CHAPTER II

The Seignorial System

THE seignorial system comprised the political, social, and economic institutions that governed the lives of the agricultural workers of western Europe during the Middle Ages. As the basic function of this class was economic, the production of raw materials, the economic institutions were of primary importance. Hence the seignorial system can be understood only when it is placed in its environment: the patterns of settlement and the agricultural techniques of the period.

Speaking in broad, general terms, two patterns of settlement dominated western Europe. From the borders of Wales and Gaelic Brittany to the eastern frontier of Germany northern Europe was a land of villages. In Scotland, Wales, Gaelic Brittany, and all southern Europe the hamlet was the typical form of settlement. Thus the village system existed in the regions where the German element was strongest, and one might conclude that the Germans were its creators. But recent research has shown that over a large part of this territory the villages antedated the German settlement. This is true of northern France and parts of Germany. In England the villages were probably founded by the conquering Anglo-Saxons. There is a tendency today to
credit the early peoples of western Europe with the general patterns of settlement—to suggest that the Alpine race lived in villages and the Mediterranean peoples in hamlets. But whatever the origins of the two systems, the distinction between them in the Middle Ages is clear. Although the fact that the village system covered the richest agricultural regions that were the chief centers of political power and that it was carried eastward as the Germans pushed back the Slavs makes it more important for our purpose, one must not forget that a large part of Europe was a land of hamlets.

Much the same system of cultivation prevailed over the whole village region. Each village had two or three arable fields that were cultivated in rotation. Thus in a village with two fields one would be planted and the other lie fallow. Where there were three fields, one would grow winter grain, one spring, and the third would be fallow. There is some evidence that originally all villages used the two-field system and that the three-field arrangement was an improvement developed in the more fertile districts. In addition to its arable land each village would have its waste, land almost useless, its pasture, usually fair land too steep for the plow, its meadow, and its woods. The land in the arable fields was divided into long, narrow strips. It is possible that at one time these strips were distributed each year by lot; this was often done with the meadow in the Middle Ages. But as soon as we have any adequate evidence we find the strips in the fields permanently assigned to certain tenements. A tenement would consist of a hut in the village, a fenced garden plot with perhaps a few fruit trees, an equal amount of land in each arable field, and a right to share in any use that would be made of waste, pasture, meadow, and woods. In actual practice tenements varied greatly in size, but there is
reason to believe that the normal one had about a *virgate*, or thirty acres, of land in the arable fields.

The basic agricultural instrument was the heavy plow that could turn over the heavy soils of northern Europe. Apparently at first it was drawn by eight oxen, but by the twelfth century four ox teams seem to have been usual. Probably some improvement in harness made this change possible. Land was commonly measured in terms of the plow team: a *carucate* was the amount of land one team could care for while a *bovate* was the amount expected to support one ox. These oxen consumed great quantities of fodder, and one of the chief problems of mediaeval agriculture was to keep enough land under grass to supply them with pasture in the summer and hay in the winter.

*Agricultural Productivity*

Agricultural productivity was in general extremely low. Seed was sown broadcast to the great delight of the birds. Although by the thirteenth century it was known that seed from another district produced better results, most villages could not get it and simply used part of their own crop. The value of manure was understood, but no effective use was made of what little was available. When a crop was harvested, the cattle were turned into the field and kept on it while it lay fallow, but manuring by that method was extremely casual. And in general no village could support enough cattle to supply adequate manure. All the land that could be put under the plow was needed to supply grain for bread. Since a village had to keep enough meadow to feed its plow teams over the winter, there was little hay left over for other animals. Thus the cows lived in summer on the sparse pasture land and starved in winter. All animals
not needed for breeding were usually slaughtered in the fall. The cows supplied milk that was usually turned into cheese. The sheep gave wool to make the necessary clothing. Both cows and sheep were eaten when they were slaughtered, but such occasions were rare. Moreover, the hard, rangy animals fed on the common pasture were thin and tough. A fifteenth-century writer stated that if he were forced to choose between eating a cow or its hide he would choose the hide. The most important food-producing animal was the pig. He could fend for himself winter and summer. Villages that had oak or beech woods were peculiarly fortunate because the nuts and acorns fed the swine. In England the area of a village’s woodland was usually expressed in terms of the number of pigs it could feed.

Experts have calculated that a family with thirty acres in the fields and its share in wood, pasture, and meadow could probably feed itself reasonably well in good years. But the margin between the peasant and hunger was never wide, and in poor years everyone starved. The peasants’ food consisted primarily of bread. To this was added some fruit and vegetables from his garden plot. Fish and chicken were rare luxuries and meat, with the exception of pork, rarer still. The well-known fat back of the southern tenant farmer was the usual meat of his mediaeval predecessor.

Until the twelfth century at least the village was essentially self-sufficient economically. It grew its own food and drink. The wool from its sheep was made into cloth by the village women. The absolutely essential craftsmen, the smith and the miller, were villagers who worked part time at those trades. The village could exist without any exchange of goods with the world beyond its borders. Although it seems likely that there was always some exchange of prod-
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duce by barter, let us say one village’s surplus pigs for another’s surplus chickens, in general there was no market for agricultural products and hence the village had no means with which to purchase outside goods.

The Village Economy

It is important to realize that the village was far more than a group of huts surrounded by arable land, meadow, pasture, waste, and woods: it was a corporation for the exploitation of the land. The cultivation of the land was governed by the villagers as a whole. They decided when to plant, when to weed, when to harvest, what crops to grow, and what seed to use. Certain villagers were assigned specific tasks. There was a general executive to see that the common decisions were carried out. There was a hay warden who looked after the meadow and cowherds and swineherds to watch the animals in the common pasture. There was always some kind of village court to settle disputes over tenements and punish those who failed to perform their tasks.

