Roman times, and their personal status was hereditary. Similarly, in Aragon and Navarre the Moorish farmers were bound as serfs (*exaricos* and *mezquinos*) to the land they formerly owned. A serf's lord changed with the alienation of the land; unlike slaves, however, such tenants

could not be dispossessed or disposed of independently of the land. Custom and law required the apprehension and return of those who abandoned their rural abodes and sanctioned the confiscation of property for attempted 'desertion'. Doubtless the narrow margin between subsistence needs and current production tended to impel the landlord to demand, and the peasant to accept, relative immobility. In the early centuries of the Middle Ages, 'the proprietor of the land has an interest in attaching the cultivator to it, and the latter, as long as he is not aroused by the prospect of a better opportunity, accepts a condition which with the passing of time and changing economic conditions must have seemed intolerable to him.'[1]

Much more difficult of explanation are the so-called 'evil customs' (*malos usos*) to which Catalonian serfs and other classes of peasants were subjected. In substance, the *malos usos* were contingent property rights executed by the lord upon the possessions of the tenant in the event, for instance, of intestacy.[2] Chief of the evil customs, *remensa personal* signified the obligation of the class of serfs known as *payeses de remensa* to purchase personal redemption as a condition of leaving the land. Although the price of freedom was in some cases insignificant—a pound of wax, for instance—the great majority of *payeses* could not anticipate the possibility of purchasing personal liberty in a lifetime of work.

Both humane and economic considerations played a part in the movement for abolition of the evil customs. Where the former factor prevailed, the customs were removed gratuitously; in other cases, they were done away with in exchange for the dependable revenue of fixed annual dues. Thus, in 1231 one peasant contracted to pay one-ninth of all the grain and vegetables he produced in return for complete exemption from the *malos usos*. It has been estimated that by 1395 not more than 20,000 Catalan families (chiefly tenants of ecclesiastical estates in northern Catalonia) were still subject to the customs. All of them were finally done away with by the 'Sentencia Arbitral de Guadalupe' (1486) which, however, 'did little more than crown and consummate a work of which the greater part had already been accomplished.'[3]

The disappearance of the *malos usos* and other improvements in the fortunes of the medieval peasant were fundamentally responses to economic changes that extended beyond the countryside. By far the most

[1] E. de Hinojosa, *El régimen señorial y la cuestión agraria en Cataluña*, p. 221.

[2] In addition to *remensa personal*, the six principal *malos usos* in Catalonia were *intestia* (the right of the lord to acquire from one-third to one-half the peasant's property if he died intestate); *exorquia* (the right to acquire the equivalent of a son's share of the peasant's estate if he died without issue); *cugucia* (a penalty for adultery on the part of the peasant's wife); *arsina* (compensation for fire losses, but not restricted to cases of arson); and *firma de spoli* (dues payable in connection with a wife's dowry).

[3] R. B. Merriman, *op. cit.*, I, p. 480.

important of these developments were the rise of towns and the growth of industry and trade. The urban demand for labourers, the right of asylum usually enforced in the cities, and the increasing disposition of sovereigns to favour the rising mercantile aristocracy at the expense of the landed gentry created situations which encouraged the peasant to take the risks of abandoning his farm and feudal lord. Cognisant of the better lot of workers elsewhere, the rural population grew restive. Toward the close of the fourteenth century abortive uprisings in Catalonia and Majorca presaged the peasant revolts of the fifteenth century, which ended with the intervention of the crown.

The increasing use of money made it less difficult for the serf to acquire the price of 'redemption', if he were one of the Catalonian *payeses de remensa*, or to secure the relative advantage of the commutation of labour services and other feudal impositions. (Money payments were not necessarily more advantageous to the tenant farmer than payments in kind and labour services; but as they appear to have been preferred almost universally, commutation should ordinarily be recognised as a concession to the peasant-cultivator.) The Black Death accelerated commutations, but other forces had inaugurated the practice before the fourteenth century. Finally, opportunities appeared increasingly for the tenant farmer to exchange his lot for that of the hired hand, if this seemed a more desirable status.

Farm hands (*peones* or *obreros*) are mentioned in the *Becerro*, and it is not improbable that unattached labourers working for board, clothing, and shelter were more or less common at all times. A large wage-earning class required a greater abundance of money and a larger degree of specialization than obtained during the early period of the Reconquest. No satisfactory wage data for Aragon, Navarre, or Valencia have been found earlier than the last half of the fourteenth century. In Aragon, hoe hands, wine pressers, vine planters, pruners, and grape pickers worked for wages on the estates of the Saragossa and Huesca cathedrals; in Navarre, the royal vineyards and orchards employed much the same categories of free labour.

Data are insufficient for the construction of an index of agricultural wages: in all probability farm workers benefited from the increase of real wages which, so far as can be determined, was pronounced during the last half of the fourteenth and the early fifteenth centuries. The Castilian *Córtes* of 1351 approved a statute of labourers, fixing maximum wages for several classes of agricultural workers, in response to allegations that 'those who went to work in the fields demanded such high wages that the owners of the farms could not comply.'[1] The same Parliament,

[1] 'Ordenamientos de menestrales y posturas' (for four separate regions of Castile), in *Córtes de los antiguos reinos de León y de Castilla*, II, pp. 75–124.

probably sanctioning a practice from which significant deviations scarcely ever occurred, decreed that the working day should begin at sunrise and end at sunset. The *Córtes* of 1369 re-enacted this legislation which, unlike the acts of modern lawmakers, set a 'ceiling' to wages and a 'floor' to the hours of work.

III. *Agriculture and Pastoral Pursuits*

An important chapter in agrarian history is the relation between agriculture and grazing. The story of the *Mesta* as we now know it presents the results of six centuries of strife between these two contestants for the use of land. The merino sheep, 'Spain's great contribution to international trade and to the pastoral industry of the world,'[1] was probably introduced from Africa in the twelfth century.[2] Important differences divided the sedentary and the migratory branches of the industry, both of which developed in Moorish and in Christian Spain. Climate and topography especially favoured migrations. Travelling hundreds of miles yearly over an extensive network of sheep highways (*cañadas*), the migrant sheep sought summer pasturage on the northern highlands and wintered in the valleys of the south. Although Visigothic law allowed the *transhumantes* unrestricted access to unenclosed land and prohibited towns from enclosing their commons or refusing the flocks free use of waste land, the rise of municipalities in the twelfth and thirteenth centuries served to check the inordinate demands of the graziers. Innumerable town charters granted during the Reconquest reserved the commons as well as enclosed pastures for local, non-migratory sheep and cattle and forbade the intrusion of migrant flocks and herds. With the progress of Christian arms the Moors abandoned migratory grazing; but the prospect of extending the grazing land farther into Andalusia for the benefit of Spanish migrants was an added inducement for the relentless crusade against the infidels.

With the organisation of the Aragonese *Casa de Ganaderos* in the twelfth century and the chartering of the Castilian *Mesta* in 1273, powerful guilds defended and promoted the interests of the migratory sheep industry.

The military orders and ecclesiastical corporation were owners of large flocks and most influential among the membership of the *Mesta*; although it also included many small flock-masters. From their inception these guilds constantly warred with the towns and the owners of farming land, ever struggling to widen the *cañadas* and to prevent the increase of arable land. The ambitions of the *Mesta* were not always

[1] J. Klein, *The Mesta* (1920), p. 6.

[2] Cp. p. 161 above.

realised, and it was not until the fifteenth century that the guild attained sufficient political and judicial power to dominate the pastoral industry and to impede significantly the agricultural enclosure movement.

Although the development of medieval agriculture was hampered by grazing less than is commonly supposed, 'the Castilian forest suffered severely from the regular visits of the millions of migratory sheep.'[1] From the Visigothic *Fuero Juzgo* to the *Mesta* charter of 1273, pastoral privileges permitted shepherds to cut branches for corrals, fences, and fuel, and to burn trees in the fall for the sake of better spring pasturage. Conservation measures adopted in the thirteenth century seem to have been effective for a time, postponing the country's serious problem of deforestation to the fifteenth and sixteenth centuries.

Hunting, though undertaken for the most part to satisfy partially the food requirements of the population, was often detrimental to agriculture. Until the time of the *Siete Partidas*, legislation took the form of conservation measures, and the farmer was frequently at the mercy of hunters who had about the same regard for property lines, vineyards, and growing crops as an animal at bay.

In a large area of the peninsula improvement in agriculture waited upon the development of irrigation. The Visigoths preserved their inheritance of irrigation projects built by the Romans.[2] The Moors, it is generally admitted, were not the innovators in hydraulic science; but the improvement and extension of irrigation was undeniably one of their most valuable contributions to Spanish agriculture. By the twelfth century the Moors, 'who knew how to drain rivers with precision and to distribute water economically,'[3] had irrigated 24,000 *cahizadas* (perhaps 25,000 acres) around Saragossa, and other important projects antedating the Reconquest were found in the Genil valley in Andalusia, in the Segura basin in Murcia, and in the valley of the Segre in Catalonia. One of the greatest prizes of the victorious Christians under James the Conqueror was the magnificient irrigation system of the *vega* of Valencia. Before his death in 1276, James added the *Acequia Real* to the existing seven canals which drew water from the Guadalaviar River, and confirmed rights to use the water 'according to the manner established and customarily employed in the time of the Saracens.'[4] Disputes over the distribution of water were settled in the

[1] J. Klein, *op. cit.*, p. 307.

[2] Thus, the *Fuero Juzgo*, lib. viii, tit. v, ley 31, established penalties for the theft of water from irrigation canals.

[3] I. de Asso, *Historia de la economía política de Aragón*, p. 97. It should be noted that irrigation was well developed, in the eleventh and twelfth centuries, in Roussillon, where Moorish influence was transitory (J.-A. Brutails, *Étude sur la condition des populations rurales du Roussillon au moyen-âge*, p. 6), and cp. p. 137 above.

[4] R. Gayano Lluch, *Els Furs de Valencia* (Valencia, 1930), pp. 206–207.

Tribunal de las Aguas, an informal court of 'practical' landowners and cultivators which functioned successfully from the tenth century to the twentieth.[1] The Moors, as has been seen,[2] also introduced the *noria*, an animal-powered, bucket-and-chain apparatus still widely used in Spain for raising irrigation water from wells.

In many other ways, while Christian rulers were demonstrating the superiority of the cross to the crescent, agriculture owed permanent improvements to the long sojourn of the Moors. Colmeiro exclaimed enthusiastically, 'The irrigation works, the names of trees, plants, flowers, and fruits—everything, in fact, testifies to an Arab origin or bears witness to the profound revolution of these people who broke with the tradition of Roman agriculture.'[3] Unfortunately, the data used to prove specific improvements upon the Roman tradition are not all worthy of acceptance. No one knows just how many things were really lost in the darkness of the sixth, seventh, and eighth centuries. In many instances the Moors may have received credit for innovating because of their success in reviving agricultural arts, including the cultivation of certain crops, which somehow survived the period of Visigothic domination. Likewise, not unimportant contributions were made by the Mozarabs, or Spanish Christians in Moslem territory, who were generally welcomed as exceptionally productive members of the community until the advent of the fanatical Almoravides and Almohades. It has been said that 'the material civilization of the hispano-arabic states is certainly due as much to the Christian element, conquered and submissive, as to the triumphant Berber, Arab, and Syrian elements.'[4]

In spite of the hyperbole, the statement that 'agriculture deserved the name of a science in Arabic Spain at a time when it was only manual labour elsewhere'[5] is a deserved tribute. Ibn Khaldun produced a book on agricultural economics which 'far excels any similar treatise of Christian Europe for centuries';[6] Ibn Loyon composed a didactic poem on the management of fields and gardens; and the twelfth-century botanist, Aben Albaithar, described some two hundred species of vegetables and edible plants. Worthy of especial note is the twelfth-century 'Book of Agriculture' from the pen of Abu Zacaria. Extracting copiously from ancient writers, notably Columella, and from the works of several Arab contemporaries, Abu Zacaria surveyed virtually every

[1] Gayano Lluch, *op. cit.*, p. 202, gives reference to authors who credit Al Haquém II (962–976) with the founding of the 'Water Court'.

[2] P. 137 above.

[3] M. Colmeiro, *Historia de la economía política en España*, I, pp. 178–179.

[4] P. Boissonnade, 'Les études relatives à l'histoire économique de l'Espagne,' *Revue de synthèse historique*, XXII (Paris, 1911), p. 216.

[5] J. W. Thompson, *An Economic and Social History of the Middle Ages*, p. 547.

[6] J. W. Thompson, *op. cit.*, p. 548.

phase of agronomy, horticulture, irrigation, meteorology, entomology, and veterinary science. The treatise is surprisingly uncritical in part,[1] but its practical value was considered sufficient to justify its translation into Spanish in 1802.

The predominance of fruits and vegetables in the Moorish diet encouraged the maintenance of fine market gardens and orchards, the best of which were found near Cordova, Granada, and Valencia. Abdar-Rahman I (756–788) is said to have sent emissaries to Syria, India, and Arabia for the seeds of exotic fruits and flowers, which were acclimatised in Cordova prior to the propagation in other parts of the khalifate. At the risk of conveying a false impression of the possibilities for variety in the average medieval diet, one may call attention to the principal fruits produced in Spain at least by the twelfth or thirteenth century. Apples, dates, figs, pears, plums, and quince were known to Imperial Rome as Spanish products; bananas (or plantain), cherries, citrons (or lemons), grapefruit (or shaddock), oranges, pomegranates, peaches, and strawberries were probably first brought to Spain by the Moors. A catalogue of the vegetables common in Moorish Spain at the time Zacaria wrote includes several varieties of beans and peas, cabbage, carrots, cucumbers, egg-plant, endives, garlic, leek, lentils, different types of melons, parsnips, peppers, squash, spinach, radishes, and turnips. Almonds and filberts were grown in many places; other nuts, including chestnuts and walnuts, were cultivated or gathered wild. As the nineteenth-century translator of the 'Book of Agriculture' admitted considerable difficulty in finding modern equivalents for twelfth-century Arabic names of plants, fruits, and trees, allowance should be made for probable differences between the species of many medieval products and those familiar today. On the whole, that part of the peninsula in Moorish hands until the twelfth or thirteenth century was more abundantly supplied with economic goods than Christian Spain. Though perhaps exemplary in religious devotion, the armies of Christian monarchs were not uninspired by the thought that one reward of the steady southward drive would be something to eat.

Wine and olive oil, which was Spain's most important export in Roman times, have always stood high in the list of Spanish comestibles. Providentially, the Moors are said to have supplied the country with new olive trees from Africa after the native groves were decimated by drought in the ninth century. As in the Roman period, exports of oil

[1] Zacaria gave the following formula for fattening pigs: wash the animals with human urine and then anoint their tails with the juice of orach leaves mixed with olive oil and wine! He warned against setting out olive trees in the presence of a menstruating woman, a man with a 'legal impurity', a bachelor, or an adulterer, lest the fruit be small.

from the Mediterranean provinces bulked large in the overseas trade which Catalonia developed so vigorously in the thirteenth and fourteenth centuries.

Not all Moors were as temperate as the Prophet exhorted them to be. Wine was one of the objects of their extensive viniculture; furthermore, from rice, figs, and dates the followers of Mohammed made beverages of 'extraordinary potency.'[1] In Christian Spain, where the humblest yokel abhorred water, the cultivation of vines was almost as common as the production of grain.

In all probability, the Moors introduced both sugar and cotton to Spain. Tenth-century chronicles mention the cultivation of sugar cane, and Abu Zacaria spoke of the cane as a common crop in twelfth-century Granada and Seville. The cotton plant came in from Arabia or Armenia at an uncertain date. A limited amount of fibre was produced in Valencia, perhaps as early as the tenth century; on a larger scale its production was carried on in Granada and Andalusia until the seventeenth century.

Flax and hemp, together with dyestuffs such as cochineal and kermes, were Spanish exports in ancient times, and their production was continued or taken up anew in the Middle Ages. No one knows when the silkworm first arrived on the shores of Andalusia, but it is certain that a great increase in the production of silk resulted from the successful propagation of different varieties of mulberry trees in Moorish Granada, Jaén, Murcia, and Valencia.[2] Southern Italy and eastern Spain 'wrested from the east its monopoly in the cultivation of mulberries and the raising of silkworms'[3] and stimulated the silk textile industry in Western Europe.

Rice production, probably another contribution of the Moors, was practically confined to the kingdom of Valencia, where adequate irrigation made it possible to flood the fields. The rapid expansion of rice growing in the thirteenth century caused alarm because of the supposed danger of contagion and epidemic from the stagnant water, and in the following centuries the raising of this crop was frequently prohibited. Saffron, widely demanded in the Middle Ages for culinary, medicinal, and industrial purposes, was an export crop of considerable value, certainly by the thirteenth century. Chief centres for the cultivation of this plant were Aragon, Catalonia, Granada, Toledo, and Valencia.

[1] A. Ballesteros, *Historia de España*, II, p. 88. Occasionally a ruler arose to smite the curse of liquor. The Khalif Ozman in the tenth century prohibited the use of wine in Valencia and ordered the destruction of two-thirds of the vines, leaving one-third to produce raisins and grapes (Gayano Lluch, *op. cit.*, p. 203).

[2] Asso, *op. cit.*, pp. 121–122, asserted that the Moors brought the mulberry tree as far north as Saragossa.

[3] P. Boissonnade, *Life and Work in Medieval Europe*, p. 236.

Of course, the production of many of these commodities was localised, while restricted demand and the limited means of interregional trade prevented the marketing of goods over a wide area. An exception must be made for the cereal grains. Bread was everywhere the staff of life, and the raising of grain, the primary consideration in the disposition of arable soil. The commonest grains were wheat, barley, millet, oats, and rye, of which the first two were export crops during the time Spain helped to feed Rome. Wheat and barley are also the most common grain dues found in the *Becerro*; on the whole, the evidence of this book suggests that fourteenth-century Castile produced approximately equal quantities of the two grains. The species and the quality of grain raised in different regions is a matter of speculation. All of them, in one form or another, were basic foodstuffs for man and beast.

Medieval Spain both exported and imported grain. Although Asso waxed eloquent over the ability of Aragon to supply wheat to far-off Syria in time of want, no available data prove that for the peninsula as a whole exports normally exceeded imports. Grain frequently passed down the Ebro in foreign bottoms at the same time as other parts of the country were importing wheat from abroad. In the fifteenth century—and probably earlier—even Saragossa resorted to the practice of stopping grain ships in the river and forcing them to unload a portion of the cargo to satisfy the needs of the city. After the thirteenth century, Barcelona and Valencia regularly subsidized imports of grain;[1] and, to replenish public granaries in time of scarcity, some towns obtained royal licences to stop grain ships at sea and compel the owners to sell the grain to Spaniards.

Town charters (*fueros*) of the eleventh and twelfth centuries frequently authorised municipalities to establish 'just' prices for provisions sold within their jurisdictions, paving the way for a flood of price-fixing ordinances in the next three centuries. Perpignan fixed maximum prices for seven kinds of meat in 1303; and between 1300 and 1332 the city of Barcelona established retail prices for capons, kids, hens, eggs, partridge, pigeons, rabbit, pork, beef, mutton, and fish. On a national scale, Alfonso the Wise (1252–1284) made at least one experiment with this panacea for counteracting the effects of short harvests and increased demand. The Castilian *Córtes* of 1351, 1369, and 1373 set maximum prices for barley, rye, wheat, and wine; thereafter, parliamentary price-fixing was frequent in Castile.

[1] Thus, in August, 1347, the city government of Barcelona authorized contracts with merchants who agreed to import grain during December of the same year. The importers received a bounty of 8 pence for each quarter (*cortera*) of wheat, 4 pence for a quarter of barley. Bounties were paid on close to 100,000 quarters, or somewhat more than 200,000 bushels, of grain (*Rúbriques de Bruniquer*, IV [Barcelona, 1015], p. 164).

The extent to which price-fixing—adopted ostensibly for the benefit of the urban worker—combined with the prohibition of regrating and innumerable sales taxes worked to the disadvantage of the agricultural producer varied widely, since all producers were not equally dependent upon markets. The growth of towns, the rise of fairs, and the itinerant merchant quickened their interest in market phenomena; on the other hand, the idea that there was a strictly 'closed' agrarian economy in any country during the Middle Ages is gradually being dissipated.

Some measure of the increasing importance of markets in which agricultural goods were exchanged for money is afforded by the study of price history. An exhaustive search for data from which to compile price indices has led to the discovery of discontinuous quotations for Aragon and Navarre in the last half of the thirteenth century; but adequate statistics did not appear before the second half of the fourteenth. The data, which are restricted as closely as possible to competitive market prices, represent the purchases of hospitals, cathedrals, and the royal household. Barley, cheese, chick-peas, lambs, lard, hens, hogs, oats, olive oil, rye, saffron, wheat, and wine are among the commodities quoted discontinuously in the period 1275–1325. Prices for a longer list of agricultural goods were found for the years 1351–1500.

Agricultural prices in Navarre ranged from a minimum of 21·7 (base, 1421–1430) in 1351 to a maximum of 96·8 in 1390; the trend was irregularly upward for almost fifty years. The indices for Aragon, Navarre, and Valencia in the fifteenth century depict the violent year-to-year fluctuations in agricultural prices resulting from erratic crops, shifts in demand, war, and political impediments to production and commerce. In the closing decades of the Middle Ages the farmer, like other producers, was the victim not only of unpredictable physical phenomena but also of frequent alterations in the quantity and quality of the medium of exchange.

Sheep, chiefly valued for their wool, and other domestic animals provided medieval Spain with meat, hides for the leather-goods industry, and 'horse' power. Many cattle pastured with the sheep on their migrations, and many estates owned cattle, goats, horses, asses, and mules in numbers sufficient to dispel the idea that only the sheep was allowed to graze. By the will of a Count of Barcelona (993) 147 cows and 47 mares were left to be distributed among fifteen monasteries. Although cheese appears early as an article of food, beef cattle were far more important than milch cows. Swine roamed over the wooded areas everywhere, but especially in the north-west, feeding on acorns; and the consumption of pork was relatively high because it 'removed suspicions of Judaism'. The ubiquitous hen was conspicuous among rents in kind; it is curious that ordinarily only one hen a year was required.

Until Moorish times oxen were used universally for ploughing and draught. The Moors encouraged the use of mules, asses, and, to a lesser extent, horses for farm work, presumably because of the greater efficiency of these animals.[1] Yet, in a memorial read before the Economic Society of Madrid in 1795, Miguel Antonio de Texada insisted that the displacement of oxen by mules was one of the causes of agricultural decadence of the late Middle Ages. Thanks to the Moors, the native Spanish horse was improved by cross-breeding; but this animal may well have been of greater importance to the *caballero* than to the rustic. Military necessity also explains the fourteenth-century Castilian laws which prohibited the ownership of more than one or two mules, except when one possessed a proportionate number of horses.

Little is known, except by inference and analogy, of the implements and methods of cultivation and harvesting. The following seem to have been all the tools on a Catalan farm described in a will of the year 1089; a plough and ploughshare, a hoe, another large hoe, an adze, an axe, a pruning-hook, a sickle, and a shovel. The crudeness of the tools often necessitated the repetition of the work, and time was lost from the breaking of implements mostly made of wood. Abu Zacaria's 'Book of Agriculture' contains a diagram of a twelfth-century harrow, with large wooden teeth, which was probably a superior type of tool for the time.

Surface areas were frequently reckoned as labour-time units or as the space requiring designated amounts of seed. The *aranzada* (or *pariliata*), which was the area a man and a yoke of oxen could plough in one day, was about an acre in thirteenth-century Castile.

In spite of their frequent depredations on farming land, the roving sheep were welcome at certain seasons of the year because of their contribution to the productive powers of the soil. Leases sometimes specified that tenants should keep vineyards and olive groves well manured, a task which was exceedingly difficult where the land was poor and farmyards relatively scarce. Zacaria wrote extensively on the selection of fertilizers (dung, urine, droppings, human excrement, ashes, and decayed vegetable matter) appropriate to different soils and crops, but his precepts are entirely empirical. The Spaniards were pruning their orchards and olive groves at least as early as the twelfth century. Zacaria displayed an unusually complete knowledge of grafting; he probably had first-hand acquaintance with the methods employed in grafting fig, cherry, olive, pomegranate, citron, and other trees. Underground silos for the storage of grain were in use, possibly continuously from Roman times. The employment of horses for tramping the grain in the open, so that the wind would blow aside the chaff, made progress—

[1] Cp. the discussions on p. 133 above.

there are parts of Spain in which this method has not varied in the last six hundred years—but threshing with the flail survived in many places.

Of crop rotations we have little precise knowledge. In Spain as elsewhere bare fallowing was universal, sometimes after one crop, sometimes after two or more. The three-course rotation was certainly known; but it is likely that—for climatic reasons—over a great part of the peninsula the two-course was predominant, as it seems to have been in the fertile province of Roussillon. There has been no adequate study of the Spanish field systems. No study of manorial organisation suggests the probable lay-out of fields and pastures and woodlands in relation to the village, the lord's castle, or the monastery. Fallow fields were thrown together for common pasture; co-operative labour in ploughing, cultivating, and harvesting was not infrequent; and the drawing of lots for the available strips of arable land was practised in some places; but the extent to which 'collectivism' in the broader sense of the word prevailed is a moot point. Commons belonging to the crown and to the towns comprised many thousands of acres—much of which was wooded and never broken to the plough. But the 'communal' use of woodlands, springs, pastures, and other natural resources usually entailed collective, if not personal, responsibility for the payment of taxes and dues and carried with it restrictions as to the number of cattle that might be grazed or the amount of firewood that could be cut. Deprived of Marxian inspiration, one would find it hard to agree that in the Middle Ages, as in 'every period of Spanish history', we find 'communal holdings on a collectivist or even Communist basis'.[1]

IV. *Conclusions*

Burdened with the brunt of the Reconquest, it was Spain's lot to pay most of the cost of 'saving' all Europe. Centuries of intermittent warfare took their toll in neglected fields, while 'the devastation caused by the interminable incursions of hostile troops rendered the naturally infertile *meseta* more barren still, and discouraged men from any attempt to till the soil.'[2] Standing armies, though not so large as often reported, not only withdrew men from productive occupations but also encouraged vagabondage and mendicancy, especially in Castile where the *ley de vagos* has an unbroken history from the Middle Ages to the twentieth-century Republic. During a lull in hostilities professional soldiers, accustomed to plunder, were loath to return to peaceful employments, and idleness came to vie with military and ecclesiastical services as the

[1] J. H. Retinger, *Tierra Mexicana* (London, 1929), p. 21.
[2] R. B. Merriman, *op.cit.*, I, p. 86.

most honourable occupation of gentlemen. It was no accident that Don Quixote, perhaps the most famous vagrant in history, was born in La Mancha.

Artificial barriers to trade seriously curtailed the division of labour, as did the defects of the means of transport, the dearth of sound money, the confusion of weights and measures, sumptuary legislation, and the lack of adequate marketing facilities in general. Embargoes, internal tariffs, and other political impediments to commerce created by the perdurable force of regionalism, separated Christian provinces and towns from each other as effectively as Catholic regions were shut off from territory in the hands of infidels. The Reconquest did not eradicate economic isolation within the peninsula. The *Corona de Aragón* was always a loose confederation of semi-independent kingdoms whose economic 'nationalism' persisted almost unaltered after the union of Castile and Aragon in 1479. Throughout the sixteenth century, the Aragonese enjoyed only the same rights as foreigners in the Castilian overseas possessions.

At the outbreak of the Civil War in 1936 approximately two-fifths of Spain's 50,000,000 hectares were under cultivation; forests and grazing land comprised one-half the total area; and waste land amounted to about 10 per cent. Comparable figures for land utilization in the Middle Ages do not exist, but it is safe to say that more land was idle and fewer acres were cultivated by the medieval Spaniards. Unfortunately, the lack of reliable data left room for the illusion of extraordinary prosperity in the Middle Ages. As Spain's New World adventures became unprofitable, her political economists conjured up a picture of a wealthy and populous country in medieval times, in contrast to the poverty and depopulation of the sixteenth and seventeenth centuries.[1] In general, the positive limitations to the productive capacity of the agricultural economy deserve more emphasis. Christian and Moorish Spain alike experienced frequent droughts, floods, plagues of locusts, and harvest failures. Epidemics, recurrent for centuries before the Black Death, followed in the wake of famine and hunger. In modern times, still predominantly an agricultural country, Spain has been able to support twenty million people. This is at least twice, and probably nearly three times, the population of peninsular Spain at any time prior to 1500. At their best, the fields and orchards and pastures and vineyards of medieval Spain provided not too generous rations for perhaps some seven or eight million Christians, Moors, and Jews, some of whom were destined to be expelled from her soil before the turn of another epoch.

[1] See, for instance, Juan de Valverde Arrieta, *Despertador, que trata de la gran fertilidad, riquezas, baratos, armas y caballos que España solía tener, y la causa de los daños y falta, con el remedio suficiente* (Madrid, 1578).

Medieval Agrarian Society in its Prime

§ 4. The lands east of the Elbe and German colonisation eastwards

When the Western Slavs, from their home between the Dnieper, the Carpathians, the Bug and the Pripet marshes, percolated slowly as far as the Eastern Alps, the Saale, the Elbe and the Gulf of Kiel, into lands that Germans had abandoned, their very modest economic life corresponded with their youth as a people and the simplicity of their political and social organisation. The latter had not developed beyond the stage of the patriarchal family and clan. It seems likely that such groups were also the units of economic life. For the Western Slavs this is not proved. But the legal position of these groups, and the place of the kindred in matters of inheritance among freemen at a later date, suggest their primitive economic significance.[1] Life was still to a great degree based on the collecting economy—fishing, the gathering of wild honey, and trapping; but the Slavs brought animals with them into their new territories, at first mainly swine. They were, however, acquainted with agriculture; and its practice was encouraged by their occupation of lands which Germans had formerly tilled. But they were not numerous enough to occupy them all at once; and there must have been some reversion to woodland. They may have learnt something about the arts of daily life from the few Germans who remained behind; but no marked influence of this kind can be traced.

Our sources tell us little about Slavonic life before the tenth century; and even then what we learn is more political and social than economic. We find the Wends, between the Elbe and the Oder, at the time of the German conquest still in a state of almost tribal organisation, with chieftains and under-chieftains. But Moravia, and later Bohemia and Poland, became strong principalities, with officials and professional fighting men—and at the same time with an influential clergy. Increasing political activity and the maintenance of these dominant groups had to be provided for. Grants of land and services legally imposed were the solution. The princes acquired vast estates. Endowed from these, officials, members of the *druzyna* (the 'followers') and 'knights' swelled such nobility as had survived from among the chieftains of primitive times. The Church also was splendidly endowed. About the supply of labour one thing is clear—the persistence of a class of slaves, much diminished as it was by the export slave trade.[2] They were called Smurden by the Sorbs, Smarden by the Poles; that is the Dirty Folk. Less clear is

[1] Cp. p. 51, above.

[2] Cp. p. 52, above.

the way in which the bulk of the people, originally free, was subjected to services. The process must have been slow and not uniform; but it is evident that this class could not hold its own against those above it, and suffered from the growing power of the princes. Its legal fall into a state of dependence began with the imposition of an endless series of obligations to the state, some of which—such as 'carriages', and hospitality for the prince and his officials—had direct economic value. And as claims to dues and services were transferred from the prince to the nobility and the Church, the freeman became dependent on a lord. Some freemen commended themselves to lords, to safeguard their inheritance or to acquire land. In short the class of true freemen dwindled away. At best, there were some survivors personally free but settled on a lord's land.

Social conditions developed in the same way, from the tenth to the twelfth century, among the Wends who lived along the Elbe, as they came under German rulers. A fully developed state and Church had to be maintained. Conquest gave a complete royal prerogative over land. Thanks to this, margraves and knights, bishops and monasteries were gorged with it—and with the peasants who lived on it.

So, and for similar reasons, the situation was reproduced that had developed in the German peasant world after the creation of the Frankish Empire and the establishment of the Church—a society with a sovereign prince; beneath him upper-class lords of the soil in their various grades; and over against these a lower, mostly soil-bound, or completely unfree population of the true economic producers; though no doubt there were intermediate types—warriors who worked for their own maintenance, like the *Withasen*[1] among the Sorbs, or the noblemen impoverished by divisions of inheritance among the Poles.

If in this way a class division by vocation superseded a division by blood and birth, it was operative only in the agricultural sphere. Industrial and agricultural activity were closely associated; long-distance trade was in foreign hands, those of Jews, Moslems, Vikings and Germans. Native economic life was concentrated in the villages. These were very small and were still often moved about. The frail unsightly huts of the common people were easily knocked down and rebuilt. Agriculture had increased; millet had become prominent, beside the other usual types of grain. As open or easily cleared land was brought into use, the arable consisted of irregular blocks, often scattered over the woods and heaths. Cultivation was unsystematic and extensive, and its sites were constantly changed. The plough was the so-called 'hook'

[1] These were mounted men owing military service, of the tribes between the Elbe and the Oder. At a later date under German rule, they mostly held no more than a single *Hufe*. They often served as local headmen.

(*uncus*) drawn by two oxen or one or two horses. It only scratched the ground. But it is not true that the Slavs cultivated only light sandy soils. Where they found heavier soils clear of forest they worked them also. As there were no field-ways to individual peasants' fields in the blocks of land, and as the cultivated area was shifted from time to time, there must have been, technically, what might be called communal agriculture. Agricultural dues were therefore based not on areal units but on the number of ploughs employed. The original way of levying tithe in the Slavonic Church points in the same direction. Normally every tenth sheaf should have been taken from the fields. Instead of this, we find in various places—on the Wendish frontiers, in Pomerania and Poland—a frequent, though not universal, fixed charge in kind, or even in money, imposed on those liable to tithe. So also many dues were levied by the head-man (*starosta*) or the lord's agent (*centurio*), not on individual holdings (which hardly existed) but on groups of neighbours who yet were not a legal commune, or on greater units such as the Polish *opole* (*vicinia*).[1] Among these dues, for instance, was the *narzaz* in cattle, perhaps a pasture due. Although agriculture made progress, cattle and horse keeping and collecting still played a great part in the Slavonic economy: the swine were now relatively less important.

The lords used their land in part as a source of dues and services as already explained; but they cultivated part of it themselves. We have no clear picture of the extent of their *curiae*, *allodia*, *predia*, as they are called. Later evidence suggests that they contained at least enough arable for several plough-teams. Labour conditions are also obscure. Servile ploughmen and herdsmen there certainly were: there might also be services of various kinds from the dependent tenants. How the two types of labour were interconnected is not clear. The most striking trait of this old Slavonic lordship is the existence of groups of men owing personal services, often living side by side. We meet cultivators (*aratores*), herders of mares, swineherds; constantly fishermen and honey collectors; in places beaver-trappers, hunters of many kinds, stablemen, cooks and various handicraftsmen. All had land by which they lived. We can trace a progressive differentiation of functions, but one that is determined primarily by the interests of the lords as consumers. It goes furthest in connection with the hunting that they loved, and in their domestic establishments. Yet it supplies distinct incentives to the evolution of Slavonic economic life in this period. Based on this organisation, which required a fair amount of economic guidance, the lords built up their self-sufficing natural economies. Only a few goods —slaves, furs, wax—went in bulk to those distant markets which foreign traders opened up. Characteristically, they are products of the

[1] Cp. p. 60, above.

very earliest type of collecting and fighting economy; not of the later more intensive developments. The whole organisation is very much looser than that which Germans introduced under similar conditions; for the Germans had inherited traditions from the Roman villa.

The new institution of *hospites* helped to build up these service-owing groups. At first the *hospites* were no doubt immigrant freemen who were able to enter into contractual relations. But the class, as found in Bohemia and Poland in the twelfth century, contains many servile individuals who had been granted fixed contractual conditions of tenure and service. The tenure was always uncertain. But the legal limitation of the burdens reveals a rise of the lower classes, no doubt secured by the need for better qualified labour. Early in the thirteenth century we find craftsmen in particular established as *hospites* in Silesia and Poland; but the tenure was also used to attract agricultural colonists. Growing population led to some gradual extension of the cultivated area. It was usually a case of crude 'assart' by burning on the margins of the forest, which did not always mean a permanent addition to that area. Traces of this earliest native clearing epoch are found in the place-names in *-ujezd* (Czech), or *-ujazd* (Polish), which implies the demarcation of an area by riding round it. Such names are found in lowland Bohemia and Moravia, in the Lusatias, Silesia and—less frequently—in parts of Poland. There was as yet no attack on the great primeval forests, which required heavy and systematic felling.

Among the Baltic peoples, from the original Prussians up to the Esths, conditions resembled those of the second phase of Slavonic evolution: a population as a whole still uniform; a collecting and agrarian economy in which herds were important; incipient differentiations of property; and a modest nobility sprung from the leaders of patriarchal family groups.

During the later Middle Ages, from the twelfth century onwards, this rural economy of Central and North-Eastern Europe was transformed, mainly as a result of German immigration. Existing developments were caught up and absorbed into the transformation. But the East German rural colonising process, which gave direction, form and power to it, was only part of the wider so-called German East Movement. For centuries, in medieval and modern times, that movement has taken most varied forms: frontier defence and conquest; the foundation of monasteries; mercenary service or commercial penetration; every kind of cultural influence and especially migration and the founding of towns and villages. We must know something at least of the main lines of this migration and settlement if we are to understand the transformation of rural life.

Germans were already moving East in Charlemagne's time, across the southern part of the ethnographic frontier, as it then was, crossing the Pustertal and running along the Enns. Between 800 and 1100 an area about corresponding to the Austria of 1919, in which the Slavonic population had been very thin, was Germanised. Agrarian institutions of the old South German type were introduced, as has been seen.[1]

Meanwhile in Old Germany forest clearing, embanking, and draining went forward. Towards 1100 progress was being made across the densely forested frontier along the Saale and the Elbe. Further East, Marks of the Empire were created—Meissen, the Lusatias—in which imperial officials backed by German knights ruled a native Slavonic population. In the twelfth century similar Marks were established lower down the Elbe, from Brandenburg to East Holstein. Mecklenburg and Pomerania were brought into vassalage to Germany, as Bohemia, Moravia and Poland already had been.

Christian missions went hand in hand with German rule, Praemonstratensians and Cistercians being specially active.

The German margraves and bishops, and later the Teutonic Knights in Prussia, had to make their rule secure. The settlement of Germans allied in faith and blood was an obvious means. From that an increase of military, financial and economic resources might be expected. The spiritual and lay lords who were called in from Germany and endowed with land, and the surviving native noble men, imitated the policy in their own interest. Old Germany was ready to supply what the Marks demanded. There were men enough willing to go; for population was growing and peasants were becoming more conscious of the economic drawbacks of feudal obligations. Some were uprooted by the inundations on the North Sea coast and by the frequent local famines. And there was merit in fighting unbelievers. The internal colonisation of Germany had furnished varying, but well-tested, types of field, of village and of law. They had already been tried out in the Danube valley and the Eastern Alps. And urban life had gradually developed to a point at which the main lines of town lay-out and town law were established and could be imitated on fresh sites. Of all these things the German lords of the eastern front made increasingly zealous and systematic use from the beginning of the twelfth century.

The Slavonic princes of the East soon learned to imitate them. The eastward pressure of the Empire, and the struggle with the stronger and better equipped German territories, forced them to aim at a swift and comprehensive strengthening of their states. As things stood, this could not be expected to spring from native sources. Anything that these could yield in the way of greater political and predial freedom, or

[1] Cp. p. 49, above.

technical economic development, was far inferior to what might be attained through the import of Germans and German methods. The nobles and the Church imitated the princes for their own economic advantage. Their many charters show what great things they hoped from colonisation by Germans or in the German style. A thirteenth-century Polish chronicler tells how the Bishop of Gnesn, by laying out villages, raised the money yield of a certain district from 1 to 800 marks.

So the two sides competed with one another in the work of German colonisation. A colonising fever broke out. Princes set great enterprises on foot—the Margrave of Meissen, before 1162, settled at his own expense 800 contiguous *Hufen* in the frontier forests of the Erzgebirge —or they urged monasteries and immigrant German noblemen to do so. The native lords everywhere sought to get yields from lands which had hitherto given no yield. Monasteries and knights acquired woods and wastes by purchase, to settle them with Germans and often to sell them when settled. A regular body of entrepreneurs developed who organised colonisation to profit by it. The Church, in its own interest or under pressure from the princes, came to terms with the German settlers over the regulation of tithe.

Whether the lord was a German or a Slav, colonisation went on in much the same way. German wars of conquest or conversion neither exterminated the heathen natives nor even drove them out. In the twelfth century, speaking generally, they affected only the immediately adjacent frontier strips of Brandenburg, East Holstein and Mecklenburg; and again in the thirteenth, and more severely, East Prussia. True, German lords sometimes forcibly transplanted Wendish peasants, heathen generally. But with that the Slavs were quite familiar. And the wars of the eastern peoples among themselves were at times very destructive. But apart from these occasional devastations, and although native cultivation had made some progress, there was cultivable land enough and to spare in the East. Even open and naturally accessible areas were still utterly unexploited, judged by German agricultural standards. But above all there were vast reserves of potential arable in some of the forests, and in marshlands that the natives did not know how to dyke and drain. This is true especially of those immense strategic frontier forests which the Slavs had left untouched and which were in the hands of the princes.[1]

It was under these conditions that Germans migrated eastward from Austria towards Southern Moravia and Hungary, even before 1100; and in the twelfth century crossed the Saale-Elbe line everywhere up to the Baltic. They moved forward on a broad but irregular front. The southern wing was far ahead, and had reached remote Transylvania and

[1] Cp. p. 56, above.

the foot of the Tatra in the second half of the twelfth century. The northern front, down to 1200, lay about the line—West Bohemia, the Lusatias, the Middle Mark of Brandenburg, Central Mecklenburg. There were commercial outposts as far away as Riga. Early in the thirteenth century, the migrants crossed Pomerania, Eastern Brandenburg, Silesia, and Northern Moravia. Then they broke into the New Mark, Great and Little Poland and Eastern Bohemia. By the thirties they were across the new territory of the Teutonic Knights on the Lower Vistula, by Kulm and Thorn. Effective settlement in Prussia, it is true, only got under way from 1280, after great rebellions had been crushed; but then it moved swiftly and reached its peak between 1300 and 1350. On the northern and southern edges of the Carpathians German colonisation had reached the Dunajec before 1300; by about 1350 it had crossed the San and entered Red Russia, whilst it filled wide mountain regions in upper Hungary. This extension coincided with more intensive development in older colonised regions—but not in all of them. Parts of Mecklenburg and Pomerania were not much affected; the interior of the Lusatias and of Pomerelia, with the Slavonic cores of Bohemia and Moravia, hardly at all. The farther East it went, the more broken up the movement was. It had passed its peak by 1350, having already slackened to the west. At some isolated points on the extreme east—Red Russia, East Prussia—it continued, and even into modern times. It was about 1350 that the last group of German forest villages was built in the Egerland. At that time, in a section of mid-Silesia, where most of the arable had been won from the forest by German settlers, further felling for settlement was checked. In Poland, the first royal orders for forest conservation come from about 1450. By the close of the Middle Ages the outer limits of the region that was more or less permeated with German colonists stretched from Transylvania to Estonia.

The migrants came from all the German stocks—High Germans for the South-East; Middle Germans for forest work in the centre; Flemings, Seelanders and Hollanders for dyking and draining. The great extension of the movement is only explained by the fact that colonists bred colonists; for all over the world new settlers have big families. Migration from Old Germany in many cases slackened early. Conditions of tenure in the colonised areas also encouraged this colonisation by colonists' families. Law or custom favoured the undivided inheritance of peasant holdings; so there were many younger sons without land.

Not only all German stocks, but all classes participated—clergy, knights, traders and craftsmen, peasants. Miners also came into the metalliferous Sudeten and Carpathian ranges and their outliers, and into the salt-bearing country about Cracow. Not all these classes, however, were represented everywhere. Only knights and a few

townsmen were found in the Eastern Baltic lands. In Eastern Poland, in Central Bohemia, Moravia and Hungary, there were again few but townsmen, with knights and ecclesiastics.

And all those classes took a hand in the remodelling of agrarian institutions. It was not merely that the various social and economic groups had to be adjusted to one another; not merely that every non-agricultural migrant or group of migrants increased the demand for agricultural produce—besides all that, each class had its own contribution to make, its special influence to exert. The clergy and the nobility, higher and lower, responsible as landlords and as lords of the natives' bodies for new settlement and the shifting of settlements, often took the initiative or the actual leadership in agrarian reform, and in connection with it laid out demesnes of their own. The knightly class also provided some organisers of settlements.[1] That was even truer of the burgess class. But the peasants were by far the most influential element in the whole movement. There was continuous peasant colonisation all the way from the Elbe-Saale line to that of the Bober and the Oder; and a great deal east of that, from Pomerania, through the New Mark of Brandenburg, to Silesia and northern Moravia. Eastward again stretched two long tongues of colonisation—one across the Vistula to Prussia, only checked by the collapse of the Teutonic Order in the fifteenth century; the other across Little Poland into Red Russia, and by the sixteenth century in places even east of Lemberg. Between them the line curved far back: the flats of Great Poland were hardly touched. In the heart of Bohemia and Moravia were only islands, though often important islands, or scattered fragments of colonisation. Two streams of colonists—one from Silesia and one from the Danube—united to play on the mining districts of Upper Hungary, where the prevalence of place-names in *-hau* indicates active clearing by Germans from the thirteenth to the fifteenth century. In western Hungary a strip broader than the modern Burgenland was Germanised; but the heart of the Hungarian plain was untouched. Beyond it, in Transylvania, three great blocks of German civilisation rose on peasant foundations.

This area of peasant occupation was only the core of the area affected by the whole German East Movement. Outside it lay the Baltic settlements of the Knights and widespread German urban settlement. This last reached beyond, and often served to hold together, the very patchy settlement by peasants.

But for this peasant occupation, however, that agrarian transformation of the East which we are now to describe would have been unthinkable. In its beginning, only Germans could transmit those forms of law, economy, and settlement which they had developed;

[1] See p. 373, below.

handle them with complete success; or extend and adjust them to a colonial environment. For a long time Slavonic and Baltic peoples could at best only imitate the externals of German life. So we shall expect to find least real transformation where there was only a German lord, or an imitator of one, with indigenous workers. At first that was the situation in the Marks: from the tenth to the twelfth century immigrant monasteries and knights were given by the princes villages of servile Wends. As German colonisation set in, these were assimilated more or less to German standards. Often things went so far as a complete adoption of German law and a complete new lay-out of the fields in the German style. This so-called 'economic Germanisation' was frequently followed by the linguistic. Even east of the Marks, for example in Silesia and Great Poland, such developments were common on old settled land. Several of the small Slavonic hamlets might be thrown together, or the village and its fields might be extended. Often the native population was taken into the new German village community. Here and there in the colonised territory, natives—or in Pomerania and Mecklenburg Danes—filled out the ranks of the Germans. This occurred both in the early years, when German immigrants were rare, and towards the end of the medieval colonising era, when the supply was failing more and more. At first the Teutonic Knights seldom put Prussians into new villages, and usually kept the races apart, whilst their neighbour the Bishop of Ermland did the reverse—mixing the races even in individual villages. But towards the end of the fourteenth century the Order itself was obliged to make more use of Prussians and other non-Germans, because the flow from Old Germany had long since dried up and the descendants of the settled German colonists were not numerous enough for the work. Settled under Germans, in villages with a German field system, the natives tended to be Germanised in working habits, in culture, and in speech.

In Courland, Livonia and Estonia all the labour was native, since already the Knights and the ecclesiastics were generally organising demesnes of their own. So here any agrarian reform had to come exclusively from above.

As time went on the German agrarian system began to spread at other points also beyond the limits of German colonisation. It appears, for example, though often in modified form, on the northern and eastern edges of Silesia and especially in Poland, under Polish lords and among settlers who were predominantly Poles. This was the so-called colonisation 'under German law'.[1] It spread far beyond the German colonisation. In Poland some 1500 villages are to be found—mainly in the west and south—with the name *Wola*, that is 'Freeton'—usually

[1] Cp. p. 411, below.

combined with a personal name or an adjective: evidently they had at some time been legally privileged. Although many of these, especially in the east, are products of modern enterprise, it is certain that the phenomenon can be traced to the gradual influence of medieval German settlement on the Poles. From the spread of the *Waldhufendorf*[1] we may infer that all southern Poland, especially the Carpathians and their foothills as far as Lemberg, and northward to the Upper Wieprz and the Bistrica nearly to Lublin, was newly settled or reorganised on German lines between the thirteenth and the fifteenth century. The same is probably true, though the type of village differs, of great parts of lowland Moravia.

But we cannot now clearly separate areas of German colonisation from those of colonisation 'under German law'. Pure German agrarian organisation, introduced by pure or nearly pure German settlers, is most probably traceable where absolutely new land was won—especially in marshes and bogs, as on the Lower Elbe, in the Harz lowlands between the Ocker and the Bode, and on the delta of the Vistula about Danzig. For work of this kind only German immigrants were properly qualified. They were specially qualified also for the work of forest clearing; and though not all of it can be ascribed to them, they were primarily responsible for the clearing of the great continuous forests. They carried the new way of settlement eastward along the Sudetens and Carpathians as we have seen; and no doubt they were mainly responsible for the clearing of East Prussia. But on old-settled land the native and the German ways of settlement interacted, and the native way was to some extent immediately transformed. For the Middle Ages we cannot say precisely how the races were divided, since in later centuries non-Germans have been Germanised extensively, and *vice versa*. What we can ascertain is the diffusion of German or non-German land-measurements or dues, as shown in the documents; of village and field types still surviving or shown on old maps; or of concessions of German agrarian law, which we can often trace in a variety of ways even when no charter survives. Place-names are not decisive evidence even when we have the medieval form. A place with a German name was probably founded by Germans. But immigrants often retained native names of villages, fields, and regions.

All that we can say with confidence is that, sometimes intermixed with areas of German settlement and sometimes stretching well beyond them, important areas remodelled their native agrarian organisation on the German plan, without experiencing any extensive immigration of German peasants. Exact modern research has however revealed very weighty evidence for medieval forest settlement by pure Germans in what are now Polish-speaking districts of southern Poland. So one is

[1] Cp. p. 45, above and p. 377, below.

inclined to assume that the introduction of the new agrarian organisation did not occur over a very wide area entirely apart from German immigration. The regions affected by the immigration here assumed were, so far as we know, parts of Great and Little Poland and central Moravia. Central Bohemia as a whole seems to have been very little changed as a result of the medieval German East movement; and central Hungary not at all.

The arrangements that the Germans established sprang from those of Old Germany, but were not identical with them. The earliest colonists introduced some changes, and further change came as colonisation moved eastward. One dominant fact is to be noted—the evolution of definitely marked types of organisation, which show uniformity at least over considerable areas. For this there are various causes: most German colonisation was on the *tabula rasa* of virgin soil, or at least on occupied land that could be legally treated as virgin: when innumerable new or remodelled settlements were made in a short time, the same procedure tended to be reproduced: each settler owed much the same obligations to his prince or lord; and princely or seigniorial power was usually strong enough to stamp uniformity on the whole process. This last consideration is specially true of Prussia, where the Master of the Teutonic Knights directed most of the work himself, and settlement was on a planned system. On the other hand the special conditions in eastern regions led to a fresh combination of the traditional elements of German life, so that a distinct colonial agricultural organisation came into existence.

The natural environment in the eastern regions—climate, surface features, the character and fertility of the soil—were not so different from those of Old Germany as to require any thorough alterations of method. What differences can be traced at first were due mainly to the influence of native political or economic traditions. Subsequently, the natural environment influenced agrarian organisation and brought about greater changes. The modern transition to large units of agricultural production in the East is not unconnected with its natural fitness for large-scale corn growing and corn export.

There are so many and such important features common to the new colonial agricultural organisation over the whole area now under discussion, that compared with them the by no means negligible modifications due to varying local conditions, the peculiarities of native law and economy, and the extent to which these were transformed, fall into the background. And since this whole East German and East European agrarian transformation was brought about through and by actual settlement, the processes of settlement must now be examined.

Settlements were made in every case on the land of some lord. Nowhere do we find the absolute peasant property (*Allod*) that had once existed widely in Old Germany, and was still to be found there. The '*Allod*' mentioned in the so-called Kulmer Handfeste of 1233—a primary law for the lands of the Teutonic Order—is not a true property but a derivative right of tenure by hereditary quit-rent (*Erbzinsrecht*). Nor has *Allod* its full meaning when applied to the type of demesne called later a *Vorwerk*.[1] Originally most of the land had belonged to the princes, whether natives or conquerors, who had vast areas at their disposal, especially of uncultivated waste and forest—the very places to which colonists went. The Teutonic Knights claimed complete royal prerogative over land, and there were also native lords for colonists to deal with; even in the Marks, in Brandenburg for example, Slavonic Supans had survived; and naturally, wherever there were surviving native princes, there was also a native aristocracy. Even the Knights left the free upper-class Prussians in possession, provided they were loyal; and so did the Church in Prussia. New immigrant lords, monastic or knightly, acquired gifts of land or fiefs from the princes and native lords —very largely with a view to colonisation. It was the princes especially who wished to exploit their waste land and make it yield knights' service and peasants' dues.

The grants were often very extensive and the ecclesiastical orders were the chief beneficiaries, especially the Cistercians and the Praemonstratensians, whose great days coincided with the beginning of colonisation in the twelfth and thirteenth centuries. But since the unit of ecclesiastical ownership was a single monastery, the centralised knightly orders became greater owners. Particularly in the thirteenth century, the three great orders of knights acquired very extensive property in the most various eastern regions. Much of their land was suitable for settlement. Not only did the Teutonic Knights acquire from the Duke of Masovia that territory east of the lower Vistula which they were able to make into a regular state; but even before that they had acquired great estates elsewhere, in Moravia for instance, and for a time in Transylvania. Similarly the preceptories of the Templars and the Knights of St John were scattered more or less over all the eastern lands. The Cistercian Abbey of Leubus in Silesia illustrates the amount of land that a single house could have entrusted to it for settlement: partly in association with daughter houses, it received from the Duke of Silesia 500 *Hufen* in the Bober-Katzbachgebirge in 1216–18; 400 more in 1225 in the see of Lebus on the Oder; in the same year from the Duke of Great Poland 2000 *Hufen* on the Netze, and 3000 more in 1233 lower down the stream. In this region of the Warthe and the Netze, the Duke

[1] See p. 388, below.

had already granted the Teutonic Order 500 *Hufen* in 1224, and a large estate to the Templars, who also acquired 1000 *Hufen* about Küstrin in 1232 and 3000 about Utsch in 1233. The figures can be used to trace the growth of colonisation.

Individuals were similarly endowed, and undertook settlement on a large scale. The Teutonic Knights in the early days of their rule in Prussia, and again round about 1300, made grants to knightly or burgess capitalists of from 100 *Hufen* (over 4000 acres) up to 1440 *Hufen* (more than 93 square miles). Among the grantees was a man of knightly family from Meissen who was also carrying on large-scale colonising operations in North Moravia. And this is not an isolated case of a colonising undertaker who moved eastward step by step. The endowment by the Margraves of Brandenburg of the so-called 'castle-owning nobility' (*Schlossgesessener Adel*), to protect the frontier against the Poles, was on a particularly extensive scale. Among them the von Wedels had no less than fifty-nine villages in 1337; and in 1374 they got 5000 *Hufen* more as a fief. There were similar developments in Bohemia. German settlement along the upper Moldau was due to the famous family of the Witigonen in competition with the Cistercian houses of Goldenkron and Hohenfurth. Where endowments were so great, the work of settlement was certainly not completed at a stroke. Moreover those who had most land of their own, that is to say the princes and bishops, would only set up a village now here and now there. Actually the two processes approximated to one another; and did not differ in essentials from the single 'locations' carried out on smaller estates. *Locatio* in the charters means the laying-out of a new or the remodelling of an existing settlement. The Low German equivalent is *settinge* or *besettinge*. The Sachsenspiegel renders *locare* by *beseten*.[1]

Every *locatio* required a great deal of management: the site of the village, the way it was to be laid out, and the division of the fields, must be chosen with due consideration to all relevant factors. Topographical considerations bearing on access to water or risk of flooding must be taken into account; also in early days considerations of security; and always considerations of economy. The measurement of fields and their subdivisions called for skill in surveying. The procuring of German settlers was a special problem. Often they came from great distances. In early days, near the first frontiers, they came of their own accord, especially the Flemings; or a colonising lord drew on his own people in Old Germany. In the first recorded case of a German settlement on virgin soil east of the Saale, in 1104, Wiprecht of Groitsch brought peasants from his mother's estate near the Main. We may suspect that the orders, especially the knightly orders who did so much colonisation,

[1] Cp. the XII *hida gesettes landes* in Ine's Law, § 64.

drew settlers for the East from their network of estates widespread over Germany. But where such links with Old Germany were lacking, the attraction of colonists presented greater and greater difficulties as settlement went forward, especially for non-German lords. The demand was for a long time greater than the supply. We may infer this from the very attractive conditions offered to colonists at the start. We have sufficient evidence from the first half of the twelfth century that it was necessary to send agents to recruit emigrants in the various German regions.

Lastly, every colonising enterprise required heavy capital expenditure; on the costs of the eastward trek; on the maintenance of the settlers until the first harvest or longer; on house-building and the timber for it; on church-building; and on the provision of mills, mill-streams and mill-dams, of inns and butchers' stalls. Hardly any details have survived, but we know something of the total costs, and we can infer them from the earnings of those who did the work. Middlemen often undertook or shared in the raising of the funds. To fulfil all those functions, for which the lord lacked the necessary experience or connections or cash, the so-called locator had slipped in between him and the settlers. He undertook a single 'location' *en bloc* at his own risk, and saw to all the technical work. We meet locators on the middle and lower Elbe from about 1150, and from that time forward almost invariably in connection with the village and town foundations over the whole North-Eastern colonial area. Their work is much less conspicuous in the South-East. In Upper Lusatia and Great Poland the family name of Siedelmann implies the locator. In Pomerania the charters call him *possessor*, which suggests a German '*Besetzer*'. The terms *magister indaginis* and *hagemeister* also occur locally.

These men sprang from the most various classes. We meet both knights and peasants. Where the stream of colonists flowed rather feebly, as in Upper Silesia, we find native locators as early as 1250, in the great days of colonisation. But so far as we can trace their origin, most locators were burgesses. The burgess class was the one most disposed to put acquired capital into land. As colonisation went forward greater demands were made on the locator's capital. Out and out purchase of the land by him is found occasionally in early days on the Elbe: it became the rule in Silesia from about 1250. Even when he could re-sell to the settlers, in whole or in part, he had to stand out of his money for some time.

We learn about the 'location' system from the charters, especially from the contracts between locator and lord. The survival of these has been curiously patchy. The most abundant are from Silesia and the Prussian Ordensland. We have hardly any rural contracts from Mecklenburg, Brandenburg or Meissen; only a few from Bohemia or Moravia. But for the whole period they give us a very distinctive picture of the locator—a typical entrepreneur with technical knowledge of agriculture.

We meet powerful families of the class, active in various lands, and always ready to employ their knowledge and great capitals in new directions as colonisation developed. Then there are town locators who conduct one foundation after another and hand on the work from father to son. And we can assume that in rural areas, of which we know less, the professional locator who went from one successful job to another did at least part of the work.

Their earnings show the high value that was placed on their work, and how indispensable it became. For determining these, a system developed early which, although it varied in detail with the district, with the size of the operation, and with the date, remained uniform in principle even beyond the Middle Ages in the North-East. In the South-East the locator type, where it exists, is less developed. In Southern Bohemia it appears not to exist. Even in the North, a lord who was capable of acting as locator need not employ one. But even then we may conclude from the uniformity of the results that the system of village creation worked out by the locators had been followed in the main. We must examine this system in detail before returning to the question of the locator's earnings.

