

Feudalism

“Feudal” is a word which, over the centuries, has been used in many ways by different writers. The version which prevailed became the standard Latin term for what today we call the fief. The latter connote a concrete object – a piece of land, conveyed not absolutely but with conditions attached.

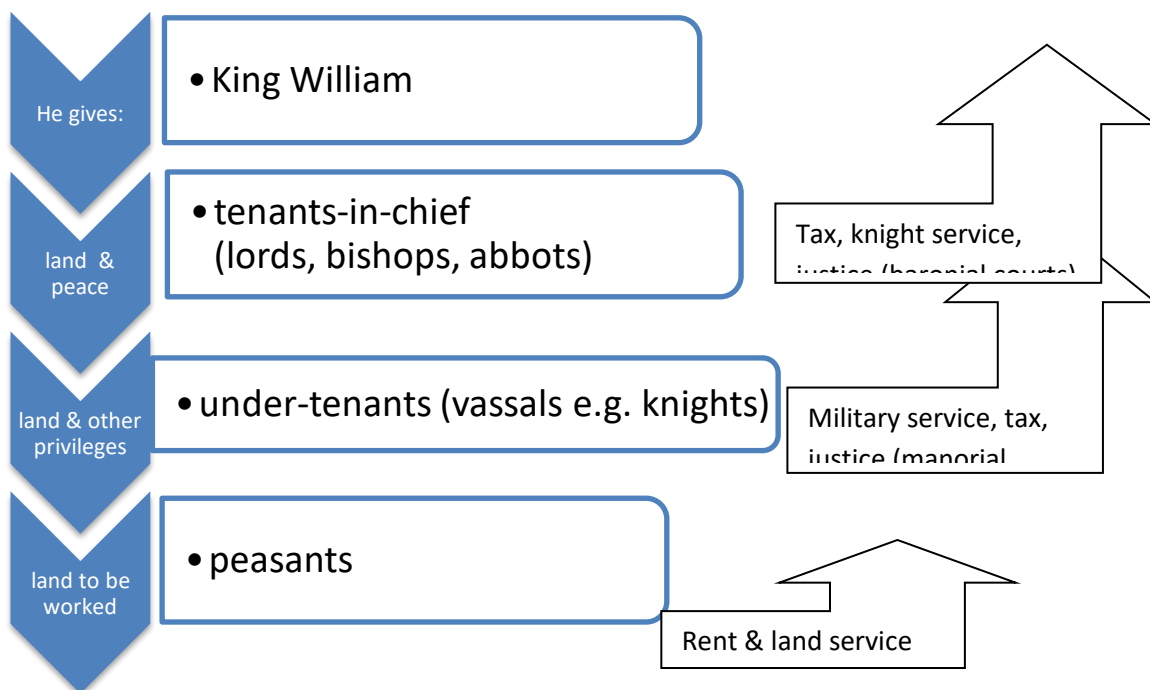
It was brought full growth from France. Many historians say that on the eve of the Norman Conquest, the Anglo-Saxon institutions were already approaching the feudal model. It was the doctrine that the whole land was the property of the king and that the individual landowner wasn’t in the full sense an owner, but held his land as a tenant of the king, by the grant of the king, on recognized conditions of military service. It is also referred to as **the process of commendation** in which the landowners had done **homage**¹ to the king to become his men, and then receiving their land back on condition of military service. So every inch of land within the king’s dominion was his property, and the landowner held it as the king’s **vassal** on condition of military service but the king also carried obligations of protecting his vassals. The same process applied to minor landowners who received land by a grant from greater landowners originally or had become their vassals by commendation. Finally, they held land on condition of agricultural service or some equivalent.