Medieval rural colonies always took the form of compact villages, and that was no doubt one reason for their success. Scattered homesteads in colonised territory are to be regarded as later developments—with perhaps a few exceptions. In Meissen, for example, a few hamlets were laid out in early times. But villages soon became the regular type, and their size tended to increase. Near Ratzeburg on the western Baltic coast, in the twelfth century 12 *Hufen* was an average size; so it was for long in Mecklenburg. In western Brandenburg that would have been small. In central Brandenburg villages of 30–60 *Hufen* seem already customary; and further East the big village was dominant. Early in the thirteenth century, in Silesia and adjacent regions where there was plenty of forest land to settle, 50 *Hufen* was the standard size. But villages varied greatly in the number of their *Hufen* and the size of their fields, and the *Hufe* as we know was a variable unit. In Brandenburg we find villages of German colonists often with 60–80 *Hufen*, and even more. The Teutonic Knights, whose colonies were the most uniform of all, usually favoured 60. But there were exceptions everywhere.

As to form, we must discuss the village and its field system separately. We do however find definite types of village associated customarily with definite types of fields. Of village forms, the so-called *Rundling* occurs in the strip of country nearest to Old Germany. The homesteads are laid out about a green—often with its pond—so that their outbuildings form a fairly continuous wall enclosing the village. This used to be considered a typically Slavonic form; but that is uncertain. It is not found deep in Slavonic territory and is found in places where Slavs

never settled. Certainly it was planned with a view to defence; and that may explain its prevalence in the districts most fought over as the Germans advanced East.

A second type is also enclosed but more extended. There is the 'street village', made up of two rows of homesteads close together, facing one another; and the 'place' or 'plot' village (*Angerdorf*) in which the street, otherwise similar, widens out into an oblong or lancet-shaped 'place', where the church and oven and so forth are, and often the village pond. There are local variants of these forms, but as a rule in each district one is predominant. Thus the lowlands of Silesia have very uniform 'street villages' and 'plot villages'; the Prussian *Ordensland*, a type transitional between the 'street' and the 'plot' village.

The third main type, as opposed to all these, has a loose ground plan. Homesteads along the street or by the stream do not stand shoulder to shoulder but 100 to 200 yards apart. The essential character of this type of village only becomes clear from its association with a particular way of dividing the fields, shortly to be described. But we can already note a gradual falling into the background of defensive considerations, and a greater prominence of the more economic.

The village types described are the genuine types of the colonising era. This their emergence in bulk shows. But older Slavonic or other native types survived, mostly developed from the original, very irregular, hamlets.

Planned, systematic, field types were brought by the German colonists everywhere into the East; and the native types were more or less remodelled after them. Both for survey and the assignment of liabilities, the *Hufe* or *Lehen* was the foundation of the German land system. As in Old Germany, the *Hufe* included all the essentials of peasant economy—homestead, garden, orchard, arable land; in certain instances also forest and an appropriate share in the common property of the village and in common rights over wood, water, and pasture. But there was more than one kind of *Hufe*. From among the varieties brought from Old Germany, two in particular gradually became prominent—the small, or Flemish, of about 42 acres; the large, or Frankish, of more than 60. Beside them, on the Baltic coast there was the so-called *Hagenhufe*. The Flemish was mostly used on cultivated land, the Frankish on land cleared from forest: but the Teutonic Knights reckoned by the Flemish on both.

The *Hufe* could be laid out in various ways. There was the traditional *Gewanndorf*, with its from three to more than 20 *Gewanne* (furlongs) in the fields of the dominant three-field system. Every *Hufe* had its strips in each *Gewann*. There were no field ways to the strips, only to the *Gewanne*. These could not be made geometrically accurate; but in this

respect the colonial open-field was an improvement on the Old German. The *Gewanne* were fewer and more uniform, the strips more regularly laid out.

The tendency to some rational consolidation of each cultivator's shares in the fields, which appears here as a reaction against the often exaggerated subdivision and intermixture of the fields in Old Germany, continued to operate as colonisation proceeded. In the forests of the Upper Main had sprung up the so-called *Gelänge* fields in which a considerable consolidation of individual holdings was already attained. The villages attached to them also show attempts to connect the homestead as much as possible with its land. Ultimately the development resulted in a new type of village and field, in which each *Hufe* was a single continuous area of plain regular form; and on it the homestead stood. This type was to become extraordinarily widespread in and beyond the German colonial area. The *Hufen* stretch side by side in long narrow strips, usually terminating on the village street or the brook. Each contains everything needed in farming—meadow by the brook; arable; grazing land; forest. The homestead stands at the foot, separated by a *Hufe*'s breadth from the next. The homesteads go to make up the long village with loose ground plan already mentioned, which from its regular association with the strip *Hufe* has been called the *Waldhufen* or *Hagen-* or *Marschhufen* village. For this lay-out was chiefly adopted on forest land or in connection with dyking.

In laying out open fields with *Gewanne*, a fixed and immediately practicable plan was needed from the first. Whole *Gewanne* could only be added as time went on by co-operative effort. But a single-strip *Hufe* could be added to a *Waldhufen* village at will, if land was available. In such villages the locator was usually assigned a fixed number of *Hufen*. Now and then he had the luck to get more, when the site was favourable and the fields could be extended. Even where the village and its fields were restricted to the original plan and size, several such standard villages might be established one after another.

As a result of these considerations, *Gewann* fields were found mainly on old cultivated land; but also on land cleared of forest, if it was level. Except where native types of fields survived, more or less modified by German influence, the true *Gewanndorf* dominated the wide plains of Germany beyond the Elbe. It is found also within the Sudeten ranges and so far afield as Hungary. Villages with *Gelänge* fields are found at points of transition from old cultivated to cleared land, all the way from Thuringia to Moravia, Great Poland, East Prussia, and the Burgenland, the type becoming clearer as you go East. Lastly the *Waldhufendorf* is characteristic of cleared land in the mountains and the approaches to them. It is continuous from the Erzgebirge along the

Sudeten mountains to the Carpathians, and spreads far North and South of them, as we have seen. Often an unbroken chain of such villages stretches for miles up a valley. At the valley head—only reached late in the Middle Ages—the *Hufen* are often dwarfed into short narrow strips. But we find the *Waldhufe* also widespread in the plains—of Lusatia, Silesia and South Poland. As the *Hagenhufe*, it is found in the Baltic hinterland from Mecklenburg to Pomerania; and as the *Marschhufe* in the dyked land about Danzig.

Rural colonisation in the East was based predominantly on holdings of 'full lands' by peasants. Their size varied with the quality of the soil, local custom and the varying *Hufe*. Moreover the immigrants must have had some say in the matter. We are not even sure that average holding and *Hufe* coincided. It is thought that in Brandenburg and East Prussia two *Hufen* per settler was normal. If so, the normal village in the Ordensland of 60 *Hufen* would have only twenty full holdings.[1] We hear of men who hold half or two-thirds of a *Hufe*; seldom of those who hold more than two; never of those who hold more than four. The land register of Sorau in Lower Lusatia, made in 1381 when colonisation was finished, contains a majority of holdings of less than one *Hufe*.

Property in land subject to material burdens was seldom transferred or created by purchase. A derivative right of occupation under some lord was universally prevalent. But the consequences were exclusively material. That precious personal freedom which the German immigrant had acquired when he left his home—if not earlier—was not affected by his new tenure. Where the rulers were not Germans, the colonists were privileged in the matter of obligations to the state, which amounted to an easing of their economic burdens. The varied, often uncertain, and possibly very oppressive burdens in the way of dues and services to which the native populations were liable were regulated in their interest. The arrival of Germans facilitated a change to a more developed system of public liabilities. And the German was guaranteed his own penal and property law, and his own courts.

The tenure was heritable, with a quit-rent (*Erbzinsleihe*, *Erbpacht*). The lord was ultimate owner: he inherited in default of heirs. But the colonist's position was excellent: his female descendants and collateral relatives could inherit. He could sell, provided he gave his lord the first refusal. In fourteenth-century Bohemia the lords established their claim to approve the alienation of *Hufen*; but this did not become part of the law of the land. As a free man the peasant could leave his land at will. In one recorded case only (in Silesia, in 1206) had a German settler to find an adequate substitute before leaving. This looks like an effect of Polish influence; for in Casimir the Great's Great Polish Statute of 1347

[1] The rest being lord's, *Schulze's*, or church land, with some scraps for 'gardeners'.

it is made applicable to all peasant settlers under German law. Perhaps the Statute only gave legal recognition to a customary practice.

Holdings by *Erbzins* were burdened with dues to the lord. But these were fixed and moderate. There was the yearly quit-rent in money or in kind—grain primarily, or rather grains; rye, wheat, barley and oats; or any two or three of them grown locally. Peas occasionally and hens are mentioned. Replacement of payments in kind by payments in money made progress with the years. It occurs in the earliest colonising times. A late-settled district such as Pomerania usually employs money from the start; an old-settled district like East Holstein will have payments in kind, which are commuted occasionally in the thirteenth, but more generally not before the fourteenth century.

Many factors must be taken into account in interpreting the bare figures of the burdens imposed on each *Hufe*. In early days there was often only a small payment *pro recognitione terre*, especially on Church land; for the Church looked to the coming tithe from virgin soil. Gradually, however, the dues grew into a substantial rent in kind. In the centuries now under discussion the purchasing power of money was declining sharply. We must not consider any of the rents apart from the tithe, or the payments in money apart from those in kind. Nor must we forget the varying sizes of *Hufen*. The results are confused and uncertain; but we can extract standard figures at least for certain precise dates and places. For the second half of the twelfth century a money payment of 2*s*. per *Hufe* is normal. Over wide areas in the thirteenth, Silesia and Great Poland for example, it is a quarter-mark (*Vierdung*); towards the end of the century, and in the fourteenth, a half-mark. This last was the average payment in the Ordensland of Prussia. But for late foundations and on exceptionally good land, like that about Danzig, it might rise to 2, 4, 6 and even 10 marks.

In spite of all variations and complicated interrelations of payment in money and in kind, one can establish for many districts something like a normal burden on the settler's *Hufe*. The Sorau register of 1381 mentions, from the big *Hufe*, 9 groschen at Midsummer and 9 at Michaelmas, and 3 bushels each of wheat, rye, and oats; from the 'Flemish' *Hufe* only 6 groschen, one bushel each of barley, rye and oats, with one bushel of tithe-oats. Charters from Great Poland for the decades from 1243–1333 give almost uniformly 12 measures of corn (usually mixed corn of three kinds) and a quarter-mark. The Teutonic Knights regularly prescribed money-rents, to which was added 'plough-corn', the secularised tithe.

Tithe itself was handled in many ways, yet there are definite tendencies in their development. For German settlers, the general rule was to fix it clearly and once for all. Sometimes a payment in threshed corn,

the same for every year, was fixed; so the cultivator could freely choose the day of delivery, and any possible interferences by the tithe-owner were excluded. Or tithe might be fixed straight away in money; often in the form of 'the Bishop's *Vierdung*'. We should like to form some conception of what the aggregate of these burdens meant to the peasant. But general estimates are not permissible, because the value of money, and its relation to the dues in kind, varied far too much. We can only say that the burden in itself was tolerable; and as the dues were fixed from the first the peasant gained by any improved yield of his land. Finally, the progressive depreciation of money during the era of colonisation made his cash payments easier.

The first colonists under German law had no work to do for their lord, as peasants once had in Old Germany and Slavonic peasants still had; and that remained the rule. Perhaps it was Polish influence which led a lord in North Silesia, so early as 1283, when laying out a village under German law, to stipulate for three days' ploughing from every *Hufe*. The same thing is often found in Upper Silesia, and in Bohemia, in the fourteenth century. But the village of Kremnitz near Landshut, between the Vistula and the San, which was actually German, not merely 'under German law', knew nothing of 'manorial' services in the fifteenth century. Under the Teutonic Knights in Prussia, services were regularly demanded from German peasants from about 1350. In Ermland in 1390 the local custom was described as six days' mowing for hay, and the carriage of wood, oats and fish. But even in Prussia, so late as 1427, there were no arable services. So, apart from these special and late developments, the normal colonist had nothing to do with the cultivation of his lord's land. He was neither part of a 'manor', in the old Western style, nor of a *Gutsbetrieb* such as developed later in the East. His holding was his own: for his lord it was simply a source of rent. What services he owed not as tenant of a lord but as subject of a prince will be described later.

His inclusion in a village community did set certain bounds to the peasant's economic freedom. The village community was one of the most valuable things which the Germans had brought East with them. But the form that it gradually took there was less developed than that of the West. In early days in the East we still hear of the free election by the community of its head-man—called usually the *Schulze*; also the *Bauermeister*, *Hagemeister*, *Richter* or *Vogt*, from which comes the Polish *wójt*. Later, such a thing is a rare exception; though we meet it in a few German villages in Prussia. Either the lord nominated the *Schulze*, or, more usually, the office became the heritable property of the locator. So far then the village was put under authority. This gave opportunities for the depression of the peasantry in later times. Yet the two or three 'justices' (*Schöffen*) who sat with the *Schulze* were in their way organs

of village self-government. But the eastern village community differed fundamentally from the western in having, as a rule, no appreciable area of common land, no *Allmende*, of its own, because it was established on seigniorial ground. There were only the greens and the roadside margins; some scraps of brushwood, bog, heath or moor, for pasture and the collection of firing; seldom a real wood. The intercommoning of several villages in a mark, often with very extensive forest rights, was unknown. So the individual cultivator was conscious of communal pressure, or communal support, only when the village fields were intermixed—with their rights of transit across neighbours' lands; their compulsory crop rotations, and fixed dates for ploughing and sowing and reaping; with their 'common of shack' on stubble and fallow, often the only available form of pasture. In the *Waldhufen* type of village there was none of all this. The peasant was perfectly free to farm his own long strip of land, unless there was common stubble grazing, as there might be. But even if unimportant for agricultural technique, the village community was very important for the healthy social life of the peasantry. Although in its eastern form it lacked many things and its organs were less developed than in the West, it was greatly strengthened from the start by the fact that nearly every village of German settlers was both a minor judicial area and a separate parish.

The relation to the state of colonists under German law deserves notice because of its direct and indirect effects on economic life. There were very great local differences between the Marks and the native principalities. But nevertheless a uniform line of development can be traced throughout. The settlers came directly under the prince, even when established on private land. The number of prince's villages was high everywhere, in the Prussian Ordensland absolutely predominant. And in other villages the lord never crept in as an intermediate political authority between settler and prince. Moreover German settlers in non-German states were free of the services and burdens which natives owed their country, as we have seen. The duties required of them were few and well defined. They were connected chiefly with defence. But the settlers were fully involved in that new tax system which developed during, and in consequence of, the German colonisation, and which utilised the possibilities of money economy that the colonisation had brought with it, after the antiquated Slavonic system of services and dues had broken down. In fact they themselves brought the new system.[1]

Ecclesiastical relations needed to be regulated as much as political;

[1] It was only from the fourteenth century that a new movement, opposed to the spirit of the age of colonisation, led to frequent transfers of sovereign rights from princes to various sorts of landlords, and created a starting point for claims to economic services which contributed greatly to the later development of the *Rittergut*

and the regulating movements ran parallel. Normally each new village built its church and became a parish. To endow the church, a *Widmut* or *Widem* of one to two *Hufen* was set aside from the first. Besides that, each *Hufe* or each house often gave a small yearly offering to the parson. All this was easily arranged; but tithe was not. Where lords were ecclesiastics, tithe was often a greater incentive to colonisation than rent. But there were all sorts of difficulties about it. The claims of the bishops clashed with those of the princes, who sometimes claimed the tithes from land newly brought under the plough: they did this in East Holstein, Mecklenburg and parts of Silesia, for instance. Settlers bargained over the method of levy, as we have seen. Germans who came under the jurisdiction of the Polish Church were surprised to meet the claim for Peter's pence. Many of them managed to reject it. Others resisted it for years—especially in Silesia, already completely separated from Poland—because they counted it a part of Polish law and so a symbol of unfreedom.

To facilitate their establishment on virgin soil, immigrants were given certain years during which they were free of all liabilities. Many more free years were often given in early times than later. We meet ten to twelve, even eighteen to twenty; but usually less. There is as a rule a marked difference between the allowance made on old cultivated land to be laid out on German lines, or on easily cleared and quickly productive land, and on that which required laborious clearing. Sometimes provision is made for a gradually mounting rent.

We do not know certainly how far the lord or the locator helped the settlers on their trek and in the work of settlement. Where forests to be cleared did not provide the necessary timber, we can infer from the practice in the new towns that it was given them free. But we know very little about the date, the extent, or the price of land purchases by peasants. As early as *circa* 1150 we hear of fees paid to lords for recognitions and admissions; and once, near Leipzig, of a price—4 'talents' for 14 *Hufen*. In Bohemia we often meet a substantial entry fine (*arrha*, *laudemium*). But we have no agreements between settlers and locators to tell us what settlers paid for their *Erbzinsrecht*. We must assume that they did pay in the later colonising period; for then the locators bought the land at stiff prices, as a rule 6–12 marks per *Hufe*, but often much higher, and once so high as 48 marks (in 1294), as adequate evidence from Silesian charters shows. In an isolated instance, when the Council of Elbing in Prussia had two villages laid out in 1332, we learn that settlers paid 6 marks 'advance rent' (*Vormiete*) per *Hufe*. We learn about this because it was paid direct to the lords, although a locator was at work. The sum is four times the yearly rent, itself three times the usual Prussian rent of half a mark, because the land was near a town.

As for the locator's earnings, these—in spite of all local variations—soon came to be fixed on certain definite principles, so far as they depended on grants from the lord. The size of the village of course affected them; so did the changing circumstances of eastern colonisation as time went on. In the early stages the lords might grant their locators money, or corn, or help in building mills: of this there are cases from Silesia in 1228 and 1237; from Ermland in 1254 and even so late as 1359. But the success of colonisation reversed the position, as we have seen. Locators did so well that they were ready to pay for land to be settled. But we must freely admit that their business was risky. Many settlements hung fire and had to be primed again; many failed completely.

Their earnings evidently contained most various elements. Always a part of the village land was one element; either so many *Hufen*, or a given proportion of the total number of *Hufen*. In early days this was often one in three. It sank later to one in six, or to the one in ten that was common in Prussia. The locator got his *Hufen* free of rent and often free of tithe. Sometimes he himself received the rent from a group of *Hufen*.

A second element came from the right to build inns and mills. This was often very important. Before Germans brought in water-mills or horse-mills, the East had used hand-mills. Nearly every fair-sized village got a mill of the new sort. It was generally rented; so the colonisation produced a class of rent-paying millers. Sometimes there were other rights enjoyed by the locator—over fisheries; ground game; bakers' and butchers' stalls, when the village was allowed them; over the smithy or the bath-house; the right to keep a big flock of sheep; a monopoly of brewing or hop-growing, even one of bee-keeping.

Thirdly, his position as judge and overseer of the village (*Schulze*, or what not) brought him a share in the profits of justice in his court of first instance; usually a third of the fines. Occasionally—though very generally in the Ordensland—he had also a share in the profits of higher justice.

Because he became the *Schulze*, his whole complex of property and rights was called the *Scholtisei* or the *Richterei*; and because it was all hereditary, the *Erbscholtisei* or *Erbrichterei*. It was often, though by no means always, granted to him as a fief. Why this or some other form was chosen we do not know. Its value was appreciable; a *Scholtisei* might be sold for 50 or 70 marks.

As the locator became the *Erbschulze*, every village got a man who stood above the peasants in wealth and in official and social position. From about 1300, in Silesia for instance or in Pomerania, he was given greater military duties. He must be mounted. Nevertheless he did not stand too far above the peasants socially: he and his class were their natural leaders. However, the business-like, capitalistic spirit of the

location contract worked the other way. It allowed a locator to sell his *Scholtisei* freely; and the hereditary character of the office only made it a better security, it in no way guaranteed his permanent connection with 'his' village.

One difficulty that the German migrants eastward had to face was a lack of those facilities for the division of labour and access to various markets to which they had been accustomed. Early settlements were often isolated from any market at all. That explains why in particular the immigrants from progressive Flanders stipulated in the early years for at least some limited measure of those commercial privileges which were usually reserved for places with markets, and for boroughs. The Flemings who were settled by the Bishop of Meissen in Kühren (between Leipzig and Dresden) in 1154 were expressly given permission to sell bread, beer and meat among themselves—but not to strangers. Archbishop Wichmann of Magdeburg, a great coloniser, went further and in 1159 gave the Flemish settlers of Wusterwitz an annual privileged fair. A similar blending of the economic functions of settlements which were usually kept distinct appears rather later in the East. It occurred to the Abbess of Trebnitz in Silesia in 1234 that her new village of Thomaskirch might require butcher's stalls. In the same year the Duke of Great Poland gave market rights to the village of Powidz, when he began to call in Germans. In fact, in this period, the founding of villages with markets, *villae forenses*, is common in these two provinces. In Pomerania in 1262 a village near Stettin gets brewing, baking and slaughtering rights—but, and this is characteristic, only for its ten 'free years'.

Meanwhile a deliberate extension of the tried processes of settlement had provided far more generously for the marketing needs of immigrant German peasants, and had satisfied many other requirements also. The further colonisation moved from its base in Old Germany and from the first new advanced trading towns, the more peasants demanded some market to which they could sell their produce and in which they could buy essential manufactures and articles of commerce. The system of dues, taxes and tithe in money shows clearly enough both that they understood a money economy and that their lords expected them to understand it. On the other hand the towns, whose foundation these same lords encouraged, wanted a German countryside to live by —so far as they did not live by long-distance trade. Wichmann of Magdeburg himself conceived of the region (*provincia*) of Jüterbock in what is now Brandenburg as a unity when, *ad edificandam provinciam*, he laid out the town of Jüterbock as *exordium et caput provinciae*. He had already begun to settle Germans in the country, especially 'Flemings'. About the year 1200, as colonisation neared Upper Lusatia, a method

was devised for uniting rural and urban settlement very closely. Duke Henry I transferred it to Silesia with great and rapid success. Each form of settlement helped the other. Prosperous burgesses often took over neighbouring villages from the Duke, acquired property in them, and brought in settlers. Bishop Laurence I of Breslau carried the system before 1220 to the episcopal lands on the Neisse, and from there into Upper Silesia, east of the Oder. Already in 1210 the Duke of Great Poland had experimented with it in the valleys of the Warthe and Netze. In Eastern Kurmark it developed naturally, as the foundation of towns after 1230 got abreast of the earlier village settlement. Beyond Silesia, Northern Moravia shows the same close association of central market-towns with a group of villages round about; and from there the system passed into East Bohemia. We are often ignorant of the exact process; but it is well reflected in the law. Although the villages are not always associated with a town founded at the same time, to be their legal centre, but are sometimes linked to such a town subsequently, the object is the same, to break down the isolation of the German village in a strange rough land. Contemporaries recognised and deliberately planned the association of villages with both an urban higher court and an urban market. A Great Polish charter of the early fourteenth century says—*ville supranominate ad forum et ad judicium debeant pertinere.* The inclusion of their village as a subordinate judicial unit in an urban *Weichbild* was always of economic value to the peasants. For it completed the exclusion of the immigrant German from native law. The town of Posen illustrates the wide sweep of this system of town-and-country planning. Its locator in 1253 was given seventeen adjacent Polish places which the Grand Duke of Great Poland wished to have colonised by Germans. In the lands of the Teutonic Knights, experience in older colonised regions led to the adoption of a uniform system in which this association of town and country was the rule. The system was the main force in the opening-up of Prussia.

It favoured a separation of social and economic functions which in the early days of colonisation had sometimes been blended. Town and village were sharply distinguished. It is certainly no accident that it was precisely in colonised regions that the conception of the *Bannmeile*, the zone to protect urban handicraft, was specially emphasised. This was in keeping with the rationalism of a young country. The towns were exceedingly active in seeking recognition of their claims to an industrial monopoly; and usually their success was complete. Only a few essential rural handicrafts were excepted—especially smiths, wheelwrights, bakers and butchers; and attempts were made to confine the first two groups to repair work. Regular handicrafts were concentrated in the towns. The towns were specially jealous of their profitable monopoly of

brewing—acquired from the prince—and strict in enforcing it. The lack of a strong class of Slavonic rural handicraftsmen, and the absorption of the immigrant German villagers in their colonists' work of clearing and building, favoured the aims of the towns. Town policy also ruined the old Slavonic settlements of specialists. This restriction of the eastern village to purely agricultural activity must be regarded as one of the facts which help to explain its later subjection to the *Gutsherrschaft*.

Although so far the fact has been emphasised that the colonising process was based on the peasant holding, it must not be forgotten that other types of estates of all sizes were also called into existence. To the greater some reference has already been made—the demesnes of churchmen and knights, and the complex estates of the *Schulzen*.

Among churchmen only the Cistercians had a special type of rural economy. The insistence on *labora* in the Benedictine rule, and the institution of lay brethren, led the followers of St Bernard to create those important establishments, the *grangiae* or *curiae*, which they worked themselves with the help of the lay brethren. The wide experience which they brought from the West, and the strict discipline of their half-monkish labour, made these establishments models for the peoples of the East in the twelfth and early thirteenth centuries. The Cistercians also did clearing work. But beyond the Elbe they secured the services of native villagers from the very first, and adopted the system of letting out land for rent—at first naturally to Germans—much earlier than their Ordinance of 1208 permitted. The so-called foundation charter of the monastery of Leubus in Silesia (of 1175) already assumes such German settlement. So the grange, as the only form of Cistercian economy, fell into the background in the East; as the system of lay brethren declined, it soon lost its advantageous labour system. Many granges were let to peasants for rent, the rest were assimilated to the demesnes of other ecclesiastical lords, which differed in no important way from those of princes or noblemen, either before or after the age of colonisation.

When the German East Movement began, it did not much affect the 'demesnes' of Slavonic lords. New villages of peasants could spring up near the old *allodia* or *curiae*. It was only when those native villages from which the lords had drawn manual or team services began to be transformed that the organisation of labour was affected. The resultant decline in servile labour power was met in part by a reduction of the 'demesne'. That happened also, where productive land from the 'demesne' was used for peasant settlement. This was certainly a common occurrence. The widespread break-up of great estates which the lords had kept in their own hands has been called a characteristic of this period of agrarian history in Bohemia. This is more or less true of other

regions in the East. But it must always be remembered, that a very considerable part of these 'demesnes' had been utilised most superficially or not at all; and that parts of them remained in the lords' hands. In old settled districts a radical transformation on German lines was not always undertaken. Often there was only a partial change of native tenurial conditions and burdens. Lords retained their right to extend their own 'demesnes' with the help of the tenants' services. Even when a lord decided to undertake genuine colonisation, he was not obliged to abandon all his claims to services. In the Mark of Brandenburg, next to rent-paying German villages are often found villages with the same name but full of Wends who render services. At the very close of the Middle Ages, in the bishopric of Breslau, there may be even in villages under German law isolated holdings under Polish law, and liable no doubt to the old Polish services. Finally, the instances already quoted of arable services assigned to villages under German law, when first laid out, are best explained as being connected with 'demesnes' on which such services had always been performed under Polish law. In that way, but varying with the region, many 'demesnes' survived from pre-colonial times. Silesia's wealth of charters gives some idea of their extent. We meet with *allodia* of from four to six ploughs which have survived the colonising process.

But the process also created new ones. Often they were set aside for the lord when a village was founded, or especially allocated to particular uses. The princes wished to increase their military resources at least as much as to strengthen their financial and economic power through peasant settlement. They wanted more knights. So they encouraged service on horseback by men most of whom were heavily armed. Though far fewer than the peasant holdings, those that owed knight service were a not less important element in the whole process of eastern reorganisation. A knight might be given one or more villages to lay out. He could employ a locator or not; could give him the manor-house, or keep it for himself. He became lord of the village, or part of it. According to the *Handfeste* of Kulm of 1233, for every 40 *Hufen* which anyone bought from the Order, service with one armoured horse and at least two others was due; a smaller number of *Hufen* owed a horse and light arms. In other cases, holdings owing knight service were created at the same time as the village but without such a close connection with it. Any such holding, even when given by the princes or the higher nobility or ecclesiastical foundations under feudal law, was invariably called an *Allod* (in Latin, *predium*, *curia*, *villa*, or *dominicale*). In the fourteenth century the German word *Vorwerk* appears. It was applied at that time to the chief manor itself, not as to-day in East Germany to a subsidiary establishment. The following figures give some idea of the

number of such knightly estates at the close of the colonising era: in the various districts of Brandenburg about 1375 there were in the Old Mark, 72; in the Ucker Mark, 169; in the Middle Mark, 207; in the New Mark, 187. About 1350, in the principality of Breslau in the heart of Silesia, there were more than 200 *allodia*, very many of them ecclesiastical. This was a land that had always been thickly settled.

The size of lords' *allodia* was not considerable. For the land between the Saale and the middle Elbe it is put at 3–6 *Hufen*; the land-book of Sorau gives an average for that part of Lusatia of 2–4; though in the very fertile country near Breslau, in the middle of the fourteenth century the size of the *Vorwerk* certainly varies from 5–7 up to 10–11 *Hufen*. The Old Mark of Brandenburg in 1375 gives an average of only $3\frac{3}{4}$; in the Ucker Mark at the same date it rises to $6\frac{1}{4}$ (about 250 acres); in the Middle Mark to $7\frac{1}{2}$; whilst in the New Mark it was $8\frac{1}{2}$ (or about 360 acres) so early as 1337. Some of these *Vorwerke* had their roots in pre-colonial times. The fourteenth-century figures already include some peasant land, absorbed into knights' land since the colonisation. Varying qualities of soil help to explain the great differences of size. In the Prussian Ordensland a normal size was 5–12 *Hufen*; but on the edge of the 'wilderness' near the eastern frontier they rise to 20–50, obviously including much waste, especially forest. As a whole then *Vorwerke* varied from the size of a big peasants' holding up to twice or four times the size of such a 'full land'. In estimating their social and economic value, it must be remembered that their yield might be supplemented by rents from dependent villages. So one can say of them in general that on the average they provided an independent livelihood on a scale sufficient for the then rather modest needs of the class who owed knight service. Their holders were peasant-noblemen, whose way of life and experience fitted them well to carry on further colonisation. It has been seen that there was also a higher nobility. But its existence did not affect the normal methods of upper-class economy. Its estates were like those just described, and they are included in the figures quoted.

An exception is provided by the *Vorwerke* established by the Teutonic Knights and Cathedral Chapters on the Knights' territory, and that not only in Prussia but also in East Baltic lands. (During the era of colonisation lay knights did not work demesnes of their own, but lived from the services and dues from native villages assigned to them by the Order or the Bishops.) Many of these princely *Vorwerke* were very extensive, and often not merely because of appendant waste. Records of sowings on knights' demesnes in Prussia from about the end of the fourteenth century actually imply arable areas of from 425 up to even 3500 acres; that is from something above the maximum in Brandenburg up to about ten times that maximum.

Whether the land of a *Vorwerk* lay intermixed with that of the peasants or apart from it varied greatly from district to district. In Meissen, in districts with old Slavonic 'block' fields, it seems always to have lain apart; in the new German villages sometimes apart, sometimes intermixed. Intermixture predominated in East Holstein, separation in Mecklenburg, where only the *Settingehufen*, not the *Hofhufen*, were mixed with the peasants' acres. In the New Mark both systems are again found. In East Prussia separation prevailed generally. In *Waldhufen* districts the problem did not arise, because there was no true intermixture even of peasant land.

If one compares all this with the familiar modern *Rittergut* of the East, the contrast due to the state of things created directly by colonisation becomes very clear. Although there was landlordship from the first, there was not the close association of 'manorial' and peasant economy that developed later, especially in the organisation of labour. Very many villages had no *Vorwerk*. The Brandenburg register from the fourteenth century already quoted shows, for example, that only 39 out of 318 villages of the Old Mark had a *Vorwerk* at all. The Breslau land-book of about 1350 gives similar results. Villages without a *Vorwerk* served merely as sources of rents for their lord. But even when a village had a *Vorwerk*—or several, a very common thing—the peasant holding was usually nothing more than that. An exception from this conclusion is provided by those 'manors' of pre-colonial origin whose dependent native villages had not been thoroughly reformed on the German model, as well as by new creations or remodelled villages in which, as has been seen, the example of native habits of service had been influential. In both these types indications of the subsequent labour-system of the *Rittergut* are found, which might lead straight to it. A complete comparison of the two periods of East German and eastern agrarian history could not overlook the fact that in the *Vorwerke* there existed points from which the great agricultural enterprises of the upper classes might expand; and that their landlordship had brought with it for the owners of *Vorwerke*, a position in the villages which the charters describe as that of 'village lords'. This, in conjunction with the transfers of sovereign rights already mentioned, brings us to the beginnings of the so-called 'hereditary lordship' of the knight over the village. To distinguish late medieval conditions sharply from modern conditions, G. F. Knapp coined the formula—'the medieval knight was the peasant's neighbour'.[1] This formula can only be accepted if the limitations just mentioned are kept in mind; and even then only for German villages, or for those fully organised on the German plan and under German law.

[1] G. F. Knapp, *Die Bauernbefreiung und der Ursprung der Landarbeiter in den ältesten Teilen Preussens*, Bd. 1 (1887), s. 31.

To complete this sketch of the holdings which over-topped those of the peasants, the *Scholtiseien* may be recalled. As the figures show, their size came very near that of the *Vorwerke*, although on the average it was somewhat less.

The working of lords' 'manors' and of the estates of *Schulzen*, in spite of their different origins, was uniform to this extent: they were managed directly by the owner or, where he had more than one, by his official representatives. But their different origin was shown in their labour systems. *Allodia* from pre-colonial days everywhere preserved at least remains of the older system—servile domestics and perhaps also the services of dependent peasants. Team services were what lords chiefly demanded, for general transport purposes or for work on the land. A third group of dependants, standing between the first two, was made up of people who had no peasant holding but had got a scrap of land from the lord—technically a 'garden'—for which they did service. No doubt the class of 'gardeners' was composed mainly of humble natives; for in the Marks the Slavonic name of *Kossäten* was often applied to them. The general nature of their services, in detail very varied, is shown by the term used somewhat later in Meissen—*Handfröner*, 'hand-servers'. The considerable amount of work done by this class supplemented the daily work of the servile domestics and the seasonal team work of the dependent peasants.

But none of these permanent legally-bound labour supplies were to be found at the outset in the pure rent-paying villages created by colonisation, or were available for the *Schulzen*. It was necessary to fall back in part on hired labour. We often hear of ploughmen on the estates of the Teutonic Knights. But hired labour alone could not meet their needs. So they settled 'gardeners' systematically even in rent-paying villages. They are numerous late in the thirteenth century; in the fourteenth they are found everywhere. They appear in Prussian records from 1305. When a village was laid out each got about three 'acres' (*Morgen*). To supplement this they received a wage for their work. The amount of work and its remuneration varied greatly from place to place. A Silesian document of 1387 gives the following full account of a 'gardener's' rights and duties on an ecclesiastical manor; he reaps (and gets one sheaf in twelve); threshes (and gets a twentieth of the grain); mows the aftermath (and gets one cock in three). He heckles hemp, cuts grass and brings it in, tends horses, spreads manure, and washes and shears sheep. For all that he is given his keep and already some money. Besides, he gets his bit of arable ploughed and his oil-seed crushed for him. This man was what was called a 'threshing gardener' (*Dresch-gärtner*). The same type is found in Meissen. In Silesia however it occurs mainly on the splendid black earth soils of the centre, and on the

loess of the upper province. Its occurrence reveals intensive arable farming.

The equipment of a *Vorwerk* was still very simple. Even in the fifteenth century, on Saxon territory, one or two plough teams and four to at most eight horses was the rule. The archives of the Teutonic Knights confirm this impression. For the same period, two or three plough teams was the rule, even on *Vorwerke* ranging up to 1700 acres. In such cases the lord's ploughs cannot have done much of the cultivation. Only here and there were from five to fifteen ploughs kept up. The maximum comes from Marienburg, which also had the maximum acreage of 3500 already quoted.

These facts form the link between the agrarian organisation and the agriculture itself. The small amount of arable on the *Vorwerke* is explained in part by the fact that the peasants paid so much of their rent in corn, towards the production of which the whole business of colonisation was mainly directed. The yield was increased not only by extending the cultivated area but by improving methods and implements. Wherever conditions permitted, the Germans brought in their customary three-course rotation. That was decidedly more productive than the former unregulated *Feldgraswirtschaft.*[1] It is hard to estimate the effect of the immigrants' whole temper and stage of development, but it must have been considerable. They were accustomed to work hard and look to the future. Independence and responsibility were powerful incentives, hardly to be found in the older native rural society. Also the immigrants brought better implements; especially the heavy felling axe, and the iron turn-furrow plough with its wheels and mouldboard. The deep cultivation which this plough brought about was a decided improvement. Many heavy soils, especially the boulder clay, were first broken up by it. Buildings were greatly improved: the German farmhouse and out-buildings were solid. The crops grown have been mentioned in connection with the corn dues. From them it appears that millet, a favourite grain of the Western Slavs, had been driven right out.

Some special crops had been introduced in places before German immigration reached full flood. Non-Germans had had a hand in this, Romance-speaking people brought in by immigrant ecclesiastical lords. In Silesia and Little Poland we occasionally find Romance vine growers shortly after 1200. But Germans were mainly responsible for the great extension of vineyards across the Elbe. No doubt it was the liturgical use of wine which led to these extensions far beyond the appropriate climatic zone—even into Pomerania. The vineyards along the Elbe about Meissen and Melnik in Bohemia, like those of Grüneberg on the

[1] Cp. p. 128, above.

middle Oder, are to-day only the modest remnants of this medieval viticulture. Whether hops first became known in the East in the same way is uncertain. Documentary evidence of the settlement of Germans as hop growers in Silesia shows that they were specialists in the work. And naturally the German peasant brought his better fruit trees with him. In consequence of the establishment by Germans of woollen-weaving and dyeing as regular crafts, woad growing was introduced from Thuringia into mid-Silesia.

In the whole picture, cattle farming stands far behind arable farming. The reverse is perhaps true of the *Vorwerke*. Some peasant countrysides were also devoted to cattle keeping—the Elbe flats of Prie'gnitz were. But as a rule it was only found on a large scale on lords' territory. It had been the favourite activity of the eastern peoples. It needed less labour than arable farming. The lords' enjoyment of grazing-rights over the village fields encouraged it. Breeding for the butcher could spread everywhere, as soon as towns provided markets. Appropriate regions, such as Mecklenburg, could try to imitate the breeding industry of their neighbours in Schleswig and Holstein.

The many sorts of horses, from the knight's charger to the farm-cart nag, were in great demand; but the better sorts were bred almost exclusively on the *Vorwerke*. Swine needed acorns or beech mast, not to be found everywhere. What most tended to break down a one-sided devotion to corn growing was the growth of a cloth industry that made sheep pay. Even before 1300 sheep were reared on a large scale in Meissen: it already had an export of cloth. The great contemporary sheepfold of a Cistercian house in Silesia may have been for its own use. But there also the rising importance of wool growing for market is shown, when *Schulzen* secure separate pasture for from 100 to 300 sheep, and when—about 1350—such separate pastures come to light as appurtenances of *Vorwerke* and free *Hufen*.

So far, the agrarian changes which what are now North-East Germany and the neighbouring countries experienced from the twelfth century have been examined from the point of view of those innovations which German immigration brought directly. The fact has, however, been emphasised, and illustrated from various regions, that these innovations were not confined to the German-settled area, but affected native conditions in varying degrees. It remains to explain more precisely the working of the agrarian movement started by German influence on the older populations of the eastern lands and their economic relations. Some repetition is inevitable, but much remains to be said; and the progressive influence on the indigenous agrarian development of tendencies already noted can be followed out.

The object is not to determine the indirect effects of German colonisation on agriculture through the revolution that it brought in all other branches of the economy of East Central Europe, and through the increased absorption of that region into the complex economic conditions of the West. Of these effects it may be said in brief that the introduction of town life by the Germans first gave the East a complete, permanent, market-controlled economy, with division of labour. Here however we are concerned primarily with agrarian questions.

The older population was drawn most completely into the new movement when its members took part as settlers in the foundation of villages 'under German law', side by side with Germans. By so doing they shook off all bonds of former dependence and became members of German village communities. If they were actually mixed with Germans in the same village, not merely settled in their own villages among Germans, they naturally mastered the new constitutional and technical methods more quickly. But, as has been seen,[1] it is exceedingly hard to separate zones of pure German, mixed, and pure native settlement.

Equally radical changes came about when an area already cultivated was assigned to Germans or subjected to German law. In that case a bit of the old agrarian system of equal size simply disappeared. This occurred to some extent in the Marks; on a large scale on the rich lands of Middle and Upper Silesia; and was found also along the Baltic coast.

Often however, colonisation had only a dilute effect on the native population and their agrarian life. Where conquering German lords imposed themselves on the Wends, in order to supply their own needs through a regular system of dues, they began to adjust both the position of the population and the agrarian institutions more or less to German custom, partly for lack of German settlers and partly in imitation of them. There, in the Marks, native lords imitated the Germans, and the example spread to lands with native princes. The results varied greatly, but a common tendency can be discerned everywhere. It is towards a fixing and limitation of burdens, which had important consequences for their bearers—whether holdings or men. The limitation and fixing of dues had occurred inside purely Slavonic society, with the institution of *hospites*. Now the German example led to more of it, and also to greater uniformity of groups of holdings. For, to secure equal dues, holdings of unequal size which had to yield them were standardised. All the way from East Holstein to Prussia, one now meets the 'hook', that is a land measure named after the Slavonic and Baltic plough, copied from the German *Hufe*, and treated similarly as a normal unit for normal burdens—services, rent, tithe. And far into the East it is

[1] See p. 370, above.

very often called a *Hufe*, but with the prefix 'Wendish' or 'Polish'; or it is called a *Smurdenhufe*. It was generally half of the big 'Frankish' *Hufe*. The standardisation of holdings must often have been associated with a reorganisation of the field divisions. These were made more regular, somewhat after the German style. We may connect with this adjustment of Wendish habits to the new era those fields in 'blocks', but remodelled with strips, which are to be found in North-East Germany, frequently for example between Leipzig and Dresden. Far to the East, in Masovia, we come across ordinary intermixed open-fields from the fifteenth century, which indicate the further penetration of at least one element in the German agrarian system. In Lithuania, the Crown introduced the German system of *Hufen* after 1550. But behind any regulation of the fields stands the definite supersession of the old principle of communal economy and communal sharing of burdens, so far as these things still survived. Everywhere there now prevailed that individual ownership and responsibility which had been established among the Germans.

That was one way in which the processes here described affected men. Another was the rise of an appreciable proportion of rural workers to a better legal position. This was most true of the humblest of them, the *Smurden*, 'the dirty folk'. No doubt the lords went on taking servile manorial workers from this class. But some of its members acquired a certain amount of land; from among whom one group can be distinguished—called *Gärtner*, *Kossäten*, *Kötner*, and so on —who had to supplement the yield of their bits of land by wage-work; and a higher group who could live as full peasants, as the emergence of *Smurdenhufen* shows. In association with the regulation of their holdings, and the limitation of the rents and services, there went an improvement in native tenures. Long after all heathen, idle, or superfluous Wends had been summarily got rid of, things had already gone so far in Mecklenburg by 1285 that a free renunciation in court of a Wendish tenant's rights was required before land occupied by him could be transferred to a purchaser. The burdens are now attached to a determinate piece of land: the native peasants are personally free.. So their former unfreedom fades away, at least in regions where German influence is strong. The old cultivated land of the Meissen Mark is a case in point: there this transformation of Sorbish conditions was widespread. But even there the natives never generally acquired the good German heritable tenure (*Erbleihrecht*). To a great extent a more insecure tenure prevailed. So, for example, the region in Lower Silesia famous for its peasant 'property' (strictly a heritable leasehold) was surrounded to the north and east by districts with these insecure tenures; and as you went east, such tenures were more and more associated with personal serfdom.

Conditions proved most stable where the population was given over to the typically Slavonic occupations of fishing and bee keeping. Here the dues were regulated so as to bear on individuals, not on groups; but there was no change in the nature of the due—in fish or honey—or in the unfreedom of the payer. Such conditions were widespread in the Lusatias and in the Mark of Brandenburg. There were other specially Wendish dues, which suggest extensive cattle and poultry keeping.

The conditions in Prussia, in the end conquered entirely by the sword, were peculiar to it. Apart from a few freemen, the Prussians were either subjected with their holdings to a lord, under a system of mild serfdom, or torn from their holdings and assigned to another lord who might give them land or use them as landless labourers. Generally speaking, the Prussian natives were left in much the same position as their Slavonic neighbours.

Whilst in this way, in the regions north of the Sudeten Mountains, agrarian conditions were being adjusted to the needs of a progressive age under the obvious influence of German institutions, the heart of the Sudeten area, inhabited by Czechs and Moravians, proved the greater resisting power of its Slavonic population by extending the area of cultivation with its own unaided forces. In Bohemia there are more than 300 places called *Lhota*, sometimes with suffixes. There are eighty more in Moravia. The word first occurs in charters in 1199: most of the names date from the thirteenth and fourteenth centuries, though for many a later date can be proved. *Lhota* means approximately 'freedom' or 'freeing', and is used—among other uses—to describe an exemption from rent or tax for a period of years, granted when settlements were laid out on waste land. It is provable that some places got their names in consequence of such exemption. The distribution of the *Lhota* place-names in the interior basin of Bohemia, in particular between the Moldau and the Sasawa, and in Moravia in the land below the mountains that divide it from Bohemia and Hungary, as well as the prevailing Slavonic character of the present populations, allow of the conclusion that to a considerable degree these names are witnesses to a process of Slavonic settlement that proceeded with a certain uniformity. What glimpses the charters provide show locators with their free *Hufen*, and the guarantee of 'free years' for each little settlement. Apparently German influence was at work. But an improved durable tenure, like the German heritable lease, did not develop.

This type of name passes into Silesia in the first half of the thirteenth century: the word *Lgota*, Germanised as *Ellguth*, occurs more than sixty times. In East Poland, as *Ligóta*, it occurs more than thirty times; and in Slovakia, as *Lêhota*, more than forty. But in these regions it is not only rarer: some at least of the places named by it can be proved to

have been laid out under German law. In Slovakia, the age of clearing indicated by the *Lêhota* places agrees exactly with that extension of colonising German settlement which also occurred there rather late—in the fourteenth and fifteenth centuries. In Poland the *Ellguth* settlements along the line from Cracow to Kalisch verged on those places in *Wola* that have been referred to already.[1] Their connection with colonisation under German law can also be proved. So Bohemia and Moravia, with their internal colonisation proceeding under Slavonic law, are exceptions among these eastern territories.

Surveying the course of events in the agrarian history of the lands East of the Elbe from the twelfth to the fourteenth century, and attempting to summarise the results, what first strikes one is the extraordinary extension of the cultivated area. Although in later centuries a few modifications were made here and there, a little more land was won for agriculture, yet by the end of the medieval German colonisation eastwards the limits of land acquisition on forest soil in North-Eastern Germany and the interior of Bohemia were already reached. There was never again peasant colonisation in the forests; with that the whole area was satiated. In Upper Hungary the same point was reached in the fifteenth century at latest. But in Poland there was still room for the process to continue. So a native Polish movement, in unbroken continuity with that here described, went on during the fifteenth century; and was enlarged in the sixteenth by a revival of German peasant migration eastwards which persisted even into the twentieth. For land made utilisable by dyking and draining the story is different. The medieval movement stopped after the flats of the lower Elbe valley and the delta of the Vistula and the Nogat had been dealt with. It did not extend from the Elbe valley to the mere-land of the Havel and the Spree; it did not deal with the great inundations on the lower Oder, the Warthe and the Netze; and it did not spread up stream from the Vistula delta. The gigantic plans for settlement in these areas drawn up early in the thirteenth century were not carried out. Only in modern times did any change come.

The extension of the cultivated area was accompanied by a growth of population. The stabilisation of political conditions through the rise of large states brought with it a steady rise in the native population. The immigration from Germany, and then from old into newly colonised areas, was even more important. No certain statistics can be given. But some notion of the extraordinary growth in numbers that the colonising process brought may be inferred from the fact that in Silesia alone, between 1200 and 1350, about 1200 villages were founded. It

[1] Above, p. 369.

has been reckoned that in East Prussia the Knights and the Bishops established about 1400 rent-paying villages, with a round 60,000 peasants' *Hufen*. These would require a peasant population of at least 150,000.

Thirdly, economic activity became more intensive, thanks to new human material, a new social order, and technical progress. In 1495 the Bishop of Breslau said that, *gemeiniclich das polnische Volk zu verfolgunge der narungen und peud nicht geodert ist.*[1] The social structure of agrarian life in the East had been changed decisively by the insertion of a genuine, economically sound, and free peasant class. Of this class immigrants formed the majority. But they carried an appreciable part of the indigenous population with them—either to a position of complete equality, or to one at least better than that of earlier times. The entry of this peasant class into society finally did away with any surviving communal agrarian economy directed from above. It eased or even abolished unfreedom; it helped the break-up of great estates into free rent-paying peasant holdings, while allowing reduced 'demesnes' to survive; it led to individual peasant economy supported by a village community. Among items in technical progress need only be recalled the new lay-out of the fields, the three-field rotation, the better implements and the water-mills.

This all led to a great increase in production, especially of grain. The grain fed the fast-growing population of the colonised lands—urban as well as rural—and soon provided a surplus for export on a large scale. This export was helped by the opening-up of the eastern countries by river and sea transport. The shipping of corn from Brandenburg to Flanders and England is demonstrable from about 1250. In 1287 we have the first documentary mention of corn from the *Oesterlande* on the Flemish market. After that its export remained a regular thing, of first-rate importance both for the Baltic lands and for the consuming centres, far beyond the Middle Ages. Cattle and sheep farming also made considerable progress. On the whole they met the increased local requirements of butchers' meat, and supplied enough raw material for the new cloth industry. But they created no important export values, except hides. It is very significant that those areas which competed in exporting the cattle, demanded from the fourteenth century onwards by Central Europe—the Hungarian Puszta, Podolia, Volhynia, Lithuania—were precisely the areas that medieval peasant colonisation had not reached. They still displayed the economic structure which characterised the Western Slavonic regions before they underwent that thorough agrarian reconstruction with which this narrative has dealt.

[1] Which may be paraphrased: 'the Polish population as a rule is not fitted to manage domestic affairs or keep buildings in good order'.

Medieval Agrarian Society in its Prime

§ 5. Poland, Lithuania and Hungary

After the conclusion of the Union with Poland in 1386, Lithuania was constantly under Polish influence, which made itself felt particularly in the conditions under which the large landed estates were held, and in the whole agrarian structure. The relations between Poland and Hungary on the other hand were much looser. There were only two short periods in the fourteenth century and another in the fifteenth when these two states were under a common ruler. Neither country directly influenced the other, and yet they have many features in common alike in their political and economic structure. It is accordingly permissible to present the agrarian history of all three countries in the Middle Ages in a single chapter.

I. *Landownership*

The earliest documents throwing any light on the agrarian structure of Poland date from the beginning of the twelfth century. The land was at that time in the possession of the monarch, of the Church, or of the rural population who had inhabited the country for several centuries and are called by the sources sometimes *contribules*, 'fellow-tribesmen', but more frequently *haeredes*, 'heirs'. The growth of state organisation led to a distinction between the general mass of the people and the knightly class, who later became the nobility and gentry and held the greater part of the land right down to the time when Poland lost its independence. There were both larger and smaller landowners among this class; but in the twelfth and early thirteenth centuries there was not yet that wide difference between the farms of the peasants and the estates of the gentry that there was in later times.

The monarch regarded himself as the owner of unoccupied areas, which accordingly could only be occupied with his permission. This principle, however, was not always respected in the thirteenth century. The monarch further extended his claim to all the land which was exploited by the peasantry. These territories were in course of time more or less freely reorganised in accordance with the economic requirements of the country and of the monarch; but there must have been considerable areas in later times owned by the knights which were never included within the possessions of the monarch.

In the eleventh century gifts from the monarch and from private individuals laid the foundations of the property of the Church. Almost all the dioceses received whole castellanies, embracing villages which

had belonged to the monarch or to the knightage or both.[1] The bishop was granted the right of levying imposts and the powers attaching to the monarch, with certain limitations. Monasteries obtained their lands mainly by private benefactions, and afterwards rounded off their scattered villages by purchase or exchange into compact estates.

In the later Middle Ages the amount of land owned by the gentry was greater than that possessed by the monarch and the Church together. How this came about is not quite clear. Perhaps some of the knights had been holding their lands even before the rise of the Piast state. After that date the more important *haeredes* were incorporated among the large landowners. The richer ones were called to the military service of the state, and having in consequence obtained prisoners of war to work their land, themselves lost the habit of working on the soil or even of administering their country estates.

The process was hastened by grants of land by the monarch to *haeredes* in hereditary possession; and similar grants were made also to members of the monarch's *comitatus*, frequently in the thirteenth century, less frequently in the fourteenth.

The source material which has been preserved gives us but meagre information as to the size of the large estates. There can be little doubt that certain of them were scarcely distinguishable from the estates held on the same terms by the petty gentry. The upper limit of size is more difficult to determine, and accounts of individuals owning fifteen or twenty villages, some hundred *mansias* of plough-land, or estates inhabited by tens or even hundreds of peasant families afford insufficient evidence on which to base conclusions.

Opinions are divided as to the proportion of the large estates to the whole area of the country at this period, some believing that the possessions of the monarch, the bishops and the larger private landowners were so extensive as to give the country a prevailingly latifundial character, while others are of the opinion that even at the beginning of the thirteenth century most estates were small, and that it was only during this century that the area occupied by the larger ones increased to a marked extent.

Only a few of the former *haeredes* entered the ranks of the great landowners, the majority, perhaps, becoming tenants, and ultimately peasants depending on the latter. Of these, the greater number passed under the supremacy of the monarch. Their hereditary rights protected them against every one but him, but he was able to absorb their fields in his own broad acres, and even to dispossess them entirely if it suited his purpose. As the proprietary rights of the official and knightly classes were recognised and the economic organisation of their estates was

[1] For the castellanies see p. 57 above.

consolidated, the monarch's rights were extended to the lands of all who did not belong to these classes. The peasants thus lost their title to own land.

Not all the small estates were swallowed up, however. There were some knights who had but little land and cultivated it like peasants; and thus there existed a petty knightage, completely independent of the larger knightly landowners and economically distinguishable from the peasantry only by the fact that they were thus independent and paid no dues save to the state and to the Church. With the creation of the nobility some of these knights passed into it without changing their economic position, and notwithstanding the small extent of their estates they held them legally on almost exactly the same terms as their brethren who were large owners, all through the Middle Ages and down to modern times.

In Lithuania, particularly in the area inhabited by the Lithuanians, which was not organised as a state until the middle of the thirteenth century, large estates grew up a few centuries later than in Poland. The rise of the Lithuanian state was here a factor of great significance. As it extended eastward over territory inhabited by a White Russian population with an older tradition, the young Lithuanian state was brought into contact with a more highly organised system of landownership. The grand duke claimed possession of all uncultivated and uninhabited lands, which for the most part were covered with forest. As his power increased he extended his claims to areas which were economically productive. Very probably he was not uninfluenced by the example of the Teutonic Order. It was principally the small holdings of the common people which he regarded as the property of the state. After the Union with Poland grants of parcels of land in the wilderness are accompanied with increasing frequency by grants of land inhabited by peasants. As the state was built up, more than one of the larger landowners was deprived of his possessions. Particularly during the fourteenth century the grand-ducal estates increased in extent at the cost of the knightly estates.

Probably, even before the rise of the Lithuanian state, tribal or village leaders (*seniores, potentiores*) began to stand out from the mass of the common people, as well as leaders of territorial organisations (*reguli, duces*). As the power of the state increased some of them, or their descendants, obtained high official positions and in course of time became great landed proprietors. After the rise of the state there appeared an ever-growing number of warriors (*homines militares*), who also in course of time became great landowners. Apparently only the richer ones entered this higher class, for the others could not afford to go on distant expeditions. But whoever did improved his material and

economic position by the booty, and especially the prisoners of war, that he brought home.

Thus the gulf continually widened between them and the peasantry from whom they sprang. Not only were their lands much more extensive than the peasants' farms, but, being occupied continually with war and the chase, they took ever less interest in the other branches of rural economy. Yet there were still at the end of the fourteenth century a number of boyars economically indistinguishable from peasants, who even in pagan times had had perhaps small, but hereditary, estates.

Private ownership of land on a large scale was promoted by the grants made by monarchs in the fifteenth century. The possessions of the boyars rapidly increased and numerous wealthy landed proprietors arose. Moreover, the privileges granted by the monarchs in 1387, 1413 and 1447, after the Union with Poland, likewise promoted the tendency; for Polish law recognised the Lithuanian boyars as having equal rights to the land with the Polish gentry.

The development of agrarian conditions in Hungary was greatly influenced by the circumstance that the founders of the Hungarian state were incomers from another district, between the Don and the Dnieper, where property distinctions existed which led to the later division into landed proprietors and dependent peasantry. Their tribal and family organisation influenced the distribution of land in their new country, particular persons having special rights and the free transfer of land being subject to restriction.

All land not occupied by the Hungarian incomers was regarded by the king as his own property, and even in the eleventh century it constituted the greater part of the territory. The border districts were on a military footing, and even in the twelfth century were part of the royal domain. As the military organisation of the country was perfected, lands were distributed in the second half of the tenth century among the royal servants and the knights (*servientes regis, milites, iobaggiones regis*), whether they were Hungarian or foreign, to be held direct from the king and free from the restrictions of tribal tenure. This land-distribution increased in scale during the wars of succession.

Until the end of the twelfth century the large estates, apart from the royal possessions, were scattered and comparatively unimportant. In the early years of the thirteenth century the king began to distribute lands on a large scale, and this practice ultimately led to the complete breakdown of the system of castellanies. In the thirteenth century the growth of the large estates was very rapid. For example, the endowments of the Benedictine abbey at Pannonholm in the days of St Stephen comprised ten manors, but in 1083 thirty, in 1216 forty-seven, and in 1240 eighty-eight. The efforts of Bela IV to regain the crown estates

which had been distributed were unsuccessful. Later again there was a fresh increase among the large estates in the reigns of Lewis the Great and Sigismund in the second half of the fourteenth century.

The majority of large, compact estates were built up in the border districts. The thirteenth century saw the development of the nobility and of the landed property in their hands, which indeed by the year 1300 had become the dominating factor in the agrarian structure. The differences in wealth between various grades of knights, or later nobles and gentry, which at first sight were slight, were now continually accentuated, until the richer nobility (*barones, magnates*) came to be legally recognised as a privileged class.

In contrast to this higher nobility stood the gentry, possessing manors with at most thirty-two undivided farms. Some of them had no tenants at all, and cultivated the soil themselves like any peasant. Their number was always large and increased still more in the fourteenth century, when the petty castellans who had managed to maintain themselves so long received patents of nobility.

II. *Economic organisation of the great estates*

In Poland the large farms of the *haeredes*, or later knights, seem to have been the germ out of which the separate large estates afterwards developed. They became gradually transformed into manors or seigniories, whose owners did not themselves do the work, but confined themselves to organising and directing the activities of others. Similar manor farms were founded on the lands granted to the Church and laymen. The amount of arable land comprised in these manors varied considerably; some were no bigger than large peasant farms, while others may have extended to some hundreds of acres. In the twelfth and thirteenth centuries there were numerous manors devoted chiefly to stock raising. These are not to be considered as relics of pre-agricultural pastoralism, but exemplify the considered use of terrain for the purposes to which it was best suited, and a wise division of economic tasks. The lords' herds were entrusted to the care of particular villages, whose inhabitants had their own farms, and fulfilled their duties to their lords by looking after the herds. This organisation was at the height of its development in the twelfth century, but in the thirteenth it disappeared.

By the twelfth and thirteenth centuries the social organisation of these manors was complex. The work on them was done in part by a permanent body of servants, very frequently bondmen, who were employed not only as personal attendants of the lord's family, or in kitchen, garden or cattle-shed, but also in the fields, meadows and forests, and as artisans. There were agricultural labourers who had their

own households and were perhaps allowed a certain freedom in looking for work outside the boundaries of the manor, and for whom paid work was of considerable significance; there were *hortulani*, who held small plots of land, or *inquilini*, who had no land. There was also the institution whereby peasant farmers performed forced work in various branches of manorial economy. On the estates belonging to the Cistercian monasteries, particularly in their early days, much of the work was done by the monks themselves, and especially by the lay brothers.

Apart from these few exceptions the most important factor in the economic structure of the great landed estates was the peasant villages which they included. Some of these had existed prior to their absorption in the larger unit and others had come into being later, partly by spontaneous colonisation from the former. Such colonisation might be taken under control by the landowner and directed according to his interests, as we find happening at the beginning of the twelfth century.

It is likely that most of these peasant farms were devoted to the tillage of the soil. In extent they were unequal, some being unable to maintain their own yoke of oxen and having to hire their neighbours' beasts. In such cases the occupiers might make their living by working for wages on other farms, or by stock-raising, forestry or some handicraft. The extent of the larger farms is sometimes described by specifying the number of teams required for their cultivation, some having two oxen (which were regarded as equivalent to one horse), others four oxen (or two oxen and one horse), and others again six oxen.

Besides agriculture the rural population practised fishing, hunting and various other pursuits. A certain specialisation was probably the rule even before the rise of the large estates, and it was encouraged by the gathering of numerous workmen under uniform direction. Indeed increasing specialisation was one of the most important changes introduced into village life by the great estates. We have no detailed information as to the various kinds of manorial employees, but we may suppose that they were mainly peasants living on their own farms. In certain cases their specialised duties did not interfere with their own work on their farms: they might be *sanctuarii* serving the more important churches, or *camerarii* at the manor house, taking messages with news or orders. Or they might be cooks in the lord's kitchen, or very possibly bakers or butchers to the manor. In all probability the same thing is true of the men employed to tend the horses, cattle and sheep or goats, while the lord's huntsmen, kennelmen and falconers, his beaver- and fox-hunters, might be drawn from the villagers who engaged in these pursuits in addition to working their fields, or who lived entirely by the chase. So it would be also for the most part with the lord's bee-keepers and fishermen and men engaged in rural handicrafts. After the growth

of town life in the thirteenth century these rural craftsmen and artisans began to lose their economic importance.

In Lithuania the economic organisation of the great estates is found to be in the main similar to that which prevailed in Poland, only that in the former country the characteristic forms appeared a few centuries later. Manors frequently grew out of large peasant farms, whose owners succeeded in entering the boyar class. It was only later that they increased to a size many times greater than that of the average peasant holding. The work of these seigniories was performed mainly by bondslaves, descended partly from prisoners of war and partly from insolvent debtors, but employment was also given to freemen who were unable to maintain themselves on their own farms. In course of time, and especially in the fifteenth century, the practice increased of exacting forced labour for the cultivation of the lord's fields. Similar manors existed in the domains of the monarch and of the Church.

By far the greater part of the cultivated area was occupied by peasant farms, which were originally independent, but were later absorbed into the great estates after the rise of the Lithuanian state. The extent of these farms is not accurately known, for in medieval Lithuania not even arable land was measured. From later data and contemporary accounts relating to the neighbouring countries it would appear that the normal area was about 42 acres of arable land.

In the fifteenth century a marked differentiation was observable in the occupations followed by the peasantry on the great estates. This was partly due to differentiation in the structure of the actual farms and villages, leading to differentiation of duties to the landlord, but in part it was merely differentiation of duties. In some cases there might be particular kinds of economic units side by side with other kinds in one and the same village; whereas in others there might be whole villages devoted to special pursuits or fulfilling special functions in certain branches of manorial economy. The differentiation might be manifested in the raising of stock: horses, sheep, or pigs, or in bee-keeping. Or again it might be observable in fishing, or more particularly in hunting, which required special foresters and gamekeepers, kennelmen, falconers and bowmen, and trappers of beaver and marten. In the fifteenth century the rural population became markedly differentiated, according as they followed this or that craft or pursuit. The towns as yet being little developed, there was a very considerable number of craftsmen of different kinds in the villages. The conditions in Lithuania at this time show a strong resemblance to conditions in Poland in the twelfth and thirteenth centuries.

As the peasant farms were absorbed into the great estates the legal position of the rural population became steadily worse, both as regards

their right to hold land and their personal freedom. In the fifteenth century the liberty of the peasants to dispose of their soil was restricted, although for the most part they retained their hereditary rights. At the end of the fourteenth century the great majority of the rural population had still been personally free, and there was only a comparatively small number of bondmen. Even in the first half of the fifteenth century a grand-ducal peasant who passed to a third person in consequence of a grant of land might move away if he were unwilling to perform the duties laid upon him by his new lord. In this respect, however, his position was rendered notably worse by the grand-duke's promise, embodied in his charters of 1447, not to receive on his estates peasants who had left estates belonging to the nobility or gentry.

In Hungary economic work on the estates which have been mentioned above was organised with the help of various elements, of which one was the population inhabiting the country before the arrival of the Hungarians, another a part of the incoming Hungarians themselves. The number of these latter increased after the conversion of the Hungarians to Christianity and the cessation of their constant inroads into neighbouring countries, for some of them thereby lost their means of existence and were forced to take service under the king or the great landlords. They were given small portions of land on the latter's estates, where they retained their personal freedom, but lived in very modest economic conditions. A large number of them still followed the profession of arms, and some entered the ranks of the gentry. Those who remained at the beginning of the twelfth century were burdened with taxes; and since in course of time the principle became established that only the nobility and gentry might own land freehold, they were all finally absorbed into the great estates. They became a part of the monarch's domain, and when his lands were distributed they passed increasingly under the authority of private persons. In somewhat later times these two elements were reinforced by a third, consisting of foreigners who settled within the borders of the Hungarian state, Rumanians, Germans, and, in northern Hungary, Slavs.

In the early days of manorial organisation the economic position of the rural population depended to a high degree on its legal position. With the rise of the Hungarian state the class of freemen came to comprise, besides the Hungarian conquerors, probably also the leaders of the local population, incomers (*hospites*) and freedmen. At the period of the invasion there were slaves, in the Roman sense, throughout the territory occupied by the Hungarians, and their number increased with the Hungarians' military raids. In so far as they were settled on the land, they became transformed in course of time into dependants bound to the soil, from which they were not taken away. The class of slaves

became gradually smaller, and vanished completely in the fourteenth century.

As these elements became ever more closely included within a uniform manorial organisation, the legal position of the two groups was regularised. The thirteenth century saw the creation of a legally uniform class of rustics enjoying personal freedom, guaranteed by statute in 1298 and 1351, and possessing their own movable property, but settled on the lands of others and bound to the performance of certain duties. Thus legally the slaves might be made equal with the freemen, but economically the process was in the other direction, the free being levelled down to the position of serfs.

After the regularisation of the legal position of the rural population, the main body of which was composed of *iobaggiones*, the basis of social distinction became the amount of land which each family had for its portion. The unit of calculation was the *sessio iobaggionalis*, but this varied in extent not only in various parts of the country, but even in neighbouring localities, between 12 and 25 acres, the most common limits being 15–20. A *sessio* was originally a single farm unit, but in course of time it was divided into two, four, or even eight holdings.

Besides the *iobaggiones*, who were the most numerous part of the rural population, we find a poorer class, the *inquilini*, who possessed cottages and sometimes small plots of ground. Still worse off were the *sub-inquilini*, who had no houses of their own and had to live and work on other people's farms. In the fifteenth century the farms of the peasants were greatly sub-divided, and the number of *inquilini* likewise increased.

The country people were further distinguished by their occupations. Besides shepherds, horse-breeders, fishermen, and numerous kinds of craftsmen, there were often also *vinitores*, specially occupied with viticulture.

In addition to the peasant farms there were also manorial farms (*allodia*). In the thirteenth century they were few in number, owing to the undeveloped state of the towns and their prevailingly agricultural character. As in Poland, these manorial farms only became more widespread in the fifteenth century, as a result of the prosperity of the towns and their consequent growing demand for agricultural products. The already existing *allodia* were then extended and new ones founded.

III. *Burdens borne by the rural population*

In Poland the burdening of the rural population with imposts and duties was the most important change in the social structure brought about by the rise of large estates. Two kinds of burdens are here to be distin-

guished: manorial services exacted by the great landed proprietors, and state burdens imposed by ducal law. In actual practice these two categories are not only in close mutual dependence, but are frequently so interwoven that they can no longer be properly distinguished. This was especially the case on the monarch's domains. There was, it is true, a twofold organisation corresponding to the double character of the burdens laid on the people. As a rule compact estates comprising a number of villages and called *claves* ('keys') were administered from the manor-house (*curia*), which was also the residence of particular officials (*procuratores*, *villici*). Here the peasants brought their produce in payment of manorial imposts, and here they performed work in fulfilment of manorial exactions. These manor-houses were stopping-places for the monarch on his constant journeys through the country.

All the 'keys' within the confines of a castellany had an important administrative centre in the castle (*castrum*). The administration of public services due under ducal law was the main bond uniting the villages of a castellany: not merely the villages lying in the monarch's *claves*, but all the other villages as well. Relics of this organisation still existing in the sixteenth century permit us to suppose that even in the twelfth and thirteenth there was no clear and absolute division between the two categories of imposts. Before the granting of immunity from monarchical taxation the distinction was strictly observed on the estates of the Church and the knightage, but the extension of immunity caused the two categories to be confounded even here, since some of the burdens exacted under ducal law were not abolished but combined with the manorial exactions. It was only on the petty estates, particularly of the knights, where there were no manorial dues, that the burdens exacted under ducal law were kept entirely distinct.

In contrast to these last, concerning which we have much information in the charters of immunity, the manorial dues exacted in the villages under Polish law have left but few traces in documents between the twelfth and the fourteenth centuries. It seems likely that these dues were in fact more extensive and more varied than would appear from contemporary sources. Pecuniary rent, though sometimes mentioned, played but a small part in comparison with payments in kind. Of these the most important were payments of grain, which were made by the majority of the tenants on a number of estates whose records have been examined. They usually consisted of rye, wheat and oats, sometimes in the sheaf, but usually threshed. Sometimes payments were made in malt, while minor manorial dues might be discharged in fowls, cheeses, eggs, or flax. We often hear of dues paid in honey, not only by bee keepers who made their living out of their hives, but also by agricultural workers and craftsmen; and often also of payments in fish. Among the

productions of handicrafts which were brought in discharge of obligations were wheels, by the wheelwrights, wooden mugs and dishes by the turners, and tubs, bottles, mugs and pots by the potters. The amount of these payments was dependent on the extent of the farm from which they were exacted.

Obligations were also discharged in terms of labour: in the various operations connected with the production of grain, in the kitchen garden, in the meadows and the forest, at fishing and hunting. Among the craftsmen, the potters had to repair old earthenware vessels, the cobblers to repair boots, and the builders although possessing their own farms had to give their work when required. This labour was sometimes measured by the quantity of work done: at harvest, by the number of shocks mown; at haymaking, by the number of cart-loads of hay; in the forests, by the number of wagon-loads of timber which the peasants had to transport, or by the number of trunks which they had to saw up. Sometimes, again, it was measured by the number of days, which varied as a rule between five or six and fifteen or sixteen in the year. And sometimes neither its quality nor its quantity was predetermined. At the time of which we are speaking the rural population was regularly burdened with the obligations under ducal law sometimes indistinguishably combined with the manorial exactions. They were borne principally by the peasantry, since the knights who had peasants on their estates performed no duties themselves except military service, and the petty knightage possessing but small pieces of land enjoyed considerable relief from them.

Some burdens were directly connected with the various functions of the state; above all in the fields of communications, administration and military preparation. Thus the peasants were obliged to furnish men, horses and carts for the transport of the impedimenta of the monarch, or of his officials, or of foreign envoys. There was the obligation to receive and entertain the monarch, officials and envoys, with their huntsmen and other servants, and also to provide for their horses and dogs. The peasantry on these occasions had to give grain, honey, cows, pigs and wax. Further, there was the obligation to build and maintain fortified castles, and to furnish a guard or look-out for them. A minor duty was to apprehend transgressors.

There were also permanent imposts, the oldest being apparently the payment in livestock, originally pigs, but afterwards chiefly sheep and cows. Added to these were various monarchal monopolies, which affected alike the estates of the Church and the knights, such as the royal right to the income from mines, fairs, inns and mills.

In the twelfth century, and more particularly in the thirteenth, the monarchs granted charters of immunity to certain ecclesiastical and

knightly estates, exempting them wholly or partly from this or that obligation under ducal law. The earliest recipients of such charters were monasteries, but afterwards dioceses also obtained them. The range of economic immunity conferred varied greatly. Each charter had its own individual character, although particular provisions were repeated in various cases. The result was that only relics of the old burdens under ducal law were preserved until the fourteenth century. As far as the knights' estates were concerned they were all abolished by the general charter of 1374, which left only a land tax of two groats on each *manse*; while the estates of the Church were similarly exempted by the charter of 1381, fixing the same tax for peasants on episcopal estates, and four groats a *manse* together with certain payments in grain for the peasants on monastic estates.[1]

In Lithuania in the fourteenth century manorial dues were comparatively rare, but they became widespread and various in the century following, when they comprised various payments in kind: in grain (principally oats and rye), hops, hay, timber, sheep, cattle, pigs, domestic fowls, eggs, beavers and martens. The fifteenth century saw an increase of payments in money, hitherto almost unknown. The basis of taxation was not the amount of land cultivated, but the number of yoke oxen, the number of ploughs, the household economy (*fumus*), and further such sources of income as hunting reserves, nests of beavers, bee forests, and lakes. Forced labour was comparatively rare before the end of the fourteenth century, but in the fifteenth it became more common. In these two centuries peasants burdened with obligations to the monarch, the Church and the boyars formed the great majority of the rural population of Lithuania. Besides manorial dues they all paid dues to the Church, and the peasants subject to the boyars and the Church were burdened also with separate obligations to the state. The grand duke and the dukes were entitled to certain payments and services from the inhabitants of the boyars' domains, mainly in connection with the defence of the country, the construction of fortifications and the maintenance of the armed forces. The duty of providing transport for the monarch and his officials, and 'stations' where they might find rest and refreshment on their journeys, lay partly in the field of defence and partly in that of ordinary administration.

After the Union with Poland the estates of the Church and of the boyars were exempted from these state obligations, and the manorial imposts could consequently be increased. The first to obtain this economic immunity were the estates of the Church, and when grants of land were made to the Church at the end of the fourteenth and

[1] The Polish sources from the thirteenth century onwards regularly use the term *mansus*, much as it was used in earlier centuries in the West. Cp. p. 230 above.

the beginning of the fifteenth century this exemption was incorporated in the title-deeds. In 1387 the boyars were exempted from certain personal services, and a royal edict of 1434 exempted the subjects on their domains from payments in kind for the benefit of the monarch. In 1447 the monarch resigned his claim to permanent money payments and labour from private-estate peasants in carrying stones and timber for the construction of castles, calcining lime, or cutting hay. This charter had the same significance for Lithuania as that of 1374 for Poland.

In Hungary the deciding factor in the imposition of duties was the division of the population into bond and free. The duties of the latter were very varied, and were frequently fixed for each farm separately. Sometimes they were purely symbolic. Besides the manorial dues the rural population on private estates was burdened with certain obligations to the state, in connection mainly with its defence and the administrative system of castellanies. The distribution of estates in the thirteenth century led to the breakdown of this organisation, the population of the lands distributed being excluded from the legal and administrative jurisdiction of the royal officials. In the thirteenth century the Golden Bull and later ordinances led to the exemption of the peasants on private estates from the burdens imposed on them by the castellany system.

The growth of large private estates was followed by changes very unfavourable to the rural population. The growth of trade and towns and the consequent prevalence of pecuniary standards, and the rise in the standard of life of the higher classes, led to the raising and regularising of the dues exacted from the peasants. Payments in kind were required of peasants who had hitherto been exempt. Tithes were required of those who already gave forced labour. Fishermen were required to give agricultural products as well as fish. The institution of forced labour was extended: *sacriferi* were now used also as messengers, and those who had hitherto performed forced labour only in the fields were now required to transport wine, even beyond the borders of the country, and to maintain their horses on the way; a burden formerly shouldered by the lord. Work with the teams was exacted even of artisans and of *officiales*, the highest grade in the hierarchy of estate employees. Pecuniary rent was increasingly demanded in addition to the former payments in kind.

The worst effects of the growth of private landed property were, however, felt by those who before had been most favourably situated, the *iobaggiones castri* who had had for the most part only military duties to perform. They did not, it is true, lose their freedom to change their place of abode and still claim protection of the king, but their new lords could demand what duties they liked of them if they stayed. For these

freemen absorption into the organisation of a private estate was a great misfortune, bringing a complete revolution in their position.

The dues exacted from the *iobaggiones* thus newly incorporated in the great estates were fixed in relation to the amount of land which they held. For each unit of land, *sessio*, above-mentioned, a rent of at least 20 *denarii* was paid. Most frequently it was 40–60 *denarii*, and at the end of the Middle Ages was 100, or one florin. Manorial payments in kind were regularised by Lewis the Great in 1351. After the subtraction of the tithe for the Church a second tithe was to be paid to the landlord, which, being one-ninth of the produce that was left, was called *nona*. Owing, however, to the resistance of the peasants, this impost was exacted only in some parts of the country. Throughout the greater part of the country the peasants paid a fixed amount of grain (wheat and oats), independently of the quantity harvested, and even when they did not cultivate either of these crops. This payment was called *aconalia*, being assessed in tubsful (Hungarian *akó*). In the pastoral settlements of Roumanians in Transylvania a payment of stock was exacted, called *quinquagesima*. As late as the fifteenth century forced labour was rare. There were no fixed days as yet for work on the lord's land, but certain tasks were required from the inhabitants of single villages. At that period forced labour was no heavy burden, seldom exceeding a few days in the year. On the other hand the *inquilini* with little or no land were obliged for the most part to give labour, and paid very small money-rents. They made no payments in kind. There were also manorial monopolies, which have not as yet been investigated in detail. Only those who held land paid state taxes, which were not paid by *inquilini* or *sub-inquilini*.

IV. *Colonisation under German Law*

In Poland the system described above and known as the system of villages under Polish law gave way in the thirteenth and fourteenth centuries to colonisation under German law. The history of the beginning of this movement in the last years of the twelfth century is doubtful. The main condition of the new type of settlement was the exemption of the village in question from Polish law, i.e. from the jurisdiction of the monarchal officials and the obligations under ducal law. Without the attainment of this immunity from the monarch, colonisation under German law could not take place; and this colonisation became an important factor leading to the extension of the economic immunity above referred to.

This colonising movement was initiated and directed by some of the

great landowners, as well as by the Church and the monarch. The Cistercians, who maintained active relations with the West, were particularly active in this field. As early as the twelfth century the landed proprietors showed an inclination to colonise their forest areas and to regulate the obligations of their peasants in pecuniary terms. In the thirteenth century the political situation no longer offered opportunities for settling colonies of prisoners of war, as had been done in the first half of the twelfth century, and consequently incomers from other countries were welcomed. And when it proved impossible to attract them in sufficient numbers recourse was had to local elements, more especially to the representatives of that half-nomad class who in the previous period had cleared forest land and transformed it into arable —an activity which was becoming less and less common. There were marked differences in the density of the population in various districts, some being greatly in need of fresh settlers, while others were not; but such inequalities could be neutralised by migration within the country itself.

When a colony was to be planted the services of a special agent, locator, were used, who then as a rule became headman (*scultetus, iudex*) in the village he had founded. Sometimes he might be the leader of a party of settlers and their spokesman in negotiations with the lord, but more frequently he was the latter's agent who looked for fresh settlers and arranged the terms of their coming. They were drawn from various social classes. Many were townsfolk, others servants from manor-houses or administrators of estates, others again peasants. When a village was founded and the headman's farm was of considerable size we find increasingly frequent examples of a noble resigning his own lands, which were probably smaller in extent, and settling as the headman of a colony.[1]

The introduction of settlers from outside in days when communications were not developed required considerable financial resources. These were provided by the headmen, who in return for their trouble and expense received grants of land which frequently were of very considerable value. Colonisation undertakings might in favourable circumstances be so profitable that a headman might pay larger or smaller sums for the right to 'locate' a party of settlers. Some headmen were so wealthy that they located and became headmen of several such parties; while others, less well off, clubbed together to carry out a location. In other cases, again, a large landowner had himself to bear at least a part of the expense and pay a headman for carrying out a contract. Colonisation on a large scale in the more extensive forest areas was risky and could only be undertaken by institutions possessing capital, such as the Cistercian order or that of the Knights Templar.

[1] Compare the discussions on p. 83 and p. 374 above.

In the early days of the movement an important part was played by Flemish and German settlers. These incomers from other countries, and also such as came from other parts of the same country, were in a better position than the local population in relation to their lord, for they had been able to make their own conditions beforehand, and the landowners realised that it was not to their interest to hamper the economic development of the newcomers by imposing the traditional burdens upon them. The village organisation was therefore not decided by the sole will of the landowner, but by an agreement between the two interested parties. It is true that the location contracts defining the mutual relations of village and lord are drawn up in the form of one-sided charters, but in reality they are the result of an agreement between the lord and the agent who undertook to introduce the colonists.

These location contracts embody a definite programme of change in agricultural conditions and a legal framework within which this programme might be realised. Their most characteristic feature is the regularisation of an important type of rural economic unit, namely the independent farm large enough not only properly to maintain the farmer's family, but also to furnish a satisfactory proportion of income for the landowner. The holders of such farms, known as *cmethones*, became the most numerous section of the rural population. Most frequently each family received a *manse* of arable land, or sometimes two, but in later times the amount was smaller, sometimes only half a *manse*. The amount of meadow was proportional to that of arable, but differed in different villages. The village as a whole received half or a whole *manse*, or even several *manses*, as common pasture land. The possession of such a farm carried with it various rights of fishing, hunting, grazing and cutting wood in the forests.

Provision was made not only for the *cmethones* but also, particularly in later location contracts, for *hortulani* with but little land, and also for a certain number of craftsmen; millers, inn-keepers, bakers, cobblers and smiths.

The income from the headmen's farms was considerably greater than that from the farms of the peasants. They comprised in the first place arable land, the extent of which is most variously described in the documents. Sometimes the number of *manses* is given, and may be five or six, or as many as twelve, or may be in proportion to the total number assigned to the village, say three for every ten; or it is simply stated that the headman takes all the *manses* over the number allotted to the *cmethones*. There may be a formal acknowledgment of his right to take for himself the best land, which in any case was implicit in his function of assigning each settler his portion. In addition to his *manses* of arable the headman had a larger or smaller amount of pasture; maybe what

was left after the peasants had received their share, together with something extra. The headman might either put tenants of his own on his land, or he might farm it, on a scale resembling that rather of a great landowner than of a peasant settler. He also had the right to settle a specified number (1–8) of *hortulani* to work for him, or one in every three cottages might belong to him. He possessed the right of laying down fish-ponds, catching fish in the rivers and lakes, and hunting or trapping hares, foxes and birds, and sometimes bigger game, and might also set up tree-hives in the forests. He might bring in craftsmen to work for him, and establish inns and mills. A sixth of the peasants' rent and payments in kind went to the headman, and a third of the general revenue of the village. Sometimes the inhabitants had to make him small payments in kind, or even to perform some compulsory labour for his benefit, though this is mentioned only in documents of late date.

The importance or otherwise of all these privileges depended on the degree of success attending the colonisation project. In favourable circumstances the headmen might create for themselves farms rivalling those of the gentry in extent and economic level; whereas if fortune was against them they might remain merely rich peasants. There were also great differences in the prices for which they bought their offices.

A similar economic position attached to the dignity of parson, although it was more modestly endowed than was that of headman, usually with not more than one or two *manses* of arable, sometimes with the right of establishing a mill, or more rarely an inn.

In these villages under German law the duties and obligations of the *cmethones* were in strict proportion to the *manses* of land they held, and there were less differences between the assessments of particular villages than there were under Polish law. The main obligation resting on the peasant was the payment of rent, which was occasionally lower than usual if payments in kind were added. Fourteenth-century location charters show that rent was raised as money declined in value. As a rule each settler paid separate rent for his farm, collective rents paid by whole settlements being rare.

Further, almost all the location charters mention payments in grain, generally rye, wheat and oats, rarely also in barley, most frequently to the amount of 12 bushels. These two payments, in money and kind, covered both manorial and ecclesiastical dues, the proportion assigned to each depending on agreement between the landowner and the Church. It appears that usually the lord retained the money and surrendered the grain to the Church. Where payment was not made in threshed grain tithe was exacted in sheaves, or a special equivalent rent was paid.

Apart from these portions of grain only insignificant dues were

exacted in kind. Particular farms were required to send eggs, chickens, capons and cheeses, and occasionally honey or other products. Special fees were sometimes charged for permission to hunt or fish or cut wood in the forest. There were also collective 'gifts', called *honores*, of cows, heifers, rams, pigs, hams, sirloins, or their money equivalent, made once or twice a year by a whole village on the occasion of specially solemn festivals. Further, a whole village would be obliged to receive the lord or his representative twice a year when he went on circuit to hold courts, and to give provisions, or money in lieu of them, for his *prandia*.

Labour exactions are mentioned seldom in thirteenth-century documents, more frequently, but still not often, in the fourteenth. It was usually a question of some few days' (2–6) work in the fields or at hay-cutting, transporting timber from the forest, furnishing the lord with conveyances for his journeys, and so on. Similar but much lighter obligations were imposed on the cottagers.

The headmen's farms were free from obligations to the lord, with the exception that one dinner had to be provided, or an equivalent money payment made, if he came to the village. Sometimes *honores* also were required, like those brought by the peasants. Headmen were obliged to present themselves with arms in their hands for military service.

All these dues, it is to be noticed, became operative, not immediately upon the founding of a colony, but after a period of years, which might be short or long, varying indeed from one to twenty-five, according as the settlers were farming land which was already fit for agriculture, or had to clear the forest before they could work it.

Manorial farms owned by the lords of villages under German law were of no great significance in the system. In the majority of cases there were none, and where they did exist they were of modest extent, not exceeding 2–4 *manses*, seldom more. Frequently such a farm was subdivided when a colony was founded.

Not all the plans outlined in location charters were realised. In some cases no village was actually founded at all, and the extent of those which were came usually short of what had been originally projected. The number of *manses* provided for was as a rule between 20 and 50, and occasionally was more than 100, whereas the commonest size attained was ten or fifteen farms of a *manse* each or even less. These small villages were unable to maintain the number of craftsmen it had been proposed to settle in them. The cottages with gardens where these craftsmen (therefore classed as *hortulani*) were to live proved insufficient for their livelihood, which they were accordingly compelled to seek by working for the richer *cmethones*.

The new system, nevertheless, proved so profitable to the landlords

that they began to introduce it into long-existent Polish villages, which were 'made over', as was said, into villages under German law; immunity from state burdens was obtained for them, a headman was appointed, and the dues required of the inhabitants were modified. This might be done as an accompaniment to the introduction of a certain number of fresh settlers from outside, or it might be without this. At the end of the Middle Ages we find, besides this complete assimilation to the new system, cases of partial assimilation, the dues being made the same as in villages under German law, while other conditions, and particularly the legal system in force, were left unchanged. Nevertheless, the process did not go far enough, either by the end of the fourteenth century or later, to revolutionise the agrarian system completely. Even after the Middle Ages there remained villages, single or in groups, unaffected either directly or indirectly by the example of German law, and retaining manorial dues and other customs unchanged from the pre-colonisation period. They were particularly to be found in the eastern parts of Poland.

In Lithuania the process of colonisation under German law began considerably later than in Poland; not till the first half of the sixteenth century. Then, however, the new villages were organised on exactly the same lines as in Poland in the Middle Ages. They were to be found mainly in the western border districts of the country, particularly in Podlachia; but generally speaking they had no great influence on the economic structure of Lithuania.

In Hungary German colonisation began earlier than in Poland. There were settlements of peasants in the twelfth century, but in the thirteenth the intensity of colonisation increased after the devastations caused by the Mongol invasion. At the beginning of the fifteenth century it reached its culminating point, the greatest concentrations being in Transylvania to the east and in Zips to the north, though there were German colonies in other parts of the country also.

In Hungary as in Poland villages planted under German law were excluded from the jurisdiction of the royal officials and by virtue of special charters might follow their own laws and customs. Their inhabitants were also exempted from the ordinary obligations to the castellany, and had the right to move from the settlement if they desired.

After the lapse of some five, ten, or twenty years exempt from all obligations, the settlers had to discharge certain permanent annual duties. The manorial dues consisted mainly of money rent, and it was very common to fix a collective rent for a whole commune, or even district, though we hear also of rent paid by individuals in proportion to their holdings of land. The payments in kind, and above all the tithe

of grain and wine, were usually assigned to the Church. There were also petty manorial payments, called *munera* or *honores*, and an obligation to provide night quarters and maintenance for the lord and his attendants, or his officials, when they passed on journeys. On the other hand the institution of compulsory labour is quite the exception. German law was applied not only to colonists of German nationality but also to fresh settlements of Slavs in northern Hungary.

Medieval Agrarian Society in its Prime

§ 6. Russia

I. *Periods in Russian economic history*

The division of Russian, as of any other, economic history into periods must be determined not by any a priori chronological limits alien to economic development, and least of all by the chronological limits set up for other social developments and other historical processes, but by the study of the sociological essence of the economic processes of Russian history, both internal and, to a certain extent, external. Our knowledge of the historical life of the Russian people goes back to the ninth century, when the Slavonic tribes inhabiting Russia were the main ethnic force determining the cultural and political development of the whole territory of Russia with its peripheries. There can be no doubt that Germanic (Scandinavian) elements played a certain part in the development of the Russian state and civilisation. But this does not entitle us to speak either of the foundation of the Russian state by the Northmen, for at the time there was no such unified state, or of any Scandinavian period in Russian history. The Northmen gave the Russians their dynasty which actually supplied commanders and rulers. But the southward progress of the Scandinavian princes and their retainers from the region of Novgorod to the region of Kiev, where the reception of Byzantine Christianity in its southern Slavonic garb took place, led to a fairly speedy and thorough slavisation of that alien upper stratum. Moreover, the infiltration of the Northmen into the Slavonic population of ancient Russia did not take the form of a forcible conquest from outside; it was a process of gradual and peaceful penetration, superior military organisation being on the side of the Germanic invaders while numbers, and apparently economic power, were on the side of the Slavs. The latter seem to have possessed of old their own landed, and perhaps trading, aristocracy, which was succeeded by the Scandinavian dynasty with its *comitatus* that constituted, in point of time and in significance, the second element or stratum of Russian aristocracy. In the tenth century the Scandinavian dynasty underwent the process of slavisation; and by the eleventh century this process can be regarded as complete so far as the military aristocracy is concerned. On the spiritual side of this process the decisive role was played by that Slavonic form of Eastern Christianity which Russia had received from Byzantium. The early Russian Middle Ages began with the semi-fabulous invitation of the Varangians by the

Northern Slavs of Novgorod in 862 and ended towards 1240 when, as a result of the Mongolian invasion on the one hand, and of the gradual expansion of the Lithuanian (and later Lithuanian-Polish) state, which occupied the western Russian territories, on the other, medieval Russia was divided into Muscovite Russia and Lithuanian Russia. Sociologically speaking, this early medieval period in Russian history is that of the predominance of allodial aristocracy.

From the middle of the thirteenth century begins the period which can be conventionally described as middle and late medieval. For Muscovite Russia, it ends towards the middle of the seventeenth century with the codification of Russian law (the Code of the Tsar Alexis Mikhailovich). With it begins modern history, or the period of the *Polizeistaat*, continuing until 1861 and, politically speaking, even until 1905. Sociologically speaking, this middle and late medieval period in the history of the Muscovite state (1240 to 1649) is characterised by the process of gradual transformation of the allodial aristocratic regime into a *tyaglovy* or 'liturgical'[1] regime based on the 'villeinage' of the cultivators, and on the compulsory service of the noble landowners. This 'liturgical' regime can be characterised as a kind of state feudalism, but in its legal aspect it was in some ways the direct opposite of classical western feudalism.

For the Lithuanian-Russian state the middle and late medieval period ended in the second half of the sixteenth century with the final political unification with the Polish Empire and the codification of the Lithuanian-Russian law in the Lithuanian Statute. Sociologically speaking, it was also a period in which the allodial aristocratic regime was transformed not as in eastern Russia, into a 'liturgical', but into a typical aristocratic regime, whereby the Lithuanian-Russian state, socially and politically, was brought closer to the Polish state and assimilated with it. This regime was maintained in those territories until the partitions of the Polish Empire, which began with the annexation of Little Russia (Ukraine) by Russia in 1653 and ended late in the eighteenth century with the downfall of Poland as a state and an empire.[2]

[1] Λειτουργία in ancient Greece meant compulsory service in the interests of the community. The use of this term in the general sociological sense has been consecrated especially by the well-known works of Max Weber. The Russian conceptions of *tyaglo* and *tyaglovy*, as coined and used independently by Russian historians, correspond exactly to 'liturgy' and 'liturgical'.

[2] For further treatment of Lithuania see Section 5 above.

II. *Natural and social conditions of settlement*

The population occupying the territory of the Russian Empire, which grew out of Muscovite Russia, when it entered upon its historical life, was for the most part settled, non-nomadic, and mainly agricultural. When we speak here of Russia and the Russians, we mean chiefly, if not entirely, the Slavonic population of the said territories. The form and character of this settlement of the Slavonic tribes were determined by natural conditions. Nature provided a vast plain with comparatively convenient waterways. This territory was divided, from the beginning of the historical life of its population, into two unequal parts: the larger, in the north, covered with forests, and the considerably smaller, in the south (south-west and south-east in relation to the Dnieper, the main waterway of the early historical period), occupied by the steppe. This combination of forest and steppe is typical also of that part of the Russian territory of which Kiev was the centre, and which in the early period of Russian history—from the end of the ninth to the middle of the twelfth century—played the leading part in the political and cultural life of Russia, with only this difference, that in Kievian Russia the forest and the steppe seemed to strike a balance. The 'field' or the 'steppe' offered less natural hindrances to settlement and agriculture than did the forest. But from the point of view of security from invasion, the forest offered greater advantages than the steppe, which for centuries had been inhabited or traversed by warlike nomadic tribes. Thus the conditions of settlement, both in the forest region and in the steppe region, were from the outset very unfavourable, either from the natural or from the social point of view. Natural conditions determined the great part which was played, next to agriculture—land-tilling and cattle-breeding —by hunting and bee-keeping.

III. *The social differentiation of the agrarian population*

The natural and social disadvantages of the territories where the colonisation took place determined the main fact of Russian agrarian history, namely the great dependence of the mass of cultivators on the economically and socially stronger elements. From the very first, in the historical life of old Russian society, there was a strongly marked social differentiation which was of great significance for the nature and development of agrarian relations. A considerable economic and social power was required for the independent exercise of agricultural activity.

This determined from the very outset the division of the early Russian population into

(*a*) the lower class of dependent tillers, and

(*b*) the upper class of socially and legally independent landowners.

It is however necessary to bear in mind that the economic power and social privileges of the upper class were not due to the fact of land-ownership as such. On the territory of Russia there was a great quantity of free land and therefore, with regard to the early Russian agrarian regime, it is impossible to speak of land monopoly.[1] Of land there was any amount, but of agricultural stock and of social security there was but little; and these were in the possession of the minority, the upper classes. Their privileges cannot, however, be described as being of a purely legal nature. Rather they enjoyed a *de facto* social superiority, from which only partial legal inferences were drawn, mostly *ad hoc*.

The social differentiation of the early Russian society could be represented as follows:

(1) Juridically speaking, the lowest stratum was represented by the unfree elements. In point of fact, and to a certain extent in point of law, they were also divided socially into slaves (*holopy*) and 'ministerials' (*tiuny*, *otroki*, *detskie*, *posluzhivtsy*, *prikaschiki*). The former, who did the manual work, were labourers, while the latter, who administered in the name of their master, were servants. Though unfree, both the former and the latter could have their own households and could hold land, but not as owners; ownership, in strictly juridical language, was open only to the free.

(2) Above the unfree, the slaves and ministerials, stood the free tillers who because they used other people's agricultural stock had to hold other people's land. They could not be described as slaves or even as serfs. They were 'free wandering tenants'. To call them peasants in the modern sense would be wrong. They lacked the main characteristics of a modern peasant; for they had no land and almost no agricultural stock of their own.

(3) The landowners, who possessed their own stock on the land which belonged to them. These landowners could also be tillers cultivating their land in person, i.e. peasants in the modern sense. In fact, however, they were for the most part what we should now describe as recipients of undivided agricultural profit and ground rent. During the early period, that is up to the second half of the fifteenth century, the tenure of the upper layer of these free landowners was not only of a purely allodial nature, but was combined with a free choice of personal

[1] 'Free land', as the term was used by Gibbon Wakefield: 'land monopoly' as used by Henry George.

allegiance—the so-called 'right of departure'. The social content and political significance of this 'right of departure' depended on the social importance and power of these allodial landowners. Carried to its limit, it could and did imply the right of seceding from the state, not only for the person but also for his property; in other words it implied that right of integral option of subjection which at the time belonged to the most powerful elements of the privileged landowning class, and involved certain purely political rights. The law and practice of landowners' 'departure' will be further dealt with in discussing the problem of so-called Russian feudalism. As a rule, however, the fate of the person and of his landed property began to diverge at an early stage.

(4) At the top of the ladder stood the princes, who were bearers of state power. Politically and socially, they also were differentiated, even during the earliest period. There were (i) ruling princes wielding full sovereign power; (ii) princes dependent on other princes but invested with certain elements of sovereign power; (iii) princes who were magistrates in such republics as Novgorod and Pskov; (iv) 'serving' princes who were in the service of other princes; and finally (v) dispossessed princes who for some reason or other had been deprived of the conditions permitting them to enjoy their former status. For people who found themselves in such a position old Russian usage had a particular general term, *izgoy*.

A ruling prince was sovereign in the sense that he ruled *suo iure*, and was not a magistrate whom the people could legally dismiss in one way or another. (In point of fact the people did dismiss their princes, but this was always done by way of democratic *coups d'état*.) But his sovereign power was not unlimited, either in principle or in fact. Ruling princes shared this power with the popular assembly (*veche*) and the senate (*boyarskaya duma*). It is not our object here to describe this political regime, which had not yet had time to take final shape and therefore cannot be described in modern legal terms. It is only necessary to point out that at the time there was no single Russian state, but many such states or principalities. Side by side with the principalities which were monarchical states, there existed republics where princes were magistrates and not sovereigns. Thus there was no single state, but at the same time princely power was monopolised by one single 'dynasty' (the Rurikovichs) whose members, by virtue of some unwritten law, could be called upon to exercise sovereign power in separate principalities. This princely authority, alongside and jointly with the *veche* and the *boyarskaya duma*, participated in sovereign power and was the source of the public law current in any given state.

As regards agrarian relations, princely power played from the very first an important threefold role. The prince could be, and was, a

privileged landowner and gentleman-farmer, and received a revenue in this double capacity. But of no less consequence was the fact that ruling princes of the Rurik dynasty from the very first enjoyed supremacy in matters of taxation and justice. They levied taxes on the population and judged it, and their judicial power in its turn was a basis and a pretext for taxation. They recruited armies in their own right and were their commanders. From the initial combination of the prince's position as landowner and farmer with his exercise of military, judicial and fiscal power, originated the whole attitude of the princely authority both towards the bulk of free cultivators and towards the class of privileged landowners whose lands were tenanted by the considerable numbers of those free cultivators.

IV. *Further developments. The status of free tillers in ancient Russia*

The later agrarian relations of medieval Russia developed in the social environment just described. Several problems arise here with which we must deal in turn, both because of their intrinsic importance and because of the varied solutions of them which have been suggested by scholars.

The social differentiation which we have described might have been preceded by a period of comparative economic and legal equality among the members of clans and of tribes. In Russian history, however, we know of no such period. History begins with the rather sharp social differentiation already suggested, in which it is possible to distinguish clearly the figures of: (*a*) the prince, (*b*) the privileged landowner, (*c*) the free tiller, without land or stock, and (*d*) the bondsman or slave. Thus, taken at its starting-point, the Russian agrarian regime differs radically from that of medieval Germany, whichever of the opposed interpretations of the German facts we may adopt. Russian free tillers, *smerdy*, as *liberi*, as *Gemeinfreie*, were neither little manorial lords, as some[1] have suggested that the German were, nor true peasant cultivators as others[2] have suggested. Nor could the Russian privileged landowner of the early period be identified with the German *Grundherr* of the Frankish period.

These Russian free tillers, who held other people's land and depended on other people's stock, were, characteristically enough, called by contemptuous names, either with a touch of repugnance—as *smerdy*, i.e. stinkards, or with a touch of compassion—as *siroty*, i.e. orphans. The names of *izornik* and *ratay*, corresponding to the English 'tiller', were neutral. There is no reason to believe that free wandering tenants

[1] Heck, Knapp, Wittich. [2] Below, Dopsch.

(*smerdy*) held only the princes' land. And another thing is beyond doubt, namely that land had always been held, not only by such tenants, but also by unfree labourers attached to the person of their master-landlord. The precise relation between the free labour of tenants and the slave labour, in the Russian 'manorial' economy of that period, is not known to us; but it is to be supposed that free labour predominated. In all probability free tenants paid for the land and the assistance they received chiefly, though not exclusively, in kind and in labour.

V. *Reduction of the free cultivators to 'villeinage'*

These conditions resulted in what may be described as a purely economic dependence of the cultivators. This originated in a combination of two elements: the indebtedness of the tenants towards their landlords, and the transformation of their contractual tenancy into prescriptive custom (in Russian *starina*). This was similar to the dependence of the *coloni* in the Roman Empire. According to the old Russian law (*Russkaya Pravda*) the indebtedness of a man who had borrowed money in return for labour turned him into a complete slave, if he tried to run away. Thus Russian law contained the notion of the evasion of a common-law obligation punishable by the deprivation of personal liberty. Such a flight involved, *ipso iure*, a degradation from a free condition to slavery. The penalty for flight was formulated more mildly (in the Pskov Judicial Act) with regard to a free tenant who had received a loan from the landowner (art. 76). Here the creditor was entitled, in case of flight, to lay hands on the property of the fugitive, subject to certain formalities. The difference in the attitude of the law towards the hired labourer and the tenant was not accidental. From the point of view of Russian law during that period, regular agricultural labour for hire bordered on slavery and, unless embodied in a contract (*ryad*), sometimes led *ipso facto* to slavery. But in principle, from the point of view of civil law, as we should now say, agricultural tenants were considered, until the end of the sixteenth century, as 'free wandering tenants' entitled to change their landlord and master.

The first restrictions on the freedom of movement in respect of free tillers, who in the fifteenth century, in Muscovite Russia, were given the confessional name of *krestyane*, firstly in opposition to Pagans, afterwards in opposition to clergymen (*krestyane*=Christians), were to be seen in the domain of what we should now call public, or perhaps even international law. During the whole of the historical period, free agricultural workers holding other people's land were from the point of view of the particular states, whether principalities or republics,

attached to the state. In this attachment to the state, or to the prince, lay the main difference between the legal status of the wandering tenants and the legal status of the free privileged landowners (nobles) who enjoyed the right of departure. In law, the former were never regarded as entitled to depart from the state or principality in which they resided. This did not mean that in point of fact these free tenants never moved from one Russian state to another; on the contrary, this was quite a common occurrence. But for the non-privileged tillers it was a breach of allegiance. Other princes even encouraged such breaches; but those whom they affected merely suffered them, never admitting their legality and treating them as flights. This attitude was determined by fiscal considerations: when a free cultivator left his state, the state lost a taxable object. The right of the free tenant to transfer his allegiance was further restricted by the fact that it was contingent on the carrying out by him of his obligations towards his landlord, and the observation of the time-limit fixed by custom for such a transfer or, more generally, for the cancellation of the agreement (*otkaz*). From the point of view of *de facto* relationship between free tenants and landowners, it is highly significant that, since in a colonising and colonised country, such as Russia then was, there was a lack, and not a surplus, of labour, while actual land cultivators had no stock, the economic and social initiative in the transfer of agricultural labour rested not with the hired, but with the hirers, that is with the landowners, either as agricultural undertakers or as holders of judicial and fiscal supremacy. It was not so much a case of tillers passing from one landowner to another, as of landowners vying with each other in the transfer of labour. At an early stage, a tendency set in to limit from above the freedom of such transfers of free tenants, either in favour of the largest landowner, the ruling prince, or in favour of that specially privileged type of landowner which was represented by the Church, and more particularly by the monasteries which, from the sixteenth century onwards, occupied the foremost economic position in the agriculture of Muscovite Russia. Thus, three factors—(1) the agricultural indebtedness of the free tillers, (2) the natural tendency on the part of the landowners to immobilize their tenants and to turn their long tenure into a custom working in favour of the socially strong and privileged class, and (3) the policy of the state tending in the same direction—contributed to the establishment of serfdom, in forms approaching real slavery, on the landowners' estates, and of a peculiar regime of self-governing and yet 'liturgical' (*tyagly*) agricultural 'communities' on the state and crown lands.

Such was the general evolution of Russian agrarian relations during the Russian Middle Ages, i.e. during the period from 862 to 1648. We must now deal with some individual aspects of this evolution.

VI. *The social regime and the agrarian relations in the Russian republics*

In the first place, that medieval social differentiation which we have described above manifested itself in the most striking and distinct way in the social regime of the Russian republics, where the prince was not a sovereign ruler but a mere magistrate—in Novgorod the Great and Pskov. In many things these republics resembled the Greek and Roman πόλις. Here the city ruled over the village. The city comprised a trading and landed aristocracy (*boyars*) and a trading and landed bourgeoisie, akin to the Athenian demos of the age of Kleisthenes, and divided in its turn into the middle class (*zhityi lyudi*) and the common people (*chern'*). The landowners of Novgorod and Pskov were in part large boyar magnates, who were manorial lords and capitalists all in one, and in part the middle and small *svoezemtsy* or *zemtsy* who, legally speaking, were also nobles of sorts, but from the economic point of view were often mere peasants in the modern sense. The aristocratic character of the agrarian regime was more clearly expressed in the republics of Novgorod and Pskov, throughout their existence, than in the Russian monarchical states where state or crown landownership, which was prohibited outright in Novgorod, was highly developed and served as a basis for the later Russian 'liturgical' state.

We have but scanty data about the settlement and distribution of rural population in ancient Russia. It is to be assumed, however, that during the early Russian Middle Ages, that is till about the end of the fourteenth century, it lived scattered, by separate households; for this is the meaning of the word *derevnya* in early Russian. There is no doubt that communities of some size existed originally only as fiscal (*pogost* and *potug*) and administrative (*verv'*) bodies. It was only as a result of the development of state taxation and of domanial economy, as well as of private economies, in connection with the growing density of the population, that village communities of some kind could have sprung into existence. But during this early period there is no trace of the existence of village communities in the sense which they acquired later in Russia. This is easy to understand: granted the abundance of vacant lands and the socially privileged character of early landownership, conditions were lacking for such an institution as the village community. It was only the formation of compulsory fiscal groups consisting of tillers dependent on the state and on privileged landowners, which, in connection with the growing density of the population, led to the idea that, next to the state and the privileged landowners, the tillers dependent upon them, in the person of those compulsory groups, were also con-

cerned in landownership. Yet this idea, and the closely related notion of every cultivator's right to the land, arose not in the early Russian medieval period, but during the following period of the finally developed 'liturgical' state of the second half of the seventeenth century; while it took root in the legal consciousness of the Russian rural masses only in modern times, in the eighteenth and nineteenth centuries.

VII. *The problem of so-called Russian feudalism*

The problem of Russian feudalism, propounded by Polevoy (1796–1846), a talented journalist whose broadly conceived *History of the Russian People* was left unfinished, and set forth in greater detail and in a more scholarly way in the works of another talented man, the late N. P. Pavlov-Sil'vansky (1870–1909), demands for its elucidation a clear and precise definition of feudalism. It is a juridical conception in which the elements of public and private law are intermingled in an original fashion. Feudalism is a regime based on the legal recognition of the connection, compulsory for both parties, between the vassal's service and the suzerain's grant to him. At the basis of this regime lies a contractual but indissoluble bond between service and land grant, between personal obligation and real right. The purely allodial character of the landownership of the privileged landowners in the early Russian Middle Ages excludes, *ex definitione*, the possibility of applying the conception of feudalism to those relations. The 'right of departure', that is the combination of the right of severing service bonds with the complete inviolability of the landed possessions, involves a direct negation of the legal and economic essence of feudalism. If it is possible to speak of Russian feudalism, it is so only from the moment when, and to the extent to which, the 'right of departure' of the free and privileged landowners falls into abeyance. This process began approximately in 1350. It is, however, necessary to point out that this peculiar Russian feudalism of the middle and late medieval period differs greatly from western feudalism, in that it is by no means based on the obligation of mutual fealty of the vassal and suzerain, but, on the contrary, forms part of the system of the 'liturgical' state, which takes shape during this period, with its compulsory service of the upper and its bondage of the lower classes. It was, if one may say so, a system of state feudalism, all of whose legal relations had a clearly expressed public character. The process of the formation of this Russian liturgical state, so far as the 'vassals' were concerned, was twofold. The upper stratum, the vassal princes, lost their right of changing from one suzerain to another and their 'departure', formerly an 'international' option of

vassalage, became high treason or felony. Lower servants, originally unfree, the *posluzhivtsy*, *dvoryane*, or Russian ministerials, now formed the lower stratum of free vassals of 'knightly' rank. This process of personal emancipation of the upper stratum of the unfree was intertwined with the attachment by law of the whole official class (*sluzhiloe soslovie*) to compulsory state service, and with another process, complicated in its forms and methods, and pertaining simultaneously to public and private law—that of the binding of tenant tillers to compulsory labour for the official class. From the formal juridical point of view, this transformation of the early Russian ministeriality into a beneficiary state service was of very great importance in the process of the formation of the Russian 'liturgical' state. It amounted not so much to the feudalisation of the originally purely allodial agrarian regime, as to a wholesale *étatisation* of all agrarian relations, on the basis of state service (*tyaglo*).

VIII. *The place of immunities in the evolution of Russian society. Russian 'tyaglo'*

With regard to the tenant cultivators who formed the bulk of the rural population, this process was still further complicated by the fact that, in becoming serfs, those tenants came, from the fiscal and judicial point of view, under the jurisdiction of the landowners. The notion that a privileged upper stratum of Russian landowners had possessed of old judicial and police authority over free tillers, that they had been originally not only *Gutsherren* but also *Grundherren*, must be absolutely rejected. During the early Russian Middle Ages, such authority with regard to the free agricultural population was as a rule monopolised by the prince. Then gradually, by way of special grants of immunities, it was, within certain limits, transferred to individual privileged landowners. This process terminated in the natural conversion of privileges of immunity conferred on certain landowners, and particularly on monasteries, into general rights of all privileged landowners. It finally converted such landowners into manorial lords. On the fiscal side, these manorial lords became responsible for the discharge of state duties by their serfs. In one way or another, they had to organise their serfs into compulsory fiscal groups responsible to themselves. Still earlier and still more clearly, such fiscal groups had been organised by cultivators who held land from the prince.

Thus was evolved the specifically Russian conception of *tyaglo*, which is fundamental for the middle and late medieval period in Russia. It is necessary to distinguish between *tyaglo* as a conception of Russian

medieval law and *tyaglo* as a general sociological conception, identical with the Greek conception of 'liturgy'. *Tyaglo* in the specifically Russian sense meant a compulsory burden fixed by the appropriate authority, this burden being always a real duty and not a personal obligation, even though it was sometimes discharged by way of some compulsory services in kind. Thereby Russian *tyaglo* (*tyaglo* in the narrow sense), incident at first upon the free and then upon the servile unprivileged population, differed from compulsory service performed by free privileged people; the former 'drag' (*tyanut*),[1] the latter serve (*sluzhat*). On the other hand Russian *tyaglo* was, as a rule and of old, a duty performed jointly by way of compulsory collective responsibility, under collective guarantee, that is by individual households or persons, always as parts of compulsory fiscal groups.

IX. *The binding of peasants to their lords*

Peasants, both on state and on private lands, who left their lands in violation of the time-limit set up by the Statute Books of 1497 and 1550, or in violation of their pecuniary obligations towards the landowners, or towards the compulsory fiscal groups responsible to the landowners, were regarded as fugitives and were liable to be handed back forcibly to their lords. In 1597 a law was published granting the landowners a five-year term during which they could look for their fugitive peasants. Later, this time-limit was extended to fifteen years, and finally in the 1649 Code any prescription with regard to peasant flights was abolished. Thus the law definitely sanctioned the 'servile' dependence of the tillers on the privileged landowners whose lands they held, a dependence which had already come to be recognised as established by custom.

X. *Conditional landownership in return for service, or the 'pomestye' system*

Conditional landownership in return for service, as a legal institution, sprang up in Russia by virtue, and in the form, of individual grants of land which, in the first place, were apparently bestowed on the higher

[1] I think that this verb 'tyanut' is a Russian translation of the Byzantine-Greek καθέλκεσθαι, which I find in the glossary annexed to Georg Ostrogorsky's 'Die ländliche Steuergemeinde des byzantinischen Reiches im X. Jahrhundert' in *Vierteljahrschr. f. Sozial- u. Wirtschaftsgeschichte*, XIX (1927). The Russian substantive *tyaglo* corresponds in the main to the Byzantine-Greek τέλος, the adjective *tyagly* reproduces ὁμοτελής. For the compulsory group of cultivators the Byzantine-Greek forged the word ὁμάς.

It would be a very tempting and important task to inquire exactly, on the basis of terminological borrowing, into the connection of Byzantine-Greek legal thought with the development of Russian social institutions and thought.

servants of the court, both free and unfree (ministerials). The making of land grants to unfree servants may seem logically and legally contradictory. Why should unfree servants be rewarded for services which, being unfree, they are bound to render? The point is that, at this time, in reality people were unfree in different degrees; and there were some unfree people, some servants, who, being placed near to the prince, might be encouraged in their service by special grants. But the practice of land grants was extended at an early date from the unfree to the free servants. Thus generalised, it became widely spread and of great political significance. In this way originated the Russian *pomestye*, a conditional land grant in return for service which took its place next to the oldest form of allodial landownership, the *votchina* of the privileged landowners.[1] A Russian *pomestye* is not a fief in the classical western sense, because the grant of a *pomestye* is an act of grace by the sovereign and, generally speaking, the *pomestye* relations are not contractual relations between a suzerain and a vassal, based on mutual fealty; their source is in the absolute sovereignty of the suzerain. The strengthening and extension of the *pomestye* system in Muscovite Russia was closely related to political events. Ivan III not only subjected Novgorod to his supreme power, turning her from a vassal republic into a mere province, but by three consecutive confiscations of land (1478, 1484 and 1489) he uprooted the whole of the boyar and almost the whole of the ecclesiastical landowners there. All the local allodial landowners, who had been removed from the Novgorod territory, were replaced by new Moscow nominees as *pomestye*-holders. As for the Novgorod boyars, so far as they personally survived, they received new lands in the Moscow territory, also on the *pomestye* basis. This reform was not merely a punitive measure, nor even a purely political one, but both political and social in its significance. Almost at a stroke, it substituted for 18,901 peasant households belonging to Novgorod boyars in allodial right, 21,309 households of the Moscow *pomestye*-holders; while it reduced the number of households belonging to the Metropolitan of Novgorod almost to one-fifth.

Parallel with this went the process of assimilation of allodial landownership to the *pomestye*—by subordinating the former to the principle of compulsory service. In the sixteenth century it was no longer possible to refuse service. In the evolution of the agrarian regime of the privileged classes the following stages can be traced. The growth of the Muscovite state, i.e. the unification of the east-Russian and north-Russian territories under the rule of the grand duke (and later the Tsar) of Moscow, was accompanied by an extension of the field of conditional *pomestye* landownership at the expense of the unconditional allodial, or *votchinny*.

[1] *Votchina*=*allod* and *alleu*.

The restrictions of allodial ownership affected in the first place the so-called 'serving' princes, former sovereigns, who from ruling princes had become officials. Steps in this direction were taken perhaps as early as in the reign of Ivan III, and in any case in 1551. Subsequently these restrictions were extended to certain boyar allods; still later the granting of allods to large monasteries was forbidden.[1]

In short, the allodial principle as it affected the privileged landowners was considerably curtailed by law during the sixteenth century; and for about two centuries it surrendered its predominant place to the 'liturgical' principle. In accordance with this developed the *pomestye* system, a colossal system of constant and regulated grants of land and labour by the state to the privileged noble officers, in return for their service. For the sake of these grants, the freedom of movement of the peasants was finally abolished by the end of the sixteenth century. The *pomestye* system presupposed the existence of a large fund of land and of a considerable reserve of labour seeking employment in agriculture. Such a land fund was created, in various ways, including confiscations and expropriations, from the state lands of the grand duke or Tsar which accumulated gradually in the hands of the Moscow ruler, the so-called 'palace'[2] and the so-called 'black' lands. Besides, it was enlarged by way of the spontaneous or deliberate expansion of the Muscovite state towards the east and the south. This expansion took the form of internal colonisation accompanied by an outflow of population from the north, and especially from the centre, i.e. from the Moscow region, to the south and especially to the east, where vacant lands were colonised in various ways, legal or illegal, partly in association and partly in struggle with the settled or nomadic eastern tribes. This outflow of population from the centre and from the Novgorod region, partly as a result of wars, created there a crisis of agriculture and agricultural population which led to the agricultural waste and depopulation both of the historical centre of the Muscovite state and of the former central territory of Novgorod. This crisis was aggravated, at the beginning of the seventeenth century, by a political revolution as well as by external complications, that is by the events of the so-called 'Time of Troubles', from which the country emerged as the result of a complex process of social reaction. The main driving force of this social reaction was the middle nobility, which strove to reduce the peasants finally to bondage, and to convert its own conditional landownership in return for service into an unconditional ownership of land and labour ('souls'). Thus, within the 'liturgical' state the principle of almost unlimited personal

[1] See *Ukaznaya Kniga Vedomstva Kaznacheev*, re-edited by M. F. Vladimirsky-Budanov: *Hristomatiya po istorii russkago prava*, 3rd ed. St Petersburg-Kiev, pp. 28–34.

[2] These were freely distributed before 1627.

ownership of land got the upper hand.[1] This was coupled with an ownership of dependent cultivators which bordered on slavery. In this respect the Russian social structure, which had for its starting-point an extremely primitive allodial system, developed without appreciable influence from without, and inside the framework of a 'liturgical' economic and social regime, certain principles which in western Europe had resulted from the reception of that Roman law which sanctioned both the free sale and purchase of land, and also slavery. Returning to the *pomestye* system, of which the more stable element proved to be the compulsory service of the privileged landowners and not the conditional landownership based on a grant in return for service, it is necessary to point out that the size of the grant was determined by the rank (*chin*) of the person in question; while the size of the grant in turn determined, among other things, the extent of military service, i.e. the amount of armed force which the landowner (*pomeshchik*) was to supply in case of conscription. As its unit was taken the landowner himself on his horse —this corresponded to the minimum grant. It is curious and typical that the decree of 1556, which established this relation between the land grant and military service, foresaw the necessity of redistributing estates so that the grants should be in keeping with the service rendered; in other words, it introduced a kind of land partition in regard to the privileged landowners who owed service to the state. Altogether this period—the second half of the sixteenth century—was the culminating point of the *pomestye* system, with its holdings conditional on service, and of the 'liturgical' regime as a whole. In the seventeenth century the gradual ousting of the 'liturgical' principle by the allodial, in the domain of privileged landownership, becomes clearly evident, and *pomestyes* become assimilated to *votchinas*. The former also become hereditary and subject to all kinds of civil transactions and operations within the privileged class or order of nobility, the main and exclusive social privilege of this order becoming the possession of 'inhabited estates', that is of lands held by serfs who owe them obedience and labour. In this mass of serfs were fused the former slaves (*holopy*) and the former 'free and wandering' cultivators. The restored allodial landownership of the privileged landowners was firmly bound up with the complete personal subjection of the cultivators.