After the Norman Conquest all this was literally true in England. That is to say there was no theory that all the land was the king’s land and had been granted by him on condition of military tenure before the arrival of Normans. Now the king had assumed the ownership of all soil as being forfeited to him by rebellion (and could be distributed on condition of homage and under feudal tenure). Infact, William gave land to his tenants-in-chief, but they had to provide him

¹ Landholders had to carry out a ceremony of **homage** to William. They promised on the Bible to remain loyal to him, saying “I become your man”. Tenants-in-chief would perform similar ceremonies with their under-tenants.

troops when needed. Land with this obligation was called a fief (or feud). The king was the most powerful person in the feudal hierarchy, followed by the tenants-in-chief who had to provide unpaid knight service for 40 days. They were important people like barons, and some were Church leaders (e.g. bishops). They gave the king a share of the revenue earned in their fief and kept a share themselves. Vassals were not as powerful, and answered to the tenants-in-chief. Labour service was the work that peasants did in return for using the land. The following diagram explains this process:

Figure 10: the Feudal System

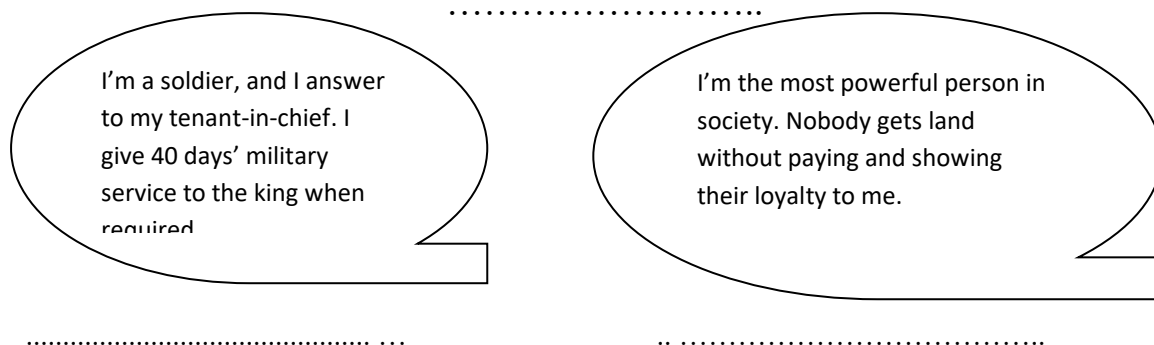


Write the name of the correct person in the feudal system next to each speech bubble

.....

I hold my land directly from the king. In return I must pay taxes and provide him with knights when needed

I'm at the bottom of the feudal hierarchy. I farm the lord's land. The person in charge of me is an under-tenant.



VII. The Crisis of Kingship

It became a family business. At that time nationalism did not exist. William controlled both the French of Normandy as their Duke, but recognized the King of France as the greater lord above him, and controlled the English because he won England in his war and was its king. The management of both areas after his death in 1087 was left to sons Robert and William Rufus (now **William II**). When childless William II died, shot by an arrow, their younger brother Henry rode to Winchester and took charge of the king's treasury. He then rode to Westminster where he was crowned king three days later. Robert was angry and led an invasion which was a failure. Upon his return to Normandy, Henry had already invaded and reunited it with England.

With regard to **Henry I** successor, problems also rose. He made everybody promise to accept Matilda, his daughter, after his death. But there was a second possible heir, his nephew Stephen. Stephen raced to England, and Matilda invaded it later. The fight led to a terrible civil war in which villages were destroyed and many people were killed. Finally in 1153 they reached an agreement that Stephen could keep the throne but only if Matilda's son Henry II could succeed him, which happened eventually.

Henry II was the first unquestioned ruler of the English throne for a hundred years with far more land than any previous king. However, he had quarrels with his wife and two sons Richard and John who often sided with their mother. They fought their father to do their duty to their feudal overlord, king of France, in payment for the lands they held from him. Henry died broken and disappointed. Richard Lionheart succeeded him as the most popular English king, a perfect feudal king who went to the Holy land to make war on Muslims. After he was killed in France 1199, the French king took over parts of his French land to rule himself. Richard was followed by his brother John who was unpopular with each of the nobles, the merchants and the church.