A striking contrast with the social and legal evolution of the class of privileged landowners is presented by the social and legal evolution of the class of cultivators dependent both on the state (the sovereign) and on the privileged landowners. Here one can trace no signs of a victory of the principle of private ownership of allodial type over the conditional

[1] The main restriction consisted in the right of family redemption of hereditary properties.

possession of *tyaglovy* or 'liturgical' type. What is evolved here is not the principle of private ownership by individuals or families, but the principle of a certain right to own the land, parallel with the sovereign rights of the prince or landlord over the same land, on the part of compulsory fiscal groups composed of individual peasant households, i.e. on the part of village communities. This collective right of village communities, just like the right of the state or of the seigneur, is a peculiar, but secondary, *dominium directum*, underlying which is the *dominium utile* of individual peasant households. This *dominium directum* of the compulsory fiscal peasant groups developed gradually, chiefly on the basis of fiscal and administrative self-government of the peasants themselves instituted from above by the state or by the landlord; but it was only in connection with the growing scarcity of land that it took the classical form of the community based on periodical partitions of land. There can be no doubt that the village community with its communal landownership is the product of a comparatively late development, evolving as a result of the joint action of two forces: (1) the fiscal and administrative power of the state or of the privileged landlord over the peasants, and (2) the growth of population. Until the seventeenth century there are in Russia no signs of the village community in its modern sense. Especially in that part of the country where, in the eighteenth and nineteenth centuries, the typical form of peasant landownership was that of the village community with its periodical partitions, private ownership by families or households prevailed throughout the Russian Middle Ages. Such private ownership was, on the one hand, a legacy or a continuation of allodial landownership by the small privileged landowners of the Novgorod period (the so-called *svoezemtsy*), and on the other hand the result of the degradation of the privileged landowners removed from the Moscow region, who from the status of the Tsar's 'serving men', i.e. nobles, were reduced to that of tillers dependent on the Tsar. Under the influence of the general 'liturgical' regime of the Muscovite state, inherited, as regards the peasants, by the *Polizeistaat* of the Russian Empire, this new small family ownership was converted, in the north of Russia, into the communal landownership of the village community.

In this evolution the forces of command from above and of communal self-government were peculiarly intertwined. They helped to paralyse that element of economic individualism which was represented in the medieval Russian agrarian regime, not by the tillers, but by the landlords who owned of old both land and agricultural stock. These privileged elements conquered the Russian north in the process of the Novgorodian boyar colonisation. When the power of the Muscovite rulers overcame the landed and trading aristocracy of Novgorod, the

Russian village community began to take shape within the framework of the compulsory peasant fiscal groups created by the Muscovite 'liturgical' regime. This process is part of later, of 'modern', Russian history. But its roots go back to the middle and late medieval period; and that which in the north of Russia, where there was no serfdom, appears to us as the evolution of self-governing village communities in interaction with the police power of the state, in central Russia, where there was serfdom, represents a peculiar process of development of relations inside the 'enserved' peasant class, in interaction with the almost unlimited power exercised over that class by the privileged landowners, who considered nothing but their own interests and the fiscal requirements of the state.

XI. *The organisation of the Russian medieval 'manor' in the fifteenth to seventeenth centuries*

How was the Russian medieval 'manor' organised and how did it function? To this there is no simple general answer. It is hardly to be doubted that the development of Russian manorial economy in the direction of a real *Gutsherrschaft* occurred rather late; presumably it happened first on monastic lands. The *pomestye* system, being based on the principle of the service to be rendered to the state by the privileged landowner, the nobleman, did not encourage him to run his own estate. It is therefore to be supposed that he received the bulk of his revenue from the peasants, not in the form of compulsory labour, but in the form of quit-rent, mostly in kind. Certainly the cultivation of his arable land by peasant labour played a smaller part than the payment of quit-rent. Thus the *redevances* of cultivators dependent on privileged landowners were composed of: (1) a quit-rent, mostly in kind, consisting of a part of the harvest and of minor 'gifts', and to a lesser extent in money; and (2) labour services, the main forms of which were the agricultural *corvée* and the carting duty. There was also auxiliary military service owed to the landlord. Until the fifteenth century, no hypothesis even can be put forward as to the relation between the peasants' and the landlords' arable areas. For the fifteenth century the minimum ratio of 5 : 1 may be assumed. At the time it was also probably the average, and in this sense the normal, ratio.

The statement of Sigmund Freiherr von Herberstein (1486–1566)[1] that the peasants worked six days for the landlord and one day for themselves sounds quite incredible, if it is meant to be representative. Neither the productivity nor the organisation of agriculture would

[1] *Rerum Moscoviticarum Commentarii*, 1st ed. Vienna, 1549.

have allowed such an exploitation of the peasantry. Nor is it possible to maintain, either for this or for the later period, that an organised *corvée* was a universal burden of the dependent cultivators in the Muscovite state. Those who held their land from the state were certainly not so burdened as a general thing.

XII. *Differentiation among peasants dependent on privileged landowners*

At a rather early stage considerable differentiation appears among the cultivators dependent on privileged landowners. They were differentiated according to their property power within the compulsory fiscal groups whose members were described as peasants (*krestyane*). The term peasant came to imply that hereditary and indissoluble dependence, a dependence institutional rather than contractual, which the Russian legal language described expressively as *krepost* ('attachment', or, literally, 'firmness'). But, side by side with this dependence, there were preserved until the seventeenth century other relations, less stable, more individual and more contractual in character. People who stood in such relations to the privileged landowners were distinguished from the peasants (*krestyane*) under the names of *bobyli* or *kazaki*. *Bobyl* means literally 'a single man', not in the sense of a bachelor, but in the sense of a poor man standing by himself, apart from the compulsory fiscal group. *Kazak* (cossack, or rather *qazak*) is a Turki word which in Russian originally meant a free lance who was under no obligations to any authority or group, who was not 'attached'; and therefore the word *kazaki* in Russian originally referred always either to free workmen or to free warriors, and had accordingly different real meanings. The *bobyli* and the *kazaki*, as categories of the agrarian population, differed from the peasants, not by the fact that they had no duties but by the fact that they performed them individually, outside the compulsory fiscal group. They had neither the rights nor the obligations incumbent upon the members of such a group. In the second half of the seventeenth century, both the *bobyli* and the *kazaki* were subjected to 'attachment' and from freemen became also 'serfs', attached either to a privileged landlord or to a fiscal group.

XIII. *Institutions and thought*

The development of monastic landownership and monastic agriculture in medieval Russia found its reflection in the ecclesiastical and religious literature, the only form of written Russian literature then existing.

Towards the end of the fifteenth century it provoked a controversy, which raised an important social, rather than a purely literary, issue.

This controversy seemed to herald the birth of a Russian Reformation in the twofold sense which this word acquired in the medieval West: an internal and legal reformation of the life of the Church without any breach with tradition and discipline; and a deep-cutting revolutionary change, proceeding it is true from within, but clashing both with discipline and tradition. The controversy, as we have said, was waged round the problem of monastic landownership. One current of thought, the conservative, headed by St Joseph Volotsky, was in favour of it. The other, the reforming, attacked the accumulation of earthly riches by the monasteries, and the acquisition of material goods by the clergy, in the name of Christian ideals. From this reforming movement, represented by the so-called 'non-acquisitionists' and headed by St Nil Sorsky, the main intellect and spokesman of the so-called 'Transvolga elders' of the Belozersk district, might possibly have developed a revolutionary Russian Reformation like those of the West. This seemed the more likely because, as a result of complex influences, both Byzantine and West European, there sprang up (or rather was revived) a religious and ethical rationalism of a very radical type, in the form of the heresy of the so-called 'Judaizers'. This radical religious movement began in Novgorod but later shifted to Moscow. It was, however, suppressed violently by the state, while the 'non-acquisitionist' movement within the Orthodox Church sustained a complete outward defeat at the Church Council of 1503. Nevertheless this protest against ecclesiastical landownership left a mark on institutions. By decisions of the Councils of 1580 and 1584, the acquisition of land by ecclesiastical bodies was considerably curtailed; and thus the way was paved, not only in thought but also in fact, for that secularisation of Church estates which was carried out in the eighteenth century. Though 'non-acquisitionism', directed as it was only against monastic landownership, was dictated by religious motives, its real significance harmonised to some extent with certain tendencies of the autocratic government, and with the general character of the 'liturgical' regime which that government was setting up. This coincidence is revealed in a curious and typical work of the sixteenth century on government and land-survey written by Ermolaus (in monkhood Erasmus) the Sinner, whose actual historical identity has only recently been established. As a religious and economic thinker, he might be described as a mystical physiocrat. But viewed from the standpoint of the social and political conditions of the state to which his ideas most naturally apply, this religious and mystical physiocrat appears at the same time as a 'liturgical' physiocrat. The treatise of Erasmus the Sinner was apparently written about 1540. The author's

main thesis is the fundamental importance for the state, both of the utilisation of the land and of agriculture as a factor in social and economic life. For this there are two reasons by which the government of the only 'Orthodox' ruler, the Russian, must be guided:

(1) All men 'from the Tsar to the humble folk' feed on bread produced by the labour of those who till the land. Therefore those who produce the most important commodity are the most important people; (2) God is offered bread as a bloodless sacrifice which is transubstantiated into Christ's Body. The physiocratism of this first Russian economist does not attain the generalising force of the later French classical physiocratism, because Ermolaus-Erasmus deliberately limits his physiocratic conceptions to the conditions of Russia's economic life based entirely on agriculture. But like a true physiocrat he deduces from his assumptions the principle of a single tax on those who till the land. 'In every country every man pays his king or ruler a tribute from the produce of his land: wherever gold and silver are produced gold and silver are paid, and wherever wild beasts breed, these are paid. Here in the Russian land neither gold nor silver nor great beasts are produced, but by God's blessing the most valuable produce is corn for the nourishment of man.' And with a reference to the example of Joseph, when ruler of Egypt, the author fixes this single tax on those who till the land in favour of 'serving men', i.e. nobles, at one-fifth of the harvest. In no other document of the period is there formulated so clearly the idea that the labour of the cultivators for the benefit of the serving nobles has its justification in the nobleman's service to the state. The author draws the conclusion that no exploitation of the cultivators by the privileged landowners is admissible that goes beyond the limits which he regards as just. Nor is any further taxation of them by the state admissible. Thus any *corvée* and any working of the landlord's arable are obviously rejected. In accordance with this the author requires that all 'warriors' must live in towns.

Medieval Agrarian Society in its Prime

§ 7. England

English peasant life of the thirteenth and much of the fourteenth century is more difficult to describe with happy assurance than it was a generation ago. We look with question at many of the conclusions of the earlier trailmakers, and fear to apply positively and too widely even brilliant suggestions made by their greater followers. Present-day studies are concerned with variations and differences, and the normal manorial village of the past has receded into the background, or, more accurately speaking, must be confined to a specific habitat limited in extent, and not imposing complete uniformity upon itself. The mass of manorial and village material published under the auspices of societies and individuals gives an opportunity for new lines of approach and closer study of local agrarian questions. It becomes clear that significant differences often become evident only when detailed examinations have been made of the physical characteristics and agrarian history of a given region, and we become increasingly fearful of categorical statements made even with regard to villages at first sight economically homogeneous.

A natural beginning of the study of English medieval agrarian life in its heyday, before the changes of the later fourteenth and following century, lies still, nevertheless, in the so-called two- and three-field villages of the south and midland districts, which were once considered generally typical of all English village life. In the early years of this century, when the bubble of uniformity of social development for all England was pricked, lines were drawn around the home of the villages of the type mentioned. Somewhat contracted and blurred by later study these lines would now include only old Wessex and part of old Mercia, and, for our period, part of East Yorkshire. They would exclude the North, East Anglia, Kent, Essex and Cornwall. Within the region so defined the open-field village was generally prevalent and a certain uniformity of type is therefore to be observed, but even here, in the most advanced parts of England, variations occurred and smaller, more independent units of agriculture may be found.

The villages themselves were, in our eyes, primitive. Groups of houses built close together in 'nucleated' form, as Maitland calls it, were long ago established at places convenient for intercourse, or sometimes slightly off the ancient roadways in order to avoid the invasions of earlier days. The houses so grouped consisted of two or three rooms, with a passage way in those of the better class to separate the

family quarters from the stalls for the animals. Chaucer's not too inviting pictures will be remembered; for example,

> At his bed's feete feeden his stalled teme;
> His swine beneathe, his pullen ore the beame.

Building materials consisted of wattle, mud, clay and thatch. There were as yet no chimneys but only a louvre in the roof to let out the smoke, and usually no glass in the windows. Outside lay turf heaps and fuel piles, and perhaps a small enclosure, a toft or croft, where were raised hardy vegetables and greens. Occasionally there is a suggestion that people of a specific class of society may have lived together in different sections of the village, but the evidence is slight. The manor house, the bailiff's house, the houses of more important villagers, the church, the parsonage, the orchards, barns, stables, pig styes, mills, ovens, duckpond, fishpond, and the like, completed the village group. Vineyards appear occasionally in monastic establishments, but probably the wine was poor and sour, and most of what was drunk was derived from France or Italy. Apple trees, pears and cherries are mentioned. Household utensils appear sometimes in various kinds of documents, like accounts, wills of the better class of peasants, and court rolls. We know too the names, if not always the exact capacities, of many of the measures used for food and in daily occupations. Village crafts will be discussed below.

Around and outside the groups of houses lay the open fields, and common pastures, meadow and woodland. Agriculture in this part of England most often conformed to the three-field system, the arable land being divided into three fields more or less equal in extent, of which in rotation two were cultivated every year and a third lay fallow. Thus was made possible a simple form of rotation of crops and of rest or 'repose' of the soil every third year, such renewal being assisted by the pasturing of cattle on the stubble of the two fields under cultivation in any year as well as on the fallow field. The related two-field arrangement occurs widely also, and had probably once been more extensive than in our period. It allowed half the arable to be cultivated each year in alternation with the other half. The change from the two- to the more productive three-field cultivation, where it occurred, was important, and has been characterised as an 'agrarian revolution'. No hedges were erected within the fields of either type, but around the whole field an enclosure was made during the summer to keep the cattle from the growing corn. The tenements of the villagers who had arable in the open fields lay divided into long narrow strips, approximately 40 roods long by 4 wide in the case of acre strips, and proportionately less in width but the same in length in the case of half-acre and quarter-acre strips. Irregular headlands and gores appear. The strips, not infrequently

thirty, of any particular villager were scattered in the fields. It has been recently suggested[1] that within blocks of strips a regular rotation was sometimes observed, each villager's strips lying between those of the same constant companions on his right hand and on his left, and that such strips might lie in some relation to the position of the sun, like the Scandinavian 'solskift'. The fallow field lay in any year undivided, and after the gleaning all strips in the village relapsed into common use for pasture. The lords' strips were many in number and were intermixed with those of the peasants. It is clear that such a method of cultivation necessitated much co-operative action on the part of the villagers and the lords' bailiffs. Strips must be ploughed, crops reaped in due order as they lay in the fields. Moreover villagers contributed their appropriate share to the plough teams; eight oxen had to be provided, or approximately equivalent energy in the form of mixed teams with horses or cattle. Parts of the wheeled ploughs too were sometimes supplied by different villagers. The strips of a lord had some preference in the matter of cultivation—certain days of the week, for example, were reserved for them, and their ploughing and reaping took precedence over the ordinary cultivation of the peasant lands. The actual arrangements whereby this end was attained are hard to visualise clearly. In some cases a small number of strips in the open fields were held by the smaller tenants, the cottars; in other cases such tenants seem to have been dissociated from open-field arrangements. In the case of both lord and prosperous tenant in the thirteenth century there was a tendency to build up consolidated holdings by the acquisition of strips contiguous to one another. The static condition once pictured as characteristic of the medieval village of this type must be in large measure surrendered as one observes the keen trade in land, buying and selling, leasing and exchanging, and the subdivision and consolidation of holdings. A money economy is becoming more and more evident, but had probably to some extent existed from much earlier times.

Along with the villager's strips, and included in his total holding, went his toft or croft, if he had one, and his bundle of rights in meadow, pasture and woodland. In the common waste outside the cultivated portion of the village, estovers of various kinds were taken—wood or turf for fuel, wood for the repair of buildings, for hedges, and for other essential purposes. Moreover, into this waste land pigs might be turned and cattle and sheep pastured in the more open spaces. An interesting question is raised regarding the peasants' rights of common in these uncultivated parts of the village, and their relation to the right of the lord. Did the two conflict? Did the lord's rights tend to increase at the

[1] Homans, G. C., 'Terroirs ordonnés et champs orientés' in *Annales d'histoire économique et social*, No. 41, September 1936.

expense of the villagers' so that statutory regulation like that of the 'Statute of Merton' (1236) indicates a comparatively new situation, or simply outlines one of long standing? The more reasonable explanation probably requires the belief in an increase and definition of the lord's powers over the waste as its uses became more defined, and also as, with the growth of assarting, its extent became less. But the question of the relation to the waste of the lord's demesne is important, especially in view of the increasing tendency of the lords to lease demesne lots to prosperous farmers or small villagers. The lord also seems to have enclosed increasingly bits of uncultivated land for his several pastures or for drying his turves, and sometimes the parson and important men in the village made similar enclosures.

Open-field villages of the nature described above, as they appear in the thirteenth century, were integral parts of the fief, the feudal lordship, supplying food for the upper classes of society as well as for the peasants themselves. 'The heart of feudalism is in the exploitation of the tenant by the demesne.'[1] It must be noted, however, that there were differences in the management of these estates. Most conservative and perhaps most efficiently run were the estates of the great churches. The conservatism of the church in these matters was due in part to the fact of its continuity. It did not change as did other lordships. It had also large groups of people to feed and needed the actual products of the soil in larger quantities than lay lords. It had also large resources to draw from, and was not exposed to sudden risk or loss. If the most conservative, it was also the most humanitarian. Lay estates as we see them in the documents of the time were more unstable and less interested in the extension of uniform practices, but it must be noted that we have many more records, extents, custumals, account and court-rolls surviving for church lands. Fewer lay documents are available, and we are driven largely for information to the Hundreds Rolls (1279–80) and inquests *post mortem*. Both types of lordship, lay and ecclesiastical, must be fitted into the form of domanial exploitation common in this part of England.

A characteristic of the region of open fields is the possible multiplication of lordships or 'manors' within a given village. A great church tracing the acquisition of many of its estates back to the grants of a Saxon king was often lord over a whole village, manor and village being in this case coterminous. Very often, however, two, three, four, or even more lordships will be found within one village, each usually called a manor. Professor Kosminsky has given some instructive figures for this phenomenon throughout all of England. He finds the village and manor coterminous in 12 out of 112 cases considered in Cambridgeshire, and in 7 out of 25 cases in Bedfordshire, 195 out of 302 in Oxfordshire;

[1] J. E. A. Jolliffe, 'Northumbrian Institutions', *E.H.R.* XLI, 6.

in about half the cases considered in Huntingdonshire, Buckinghamshire, and Warwickshire. In the North and in East Anglia coincidence of manor and village is rare.[1] Where several lords held manors in a given village each manor is treated as an entity in manorial documents, and few hints are given as to the method by which tenants of different lords, holding strips intermixed in the open fields and engaging in co-operative husbandry, were kept distinct and apart from one another as objects of exploitation. Even within a single manor in such a village we do not always find tenurial unity. Free tenants may be found there holding something like subsidiary manors, and the lord of one may be the free tenant of another. A given free tenant may hold land of several lords in different manors. With the extension of feudalism little simplicity has survived. Even individual villeins who 'belong' to several different lords may be found, and as we study the details of many different varieties it becomes increasingly difficult to draw clear lines around the typical manor.

The term manor is thus hard to define with any exactitude. Perhaps it is safest to say simply that its use implies an estate under a lord, exploited by that lord, usually by tenants of varying degrees of freedom and servitude, and with due regard for the customary arrangements of the husbandry of the region and the economic capacity of the land. In the region of the open-field villages under consideration exploitation takes on a domanial form. A large number of a lord's strips, as has been said, lay in the open fields amongst the strips of his peasants, and there were other portions of land, of waste and woodland, in which the lord and peasants participated according to custom, but where the lord's rights were probably becoming more articulate. Freeholders mingled with unfree tenants in most villages, both classes holding strips in the fields, and some freeholders, instead of or together with their strips, holding smaller or larger enclosed portions which may have been bits of demesne leased to them, or assarts of land made by them, or land inherited or purchased. We must allow for a great deal of variation in tenements. The cultivation of the lord's strips in the arable was carried on in part by labour services performed by the tenantry and owed as part of the old customary obligation of peasants within the village. Not all peasants even of the unfree class participated fully or directly in the labour services; some instead paid money for all or part of their obligation. The amount of service and labour rendered was dependent on the lord's will and the custom of the manor, and the relation of these two important factors is not easy to determine, and even where in some way indicated is probably open to different interpretations. Certain modern writers have stressed greatly the finality of the will of the lord, *voluntas*

[1] See *Econ. Hist. Rev.* v, No. 2, p. 30.

domini, others believe that custom played a great if not a determining part, and it has recently been suggested that a third factor in great estates, the lord's administrative council, must also be reckoned with. It is clear at least that custom would necessarily establish some relation between labour and the economic capacity of the manor, and would have regard for the manor's ultimate preservation as a productive entity. We hear of *consuetudo patrie, consuetudo vicinie, consuetudo comitatus, consuetudo hundredi, consuetudo marisci*, and all these play their various parts in agrarian life.

Labour services, however determined as to amount, formed obviously an essential feature of manorial exploitation, and the way in which hired labour could be obtained is a matter of primary economic importance. Week work was the typical method of rendering labour service, but even in the two- and three-field region it was by no means universal. Week work necessitated the labour of the peasant on the lord's land on specific days of the week, the number of days varying with manorial custom and the lord's will, and also with the relation on a given manor of labour and a money economy. If three days a week were required during most of the year, during ploughing season four might well be demanded, and during harvest five or even six. At other times the peasant was free for the cultivation of his own land, and other members of his family were free throughout, except on special occasions. Week work was rendered usually by the unfree, but was by no means incumbent on all of that class; and it might be paid also by the free men holding villein land.

Even heavy week work was often insufficient to meet the needs of agriculture, and therefore a second kind of service was due, the boon services, or *precarie*. These fell at times of agricultural stress, in the seasons of ploughing and reaping, and were usually incumbent on the villein and all his family. Several days of such labour were usually required in ploughing season and a number more at the reaping. They were regarded, theoretically at least, as a boon or gift from the labourer and were paid for by the lord with meals (*metebedrip, waterbedrip*), or with no compensation at all (*hungerbedrip*). In time the food when given came to be regarded by the lord as justification for demanding another day's labour, the *love boon*. The boon services thus increased in weight and number. They were less cumbersome than the week work and were the last services commuted for money rent. They might be rendered by those that paid rent (*censuarii*) and even by free men, if agreed upon beforehand by both parties. Labour services were not always measured by week days. They were sometimes rendered *ad tascham*, that is to say, the total amount required of a given service like reaping is stated, or the total number of works to be done by each tenement. Work so demanded

was a little less cumbersome than week work proper, but it is not always clear whether the difference is one of fact or of form of statement in the second.

Any clear understanding of the earlier history of the economic arrangements so far described is difficult to reach. There is no information for a full and complete study of manorial life from Saxon through Norman times. Documentary evidence is scanty and conjecture is tempting! It has recently been pointed out[1] that, notwithstanding various uncertainties, we know more of the changes in later manorial economy from labour services, where they occurred, to money-rents than we know of the arrangements at the time of the Conquest and immediately thereafter. It is clear that the exploitation of an estate by labour services and rents and dues must be studied in relation to the amount and character of the lord's demesne, but it is also clear that we know too little of the demesne itself, of its relation to the waste, and the growth of territorial lordship. Again, as in so many other cases, the investigation of differing conditions in different parts of the country is of primary importance. In the main we may probably picture rural England after the Conquest as tending gently towards uniformity in economic life, but towards a uniformity never completely or even generally attained. Some manorial units typical of later large estates and labour services we can trace back to the Conquest. The Conqueror in his reassortment of lands sometimes transferred all the scattered or contiguous lands of one Saxon to a favoured Norman, but in other cases he distributed Saxon estates, once units, amongst a number of his followers. Domesday Book has still much to show us of the allotment of lands. Sometimes defence was a leading motive, as in territorial grants like those to Hugo de Montfort in Kent. In all cases the imposition of Norman law and the spread of Norman custom tended to equalise and standardise the old Saxon variations. In some regions, as in Kent, older custom was too strongly formulated to allow of absorption and hence was able to maintain itself. Gavelkind tenure in Kent preserved its characteristic legal differences from the Norman common law and perhaps even added others of an economic nature. Then, too, the great blocks of church lands in their permanence and conservatism served as models of excellent administration. Whatever the norm of life may have been in the mind of Norman settlers, they were able to impose it only incompletely on the conquered country.

Labour services, the most characteristic feature of the manorial regime, certainly existed in some parts of England before the Conquest. There are several late Saxon documents which testify to their existence. Domesday mentions rustic work occasionally and has many references

[1] M. Postan in *Trans. Roy. Hist. Soc.* 4th series, XX, pp. 169ff.

to food-rents and money-dues, but the commissioners who constructed the survey were not primarily concerned with methods of exploitation within the units responsible for dues to the king. After Domesday there are charters and other documents and a few surveys of the twelfth century, especially of the lands of churches. These are of special interest for comparison with later surveys and custumals and with the information in the Hundred Rolls (1275–80). It seems clear that as time went on there was sometimes a distinct increase in the amount of labour service required. 'The development of exchange economy, the rise of local and metropolitan markets, and the export of agrarian products to the chief centres of consumption in England and abroad might and in many cases did lead to an intensification of feudal pressure on the peasantry in the twelfth and thirteenth centuries.'[1] On the other hand there must be considered also the classes of manorial people who while apparently of unfree status had yet commuted their labour services of older days and now paid for them a rent, a *mol* or *census*, and those who had commuted old gafol dues and a few ancient services like gafol ploughing for money-rents. Have we here the remnants of an older economy of food-rents and occasional services now commuted? Such classes must be distinguished, too, from the increasing numbers who are renting tenements taken from the demesne, whose rent and occasional sources are a matter of agreement with the lord. How far back can the renting of demesne lands be carried? The answer to this question will be easier when we know more of the growth of the conception of the lord's ownership of the waste.

The question of the kind of labour service rendered by the peasant is intimately connected with the question of his status. According to the legal theory of Bracton all men were either free or unfree, *homines aut liberi aut servi sunt*, but the actual lines of economic distinction are often difficult for us to follow. There was no certain test for freedom, and it is often not clear whether a given individual should be considered free or unfree. Names of classes are no unfailing guide. Usually in the open-field region the term *villani* is used for the unfree, but *custumarii* is also common, and *servi, nativi* and *bondi* also occur, while on the other hand, in the North the *villani* and *bondi* were not necessarily unfree. It is of some interest to observe legal practice in determining freedom or unfreedom. A glance at the cases in Bracton's Note Book dealing with villeinage shows the frequent use for this purpose of liability to "villein" services. As presumptive proof of it, too, there is the use of merchet or fine on a daughter's marriage. More conclusive is the fact that the freeman's power to leave his tenement was not shared by the villein. Thus a man who paid tallage to a lord and also merchet was adjudged

[1] Kosminsky in *Econ. Hist. Rev.* v, No. 2, p. 43.

not a villein because he could leave his tenement at will. A study of pleadings entered on the voluminous records of the central courts of the period and arising from the two complementary writs—*de nativo habendo* and *de libertate probanda*—would add to our knowledge and also a closer examination of manorial statements of the 'customs' binding bond tenants. One great cause of confusion between freedom and unfreedom is the double concept of those days that services may be the result of the kind of land held or may be the result of either the kind of land held or the personal status of the tenant. By the thirteenth century services were probably usually regarded as primarily attached to the land, and to be rendered by the tenant, whatever his status. Thus services regarded usually as characteristic of the unfree might be rendered by free men holding unfree tenements, and the opposite case occasionally occurs. It was probably true, however, that in time the rendering of unfree service endangered the status of a freeman; if to all intents and purposes economically unfree he might come to be regarded as legally unfree as well. Another problem lies in the difficulty of determining the position of intermediate classes like *censuarii*, who paid money instead of most or all service but were not necessarily therefore free, and sokemen descended from the sokemen of earlier days and the sokemen on the manors of ancient demesne who were called bond sokemen but, unlike the villeins, had access in civil cases in the king's courts. Molmen, more common in regions lying outside the two- and three-field region, seem to ally themselves with *censuarii*. In many ways regarded as villeins, they had yet at an early time commuted their early praedial services for *mol* or *mal*. Perhaps we exaggerate somewhat the importance of the part played by legal status. It probably meant less to the medieval peasant than his economic restrictions and privileges. Even the great right of the freeman, trial in the king's court in civil cases, may have been somewhat nominal. Royal justice was expensive and the lord's court, where competent, was easily accessible and often equally efficient.

Great as was the importance of labour services rendered to the lord by his villeins, rents in money or kind played a still greater part in the economy of the estate, and were frequent in all parts of England. They were of different origins and served different purposes, and are in some cases by no means easy to understand. The main difficulties of interpretation lie in three directions; in the unclear relationship of rents to the commutation of labour services, in the confusion between their public and private nature, and in the tendency of originally contractual rents to become customary. It would be unprofitable here to seek to enumerate all the rents paid by medieval peasants, but some attempt may be made to show their general relation to labour services and to observe

the chief groups into which they may be divided. Kosminsky, working from the Hundred Rolls and the inquests *post mortem*, has given tentative figures for the relation between rents and services in chosen groups of manors in various parts of England, not confining himself to the open-field regions, and disregarding the differences between fully manorialised and non-manorialised villages. As examples from the inquests we may take the following. He finds in an eastern group of chosen villages only 40% labour services, in a southern group 24%, in a midland group 23%, in a western group 21%, and in a northern group under 10%, with here a great number of rents in kind.[1] Obviously such percentages, however difficult to compute with certainty, and however incomplete for all England, leave large room for money-rents by the side of labour services as the expression of the subjection of the population, and indicate the resulting need for the cultivation of the demesne by hired labour and the work of the manorial servants.

The most clearly marked group of rents were those paid by the peasant to his lord as a recognition in most cases of servile status. They are sometimes called by modern writers 'condition rents', i.e. rents paid by those of unfree condition. They varied in different places and had no standard of amount, but some among them can be found occurring in most parts of England. The most characteristic are the various forms of 'buying one's flesh and blood' (*redempcio carnis et sanguinis*). Men are said to be *servi de sanguine suo emendo*; they pay, that is to say, for the marriage of their daughters, and also sometimes of their sons, a form of merchet. Another such rent is leyrwite, paid for incontinence on the part of daughters; another is the lord's right of pre-emption. A common formula designating the unfree defines them as unable to marry a daughter or sell a male foal without licence (*tam servus quod non filias suas potest maritare nec pullos scilicet pullos masculos vendere sine licencia*). Heriot, the best chattel of a peasant rendered to the lord at death, is sometimes considered to be in this group, but less uniformly so, having an honourable history behind it. The payment of tallage to the lord at the lord's will is another common characteristic of villeinage. Here, as in other cases, a tendency to establish a customary certainty with regard to the amount paid is evident. Fines for ingress into villein tenements on the death of the last male holder by sons or heirs are common. Such condition-rents as a whole, while not large in amount, are of interest for their wide extension and for their value as possible indications of unfree status.

Another group of rents, small in amount but ancient in origin, were paid in commutation of old food-rents or occasionally of labour services. Such are the many gafol-rents, especially numerous in Kent, and rents

[1] *Op. cit.* p. 35 f.

like alepenny, repsilver, maltsilver, saltsilver and fishpenny. Some of these were still rendered in kind—thus the common woodhen was paid at Christmas for wood, and eggs were paid at Easter, also cornbote, foddercorn, and ale in various forms. Some of these may go back in origin to the old tribute paid to the lord, the food provided on his progresses from tribal subject to tribal subject, sent up to him at his royal will; and a similar origin may be found for the now greatly elaborated food-rents, the great 'farms' sent up at regular intervals from estates in rotation and furnishing the sustenance for great churches. Of these the Ramsey farms form an excellent example. There were sent to the abbey thirteen fortnightly farms a year, each to last for four weeks, and each consisting of 12 quarters of ground wheat, 2000 loaves, 75 measures of malt and barley for ale, fodder, cheese, lard, beans, butter, bacon, honey, fish, 14 lambs, 125 hens, 14 geese, 2200 eggs, 1000 herring, together with four pounds in money, the total value of each farm being seventeen pounds. To transport these great food supplies much carting service was clearly necessary.

Still another group of rents was connected with pasture. These were very important in certain parts of England and seem to go very far back in history. They include rents like pannage, herbage, garsanese, thaesilver, and the cows *de metride* of the Welsh border. With these may be included certain payments made for the use of the waste, for taking wood and fuel. Such payments suggest the difficult problem of why, when the use of the waste was part of the 'bundle of rights' that helped make up the tenement of the villein living on ancient arable land of the village, rents for the use of waste, many of them obviously ancient, should still be due. Probably we must carry them back to a time when tribute to the lord was a personal obligation unconnected with the land one held, not yet become territorial as in later times.

A very large number of rents are those that were in nature public, in our understanding of the word, rents, that is to say, paid to the lord as theoretically performing duties that belonged to the king and had by grant or common use got out of royal hands into those of the lords. We find the peasant paying to his lord money for the maintenance of bridges on public highways, tolls of various sorts connected with the franchise of the markets or fairs, or even in some counties rents like the old geld, or hidage, or land tax, set at a definite sum, sheriff's aid paid to the sheriff for his services, hundred aid, and a great group connected with the administration of justice, such as payments made at the tourn, at the view of frankpledge, for pleading, for assurance against the exaction of too large penalties. When paid to the lord different procedures were followed with regard to the ultimate destination of such moneys. Sometimes they were retained by the lord, sometimes de-

livered in part to royal officers. From the point of view of the peasant there was probably little recognition of any difference between these rents and those others which were due to the lord as head of the estate.

Most difficult of all rents to understand clearly are probably the common *redditus assise*, or fixed, assised rents, those set at a certain amount. In almost all accounts of manorial reeves or bailiffs these appear as a separate heading and are often unchanging in amount from year to year. They have been regarded by modern writers as bearing some relation to the change from labour services to money payments, characteristic of the later medieval centuries, and in fact as fundamental to the establishment of such money economy: but this interpretation of them seems to be too narrow. They probably represent a summary statement of these payments from land which have become sufficiently regular and fixed to be asssimilated to and included in the original money-rent of the land (*gabulum*). Consequently rent of assize in the later middle ages comprises both the most ancient rent payments (*gafol*) and all subsequent additions and commutations, including the commutation of labour services when and where it became firmly established.

Rents in a more modern sense, money paid annually for the holding of particular tenements, are common enough. Medieval lawyers would regard the tenements for which they were paid as appendant rather than appurtenant to any original ancient tenement which might be held by the peasant. The extent to which rents of this kind were due from the unfree is difficult to determine, but it seems increasingly unwise to cut off the unfree from the possibility of transactions arguing considerable independence in the building up of holdings. In any case, that many such rents were paid by the free is evident. Land held at an annual rent has often been assarted from the waste and should be considered in connection with the whole great question of approvement and colonisation. Other portions rented were parts of the demesne, not necessarily waste, and perhaps rented originally at an early date. Interesting evidence on this point is found in the Domesday of St Paul's (1222) and other early descriptions of manorial estates. The payments were in the form of an annual rent sometimes small in amount and accompanied by light boons or other labour services and money-rents of various kinds. In general we may say that the earlier view of the manor as a more or less static and immobile economic group depending almost entirely on unfree labour must be considerably altered. The number of rent-paying tenements, even in the open-field region of England, is amazing as depicted in the Hundred Rolls (1279–80). Probably in the past too much attention has been devoted to the great lordships of the church, with their conservative and efficient managements, and too little to the less

closely organized lay holdings, where changes and variation from type more often occurred.

Rents of one of the classes mentioned above, those that were paid to the lord as holder of a royal franchise, were part of that larger phenomenon in feudal society, the assumption into private hands of functions of government that are exercised in most forms of political life by the public authority. Striking examples of this phenomenon occur in the administration of justice and order, and show with great clearness the medieval characteristic on which Maitland laid such stress, the failure to differentiate clearly between public and private rights and duties. It is often difficult to speak with exactness of manorial justice. Suit of court —actual attendance at court, that is to say—was often a heavy burden on the peasants in all parts of medieval England, but their own recognition of the problems involved in a burdensome duty was probably slight. The important matter to the individual villager was that in his daily living, and in breaches of order within his village sometimes of a serious nature, he was held responsible for his actions by the lord's officers and at the lord's courts. It mattered little to him whether the particular form of jurisdiction exercised in a given case was private or royal in origin. A private court or meeting for maintaining order on his estate a feudal lord seems to have had—*de commune ley chescun frank home deit aver cour de ses tenantz*—and in it he followed the procedure of the courts of common law in matters like those relating to land and the regulation of services. We still find traces in our period of the old custom that all peasants free and unfree owed suit at the lord's court. In time, however, the duty of attendance had changed its basis in the case of freeholders. They attended because they held certain tenements to which suit of court had become attached, and were exempted otherwise from ordinary manorial courts unless special reason existed for their attendance. It was not yet, however, an established principle, as in later days, that a manor, in order to be recognised as a manor, must have freemen amongst its peasants. As a rule thirteenth-century manors show both free and unfree tenants, and manors consisting of an all free or all unfree population are rare, but not technically impossible. While the duty of attendance at the lord's court lay on all the unfree, it is often true that it was actually performed, where there were no offences to be presented, by the chief pledges, to wit the heads of the tithings of villages mutually responsible for good behaviour.

The care of surplus humanity on the manor was a private, not a public duty. Provisions are frequent in the surveys of manors for the maintenance of the widow in the tenement until she marries. Sometimes the tenement was partible by custom, each son getting a share; sometimes the youngest son, least able to support himself, entered upon

his father's tenement. Perhaps the tenement went increasingly to the eldest son, but with provision for the care of his brothers and sisters, in the form of small strips assigned to them by him in each field. Assarting too was a possible means of absorption of extra energy, and of provision for those not needed in the cultivation of land already improved.

Outside the somewhat indecisive boundaries of those regions where two- and three-field arrangements prevailed and where the most marked types of manorial structure appeared, there lay other forms of village life. Anglo-Norman officials of the earlier period have obscured for us some of the essential features of these other regions by transferring to different conditions some of the terms used in the more familiar open-field villages. The pursuit of uniformity and the use of common terms which sometimes forced the drawing of false analogies was natural enough in making a great survey of a conquered land. It had, moreover, also a positive influence in extending a desired uniformity, and in soon creating likenesses in fact and not in name only. As in the growth of legal usages, so in economic, though probably to a lesser degree, the strength of the central government was directed towards effective administration. There were still existing, underneath the phraseology of the day, however, even in the thirteenth and fourteenth centuries, certain actual and in fact fundamental differences in village life in different parts of England. Different methods of exploitation had continued from earlier times, different land measures, and different units for the assessments of taxes. We must not be misled by Domesday patterns or those of later offices of government. 'It is only in so far as a rigid terminology can coerce the stubbornness of fact that we are shown an England filled with manors.'

Some of the more important of these different types of agrarian life must be examined very briefly. In the far North, in the ancient kingdom of Northumberland, including southern Lancashire, Lothian, and the highlands of west Yorkshire certain distinctive features of earlier days have been found surviving, and Norman tenures and conditions found in the South were present here only in name. In the villages a very small part is played by the lord's demesne and there are present instead large agrarian units grouped loosely round a central house (*mansio*). The unit, called a 'shire', was made up of vills which absorbed their own labour activities, and were associated with their companion vills in pasture and justice. Some slight ploughing service was rendered to the *caput*, or head house, perhaps one day's work a year, a personal obligation resting on the villager not on his land, which was in some way regarded as a recognition payment for holding the arable, just as pannage was payment in recognition of the villager's use of the wood, and cornage of his use of the pasture. Such rents were incumbent on the vill

as part of the 'shire' and not on the individual tenement, and were uniform throughout the 'shire'. Boon services were rendered by all classes, freemen, *sokemen, bondi,* cottars, *molmen, firmarii, selfodes,* as recognition of the right of settlement in the vill. Food-rents were large and derived from the old tribute paid for the support of the lord's men and horses, when quartered on the village. Labour services were in no way a sign of bondage, and the word *bondi* did not originally indicate unfreedom but was rather used of the free husbandman. With the growth of feudalism changes extend themselves into the North. The attempt is made to fit the old order into the new, especially on the great church estates. Here week work appeared, and the tenement became the unit of assessment. On the judicial side the lord of the estate introduced the manorial court and manorial justice, but traces of an older system of twelve ministers, the *judices,* still remain. Mesne lords were much less prominent here than elsewhere, and thegnage and dregnage tenures show a ministerial, rather than a feudal basis. 'Northumbrian lordship was exercised over large and unbroken estates, but in the main, the lord did not concern himself directly in their exploitation, preferring to rely on the food-rents, pasture dues, and minor works which were the immemorial render of the countryside, and to leave the vills in comparative independence.'[1]

Much of Yorkshire and the Mercian Danelaw formed another agrarian unit of somewhat different characteristics. We may include in this region parts of Yorkshire not included in the Northern or the Midland group, together with Lincolnshire, Nottinghamshire, Derbyshire, Leicestershire, and Rutland. Here were manors, made up of scattered tenements, in part belonging to the lord's own 'inland' and directly exploited by tenant services, in part belonging to the 'outland' or 'sokeland' where the lord was the recipient of dues and some small services from tenants holding their own lands at farm. Berewicks were detached pieces of inland. The unit of assessment in these vills was the ploughing unit or the bovate, the amount a plough could plough in a day, and the bovates might be in two fields, but not scattered therein—rather in two closes, one in each field. Special characteristics have been found in central Yorkshire, the great vale devastated by the Conqueror, which later became a region of great assarts and of manorial villages.

An interesting group of villages in Lincolnshire shows the very important variations in agrarian arrangements resulting from physical characteristics. The villages in Ellowe wapentake, lying east of Spalding and between the sea on the north and the fen on the south, are good examples of the form of life prevailing in the great fen region—a region whose bounds were 69 miles long, according to Dugdale, with an

[1] J. E. A. Jolliffe, *op. cit.* p. 14.

average width of 20 miles. Here freemen, molmen, sokemen, werkmen and cottars held tenements in arable land created in part by draining, in part by the silt of the rivers. Such land was split up by drains and 'gates' into artificial divisions. Thus in Fleet there were thirty-nine divisions called *inlikes*, in certain of which lay the tenements of the werkmen, freemen, and molmen, intermixed and scattered. The best preserved and most uniform of such tenements were those of the werkmen, amounting usually to two bovates, lying in the 'fen ends' of the village to the south, and in the 'town ends' on the higher ridge. *Frelonds* and *mollonds* were less uniform and show evidence of an attempt to build up larger composite tenements. A demesne of a thousand acres appears in Fleet, intermixed with land of the tenants. The werkmen paid week work, the molmen light services and rents, the free paid rent; all, however, worked on the fosse and drains. All held also 'hoge et aree' in the salt marsh at the edge of the sea outside the sea wall. In Fleet there was also on the sea edge a *villa bulliatorum* of the boilers of salt. At the southern end of these villages, at the 'fen ends' as they were called, assarting at will was possible. The fen once common to the vills of the wapentake had been by the thirteenth century partitioned amongst them.

Another important region where agrarian conditions differed from those in the South and Midlands was East Anglia. Here, apart from certain characteristic villages, like Fleet, in the fen regions, there were other variations from the three-field type. The village areas were large, and were not coincident with manors, sometimes as many as five or six or even more lordships or manors appearing in a given village. The fields were open, and scattered in them lay tenements in strips, but often confined to one general section of the fields, and not partitioned evenly amongst several fields. The terms bovate and virgate were not generally applied, but *plena terra* or *tenementum.*[1] The *tenementum*, the ordinary holding of peasants, consisted usually of 12 or 12½ acres. From it payments and dues were rendered such as merchet, tallage at the lord's will, and food-rents. Boon services were rendered generally; week work was in some cases heavy, but most of it is found on church manors. Old public rents and dues were paid as a rule to the manorial lord. Professor Douglas has shown us that the main value of the East Anglian evidence lies in the picture it gives us of a society arranged primarily upon contract resulting from the absence of a strong lordship. Free tenements were very many in number and very irregular in size, paying contractual rents and dues. The renting of demesne was common and there is much evidence of buying and selling land, and the building up of tenements

[1] The virgate mentioned in Ely documents relating to this region must be explained as an importation.

of considerable size by the free. It is evident that lordship, except in some of the unfree tenements and in great church estates, was unable to hold together a disintegrating social order, and hence at an early date many evidences of a money economy appear. It is clear enough too that on some of the great church estates an attempt was made, not too successfully, to introduce the terms and forms of feudal society to the elimination of an earlier social order. Many molmen appear in the East Anglian documents—men who held tenements irregular in size and who paid merchet and were free of week work, but paid also a heavy rent in commutation of older duties, on a customary rather than a contractual basis, and who should thus be included within the class of unfree men rather than of free. The obligations of sokemen resembled those of molmen. The loose structure of social arrangements in East Anglia is again seen in the judicial arrangements that had grown up there. As elsewhere, suit at court was an important duty, and holding a court brought in an important revenue to the lord, as well as marking his power as holder of a royal franchise and lord of a manor. Here as elsewhere many rents now taken by the private lord were royal in origin. A characteristic peculiar to East Anglia was the presence of the 'leet', which in an earlier period had been the administrative unit used as a basis for assessment and also a unit of jurisdiction. The leet in the period we are dealing with sometimes exhibits also certain phases of economic unity. It may be composed of intercommoning vills like the leet of Marshland, Norfolk. It was a late thirteenth-century development that made 'leet' a designation primarily of delegated royal jurisdiction, the use of the term spreading outward from East Anglia, and accompanying the break up of the unity of manorial courts into various jurisdictional functions.

Kentish arrangements formed another variation from the manorial norm of the two- and three-field region. The custom of Kent existed in the thirteenth century as an actual and potent fact in agrarian as well as legal economy, accepted in Kent by the law courts as the common law was accepted elsewhere. Its survival as a definite entity, whereas the customs of other counties, Gloucester and York, for example, had perished, may be explained by its early formulation in a county which, outside its primitive portions of deep wood and salt marsh, lay in close proximity to continental influences and was therefore, at an early date, capable of sufficient self-consciousness to recognise its own body of custom and maintain it. There may well be some grain of truth in the story that the Conqueror made concessions to the men of Kent when he entered their country. In any case the custom survived and gradually defined itself, and perhaps accumulated some additional provisions. It maintained in more modern form ancient arrangements, for example,

in the payment of gafol as rents and services and in the customs regarding inheritance, the tenements being partible amongst heirs. It provided for a dower of one half the property, for the coming of age of heirs at fifteen, for the custody of the heir by the *procheyn ami* who could not inherit—often the mother—for the oath of the countryside instead of the ground assize, and for the inheritance of land by the children of a felon. The custom may be taken as the crystallisation under favourable conditions of an earlier social economy, existing before the spread of manorialism. Peasants were described as holding by gavelkind, not in villeinage, which meant not necessarily that such tenants were free, but that their tenure was different, and not of the common law type of unfreedom. The social conditions as described in the custumals and accounts of the estates of Kentish churches, Canterbury, Rochester, St Augustine's, Battle, Robertsbridge, Bilsington, for example, show many peculiarities and very different conditions from the domanial arrangements of counties not far away in distance. Instead of centralised villages with efficient demesnes cultivated by villeins we seem to have scattered groups paying rents and carting and small labour services at a central court where suit was due. No week work seems to have been demanded—such a service would have been difficult to organise in a county of partitioned tenements. Rents were the old *gabulum* in various forms, which was probably a survival of the old tribute, *mala*, some form of commutation of older services, and *redditus*, money rents of various kinds agreed upon for new lands or old. Small customary rents were paid and heavy food-rents with Romescot and *donum vicecomitis* separately listed. *Warland* paid originally carting services and guard to the king. The tenements were held in sulungs, a sulung being rated at about 200 acres, and cut up by our time into many small tenements, the name of the original sulung being sometimes retained. New land assarted from wood and inned from the marsh is listed, showing colonisation in progress. Most characteristic perhaps of all Kentish arrangements were the denns, denes, or swine pastures lying in the woodland of the weald, with its plenitude of oak and beech mast, and in other woodland and marsh. They lay sometimes at a great distance from the mother vill, and built up customs of their own modelled on those of the parent manor, of which they held, 'as of the manor of' *X* as the phrase went, and thus formed new manorial units. A parent vill might sometimes have as many as six or seven such subsidiary denns. Some of them were 'drofweys' and held the drifts necessary to supervision of the many animals turned in to feed in the woods. In such drofdenns the lord claimed special powers of cutting trees, a claim which caused much litigation, and also *danger*, a payment derived from tenants in the denns, mentioned only here and in Gloucestershire although common enough as a royal due in France.

The importance of carting in Kent may be explained in part by the distant denns and in part by the food supplies needed by the great Kentish churches (about a third of the county was owned by the Church). Liability to it might serve even as a dividing line between freedom and unfreedom, as for example, on the lands of Battle Abbey. It is clear, too, that carriage of food and other supplies would necessarily play a great part in regions where domanial organisation was slight. Other interesting characteristics of Kentish life were the innings in the marsh, of which more will be said, and the obligations incumbent on villages near the sea to maintain walls and dykes. As in low-lying lands elsewhere, a great deal of local colour developed and the *consuetudo marisci* played a part in social and in legal life.

No picture of medieval country life is complete without some consideration of the great stretches of land not under cultivation. Waste land was an economic necessity in any medieval society, as well as a charming setting for medieval literature. It provided food for cattle and sheep, without which man's life could not have gone on. Certain forms of use of the waste occurred throughout England, the most important being intercommoning of villages in the inter-villar waste, common rights and practices in uncultivated land within the villages themselves, assarting, and reclaiming of woodland, and the segregation by the king of some very extensive portions of such land under the forest law.

It was usual for villages surrounding bits of fen, marsh, woodland, or heath to use that waste land in common under certain conditions and according to certain ancient rules. Evidences of practices of this kind can be found in most parts of England where waste was extensive. A clear and instructive example may be found in the Fenland of Lincolnshire, Norfolk and Cambridge. Here the land was in part covered at high tide by the backing up of the sweet waters of the rivers, in part lay slightly higher than the sea level, either naturally or as the result of extensive draining and dyking. The region was full of wild birds. Rich grass suitable for pasture grew there, and reeds valuable for thatching. Many circles of villages intercommoning in the fen can be traced on the map, and the *lex et consuetudo marisci* developed for their mutual protection. The king's courts sometimes recognised this custom as having the force of law. The soke of Bolingbroke in the north of Fenland illustrates several of the chief features of intercommoning. The villages belonging to the soke intercommoned to the number of about twenty. The fens which they shared were East fen, North fen, and West fen, with some rights in Wildmore. Separate account rolls were kept for the fen, and the district had special officers, and a special court. The vills turned out the cattle belonging to 'ancient' tenements, those, that is to

say, composed of land always hided, not recently assarted or rented from the demesne. The tenants of such lands might pasture in the fen all the cattle levant and couchant in their own barns for all the year, 'horn under horn', with the cattle of similar tenants of adjacent vills of the soke, and might take turves for fuel where such were available. They made no payment, and the right was a very ancient one, probably preceding the growth of later lordships with their defined extents and powers over tenements. The villagers themselves gave their assent to details in the use of the fen, and even on occasion received money from others pasturing therein. For the use of the fen by other than these particular tenants was a source of profit to the soke. Villages lying adjacent to, but not members of the soke, paid a rent called fennefayre, of 2*d.* a house, and probably for it had unlimited common in West fen. Still other vills might on payment of a rent put out cattle to pasture for a full or a half season, paying 4*d.* for a cow for a full season. Thus over a thousand cattle were pastured in the East fen, and the profits were considerable. Great annual drifts were held of all the cattle commoning in the fen, conducted on one occasion by a bailiff and twenty-two men and twelve horses, and eight men with boats, and lasting three days and three nights. Fines were imposed on those that pastured without payment. A similar drift or 'circhia' was sometimes held for sheep. The cutting of turf also was regarded as a common right. The turf was sold in *beschie*, the old term for the amount of land that could be dug with one spade, and in 1296 as much as 150 *li.* was derived from the sale of turf alone in Bolingbroke. Ancient commoners cut their own turves as they pastured their cattle, without payment. Quarrels arose in many places about the enclosing of turf land while the turves were drying, and law suits instituted by the ousted commoners, the encloser trying to maintain that dry turves were his only object in hedging the land, and not the several feeding of his cattle.

Another form of common on the part of neighbouring villages was the repair of dykes and drains lest the pastures be 'drowned'. The *consuetudo marisci* of different regions set the ancient requirements of the amount to be maintained by marsh men, and the heavy fines imposed for failure to do one's share. Fines increased with repetition of the offence. The question arises naturally whether the lord, the vill, or the manor of the lord, within the village, had the ultimate voice in the management of the common? There seems little doubt that by the thirteenth century much of the old intercommoning district had been partitioned among neighbouring lordships and the rights of participants defined. Over and over again there are references to such partitions and the way in which they were put into effect—the eight men that made the perambulation under oath, for example, in the division of Wildmore. Men 'walked'

the fens as they walked the English forests and the Irish mountains, establishing their bounds. In spite of such growing claims of the lords and of statutory regulation, *common pur cause de vicinage*, as the lawyers called it, lived on still in local usages. Sometimes the surviving practices seem to point back to a time when the intercommoning groups were identified with early administrative divisions;—intercommoning villages seem once to have covered Wisbech hundred, for example, or the eight hundreds of Lincolnshire, or the early Yorkshire shire units. There were woodlands in each rape of Sussex, and the deep oak and beech woodlands of the weald served many Kentish villages lying in their ancient 'lasts'. In Sussex there remain survivals of an old partitioning of vills like South Malling into parts lying within and without the woodland (*infra* and *extra boscagium*).

Universal in occurrence and often of great extent was the commoning of villagers on the fallow and waste of the individual villages in which they lived. Here the village as a whole rather than the manor within the village seems to have been the unit. In the open-field type common pasture was customary on the fallow field and on the cultivated fields after the crops were removed and gleaning finished. Under its name of *vaine pâture* much is said of this kind of commoning in accounts of medieval French villages. It had the additional advantage of fertilising the fields for next year's planting, manure being still largely depended upon for this purpose. The open fields were large and offered much opportunity for grazing, no one being allowed to maintain any hedges around his own strips, although there is often evidence of several enclosed pastures outside the common fields. In addition to the arable fields were other lands suitable for pasture. Where large areas of heath or wood existed, there had often gradually come into force the interesting theory that all such land was the lord's, and that he might rent it out or charge for the use of it. No clear evidence of the date or growth of the idea of lordship over these outlying lands is forthcoming, but we know that already the renting out to tenants of pieces of demesne by the lord was a common practice. In vills other than those of the open-field demesne type the question of common usages was of special importance, since many of these villages were pastoral rather than agricultural in character and offered great stretches of open land.

Another aspect of the history of the waste, assarting, has not received the study it deserves. English movements of approvement and colonisation fill a smaller and less conspicuous place in social life than similar movements on the Continent. The cutting of the vast French forests, great movements of colonisation in early Germany, the contacts of alien peoples along border lines, blind our vision to the lesser phenomena of English life. New settlements in the archbishops' 'innings' in Romney

Marsh, however, the 'hulmes' in the fen that accompany tenements in Huntingdonshire villages, the salt boilers' villages along the edge of the sea, denns that have been cleared in Kent and elsewhere, settlements for the cutting of rushes in Cambridgeshire, the constant assarts *in bosco et plano*, the assarting of the demesne, long lists of assarts old and new mentioned in extents and accounts of rents received from forest assarts in the Pipe Rolls, all give evidence of movements in England similar to, although less extensive than those abroad. Lands so reclaimed were held by money rent. Some assarts were cultivated as several holdings, others were absorbed into the common fields where such existed. The part played by Cistercian and other granges, by great vaccaries and stud farms, was important in the amelioration of the waste.

The lesser emphasis on assarting in England was no doubt due in part to its being smaller in extent than in some continental countries, but also in part to the existence in England of great royal forests which included a very considerable portion of the uncultivated land, as well as some of the neighbouring cultivated land. Afforesting land meant its subjection to very stringent regulation whereby, on the one hand, the king's hunting was safeguarded, and on the other certain financial returns were assured from the region in question. Cutting of trees and any injury to 'vert and venison' was strictly forbidden and the offender was heavily fined. The word 'forest' was in England distinctly a technical term. It referred to stretches of land which were, as a matter of fact, for the most part uninhabited, but whose essential characteristic was not lack of inhabitants and superfluity of trees but submission to a special forest law and administration. In maintaining this law in matters relating to woodland and the protection of beasts therein and their cover and food, special courts and officers had authority and a complicated system had grown up, arising partly from long use, partly from statute. In villages lying within forest bounds such law had force over matters pertaining to the forest, but not, except by encroachment, to other matters. For these the common law prevailed. Forests were almost always royal, the greatest exception being those of the duchy of Lancaster. A woodland of some extent in private hands was usually called a chase, or a 'free' chase. Outside the limits of these specially preserved regions more general rights of hunting and less restriction prevailed.

In considering the social importance of these delightful stretches of woodland and heath we are at once confronted with the question of their extent in themselves and in relation to the cultivated parts of England. To this no easy answer can be found. Early kings filled with the love of hunting and its financial accompaniments put much land under forest law. The limits were picturesquely drawn by riding the bounds—trees, stumps, rivers, hills, county lines marking the boundaries. Forests were

very unpopular both with nobles whose land was interfered with and whose hunting was restricted, and also with peasants whose rights of common were called in question. Hence the king had often to promise to disafforest and boundaries were much cut down by Henry III and Edward I. Windsor Forest, for example, once included all Berkshire, parts of Hampshire, and extended into Surrey as far south as Guildford. Long struggles took place over the Surrey portion of the forest; perambulations were ordered and not made by Edward I; when made they were disregarded; the authenticity of records was disputed. The dispute ran on for years, a decision being found for disafforestation at last in the early fourteenth century and provision made that the deer of Surrey were to be driven into Berkshire for forty days before the disafforesting of Surrey took place. In view of these uncertainties any exactness with regard to forest extent is unwise. Perhaps we might count approximately sixty or seventy different forests in England in the period after Edward I, some large, some small. The most heavily afforested counties were probably Hampshire and Wiltshire. Duchy of Lancaster forests lay in the North, in Lancashire, Yorkshire and Derbyshire. If with the forests we remember to include the great stretches of open heath and woodland it will seem that England was sparsely settled in many parts; yet almost every village and hamlet site of to-day had people on it when Domesday Book was made and great churches built in places now scantily inhabited, and the large number of people often mentioned in manorial records seems to indicate a heavy population in many villages.

The forest law, as has been said, provided for the protection of certain beasts of the forest, especially the red deer and the fallow deer. The small roebuck came into the court of King's Bench in 1338 to have his social status determined as beast of the forest or merely of the chase. The boar, 'strongly groaning who slayeth a man with one stroke as with a knife', was also a beast of the forest, and in one case, at least, the hare was so honoured. Lesser beasts of the chase and warren were the hares, coneys, foxes, and other 'vermin'. Cats were of two kinds, those big as a wolf and almost formed as a leopard and the common wild cats which were not favourites. 'If any beast hath the devil's spirit in him without doubt it is the cat both wild and tame.' The forest law protected the food and refuges of its beasts by forbidding the cutting of any green wood that cast a shadow, by enjoining the distribution of browsewood to feed the deer in winter and in times of dearth, and by excluding undesirable animals, to whom the deer were said to object, like goats and sometimes sheep, from entry into the forest region. One old writer says, however, that he has seen deer and sheep cropping amicably from the same bit of grass. For the king's hunting a large staff of officers was maintained, consisting of the chief huntsmen, the *limarii*, who kept the dogs that

hunted by scent, the *veltrarii* for those hunting by sight, and men that saw to the *stabiliones* where a large quarry was driven.

A phase of wasteland life which had analogies on the Continent is the use of the more open spaces of the woodlands for stud farms and for grazing ground for the king's horses. Special arrangements were made with commoners in the waste requiring them to turn into pasture if they had rights of common of horses only those of a certain grade of excellence, lest the king's mares breed with those of low estate. Mares and foals were kept in Knaresborough and other forests, and the king's stallions were brought to them at breeding time. The horses, named after their colour, bauzan, bayard, morel, pomele, with the place of their origin added, were of several types, *dextrarii* (war horses), coursers, palfreys, and *hobini*, together with poor drudges who drew the carts that carried nails and shoes. We have much information on the care of horses and the medicines bought for them, and mention of the *recroigne*, or hospital to which they were sent when old and ill, and of the 'roll of honour' on which were listed those that died in the king's service.

The forest was thus a valuable part of the king's possessions and also an active factor in the country life of England, and well worth careful guarding. The royal officers were the chief foresters north and south of Trent, the heads or wardens of individual forests, sometimes appointed by the king, sometimes holding office as an hereditary fee, the foresters, riding and walking, the ranger, common in the later period and serving for the border purlieus, the verderers who held the courts of attachments for small offences and for assuring the appearance of more serious offenders at the higher courts, and the officers of the forest eyre courts held by the forest justices on circuit at uncertain intervals. Great inquests also were held increasingly in our period, and special inquests for the killing of deer. An elaborate machinery had been worked out and the profits of forest courts, as will appear from any study of the 'foreign accounts' entered on the Pipe Roll, were considerable. A very lively picture is drawn in forest documents of the prevalence of poaching amongst high and low and its high fines, and the interference of forest law with the rights of common and the taking of wood and other fuel by the peasant commoners.

There were also in the forest great royal vaccaries. Eversley and Bagshot on the borders of Windsor forest, others in Savernake, and especially those situated in the river valleys of Blackburnshire. Here at the turn of the thirteenth century there were in Trawden five vaccaries of approximately four hundred cows, in Pendle eleven of approximately nine hundred cows, in Rossendale eleven of the same number, and in Accrington smaller groups of cows and oxen. Foresters of fee often had large pasture privileges and maintained vaccaries, and private persons

did the same. The profit lay in dairy farming and in hides, in buying and selling, and also, for the lords of manors, in the great herbage rents that were paid for pasturing cattle of strangers on the waste of individual villages, or on greater inter-villar wastes as in the Lincolnshire fens. Large rents came too from the pannage of pigs. It is clear that when the pasture lay in the forest careful regulations were made out of consideration for the deer whose vert had to be protected, and who were sometimes supposed to have an objection to the neighbourhood of other animals. Goats were allowed in the forest only in exceptional circumstances. The great drifts of cattle were probably more common in regions outside the forest boundaries, and so were herdsmen actually accompanying the cattle.

But much more important than the vaccaries were the sheep farms. Sheep played a twofold part in the agrarian economy of medieval England. Their manure made them an essential adjunct to grain cultivation and on heavy agricultural soils the villein's obligation to fold his flock on his lord's acres was a widespread manorial custom. But they were far from being a mere adjunct, for their wool was the basis of a great export trade, and in pastoral districts sheep-farming was the dominant occupation. The famous English wool was so superior to that of the rest of Europe as to make it essential to the fine cloth manufactures of Flanders and Italy. Evidence as to breeds is scanty, but it is safe to assume that the great bulk of the fine wool exported in the Middle Ages came from the long-woolled sheep of the Cotswolds and Lincolnshire, although the short-woolled sheep of the Welsh border retained an easy pre-eminence by reason of the exceptional fineness of their fleeces. The top grades of English export wool came from Shropshire and Herefordshire, followed by the best of the Lindsey and Cotswold wools. The Midland wools formed a middle grade and the chalk downlands of South and South-Eastern England produced coarser qualities, though all were exported except those of Devon and Cornwall.

The evidence of those sections of Domesday Book in which lists of livestock are preserved shows that sheep-farming was already an important industry before the Norman Conquest; Ely Abbey had over 13,400 sheep on its estates when the survey was made. But during the twelfth century it grew with great rapidity, both by reason of the growing demand from the Flemish industry and because of the pioneer work of the new monastic orders, Cistercians, Gilbertines and Praemonstratensians, particularly in Lincolnshire and Yorkshire. This advance continued throughout the thirteenth century; lay as well as ecclesiastical landowners, peasants as well as lords played their part in it, and the large owners sometimes kept sheep on an immense scale, entering into wholesale contracts for their wool with Flemish and Italian export

firms. There were some 29,000 sheep on the Bishop of Winchester's estates in 1259; in 1303 Henry Lacy, Earl of Lincoln, had over 13,000; and the annual output of Fountains Abbey was estimated towards the close of the thirteenth century at 76 sacks or nearly 2000 stone of wool. But the peasants also sold wool and a subsidy assessment roll of 1225 shows that in the village of South Damerham, with its pastoral hamlet of Merton, on the Wiltshire downs, a body of 198 villagers owned 3760 sheep as against a demesne flock of 570 belonging to Glastonbury Abbey. On large estates sheep-farming was usually organised on non-manorial lines, the manors being formed into groups, in each of which the sheep were supervised by a stockkeeper, who was responsible for buying and selling the sheep, stocking the manors, and collecting the wool, while the agriculture remained under the control of the manorial bailiffs. In pastoral areas, where there was small scope for corn growing, such as the wide fen pastures or the Peak district, a still more centralised system is found. Here the stockkeeper had the disposal of huge ranches on which he kept and accounted for thousands of sheep, an arrangement similar to that which prevailed in the larger vaccaries. These inter-manorial and extra-manorial arrangements are characteristic of nearly all great estates.

Conditions of life among medieval peasants made small demand compared with modern times on craftsmen or industries. Daily needs were supplied for the most part at home in the village. There was little call for specialised skills beyond those furnished by villagers themselves or by seasonal workers coming from other districts. We hear of village carpenters, butchers, bakers, brasiers, smiths, spinners, weavers, fullers, dyers, carters, wrights, masons, thatchers, saddlers, pinders, shockers, cobblers, tanners, nappers, hoopers, soapmakers, cutters, fowlers, needlers, fiddlers, ratters, bloodletters, tinkers, mongers of various kinds, and the like. Place names and personal names often embody references to trades. But the proportion of craftsmen to be found must have varied enormously from village to village. Household furnishings were primitive and scanty. All lay on pallets of straw or straw mattresses or rough mats; pillows even at a comparatively late date were 'meet only for women in childbed', chairs, chests, and stools were home-made or occasionally bought from others. Lamps were made of bits of wick burning in oil, but more often the peasant used tallow candles or very occasionally beeswax; cups and jugs were roughly made at home from wood and earthenware, spoons and knives were used, but not forks, trenchers of thick bread served to hold meat. Glass was not yet used in the window openings of peasant houses. The somewhat elaborate cookery of the day served higher classes and did not reach the peasants who lived on salt meat for the most part, some poultry, fish, bread,

cheese, berries, and other simple foods of the region where they lived. They drank prodigious quantities of ale, not made bitter by hops until the fifteenth century. Brewers and breadmakers were amongst the villagers and also those that 'tasted' their work. Clothing and husbandry made somewhat more demand for skilled craftsmanship. Spinning of wool, flax and hemp was the constant work of a woman, as appears from the frequency with which she is depicted with the distaff; the weaving was probably more often done by men, and the cloth turned into the rough clothing of the peasant. In protest against town regulations, town weavers sometimes worked in country villages. Dressers and tanners of hides and skins are mentioned, but probably, as a rule, the peasant was himself skilled in such occupations, and could tan the skins of his own beasts dead in the murrain or killed for food. Doctors were rare in the villages, where the main dependence in illness was on women wise in the use of herbs and simple remedies. It has been suggested that there was more chance of recovery from illness in the country than in the town since the peasants were freer from the ministrations of medieval doctors with their strange remedies and constant bloodletting. Accounts of forest officers give unexpectedly elaborate details regarding the care of animals, but these refer mainly to the king's great horses.

The manorial officers are often listed in the rolls and surveys, but there is no clear or general differentiation of their duties. The daily life of the peasant was regulated by the custom of the particular place and the lord's will. The lord's steward presided over the estates of a lord with many possessions, travelling from manor to manor, welding all into a uniform organisation. The bailiff was the local officer in the individual manor who acted for the lord. The reeve was the officer in charge of the course of husbandry, chosen usually by the villagers or occasionally by the lord, for a year but often serving for a number of terms, even up to twenty years, in some instances. Sometimes he paid for permission to decline the office. He was usually a villein whose obligation to serve if elected was binding, but who received some allowance for his work in labour or rent. He made up the accounts with the help of someone who could write and calculate. He looked after the stock; allotted labour services; collected rents from the rent collector; issued summonses; appointed the lord's servants; paid workers, ploughmen, messors, carters, cowherds, shepherds, dairymaids, and the like, and was responsible for them. At the end of his term of office he sometimes paid a lump sum to compound for possible delinquencies that might be urged against him. Chief pledges, too, often played a very important part in the village. The smith and carpenter, the miller, the blader (corn seller), the constable and the warders were officers usually found. Special officers are found in certain localities, like dike reeves,

meadow reeves, brick burners, lime burners, drivers for the drifts, woodwards, wardens of the by-laws and wardens to guard the fields. The question has been raised as to the extent to which the manor was a self-sufficing unit. In some cases it may have been so, but owners of great estates with manors in different parts of the country were bound to manage their possessions as a group and there was consequently a great deal of intermanorial traffic. Sometimes the lord moved from place to place to consume produce on the spot, but no great landowner would expect to visit all his manors and in some there was no manor-house. The usual practice in the thirteenth century was either for the manors to send food-rents up to fixed centres (the monastery on monastic estates or the chief residences of the lord on others), or for their produce to be marketed for cash. There can be no doubt that all the great estates of the thirteenth century were farming for the market. Wool, of course, was a cash crop *par excellence* and was often contracted for wholesale by the merchants, but there were heavy sales of corn and livestock and a single manor might dispose of a wide range of commodities. The statements of carting and carrying services are very important in this connection and incidentally afford ample evidence for the contact of the peasant with places far from his own village. The peasants of Ramsey in the country villages near the abbey carted as far as Huntingdon, St Ives, Cambridge, Burwell, Ipswich, Colchester, London and Canterbury. Often very heavy food-rents were carried to the central manor and mill-stones, cloth, wool, wood, wine, and salt were also carried. Markets, urban and rural, were flourishing by the thirteenth century and once a week offered opportunities to the people of the neighbourhood, and it is clear that the better-off peasants as well as the lords had surplus produce for sale and must have relied upon it to pay their rents and money dues. How much selling went on within the village itself is difficult to estimate; mention is made of windows for exposure of bread and ale, fish and meat were procurable and buying and selling on Sunday in the churchyard was common. The old picture of the static, self-contained medieval village must certainly be modified and place must be made for a more active agrarian life, by no means entirely confined within its own narrow limits.

On the strictly economic side there is evidence that demesne farming prospered greatly in the thirteenth century. There was something like an agricultural boom, which is shown not only by the rising profits recorded on manorial account rolls but by descriptions of the development of estates by reforming abbots, such as those which occur in the domestic chronicles of Glastonbury and Peterborough. A race of enlightened agricultural improvers was sinking money in the land and reaping money from it and it was for these great lay and ecclesiastical

landowners that Walter of Henley's *Husbandry* and the other thirteenth-century treatises on estate management were written. The stimulus to this high farming was provided by the growth of the population, which led to the active assarting and colonisation described above and to a rise both in the price of agricultural produce and in the rents of agricultural land. The response of the great estates to the double stimulus varied. In most places it led to an intensification of demesne cultivation and an increasing production for the market, sometimes accompanied by an increase in the labour services imposed upon the tenantry. In some parts, however, the profit to be obtained from rising rents due to the land hunger of the rural population outstripped the profits of direct cultivation and this, no doubt, accounts for the fact that a movement towards the renting not only of assarts and waste but also of long established demesne is observable side by side with the intensification of direct production for the market. As Professor Postan points out, in many places during the thirteenth century 'the stimulating effect of a growing population on rent values was sometimes greater and clearer than the effect of rising prices on the profits of cultivation. Where and when this happened it paid better to let out portions of the demesne even though its cultivation was still highly profitable and the area of the demesne declined while agriculture flourished.' The intelligent landowner chose whichever course gave the greater profit. The impression left by the thirteenth century is that of a golden age for the lords, the heyday of the great estate; but the effect upon the peasantry was inevitably less favourable. In this respect the situation in England would appear to have differed remarkably from that which prevailed in a great part of Western Europe.

Medieval Agrarian Society in its Prime

§ 8. Scandinavia

Introduction

Shortly after the middle of the eleventh century the political map of Scandinavia took the form it retained in the main during the whole of the medieval period. Sweden owned the Baltic coast from a point at the present boundary between the provinces of Blekinge and Smaaland right up into the great forests of northern Norrland, the provinces of Vaesterbotten and Norrbotten, for long but sparsely inhabited. Finland also belonged to the Swedish sphere of interest, but here, as in Norrland, Swedish penetration was not accomplished until the final decades of the period now under review. The political centre of the Swedish kingdom was the country round the Maelare, West of Stockholm, but agriculturally the large, interior plains of Oestergoetland and Vaestergoetland were more important. Only at a single point, the mouth of the river Goeta, did Sweden send a narrow wedge down to the West Coast.[1]

Sweden faced the Baltic: Norway the Skagerack, the North Sea and the Atlantic. The Norwegian settlements stretched from the river Goeta in the south via Troendelag round Trondheim up to Haalogaland on the Arctic Circle. They were usually of rather small extent, but particularly in Troendelag, round the Oslo Fiord and in certain river valleys they stretched far up country. Nevertheless, the interior of Norway was for the most part unsuitable for permanent settlement, though there were settlements that did not link up with the coast, such as Jaemtland, which, whether it originally belonged to Sweden or not, was included in Norway during our period.

Conditions for agriculture were far more favourable in the third Scandinavian kingdom, Denmark, than in Sweden or Norway. Denmark included the present-day Danish territory and also the most southerly part of the Scandinavian peninsula, the provinces of Skaane, Halland and Blekinge, that is to say all the districts in Scandinavia where soil and climate made really flourishing agriculture possible. Denmark was the only Scandinavian kingdom whose area was to a considerable extent arable.

Shortly after the political map of Scandinavia had been stabilised, i.e. after 1050, the North German chronicler Master Adam of Bremen

[1] In this section the following transcriptions are used in all Scandinavian place and personal names, all untranslated Scandinavian expressions, and all book-titles: the Swedish and Norwegian letter å is written aa, the Swedish letter ä is written ae, the Swedish letter ö and the Danish and Norwegian ø are written oe.

gives us a description of the scenery, civilisation and economy of the Northern kingdoms. Of Denmark he says that Jutland is a sterile wilderness, but the Danish islands and Skaane are fertile, and he especially mentions the abundance of their harvests. Of Sweden he says the earth is rich in harvests and honey, and he adds that it is pre-eminent in its yield of live-stock. Adam's description of Norway runs otherwise: the country is the most unfertile of all districts, and can be used only for live-stock. As with the Arabs, the cattle are kept right out in the wilderness. Master Adam stresses the great part stock-raising plays in Norway in speaking of the provision of the Norwegian with food and clothing; and he indicates its importance in Sweden too in remarking that in both countries even the best-born men lived like their ancestors as herdsmen, supporting themselves by the work of their hands. An account of the journey of a German delegation to Lund in Skaane (1127) shows that stock-raising was important in Denmark, as in Norway and Sweden; the inhabitants fished, hunted and raised stock, and acquired all their wealth by these means; there was little tillage.

How fundamentally different agrarian—especially stock-raising—conditions were in different parts of Scandinavia may be illustrated by positive statements: on leaving Lund our German delegation were presented with a hoy laden with butter, obviously the chief product of the South Scandinavian pasturage. There is a sharply contrasting record that describes the stock-raising of northern Scandinavia: about the year 900 the patrician farmer Ottar, settled in Haalogaland, had the following stock—20 cows, 20 swine, 20 sheep, some horses and 600 reindeer.

Master Adam's description gives a strikingly correct picture of the essentially different conditions in which the agrarian population of the three kingdoms of Scandinavia lived during the eleventh century. In Denmark, particularly on the islands and in Skaane, there was more arable land than in the other Scandinavian countries; it is clear that the proportion of tillage to pasturage seemed more normal here to a North German observer. In Sweden too, and in especial on its plains, tillage had real economic significance, but for the agrarian population of the country as a whole stock-raising was more important. It was still more important in Norway, where according to Master Adam it was universal, and was carried on, according to him and other sources, in a special manner. Master Adam even goes as far as to deny the existence of tillage in Norway.

His description suffers not only from this type of exaggeration. It is highly schematic and insufficiently differentiated: it treats the three Scandinavian countries too much as economic units, and gives summaries for each. It is true that these bring out the essential differences resulting from natural conditions varying from country to country. But the

actual differentiation by no means followed the frontiers: differences within the same country from province to province, or within the same province from district to district, were considerable. And there was not only the direct factor of dissimilar natural conditions, but also the political division of Scandinavia into three kingdoms, and the lack of coherence within each kingdom. This lack may be clearly seen in the fact that the law-books in which legal rules were summarised during the central Middle Ages were originally—and for a long time—valid only for a single province or region of the kingdom. These factors formed and developed agrarian classes and general agrarian conditions along rather different lines in the several districts.

It is therefore difficult to give a coherent account of the agrarian community in Scandinavia at the height of the Middle Ages. There is a further difficulty in the dispersed and sometimes extremely deficient character of the material, which varies in type from district to district. And this occasions a third difficulty: in the Scandinavian countries research has often been directed to different problems of agrarian history, and reached different stages. It is sometimes hard to reconcile the results.

For these reasons we must try to give on the one hand a general description of those aspects of the form and development of the agrarian community that are common to the whole of the Scandinavia area, on the other hand a specific description of conditions within a certain district that may be considered typical of the Scandinavian agrarian community at the height of its development. It is more or less obvious that in doing so we should choose the region of greatest agrarian importance, the Danish, giving but brief notice of a region where natural conditions brought about a unique development, as they did in the homeland of the patrician farmer Ottar, in northern Norway, where reindeer were the chief source of wealth.

Village and Farm Settlement

A fundamental problem in the agrarian history of Scandinavia is the type of the original settlements and the age of the medieval type. There are two opposing theories. One takes the view that village settlement was primary in Denmark and on the Swedish plains, whereas scattered farm settlement, which occurs mostly in those parts of Scandinavia least suited for tillage, came later, and might even be secondary to village settlement in some parts. And village settlement, it is argued, goes back to ancient, prehistoric times.[1] Most scholars now

[1] Our account ignores those authors who assume that the villages date back to a relatively recent period when the previously half-nomadic Scandinavians first settled down. Their assumption conflicts too much with the unanimous opinion of prehistoric scholars.

hold quite the opposite opinion. According to them the medieval system of settlement does not date back farther than the Iron Age. During the earlier part of this Age farm settlement was still the rule: not until the Roman Iron Age and the Period of Migration, i.e. the former half of the first thousand years of our era, did the oldest villages come into being.[1] In time village settlement dominated in great parts of Scandinavia, especially in the districts best suited for agriculture, while in peripheral areas, or areas peripheral from the agrarian point of view, farm settlement remained predominant.

Village settlement was particularly regular during the central Middle Ages in Denmark, though not everywhere in Jutland, and not on the island of Bornholm. On this island farm settlement was the rule: each farm had large, contiguous stretches of ploughland, while the ownership and use of other ground was divided up irregularly among the farms.

In Sweden conditions varied: village settlement predominated in the tillage districts in the southern and central parts of the kingdom. Farm settlement was common in the provinces bordering on Norway, in the greater part of Norrland, on the island of Gotland, and everywhere in the forest districts. Yet in many places village-like communities developed, but relatively late. The so-called family village, which may be considered to have come about through the dividing up of a single farm, is of particular interest. Its characteristics are that the dwelling-houses lie together in one group, certain outhouses together in another, certain other buildings in a third, and so on.

In Norway, Meitzen, and many others with and after him, have thought that village settlement was primary. But this opinion is no longer generally current among scholars: no traces of a completely developed village organisation can be observed anywhere in Norway. In parts, however, big-family farms have grown out of the separate farms —as in Sweden also—and there are other things reminiscent of conditions in a more highly developed village community, such as settlement in 'farm-clusters', a kind of strip system, and so on. But these phe-

[1] The principal argument in favour of this is that Scandinavian Place-Name scholars, rejecting an older, diametrically opposed view, are now certain that no place-names are older than the Iron Age. The fields of the pre-Roman Iron Age, which are similar to the so-called celtic fields in England, and many of which have been found in Jutland by G. Hatt ('Praehistoric fields in Jylland', *Acta Archaeologica*, II, 1931, pp. 117 ff.; *Landbrug i Danmarks Oldtid*, 1937, pp. 76 ff.), and medieval fields, which are similar to the *Hochaecker* of Germany, and some of which have recently been discovered east of Lund by G. Nordholm ('Kungsaengen Raeften eller Kungsmarken', *Skaanegillet i Stockholm Aarsskrift*, 1936, pp. 35 ff.), indicate considerable differences between the agrarian conditions of the two periods. On the other hand recent excavations conducted by G. Hatt show that village-like settlements existed early in Denmark.

nomena are now held to be secondary, and to date back only in part to the centuries here discussed.

Just as there were certain tendencies towards the formation of village communities in the areas where definitely organised village communities had not originally existed, so settlements of a different kind occurred in those parts of Scandinavia where completely developed village communities were regular. We know from a more recent time, when conditions seem not to have differed much from those of the central Middle Ages, that detached farms formed 9·2% of all settlements in Denmark west of the Sound. On Zealand and the small islands they formed only 3·1% but in Jutland 15·3%. In parts of Jutland right in the north and west they formed between 30 and 75%. In all places where the soil is best suited for tillage, village settlement had spread most, whereas in sparser districts detached farms were more numerous. In these circumstances it is natural that in south-western Skaane, which was extremely well suited for tillage, there were hardly any detached farms.[1] For Sweden we are able to distinguish the position in certain parts of Upland during the beginning of the fourteenth century: villages are predominant on the plain proper, but detached farms, younger than the villages, may be observed in the forest districts.[2] This distribution should be a pretty general rule.

The origin of the oldest Danish villages is much debated, but the debate lies outside the scope of this section. In the central Middle Ages we can see villages developing in various ways.

Legal regulations from that era clearly show that it was possible for new villages to be founded by moving out of the older ones and dividing up their ground. The older village was called *hoegby* ('high' or 'mound' village) or odal village, the village newly founded by the act of moving was called a thorp village. The foundation of a thorp village was often a co-operative undertaking, of course; from its very beginning it was a complete village-community. On the other hand, in Norway and certain districts of Sweden we can observe a development, partly post-medieval, that produces from a detached farm a community reminiscent in various ways of a South Scandinavian village. So we have the possibility that in a similar way the medieval Danish and Swedish villages developed from detached farms, and as a result of the considerably more favourable conditions for agriculture in their regions, attained a higher stage of development at an earlier period.

[1] Survey maps in the archives of the Swedish Land-Measurement Board, collected by G. Nordholm and in part published by him in 'Skaanes geometriska kartlaeggning foere storskiftena', *Svensk geografisk aarsbok*, 1929, bil. 2.

[2] Conditions in Upland may be inferred by comparing certain taxation rolls from the beginning of the fourteenth century, published in *Svenskt Diplomatarium*, III, 1842, pp. 86 ff., with various documents about and lists of the property of Upsala Cathedral.

And for a small part of the Danish agricultural area, the island of Falster, we can follow the growth of the villages during the early Middle Ages more closely. For we are acquainted with certain conditions on this island both at a point that may be assigned to the eleventh century and at about 1200. At the former time there were on Falster between 50 and 60 settlements to each of which belonged ground equivalent to at least two large farms. These settlements are usually of great age, and may be regarded as villages. The number of settlements which at this time owned land equivalent to one large farm, together with the detached farms founded up to about 1200, was not less than about 40. Of these about 30 had by the year 1200 grown so much that they were equivalent to at least two large farms, and many are known to be villages at a later period. In the eleventh century the older villages still included at least nine-tenths of the cultivated land: about 1200 they included only about four-fifths. Thus the share of the land on Falster owned by the villages that had recently developed out of farms increased considerably between these two points in time.[1] It is clear, therefore, that in the only part of the Danish agricultural area about which we have detailed knowledge, a considerable proportion of the villages developed from detached farms so recently as the early Middle Ages. There are many reasons to think that in other places also a large number of the new villages may have arisen during this period. For example, to judge from the place-names, 700 of the Oestergoetland villages were founded during the Viking Period at the latest (i.e. before about 1060), but twice as many during the Middle Ages proper, chiefly no doubt during the early and central Middle Ages.

The details we have about Falster also help to determine the date when the redistribution of settlements was completed in the tillage areas of Scandinavia, at least in the most important area, the Danish. For this area they indicate that the foundation of villages was at an end by about 1200: and whereas about a quarter of the villages existing on Falster at that time have since disappeared—mainly those of less extent and rather late foundation—since 1200 only a few villages have come into existence. We can see that conditions were rather similar in other districts favourable for agriculture, far from Falster, from the fact that the foundation of villages seems to have been completed on the Upland plain by the fourteenth century, when we have some possibility of surveying conditions there.

The actual area cultivated seems to have been considerable during the

[1] This is apparent from the so-called Falster list in *Liber Census Daniae* (ed. O. Nielsen, 1873, pp. 64 ff.), which for every village on Falster mentions the number of *bol* and the *terra in censu* (cf. below, p. 478). Cf. most recently on this S. Bolin, *Ledung och fraelse*, 1934, p. 22, footnote 1.

central Middle Ages. Attempts have been made to determine this extent on Falster for about the year 1200; but they have led to rather uncertain results. Some say that the area under cultivation then was twice as great as in the middle of the seventeenth century, others that it was only two-thirds of the area cultivated at the end of that century.[1] But whichever view be taken, it was important.

And the agricultural population was numerous accordingly. Halland provides safe material for comparison: in the thirteenth century there were about 9250 farmers in Halland, whereas in the seventeenth century the number of farms there was only 4000. For Sweden an area of four contiguous parishes in Upland provides a direct comparison: at a general levy at the beginning of the fourteenth century the number of taxpayers was nearly 350; at a similar levy in 1571 there were only 244.[2] These and many other reasons go to show that the agrarian population in the central Middle Ages was larger than during the first centuries of the post-medieval period.

The decline, in agriculture and in population, which is traceable in various ways, can be assigned for all the three Scandinavian states to the fourteenth century. It was formerly assumed that the Black Death was the direct and only cause of the decline; and there are still those who hold this opinion. Others think the Black Death played a much smaller part; that it is an element in a larger process. According to this new conception the cultivated area diminished and the population curve began to decline from the 1330's onwards, perhaps even from the 1320's, as is suggested by the fall in the price of land, the decline in renders and in taxes paid to the Papal Chair, and the more frequent mention of deserted farms. It would seem that the process took place later in Sweden than in Denmark. On the other hand, the beginning of effective Swedish colonisation in Finland and of permanent Swedish settlement in larger and larger districts of the Norrland provinces is also placed in the fourteenth century. Whether the opening-up of the vast open spaces in the North and East attracted inhabitants from southern and western Scandinavia and thus contributed to the decline there, is a question that has never been asked, and that only future research can answer.

[1] K. Erslev (*Valdemarernes Storhedstid*, 1898, pp. 117 ff.) holds the former opinion, P. Lauridsen ('Om Skyldjord eller *terra in censu*', *Aarboeger for Nordisk Oldkyndighed*, 1903, pp. 58 ff.) the latter.

[2] The figures for the beginning of the fourteenth century are taken from the documents cited above, p. 471 note 2. It is certain that a larger percentage of the population was included in 1571 than at the beginning of the fourteenth century.

Village Forms

The types of Scandinavian villages can be studied in the very many, very detailed surviving cadastres and land-survey maps, though these do not go back farther than the middle of the seventeenth century. In this work the Dane P. Lauridsen was the pioneer. He distinguished three essentially different fundamental types: the nucleus-village, where the farms lay around a rectangular or oval village green, and from which the cluster-village later developed; the long village, where the farms lay in two parallel rows opposite one another along a rather narrow village street; and finally the 'topographical' village, consisting of one long row of farms facing perhaps a stream, a lake, or a stretch of meadowland. Nordholm and Aakjaer, a Swede and a Dane, have however been able to show that villages of Lauridsen's three pure types are rather rare, but villages of transitional form between the types extremely common. According to Nordholm the fundamental and original type of Scandinavian village is a "green-village, where the farms lie along or round a village street that was made by the traffic between tillage and pasture". Where there were no physico-geographical hindrances, the village street was pretty broad and became a village green. But minor differences of topography and soil might stretch the village out long and narrow. And major physico-geographical variations might cause the farms of the village to lie in a single row along the actual division between tillage and pasture, or irregularly in the pasture itself.

The actual implications of this theory are best realised by considering the development of the village from its oldest farms. These were regularly situated on the boundary between the ground that was most suitable for tillage and ground that could conveniently be used as pasture during the oldest period, when the land under plough was not extensive. Tillage and pasture were marked off from one another by fences from the start. As the population grew the tillage grew. If, on account of the kind of soil, the fields were extended in only one direction—i.e. from the back of the buildings in the direction of the oldest cultivated fields—the village would take the form of a single row of houses along the old, still existent boundary between tillage and pasture, or of a cluster of houses on that part of the pasture that lay closest to the ploughland. In the former case we have a village of the type that Lauridsen called a 'topographical' village, in the latter case a cluster-village. But in other places it was possible to cultivate the soil in various directions. Then the village lost immediate contact with the pasture, and was by degrees completely surrounded by ploughland. Now the houses had to be placed in two rows opposite one another

along a narrow or round a broad village street or green, according to the geographical conditions. In the former case a village arose more or less corresponding to Lauridsen's long village, in the latter one resembling his so-called nucleus-village. In villages of this kind the village green had an important function for the villagers' stock. The green was naturally enclosed from the surrounding arable. Through this, and carefully fenced from it, went the cattle-drive that was necessary for driving stock to and from the stall. The cattle-drive was thus the connection between the village green and the pasture. It formed a wedge by which the pasture reached the village through the fields, and then spread out again like a sack in the village green in the middle of the farms.

The Village Community

The view that the Scandinavian village community sprang from some primitive communism is still current; but most modern scholars do not doubt that before the time of the fully developed community there was a period when the farmers had even greater liberty in tilling their soil. The conditions prevalent during this older period still existed in many places when the laws were codified in the thirteenth and fourteenth centuries, and may even be studied on the partition-maps of later times. Thus the provisions of the oldest Swedish provincial law, the older Vaestgoeta law, which is placed in the first half of the thirteenth century, show that the organisation of the village community was by no means fully developed. It is true that the pasture was in the common ownership of the villagers: like the forest it could for certain purposes be used by all who owned a certain minimal amount of village land. And it was presumed that when new ground came under cultivation there might be a certain amount of co-operation between the villagers: the new ploughland was divided up amongst them on certain principles typical for the organisation of the village community. But the consideration each farmer was bound to show his fellows was limited to a necessary minimum, being primarily the duty of fencing. There is no question of any farmer's bringing about a modification of existing property relations, as there is in most other Swedish and Danish laws. A peasant had the free right of moving from the village, transforming his former dwelling into a field, and setting up house on one of his fields or meadows, provided it was not completely surrounded by other men's land. When an inheritance was partitioned, one coparcener might settle in the village, another build a farm on an inherited field. All this presumes that the various fields and meadows of each farmer were far more extensive than was usual where the village community had been organised systematic-

ally. And indeed, in certain post-medieval land-surveying maps of Vaestgoetic villages we find a distribution of land very different from that typical for village-community organisation: each farm in the village of Vartofta, for example, owned large contiguous parcels, not small strips distributed over the whole ploughland.[1] We may assume with fair certainty that this type of distribution of ownership is that of a village in *fornskifte* and *hambri*. These were the terms in the rather later Swedish laws from about and after 1300 for a village that had preserved an old-fashioned structure, and had not been subjected to the re-arrangement which by that time the laws encouraged.[2]

In Skaane too, and in other parts of Denmark also, there are traces of a type of distribution earlier than that stipulated as normal in the provincial codes of the first half of the thirteenth century. The oldest Scanian distribution that can be observed differs from the oldest distribution in Vaestergoetland. It is true that tillage and hay-meadow were divided up into a large number of small strips but their distribution to the farms of the village was quite unsystematic. The farmers' right of ownership over such separate strips must originally have been complete and unlimited; he must have been considered the owner of just those strips, not, as later, of a certain share of the village and its ground.[3]

Thus, in certain cases the provincial codes reflect conditions from the time before the complete development of the village community in Scandinavia; otherwise the community dominates the provisions of the codes altogether. Ownership of a share in the village meant possession of a *tomt* (Swedish) or toft (Danish). This was the ground in the village where the farm buildings were situated, and to which a parcel of field might be attached. The latter is a general rule in Denmark, where a toft might include as much as a hectare. When a new farm was built in a village, it received a toft, usually contiguous with the other tofts: its standard breadth is given in the Oestgoeta Law as 20 ells, i.e. about 12 metres. Farms on these new, 'sworn' tofts had the same rights as farms on old tofts. But possession of a *holmstoft* (an isolated toft), an enclosed area used for living-quarters in the village pasture, did not carry with it membership of the commune.

Uninhabited parts of plough- and hay-meadowland might also fall outside the village ground. Everywhere in Denmark we find mention of *ornum*. This was divided from the village ground by ancient custom and

[1] Cf. the map of Vartofta published in A. Meitzen's *Siedelung und Agrarwesen der Westgermanen und Ostgermanen, der Kelten, Roemer, Finnen und Slawen*, III, Atlas 1895, Anlage 144.

[2] Below, p. 478.

[3] I cannot agree with those scholars who postulate a stage before the division of the ploughland into strips when it was redistributed annually; for medieval laws and other medieval sources contain no trace of this redistribution. When it occurs in later times it is probably a secondary development.

special boundary-marks, and was not subject to the general provisions for village ground—the duties and limitations of the right of use that the increasing strictness of organisation in the village community imposed on its men. An *ornum* was usually of considerable size; and its possessors must as a rule have belonged to the old farming aristocracy. Thus an *ornum* was an area that belonged entirely to one person, and was called his *enemaerke*. But even a whole village and its ground could belong to a single person or institution as *enemaerke*, although it might be tilled by several villagers, provided that the person or institution was sole owner of the whole village, that is of all its tenures.

In Sweden *ornum* was called *urfjaell* in the provinces round the Maelare, and *hump* in Oestergoetland. The standard size of an *urfjaell*, too, seems often to have been considerable.

Included in the village lands were also cultivated areas of quite another kind than those just mentioned, but also different from the village land owned in common. These areas were parts of the village pasture that had been recently brought under cultivation. For certain Swedish laws allowed private members of the commune to make such clearings and to keep them for many years, or even for ever if there was other ground available for tillage for the rest of the villagers. In Denmark too there is mention of newly cultivated stretches, called *rud* (OE *rod* and the place-name termination *-royd*), distinct from the commonly owned land.

'Village measures' were of great importance for the activity of the village community. In Scandinavia as elsewhere they varied greatly from district to district. Only those of the principal districts can be referred to here. The original Swedish village measure was everywhere the *attung* (*octonarius*), probably the eighth part of the village. After the middle of the thirteenth century, in the provinces round the Maelare, the *octonarius* was displaced—as we may infer from an assessment—by the *markland* (*marca terrae*), which was divided up into 8 *oeresland* (*orae terrae*), 24 *oertugland* (*solidi terrae*), and 360 *penningland* (*denarii terrae*).[1] According to the law an ordinary country church should have 4 *orae terrae*, so this should be about equivalent to a large standard farm. In Oestergoetland the *octonarius* remained the village measure, but in time lost its old meaning, for a village there might include far more than 8 *octonarii*.

In Denmark the *bol* (*mansus*), corresponding to a large farm, was originally the current unit. It certainly goes back to the eleventh century, when, in connection with the military organisation, the Danish villages were ascribed a certain *bol* figure, corresponding to

[1] The common statement that the *marca terrae* was 192 *denarii terrae* is quite wrong for the early Middle Ages, as is shown by a large number of printed and unprinted sources—documents and cadastres.

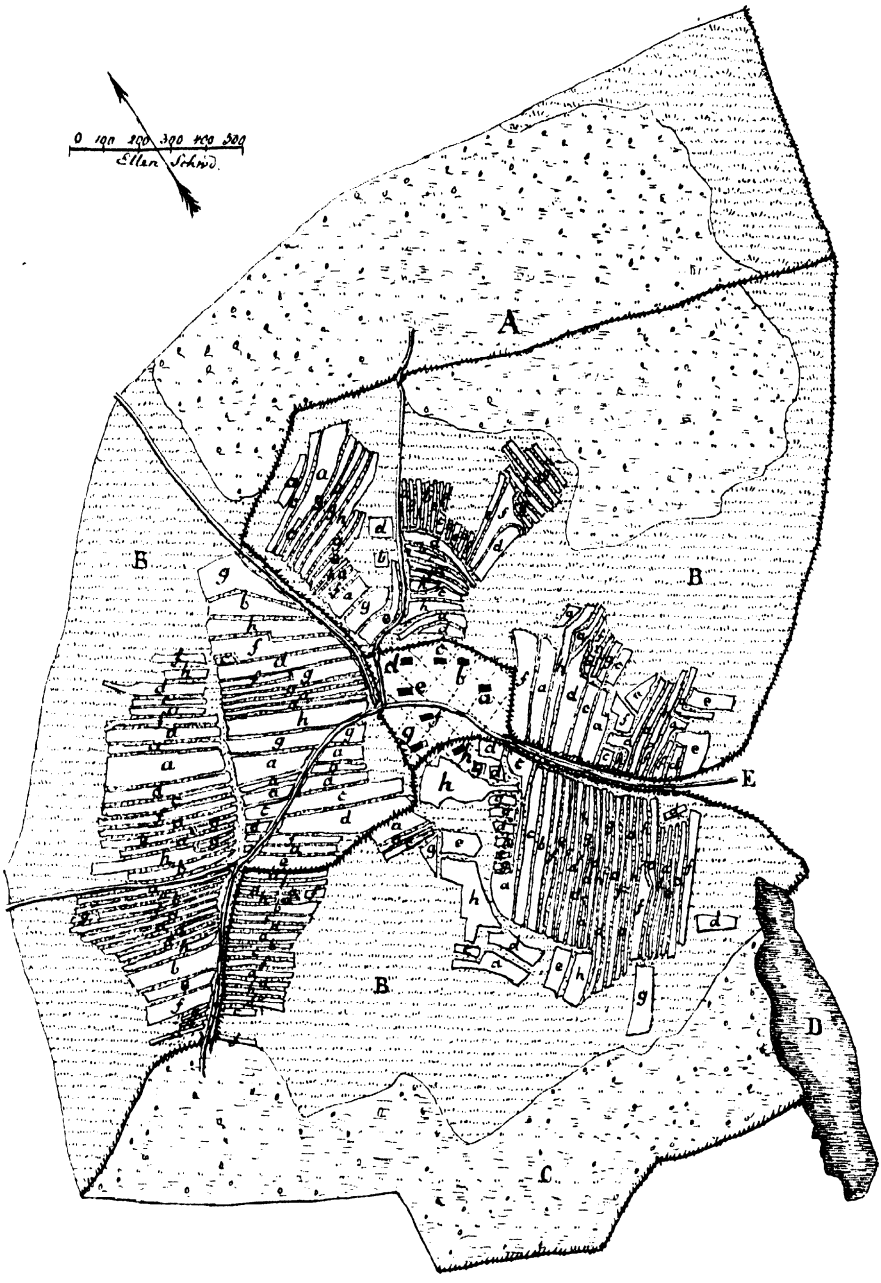
the number of standard farms they included. In the same way the separate farms of the village were allotted a certain *bol* figure, corresponding to the fraction of a standard farm, or the number of standard farms, they included. In Skaane the *bol* was the only land measure during the twelfth and thirteenth centuries, but in the rest of Denmark during those centuries new units were created. In Jutland and on Fünen the unit was the gold mark (*terra unius marcae auri*); in Zealand, probably somewhat later, in the very beginning of the thirteenth century, the unit was the *skyld* mark (*terra in censu unius marcae*). The Jutland valuation probably indicates the value of the farms, but the Zealand unit most likely has to do with a fresh state assessment, and indicates the tax to the state in silver.[1] Both the Zealand and the Jutland units, of which the former (*terra in censu unius marcae*) seems to be about three times as great as the latter (*terra unius marcae auri*), were divided in the same way as the Danish mark.

When new land was brought under cultivation by the community—and the Swedish and Danish laws tried to facilitate this in various ways—it was natural that each farm should receive a share of the newly acquired tillage in proportion to its size, that is its share of the 'village measure'. The same principle was applied in the total partitions mentioned in Swedish and Danish laws. For these contained strict provisions that in certain circumstances the irregularities brought about by the earlier natural development should be abolished, so that a village in *hambri* should be re-partitioned, put into *laga laege* (lawful condition) as the phrase went. In doing so the principles of *solskifte*,[2] which came from the Continent, should be followed, in the Maelare provinces and Oestergoetland, as in Jutland and on the Danish islands. But in Skaane another arrangement was made, the so-called *bolskifte*. This meant that the various *aas*, groups of ridges, that together formed the arable should be divided into as many large parts as there were *bol* in the village. So every *bol* received one of these parts, and this was divided up in its turn among the farms constituting the *bol*, according to their *bol* figure.[3]

[1] But there are differeing opinions about the character and date of the Zealand valuation.

[2] *Solskifte* means that the strips in a ridge-group were distributed according to the position of the farms in the village. For example in a village totally under *solskifte*, a farm that lay east of another farm had in every ridge-group strips situated east of that other farm's strips. Thus the *solskiften* was made according to the course of the sun (Swedish *sol* = sun).

[3] A number of villages in *bolskifte* have been found in Skaane and also in Jutland and Zealand, where it was usual before *solskifte* was decreed. A village in *bolskifte* can easily be seen on the land-survey maps, as the strips of certain farms always lie side by side in the separate ridge-groups; the farms whose strips thus lie contiguous together form a *bol*. The strips allotted them in the same ridge-group always have a total area identical with the area there allotted to other farms which by themselves or together form a *bol*.



Developed form (seventeenth century) of a Swedish village in Vestergoetland.
A, wood; B, pasture; *a*, *b*, *c*, etc., farms and their lands.

It is at present impossible to say how far such re-arrangements changed the conditions of ownership of the village ploughland. There are restrictions even in the laws themselves: at times adjustments are recommended instead of total re-partition; it is stipulated that in order to be able to claim partition a farmer must own a certain amount of land; in some cases unanimity is required for re-partition. In Skaane, when there were disputes between farms belonging to the same *bol*, only the strips of that *bol* were to be re-partitioned, not the whole ploughland of the village. We find similar provisions elsewhere.

Some villages were completely re-arranged according to the laws. But both in Sweden and Denmark there are villages that retained more primitive conditions of ownership than those stipulated, until the post-medieval period. It may well be possible one day to give statistics for large districts: an investigation has shown that conditions on Falster were just the opposite of those on Laaland—on the former island re-arrangements are numerous, on the latter few.

The tightening-up of the organisation of the village community that these and other provisions in the laws indicate must have meant much for the farmers' right of ownership and use of their land. The tendency in the conditions of ownership must have been that the toft and the separate strips that were distributed over the ridges were soldered together into a really fixed unit, whose components were not and might not be taken from one another. It could not but be so, partly because according to general rule the area of the strips had to follow that of the toft, partly because in places all the taxes to the state were distributed among the tofts. The difficulties this occasioned are plain from a section of the Skaane law that reappears in Zealand law. Here the laws make no decree but are content to relate two contrary opinions. We may summarise them as follows. On the one hand, says the law, there are men who want to forbid the selling of strips from toft, for this would cause unfairness in the payment of tax, and make it impossible to divide up the arable according to the size of the tofts. But on the other hand, the law goes on, there are men who say that every farmer may freely sell his strips, since otherwise, if he becomes poor, he will be compelled to sell the whole farm and become a tenant. On Jutland, however, the right of the villagers to sell separate strips was not questioned. If strips were thus taken from the toft, they had in some respects a special position and were called *stuf*.

In Scandinavia as elsewhere it was natural that the spread and development of the village community system should make the farmers co-operate more and more. There are numerous legal provisions that regulate everybody's duties and rights in detail: they carefully fix the farmers' duty to fence arable and hay-meadows; they make rules for

preventing a farmer from allowing his stock on to other villagers' ploughland; they give exact prescriptions about everybody's right to utilise the common forest and pasture. Together with later sources they make it possible for us to see the various systems of crop-rotation used in different regions of Scandinavia. In the main agricultural area, the Danish islands and Skaane, the three-field system was already the rule about 1200: each of the three fields was called a 'wong'. But every farmer was not bound to follow the regular rotation and to sow the strips lying in the same 'wong' one year with barley, the second year with rye, and in the third year let them lie fallow. The farmer had the full right to sow his strips in the fallow 'wong', provided he fenced them himself.[1] The three-field system was not the only one in Skaane and on the Danish islands. In the thirteenth century and much later there were two-field villages. There were also villages with only one 'wong', which was sown during a series of years, while the stock was confined to the pasture-land. This is called the 'all-corn system'. From eastern Denmark the three-field system spread in various directions, and came to Sweden, where it was later used in some places in Vaestergoetland. But in Sweden the two-field and all-corn systems were commoner: it is typical that the Oestergoetland Law decrees that when there is disagreement about the system, that party in the village shall prevail that wants to let half the land lie fallow. In Jutland the three-field system was usual in the more fertile, eastern districts; in other parts, the two-field and the all-corn systems.

All four cereals were cultivated in Denmark, but chiefly rye and barley. Both autumn and spring rye were used, the former mostly in Skaane and the Danish islands, no doubt. To judge from the almost leading position that oats take as a taxation item in a list of the incomes of the crown in 1231, the cultivation of oats must have been considerable in Denmark during the central Middle Ages. They were sown in the outlying edges of the 'wongs', in land situated farthest from the village. There are only very sporadic statements about the cultivation of wheat in Denmark during the central Middle Ages: it is thought that this cereal was usually cultivated on the field that formed part of the farm toft. In specially fenced patches flax, hemp, hops, turnips and cabbage were grown. During the fifteenth century Swedish laws lay it down that the tenants are liable to cultivate and maintain patches of hops. Of fruit trees, the apple was the most common. Gardening seems to have been encouraged by the religious houses that were numerous from the twelfth century onwards.

[1] The word for fencing one's own strip in this way is *brunngaerda*, i.e. fence as one would a well. 'Wong' is used here for the Swedish *vaang*, Danish *vang*. In medieval English, wong was = furlong or shott, not to field.

Norway and Sweden raised much the same crops as Denmark. But apparently in these countries barley was rather more important than rye. It has been both stated and denied that in western Norway oats, and not barley, were the cereal most cultivated during the Middle Ages.

Agricultural conditions in the regions where the village community did not develop are best known from Norway. Here too, it is thought, settlement spread and a large number of new farms were founded during the years from about 1100 to the thirteenth century. There were no fully organised village communities in Norway, but as a result of partition at inheritance and land buying there arose so-called neighbour-communities. In some respects conditions in them resembled those of the village community: there was a kind of strip system, the clustering of farms in village-like groups, and the farmer's duty to put up certain fences. These tendencies were particularly strong in the Westland, the Atlantic coast, but less noticeable in the Eastland, the country round Oslo Fiord and a little to the West, where detached farms were predominant. We have some idea of the method of tillage from a provision that a tenant should leave a quarter of his land in fallow every year.

But in Norway stock-raising was far more important than tillage, and therefore the hay-crop was of greater economic significance for the farmers than the grain-crop. It is typical that in the Norwegian laws the size of the farms is sometimes indicated by the head of stock. The saeter system still current in northern Scandinavia was the rule during the central Middle Ages in both Norway and northern Sweden. The characteristic of this system was that during the summer the stock was let out far from the settlements on pastures in the forest districts; there they grazed at will, and for the herdspeople shielings were built.

No doubt the saeter system was used quite far to the south during the central Middle Ages, and must have been common in southern Sweden also. But there is no reason to suppose that it touched Denmark. Master Adam's account of Norwegian stock-raising in the 1070's, that in Arab fashion the cattle were kept right out in the wilderness, is obvious proof that the saeter system was wide-spread in Norway at the very beginning of this period. But as it is described as characteristic of Norwegian stock-raising and is not mentioned in Sweden, we should be right in assuming that it was dominant in Norway but not in Sweden.

Stock-raising and subsidiary branches of agriculture

Our knowledge of stock-raising during these centuries in the Swedish and Danish agricultural areas is rather scanty. Unlike plough-land and hay-meadow, pasture was not usually private during the

Middle Ages. The untilled and in certain cases untillable land immediately surrounding a village and its fields became village common. Large areas of this kind might belong to the province (province commons) or its subdivisions, the lowest administrative areas, called *haerad* in southern Sweden and Denmark, and *hundred* in the provinces round the Maelare (*haerad* and *hundred* commons). At an early period the crown claimed part- or complete ownership of the uninhabited districts, and in several places succeeded in taking them. Thus the Swedish king owned a third of all the *haerad* commons in the southern provinces of Sweden (Goetaland). In Denmark from 1100 onwards the farmers had the right to use the forests, but the king owned them. This state of affairs received striking expression in the 1241 law for Jutland: the king owns the ground, the farmers the forest. Beside these commons belonging to village, *haerad* or hundred, province and crown, there were also forests in private ownership.

The common, the 'wong' under fallow, and the village street and green were the grazing places for the cattle, which were watched by herdsmen in either communal or private service. The swine were pastured in the mast-woods; the horses were often kept in a half-wild state in large droves in specially enclosed wooded pasture. As appears from the laws, a private member of the commune had the right to tether his stock in the 'wongs' on the hay strips that belonged to him.

In weighing up the relative importance of tillage and stock-raising in Sweden and Denmark during the central Middle Ages, we lack material that can be utilised statistically. We have no means of observing changes from one time to another. But various circumstances permit us to draw the conclusion that, compared with tillage, stock-raising was far more important in the economy of these two countries than was usual in the Europe of the central Middle Ages or later in Scandinavia. The German delegation that visited Lund, the centre of one of the best agricultural districts in Scandinavia, in the 1120's, found little tillage but much stock-raising. Next to the herring caught in the Sound, a product of international importance, the most important Danish exports during the Middle Ages were dairy-products and stock. Danish horses were much appreciated in Western Europe at an early period, and they were exported in large numbers from Ribe. We have certain facts from about the middle of the fourteenth century concerning the value of the exports to Lübeck, Denmark's chief customer: the value of the exported herring was, of course, highest: next came butter and horses. The stock-products exported from Skaane to Lübeck were worth ten times as much as the grain exported by the same route. And towards the end of the Middle Ages there was a new, important export from Denmark—oxen.

Conditions were similar in Sweden. The great importance of stock-raising here is emphasised by Master Adam, as has already been mentioned. Crown-taxes in kind were largely paid in butter. In the middle of the fourteenth century butter was Sweden's most important export to Lübeck, which was the chief customer of that country. Of the total known export-value from Sweden to Lübeck, butter represented a quarter.

We need say little about the subsidiary branches of agriculture and other country industries. There was certainly a great deal of bee-keeping, for there are numerous legal provisions about the disputes over swarms and the hunting of wild bees.

The farmers might freely fetch fuel and timber in the forests, from which, of course, various products of importance for home consumption were extracted. But forestry was of real significance for the economy only in Norway, and not there until towards the end of the Middle Ages, when the timber exports to Western Europe became rather considerable.

Hunting was more important. In Denmark it was restricted to land-owners: as the crown had the right of ownership to the untilled forest regions, and minor woods must mostly have been privately owned by nobles, hunting cannot have meant very much for the farmers proper. It was otherwise in Sweden, where the commons were wholly or partly in the possession of the communes, and the enormous forests of Norrland provided inexhaustible preserves. But in Sweden the hunting of certain animals was reserved for the king, and during the fifteenth century prohibitions of hunting for the peasantry were promulgated. During the central Middle Ages, however, they had the right to hunt during certain seasons, different in different parts of the country, and for different kinds of animal. The hunting of fur-bearing animals was particularly important—sable, marten, ermine, otter, beaver and so on. This is brought out by the fact that in certain provinces the farmers paid some of their taxes in furs, and that there was a not inconsiderable export from Sweden.

Fishing too was of great importance for the agrarian population. From the thirteenth century onwards the Norwegian fisheries at Lofoten developed into a national industry. From the very beginning of the twelfth century the herring fishery in the Sound seems to have been very productive: buyers came from various European countries, and farmers from all over Denmark took part in the fishing. In the Baltic, too, an important fishery is mentioned, round Oeland. There was abundance of salmon in the rivers, and salmon are among the articles in which the population paid their taxes to the Scandinavian crowns during the Middle Ages.

We should mention the extraction of metals in connection with the agrarian occupations, for two reasons. Partly because in the mining provinces proper—Vaestmanland, Dalecarlia and Upland in Middle Sweden—the mining-yeomen and miners also carried on subsidiary agriculture. Partly because during the early Middle Ages a number of small ore deposits all over Scandinavia were exploited; for instance in the beginning of the thirteenth century an iron-works in Halland is mentioned. And the extraction of bog-ore was wide-spread at this time everywhere in Scandinavia, and must have been mainly carried on by farmers. In some parts of Smaaland this occupation was so important that iron was one of the taxation items to the crown. And therefore the extraction of ore can be counted as an occupation by which the peasantry profited even outside the mining area proper.

Little is known of the crafts that may have been carried on in the country. There is sporadic mention of tanners and cobblers living in villages. We get an idea of the social position of these men from a decree of the year 1474, which states that tailors, tanners and cobblers, like others living in with the farmers and tenants, shall pay a half-tax to the crown. Smiths are quite often mentioned in the documents. In some districts they may have been especially occupied in the iron-industry proper, but they must also have worked for the needs of the agricultural population. The smiths had the same social position as the free farmers and tenants, together with whom they sometimes sat on the boards and juries functioning at the *ting*.[1]

Among woven products plain-cloth linen and wadmal are particularly to be noticed. It was mostly the women who were occupied with these textiles. They were so important in the national economy that in some parts the laws mention them as legal tender. And they were included in the taxes paid to the crown: this was so of wadmal in northern Halland (Denmark) and of plain-cloth linen in Haelsingland (northern Sweden).

Finally, we cannot pass over trade when describing the occupations of the agrarian population during the central Middle Ages in Scandinavia. It is true that in Scandinavia, as in other places, it was usually the duty of the farmers to take their wares to the nearest town and offer them for sale there. But from the Viking Period onwards the inhabitants of the coastal districts were in the habit of carrying on long-distance trade themselves. And their claims to retain this right were maintained and respected, at least here and there. Thus the farmers on the island of Oeland succeeded in preserving a certain right to trade with Danzig in

[1] The extent to which crafts were carried on in the Scandinavian countryside has not been investigated at all. The above is based on documents from 1300 to 1347 in Sweden, Finland, and Denmark east of the Sound.

their own produce. In Norway as late as the thirteenth century the agrarian population seems still to have been extensively occupied in trade and intercourse even with foreign countries; but later provisions endeavour to limit farmers' trading, and to forbid them to carry on foreign trade.

The agrarian classes and the ownership of land

There remains the important question of the class divisions in the agrarian community. In the early Middle Ages slavery still flourished in Scandinavia. During the Viking Period the Scandinavians seem to have carried on systematic slave-hunting and -trading, and in the 1070's Master Adam says that slavery is a usual thing. In a Norwegian law three slaves are reckoned as belonging to a standard farm with twelve cows and three horses. The position of these thralls is also regulated by Swedish and Danish laws from the thirteenth century and the first decades of the fourteenth. But apart from this in both Denmark and Norway there is no trace of slaves after 1200, whereas in Sweden they are mentioned in documents still later. During the thirteenth century slavery was certainly rare, and subject to various limitations. By a Vaestergoetland statute of 1335 it was established that the child of a Christian bondwoman should in future be free. And this really meant the end of bondage.

Above the thralls was the class of freemen, obviously divided in many ways during the earlier centuries. Norwegian laws have the following divisions, whose members had differently graded wergelds: *jarl* (dux), *lenderman*, *hold* (member of a family that had owned a farm for four generations), *bonde* (peasant), *reksthegn* (farm-labourer), *lejsing* (freedman). In Denmark an aristocracy of *principes*, *majores* and *nobiles* is mentioned. In Sweden, over and above the farmers, are distinguished the *jarl* and the lord, who had a groom, a cook, and forty retainers.

But an important development of the twelfth and thirteenth centuries was that the old aristocracy of peasants either disappeared or changed, fused with other groups and was linked up with the royal power as a nobility of military service with the privilege of immunity from taxation. Fresh social appellations, imported from abroad, appeared all over Scandinavia and took the place of the previous ones. Barons, knights and squires were the three highest divisions of the new nobility, though the first mentioned soon vanished. In Sweden and Denmark there were only knights and squires and ordinary tax-free patricians (Swedish *fraelseman* and Danish *herreman*). On the whole these groups were not an aristocracy in the same sense as the old one. Only the highest of them came in part from the old patrician peasantry, attaining increased power

as lords of the crown fiefs, and of course acquiring great allodial possessions. But the lowest divisions of the class contained men who were more or less ordinary peasants, or served for pay. In Sweden the transition between peasant and tax-free patrician (*fraelseman*) was free right into the fourteenth century.

The development of this new nobility of military service was one aspect of a process of which the other aspect concerned the peasants. They were freed from their previous liability to go into *ledung*, i.e. to do their service in person. Instead they undertook to pay certain permanent taxes to the crown. This process cannot be said to be completed in the Scandinavian kingdoms until the period from the last decades of the twelfth century to the end of the thirteenth. It is illuminating for the development in Sweden that about 1300 the peasants were liable to own shield and spear, sword and iron-hat, whereas on various occasions in the fifteenth century they were forbidden to bear these weapons, among others.

It is clear that the distinction that thus arose between a tax-free nobility and a tax-paying peasantry was detrimental for the latter, and led to an increase in the lands of the former, just as it did on the Continent. There are various Danish and Swedish legal provisions that attempt to prevent feigned transfers of land from tax-paying peasants to tax-free nobles.

From the end of the eleventh century in Denmark, from the twelfth century in Norway, and from the first part of the thirteenth century in Sweden the tax-free lands of the Church increased very much. But it should be noted that in the provinces round Lake Maelare the Church is not really important as a landowner until after 1250. Everywhere the peasantry and the lay aristocracy fought the accumulation of lands in the hands of the Church, as is apparent, for example, from the legal provisions about the right of bequest. And the various measures giving relatives pre-emption of inherited land should not be considered as evidence of an original state of affairs when the family was owner of the land, but of the crisis at the time when the laws came into being, when the Church in particular tried to get control of as large estates as possible, mostly perhaps by purchase.[1]

The accumulation of land in the hands of the nobility and the Church led to only a slight increase in this manorial system. The farms, called in Denmark principal farms (*curiae principales*), that were run for the

[1] The price that the Upland Law fixes for purchase by relatives seems to be more, and not—as has been thought—less, than the normal one in the province at that time; and this speaks against the former alternative above. Not until the increase of land values continuing in Sweden until about 1350 did the standard price for purchase by relatives fall below the ordinary price for land.

nobility and the prelates were not usually very large during the Middle Ages. The land that was apparently cultivated in 1344 on a farm run for the Swedish archbishop seems on the average to have corresponded to four large or eight standard peasant farms. In these circumstances the increase of the land of the nobility and the Church meant an increase in the number of land-tillers but not land-owners among the free agrarian population. The disappearance of the slave-class by emancipation had the same effect. In this respect as in others the development in Scandinavia is later than, but in the main the same as, that in the rest of Europe.