King John of England (also nicknamed John without land or Lackland) was capricious, lazy, untrustworthy and greedy. Feudal lords ruled only their law courts and benefitted from their fines, but John took many cases out their courts and tried them in his court to take the money for himself. John asked for more than was the custom for cases such as lords' married daughters. He increased the amount for those whose fathers died and needed to inherit their lands. A noble without a son, his land could be passed to another noble family, but John kept it for a long time. He taxed people at higher levels than ever before. In 1204 John failed to carry out his duty of protection to the nobles whose lands were taken by the French king who invaded Normandy. In 1209 he quarrelled with the pope over who should be Archbishop of Canterbury. So the pope called on the king of France to invade England and he closed every church there. In 1214, King John gave in and accepted the pope's choice.

Scholars today dismiss King John's arbitrary governing, and believe his exercise of authority was despotic in that he demanded excessive military service or exorbitant payments of money; that he had sold offices, favoured friends, and extorted money from his subjects; that he had increased old taxes without obtaining proper consent from his vassals; and that he had shown

little respect for feudal law, breaking it when it suited his ends. These grievances and others led the barons² to unite to humble him in 1215.

VIII. Magna Carta or the Great Charter 1215 In 1215 the hopes of King John to recapture Normandy pushed him to call his lords to fight for him, but they were angry without trust in him and were joined by angry merchants. The rebels presented the “Articles of the Barons”³, which contained their demands for reform. Eventually, after a series of negotiations, King John was forced to sign an agreement known as Magna Carta, or the first important symbol of political freedom in which the king promised all freemen⁴ (to make sure he didn’t go beyond his rights as feudal lord) protection from his officers and the right to a fair and legal trial. At the time perhaps less than one quarter of the English were "free men". Most were not free, and were serfs or little better. The document was sealed on June 15, 1215 by the king, but it was drafted by the Archbishop of Canterbury with the intention of restoring peace between John and a group of commoners. Thus, it granted the protection of typical church rights. It also guaranteed rapid justice and the limitation of feudal payments to the crown. In later ages, it came to be regarded as the cornerstone of English liberty. It consisted of a preamble and 63 clauses, written in Latin, presented by the King to a group of rebellious barons, his royal vassals, at Runnymede, a meadow beside the Thames not far from London. One clause stated that the royal vassals must be summoned to councils to give their advice and consent to important affairs of the realm. Another stipulated that the king demanded military service and the royal vassals had the right to decide whether to serve or substitute a money payment, called scutage. To make

² Members of nobility but considered the lowest order.

³The barons were forced to pay a hefty amount of money (taxes and fines) to raise funds to reclaim Normandy. As a result, the barons were put into debt. The King allegedly seduced the daughters of the barons and mistreated the nobility. John also forced widows of the barons to marry men of his choosing. Instead of the barons advising the King, other men did that job. A small number of people advised the King on the affairs of the monarchy and state. At that time, King John had absolute control of the entire justice system in England, and also exercised arbitrary powers for his own sake.

⁴ Peasants who paid rent to the lord for their land.

sure that John abided by his promises, clause 61 established a baronial council to enforce adherence, if necessary by force of arms.

Magna Carta has been taken as foundational to the rule of law, for the reason that in it King John promised that he would stop throwing people into dungeons whenever he wished, a provision that refers to what is now known as due process of law and is understood not as a promise made by a king but as a right possessed by the people (Lepore). Hundreds of years later, Magna Carta was used by Parliament to protect itself from a powerful king.

In fact, the charter gave no real freedom to the majority⁵. But this marks a clear stage in the collapse of feudalism in England since the nobles who forced the king to sign the document were the king's vassals, but they were not acting as such. The nobles acted as a class, in co-operation with the merchant class of towns, and they established a committee of 24 lords to make sure the king would keep his promises, which is not a feudal thing to do. These nobles worked not to allow any of John's successors to forget the charter's promises. Every king recognized Magna Carta until the Middle Ages ended in disorder.

⁵ Most of the 63 clauses of the Magna Carta were primarily concerned with guaranteeing feudal law and benefited only the feudal nobility.