We may distinguish several groups in the free, landless agrarian population. But it is not always possible to keep them apart, as the terms used seem ambiguous and were subject to sense-change during the central Middle Ages. The lowest division of this landless population is that of the labourers. Most is known about them from Sweden and Norway. It is clear that they came from the old serf class, and in part carried out the functions of the serfs. They received money wages and food for their work. Cultivation extended very rapidly during this period, and it seems to have been hard to get labour of this kind. We certainly find both Swedish and Norwegian legal provisions intended to facilitate the supply of labourers for the farmers. This can already be seen in a Norwegian law of the thirteenth century. In the laws for the Swedish provinces round Lake Maelare—which were codified from about 1300 onwards—all men and women without fixed abode are required to take service, if it is offered. Just before 1350 this liability had been extended to cover the poorer elements all over the country. After the Black Death, when the lack of labour was naturally felt more strongly, the Norwegian legislation was made more severe; in Norway too at this time work was compulsory.

Above the group of wage labourers we should place those who received for their own use a house and a plot in exchange for liability to do certain work for the landowner. In Denmark, where the cadastres of the fourteenth century contain the best information about their situation, a member of this class was called *gaardsaede* (*inquilinus*). They too must largely have come from the serf class. Their position varied greatly. Sometimes their land was only a few small patches, situated outside the common village land, but sometimes it comprised a small part of this. In a list of the estates and sources of income of the Bishop of Roskilde about 1370, the highest figure for the ploughland of an *inquilinus* is 1/8 *marca in censu*, i.e. hardly as large as a peasant farm of minimum size. In a list of the lands of Aarhus Church from the beginning of the fourteenth century, i.e. before the agrarian decline, the ploughland of the *inquilini*—where it existed at all—was considerably less. Their liability to perform day-labour on the landowners' farms varies very much

from case to case at both these times; some worked daily, others did 2–4 days a week according to the time of year. In another respect too the conditions of the *inquilini* differed, both during the beginning of the fourteenth century and about 1370: some paid a fixed fee to the landowner, others did not.

Above the *inquilinus* came the *landbo* (*colonus*, tenant), or—as he was called in Norway—the *leilending*. In the fourteenth century, which is the earliest time when we can determine the position of the *inquilini*, the boundary between them and the tenants is rather vague, as the *inquilini* sometimes paid fees to the landowners, and the tenants sometimes were liable for day-labour. But it is apparent that the tenants had a different position from the *inquilini*, a position exactly determined in law. The tenant system is certainly old in Scandinavia, older than the central Middle Ages, and is already completely developed in the oldest Scandinavian documents. In the Scandinavian laws of the central Middle Ages the tenants are free in all respects. They were equal to the landowning peasants in everything except that they did not own the land they tilled. Like the landowning peasants they were liable for military service, and when this national military organisation was replaced by taxes to the crown, they became tax-payers too. The tenants held land that might equally well belong to farmers, nobles, priests, Church organisations, or the crown. On the other hand, at an early period, as appears from certain legal regulations, a noble or a peasant could till land leased from someone else besides his own; he then had a relation to this person corresponding roughly to that of a tenant. The landowner was called the tenant's land-*drott*. He received from the tenant earnest money, called *staedja* or *gipt*, at the beginning of the lease, and an annual fee called *landgille* or *avrad*. This was sometimes paid only in money, sometimes in kind—mostly corn—and money, sometimes only in kind. Conditions in this respect varied from village to village. In the Oestgoeta Law a certain standard annual render was stipulated for an *octonarius*: this included two days' labour to the landowner.[1] The length of the lease differed in various parts of Scandinavia. In Denmark it was for only one year, in Norway usually for three. In the Maelare provinces it was eight years, in Oestergoetland it seems to have been six. But in spite of this—at least in some parts of Scandinavia—under certain conditions the tenant might be given notice by the landowner before the lease expired; and there may be traces of a tenant's having the preference to a renewed contract when the lease expired. In Norway the *leilending* was early able to obtain a lifetime lease to a farm. In another respect too, according to the laws, the situation of the tenants varied in various parts of Scandinavia: while in Denmark they owned the farm buildings themselves, in Norway

[1] Cf. for *octonarius* above, p. 477.

and Sweden these belonged wholly or in part to the landlords, and the tenants were liable to keep them up. In practice, however, the Swedish-Norwegian system seems to have been accepted in Denmark also as early as the thirteenth century. And in Denmark too it became the rule that for certain sums the landlords placed stock at the disposal of the tenants (*estimatio*).

It has already been said that the actual development blurred the boundary between *inquilinus* and tenant to a certain extent. In the same way the boundary became less definite between the tenant and the *bryte* (*villicus*). The *villici* were the highest class of the landless tillers. They were often quite simply bailiffs of large farms, ecclesiastical or royal perhaps. But there was also another kind of *villicus*: he held of some landowner, farmer or privileged person a farm with its appurtenant land, concluding with his landlord an agreement about the chattels belonging to the farm; the ownership of these was determined by a fixed quota; the landlord owned a certain part, the *villicus* another.[1] A Swedish document shows that in one case the landowner and the *villicus* each owned half the farm chattels. Unlike the tenant, the *villicus* did not have to pay a certain sum to his landlord, fixed for at least the period of the lease. He had to deliver up a certain part of the harvest, usually a third. But the common ownership of the chattels that was established between the landlord and the *villicus* seems to have been discontinued fairly soon. It is still clear after 1300, however, that the *villici* continue to deliver up a certain part of the harvest to the landlords, while the tenants pay a fixed fee. But during the fourteenth century this distinction disappeared: whereas the *villici* of the bishop of Roskilde in Zealand often paid a fixed yearly fee during the 1370's, during the same period Upsala Cathedral had on many of its farms tenants who did not pay a fixed fee, but delivered up a third of the harvest instead. Yet the *villici* were certainly still the highest class of the landless cultivators. This is obvious from the fact that the largest farms are regularly distributed to them. As stewards of these lands they often received the work, produce and money for which the *inquilini* were liable.

Besides these principal classes in agrarian society there appear others —in Sweden, for instance, *allmaenningskarl* (tiller of common land), *torpare* (*oppidarius*) and so on. These all seem to be pioneers who have started farming in the woods in common or private ownership.

It is obviously of great significance how far and in what direction the agricultural crisis of the fourteenth century affected the agrarian population. The development can be studied continuously only in certain areas: about the middle of the fourteenth century there must have been a decline in the population, for the price of tenures drops considerably

[1] Cf. above, p. 293.

during the century. And from Church cadastres after the middle of the century we are able to see that a number of small-holdings are waste: the lack of labour is obvious. In Zealand the fees from the tenants' farms to the Church dropped considerably up till the 1370's. In Upland in Sweden, according to a cadastre of the same period, several of the Church lands were newly cultivated. They had been taken into use again. Very often the tillers of these lands handed over a third of the harvest but paid no fixed fee. It would seem as if at this time the tenures included more land than before, even on the average more than was considered proper for a normal-sized peasant's farm about 1300. At the beginning of the fifteenth century, when we can once more have some idea of conditions in Upland, the render had been lowered in many places, though not consistently.[1]

These circumstances, which may be observed in various places in Scandinavia, along with other, parallel phenomena, must mean that the situation of the non-landowning agrarian classes had improved. And no doubt this was so in many respects. But on the other hand, at the same period we come across things that imply a different tendency. The tenants' right freely to give notice of the contract they have made with the landowners was limited in Denmark as early as the fourteenth century: to be freed from the land they have tilled they have to pay an extra fee, called *forlov*. And during the same century there are indications that on the Danish islands the tenants had no right to change their dwelling freely. Here, from the early fifteenth century onwards, there prevailed *vornedskab*, a kind of serfdom, under which the agrarian population was liable to remain in their native places and take over unoccupied farms at need. And this in its turn brought about a state of affairs very reminiscent of pure serfdom, e.g. actual trade in tenants. In Sweden at the beginning of the fifteenth century we can observe a slight tendency in this direction: some provisions of 1414 lay it down that a tenant may not leave his farm until the lease of 6 years has expired. And in Sweden too we can see, that if the tenants' fees in money and kind diminished, on the other hand the work done had increased: according to the above-mentioned regulations a tenant was now liable to do 8 days' work a year for his landlord, and one long-distance carting.

The position of the landowning peasants also changed in course of time: the dividing line between them and the tenants became less marked than it had been at an earlier date. As long as the tenants still paid their render to the landowners and tax to the crown, as they did in Denmark in the 1240's, the boundary between owners and non-owners was clear. But already before the end of the thirteenth century,

[1] For conditions in Upland cf. primarily the cadastres of Upsala Cathedral from 1376 and 1417, both unpublished and in the Svenska Riksarkivet, Stockholm.

in both Sweden and Denmark, the nobles had also been guaranteed immunity from tax for those farms that were run by tenants—a privilege that the Church too had, or got. The result was that the tenants' former fees to the crown fused with the renders to the landowners. From now on the difference between the tenant and the peasant was that the former paid the landlord, the latter the king. It is true that the peasant had an hereditary right to his land, but when a fixed fee to the crown was attached to it, his position was not really very different from that of the tenant. And it is obvious that in these circumstances the landowning peasant reaped an economic advantage from selling his land to a tax-free noble and afterwards cultivating it as a tenant. It was to check such transactions that the legislation already referred to was introduced.[1]

In other ways also the crown tried to prevent the lands of the tax-free class from increasing too much. For this increase would have caused the income of the crown to decline, and the taxes would have lain especially heavy on those peasants who still owned their land. On various occasions the crown succeeded in enacting that certain lands that had fallen by different means to tax-free institutions and persons should be taken from them and restored to their old owners, the peasants, who of course again became taxpayers. A Swedish instance of this policy, from 1396, is particularly famous: by it farms that had been transferred from tax-paying to tax-free owners after 1363 were restored to the former. From documents that have been preserved we see that the number of farms that had passed into the hands of the privileged classes since 1363 was very large. In 1396 they were made liable to tax under the crown, and thereby restored to landowning peasants.[2]

In spite of the precautions that the crown took in its own economic interests to maintain the tax-paying peasants in their ownership, the fundamental development was that the tax-paying peasantry's share of the land steadily decreased. Unfortunately this development has not been systematically investigated.

It is thought that in Denmark during the first half of the thirteenth century, half or even two-thirds of the land was held by landowning peasants. But when about the middle of the seventeenth century conditions can be properly surveyed, only 10 % of the land was in the possession of the peasantry. In considering this last statement, however, it must be kept in mind that the land owned by the peasantry must have diminished very much during the sixteenth and the first part of the

[1] Cf. above, p. 478.

[2] For the Swedish restoration of 1396 cf. G. G. Styffe, *Bidrag till Skandinaviens historia* II, 1864, pp. lx ff. His estimate that in Upland, where there were between 8000 and 10,000 farms and thorps in the sixteenth century, about 1200 were returned to landowning farmers after 1396 (*loc. cit.* p. lxvi) is probably too high.

seventeenth centuries, the period called the Age of the Nobles in Danish history. In any case, at the end of the Middle Ages the Church was the greatest landowner in Skaane: about a third of the land in the province was in its possession.

It has been said of Norway in the first half of the fourteenth century that the crown owned about 20 % of the land, the Church about 25 %, the nobility about 15 % and the peasantry about 40 %. But very many of the peasants' farms must have been tilled by tenants. By 1625 the peasantry's share of the land is said to have decreased to 25 %.

No attempt has been made to elucidate the distribution of the land in Sweden. The reasons are simple: there is no material suitable for generalisation; and extremely detailed investigation of the available records is required before it can be said whether results for even extremely limited areas are obtainable. But in Sweden too it is usually considered that the landowning peasantry was more numerous during the early Middle Ages than during the first period of modern times. The sources that have several times been cited to illustrate conditions in Upland during the fourteenth century do not conflict with this. It is possible to get a clear survey of the distribution of ownership in Sweden about the middle of the sixteenth century. At this time over 60 % of the agrarian population owned its own land. But this proportion, so favourable for the landowning peasantry, is largely due to conditions in Finland and Norrland, which was colonised late. For in both these areas almost all the land was owned by the peasantry. In Dalecarlia too the landowning farmers were in the great majority. But in the rest of the country they were hardly more than a third of the agricultural population. It is typical for the general situation that in the finest agricultural district of Sweden, Oestergoetland, only a seventh of the peasantry owned their own land. The Swedish land that was not in the hands of the peasantry was divided fairly equally between the Church and the nobility.

This was the result of the development that took place in Scandinavia during the central and late Middle Ages. In many respects the actual starting-point of the development is uncertain, the development itself is frequently obscure, and frequently only vague outlines can be distinguished. Future research alone can throw light on conditions here, as on many other problems of agrarian history in Scandinavia during the Middle Ages.

Chapter VIII

Medieval Agrarian Society in Transition

I. *Introduction*

(*a*) *The inheritance from earlier times*

In the course of the later Middle Ages the moulds in which economic life was set begin to loosen and in places to decay. In the supply of local commodities for the market, handicraft bound by rigid gild rules finds a competitor in the outwork system. Commerce is no longer an affair of individual merchants but of firms based on capitalistic foundations and involving the organic co-operation of many individuals. And even that most conservative field of economic activity, agriculture, has lost many of its primitive features. Nor was this the only change, for whilst in medieval times the economies of the various countries had a common plan and went through approximately the same manifestations and transformations, in the age of transition to modern times countries begin to go their own particular ways.

At least in Central and Western Europe the main lines of agrarian evolution during the later Middle Ages have a great deal in common; enough at all events to justify a general account of the region that embraces England, France, Germany west of the Elbe, with the whole valleys of the Weser and the Rhine including Switzerland and finally the basin of the Danube down to the Hungarian frontier. The German lands east of the Elbe, which had been taken from the Slavs, with all that lies east of them, developed on very different lines. Within this central and western region there are naturally differences of detail, determined mainly by climatic and geographical conditions. South and North have their peculiar products. Some southern fruits must be brought from Mediterranean France or Italy or Spain; the silkworm cannot live in the North. But the North was far richer in forests and had so been even before southern forest-lands had been sacrificed to reckless exploitation. Some districts are favourable to the vine; in others flax and hemp grow to perfection. Corn growing is difficult in high-lying regions that are specially favourable to cattle farming; and so on. Yet, in spite of these geographically determined differences, the astonishing uniformity of medieval agricultural conditions throughout the whole of the region has been pointed out again and again.

The point of departure is the fact that the whole agrarian economy so late as half-way down the Middle Ages was dominated by the idea

of self-sufficiency, though already extensively affected by market transactions. Bread-corn was the core of that economy, different grains predominating according to the nature of the soil and the geographical conditions. After bread-corn came essential vegetables and fruits, then flax and hemp for linen, dye plants and oil-yielding plants. Vine-growing was practised far further north than it is to-day. In the vast majority of regions there was enough wood available without any planting or forestry. In mountainous country, such as the French and what are to-day the Swiss Alps, a growing population made the local corn supply inadequate, although corn was grown more than it is to-day and at elevations now given over to pasture. This involved imports, and the necessary export values were provided in the French Alps by the sale of wool and in the Swiss Alps by that of butter and cheese, with cattle sent southwards into Upper Italy and northwards into the subalpine region. There are other signs of the beginnings of long-distance exchange of agricultural produce at least as early as the twelfth century. Local exchanges of corn, cattle and dairy produce with a neighbouring town were of old standing. To these were added transactions at a longer range. Gascony, Poitou and Anjou sent wine to England and the Low Countries, and chestnuts, almonds and olives were also exported from the South of France. There was already an export of English wool first to Flanders and then to other points on the Continent.

Further there was an agricultural technique common to all countries. All over Western Europe the two- and three-field systems, or the two- and three-course rotations, were, as we know, the normal bases of agricultural practice, whether in the familiar open fields of nucleated villages, in the smaller and less complex fields of many hamlets, or on the lands of isolated homesteads. For geographical reasons there was greater variety of cultivating methods in France than in England or Germany—a greater extent of two-course territory and irregular open fields and a more formidable problem of providing food for the cattle in the south; more compact holdings, separated from the surrounding country, as about the *mas* in the Limousin or the Marche; little Breton enclosures like those of Wales and the English South-West; and great regular open fields with three-course rotation in the Seine basin and the north. But even in the north—in Alsace, Lorraine, Normandy—the two-course rotation was also found. The two- or three-field systems (as opposed to mere two- or three-course rotations) involved some measure of co-operation, peasant holdings in scattered strips or blocks and common grazing rights. The cultivation of compact and fair-sized holdings, separated by hedges from neighbouring property, was indigenous in Western France—Brittany, Maine, parts of Poitou, near the Spanish frontier and in the Alpine lands east of the Rhone valley. Here

there was no necessary co-operation among the peasants and no common use of fallow; isolated homesteads and hamlets took the place of nucleated villages. In Germany, however, during the later Middle Ages, the three-field system was almost universal. It was only in hilly districts that conditions called for a development of the primitive *Feldgras* or so-called *Aegerten-wirtschaft*, in which stretches of forest or scrub were cleared for the plough, cultivated for a few years and then left for a spell unused to recover their fertility.

All the fertile and well-situated land was employed for corn growing. Both in Germany and France meadows were very rare. For grazing there were the fallow fields, deciduous woodlands[1]—then more extensive than they are now—and the areas of brushwood and swampy land unsuited to the plough. This limited the head of cattle strictly; for lack of hay only a few could be kept through the winter. In England conditions were somewhat better and meadow was normal. Besides the oxen and cows, used both as draught animals and to provide meat and dairy produce, swine and poultry were kept for food and everywhere more sheep than are often found to-day, because the peasant not only made woollen cloth for his own clothing but might have to supply it to his lord.

Thus in all three countries the idea of self-sufficiency for the most part dominated the peasant's way of life, even at a time when the economy of exchange was well developed; and there was an agricultural technique common to them all. Almost equally universal was the system of great estates and seigniorial institutions. There were a few free-holding peasants, yet a multitude of inquiries have proved that they declined heavily in the course of the Middle Ages. In England the absolutely free peasant who lived on his own land and was subject to no one but the king and his officials, if he ever existed in considerable numbers, had disappeared at an early date. In France the number of such absolutely free men seems no longer to have been considerable by the end of the thirteenth century. They are found, it is true, in compact blocks in Guyenne, but we cannot be sure that this is really an instance of the survival of a free primitive peasantry and not, as parallel instances in Germany suggest, the result of a freedom won first in the twelfth and thirteenth centuries through clearing of waste and forest-land. This connection of freedom with colonisation is certain in the case of the numerous free peasants of Flanders who had brought the coastal district under cultivation and whose sole master was the Count of Flanders, until in the fourteenth century they came under the dominion of the powerful Flemish cities. In German-speaking lands during the later Middle Ages groups of free peasants with a privileged

[1] Cp. above, p. 162.

legal position and specially favourable tenures are to be found in various districts. They are generally treated by historians as survivals of the fully free peasantry of early medieval times. But the paucity of documentary evidence from the end of the tenth to the early years of the twelfth century prevents us from linking up the free social elements of the fourteenth and fifteenth centuries with those of the early Middle Ages, so that the question of continuity must remain open. The most recent inquiries have proved—as will be shown more fully later—that these free men of the later Middle Ages with their 'free property' were for the most part a new creation of the central Middle Ages.

Thus in all three countries by far the greater part of the land was the property of large owners (though they seldom held continuous compact estates) and what free property there was in peasant hands was so unimportant that it could exert no influence on the further development of social relations. Large estates were the rule, with their demesnes for the most part cultivated by the labour of servile or dependent peasants and their 'tenures', free or unfree, in peasant hands but under seigniorial supervision. Such great domains were as a rule great lordships; the lord was both the proprietor and the chief political, and above all the chief judicial, authority of the estate, though the extent of his authority varied.

Class relations rested in the main on their earlier medieval basis, but already the lines of cleavage had begun to be blurred. The absolutely servile peasant type with no legal rights, who might be treated as a chattel, and the dependent peasant with limited rights had coalesced into a single type. Chattel peasants were still to be found in France in the middle of the thirteenth century, but not in England or Germany. The whole composite group of the 'unfree' was, however, subject not to the public courts, but to those of their lord or his representative, except in cases of life and death—and even this higher justice might have been granted to a lord. The whole group was bound to the 'manor'; no member could leave it or marry son or daughter outside it without the lord's consent and the payment of a fine. When the holding passed from a man to his heir, all alike had become bound to pay the 'best beast' or 'best article of clothing' in recognition of the lord's rights; this claim might, however, be commuted for a money payment, as it was at an early date in England.

The obligation to pay these three taxes—chevage, merchet and heriot, to use the English terms—was the universal sign of 'unfreedom' during the second half of the Middle Ages. The lords clung to them tenaciously because of their money value. The law was always reinforcing the doctrine that 'unfreedom' was a personal characteristic of the members of a class, inherited unconditionally from 'unfree' parents and in no

way connected with direct service of a man's lord, and the old rule that a child with one 'unfree' parent could not be free was maintained. So in all following centuries 'unfreedom' was simply perpetuated by inheritance, though it might have lost all external justification. But apart from these three test obligations of the 'unfree' there was no economic distinction in the second half of the Middle Ages between them and the free. Both classes were economically dependent on a lord and owed him dues in kind and services in return for their land. Only the services of the unfree might often be unlimited, that is, not precisely fixed, whilst those of the free were fixed very precisely by agreement or customary law.

To ascertain the ratio between free and unfree is very difficult. It varies from country to country and from district to district. There is not much doubt that the free English peasant had won a better social status than his fellow in France and Germany towards the close of the Middle Ages, because of his military value as an archer. He came under royal jurisdiction and enjoyed all a fully free man's privileges. He owed dues in kind, but never week-work, at most only harvest work, and he could dispose freely of his land, which led to great inequality of holdings among free tenants, both upwards and downwards. In France both free and unfree (*vilains* and *serfs*) owed rent and service for their land. Right down to the eighteenth century lords retained the *banalités* of oven, mill and wine press. There was also the obligation to defend the lord's property in case of war and to support his soldiers, or to cover part of his military expenditure by the payment of that *taille* which became a permanent tax with the establishment of the standing army in 1450. A free tenant had the right to sell his land; but he must get his lord's consent and for that he had to pay *lods et ventes*. As for the 'unfree', their services were usually heavier than those of the free and indeterminate and as elsewhere they paid 'merchet' and 'chevage'. In the German Empire also, the mass of the rural population, whether called free or unfree, was dependent on some lord, and again we are ignorant of the relative sizes of these two groups. But it is to be noted that there was a central region—bounded approximately on the south by the Erzgebirge and the Thüringer-Wald, on the west by the valley of the Weser and on the north by a line from Halberstadt to Wittenberg—in which the unfree were few even in early medieval times and from which in the second half of the Middle Ages they disappeared.

(*b*) *The transformation during the age of transition to modern times*

But important changes and dislocations in all these relations associated with the 'manor' were under way. They affected first the relation between the lord and his land; then his relation to the free or servile cultivators of it; and finally his relations with the public authorities. At least since the thirteenth century his land had often ceased to be that sole basis for his economic existence that it had been in earlier times. The money economy had begun to affect him. As the standard of living rose in the towns the lord began to make greater demands on the countryside. Some of his requirements—fine clothing, costly armour and weapons, for example—had been supplied by merchants at an earlier date, when already only his day-to-day needs had been met by his estate. Now the range of commodities that he acquires from the merchant or the craftsman for cash is always extending and so consequently is his need for ready money. He begins to adjust himself, so far as he can, to the money economy, seeking in the civil or military service of the state lucrative sources of revenue: to some extent he even turns to trade.

His estate ceases to be the sole and direct foundation of his existence. His life is no longer absorbed in its personal administration and exploitation. He wants only to make sure of a fixed income from it. He abandons personal control of the demesne and the 'manorial' establishment and lets them, like the rest of the estate. He leaves his peasants free to till their holdings as they please so long as they pay their dues regularly and correctly. The estate becomes merely a source of income. Its feudal lord becomes a *rentier*.

With that his relation to his peasant tenants changes; as he has ceased to cultivate any part of his estate he is no more interested in the 'works' of his bondmen and dependent peasants. Servitude and dependence lose their meaning for him. He is prepared to relax these personal ties by manumission and to commute personal services for cash down or—much oftener—for a regularly recurring payment. This creates for him a new source of income. He is also inclined to replace a feudal contract which establishes relations of personal protection and allegiance by a rent contract—a purely material relationship between a couple of legal equals. With that there vanishes his obligation to assist his tenants in every crisis of life, to be their true lord and defender. On the other hand, he is creating the risk that the free tenant will strive to become an independent owner of his holding.

The lord could guard himself against this threatening loss of rights in one of two ways. If he planned to maintain the traditional renders in kind, he could attach these as real burdens to particular plots of land, so that anyone who took a plot automatically took over the burden,

even if he were a free man. That meant a closer economic bond between peasant and lord. If, on the other hand, the lord was aiming primarily at a secure income in money, he utilised the fallings-in of holdings by the death or migration of their holders, or as a result of manumissions of servile holders, to abandon the old customary tenures and introduce a system of legal rents, which could easily be fixed in terms of money. This change over was especially common in England.

In either case there resulted a certain break-up of the unfree class, on the one hand, and on the other a heavier burdening of free tenants; and thus an incipient blurring of the line of division between the two classes. For both classes it is true that, instead of the personal relationship between lords and their tenants, purely material connections were being set up. The bond became a business bond, a cash nexus.

But a totally different development was possible. Wherever any crop could be produced on a large scale, corn or wine or southern fruits—and that was possible along navigable rivers or near the sea coast—production for export became a profitable enterprise. This tempted the large landowner to bring the cultivation of his whole estate into his own hands, so that he might control directly a maximum amount of the production and market it. In that event tenants were in his way; he tried in one way or another to get rid of them and replace them by wage and seasonal labour. His prominent social position helped him in this. The great estate, instead of dissolving, is consolidated: the lord's rights of ownership are strengthened; the tenants are dispossessed (*Bauernlegen*). It was in this way that in Eastern Germany and in Poland, good corn-growing countries, the *Gutsherrschaft* replaced the old *Grundherrschaft.*[1] For similar, though not identical, reasons large English landowners from the sixteenth century systematically adopted the policy of enclosure.

There was a change also in the field of justice. Peasants holding under the old customary law had been subject to the lord's court. Seigniorial officials were judges as well as administrators. But the free farmer who replaced the peasant was under the law of the land, for his relation to his lord was one of public law. Thus seigniorial justice was always losing ground to the justice of the Crown.

These developments affected also the social position of the lords. The payments in money which replaced the services and other obligations of the peasants were fixed once for all and for long periods. Their purchasing power fell steadily as the value of money declined. If when making the change the lord thought that he was doing a good stroke of business, he or his successors lost heavily in the long run. It was the peasant who won and the great landowner who suffered in the end.

[1] Cp. above, p. 389.

That is shown by the steady impoverishment of those landowners who were unable to supplement their dwindling incomes by trade or the service of the state in administration or war. They fell into financial difficulties; they had to pledge, and were often obliged to sell first their incomes and then their property. A great part of the landowning class collapsed economically altogether. The process can be traced all over West and Central Europe. Only the date of its inception and the degree of its intensity vary from country to country. In the places of the broken landowners appeared enterprising peasants who, utilising their great freedom of action and understanding how to take advantage of favourable economic opportunities, added to their land by purchase or lease and worked it on a new commercial basis. Side by side with these pushing peasants, substantial burgesses bought up peasant holdings because they reckoned them good investments. With none of the medieval traditions of the gentry, they exploited their property by newer methods, more appropriate to their day.

The decay of seigniorial power brought about an extensive destruction of those existing seigniorial associations which had been both economic and legal in character. Thereby the peasants, become freer in their activities, were stimulated to closer co-operation within their village communities, to protect jointly their interest as peasants. The village communities became administrative cells no longer of seigniorial authority but of the public authority of the state. This co-operation among the peasants independently of seigniorial authority, and their consciousness of power, led them to aim at shaking off the last bonds of that authority. So the close of the Middle Ages is marked by a sustained struggle between a peasantry striving after complete independence and a landlord class clinging tenaciously to rights which were also its sources of income. In all three countries—England, France and Germany—this struggle took at one time or another the form of open civil war.

We have now to fill in the details of what has here been sketched in outline.

II. *The beginning of the transition*

(*a*) *The clearings*

It was that internal colonisation which has already been examined that made the first break in the earlier framework of class and property relationships. The process came to an end about the year 1300: and in Central and Western Europe the cultivated area was not appreciably increased during the next 500 years.

The land to be cleared had, in part at least, been regarded as belonging to the state, the ruler. He granted it to lay and clerical magnates—above all, to monasteries. They had to find the necessary colonists, and, as we have seen, this meant the offering of specially good terms. The colonists did not, it is true, become owners of the cleared land—save exceptionally, as on the Flemish coast—but they usually got an hereditary lease with a small quit-rent in kind or in money; and, unlike the 'villeins' and 'small freeholders' on old cultivated land, they owed no demesne service. With their lord's consent, they could mortgage or sell their land. In England the population had grown steadily from the eleventh to the thirteenth century. Although the rising towns absorbed the greater part of it, there was also a rise in rural population which gradually led to redundancy. Additional cultivated land could only be acquired by extensive clearing. The state expressly encouraged the work by its enactments of 1235 and 1285. The only limit imposed on the clearing of waste land was that grazing ground enough must be reserved for the peasants. Cleared land was let to the pioneers, even to villeins, as though they were freeholders, or by lease for a term of years, in return for a rent paid wholly or partly in cash. But the newly acquired holdings were often smaller than the older ones.

In France also, during the comparative peace from the eleventh to the thirteenth century, population had increased greatly so that the corn-growing area had to be extended. At first there was extension about existing settlements. Then fresh ones were established—detached farmsteads and even completely new villages, whose lay-out reveals their artificial creation. We have clear evidence of such new settlement on a large scale, for example from the Orléanais and the Vosges, where it was carried out by colonists from a distance, who were settled as *hôtes* on their *hostises*. The acquisition of such a cleared 'guest's' holding carried with it personal freedom even when the colonist had been previously unfree. 'Freeman' and *hôte* became synonymous. In many places you did not speak of free and unfree peasants but of the *hôtes* and the unfree. For the *hôte* there was no question of servile 'heriot', 'merchet', *taille arbitraire*. His dues and obligations were accurately prescribed and limited—the amount of his *cens*, the number and date of his services. The *cens* was generally paid in money at 4–6 deniers the arpent, though rates six to eight times higher than that are to be found. There was also normally a *champart*, especially of corn crops—the tenth or twelfth sheaf; or egg, or hen. In the case of vineyards there was a different rule: after five years the peasant gave half of the newly laid out ground back to his lord, but kept the other half for himself (*complant*).

The course of events was exactly parallel in the German Empire.

Work in clearing land was rewarded by a peasant holding in *freiem Eigen*. This did not mean that the colonist acquired the proprietorship of the land: that remained with the lord. But the colonist was given an hereditary lease free from the obligations of the 'small freeholder' on old cultivated land. It was specially important that this advantageous tenure was not granted to a colonist as an individual, but went with the holding itself. So whether a free or an unfree man created the holding by clearing it made no difference. Besides, an unfree colonist acquired his freedom with this free holding—unless indeed a lord would establish a claim to him within a fixed period. The situation is brought out very clearly in a *Weistum* of Fronten, a village under the Bishopric of Augsburg, in 1459. In it the privileged status of the peasants is expressly associated with clearing work—*wan ire gut frei gut sint, als sie dann ir vordern uss wilden walden erreut haben*. Most of the cultivators of *freien Eigen* had also a privileged legal status. They were not under 'manorial' but under public jurisdiction. The Count or the Landgrave was their judge; his deputy was the Amman or Schultheiss, who was chosen by the free peasants from among themselves.

Owners in *freiem Eigen* might nevertheless often, in course of time, come again under the jurisdiction of a lord or, in the case of ecclesiastical land, that of a *Kastvogt* or judge,[1] but always as privileged groups of free peasants on whom the lord might not impose the same burdens as on the rest of his dependent people. 'Free', in this way, came to mean—as so generally everywhere—free from certain burdens and obligations of the small 'free' tenants in general.

'Free' holdings, for example, were numerous about Erfurt. They were on cleared land, cleared by the Bishop partly with the help of Flemish and Frisian immigrants. It was a free, heritable tenure which the lord could only invade if the rent were not paid after notice had been served three times. The rent was a quit-rent which witnessed to the lord's proprietary right, and it was paid in cash. Tenants of these holdings could not be required to do 'works' or other services. When the holdings were granted, or when they changed hands, a moderate fine was paid. For their sale the lord's consent had to be obtained. Similar groups of free tenants are found in Saxony and Eastphalia. In the south they occur in the Breisgau, in the mountainous parts of what is now Central and Eastern Switzerland, in Tirol, in Upper Austria and in parts of the Bishopric of Augsburg. Originally they were no doubt much more widespread. Many disappeared, having lost their privileged position in course of time.

With the establishment of free peasant holdings there began in all three countries an important change in the social stratification of rural

[1] See below, p. 506.

society. 'Freedom' and 'unfreedom' are no longer exclusively a question of blood. They depend also on the legal position of the peasant's granted or rented land. *Freies Eigen* gives freedom to its holder as such. And this state of affairs affected the position of peasants on old cultivated land. For there was danger of too much migration to the cleared land and a resultant shortage of labour in the older villages. In various parts of Germany we find so-called 'deserted villages'—wholly or partly abandoned by their inhabitants. They are mostly in unfertile and ill situated regions, where peasants abandoned the hard struggle for existence and sought better conditions in towns or on 'colonial' territory. The lands east of the Elbe were especially attractive, as has been seen. And to check a threatened depopulation, the standard of life and the property rights of peasants had to be improved in the West.

(*b*) *The influence of a money economy*

The steady progress of a money economy proved far more destructive to old relationships than active clearing ever was. It spread outwards from the towns. Further, the products of urban handicraft competed with peasant industries, which hitherto had supplied not only the peasants but the lords and their establishments with articles of consumption, clothes, implements, and with houses and their fittings. The urban craftsman excelled the peasant in technical skill and quality of workmanship. This tempted lords to supply a part of their needs not from their own estates but from urban markets.

On the other hand, the growing towns provided greater outlets for rural produce. That allowed for higher food prices and rising land values. This encouraged the peasant to increase his returns by improved agricultural technique and a more intensive use of his land. For it was he who profited by an increased output in the first instance, not his lord whose receipts in kind were fixed by established custom. In the fourteenth century the lord received only something like a fifth of the yield of his land. An attempt to increase his share was very difficult, for it encouraged peasant migration to the towns and the 'colonies'. Leases and rent-contracts of this period not infrequently forbid in set terms any raising of the dues.

So the lord must adjust himself to a money economy. This he did in different ways in the three countries, but the result was everywhere the same, that is, a transition to a rent system. The lord was obliged by necessity no longer to treat his own demesne, and its exploitation under his own eye, as the sole material basis for his existence. He sought an income in money from his prince as an official or a soldier; or he served a town and even himself engaged in trade. His manor-house he

abandoned, to settle in a town or some important centre of administration. If he did remain on the land, he retained only a small fraction of his demesne and granted out or let the rest, like the other parts of his estate, to individual peasants. But he tried to make his property guarantee him once for all a fixed income in perpetuity. If this was provided yearly by his various types of tenant, he left them free to manage their holdings as they thought best. His land was to him merely a source of rent. Any centralised exploitation of his whole estate was out of the question.

This disappearance of the old centralised administration led gradually to a complete dissolution of all existing relationships. The personal link between lord and peasants snapped. Having let or granted away his demesne wholly or in part, a lord no longer needed the personal services of his men. He was ready to give freedom to the unfree—not for nothing but in return for a payment which added to his cash income. Often the serf had not money enough to buy his freedom. Then he remained subject to his lord, but was given leave to go away and turn to another occupation, provided that he paid a yearly sum to make up for his master's loss of his dues, especially heriot, merchet and chevage. With that, personal unfreedom lost all real meaning.

Services did not however disappear entirely. It has been estimated that they had fallen in France from about 150 days a year in Carolingian times to about twenty. Where the lord still worked some part of his demesne, he naturally retained certain services. Monasteries in particular kept up the old system on some of their estates. So it was to their interest to keep up the *corvée* also. This will be discussed later. For the moment we merely note that lords with rights of justice had shared the yield of the peasantry with the lords of the soil. The official position of the former was bound up with the exploitation of a demesne, so they had been assigned services and other dues. They had therefore some interest in their maintenance.

After the dissolution of the great proprietors' centralised exploitations they had less interest in keeping families on their estates from generation to generation. On the contrary; if grants of land were free, their terms might be rearranged to suit the new conditions. Rent-contracts of modern type often replaced land grants of the medieval type. Being usually connected with the three-field system, leases were normally for three years or some multiple of three. Unlike the old grant which put the grantee under the authority of his lord the grantor, the lease was arranged between men with equal rights, though one party was socially and economically superior to the other. The cessation of personal relations between lord and peasant had this danger; the uncontrolled tenant began to think of himself as lord and owner of his holding,

grudged any obligations to his lord and tried to evade them. The lord was obliged to protect himself in fresh ways against the gradual loss of part of his income. This he did by turning the dues owed him by individual peasants into perpetual real servitudes upon the actual holdings, and by having the rights and duties of his dependants and farmers carefully written down. The holding itself became responsible for the dues which represented the original *cens*, besides such obligations as services, and those owed to a lord in his judicial capacity—hospitality for himself and his train, oats and hay for his horses on court days. This rearrangement of obligations still further confused and dissolved existing class relationships. What determined the burdens and obligations of an individual peasant was not his free or unfree status, and his primitive relation to a lord, but the legal position and obligations of the holding that he happened to occupy.

We have seen how on cleared land free and unfree alike had secured better property rights and a superior position before the law. A similar blending of classes now set in on old cultivated land also. A free cultivator, by taking over a holding burdened with services and other dues, might become liable to heriot and so on, from which he had previously been free. So the free were in danger of slipping towards unfreedom. The distinction of blood between free and unfree was vanishing towards the close of the Middle Ages. 'Free', as applied to a particular peasant, or on a particular 'manor', meant henceforward free from some particular obligation, it might be week-work or heriot, the fine paid when the holding changed hands, or the obligation to remain in the 'manor'. In one case a whole commune was declared 'free' because it had acquired the lord's ale-rights. So there was a new division between free and unfree. The free man was the man who owed no services and no heriot; the man was unfree who owed them. But neither class was absolutely divorced from the 'manor'. And the possibility remained of moving from the unfree into the free class by purchasing manumission, being released from services, or acquiring 'free' land.

That newer subjection to the rising territorial princes which is sometimes described as serfdom will be discussed in another connection.

A further consequence of the peasant's greater freedom of action was the possibility of selling part of his land or acquiring more. The former indivisibility of the holding and the doctrine of its inheritance by the lord, breached at an early date especially in France, now vanished entirely. In Germany under the intrusive influence of Roman Law upon legal decisions, even a doctrine of inheritance of real property by daughters sprang up. As, in the course of the fourteenth century, good

cleared land became less and less available, and the towns showed only a limited capacity to absorb more population, relatives began to divide up the patrimony and the close family bond of several generations was dissolved. The lord's attempts to interfere with this course of events were fruitless. More and more frequently, not only intact standard holdings but parts of them—halves, quarters, even eighths—were leased or rented out.

In England, where the indivisibility of the holding was longest maintained, younger sons who could not inherit the paternal land might get smaller grants, averaging 5 acres. These cotters, in view of their paltry holdings, had usually to do only one day's service a week. As Monday was most often the day, they were called "Monday men". In South Germany such smallholders were called *Schupposer*; in Middle and North Germany *Kötter*; in Tirol, *Söldner* or *Selmänner*.

Inequality of holdings, which existed already to a limited degree, now increased greatly. Side by side with peasants who cultivated far more than the old average *manse*, or virgate, or *Hufe* lived men with holdings so small that they had to practise some craft, if their families were to live. Others hired themselves out at harvest to the lords or the big peasants. So a new social stratum grew up, that of day labourers, the foundation of whose existence was not the cultivation of land but work for wages.

The loosening of seigniorial bonds with the decay of the old system of demesne cultivation led further to a growing intermixture of the dependants of different lords, through migration and marriage. The inevitable consequence was uncertainty about heriots, merchets, and the assignment of servile children to the right lord. Lords tried to meet the situation by local agreements to permit free movement and intermarriage. By these, any further pressure on the peasant class was avoided or at least reduced.

The divisibility of the holdings made it possible for a peasant to acquire land from several lords—and so to be under more than one jurisdiction. And conversely an ancient holding might be split up among several tenants. Surveys of the monastery of Rheinau near Schaffhausen from the fourteenth century reveal the complete break up of the *Hufen*. Most are divided among from three to six tenants, each of whom works strips of land taken from several of them. A further cause of the growing legal uncertainty on ecclesiastical land was the efforts of the *Kastvögte* to make the administration of justice over tenants of the Church, and its yield, separate and independent of lay manorial justice.[1] Various

[1] Because ecclesiastics must not shed blood, the duty of administering justice on their land had been assigned to a special lay judge, known as *Vogt* or *Kastvogt* in Germany and *avoué* in France. The expenses of the judicial administration, which,

steps were taken to avert the confusion in the system of dues which threatened to result from all this. First, every effort was made to retain the *Hufe* (or *manse*) as a unit for the dues, even when the thing itself was divided among several peasants. One of them, in German-speaking lands, was designated the *Träger*: he had to collect the shares of his fellow holders and deliver all to the lord. Another device was to have the dues of every holding accurately set out or, when that had not yet been done, attached as a real inalienable servitude to the land itself.

Such precautions were applied not merely to rents but also to other obligations, even to 'works'. Particular duties were attached as permanent servitudes to particular holdings—building work for the landlord or judicial lord, carting, attendance and service on court days, and so on. Even the liability to pay heriot and chevage were similarly attached, to save peasants from owing them to two or three lords. (So, if a freeman took over one of these burdened holdings, he had to discharge what had once been servile liabilities.) It was desirable moreover to have all these facts set out accurately in writing, and to have a record of those dues which had not yet become real servitudes and so could be attached as such to individual holdings.

And the judicial relations of these mixed up tenants had also to be determined accurately—the sphere of the lord's jurisdiction, of that of the *Kastvogt*, of that of the state. So the records of rights and duties, both of lords and peasants, were more carefully and fully set down in relation to the holdings in which the liability for them was now rooted.

In England the extents and surveys became more numerous and detailed from the thirteenth century. In France conditions were settled more often, as need arose, by *lettres de franchises*, and by the more and more frequent rent-contracts. Then there were the *terriers*, records of revenues, and the *coutumiers* which set out the rights of the various lords. In German-speaking lands, from the fourteenth century, we have the *Urbare*, in which the dues from the soil, and sometimes also the judicial relationships and their yields, are carefully set out; and the *Weistümer* or *Öffnungen*, in which ancient law and ancient custom, ascertained in the 'manorial' court or the court of the *Kastvogt* by inquiry from the senior peasants, is recorded and declared binding.

like other dues, were paid in kind and services, were originally owed by the lords because the judge was a deputy of theirs. Some of the peasants' dues were divided accordingly between the lord and his judge.

III. *The development in England*

(*a*) *The growth of money economy*

Money economy made itself felt earliest in England. It did not, however, at first serve to disintegrate existing conditions to the same extent as later in France, and especially in Germany. The reason was that the seigniorial system in England had been better organised on the economic side, and less exploited for political ends, than in either of the other countries; and so was more resistant. The English feudal nobility had not been able to acquire the political autonomy of the French or the German dynasts. Royal power had continuously controlled seigniorial justice and had thereby tended to preserve manorial administration. The greater political subordination of the English landowner perhaps diverted his interests from problems of lordship to those of ownership: he thought first and foremost of the exploitation of his domains and the organisation and development of his own agricultural enterprises; political ambitions fell into the background.

It was characteristic of the more tense economic management of great English domains that they possessed a regular staff of officials who superintended the farming of vassals and tenants. The greatest of the lay and ecclesiastical magnates were furthermore often assisted in the matter by baronial councils on which neighbouring lords, permanent officials and men trained in the law were commonly present. If a lord had several scattered estates, he would employ a seneschal or steward as general overseer. The seneschal travelled about to control subordinate officials and to ascertain whether all dues were correctly paid and all services properly performed. Each separate manor had its official who supervised day-to-day work, the cattle, the implements, the fields, and had also to sell surplus corn at the nearest town market. In the larger manors this would be the bailiff and beside him there was found sometimes, but not always, the reeve. Originally the reeve seems to have been the bailiff's assistant. He had to see to the proper delivery of dues and draw up the annual accounts. As he was in a sense also the peasants' representative, he was chosen from among them, and could be of unfree status. On many manors the peasants shared in his appointment, having the right to propose nominations. But the manorial accounts of the thirteenth century show that many manors, particularly the smaller ones, were entirely run by a reeve or *serviens*, performing the functions of a bailiff, while in the era of transition to the rent system and commutation of services for money, the bailiff seems often to have taken over the reeve's functions. The general tendency was for the two offices to amalgamate.

The English lord was encouraged by his legal position to devote special care to the safeguarding of his economic position. From an early date, the Crown had deprived him of jurisdiction over both free and unfree dependants on his estate. In the thirteenth century already the Crown showed its determination to make royal justice prevail even inside the domain. Henry III ordained in 1267 that free peasants were only subject to a lord's court if the lord could prove that he had received an express grant of justice and had enjoyed it undisputed since 1230. Edward I shortly afterwards had all privileges and immunities inquired into by special officials (the *quo warranto* inquest). The crown lawyers made it as difficult as they could for great landowners to establish any immunity. Freeholders were to be brought before the royal courts whenever a sum of more than 40*s.* was in dispute. And appeal lay from decisions of baronial or manorial courts to the king's courts in all cases in which free men were concerned. So only a remnant of jurisdiction over free men remained in the lord's hands; and losing the *emolumentum* of justice, he was moved to make his loss good by a more thorough economic utilisation of his land.

With the disappearance of the serfs who at one time had done the main work of the demesne—the serf ploughmen of Domesday, for example—the lords had been forced to rely more on the services of their other men. From the late twelfth to the thirteenth century, which in England was the heyday of demesne farmers, services appear to have increased and in some cases to have replaced payments in money. In the later Middle Ages the variations in the legal position and in the burdens of a tenant in villeinage tended to be replaced by a certain uniformity. The almost universal services and dues were: heriot, mostly paid in money, not now in kind; merchet, paid for marrying a daughter, and in some districts a son; chevage, for permission to leave the manor; in agricultural areas week-work of two to three days on the demesne, including ploughing with his own oxen, washing and shearing sheep, drying malt, maintaining watercourses and fences, and work in the woods. Tenants had also to help in hay and harvest time on the demesne. These last were, as a rule, boon works, for which the lord had to supply food. No doubt they had once been voluntary, but had become established obligations by custom. (Such an origin will explain why free men as well as villeins were liable to them.) Labour services, and in particular week-work, naturally played a less important part in pastoral areas, save for the seasonal sheep washing and shearing works. In pastoral and agricultural districts alike payments in kind at fixed times of year, fowls, eggs, honey and so on were due. Beside all this, the peasant had to pay for grazing his cattle in the lord's pastures or his pigs in the lord's wood and for grinding his corn at the lord's mill.

These were all unlimited services, that is, services not based on written agreements. Custom was the determinant, a custom which was binding on the lord morally if not legally.

As compared with his German equivalent, the English villein was in one way worse off: he could be evicted legally by his lord at any moment. So long, however, as the lord made use of his services, there was no real danger to him in this, provided that he tilled his holding conscientiously. It was only in the sixteenth century that this possibility became dangerous to tenants in villeinage, when lords began to evict them to turn arable into pasture. Further, the villein was not at liberty to sell or exchange his land, as the free tenant was. He needed his lord's consent for a sale of his cattle or a change in his agricultural routine. And his children could not enter a trade or receive Holy Orders without their lord's permission.

If, in spite of the weaker political position of the English feudal lord, the increasingly prevalent money economy created less disturbance in England than on the Continent, this was because the Englishman could make direct profit from it, whereas his French or German fellow felt mainly its disabilities. In England, as on the Continent, it was possible to sell grain in the market of the nearest town. But that was a local business, narrowly circumscribed. With it, however, went the export trade in wool, first to Flanders, then to other continental destinations. This made sheep-farming a profitable business for English landowners, with much greater possibilities than the local corn trade, because of the wide markets. The yield of sheep-farming, which on a large scale was a new thing, was limited by no existing customary usages and went to the landlords first and foremost. They fell easily into line with the money economy. The movement might take one of two directions. Either the lord tried to make all he could out of his demesne by extending it: to this end he might keep in hand holdings that fell in and add them to the demesne, or he might enlarge it by purchase or assart. In either case it paid better to work it with wage labour than with the services of his peasant holders, so long as wage labour was obtainable at reasonable rates. So he dispensed with services, taking annual payments in their place. And from these he paid his labourers. Week-work went first, while the works due at busy times of the agricultural year were retained longer. The process seems to have moved most quickly on the small and medium-sized estates and (of course) on estates where sheep-farming played a more prominent part than agriculture. It was slowest on the great lay and ecclesiastical estates in the cornlands of the east and east midlands.

A very different solution of the problem was however more frequent. The situation that had developed encouraged villeins to leave their

manors. Many were quite willing to abandon their holdings either to make for the towns, where they formed a useful addition to the labour supply, or to hire themselves to some other lord as wage-earners. And this migration was the easier because, the old close attachment to the soil for the lord's benefit having dissolved, he was glad to sanction migration in return for chevage. Or the villein might simply run away. In that case the lord was entitled to bring him back by force within four days. When the four days had expired, he must appeal to the courts. They were not very eager to further his interests and the perpetuation of villeinage. So he was obliged to give legal evidence for his claims against the runaway. And in towns, undisputed residence for a year and a day established a man's freedom.

This tendency of the villeins to abscond put their lords into grave difficulties. They found it hard to get enough tenants for their land. To hold those that they had, they were forced to make economic concessions to them. Villein holdings were turned into free holdings by relieving the tenants of the personal obligations which were the test of villeinage. Detailed inquiries for certain areas have shown that by the opening of the fourteenth century already half the dependent cultivators enjoyed free status. Often the lord found that the best way out of his difficulties was to hand over his demesne, wholly or in part, to be cultivated freely by peasants. Instead of an old-fashioned grant of the land, he let it in the new style for a rent. The lease was always for a term of years and, in place of the old customary services, fixed payments in kind or in money were made part of a regular contract. Tenants were relieved once and for all from burdensome services, and their obligations were made clear and precise.

The transition was gradual and was not systematically planned from the outset. Lords tried repeatedly to keep the door open for a reversion to the old system, should circumstances permit. Services were not commuted for money permanently but from year to year, sometimes with the express reservation that the service and not the money might be demanded at any time. The ratio of money to services taken would vary according to circumstances and the lord could retain control of all those services that he did not wish to value in cash. Yet it was from his side that the change-over was started: it was to his interest to bring it about. Not only did he get the money that he wanted, but he saved the expense of officials by leaving everything to the tenant. If the tenant paid regularly, his lord no longer worried about the details of his farming.

The tenant also profited from the new arrangements. Free of any services on the demesne, he could put more work into his own holding. Increased mobility made it easier to sell some of his produce in a town market, if he lived near one. So the transition from a self-sufficient to

an exchange economy was completed. And in the long run it was the tenant who gained most from changes which, as we shall see, injured the interests of his lord.

Old distinctions of blood between free and unfree were replaced by a fresh division, based on the legal status of the holding which any individual occupied; for free and unfree tenures survived. In case of the former, the stress lay on the obligation to make payments in money or in kind, and perhaps to work at harvest-time. The latter involved weekly service on the demesne (where it still existed) and the money payments that had replaced heriot, or merchet, or chevage. There was no longer any great legal difference between free and unfree individuals. Both classes were subject to the manorial court in all criminal cases still not reserved for the king's courts. In civil cases outside the competence of the manor court both classes could appear before the royal justices. Free men could appeal from decisions of the manor court but villeins could not. Nor could a villein go to law with his own lord. In theory he was subject to his lord's arbitrary will. In fact custom gave him a great deal of protection, for both he and his lord were bound by ancient precedent.

(*b*) *The Black Death and the rising of* 1381

The course of events that we are discussing could not fail to be affected by the pestilence that came to England in August 1348, ravaged all the country, and only began to abate in the autumn of 1349. It returned in 1361–2 and 1368–9, without however such disastrous consequences as on its first appearance. How it affected the decay of manorial institutions has been much debated. Rogers and earlier writers tended to exaggerate its importance, Rogers taking the view that it completed the commutation of services for money and sealed the fate of villeinage by the middle of the fourteenth century. Cunningham and Maitland, however, called attention to the numerous demonstrable cases of villeinage in the later fourteenth and throughout the fifteenth century. And Savine showed its existence in the sixteenth. No one disputes the marked influence of the pestilence on rural society. The loss of life cannot be accurately determined, but is generally estimated at from a third to a half of the population. Adults suffered most and from that fact two consequences flowed. First, the loss of grown men obliged the lords to look out for fresh tenants. And secondly, the shortage of labour produced a marked rise in wages. Though Rogers' estimate of an average rise of 50 per cent. may be too high, detailed inquiry has shown that in spite of those efforts of government to keep wages down of which we have yet to speak, there was demonstrably a sharp rise.

Besides, the wage-earner was in a position to secure various advantages over and above any rise in wages.

Whereas in the years before the plague wages tended, if anything, to fall, there can be no sort of doubt that their subsequent rise was due to the conspicuous labour shortage. To protect themselves against these unpleasant conditions, landlords clung more tenaciously than hitherto to those personal services which guaranteed cheaper labour than could be got by selling the services and paying wages. This renewed insistence on the older medieval relations of lord and man was associated with a tendency to reserve the holdings vacated by death for surviving children of the late tenants when they came of age—naturally with a view to granting them to these heirs on the old terms. Tenants, on their part, strove to get rid of services in return for regular payments in money and to work for their lord only as well paid wage-earners.

The inevitable clash of interests that resulted became more and more violent as years went by. As things lay, the advantage was with the peasants, while the lords were in an awkward position. If children of the peasants who had died did not take on their holdings, it was almost impossible to find anyone who was ready to do so on the old service terms. It became necessary in such a case to let the holding, for one or more years, in return for a fixed rent in money or in kind. A clause to be found in many rent-contracts is significant—that the contract should be void whenever any peasant declared himself willing to take over the holding on the old customary terms.

A further consequence of the pestilence was this: a peasant who held on such terms found it easy, in view of the labour shortage, to rent for a term of years an unoccupied holding on an adjacent manor. It was worth his while to pay his old lord for leave to migrate there. If his lord wanted to keep him, he was obliged to offer terms like those obtainable in the adjacent manor—to change the old tenure into a free rent-contract.

Further, the plague had loosened the bonds of law. Lords also had been swept away by it, leaving only minors behind. The plague had torn gaps in the courts which interfered with their efficient working. So flight from one manor to another, or to a town, became a simple matter, and even the customary chevage could be evaded. The irregular abandonment of peasant holdings was the easier because the jurisdiction of a manor court was only coextensive with the manor, and the runaway could no longer be got at, once he had crossed its boundaries. Should a lord wish to bring him back by force he had to apply to the king's courts. These, however, were inclined to favour the dissolution of the old tenurial relationships, and made no great efforts to restore runaway villeins to their lords.

Research into local conditions in various parts of England has in fact revealed a marked decline of services in the years that followed the pestilence, and an extensive substitution of money rents for the old tenures. Of 81 manors examined for the years 1325–1350, and belonging mainly to the large corn-growing estates of the South-East, where labour services had been most tenacious, 44 retained services and old conditions intact; in 22 about half the old services and obligations survived; in 9, only a few remnants; on 6, but not more than 6, the money economy was universal. For the years 1350–1380 the situation on 51 manors examined was as follows: on 17 all, and on 15 about half of the services were retained; in 13 they had nearly, and in 10 completely, disappeared.

The manor of Forncett in Norfolk yields similar results. There, about 1300, a small percentage of the services had been permanently commuted. For a long time the ratio of services performed to services commuted remained almost constant. Reaping and binding were done exclusively by the villeins. Threshing was even being done rather more by villein and less by paid labour than at one time, because the former came cheaper. Comparing these conditions with those of 1376–8, we find a complete change accomplished. Two hundred and fifty acres are no longer held in the old way, but leased for terms of years. There is a marked increase of flight from the manor. Until 1349 only two had abandoned their holdings, 'because of poverty'. In 1378, on the contrary, out of 3219 week-works owed, 1722—more than half—are noted as no longer available. Of the winter services 83·4% were in the same case. Of 25 villein holdings, services were only rendered by 7; on the rest they had been replaced by money payments. In 1400, of 73 holdings only 16 were cultivated by villeins; the rest were held by free rent-paying families. Clearly the pestilence had hastened the already existing change from services to money payments, and with that the freeing of the peasant masses.

It had also contributed to the decay of the demesne. The further the change from services to payments progressed, the less profitable the direct exploitation of the demesne became. The rise of wages since 1349 made the price paid formerly for 'a work' equal to no more than between a half and a third of what it cost to hire a man to do the same job. And the lord had to find the difference. That being so, he preferred to let out his demesne wholly or in part, and content himself with drawing rents.

All these series of events increased the tension between lords and peasants, the more so because the close personal ties which had formerly held them together had become conspicuously looser. And the lord did his utmost to protect himself against the consequences of the Black

Death—though without much result, as we have seen. He had therefore been tempted to approach the government and parliament with the request that they would help his distressed class by legislation.

(c) *The Peasants' Revolt*

On 18 June 1350 the Council issued an Ordinance to deal with the matter. It is expressly set out in the preamble that, in consequence of the labour shortage due to the plague, many people had been led to demand excessive wages, and rather to beg than be content with a modest income. So to deal with this critical situation the King in Council ordains: 1. Every person under sixty years of age who has no property and no land must accept on pain of imprisonment employment offered him at the wage level of 1346 or the five to six previous years. 2. When a day labourer hired for harvest work, or any labourer after he is hired, quits work without permission and without valid cause before his agreed period of service expires, he is to be put in prison. 3. No craftsman or labourer may demand higher pay for his work than was usual in the year 1346. 4. Those who give or receive higher pay must hand over to the prosecutor twice what they have given or taken. If a lord does this, his fine is not twice but threefold. 5. Butchers, fishmongers, brewers, innkeepers and all other dealers in foodstuffs must sell, under the control of the local authorities, at suitable customary prices. If they do not, they must pay to the prosecutor twice the price charged. 6. Giving alms to sturdy beggars is punishable with prison.

As no one obeyed the Ordinance, on 9 February 1351 Parliament turned it into a Statute, in which legal wage rates and legal prices were set out in pence. The execution of the law was however opposed by wage-earners, craftsmen and provision dealers, as is proved by the fact that its terms were frequently repeated and the penalties made more severe. During the four years before the outbreak of the rebellion of 1381 the House of Commons, no doubt under landlord pressure, resolved several times that the law was to be strictly administered and, if necessary, further stiffened. In spite of all efforts, the rise of wages and prices was not checked. It is true that they rose highest, not immediately after the plague, but in the 'fifties and 'sixties. So the stiffening of the law had results exactly opposite to what was intended.

That, in these circumstances, some lords tried to claim again services that had been commuted for money is likely enough. The clause in rent-contracts providing for their determination as soon as a tenant is found ready to take the land on the old terms suggests it. But such attempts can only have been sporadic, for the majority of peasant holdings were still held on these old terms. This disposes of Rogers' theory of the

causes of the 1381 revolt. Further, discontent was not confined to peasants but was just as rife among craftsmen and small dealers in the towns; for the law hindered, though it failed entirely to prevent, all small men from utilising an economic environment that was favourable to them. Shortage of labour and the resulting rise in its earnings would, if left unhindered, have raised standards of living for them all. And it was this rise that the law held in check, in the interest of the landlords and the comfortable classes generally.

So the anger of the peasants was directed primarily against those high officials who were held responsible for the new legislation and against the landlords who clung to their privileged position. The loosening of personal relations between lords and tenants increased the tension. A lord who no longer cultivated his demesne among his people but leased it to farmers was not the protector of his people in the old sense—the man who did not merely claim their services but helped them when harvests failed, or sickness and other misfortunes overtook their families. Dependent tenures had lost their meaning and justification. A villein was less tolerant of his villeinage now that he saw so many manumissions, and could note how abandonment of his holding and a quiet withdrawal from the manor might lead to freedom.

The desire to get free stiffened more and more into a demand for the abolition of villeinage as an institution. With equal persistence, free and unfree peasants desired services to be replaced by payments. Often they went so far as to demand the simple abolition of the services, because since the decay of the old manorial economy they had lost meaning and justification. And those peasants who now owed very few obligations—perhaps only grinding their corn at the lord's mill, or recognising his hunting and fishing rights over their land—wished to be rid of these last remnants of the old manorial system. But the lords were intractable. Even more tenaciously than before the plague, they clung to what survived of the customary tenures.

The peasants countered with a general revolt against the manorial system. To their previous claims was added the desire to increase their holdings by purchase, to sell parts of them at will, without first securing the lord's consent. From demands they often proceeded to acts—they went away without leave to become free farmers or town workers; now and then they simply refused to render dues and services. In ceasing merely to protest against particular grievances, and attacking the manorial system as such, their radicalism was influenced by the parallel religious movement. Wickliff was beginning his attack on the ecclesiastical institutions of his day. The peasants carried his religious radicalism into the social field. In doing so they were supported by a section of the lower clergy, who lived in straitened circumstances and

took the side of the discontented peasants, just as their successors did a hundred and forty years later in Germany. Wickliff's doctrine that the Church should teach doctrine and morals, and not meddle in worldly affairs, was used in peasant circles to justify an attack on church property and monastic manors. His account of the ideal state of man before the Fall, when there were no distinctions of wealth, was interpreted in the communistic sense that the land ought to be divided equally among the peasants. In this connection the rights of the nobility were called in question, and the notorious couplet about Adam delving and Eve spinning went from mouth to mouth—'where was then a gentleman?' A decisive influence on the peasants was exerted by John Ball, who for years had stirred them up, at times by communistic sermons after Mass.

At a sitting of the Commons in the autumn of 1377 it was confirmed that the contumacy of the peasants was on the increase, that they were refusing to pay dues and rents, trying to justify their action by improper interpretations of Domesday Book, and resisting the carrying out of legal rulings made against their interests. It was reported further that they made agreements among themselves with a view to opposing a united front to their lords. Parliament ordered the gentry, with the justices of the peace, to make inquiry and arrest disobedient peasants, their helpers and ill-advisers. So the courts had to proceed against, arrest and punish them.

Both sides were stubborn. Stiffness bred stiffness. Only some external spark was needed to kindle into open rebellion the resentment against government action, and the bitterness against the stiff-necked conduct of the lords. The Poll-Tax struck the spark. It was granted to the king in 1380 for a French campaign. As its yield was disappointing, a thorough inquiry into payments by special officials was ordered in 1381. This seemed to suggest a second levy of the tax and raised a storm which started open revolution in Kent and Essex. Not only peasants but the small folk of the towns joined in it. On 12 June the rebels appeared before London on both sides of the river. As a great number, especially of the humbler, citizens were on their side, they were able to break in on the 13th. Fresh crowds poured up in the next three days from remoter parts, for the rising extended westward along the coast as far as Cornwall, eastward and north-westward to Suffolk, Norfolk, Oxford, Hereford and Warwick. Those counties joined first in which the Poll-Tax had been already applied, evidence that it was the tax that brought discontent to a head.

This is not the place for a narrative account of the revolt. Suffice it to say that it failed. The charter of liberty, which at one moment the rebels had secured from the King in person (abolition of villeinage, commutation of all manorial dues and services for a yearly rent of *4d.* an

acre to the lord from peasant land; and a general pardon for all rebels) was repudiated; the promised amnesty was broken; and with that the failure of the revolt was complete. Villeinage and all manorial servitudes remained unchanged.

This English rising was entirely different from the French *Jacquerie* of a few years earlier. In France a peasantry, crushed by seigniorial burdens and tormented by plundering troops—English and French—had taken up arms in despair; in its hate had destroyed all that it could lay hands on and, without any great end in view, had murdered the noblemen and ecclesiastics who fell into its power. The English peasants, on the contrary, had constructive proposals to make, and that gave their rebellion a very different ethical basis. But they failed because they could not keep their worse elements from ordinary crime, or control their movement firmly. There was also inadequate co-operation between the various sections and, above all, the lack of some dominant personality that might have fused them into a strong uniform mass. And they suffered from the tragic delusion that the king would take their side and be ready and powerful enough to join in the fight against noble and gentle tyranny. Of this faith in their king they were bitterly disabused.

(*d*) *England after the Peasants' Revolt*

The revolt had failed. The king's promises were withdrawn. But the forces at work still operated and the dissolution of the old manorial system continued. With the help of an admirably preserved series of documents, Maitland was able to follow in vivid detail the course of events in one manor from the thirteenth to the opening of the sixteenth century. Although we cannot generalise from Wilburton in the Isle of Ely, its history serves to illustrate the phases of the change.[1]

Wilburton manor had a demesne of 216 acres of arable and 42 of meadow, besides fen. There were 15½ 'full lands', each of 24 acres, in peasant occupation; though sometimes half-lands might be granted out. The dues from a land were 19*d.* and a series of services all the year round. There were also ten cottagers' holdings which paid 7*d.* in cash, and also services. All those tenants had to use the lord's mill. They had to pay heriot, gersuma, leyrwite and tallage and could not sell foals or oxen without the lord's leave. The lord's regular cash income from tenures was 30*s.* 8*d.* The services came to 3775½ units or man-days in a year. For a service unit due but not rendered, ½*d.* in spring and winter and 1*d.* in harvest time had to be paid.

[1] Maitland, F. W., 'The history of a Cambridgeshire Manor', *EHR.* 1894. [From the point of view of England as a whole, Wilburton was backward in its evolution. Ed.]

Some services were commuted for money in the thirteenth century, presumably when the lord did not need them all. But these were temporary commutations: in later years actual service could again be demanded. In the fourteenth century the number of commutations grew. By the time of Edward II about a third of the services had been exchanged for money payments.

And there is another new phenomenon: modern rent-contracts appear beside the old customary tenures. By 1393 already four of the 'full lands' and all the ten cottage holdings were let for fixed rents, which brought in £9 all told.

In the second half of the fourteenth century the lord lost some of his people by internal migration. Some of the migrants took cattle and implements with them. The holdings thus vacated were mostly let for terms of years at fixed rents, sometimes with the note that the tenant had only agreed to the contract unwillingly (*invito*), and that therefore the entry fine had been dispensed with or the rent reduced. Many of the contracts were registered with the note that they were to terminate as soon as anyone was found willing to accept the old customary tenure. Further, by public announcements in the Hundred Court, any heirs of a deceased tenant were invited to take over the vacant holding.

The progressive difficulty in finding tenants on the old terms easily explains the growing frequency of the yearly rent-contracts. By 1422 the cash yield of rented holdings was £11. 5*s*. 6*d*. That means an average rent of 32*s*. for a full land and of 4*s*. for a cottage. The services due that year had fallen to 1056 units valued at ½*d*. and 336 in harvest time at 1*d*., and for some of these services the cash equivalent was taken.

In subsequent years the lord took the action which the circumstances called for. He let out the demesne, which hitherto he had worked himself, for a term of years at £8. At the same time he exchanged the still surviving services for cash. Only seventy-six 'ploughings' were retained, to be done for the farmer of the demesne.

From now on the manor brought in an annual rent of £22. 2*s*. 10*d*. Thus the lord ceased to be a lord in the old sense and became a landowner in the modern sense. He merely let his land, renewed his leases from time to time, and drew the rents: he had become a rentier. In the course of the fifteenth century it was not possible to maintain the rents at the old figure, still less to raise them, in spite of the fall in the value of money. By 1500 the yield had fallen to about £17, a fall the more serious because it went with rising prices.

A consequence of the decline in services was an increase of wage labour. The demand for it was keen, especially in harvest time. We find that professional threshers moved from place to place, offering their services. But a reaction can be noticed from about the middle of the

fifteenth century. By that time the gaps in population caused by the Black Death, the French war and civil wars had been filled. The towns had all the people they required. So an over-supply of labour gradually came into existence. Wages began to fall and more out-of-work beggars appeared in the countryside.

The demesnes exploited directly by their lord tended to disappear. Every year more and more lords leased this part of their land also. Often it was not cut up into peasant holdings but transferred *en bloc* to a big farmer, who might look out for undertenants to whom he could sublet. Often he acquired the whole manorial establishment with its dues, services and other renders in kind. The course of events and the changes found at Wilburton can be traced elsewhere, although the degree of change and the ratios between surviving old customs and those newly risen varied. But the result was everywhere the same—the break-up of the manor. The transformation of services and rents in kind into money payments, and with it the replacement of the old tenures by rent-contracts of the modern sort, went forward together. On one Essex manor the situation was as follows: in 1424 the old customary tenure was observed by 27 cultivators; and there were 5 copyholders. By 1470 every single customary holding was held by lease for a term of years.[1] Until about the middle of the fifteenth century dues in kind survived as a small part of an average estate's income. One group of 71 holdings that has been examined for the first half of the century yields the following figures: on 5 dues were rendered in kind exclusively; on 10 about half were so rendered; on 26 dues in kind were insignificant, and on 30 there were none at all.[2]

The peasants were reluctant to render services to a farmer of their own social grade, so he was soon ready to commute them. Dependent tenants so released acquired an actual if not a legal freedom. The personal dependence of the peasants on a lord fell away without any formal emancipation. Many services were neither bought off nor exchanged for cash payments, but simply faded out because they were no longer of use. The decay of the old system was being completed from within.

A further natural consequence of this change was a much greater mobility of the rural population. Whereas under earlier medieval conditions families had tilled the same holding for generations, there now set in a more frequent change of tenants, because many families, to better their position, moved to another manor or, oftener still, sought their living as labourers in some adjacent town. On the Essex manor

[1] Feiling, K. G. 'An Essex manor in the fourteenth century.' *EHR.* XXVI (1911), pp. 93 sqq.

[2] Davenport, F. G., 'The decay of villeinage in East Anglia', *TRHS.* XIV (1900), pp. 122 sqq.

already referred to, of 40 families that till 1283 always appear as tenants of its lord, 25 had disappeared by 1312, whilst 8 new names were entered. By 1424 only a single family was left from those in occupation a century earlier. After another hundred years, all the 1424 families had disappeared except 3. From Forncett in Norfolk, between 1400 and 1575, 126 of the peasantry migrated to 64 different places—most of them to work in the towns.

The change is found both on lay and clerical estates. Whereas however on the former it meant the almost complete break-up of the medieval manorial system and the disappearance of co-operation between the lord and his peasants, free or in villeinage, ecclesiastical landlords showed themselves far more conservative.

Ecclesiastical establishments required less ready money; and they needed supplies from their estates for their own maintenance. So they were less disposed to exchange dues in kind for money, and retained a keener interest in the administration of their manors. In that of Wye 25 per cent. of the services due were actually rendered even in 1450.[1] The *valor ecclesiasticus*, that inventory of Church lands and their incomes made in 1535 with a view to their secularisation, shows how churchmen had clung to the old forms, to how great an extent the element of lordship had survived among these ecclesiastical proprietors.[2] On many clerical and monastic estates the accounts for the demesne were still distinct from the general accounts; demesne yields, on an average, came to 10 per cent. of the yield from all sources. There were, however, some ecclesiastical manors in which demesne yields were far greater than all the rest put together—and others on which there was no yield from demesne at all.

Some demesnes were completely separate from the co-operative village economy. But such cases were rare. In others, demesne acres were still mixed up with peasants' acres in the fields, or their consolidation was only half complete. Often the whole manor farm was rented to a peasant, whose business it was to collect what was due from customary tenants and small farmers.

As compared with the two previous centuries, arable had generally declined; and not only sheep-pasture but also meadowland had markedly increased. It is significant that arable land is the cheapest; pasture was worth twice as much; meadowland three times.

By the beginning of the sixteenth century the standardisation of types of peasant holdings had disappeared even on ecclesiastical land. As the peasant could sell his land or acquire more, they had become very varied in size. And there were customary tenants and farmers who

[1] Muhlfeld, E., *A survey of the manor of Wye*, 1933.

[2] Savine, A., *English monasteries on the eve of the dissolution*, 1909.

sublet to others and made use of hired labour. The customary and copyhold tenants, it may be noted, appear still to have been more numerous than the freeholders.

We are not able to estimate the balance between yields in kind and in money. (But it is clear that, even in the sixteenth century, services survived—though exceptionally.) Furness Abbey before it was dissolved had an income made up in this way:

	£	s.	d.
52 quarters of wheat worth	20	8	0
64½ quarters of barley worth	16	1	3
372 quarters of oats worth	44	9	4
80 loads of turf worth	4	0	0
206 hens worth		17	2
30 capons worth		5	0
54 geese worth		9	0
62 calves worth	9	6	8
150 sheep worth	7	10	0
26 stones of butter worth		13	0
60 stones of cheese worth	2	0	0
24 stones of wool worth	2	8	0
	108	7	5
And a cash income of	763	0	10

But on ecclesiastical estates in the south and south-west the greater part of the income was still in kind.

The gap between the economic position of freeholders and tenants in villeinage was closing more and more. Not blood but differences in obligations would become the dividing test: the difference between holdings which owed only dues in kind or money, and those still owing personal services. As the obligation to serve became in course of time more closely attached to the holding itself, free men might be subject to it, if they became occupants of such holdings. And free and unfree were no longer to be distinguished by the hereditary or terminable character of their holdings, because both classes might hold in either way.

The relations to the lord both of free and unfree might be determined in either of two ways. One basis was unwritten custom. In this case, on the death of a freehold tenant, the holding went straight to a son. Among the unfree also it was usual for a son to take over. So there developed a customary rule that unfree holdings were heritable; but this rule existed only in the minds of the country-folk and was never put into writing. It constituted, however, an important limitation on a lord's actions.

An alternative basis was the entry of rights and obligations in the roll of the manor, of which the tenant was given his copy. So the copyholder class arose. Such entries were commonest when money payments replaced services; and in the course of the fifteenth century the ratio of copyholders to customary tenants increased.

As things lay, an unfree man whose land was held to be heritable might be better off than a freeman who was a mere tenant-farmer—a very possible situation. This distinction became specially clear in the second half of the fifteenth century, when the first of the great enclosures drove many peasants off the land.

The unfree man, or bondman as he was more often called from the fifteenth century onwards, had as much liberty of trading as a free man.[1] He could buy and sell land and share in other legal transactions; if he could not find employment in his own manor he could go away to seek work elsewhere. His lord could not recall him so long as his contract there was not finished. His less favourable situation was only revealed in a single instance: if he had a difference with his lord he could not deal with him as a legal equal, as he could with any other English subject—no suit against his lord would be heard in court. The way out was to dispute his subjection to that particular lord and seek the help of the courts to establish his point. This procedure was possible because in many cases the old relations of dependence had become half forgotten and uncertain, and because it was the lord's business to prove that the man in question really was his bondman.

Although the economic freeing of the unfree peasantry, that is, their release from the various obligations to their lords, was almost completed on lay estates, and had made great progress on ecclesiastical, in many instances personal dependence on a lord survived. We must distinguish therefore between economic and personal emancipation. Even if a lord no longer needed services, and favoured their abolition or commutation for money, it was to his interest not to lose the income arising out of 'villein status'—he clung to heriot, chevage and merchet wherever he could, even when all other manorial dues had been disposed of or forgotten.

In 1450 the widow of an unfree sheepmaster, who left an estate of 3000 marks, paid 60*d.* as heriot and 100*d.* marriage fine on her second marriage; her second husband had at the same time to pay a fine of 60*d.* for taking over his wife's business. Into the sixteenth century unfree men might pay the three servile taxes, even when they were craftsmen in a town. On the other hand, there are cases of the children of the unfree being relieved of all obligations if they were not born within

[1] Savine, 'Bondmen under the Tudors', *TRHS.* XVII, 1903.

the bounds of the manor. Even after the Reformation there are instances of regular demands for the servile taxes from men who had remained in the manor of their birth. But in the course of the fifteenth century a widespread disappearance of personal unfreedom had resulted from migration or the dissolution of the manorial system. And in a great many cases the legal position had become doubtful and had to be settled in courts where decisions favoured the process of emancipation.

Round about the year 1500 this process was hastened by formal manumissions from personal servitude.[1] In the previous century this way to freedom was used only on rare occasions. The price paid was usually high. It was decided in 1550 that, to obtain his freedom, a bondman had to sacrifice a third of his property. These formal manumissions became more and more usual in the sixteenth century, because now the secular clergy opposed a system of servitude, which had lost its rational defences, as in opposition to the Word of God. Public opinion was on their side. It regarded a personal dependence, the reasons for which were no longer evident, as socially undesirable.

All these forces co-operated to reduce the numbers of the unfree markedly in the course of the sixteenth century. Estimates based on particular inquiries suggest that, by the middle of the century, the unfree amounted to not more than 1 per cent. of the peasantry.

Every development discussed so far—the commutation of dues in kind for money payments; the substitution of rent-contracts for the older tenures; the farming of the demesne—led to the further dissolution of manorial life and especially to greater mobility among the peasants. But the framework of the manor survived. With the second half of the fifteenth century set in a movement, already traceable in earlier decades, but only recognisable towards the century's end as a force tending to the widespread weakening of this manorial framework—the enclosures.

Already in the thirteenth century we find lords enclosing stretches of grazing and scrub-covered land, or parts of the forest, to use them for agriculture, either adding them to the demesne or leasing them to tenants, and the Statute of Merton already referred to had been designed to free their hands in this matter. Such a colonisation movement was the inevitable outcome of an age of rising population and prices. But with the stabilisation of prices and population in the later Middle Ages there are signs of a contrary movement; the marginal lands tended to revert once more to pasture. Nevertheless a renewed incentive to enclosure and that on a relatively large scale was to make itself felt in the latter part of the fifteenth century. This incentive was in part pro-

[1] Stenton, F. M., 'Early manumissions at Stounton', *EHR.* 1911.

vided by the development of the native cloth industry, which by the end of the Middle Ages had ousted foreign cloth from the home market and was successfully ousting Flemish cloth from the markets of Western Europe. With the accession of the Tudors its advance became increasingly rapid and led to a rising demand for wool. Moreover, although the price revolution which ushered in the modern world made itself felt more slowly in England than on the Continent, the rise in the cost of living was sufficient to make the English rentiers look round for a means of increasing their incomes, and a resumption of demesne farming, which would enable lords to benefit directly from the rising price of agrarian produce, was inevitable. But since they were now dependent upon wage labour they had an additional inducement to take up sheep-farming, in which the labour bill was lower. In fact, it paid to turn cornfields into sheep-runs; and sheep-farming, which had always played an important part in districts of good natural pasture, now began to spread into counties where the dominant economy had been corn growing.

The lord could acquire pasture in any of three ways. The obvious way was first of all to enclose grazing land unsuitable for agriculture. Limits were set to this process by peasants' claims on such common grazing. The solution was to separate part of it for the lord's use and make the rest peasant property. A second way of acquiring pasture was for the lord to turn his demesne into it. That was only possible when the demesne was more or less consolidated. If its acres were scattered about the fields, they had to be exchanged and a reasonable-sized continuous area created before enclosure would pay. The significance of this process was that in connection with it a new division of the arable might be carried out and each peasant acquire a consolidated holding. So he had the chance to enclose some of it and use it for sheep. You could pasture sheep on a four-acre field. But such rearrangements of property could be carried through by the lords only if all their tenants, or at least a great majority of them, agreed to the change. Those who suffered by it were the cottagers who had not land enough to support their families. Enclosure of demesne and common—and for that matter enclosure of peasant holdings which involved a change over to sheep-farming—reduced their chance of earning wages. They might also lose the customary 'right' to graze a limited head of beasts on the common.

But from the second half of the fifteenth century neither scrub lands nor demesnes sufficed to meet the grazing requirements and the only method which remained was an inroad into peasant proprietary rights. The legal question arose whether the lord was entitled by his right of property to occupy peasants' holdings with a view to enclosing them

without more ado. For rented holdings the legal position was clear. When the lease was out he could dispose of them as he pleased. But the old, unwritten, customary tenures were in a very obscure legal position. Over against the lord's right of ownership stood the peasant's right of user, unlimited in time when the tenure was hereditary. If it came to a fight about this, the lord was the stronger party. His social superiority enabled him to put pressure on individual peasants to agree to renounce their rights of user perhaps in return for some compensation. Moreover, the unwritten customary tenures and the copyholds were alike in this, that in the majority of cases they were held by legally unlimited entry fines, so that the lord was free to raise the fine to such a figure that no one was found willing to pay it, even when according to ancient use or to the terms of the copy one of the sons was entitled to take the holding over as heir. Often a lord simply evicted peasants, and even though this was in sharp contrast to previous custom, there was no legal rule against such eviction in the case of the old unwritten tenures. The people, however, held such acts to be unjust, because they went against century-old customary usage.

Some lords utilised this situation ruthlessly and in the end evicted all their tenants. So, about the turn from the fifteenth to the sixteenth century, some whole villages were deserted, houses and parish churches fell down and extensive pastures took the place of cornfields. A few of the evicted peasants found employment as shepherds or wage earners for their lord. Others migrated to the towns or to rural areas where the steady extension of the woollen industry called for an increasing supply of labour; others swelled the ranks of the sturdy beggars and the unemployed. Most of the enclosures were carried out against the peasants' will and to their hurt. They had to endure them because they were the weaker party. Their complaints, echoed in intellectual circles in the towns, led the government to take counter-measures. In a proclamation of 1489 official notice was first taken of the enclosures, the maintenance of the peasant class being required. Henry VIII renewed the prohibition of depopulating enclosure in 1515 and two years later appointed a special commission to ascertain the facts, so that the necessary steps might be taken to maintain 'houses of husbandry'. But the movement had gone so far that it could not stop, still less be reversed. The reports of this and subsequent commissions make it clear that though it was little felt in the pastoral counties where enclosure was of old standing, it was widespread and caused considerable distress in areas long given over to corn growing.

A number of recent inquirers have argued that the motive for enclosure was not the rise of the textile industry but a need to change the agrarian economy because of a measure of soil exhaustion and a conse-

quent decline in its yield. The suggestion has also been made that the transition to pasture-farming or the retention of corn growing was determined by the chemical composition of the different soils. But the latest thorough inquiries suggest that a decline in the yield of corn to the acre is not demonstrable for the period 1300–1500; that on the contrary the average yield was very much the same; and so there can be no question of soil exhaustion.[1]

Together with the enclosures the secularisation of Church property contributed to the dissolution of medieval manorial life. An enormous quantity of land was thrown upon the market and the result was on the one hand a frenzy of speculation in rents, on the other an impetus to the rise of large farms. Enclosure went on for arable as well as for pasture and the large compact farm, whether it specialised in sheep- and dairy-farming or in corn production, overtopped the peasant holdings. Under the influence of the secularisation of Church property and the enclosures the corporate village economy, with its two or three fields, disappeared from a large part of England, though it was not finally swept away until the nineteenth century. In enclosed districts the landlord, or in his place the large farmer, became the economic leader. His assistants, shepherds and labourers, were wage earners. In what had once been monastic estates peasants now held their detached farms, worked without reference to the rules of the two- or three-field system.

The old community of the manor also disappeared, with the gatherings of all its members, and the lord's court. So the peasant lost his chance of being consulted in the administration of the estate. And even where the old manorial system was not definitely done away with, either by secularisation or enclosure, its dissolution proceeded. Many freeholders became owners, because the lord was interested only in the rent, not in the ownership, of land. In the same way copyholders and farmers might acquire the ownership of their holdings.

So there grew up beside the peasantry, that was dependent on a lord to whom it owed obligations, a new, independent and self-conscious class, bound neither by a lord's will nor by any corporate village economy—the yeomen.

With the manorial system vanished those manorial officials who had often combined judicial with administrative functions and had risen from the ranks of the peasants. In their place appear commercially trained agents of the lord or the large farmer, whose sole function was to run the estate on business principles and organise it with a view to a maximum yield in money.

[1] Bennett, M. K., 'British wheat yields per acre for seven centuries', *EJ* (*Ec.Hist.*) 1935; Lennard, R. V., 'Statistics of corn yields in medieval England', *ibid.* 1936.

Just as in Germany and especially in France, the new type of large landownership attracted rich men from the towns. They acquired extensive estates which they let. And the old manor-house, under these conditions, lost its agricultural features and became a country-house, approximating in type to a nobleman's castle and perhaps only occupied by its new owner as a summer residence.

IV. *The development in France*

In France, unlike England, the political functions of lords played an important part, because in France—and also in Germany, as will appear later—their hankering after an ever greater political autonomy was conspicuous. In order to secure the armed following essential for their political ambitions they granted parts of their domains with the income arising from them to humbler lords who gave knight service in return. Some of these were given official fiefs as holders of the great lords' administrative offices. This led, so early as the eleventh century, to an increasing and spreading break-up of the great lay estates into innumerable 'knights' fees'. Their holders, in turn, strove to become independent owners of the land entrusted to them. Extensive areas of landed property were in this way finally alienated from their original proprietors. On the other hand, from the twelfth century, the Church added to and consolidated its great estates. These generalisations apply especially to North-Eastern France, to Champagne and to Burgundy.

The conditions were different in the North-West, Normandy, Poitou and above all Brittany. Demesnes there had been much less extensive and the economic position of the peasantry much freer: they had no regular personal services to perform and mostly paid their rents in money. The lower justice was only by exception in the lord's hands: as a rule it was administered by public officials.

The subdivision of the large domains brought the peasants, in their struggle for an improved social status, against not a relatively small number of great and powerful proprietors, but a crowd of smaller lords whose economic position was not too strong. This weakness was shown, for example, by the splitting up of the *manses* as early as the twelfth century, and even before.[1]

French lords were more helpless than English in face of the spread of a money economy because they did not dispose of an article of export, like the English wool, which might help them to participate in that economy. They sought a way of escape by allowing a more free use of their land, by replacing hereditary tenures gradually by leases for

[1] Cp. above, pp. 300–302.

terms of years, so that they might increase the rents and dues—hitherto fixed—as the leases were renewed.[1] A holding that fell in, or land acquired by assarting, was no longer granted on the old system but by a contract for rent (*ascensement* or *féage*). The farmer had the same obligations as his predecessor. And originally there was no limit to his tenure.

A rather later type of rent-contract (the *fermage*) was, however, concluded for a term of years. It was an imitation of the Roman emphyteusis, and was so called in French charters. Its duration varied from twenty-six to twenty-seven years. The obligations were the old ones—rent, services and *banalités*. At the termination of the lease the land reverted to the lord, who was now able to adjust the obligations to the monetary situation.

Yet another way out of the monetary impasse was, instead of demanding a rent in kind and services, or giving a long lease for a definite sum of money, to bargain with the tenant for a fixed share of the produce—varying from region to region from a half to a third or a quarter. The method had been applied already in connection with the work of assartage on a large scale.

This loosening of the old seigniorial ties also favoured the transformation of personal and predial obligations. In order to secure the necessary labour for so much of the demesne as remained to him, after the changes in the personnel on his estate and the transition to the new system of rents, the lord attached the obligations to demesne work as servitudes on particular peasant holdings. Whoever took over such a holding, whether he was free or servile, also took over the obligation as entered in the 'manor rolls'.

Through manumission and this contemporary transformation of what had once been obligations of unfree individuals into servitudes attached to the holdings, the distinction in principle between freedom and serfdom gradually disappeared. In the future he would be a serf who had a holding burdened with services and kindred obligations. But the man who simply paid in money or in kind was reckoned free. This process of emancipation had developed earliest in Normandy and Brittany. In the thirteenth century already it had led to the disappearance of serfdom in the South. Where serfdom survived later, as in particular in those north-eastern regions which only became French after the emancipation had taken place elsewhere, an alleviation of the dues and of personal dependence set in. The lord's absolute right to inherit the property of a serf was changed into that right of *main morte* which endured till 1789: the lord only inherited when no members of the deceased's family survived who had shared with him *pot et feu*.

[1] Cp. above, pp. 305 *et seq.*

Marriage with a woman who was not of 'the manor' was permitted in return for fixed payment (*formariage*), and migration—in some districts at least—in return for a similar payment (*chevage*).

The Hundred Years' War with England was decisive for the further changes in rural life. War and the pestilence led to a great fall in population—to a half, even in some places to a third, of its former level. A large part of the country had been devastated by war and pillage. The spells of partisan warfare were more damaging than the years of great decisive battles, because in them the armies broke up into bands who went through the land robbing and plundering, only sparing some districts in return for heavy blackmail. And the outbreak of civil war in 1365 between Burgundians and Orleanists made matters even worse.

The political results of the decade-long contest with England were so far favourable to France that the English king lost all his French territory except Calais. But this was paid for with a complete devastation and pauperisation of the country. Few regions were spared. Picardy and Champagne were specially hard hit. Other provinces which had not suffered from international or civil war were, for that very reason, more thoroughly bled white by the companies. Everywhere it was the country folk who suffered most. Masses of them abandoned their homes and sought the protection of town walls. In many places they fortified churches and churchyards and fled to them at the approach of the *écorcheurs*; or they took refuge in dens and caves of the earth.

Flight, war and pestilence made wide regions desolate. Fields left untilled reverted to brushwood-covered waste. Whole villages were deserted and decayed. From the districts worst handled all the peasants had fled. In many parts the desolation was so complete that some of the place-names were utterly forgotten and new ones were given when peace returned. How great the pauperisation was is illustrated by the fact that the income of the Bishop of Chartres, derived mainly from rural sources, collapsed from 10,000 livres to 7.

The local nobility often made common cause with the companies, taking them into their fortified places or buying them off with heavy blackmail—and that once again was squeezed out of the peasants. Bitter hatred of their lords followed inevitably. In 1357 came the so-called *Jacquerie* in the neighbourhood of Paris. It was not a planned rising with a programme of reforms but *une révolte de la misère*. The blind hatred of the peasants was not directed only against these nobles who had made common cause with the *écorcheurs*: they stormed and destroyed all châteaux not strong enough for defence and murdered their inmates. So the suppression of the revolt by royal troops was easy. The ringleaders were executed. Many participants were heavily fined. The revolt, which had hardly lasted a month, was a complete failure.

During the following decades the misery of the peasants grew steadily. We can gauge their increasing pauperisation and the decline of their numbers by the official estimates of the numbers and economic situation of peasant families made in the first half of the fifteenth century. These were to serve as the basis for the coming hearth tax. By an edict of 1439 it was introduced in place of the seigniorial *taille* as a war tax payable to the king by his non-noble subjects; shortly afterwards it was made permanent. Hearths were divided into *solubilia* and *miserabilia*—those that could stand a tax and those that were too poor for it. In many places there were five times as many of the latter as of the former. Each fresh estimate registered a decline in the population and a growing pauperisation. Whereas when the war began there had been a measure of well-being among the rural population, by the middle of the fifteenth century it was entirely poverty-stricken.

When peace was restored the whole rural economy had to be built up afresh. The task fell to the great landlords. Without hesitation they laid hands on the deserted land. It was no easy matter to bring it into cultivation again, for in most places the necessary labour was not available. That was a good thing for the peasants. There was a call everywhere for men ready to put their hands to the task. To secure them good terms had to be offered. Such terms attracted willing German workers from the Empire and, above all, Savoyards from south of the Lake of Geneva. But the offer of good terms meant the abandonment of the drastic restrictions and obligations customary under the older tenurial system. The new rent-contracts left the farmer free to deal with the land as he thought best. He could sell it all or sublet parts of it, and what he held he held by hereditary right. True, he had to get the lord's consent for each change; but that was becoming a formality. The fee payable when land changed hands, *lods et ventes*, was often omitted.

Not only those peasants who had entered into contracts with great lords were able to better their position. The lord was obliged to extend the better terms to his former tenants and serfs. If he did not, he risked losing some of them to lords elsewhere who offered the good new renting conditions. To keep them, he had to sacrifice part of his income and above all to dispense with services. If it were a case of servile tenure, he commuted all the burdens and obligations associated with that status for a fixed yearly payment.

So the second stage of peasant emancipation began. In the South especially it meant the almost complete disappearance of serfdom. How decisively the conditions brought about at this time by the Hundred Years' War operated is shown by the fact that provinces first incorporated into France after the war—such as Burgundy, Franche-Comté and Savoy—had their unfree peasants in the eighteenth century.

Further, the release from seigniorial bonds led to a gradual change in the concept of property. As no limits were set to the rent-contract, the farmer's holding passed to his son. A family which regularly handed on its holding thus came finally to think of itself as owner of the land, whilst the burdens which testified to the lord's property in it came to be treated simply as servitudes not normally to be got rid of. The lord's original right of property evaporated into a mere capacity to draw the yearly quit-rent, and to give what was as a rule his purely formal consent to changes of occupancy, in connection with which the fine payable was the main thing. If the peasant managed to get rid both of *lods et ventes* and *cens* by paying a lump sum down he became a proprietor out and out.

Thus the number of fully free peasant holdings grew once more. Another consequence of the loosening of seigniorial ties was that the single plot of land rather than the *manse* finally became the basis for all dues. The great household tended to break up into its family units at the same time. That opened the way to an ever increasing subdivision of the land. This process went furthest in the fertile South, where already a bit of an olive grove or a narrow strip of vineyard represented a valuable property. Some far-sighted peasants tried to check the subdivision by inserting clauses against it in their wills. But it was custom rather than such precautions which built up the right of the eldest, or it might be the youngest, son to inherit the whole property and buy out the rest of the family.

On the other hand it was easy, at least for the most capable peasants, to add to their holdings by purchase and so to enlarge them greatly. This process was specially attractive when the prices of foodstuffs began to rise with the sixteenth century and a maximum production for the market became advantageous. In that way many peasants acquired considerable stocks of ready money which enabled them to buy themselves free of the last of their burdens from chronically impecunious lords. There are various indications that at the turn from the fifteenth to the sixteenth century there were free peasants in good economic positions.

In the Celtic parts of Brittany very distinctive proprietary relationships developed towards the close of the Middle Ages. The ground belonged to a lord, though on the basis of a farming lease with one of his peasants. But all that was above ground—house, barn, dykes, fruit-trees, manure—was the farmer's property. In the lease the dues in kind or in money were fully set out: there might even be services. On taking over such a lease the peasant had to pay a fine in cash. When the lease ran out it could either be renewed on an altered basis or terminated at the lord's will. In the latter event the lord had to pay the

outgoing tenant for any buildings that he had put up and for the fruit-trees. The difficulty of coming to an agreement in these cases was no doubt a reason why the same families often held such farms for many generations. It is possible that these so-called *domaines congéables*, of which the first written evidence is found in the fourteenth century, originated in the active assarting of the thirteenth.

That relaxation of the economic dependence of peasants on their lords which set in as early as the fourteenth century was accompanied, towards the end of the fifteenth and especially in the sixteenth, by a similar relaxation of personal dependence. The lords who became more and more impecunious in the fifteenth century employed emancipation of the peasantry as one way of escape. Peasants could find the necessary money in regions where they could sell some of their produce to advantage in a neighbouring town. Often the price of freedom was an annual rent; sometimes in place of it land was ceded to the lord. That occurred especially in the sixteenth century, as bourgeois landowners tried to enlarge and round off their property near the towns.

The loosening of seigniorial ties led not only to the greater independence of individual peasants but also to an increase in the collective authority of the inhabitants of any place. As the old lords fell into the background, the peasants were obliged to provide as a community for certain regulations of agrarian life which had formerly been the business of the lord and his officials after only a minimum of consultation with them. Before the thirteenth century our records make no mention of organised village communities with any rights of their own. So it has been maintained that such communities only sprang up towards the end of the Middle Ages, and that in the North—for reasons still to be discussed—they never came to full development. On the other hand, it has been asked: Must they not be older, since the co-operation necessary for the working of the two- or three-field system made some agreement among the peasants essential at a far earlier date?[1] In any case, we can prove the existence in eleventh-century Languedoc of *prud' hommes* who took counsel with their lords about the organisation of the rural economy. In the Alpine zone, where boundaries in regions not yet surveyed were often uncertain, the peasants' fight with the colonising and invading monasteries led to the creation of organised peasant communities.

Another reason for very early peasant co-operation was the need to maintain the parish church. As a rule the original endowment was insufficient and so the faithful had to augment it. To this end they created a regular *fabrica ecclesiae*, originating in pious donations and administered

[1] Cp. above, p. 264.

by the community. They appointed an administrator who had to render accounts of expenditure to them. The parish also had to care for the village poor. That also involved some organisation among the parishioners. And then the regulation of agricultural matters might be handed over to them; and to that end they might nominate the essential functionaries, communal overseers, whose business it was to see that the decisions of the 'parish meeting' were carried out.

At a rather later stage of the development, defensive action by the villagers was directed against lords' encroachments and especially against innovations by the new bourgeois landowners. Under the changed conditions, villages not infrequently conducted lawsuits in defence of their rights collectively. For that purpose they had to nominate representatives or appoint committees (*syndics, procureurs*), who often developed into permanent communal officials. In the year 1469 the village communities of Provence acquired the right to regulate autonomously the enclosing of certain crops, such as vines, olives or hay.

This emergence of organised communities can be observed most clearly in Languedoc. In imitation of the small country towns, villages then began to appoint consuls. Already in the fourteenth century we find cases in which, when the oath was taken to a new landlord, the privileges of the villagers were read over—freedom of bequest, freedom from services, free hunting and fishing, grazing right over fixed portions of the *seigneurie*, the right to elect a headman who would regulate the village agriculture under the supervision of the lord. In cases between a lord and his tenants the parties appeared as equals whose dispute was freely adjudicated upon by a judge with legal training.

The creation of autonomous communes was most successful in mountainous districts near important Alpine passes, where carriers' work made some organisation of the inhabitants essential and at the same time guaranteed them a measure of prosperity. We come across sworn associations of the villages of a whole region after the style of the Leagues in what are to-day the Swiss Alps. Particular villages, enriched by their carriers' work or their advantageous sites as markets, were in a favourable position to buy off obligations to their lords collectively. In that connection villagers often acquired the right to elect their own headman, who took over the direction of village economy from the previous seigniorial officials.

The league of the free communes in the Briançonnais affords a particularly instructive example. In 1343 no less than fifty-one villages near the important Alpine route that crosses the Mont Genèvre into Italy freed themselves from all dues and services owed to their lord, the Dauphin Humbert, by a 'free gift' of 12,000 gulden and a yearly payment of 4000 ducats. The whole administration; oversight and use of

woods and watercourses; hunting and fishing; the care of streets and roads; the supervision of markets; police and justice—all became communal business. The fifty-one villages could elect their own officials, who were responsible to them, not to the Dauphin. Moreover, they could levy taxes, dispose freely of property, let it or sell it, without paying any dues to him. The Dauphin retained merely a formal supremacy, the high justice and military control. Similar free groups of villages grew up in other parts of the Alpine region, but none attained the complete autonomy of those in the Briançonnais.

Generally speaking, however, French villages did not get beyond the preliminary stage of self-government—control of parish affairs and of the village economy. And at a later date this movement did not merely cease; it was actually reversed by the narrowing of the peasants' right to be consulted. This reaction is traceable to two phenomena dating from the fifteenth century—first the fact, to be discussed later, that the old feudal lords were replaced more and more by rich bourgeois who, knowing what they wanted and not hampered by century-old tradition, consolidated their rule by new methods at the expense of the self-determination of the peasants. And secondly, the incipient but systematically pursued centralisation of the state was working in the same direction.

Far more than in England or Germany, the feudal nobility in France suffered from the decay of seigniorial institutions. The weakening of their economic supports often led to complete material collapse. On top of that money economy which was gripping the *seigneurie* and the decline of money values came, in France, the grave losses that resulted from the long English war. In regions wasted far and wide and bled white by the armies, it was not possible for the country folk to find rents for their lords after supplying their own necessities. The defeat of the French chivalry by the English bowmen at Crécy and Agincourt robbed the knight of his military prestige, replaced him by the foot-soldier and left him without occupation. Moreover, the transfer of justice to royal officials weakened the economic position of the nobility; for these officials were mostly taken from among the legally educated bourgeoisie. New royal courts of appeal challenged the decisions of the seigniorial courts. And so the lord's income from justice was sensibly curtailed: justice was no longer *magnum emolumentum.*

A further reason for the steady deterioration of the position of the nobility was that not only peasant holdings but noble domains themselves suffered from subdivision. Contrary to an earlier custom, land with all the rights and incomes attached to it was now divided up among the lord's children. Cases occurred in Provence of a daughter enjoying as her share the twenty-fifth part of the court fees, the tolls, and the

yield of the chase, and a sixth of the yield of the *banalité du four*. More and more families had to live off a single *seigneurie*. Outsiders, lords from a distance, got a share in it by marriages. So the personal ties between lord and peasant were completely severed. Just as among the peasants, a few lords managed to check the process of subdivision by testamentary provisions. In the end, daughters were excluded by law, if there were any sons. But this counter movement only set in when subdivision had already gone very far and the greater part of the domain had already been split up into smaller sections.

The heirs of the impoverished nobility were bourgeois who had prospered, and the financially strong authorities of the towns. Between them they acquired a great part of the noble land. Merchants of Lyon bought up all the land about it. Thanks to their resources, and by the application of new rational methods, the bourgeois proprietors gave fresh life to a tottering landlordism. Deliberately and step by step many of them built up great estates. By revising the surveys and carefully setting down all the dues of their peasant farmers in writing, and by accurate book-keeping, they managed to make the estates that they had acquired pay again. They often let them out intact on a metayer basis and secured yields of 6–8 per cent. Sons of successful merchants frequently abandoned commerce and based their existence on the land. They turned to the study of law and entered the service of the state as administrative officials, judges or soldiers. Thus they climbed with ease into the ranks of the nobility. In many regions the acquisition of an important estate carried with it noble status; elsewhere new men acquired rank by serving the Crown. In place of the dying feudal nobility there was built up a new noble class from the aspiring and pushing bourgeoisie. And in place of the falling feudal lordship there came into being a landlordism more consolidated and more capable of development because better adjusted to a changed environment.

V. *The dissolution of seigniorial institutions in the German Empire*

In Germany west of the Elbe, as in France, the decomposition of the *seigneurie* had already set in before the final rise of a money economy; but that rise hastened it. The break-up of the great domains into smaller structures had begun earlier still.[1] As powerful lords entrusted the administration of their property to *ministeriales*, in the form of official fiefs with their incomes and judicial authority, the danger arose that

[1] Cp. above, pp. 293 *et seq.*

these officials would break away from the lords so soon as they had managed to make their offices hereditary. These offices they regarded primarily as the economic basis for the existence of their own families, and so tried to free them of obligations towards their lords. That led gradually to the dissolution of many of the great domains into similar smaller structures, structures much less fitted than they to resist the influence of a money economy.

Of decisive importance for the further evolution was the fact that in the German Empire, besides the dukes, a great number of high officials managed to work their way up into independent princes, and to exercise all the functions of the state within their sway, no longer as vassals of the imperial crown but in the strength of their own authority, while the functions of the Crown dwindled away after the fall of the Hohenstaufen in the middle of the thirteenth century. As the rising princes were also lords of wide domains, they utilised their economic strength to further their political ends, and again their political powers as territorial princes to mould their seigniorial relationships. Whereas in England and France, by the end of the Middle Ages, these intermediary authorities had been eliminated to the benefit of the Crown, in the German Empire they were of decisive importance until the sixteenth century. It was they and not the central government who began to influence the ordering and shaping of the seigniorial relationships. But their primary aims were political. To them the attainment of princely rank was more important than the extension and consolidation of their domains. And so they set their faces against the dissolution of seigniorial institutions only when some existing prince, perhaps a powerful duke, sought to limit the political ambitions of the smaller dynasts.

In another way also the struggle for princely authority within a given region tended to decompose the old landed system. The endless feuds of the competing dynasts made mounted troops essential. But most dynasts were too poor to pay them. So they pledged to them part of their domain and all the incomes that went with it. As a rule they were in no position to redeem their pledges, which thus became the property of the creditors. That led to the break-up of the great domains and hastened the decomposition of the whole system. Even spiritual princes and some powerful monasteries joined in the struggle for political power; and their property decomposed in the same fashion.

Another dissolving force in the case of ecclesiastical domains was the tendency of the *Kastvögte* to make their official position the basis of political power, by exercising over those peasants who were under their jurisdiction a seigniorial authority independent of the monastery, and by trying to transform their purely judicial activity into princely authority. In this way large parts of the property of the Church fell

into the hands of *ministeriales* or of powerful and unscrupulous *Kastvögte*.

As a measure of defence, ecclesiastical lords decentralised the administration of their incomes and, for example, associated the incomes of particular ecclesiastical officials of the bishop's court or of particular inmates of a monastery with precisely specified parts of their estates, to secure the sustenance of these individuals. The same procedure was followed to provide funds for recurrent obligations, the upkeep of the church fabric, the maintenance of its services, and so on. Yet these measures led directly to the subdivision and weakening of the administration; and there was the risk that those who enjoyed the various sources of income would mortgage them and so alienate them from the domain.

How actively money economy worked as a dissolvent of ecclesiastical landed property, the fate of the Cistercian monasteries shows. The Rule prescribed self-supply by agricultural labour: Cistercians were bound to cultivate part of their domains themselves. But these monastic lords, like any secular lord, came to get the work on their granges done by lay brethren merely under clerical supervision,[1] and that at a time when the uniform economy of the secular domains was already showing signs of dissolution. Thus the Cistercian domains shared in this general dissolution, and became impoverished from the fourteenth century. It was a much rarer thing in England than in Germany for a lord to get out of his difficulties by commuting dues in kind on a large scale for money. The situation was made the more catastrophic for German lords because they had not the Englishman's chances of selling quantities of agricultural produce of many kinds, but especially wool. The steady decline in the purchasing power of money might lead to a lord's getting in the end only a few gulden from an estate which had formerly brought him in hundreds of bushels of corn, with a fair supply of dues in cattle and commodities.

The decay of the cultivation of the demesne as a whole by its lord, and the letting of the 'manor house', had therefore set in earlier and more widely in Germany than in England or in France. The transition was completed slowly and at different dates in various regions. Except in the North-West it was not the result of a deliberate and planned rearrangement: it began simply under the pressure of circumstances.

We can divide Germany west of the Elbe into two distinct geographical regions; and in these the rearrangement took place in two fundamentally different ways. In the North-West, the region between the Rhine and the Elbe, bounded on the south by the Teutoburgerwald and the Harz mountains or roughly by a line running from Duisburg

[1] Cp. above, pp. 280, 386.

on the Rhine to Magdeburg on the Elbe, that is, principally in Lower Saxony and Westphalia, the lords managed not only to preserve but to reinforce their position by a deliberate and creative economic policy. They introduced a new method of managing their estates, which German writers call a *reine Grundherrschaft*. Let us speak first of this.

In this region, as in others, by far the greater part of the soil was the property of great lay or ecclesiastical lords. What was not worked directly by the lords as demesne (*Herrenhof*) was let in *Hufen* to peasants, and mostly on hereditary terms. The peasant holders were called *Laten*. The only difference between free and unfree men was that the latter were bound to the soil while the former could 'go whither they would'. Only a few *Leibeigene* in the original sense of the word (persons unfree of body) survived as domestics in the lord's establishments. Most of them here also had blended into a single class with the serfs (*Hörige*). The *Hörige* paid a head-tax, usually a hen. The lord was only the heir, in the full sense of the word, of those of them who died unmarried. In other cases he claimed either half the movable goods or the best beast. A further mark of serfdom was the obligation to pay the marriage-tax, *Bedemund*. If the wife was subject to another lord the children belonged to him. If a free woman married a serf she became subject to her husband's lord. Finally, movement of *Hörige* from 'manor' to 'manor' was arranged for by agreements between their lords.

A consequence of the cultivators' attachment to the soil was that the *Hufen* were heritable. If the *Late* was not too seriously in arrears with his rent, and tilled the land as he should, he could not be deprived of his holding.

This rent consisted in a modest payment in corn and the delivery of sheep and swine. There were also various services; help in the different processes of agriculture, felling and carrying wood, messenger service, work on the lord's house, and so on. For each individual they did not amount to much. They were rendered to the *Meier* (*villicus*) who ran the demesne. At the base of the system was the 'custom of the manor' (*Hofrecht*), which defined the mutual obligations of lord and *Late*, rested on tradition and was renewed periodically in the 'manor court', *Hofgericht* or *Meierding* (an assembly of the tenants presided over by the *Meier*). How far the *Late* was subject to the authority of the prince and what services he owed him will be examined later. There were, it should be noted, a number of 'unsettled' *Laten* who had no holdings. They were those members of peasant families who had been bought out by the brother who took over the paternal holding. They could migrate freely, provided they had first served the 'manor' for a year.

The administrative system was originally that of the domain of

Villikation, as it was also in South Germany.[1] Large domains, being mainly scattered, were cut up into administrative areas, each under a *Meier*. The size of these units varied very widely. They might include only 3–4 *Hufen*, or they might be ten times that. Just as in the South, the transference of administrative authority from officials of peasant type to members of the lesser nobility led to the feudalising of the system. The offices became hereditary tenures, and with that came the danger that the *Meier* might exploit his position to his own advantage and to the hurt of his lord.[2] Unlike the southern lords, who faced the situation passively, the lords of the North-West strove with autocratic and well-considered policies against the danger that faced them. The first step was gradually to replace hereditary relations with their *Meier* by contracts for a term of years or for life, in which the *Meier* bound himself to furnish his lord with a precisely fixed amount (*pensio*) from the holdings of *Laten* in his district. Whatever the peasant holdings yielded over and above that belonged to him.

Thus the lord lost any direct share in the running of his domain. Henceforward the real lord of the *Laten* was the *Meier*, and he was inclined to get all he could out of their holdings, especially when his tenure was short. The result in many cases was the working out of the land (*Raubbau*), the ill effects of which were felt by the true lord.

Unfortunate experiences with this system induced the lords of the later thirteenth and the fourteenth centuries to take a second important step: they abolished the traditional system of administration of set purpose. The demesne which the *Meier* had worked himself was separated entirely from the rest of the 'villication' and not burdened with administrative expenses. It was then let to the *Meier* or some other applicant on a lease for years. Such leases were taken by nobles, burgesses and ecclesiastical foundations. The rent was generally paid in kind and could be revised when the lease ran out. Unlike the peasant holdings, the leased demesne paid most of its rent in corn. So there arose a modern farming system, precisely as in France and England.

The holdings of the *Laten* came directly under the lord now that there was no official *Meier*. But their yield was small. As we have seen, the rent in earlier centuries had consisted mainly in deliveries of sheep and swine. In many cases, dues in kind had been replaced by money payments, whose purchasing power was now steadily falling. The cessation of demesne farming made the services superfluous: they were commuted for annual money payments. This state of affairs raised a fresh difficulty. The lord was rarely in a position to undertake personally the control of 'manors' with no solid organisation. The employment of specialised officials would be too expensive, in view of the small

[1] Cp. above, p. 291. [2] Cp. above, pp. 293–4.

yield, and might lead again to alienations of the property. So the lord took another step forward. He tried to put his peasants' tenures on to the same legal basis as that on which he now held his demesne—to replace the old customary relationships by the modern farming system, which gave him far greater freedom in utilising and exploiting his estate. To this end he relieved his *Laten* from the still surviving shackles of the old serfdom and made them unconditionally free to quit their 'manors'. But this meant that the *Late* lost his rights with his duties, above all he lost the right of inheritance. The lord got back his complete control of the soil. It was a solution similar to that adopted in parts of France and England, and the same situation arose early in the nineteenth century when the *Gutsherrschaft* was abolished in East Prussia and Austria. There again the lords acquired full control of their land when the 'hereditary subjection' of their peasants was abolished.

As in this whole reorganisation the peasant lost more than he gained, the lord was generally obliged to compensate his freed *Laten* with a money payment.

Thus in the course of the fourteenth century an entirely new agrarian system was created. A new type of peasant sprang up often described in the Sachsenspiegel as a *freie Landsasse*. He was personally free; he could settle where he liked; but he had no land of his own and must rent it from some large proprietor. His lease was for three years, or for some multiple of three, because of the three-field system. Like the earlier *Meier*, he paid as rent a fixed part of the harvest—usually a third—or some other payment in kind strictly prescribed for the duration of the lease. Money rents were exceedingly rare. As a rule three or four *Hufen* were thrown together to make a single farm, which thus was about the size of one of the smaller ancient *Meierhöfe*. These new peasant farms closely resembled therefore, both in size and in legal position, those let under the revised *Meier* system. And so from this time forward their tenants were called simply *Meier* and their tenure the *Meierrecht*.

Old-fashioned 'villications', however, survived side by side with the new system. In Lower Saxony they disappeared almost completely in course of time, but more survived in Westphalia. So two social strata of peasants emerged: the free *Landsasse* who rented land from a great lord, and the *Late* still living in the old state of dependence. The economic activity of the former was only limited by his inability to make any changes on his holding which affected its permanent character without the lord's consent; without it, for example, he could neither quarry stone, dig for lime, nor undertake clearing on a large scale. He had to provide house, furniture, and agricultural implements. His lease therefore contained detailed regulations about compensating an outgoing

tenant and about the conditions on which a successor had to take over the house, and perhaps also the cattle and the manure. If no agreement was arrived at, the outgoing tenant had the right to remove all the vehicles, cattle and manure, and even to break down his house and take away its materials. Legally, the position had some similarity to the *domaine congéable* of certain Breton regions.[1]

Where the *Meierrecht* did not become the prevalent tenure—in the North of Lower Saxony, in the Bishoprics of Bremen and Verden, in the Principality of Lüneburg, in Brunswick Wolfenbüttel, Paderborn, Corvei, in the County of Schaumburg and in Westphalia—it still influenced the shaping of relationships: medieval tenures were extensively adjusted to it and forms of tenure developed which, if not legally, yet in substance were very like the new farming leases. Yet the peasant always retained a heritable right of user. The migration of *Laten* who were still 'in bondage', and so at a social disadvantage, led either to formal abolitions of 'bondage' or at least to an easing of heriot and merchet. In this modified form 'bondage' survived into the eighteenth century.

The application of the *Meierrecht* allowed lords to make a more rational use of their estates, and gave them greater freedom of action, because they were no longer bound by the heritable property rights of their *Laten*. The peasant also who held his land by *Meierrecht* felt more free, because he was no longer hampered by the dictates of lord or official. The fact that as a rule his holding was four times the size of the old holdings gave him a better standard of living. But he had paid for all this by the loss of hereditary rights. He could be evicted if that was his lord's pleasure.

This risk only became acute in the sixteenth century. The spread of a money economy and the progressive devaluation of the money, leading to a rise in the cost of living, forced the landlords to try to increase their incomes by constantly renewing leases and stiffening their terms. This was the more necessary because other sources of income, those springing from civil or military service, tended to dry up. The replacement of noble officials, whose office was a fief, by paid administrators often of bourgeois rank, as well as the transition from the army of knights to that of mercenary foot-soldiers, made noble service at princes' courts superfluous. More and more of the knightly class withdrew to their estates and tried to build up a new existence by cultivating a part of them in person. To do this they got rid of some of their farmers and amalgamated the farms into a new sort of demesne. Here, as east of the Elbe, there began the process of peasant eviction (*Bauernlegen*) and the creation of the big home farm.

[1] Cp. above, p. 533.

That brought the landlord class into conflict with the princely class. By the beginning of the sixteenth century the most powerful of the lay and ecclesiastical dynasts had become fully sovereign. As princes they now began to interfere in seigniorial affairs. Over the head of the 'lords of manors' the prince began to claim taxes from the peasants. That was only possible if the countryman was not too severely mulcted by his lord. So in the course of the sixteenth century princes forbade the constant raising of rents. Further they secured the *Meier* in the peaceful possession of their holdings by introducing laws to make the tenure heritable.

The strengthening of the power of the state as against that of the lord was felt also in the field of justice. In the North-West public justice was far from being almost completely absorbed by the lords, as in the South it was. The old hundred courts lived on as *Gogerichte* under a *Grafe*. Free peasants had to attend them. With the decay of 'the manor', seigniorial courts had mostly decayed also. Peasants had to seek justice in public courts. In a few regions in earlier times some greater lords had either bought or been granted the *Vogtei*, that is, they administered justice. Where this happened the peasants of the district owed suit to their court, which thereby lost its close association with seigniorial institutions and took its place beside the *Gogericht* as an institution with a public legal character. *Gogericht* and *Vogtgericht* alike dealt only with what we now class as civil cases and with some lesser criminal cases. The state dealt with all true crime.

Subjection to either class of court meant the burdening of the free *Landsassen* with dues to the lord of the court. Like the 'manorial' lord, the judicial lord levied a poll-tax in the form of 'hen money', and dues from the holdings. These consequently took the character of public taxes. Where the 'manorial' lord had hitherto taken heriot at death, or the fine payable when land was transferred, these often passed to the lord of the court. As a freeman the peasant also owed military service, but only for defence of his narrow homeland, within the boundaries of his principality. Tithe also was paid, either to the Church or to a lay impropriator who had acquired the right in one way or another from an ecclesiastical authority in earlier times.

In parts of the German Empire other than the North-West the transition was carried through very slowly, not by the deliberate policy of the lords but merely under pressure of fresh circumstances. The consequence was that the adjustment took various forms in the different regions. The one least affected by the new developments was Central Germany—that is, the region bounded on the south by the Thüringerwald and the Erzgebirge, on the north by the Harz mountains, on the east by the Elbe and on the west by the Weser. It is cut in two by the Saale,

the land west of the river being old-settled German territory while that east of it had been colonised by Germans from the Slavs.[1] In this region there were no unfree men or only a dwindling number in early medieval times; and towards the end of the Middle Ages they had completely disappeared. There were free peasants holding land of great lay and ecclesiastical lords; and peasants who were proprietors but nevertheless paid quit-rents to such lords.

The majority of the peasants paid rent and had a heritable right of user, but the lord was ultimate owner. Services existed, but not universally. The illuminating suggestion has been made that this freedom is explained by the fact that Central Germany was mainly settled by forest-clearing and, east of the Saale, by colonisation. For the region west of the Saale this is certainly true. We know that the Erfurt region was cleared by Flemings and Frisians. Their favourable tenures had to be extended to the earlier settlers, who otherwise would have migrated into the colonised land east of the Saale where good tenures were at their disposal. We have noticed the same kind of thing in England and France.

In this central region seigniorial institutions and the marked dependence of the peasantry on its lords could not develop properly; above all for lack of enough unfree soil-bound folk. A freer tenure had prevailed from the first. Money economy affected the situation in degree, but not fundamentally. Dues and services, so far as they existed, survived. They were rarely commuted for money. Where they survived they generally fell to the prince, or other lord with the higher justice; their connection with 'the manor' came to an end.

The weakening of seigniorial institutions had far more important effects on peasant life in South-West Germany, that is, in what is now Baden and a great part of Württemberg. The same is true of what is now German Switzerland. In this region the splitting up of great domains by grants to *ministeriales* had gone especially far. Whereas the lords of the North-West had managed to push out some of these *ministeriales* and consolidate their property again, it was the ambition of the lay and ecclesiastical magnates of the South to acquire princely status. They paid more attention to this than to seigniorial affairs. The ducal system, which had to some extent checked the dynasts' longing for independence elsewhere, had collapsed here by the middle of the twelfth century. Lords who were struggling for princely status had a free field. To this end it was essential for them to acquire complete judicial authority over both their own domains and the land of smaller lords and free peasants.

Small landowners, above all the *ministeriales* who served the dynasts,

[1] Cp. above, p. 366.

were hard hit by the progress of money economy. The essential cash, which their limited estates could not furnish, they got mostly from the Jews by mortgaging part of their 'manorial' income. When the Jews were driven out at the end of the fourteenth and early in the fifteenth century, the gap was filled, as in France, by Lombards and rich bourgeois. In by far the majority of instances the lords were in no position to pay off the mortgage: the land and all that it yielded passed to their creditors. After that, instead of mortgaging, lords tended more and more to sell their land with its jurisdiction. Besides, the cities themselves began gradually to compete with their citizens as purchasers of 'manors'. They bought on a large scale and so built up their subject territories. Some of those who sold took service with one of the rich dynasts or as mercenaries in Italian cities; others put their hands to the plough and became peasants. Many of them simply vanished, leaving no trace.

Meanwhile those lords who had managed to struggle up into the ranks of the princes laid a new economic basis for their existence through their princely power. They maintained the existing burdens and dues, including those of the unfree; they levied them, however, no longer as lords but as princes. And as princes they claimed to add fresh burdens—taxes. In the North-West the solution had been a revival of the lords' property rights through the pushing out of the *ministeriales*. In the South, the weakening of seigniorial institutions was unchecked by any systematic action of theirs; but many of them, as princes, laid a better foundation for their fortunes—of seigniorial and princely elements combined.

Besides the little lords who went under and the big lords who became princes, there were some who managed to retain their land, in whole or in part, and came beneath the rule of one of these new princes. This is especially true of a great many ecclesiastical lords. In their case ownership and justice, especially criminal justice, had always been divided, the latter being exercised by the *Kastvogt* as the lord's deputy; and some of the peasants' dues were thus divided between the two authorities—the lord as lord, and his judge.[1] The tendency of the *Kastvögte*, towards the close of the Middle Ages, to make their posts independent led to the disappearance of the close association of their incomes with those of the ecclesiastical lords. Justice became distinct from ownership and the peasant had two distinct sets of liabilities. And as judge and lord to some extent demanded the same dues, the peasant had to render many of them twice over.

A further circumstance tended to place peasants on ecclesiastical land in a worse position than those on lay land. Monasteries still supplied themselves to a great extent from their own estates. As from an early

[1] Cp. above, p. 506.

date they had kept some craftsmen within their walls, they were more independent than the lay lords of town markets and money economy. Their estates had not become to the same degree mere sources of rent. So they did not allow their peasants so much mobility as the lay lords; and in particular they clung more tenaciously to their right of property in the land. Monasteries often managed to introduce the grant of land for years (*Landsiedelleihe*) on to their estates. In those parts of what is now Bavaria which before the nineteenth century were in monastic hands, there were a great number of so-called *Schupflehen* or *Gnadenlehen* (tenures at will) which the lord could terminate when he chose. Now and then, as at Salem in South Germany, we even get annual tenures. It is true that the fine for their renewal was very much less than in the case of heritable tenures.

This worse situation of the peasants on ecclesiastical land explains the fact that peasant risings of the late fifteenth and early sixteenth centuries were directed especially against clerical lords.

So far as the lords had been able to acquire princely status, the new state of affairs was to their advantage. The peasants' burdens and dues were more firmly maintained by the authority of a prince, and were no longer limited by 'manorial' custom. But those lords who never became princes were in a worse position: they often lost part of their judicial authority to the state which competed with them as claimant for peasants' dues. For the peasant the situation was worse in so far as his burdens, including those associated with unfreedom, were attached to the individual holdings or the individual parcels of land as unalterable and eternal obligations, often inscribed in the law of the land. A worsening of the position of the free peasants arose from the attempt of the territorial administrations to level out the burdens of the various rural classes. The associated assimilation of the position of a free peasant to that of a serf led to a lowering of the quality of peasant freedom. This was specially true of rural districts that came under urban authority. Together with many German towns, those on the left bank of the upper Rhine attached to the Swiss League had been specially active in the acquisition of subject territory. In the rural districts which they acquired by mortgage or by purchase they kept up existing dues and obligations, including those based on unfreedom, and left their stewards (*Vögte*) to collect them with the authority of the state. Although the seigniorial system had broken down, the tendency to retain all burdens originating in it was here especially marked.

Meanwhile, from another aspect, the social status of the peasant was improved—in his property rights over his holding. As has been seen, the lords who became princes were no longer interested in property, because not it but sovereignty was now the legal basis of their incomes.

The same was true of those towns that had become sovereign. The burgesses too who had bought 'manors' were interested solely in drawing from them all the rent they could, because—unlike many similar people in France—they were very seldom connected with the cultivation of their land, but treated it simply as an investment. It was therefore to the interest of lords of all these types that the peasant should be as prosperous as possible. They were ready to allow him extensive freedom of action and to assure the heritability of his land. Often even collaterals might inherit: the land only fell in to the lord when no relative up to the fourth degree was available. As a rule not even failure to pay quit-rent in itself justified eviction: the lord had to go to the courts to establish his case.

And as the peasant could sell his land, the lord's right of consent being purely formal, and in many districts could divide it among his family, it was natural that in course of time he came to be treated as its true owner—only the holding owed to some lord or other servitudes which could not be got rid of without his consent. The lord's original right of property, on the other hand, had evaporated into the right to enjoy the dues and services attached to the holding.

How advantageously for the peasant the hereditary ownership of his holding worked out in the long run can be illustrated from a description which comes, it is true, from the eighteenth century but is applicable to the close of the Middle Ages. 'He is lord of his fields, insured against a landlord's insatiable greed; sure—he and his descendants—never to be driven from the family home; he or his children enjoy the fruits of his labour; he can contract more profitable marriages; can thus greatly improve his position and can provide bread and portions for his children; in misfortune he can borrow on security and save himself from disaster; and when he dies he can leave the heritage of his home to wife and children; and if they cannot or do not wish to take it over it can be sold at public auction, and they can divide the proceeds.'

Farming in the modern sense was rare in South-West Germany, as compared with England or France. Generally speaking, it was only adopted in connection with the letting of individual estates or of such rural industrial establishments as corn mills, wine presses, or oil mills.

We have seen that the situation in the Swiss city-states resembled that in South-West Germany. The subject country folk paid for their improved property rights with a permanent definition of all the seigniorial burdens and dues. The secularisation of monastic property at the Reformation in most of the city-cantons made very little difference. The city took over the property with all its rights and duties. The city and not the monasteries was responsible for church services, schools, and the care of the poor; and it collected the necessary dues, above all

the tithe. The Peasants' Revolt of 1525, however, secured some slight improvements. Bondage (*Leibeigenschaft*), with its consequences, and the lesser tithe were abolished, so far as they were due to the local sovereign authority. But if those liable lived outside its jurisdiction, they still had to bear these burdens.

The course of events was utterly different in the cantons of the Swiss League and in parts of the Valais and the Grisons. Here the peasant communities had succeeded in bringing justice in its entirety, and with it sovereign power, into their own hands. Obligations to lords and relationships of personal dependence survived. But as the lords had lost their judicial authority there was difficulty in collecting the dues. So they agreed to sell their right to them; and the peasant became an unencumbered proprietor. Only the tithe survived as a burden in kind on peasant land until it was abolished in the nineteenth century.

The South-West German conditions just described were prevalent especially in the land on the right bank of the Rhine from Basel to the Neckar on the west, and on the east to the Lech. Conditions differed somewhat in the southern section of this area, that is, in part of the Black Forest and in the Allgau (north-east of the lake of Constance). These districts were under Austrian administration. Conditions like theirs prevailed in Bavarian Suabia to the north and in the old Bavaria that lay mainly south of the Danube. Monastic ownership was here very extensive, with its unfavourable tenures *Falllehen* and *Schupflehen* of no prescribed duration. Besides, there were many knights who cultivated their own demesnes. Naturally they clung not only to property in them, but also to the peasant tenures. Even bondage had its uses, so long as they worked the demesne. The bondsman (*Leibeigene*) remained attached to the soil and bound to work on the demesne. Lords clung to this tenure the more persistently, because besides their right as landlords they mostly had rights over the bodies of their people, and had received, by edict of the duke in 1311, the lower justice in their 'manors'.

In Hapsburg-Austrian territory there was a fundamental difference between the German and the Slavonic regions. In the former, and especially in Tirol, particularly favourable conditions had developed before the later Middle Ages. They were very like those of Central Germany. Widespread clearing work here had exercised decisive influence. This work did not cease until the fourteenth century. Whereas in early medieval times only the fertile slopes of the valleys of the Etsch and the Inn were settled, colonisation had spread gradually up the side valleys, thanks mainly to monastic enterprise. Here as elsewhere, it was an offer of good terms that attracted the colonist—hereditary tenures and relatively low dues. These reacted favourably on existing old-fashioned tenures. Until the end of the fifteenth century we can

trace not only a progressive growth of free tenures under the law of the land, at the expense of unfree tenures under the 'custom of the manor', but also an obvious improvement in other conditions of peasant life as the decades succeeded one another.

As in England, the pestilence of 1348 worked in the same sense. Owing to the labour shortage, the government, at the instigation of the landlords, tried in 1352 to check migration by forbidding it. This proved ineffective and led to a different policy—that of attracting the peasants by improving their tenures. So in the course of the second half of the fourteenth century they acquired the right to dispose of their holdings, and in some part of Tirol the right to subdivide them. When a holding passed from father to son no entry fine was demanded, and not even a regular renewal of the grant. If the quit-rent was in arrears the holding did not fall to the lord at once: he had to appeal to the Duke's court.

How attractive landholding on these favourable terms was is shown by the fact that when a vacancy occurred a considerable payment, really a purchase price, could be demanded of the incoming tenant. And it is easy to understand how, in these circumstances, the landlord's right of property evaporated into a secured real right to draw a rent.

In other parts of German Austria conditions resembled those of Bavaria, that is, they were worse than in Tirol. Many lords still worked their demesnes, and so services still played an important part.

Thus there was a fundamental difference between the North-West and the Centre and South of Germany. In the former landlords' rights were reinforced, peasants' burdens much simplified and reduced. The greater self-determination secured by the peasant was balanced by loss of heritable tenure. This drawback was, however, removed in the sixteenth century by state interference, as we have seen.

In the latter regions conditions were markedly improved by the wide spread of heritable tenures. This improvement often went so far that the tenant became practically an owner. On the other hand stood the permanent attachment to the land of all dues and obligations, including those arising from bondage, so far as they had been able to survive from the old seigniorial system. Their attachment as real servitudes to particular holdings, or even particular parcels of land, and their exact and repeatedly examined record in writing led to a certain petrifaction of the system of dues and a resultant inability to adjust it to new and different conditions.

In small 'states', where the prince was also chief landlord, the dues were no longer based on customary law, but became part of the law of his tiny land.

This final definition of the dues and obligations had at least one

advantage for the peasant: any surplus yield of the holding was his alone. Of the burdens of bondage, 'heriot', 'chevage' and 'merchet' survived as heritable obligations of the bondman when he no longer lived with his lord in the 'manor', and even when he had moved to a town and taken to an urban occupation. There would in the future be government officials and professors who had inherited bondage from their ancestors and would hand it on as a family burden to their descendants. Although the obligations had mostly been commuted for trifling sums of money, they seemed intolerable and unjust because they had lost all meaning. Occasionally, however, they had been eased. For example, in many districts, only the first-born of a free man and a bond woman was servile. The rest were free, but had to make the father's lord a payment in wax or in money: these were the *Wachszinsige*.

As a consequence of the disappearance of demesne, demesne services should have vanished. Yet they survived extensively in the form of the dues in kind, for which they had been exchanged. That was specially true of monastic estates. Ecclesiastical organisation had adopted the rent system only partially. Monks still wanted to have their table supplied from their own lands. So services, or their equivalent, were to them still valuable and important.

From the earliest times the peasants had owed personal services connected with the administration of justice. These survived and were often increased by the lord responsible for that administration, after the *seigneurie* had dissolved. This meant that not only bond men but free men owed services. They consisted in harvest work for the 'justice lord', with carting and team work on various occasions. Where game was plentiful there was also beating for the big drives. We hear too of that notorious duty to keep the frogs from croaking that the lord might sleep in peace.[1] In some districts the peasants had to board and lodge the 'justice lord' and his train when he came to hold assizes. As in England, but not to the same extent, the lord might acknowledge such special services by a small payment, a meal, or at least a drink—it became a 'wet boon'. (Because this was rare in German lands, the German landowner had not the risk that the English had of the service in the end becoming of less value than the allowance for it.) Services not rendered might be taken in cash. Thus a great part of them was permanently turned during the Middle Ages into hay pennies, mowing, reaping or yoke pennies.

The quit-rents paid for cultivable land were not as a rule heavy. But they were not turned into money rents, as in England. Right down to the years round about 1800, far the greater part were paid in corn. Only dues of livestock had for the most part been commuted very early;

[1] Cp. above, p. 263.

except those of hens and geese which also were paid in kind to the last.

Payment for land by a share of the crop, so widespread in France, was in Germany very rare. The system, known as *Teilbau*, was applied only to the letting of vineyards.

Tithe remained in much the same position as quit-rent. In the course of centuries part of it had been impropriated by laymen, but the Church, and above all the monasteries, remained the great tithe-owners. As monasteries had acquired a large part of the rural church property, the care of souls on the land was mainly in their hands. In return they drew tithe of corn, hay, wine and other fruits of the earth in kind; but the 'bloody' tithe, of livestock, had been commuted for money.

In actual amount the sum total of all dues and services was not too great. When peasant families suffered from harvest failure, hailstorms, and other misfortunes, postponement or even exemption was granted. The dues, however, came to be regarded as unjust and vexatious where they could not be recognised as an appropriate return for some service rendered. That was specially felt by bondmen who had lost direct contact with their lords. A grievance also arose from perpetual quit-rents payable to some lord who took no interest in the land, but only in the regular payment of the rent that it yielded. The whole system was also vexatious because most peasants had several lords. The lord of justice, the lord of the body, and the landlord might all put forward claims at the same time, and very often they were three distinct persons, each of whom demanded his share without worrying about what was due to the others. When the princely power had developed, there was a fourth, the prince, who claimed dues in the name of his sovereignty.

One consequence of the decay of landlord's property rights was the possibility of dividing a peasant's holding among his children, or of selling parts of it. Where such property rights had been recently emphasised and better established, as in the North-West, there was a chance of preventing the parcellation of peasant land, or of keeping it within tolerable bounds. (You had then half and quarter *Hufen*, besides the full *Hufen*.) But where, as in the South-West, the peasant gradually acquired the free disposal of his land nothing could stop the parcellation. The tendency to subdivide became very great from the end of the fourteenth century, because by that time the towns had all the population they could maintain and were no longer able to absorb the rural surplus.

This subdivision of peasant holdings was momentous in two ways. It often became difficult for a family to support itself from its own land: many small peasants had therefore to become day-labourers and it became easy for a 'kulak' to buy up his neighbours' land and rise above

them. Hence those sharp social distinctions in village life to which reference has already been made.

In a few districts subdivision did not follow the release of the peasant from restrictions because people adhered to the old customary rule against it. Either the eldest or the youngest son took the whole inheritance, buying out the rest of the family. It was especially in mountainous districts—Tirol, the Black Forest, the Bernese Oberland—that subdivision was avoided: it did not suit the agrarian economy of the mountains.

One consequence of the attachment of all obligations to particular holdings, or parts of them, was that from the fourteenth century more and more the acceptance by a free man of land that had been held by one who was not free forced the free man down, not in law but in fact, into a servile status; for servile burdens, being, as it were, part of the holding, had to be undertaken by every holder. The obliteration of external distinctions in manner of life between free and bond did not work, as in England, to the benefit of the latter; a fact which is partly to be explained by the German peasants being, as a general rule, the more heavily burdened, and by the conscious maintenance in Germany of the bondman's obligations.

One further consequence of the decay of 'manorialism' may be noted. The almost universal three-field system implied close co-operation among the villagers. The scattered strips of their holdings had to be tilled after a common routine binding on all. Common use of the woodland, the pasture, and the stubble for grazing needed uniform regulation. Care for the proper management of such things had been the business of the lord and his officials. With the disappearance of demesnes and their officials the peasants took it over. They held regular village meetings to discuss the details: they nominated village officials to supervise them. Where lords of the old type survived, especially on ecclesiastical land, they still took an interest in all this, but by no means with the vigour and efficiency of former times. For similar reasons, the common woods and pastures were now often divided between the lord and his tenants. As a rule the lord took one part, allowing the peasants to pay for its use, and the other became theirs absolutely.

So not only as an individual, but as a member of his community, the peasant acquired more control of his own affairs.

In the small principalities another phenomenon deserves notice. The seigniorial system was based on a personal tie: the peasant who tilled a lord's land was that lord's man. As several lords might own land in a village, a peasant might well be the man of more than one of them. Princely lords, however, wanted to exercise their authority uniformly and without rivals in a territory geographically compact. To this end

they utilised their powers as 'justice lord'. By purchase, or exchange, or agreement, even by force, they tried to get rid of all competing authorities within their area and above all to centralise higher justice in their own hands. If a prince was also the greatest landlord, and if his tenants were mainly bondmen, he would strive to generalise this state of affairs, for example by only admitting immigrants who would accept his lordship over their bodies. In place of the old seigniorial bondage, dependence on a personal lord, there emerged the real bondage that included everyone who settled in a given area, as expressed in the legal maxim: *Luft macht eigen.*

But if a prince's territory was extensive and contained land of other lords, some of whom might even be stronger than himself, then he would concentrate on his princely authority. He would base his finances not on a landlord's dues but on a new tax system created by his princely power. As Church and nobility were traditionally free of taxation, and had managed to defend this privilege against all attacks, the burgesses and above all the peasants had to bear the burden. That was why princes wished to maintain a prosperous peasantry who could pay their taxes. And so we see, now and then in the fourteenth but more in the fifteenth and sixteenth centuries, these rising territorial princes interfering in the landlord's province and regulating by their princely power things which previously had been purely the landlord's affairs. The object was to protect the peasant from exploitation by his lord. Territorial governments supported monastic tenants in their attempt to turn the unfavourable *Schupflehen* and *Gnadenlehen* (tenures at will) at least into tenures for life; they favoured the spread of free heritable tenure and forbade arbitrary raising of quit-rents, or the creation of rents that could never be redeemed (*unablösbarer Zinsen*). They encouraged the peasants' attempts to secure the free disposal of their holdings, but at the same time tried to control subdivision.

The question has often been raised whether and how the reception of Roman Law in Germany during the second half of the fifteenth century affected peasants' interests. It was supposed, among other things, to have changed their position for the worse; to have fortified the lords' property rights in land, which had become insecure, and to have lowered the status of the unfree by analogies from Roman slavery. More thorough inquiry has shown, however, that Roman Law had no constructive part in shaping peasant conditions at this time. True, the German land grant was equated to the Roman emphyteusis, and the existing property rights of the German landlords, cut through and weakened as they were by their tenants' perpetual rights of user, were compared with the Roman *dominium directum*, the peasants' rights with the *dominium utile*. But that was simply a retrospective clarification by

Roman legal concepts of relationships which already existed, not a new creation through those concepts.

All that has here been said applied exclusively to German territory west of the Elbe and south of the upper course of the Danube, that is, to land occupied by Germans from early medieval times. The adjacent land on the east—Prussia, with East Prussia and the Baltic Ordensland, Bohemia, Silesia and Moravia—all settled later—had a quite different history. There, from the close of the Middle Ages, the seigniorial system was consolidated into the new form of the *Gutsherrschaft*. But the story of that evolution has no place here.

VI. *Conclusion*

The penetration of a money economy into agrarian life produced profound changes in all Central and Western Europe. These changes occurred between 1300 and 1500.[1] Existing institutions did not begin to decay at the same time, nor was the nature of the change the same, in all countries, or even in all parts of any one country. A variety of special local circumstances produced conspicuous variations; and everywhere there was more tenacious conservation on monastic than on lay estates.

Near great towns the transition began in the twelfth century and even in the eleventh. Districts far from trade routes might first feel the effects of the money economy in the fifteenth century, or even later. One point, however, is clear: the money economy only partially superseded the natural economy on the land, and its consequences were not displayed to the same degree in all parts of any given area. Remnants of old institutions survived side by side with new ones down to the eighteenth century. Here, however, we can refer only to what was typical, to those new institutions which were decisive and directive of the further evolution.

In all the lands dealt with in this study—England, France and the German Empire, excluding the lands beyond the Elbe but including the Netherlands and Switzerland—the first sign of a coming change was the surrender by the lord of the central direction of the economy of his estate, and the abandonment of demesne farming. There were two totally different ways of doing this. In one, he took rents from his whole estate instead of managing and in part cultivating it. In the other, he

[1] Italy stands apart. Owing to the more 'modern' character of its economic life (see Ch. VII, § 2) in the early and central Middle Ages, the two centuries referred to are of much less significance in its economic history. Spain also lies apart and its history has not been fully studied.

proceeded to cultivate not merely the demesne but also all the rest, after evicting customary tenants or farmers. By raising produce in bulk for export—grain or wool—he made the estate both support him and yield large profits. Agriculture was thus rationalised and commercialised. In England, from the latter part of the fifteenth century, a large number of landlords in certain parts of the country adopted the second way out, by means of the enclosures, but the majority put up their rents and continued as rentiers. In France the great majority of lords adopted the rent solution. Only about the year 1500 do we see landowners sprung from the bourgeoisie beginning to manage their whole estates uniformly, either by themselves cultivating them or by letting them to large farmers. In the German Empire the first way out was adopted in nearly the whole of the old German-settled area, though by a special method in the North-West as we have seen. In what had been Slavonic territory east of the Elbe the development came by way of a renewed concentration of the whole estate into the lord's hands, by the rise of the *Gutsherrschaft.*

A second adaptation to the money economy consisted in the remodelling of proprietary relationships in the soil as between peasant and lord. Even where the lord's proprietary right was fully recognised, it was limited by the peasant's right of user, which might be for a term of years, for a life, or—as often, where it was heritable—for an indefinite series of lives. The legal basis of the relationship was feudal customary law, only in part written down. Money economy stimulated the lord's desire to control his landed property more freely, and to adjust his relations with his dependants to the legal fashions of his time. So he tried to replace the tenures appropriate in an age of natural economy by the more modern and flexible system of rents. An important section of English landlords adopted this solution. In the later fifteenth century renting was almost universal. There were of course some freeholders whose heritable right of user had gradually taken on the character of property during the course of the Middle Ages, like the *Erblehen* in Germany. If a lord attained his main object, to secure his income and—in a less degree—the free disposal of his land, he was apt to do so only by accepting a readjustment of his rights of property. That was the solution adopted partially in France and widely in Germany: dues were attached to the soil as real servitudes, and in exchange tenures for years or for life were made heritable. The process enabled the lord to secure the cash that he required by mortgaging or selling bits of an income now secured on the land. But it involved the risk that he might indeed keep his land but gradually lose the income from it, until at length he was obliged to sell what no longer brought him in any appreciable revenue.

Money economy brought with it also commutation for money of dues in kind and personal services, including the burdens of the unfree. Here again the English lords made deliberate use of this opportunity, replacing customary tenure by leasing, which secured them, to some extent, against a fall in the value of money. In Germany there was much less commutation. The course pursued in France lay between these two. In all three countries, however, tithe remained predominantly a payment in kind, as did obviously the lord's income from metayage contracts.

Leases and commutation were the best safeguards for the lord against the dissolution of his landed property. This was why that property was best secured in England, because a logical and maximum use was there made of both. In France a section of the *seigneurs* held on in the old ways, with disastrous consequences. It was only by adjustments to money economy in the sixteenth century that some recovery and consolidation of the landlord's position was secured. In the German North-West that consolidation was brought about by the establishment of the *Meierrecht*, and in the colonised land beyond the Elbe by the creation of the *Gutsherrschaft*. In the rest of Germany, above all in the South-West, the lord's right of property was transformed into a peasant's right to which perpetual servitudes attached. On the other hand, property rights in the little lay and ecclesiastical states were stiffened by their new legal basis in public law.

These transformations in the structure of rural economy did not merely introduce changes in the mutual relations of lord and peasant, they exercised also decisive influence on the social and political positions of the two classes. The rise of a money economy brought heavy economic loss to the lords, even in some cases complete ruin. Its results were specially disastrous where the lords' dues under the old custom were unalterable, and now turned into money: the steady depreciation of the money spelled catastrophe for them. The results were also unfavourable where dues were still mainly paid in kind; for the lord could claim only a fixed quota which then had to be turned into cash. The surplus from good harvests and agricultural improvements went into the peasant's pocket. Things were different where it was possible to replace long-period tenures by leases for years: the rent could be adjusted from time to time to meet changed conditions. French metayage worked in the same way, though in the later Middle Ages it was not nearly so widespread as it became in the seventeenth and eighteenth centuries. Better still for the lord was the resumption of the economic control of the whole estate, as in the English sheep-farming estates or the *Rittergüter* of the German Colonial East. Analogous to this was that commercial management of land by bourgeois owners which, as a general phenomenon, belongs to the sixteenth century.

As a result of the changes, the political position of the landlord class was either impaired or completely undermined. Quite apart from the fact that power shrank as property shrank, that position was appreciably weakened by the loss of some part of judicial authority to the public courts. Beyond that, the royal power in England and France and that of the rising territorial princes in Germany extended its legislative activity to cover peasant relationships hitherto regulated by the lords.

We have seen that of all lords the English suffered least. They had been the quickest and most thorough in combating rising economic difficulties with economic means. The change-over to sheep-farming provided many of them with a new and productive source of income. And as their position had always been strongest on its economic side, they could more easily endure any curtailment of political functions. The Hundred Years' War and the Wars of the Roses had already brought such a curtailment. And in England there was no faint possibility of imitating the German dynasts by rising from the position of landlord to that of prince.

The economic collapse of the *seigneur* through the progress of a money economy and the loss of a great part of his judicial functions was especially conspicuous in France. His income might be no longer adequate to maintain his social standards. Bertrand de Preignan, the last of his race, is found begging for a commoner's name so as to get his share of wood from the communal forest with other villagers. The wife of a debt-encumbered lord keeps herself alive after his death by running an ale-house. We often hear in this period of 'gentleman beggars'. Their country homes are popularly known as *châteaux de la misère*. And if the majority of the *noblesse* did not sink to this level of distress, yet they shared in the general social collapse. This was specially noticeable in the South, as a series of inquiries have made perfectly clear. The *petite noblesse* became absolutely insignificant. In 1530, in the Gévaudan, 121 *seigneurs* had an aggregate income of 21,400 livres: one had 5000, another 2000, the rest an average of 138 livres each. And there were merchants in the town with incomes up to 65,000 livres. Very few *seigneurs* were in a position to profit by the rising prices of produce in the sixteenth century; for their demesnes had been divided up long since and the dues that they received in kind left no surplus to send to market. So this old decaying *noblesse* was being replaced by a new noble stratum, large landowners of bourgeois origin.

The lot of the *noblesse* was little better in the German Empire, except in regions like the North-West where there had been systematic reform to meet new conditions. There was a specially great mortality among the lesser lords. A few instances may serve to illustrate the general situation. The 'ministerial' family who had at one time superintended

and protected the extensive estates of the Fraumünster Abbey in Zürich disappears round about 1400. The last representative of this Maness family, once a well-known patron of court poetry, when utterly impoverished sold the paternal castle to Vislin, a Jew. A second branch of the family held out for a few more decades, but then also sank into poverty. At the same time another noble stock that had once been strong, the Müllners, died away so completely that we cannot even tell what became of them. And many more noble families during the fourteenth century fell into debt to the Lombards or the Jews. The Landenbergs, for example, once had broad acres in what is now the eastern part of the Canton of Zürich. One of the last of this dying race, a robber knight, was fought and in the end executed by the town of Zürich early in the fifteenth century. Two brothers of another branch of the family married the two daughters of Muntprat of Constance, the richest merchant in South Germany. In that way they surmounted the crisis and secured a landlord's existence for their descendants. But many noble families in what is now North Switzerland, who had held 'manors' and all the rights pertaining to them either in full ownership or in pledge from the Hapsburgs, were obliged to sell them to urban merchants or to the Council of Zürich, in the course of the fourteenth and fifteenth centuries. So the land exchanged its noble lords for the high and mighty city of Zürich.

Yet some noble families managed to secure princely authority over their own land and that of smaller neighbours, with the *Kastvogtei* over extensive monastic estates; and so they remained erect. Among these lucky ones were the Counts of Hapsburg and of Toggenburg.

What is true of this small sample area is true also of other parts of the Empire. A familiar instance of a fallen nobleman is Götz von Berlichingen who, oppressed by his economic misfortunes, made common cause with the rebel peasants in the time of the Reformation.

The effect of the great changes on the economic and political situation of the peasants was totally different. At many points they were the gainers. True, where the lord reasserted full control of all his land the peasant either lost his holding or came under a renewed and increased tutelage to the lord. But in all other cases, he attained greater independence and greater freedom in the exercise of his calling. The first important consequence of this process of emancipation was the blurring or complete disappearance of class distinctions based on birth. In England the abandonment of demesne farming and the secularisation of monastic property led to the disappearance of bondage by the middle of the sixteenth century. Enclosure for sheep-farming, and what might be called the revival of centralised exploitation of the whole estate by the lord, might have enabled him to demand services once more from

his bondmen as it did in connection with the building up of the *Gutsherrschaft* in Eastern Germany. But so little labour was required in sheep-farming that the wage system paid better.

In France the emancipation of the serfs, which had begun in the fourteenth century, made little progress after the middle of the fifteenth, so that many 'unfree' peasants were still to be found in the eighteenth. In the German Empire, as the system most widespread was that of preserving all seigniorial dues by attaching them to the soil, the burdens of bondage might be maintained as money payments. In those small states where the lord was also the prince, bondage was even appreciably extended by application of the principle of *Realleibeigenschaft*, as we have seen.

Where leases replaced the old customary tenures, the only tie between tenant and lord was the annual payment in cash, as in England, or by a fixed share of the crop, as in France. This new system strengthened the lord's property rights. But where hereditary tenure had developed, the peasants' heritable right of user developed into peasant property; yet a property burdened with perpetual, irremovable, servitudes. Moreover, the chance which the peasant had of selling his land, or some part of it, broke down the old standard holdings of unalterable size. And as at the same time a peasant's land might be cut up among members of his family, the way was opened for the rise of the 'dwarf' holding which could barely support a family at all. So there grew up social distinctions based not on class but on property.

It was a great drawback for the peasantry that the loosening of their close attachment to their lords, and so their emancipation, stopped half-way. In England the partial survival of the old system was less oppressive, because money rents had become so general. But in France the spread of metayage from the sixteenth century worked more to the peasants' disadvantage. There the lords' property rights did not evaporate, as in great parts of Germany, into a right to draw fixed rents. And as French *banalités* survived, peasants still had to use the lord's mill, and oven, and winepress. Hunting rights also survived, with results which were often most damaging to the peasant's fields. But it was in Germany that the obligation of the peasant to his lord remained least modified, as a result of the perpetuation of his dues as real servitudes or of his subjection to princely authority.

The weakening of seigniorial ties and of the demesne organisation connected with them gave the peasants more voice in the management of all agrarian affairs. The control of the three-field system, with its necessary co-operation among villagers and centralised direction of village economy, passed from the lords to the cultivator. The village meeting replaced the 'manor court'. The meeting managed its own

affairs, chose its own 'chairman', and issued its own directions. If that often led to clashes between peasants and lord, this only increased the peasants' class consciousness. It was these clashes which roused their hankering for still more self-determination, and for the extension of their right of control over every branch of agrarian economy.

All those seigniorial dues and obligations which had lost their natural basis, with the disappearance of the intimate joint workings of demesne and 'tenures', were felt to be unjustified, and so oppressive, burdens. The peasant submitted to them grudgingly. Moreover the partial transfer of justice to the public courts led to changes in procedure and in legal findings which the persistently conservative peasant felt to be invasions of his traditional rights. All this engendered discontent and led to a state of permanent strain, resulting in many local risings about the turn of the fifteenth century.

In England, where the transition to new and appropriate conditions had gone furthest, little happened until the unimportant rising of 1547. There were more peasant revolts in France round about 1500; yet as they never affected wide regions they were easily put down. But in Germany the second half of the fifteenth century witnessed a whole series of risings, which culminated in the early years of the Reformation with the great Peasants' War. It is significant that the centre of the troubles was South-West Germany, the country of innumerable little independent princes. It was here that lords, having risen to princely rank, had used their new authority to interfere in peasant affairs. The peasants always retorted with risings, to defend, as they said, the good old customs. But the innovations which the princes desired were only the external occasions of mutiny: its basic cause was the peasant's dissatisfaction with the general state of affairs. Yet he lacked deep insight into those greater matters and into the real grounds of his own discontent. To his completely tradition-coloured view every change in things as they were, even when it had worked to his advantage, had looked like an attack on his inherited rights. His formal complaints were therefore directed solely against innovations due to the transition to a new state of things, against certain abuses in the levying of dues, and above all against the new organisation of justice.

This purely negative attitude only changed into a positive and constructive one with the Reformation. From the reformers peasants learnt to justify established customs by Biblical texts and to base their claims on Biblical authority. Armed with a new weapon, they were no longer content to dispute here this obligation or innovation, and there that. Now at length they demanded the removal of all seigniorial institutions; serfdom was to be abolished with all its obligations; services were to go; so were the lord's privileges in wood and waste, and with them the

small tithe because—unlike the great tithe—there was no Biblical authority for it. This comprehensive and positive programme had such driving force that it provoked a general rising in all South Germany and in a part of Switzerland. But the peasants went down before the superior military power of the nobility. Their demands were unheard. Just as in France, the transformation of seigniorial institutions was stopped half-way, not to be completed until the great French Revolution turned things upside down in neighbouring lands also.

Bibliographies

EDITORS' NOTE

At an early stage the editors abandoned the notion of compiling a general bibliography. If made complete, this would be little less than a bibliography of medieval history, which would be superfluous. Further, contributors had drawn up their bibliographies on divergent lines; had often inserted valuable notes explaining the methods adopted; and sometimes had thrown the bibliography almost into narrative form. It was therefore decided to leave each bibliography as it stood, with merely editorial correction. The great difficulties of communication since August, 1939, which have robbed us of one bibliography entirely, confirmed us in this policy. One result of it is that certain books recur in several lists. We have left them in all, because they both register the contributor's debt and, in a rough way, the greatness, or at least the utility, of the recurring books.

The following abbreviations are used for the journals most often quoted:

AHES. *Annales d'histoire économique et sociale.*
AHR. *American Historical Review.*
EHR. *English Historical Review.*
EcHR. *Economic History Review.*
EJ. *Economic Journal*; *EJ.* (Ec. Hist.), Historical supplement to *EJ.*
HJ. *Historisches Jahrbuch.*
HZ. *Historische Zeitschrift.*
RB. *Revue Belge de Philologie et d'Histoire.*
RH. *Revue historique.*
TRHS. *Transactions of the Royal Historical Society.*
VSWS. *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte.*
ZSS. *Zeitschrift der Savigny Stiftung.*

CHAPTER I

The Settlement and Colonisation of Europe

The following bibliography does not as a rule incorporate source material fundamental to the chapter or to further research, as most of this material is to be found in the well-known regional collections of charters and other documents and any selection from these would necessarily be arbitrary. Those few editions of documents which are mentioned below are considered to be specially useful, either because of their introductions and notes or because of their own selective character. Some illustrative chronicles are also included.

The bibliography relates only to the countries more specially dealt with in the chapter.

The author wishes to express his indebtedness for valuable hints given to him by the editors, by Prof. H. Aubin of Breslau, Prof. Marc Bloch of Paris and Dr H. C. Darby of Cambridge.

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CHAPTER II

Agriculture and Rural Life in the Later Roman Empire

The List does not pretend to be exhaustive: that would be impossible, but it aims at indicating at once the guides on which the author has principally relied, and a selection of works useful to readers who wish to go more deeply into the questions examined. Periodical articles, unless of very great importance, are not included.

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CHAPTER V

Agrarian Conditions in the Byzantine Empire in the Middle Ages

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CHAPTER VI

The Rise of Dependent Cultivation and Seigniorial Institutions

A Bibliography which confined itself to those works alone which dealt specifically with the origins of the *seigneurie* would be exceedingly scanty. Indeed the subject can be treated only with the assistance of works of much wider scope, dealing on the one hand with the medieval *seigneurie* or with one or other of its aspects and on the other with the social evolution of the period immediately anterior to the middle ages. But anything like a relatively complete list of such books or articles would merely repeat the bibliographies appended to the other chapters of this volume. I have therefore confined myself to indicating those which appear to me most useful for a study of the problems with which I have dealt. Furthermore, I have omitted works of detail which are sufficiently old to be mentioned in the more general works which are listed. Such a selection must necessarily be somewhat arbitrary and if omissions are observed it should be remembered that for the most part they are deliberate.

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CHAPTER VII

MEDIEVAL AGRARIAN SOCIETY IN ITS PRIME

§ 1. FRANCE, THE LOW COUNTRIES AND WESTERN GERMANY

The aim of the following bibliography is merely to enable readers who desire to extend their knowledge of the subject to find their way about. Thus the sources for the history of the great domain in western Europe from the eleventh to the fourteenth centuries are not listed and only secondary authorities are given, since the latter contain all the necessary information as to sources. To this rule two exceptions only have been made, by reason of the capital importance of the introductions to the texts in question, viz. the famous prolegomena prefixed by Benjamin Guérard to his edition of the *Polyptique de l'abbé Irminon,* which are essential even for the period covered by this chapter, and the late Professor Henri Pirenne's notable introduction to his edition of the *Livre de l'abbé Guillaume de Rijckel.* This procedure appears to conform to the spirit governing the present volume, but it must be added that the account given in this chapter is largely based on a personal study of the sources and on their discussion in the author's seminar on medieval history in the University of Ghent during the years 1931–2 and 1937–8.

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Thanks are also due to certain authors who have kindly permitted the writer to make use of a number of unpublished works. (1) A voluminous and very remarkable study by M. L. Génicot, *Recherches sur l'économie rurale dans le comté de Namur au bas moyen âge,* 1200–1429. [A résumé of which is given in a chapter in *Fédération archéologique et historique en Belgique,* XXXI^e^ Session, Congrès de Namur, 1938, Annales, fasc. I, under the title 'Les premiers taux à ferme du Namurois', pp. 41–2.] (2) Two studies by M. F.

Vercauteren, entitled *Note sur la valeur et l'importance économique des donations faites par les comtes de Flandre aux XI^e^ et XII^e^ siècles* (which will appear in the *Revue Historique* and is summarized in *RB.* XVI, 1937, pp. 938–9) and *Note sur l'extension de l'organisation domaniale en Belgique au haut moyen âge* (summarized in the same collection as Génicot's chapter mentioned above, pp. 48–9). (3) The researches of Mlle Polfliet on the abbey of Affligem and of MM. Jamees and Vanderpoorten on the abbeys of Zonnebeke and Saint-Pierre of Ghent respectively. Finally M. F. Lot, membre de l'Institut de France, has been good enough to place at our disposal a large number of notes which he has made on the subject of the agrarian régime in various parts of France.

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§ 3. SPAIN

An economic history of Spain in English is still an unsatisfied want. Manuel Colmeiro, *Historia de la economía política en España* (2 vols. Madrid, 1863), though old and not altogether trustworthy, has not been superseded in the field of general economic history. Ignacio de Asso, *Historia de la economía política de Aragón* (Zaragoza, 1798), is a regional study of high merit, but to a large extent it is devoted to economic geography rather than history. Of the general histories of Spain, three deserve mention for extensive summaries

of economic developments in the medieval period: Rafael de Altamira y Crevea, *Historia de España* (I, 3rd revised ed. Barcelona, 1913); Antonio Ballesteros y Beretta, *Historia de España* (II, Barcelona, 1920); Roger B. Merriman, *The Rise of the Spanish Empire* (I, New York, 1918). A few of the economic histories of Europe give more than perfunctory attention to the Spanish phase, viz. Boissonnade, *Life and Work in Medieval Europe* (London and New York, 1927), Henri Pirenne, *Economic and Social History of Medieval Europe* (London, 1936), and James W. Thompson, *An Economic and Social History of the Middle Ages* (New York and London, 1928). Also useful are Altamira's chapters on Spain in *The Cambridge Medieval History*, VI (1929), ch. 12 and VII (1932), ch. 20, as well as Professor Power's 'Peasant Life and Rural Conditions' in the same work, VII, ch. 24.

Most of the numerous monographs on feudalism and the seigniorial régime in Spain concentrate on the constitutional and legal aspects of agrarian organization. This is true, in general, of such basic studies as Francisco de Cárdenas, *Ensayo sobre la historia de la propriedad territorial en España* (2 vols. Madrid, 1873); José Coroleu, *El feudalismo y la servidumbre de la gleba en Cataluña* (Gerona, 1878); Antonio de la Escosura y Hevia, *Juicio crítico del feudalismo en España* (Madrid, 1856), which has been called 'the first really scientific treatise on the subject and the basis for subsequent discussion'; Henrique da Gama Barros, *Historia da administração publica em Portugal nos seculos* XII *a* XV (3 vols. Lisbon, 1885–1914); Ernest Mayer, *Historia de las instituciones sociales y políticas de España y Portugal durante los siglos* V *a* XIV (2 vols. Madrid, 1925–6; translated from the German); Tomás Muñoz y Romero, in *Discursos leídos ante la Real Academia de la Historia en la recepción pública de Don Tomás Muñoz y Romero* (Madrid, 1860); Angel de los Ríos y Ríos, *Noticia histórica de las behetrías, primitivas libertades castellanas* (Madrid, 1876); Edouard Sécretan, 'De la féodalité en Espagne', in *Revue historique de droit français et étranger*, VIII (Paris, 1862), pp. 625–70 and IX, pp. 285–317; and the excellent studies of Claudio Sánchez-Albornoz: 'Estudios de alta edad media: La potestad real y los señoríos en Asturias, León y Castilla, siglos VIII al XIII', in *Revista de archivos, bibliotecas y museos*, XXXI (Madrid, 1914), pp. 263–90; 'Las behetrías: La encomendación en Asturias, León y Castilla', in *Anuario de historia del derecho español*, I (Madrid, 1924), pp. 158–336; and 'Muchas páginas más sobre las behetrías', *ibid.* IV (1927), pp. 5–157 (an article violently disagreeing with Mayer's thesis as to the origin of the *behetría*).

The principal studies of rural organization which furnish economic data in significant amounts are: Eduardo de Hinojosa, *El régimen señorial y la cuestión agraria en Cataluña durante la edad media* (Madrid, 1905), one of the best examples of Spanish scholarship; Jean-Auguste Brutails, *Etude sur la condition des populations rurales du Roussillon au moyen-âge* (Paris, 1891), a work which has no equal for any strictly Spanish region; Tomás Muñoz y Romero, *Del estado de las personas en los reinos de Asturias y León en los primeros siglos posteriores a la invasión de los árabes* (Madrid, 1883), also published in the *Revista de archivos, bibliotecas y museos*, IX (Madrid, 1883), pp. 3–17, 51–60, 86–99, 119–25; Julio Puyol y Alonso, 'Una puebla en el siglo XIII (Cartas de población de El Espinar)', in *Revue hispanique*, XI (Paris, 1904), pp. 244–98; and *idem*, *El Abadengo de Sahagún: Contribución al estudio del feudalismo en España* (Madrid, 1915).

Documentary footnotes and appendices are voluminous in the works of Brutails, Hinojosa, Puyol, and Sánchez-Albornoz. R. García Ormachea, 'Una behetría de "allende" el Duero', in *Anuario de historia del derecho español*, VI (1929), pp. 437–41, and Rafael de Floranes, 'Apuntamientos curiosos sobre behetrías, su condición y privilegios y modo de hacer en ellas las filiaciones', in *Colección de documentos inéditos para la historia de España*, XX (Madrid, 1852): pp. 407–502 are documents. Town charters (*fueros*) and land grants are found in the standard work of Tomás Muñoz y Romero, *Colección de fueros municipales y cartas pueblas de los reinos de Castilla, León, Corona de Aragón y Navarra*, I (Madrid, 1847; only volume published), and in the *Colección de documentos inéditos del Archivo General de la Corona de Aragón*, especially vol. VIII (Barcelona, 1847). Abundant documentary material, dealing with feudal institutions, has also been published in numerous volumes of the *Boletín de la Real Academia de Historia* (Madrid, 1877–1935). Documents concerning ecclesiastical estates appear in quantity in the collection *España Sagrada*, especially vol. I (Madrid, 1866).

Articles of a somewhat narrower scope, but not necessarily of secondary importance, include: Rafael de Altamira y Crevea, 'La servidumbre rural en Cataluña', in *La Lectura: Revista de ciencias y de artes*, III (Madrid, 1903), pp. 230–9; Francisco Aznar Navarro, 'Los solariegos en León y Castilla', in *Cultura española* (Madrid, 1906), pp. 4–26, 299–326; Angela García Rives, 'Clases sociales en León y Castilla', in *Revista de archivos, bibliotecas*

y museos, XLI (Madrid, 1920), pp. 233–52, 372–93, and XLII (1921), pp. 19–36, 157–67; Eduardo de Hinojosa, 'Mezquinos y exaricos: datos para la historia de la servidumbre en Navarra y Aragón', in *Homenaje a D. Francisco Codera* (Zaragoza, 1904), pp. 523–31; *idem*, 'La servidumbre de la gleba en Aragón', in *La España moderna*, XVI (Madrid, 1904), pp. 33–44; *idem*, 'La pagesía de remensa en Cataluña', in *Estudios sobre la historia del derecho español* (Madrid, 1903); W. Piskorski, 'La servidumbre rural en Cataluña', in *Revista crítica de historia y literatura españolas, portuguesas e hispano-americanas*, VII (Madrid, 1902), pp. 423–31. Piskorski wrote four books dealing with medieval institutions in Catalonia, none of which—except for this brief summary—appears to have been translated from the original Russian.

No history of Spanish agriculture deserves more than passing attention. Gabriel Alonso de Herrera, *Agricultura general* (4 vols. Madrid, 1818–19), first published in 1513, contains very little medieval history; and Francisco Luís Laporta, *Historia de la agricultura española* (Madrid, 1798), is incredibly superficial. Antonio Josef Cavanilles, *Observaciones sobre la historia natural, geografía, agricultura, población y frutos del Reyno de Valencia* (2 vols. Madrid, 1795–7), is a creditable piece of work, but it does not go very deeply into the medieval period. José Balari y Jovany, *Orígines históricos de Cataluña* (Barcelona, 1899), is written from an antiquarian point of view, but it contains much useful data on agriculture drawn from archives. The twelfth-century *Libro de agricultura* by Abu Zacaria Iahia Mohamed Ben Ahmed Ebn el Awam (2 vols. Madrid, 1802; translated by Josef Antonio Banqueri), is a sort of symposium of horticultural and agronomic information drawn from Greek and Roman authors, notably Columella, and from contemporary Moorish writers. It is a monumental work, but limited in its usefulness for the study of agricultural history.

Two recent works by American scholars touch upon agrarian conditions, principally in the last two or three centuries of the Middle Ages. Julius Klein, *The Mesta* (Cambridge, Mass. 1920) contains a critical study of the relation of grazing to agriculture, especially since the formation of the sheep raisers' guild in 1273. Earl J. Hamilton, *Money, Prices, and Wages in Valencia, Aragon and Navarre*, 1351–1500 (Cambridge, Mass. 1936), is based primarily upon records later than 1300. Some legislation affecting agriculture and rural life will be found in the *Córtes de los antiguos reinos de León y de Castilla* (5 vols. Madrid, 1861–1903), which begin with the Council of Leon in 1020, and in the *Córtes de los antiguos reinos de Aragón y de Valencia y Principado de Cataluña* (26 vols. Madrid, 1896–1922), which take up the legislation of the Catalan *Corts* from 1064.

The critical bibliography of P. Boissonnade, *Les études relatives à l'histoire économique de l'Espagne et leurs résultats* (Paris, 1913), first published in the *Revue de synthèse historique*, XXII (Paris, 1911), pp. 79–105 and 198–227, and XXIII, pp. 75–97 and 331–52, is an indispensable guide to the study of all phases of Spanish economic history. It is regrettable that similar work has not been done for the bibliography since 1911.

§4. THE LANDS EAST OF THE ELBE AND GERMAN COLONISATION EASTWARDS

AUBIN, GUSTAV. 'Die historische Entwicklung der ostdeutschen Agrarverfassung und ihre Beziehung zum Nationalitätenproblem der Gegenwart', in *Der ostdeutsche Volksboden. Aufsätze zu den Fragen des Ostens*, ed. W. Volz, enlarged edition, Breslau, 1926, 340–74.

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AUBIN, HERMANN. 'Wirtschaftsgeschichtliche Bemerkungen zur ostdeutschen Kolonisation', in *Sozial- und Wirtschaftsgeschichte, Gedächtnisschrift für G. v. Below*, Stuttgart, 1929: *Von Raum und Grenzen des deutschen Volkes, Studien zur Volksgeschichte*, Breslauer Historische Forschungen, VI, Breslau, 1938.

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Note. The above-mentioned works in Magyar were not accessible to the author. He wishes to express his thanks to Professor Domanovsky of Budapest for information without which the composition of the Hungarian sections of this chapter would have been impossible.

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§6. RUSSIA

Sources and Literature

I. *Bibliography.* All the general works on the history of Russian law and Russian economics listed below contain a more or less complete bibliography. Furthermore, nearly the whole literature on Russian economic history is given in the notes to: Heinrich von Staden. *Aufzeichnungen über den Moskauer Staat*, herausgegeben von Fritz Epstein. Hamburg, 1930.

Cp. also: Ikonnikov. *Opyt russkoy istoriografii* [An Essay in Russian historiography]. Kiev, 1891–1908.

See also a recent bibliographical work: *Materialy dlya bibliografii po istorii narodov SSSR* XVI–XVII VV. [Materials for a bibliography of the history of the peoples of the U.S.S.R.]. Published by the Academy of Sciences, 1933.

II. *Sources.* In the same general works and bibliographies are to be found also references to the following sources:

1. Chronicles in which acts of public law are sometimes to be found;
2. Acts of public law of various nature and content, including ecclesiastical and international law; among the State acts are to be included also private records of laws and Government enactments;
3. Acts of private law;
4. Works of ecclesiastical and secular literature;
5. Records of foreigners' travels in Russia.

With reference to (1) it is to be noted that of all the Slavonic peoples Russians have the most continuous, rich and original *chronicle* tradition. Russian Chronicles are for the most part collected, and in part critically edited, in the series entitled *Polnoe Sobranie Russkih Letopisey* [Complete Collection of Russian Chronicles] published by the official but purely scientific Archeographical Commission. It was founded in 1835 and, despite all vicissitudes and changes, still functions *de facto*.

III. Acts of public law have been collected in the monumental series published by the Russian Government on the initiative of Count N. P. Rumyantsov, the famous Chancellor and patron of art and literature: *Sobranie Gosudarstvennyh Gramot i Dogovorov* [Collection of State Papers and Treaties]. Four Parts. 1813–28. Acts of public and private law are to be found in the following collections published by the Archeographical Commission: *Akty archeograficheskov ekspeditsii* [Acts of the archeographical Expedition]. 4 vols. St Petersburg, 1836. *Akty istoricheskie* [Historical Acts]. 5 vols. and 12 vols. of addenda. St Petersburg, 1841–72. *Akty yuridicheskie* [Legal Acts]. 1838. *Akty otnosyashchiesya do yuridicheskago byta drevney Rossii* [Acts relating to the legal life of ancient Russia]. 3 vols. 1857–84. Here also belong the *Acts of the Muscovite State* published by the Academy of Sciences (3 vols. 1890–1901). Of first-rate importance, and of great value as a source of economic history, are the cadastral records (the so-called *pistsoviya knigi*) which represent a curious combination of agricultural surveys, i.e. records of properties and economies, with population censuses of a sort. Of particular value are the cadastral records of Novgorod, in six volumes (1859–1910), because they reflect the social revolution involved by the subjection of Novgorod to Muscovite dominion. Cp. also the cadastral records of the Muscovite State of the sixteenth century published by the Russian Geo-

graphical Society and edited by N. V. Kalachev (2 parts, 1877). There are also editions of other cadastral records, but a considerable part of them is still unpublished, though it has been made use of in the literature based on the manuscripts in the archives.

Among the documents of Russian law, which are the most important source for the study of that law, and through it of social and economic life, the following must be specially mentioned: (*a*) the early treaties between the Russians and the Greeks concluded prior to Russia's adoption of Christianity (their authenticity is beyond doubt); (*b*) Russian treaties with the Germans; (*c*) ecclesiastical statutes (general and local); (*d*) private records of statute and common law in operation in North and Central Russia since the eleventh century, known as *Russkaya Pravda* [Russian Law]; (*e*) the *Veche* law books of Pskov and Novgorod of the fourteenth and fifteenth centuries; (*f*) the Statute Book of the Polish King and Lithuanian and Russian Grand Duke Kazimir Yagellovich, of 1468, as well as (*g*) the Moscow Statute Books of 1497, 1550 and 1589 (the latter being a private record), next to which must be placed (*h*) the judgments and decisions of the State and Ecclesiastical Council of 1551 (the so-called *Stoglav*) and of the Ecclesiastical Council of 1667; and finally the codification of Russian medieval law of the period of the established Tsardom, viz. the so-called *Sobornoe Ulozhenie* of the Tsar Alexis Mihailovich, carried out in 1649 in consultation with a popular assembly (*Zemsky Sobor*) and with various groups of the population which presented their petitions (*chelobitniya*).

The fullest selection of the most important documents of Russian law prior to the *Ulozhenie* of 1649 is to be found in *Hristomatiya po istorii russkago prava* [Chrestomathy of the History of Russian Law] by the late Professor M. F. Vladimirsky-Budanov, of the University of Kiev (Part 1, 5th ed. 1899; Part 2, 4th ed. 1901; Part 3, 3rd ed. 1889). This selection of documents is provided with notes as well as a bibliography. Critical editions of *Russkaya Pravda* by Kalachev (several editions since 1847) and Sergeyevich (2nd ed. 1911), as well as Goetz' *Das Russische Recht* (Stuttgart, 1910–13), must also be mentioned. With the *Ulozhenie* of Alexis Mihailovich there begins the vast collection of legal sources belonging to the modern period of Russian history which is of great importance for the historical study of the Russian peoples, viz. the Complete Collection of Laws of the Russian Empire (*Polnoe Sobranie Zakonov Rossiyskoy Imperii*).

IV. *Literature.* Among general works on Russian history of special importance for agrarian relations are the monumental classics of:

VON BERNHARDI, THEODOR (1802–87). *Geschichte Russlands und der europäischen Politik*, II, 1. Leipzig, 1874. [Das alte Russland, pp. 197–436.]

KARAMZIN, N. M. (1766–1826). *Istoriya Gosudarstva Rossiyskago* [History of the Russian State];

KLYUCHEVSKY, V. O. (1841–1910). *Kurs russkoy isotorii* [A Course of Russian History]. There is an English translation of it. Klyuchevsky's famous monographs have been summed up in his *Course*; and

SOLOVYEV, S. M. (1820–79). *Istoriya Rossii* [History of Russia].

Among recent studies of cultural history one may mention P. N. Milyukov's very valuable *Ocherki po istorii russkov kultury*, vol. 1 [Studies in the History of Russian Culture], of which there is a German translation.

Of particular importance in the literature on Russian economic history are general works on the history of Russian law, among which it is necessary to mention:

CHICHERIN, B. N. *Opyty po istorii russkago prava* [Essays in the History of Russian Law]. 1858.

DYAKONOV, M. A. *Ocherki obshchestvennago i gosudarstvennago stroya drevney Rusi* [Studies in the social and political structure of Ancient Russia]. [Several editions since 1908.] There is a German translation published by the Osteuropa-Institut, Breslau, 1931.

FILIPPOV, A. N. *Istoriya russkago prava* [History of Russian Law]. [Several editions since 1905–6.]

NEVOLIN, K. A. (1806–56). *Istoriya rossiyskih grazhdanskih zakonov* [History of Russian Civil Laws].

SERGEYEVICH, V. I. *Drevnosti russkago prava* [Antiquities of Russian Law]. 3 vols. 1890–1903.

VLADIMIRSKY-BUDANOV, M. F. *Obzor istorii russkago prava* [A Survey of the History of Russian Law]. [Many editions since 1886.]

Of special studies on the history of Russian economics it is necessary to mention:

DOVNAR-ZAPOL'SKY, M. V. *Istoriya russkago narodnago hozyaystva* [History of Russian National Economy], vol. I, 1911;

KULISHER, I. M. *Istoriya russkago narodnago hozyaystva* [History of Russian National Economy], 2 vols. 1925; and

LYASHCHENKO, P. I. *Istoriya russkago narodnago hozyaystva* [History of Russian National Economy]. Moscow, 1927.

Monographic literature on the history of Russian economics, and of agrarian relations in particular, is exceedingly vast. It is possible to mention here only the most important works bearing on fundamental problems. Before doing so it must be pointed out that the present author's view of the starting-point of Russian agrarian evolution in the Middle Ages—namely, the sharp social differentiation which manifested itself in the absence in ancient Russia of what may be called the peasant class in the modern sense, and hence in the absence of peasant landownership—develops and modifies the view already expressed by Karamzin, not only in his *History*, but more especially in the remarkable memorandum *On Ancient and Modern Russia* submitted by him to Alexander I; later by Bernhardi in his above-mentioned survey of early Russian history; and finally by Klyuchevsky. The present author first formulated his view as early as 1899 in a work dealing with the general characteristics of the late Russian manorial economy and included it in a volume of studies published in 1913 (Moscow) under the title *Krepostnoe Hozyaystvo* [Manorial Economy]; it was subsequently re-stated by him in a paper read at the fourth congress of Russian academic organisations in 1929, under the title 'What were originally the Russian peasants, etc.' (printed in the *Annals* of the above Congress, Belgrade, 1929). The opposite point of view which consists in the traditional reading into the Russian medieval past of the notion of initial economic equality of the tillers, and of the idea of the ancient origin of Russian communal land-tenure, is regarded by the present author as historically untenable. In his view of the origin and nature of the Russian village community the present author adheres to the conception which was for the first time clearly formulated by Chicherin, as well as to the researches of Mme Efimenko and to the inferences from modern statistical mass observations and investigations of the village community with regard to the possible agrarian evolution in the past. The vast work of investigation carried out by Russian students of agrarian relations has been turned to account in the excellent English monograph of the late Polish economist J. St Lewinski: *The Origin of Property and the Formation of the Village Community*. London, 1913.

In his attitude to the problem of Russian feudalism the present author differs radically from N. P. Pavlov-Sil'vansky, and in his criticism of the latter's conclusions shares independently and develops the objections put forward by such scholars as V. I. Sergeyevich, M. F. Vladimirsky-Budanov, P. N. Milyukov and S. B. Veselovsky. In his constructive scheme the author formulates and develops the views which in their rudimentary form can be found in M. A. Dyakonov's above-mentioned work. In this constructive part of his conception of the problem of Russian feudalism the author draws upon his own work: *Nablyudeniya i izsledovaniya is oblasti hozyaystvennoy zhizni i prava drevney Rusi. I. Sushchestvoval-li v drevney Rusi feodal'ny pravoporyadok? II. Naimenovanie 'krestyanin'.* [Observations and researches in the field of the economic life and law of Ancient Russia. I. Did the feudal regime exist in Ancient Russia? II. The name 'krestyanin'.] [This work appeared in the Miscellany of the Russian Institute in Prague, 1929.]

Cp. also:

BAGALEY, D. L. *Ocherki po istorii kolonizatsii stepnoy okrainy Moskovskago gosudarstva* [Studies in the history of the colonization of the steppe borderland of the Muscovite State]. Kharkov, 1887. [This work is supplemented by three volumes of 'Materials', Kharkov, 1886–90.]

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§7. ENGLAND

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§ 8. SCANDINAVIA

When war began we had not yet received the Bibliography to Professor Bolin's chapter, and we have been unable to procure it. As we do not wish to hold the volume up until peace comes, we have thought it best to leave a gap—which we intend to fill in a later volume. Fortunately more footnotes had been sanctioned for this than for other sections, so that readers will have at least a partial introduction to the sources.

CHAPTER VIII

MEDIEVAL AGRARIAN SOCIETY IN TRANSITION

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