The village was also a social and religious unit. The villagers had their festivals and celebrations. As a rule their sons and daughters married within the group. When the rural parish system was developed in the ninth and tenth centuries, the village usually became a parish with its church and priest. A group of the village elders, usually called churchwardens, looked after the fabric of the church and cared for the cemetery. In short, the village was the basic unit in mediaeval rural life.

It is more difficult to make valid generalizations about the regions where the hamlet was the pattern of settlement. In the Celtic countries what is known as the inland and outland method of cultivation was commonly used. A small
piece of land near the house would be cultivated continuously and kept in a reasonable state of fertility by using manure. At the same time a larger plot would be plowed and used until it was worn out. Then another piece of land would be used in the same way. This system was well adapted to Scotland, Wales, and Brittany, where there was plenty of very poor land. It was probably used in other similar regions. In southern France the hamlets were surrounded by neat rectangular fields that were cultivated regularly without rotation. As the productivity must have been very low, one must assume that the area available for each family was correspondingly large. In general, the regions where hamlets dominated were ones of poor soil and thin population. Except for the Celtic lands they were also deficient in rainfall.

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Essentially the seignorial system was a set of institutions through which the nonproductive classes, nobles and clergy, drew their support from the agricultural workers. These institutions varied from region to region, from district to district, and even from village to village or hamlet to hamlet. Their origins and development are extremely obscure. This is partly because source materials are extremely scanty and confusing and partly because there was no one line of development. By the twelfth century most villages were under the domination of a lord, and the lords exploited their villages by rather similar means. Scholars have debated at length as to whether these villages ruled by lords were originally great Roman estates worked by slaves or villages of free German farmers that had in some way fallen under the domination of lords. Recent research has shown that both
these theories are valid. The Roman imperial estates in Gaul passed into the hands of the Frankish kings or were given by them to the church or to their followers. Many of the great senatorial estates survived either in the hands of the descendants of their Roman owners or in those of Frankish nobles. In the late days of the empire cultivation by slaves had largely given place to cultivation by *coloni*. The *colonus* had a cottage and a small piece of land for his own use, but most of his time was devoted to working on the land reserved by the estate owner. He could not leave the estate without the owner's permission. In short, he was a semifree tenant who paid his rent for his house and plot of land by working for his lord. He was the most obvious ancestor of the mediaeval serf.

In Carolingian times we find great estates of both Roman and Frankish origin cultivated on much the same system. There is a village of tenants, and they have small plots of ground for their own use, but the major part of the land is reserved for the lord and cultivated for him by the tenants. Yet it seems clear that there were also free villages where there was no lord. Free farmers lived together and cultivated their fields in co-operation. Such villages are found in parts of England as late as the eleventh century, and they were predominant in parts of Germany. In France they probably disappeared somewhat earlier. This disappearance of free villages is not too hard to explain. In periods of violence and disorder the peasants were helpless against the knights. A village lying near a castle had little choice but to submit to the lord of the castle. If it did so, he protected it from other knights, and if it did not, he plundered it himself. Thus in times of general disorder small free farmers had only two choices: to become knights themselves or to
seek the protection of a knight. And the number who could muster the resources to acquire knightly equipment must have been fairly small. Once a knight took over a village, he set up the institutions that were most effective for its exploitation, and they may well have been derived from those of the estates that had once been Roman villas.

The Demesne

Throughout most of the region of villages the seignorial system followed a common general pattern. A part of the land in the arable fields was reserved for the lord. This part, which was likely to be about a third of the total arable land, was called the demesne. The lord also reserved for himself a part of the meadow. The villagers worked the demesne for the lord: they sowed, cultivated, and harvested his grain, cut his hay, and did any other necessary work. The village herdsmen looked after the lord's cattle and swine as well as those of the villagers. If the lord wanted a moat dug for his castle or a fence built to keep deer in part of the woodland, the villagers were obliged to do it. In general, they devoted three days of the week to working for the lord, but he could require more on special occasions. Then the villagers paid the lord as rent a set proportion of the crops they grew on their own land. In addition they owed him a wide variety of payments for the use of the resources of the village lands. For pasturing their cattle they paid the lord cheeses; for letting their swine roam in the woods they paid a certain number of pigs. When the villagers fished in the stream or pond, the lord got part of the catch—usually the larger fish. In most parts of France the pike was a fish that always went to the lord.

The villagers paid rent for their tenements by working
for the lord on his demesne and by paying a wide variety of miscellaneous dues for various privileges. Then the lord usually had certain profitable monopolies. Thus usually the lord owned the mill, and the villagers were compelled to have their grain ground there. The possession of a hand mill was a serious crime. In return for grinding the grain the lord took a part of the flour. Then the lord controlled the ovens where the bread was baked and took his fee for that. In most parts of France only the lord could keep doves. They fed on the peasants’ crops and were themselves eaten by the lord. Finally, the lord had a court where offenses against the rules of the village were punished. If a man tried to dodge doing the work owed the lord, if a swineherd went to sleep and lost the swine, if a villager stole apples from the lord’s orchard, or if anyone was caught using a hand mill, he was tried and punished in this court.

**Seignorial Jurisdiction**

These various sources of revenue belonged to the lord as possessor of the land. In addition most lords had rights that they exercised in theory at least as delegates of the king. During the ninth, tenth, and eleventh centuries the powers of government that resided in the crown had been parcelled out among the members of the feudal hierarchy. The beginnings of this dispersion of public authority can be found in the early days of the Germanic kingdoms. The church was accustomed to the comparatively sophisticated judicial system of the Roman Empire and had no enthusiasm for the cruder Germanic methods. Hence most bishops and abbots sought and obtained what was called immunity. When an ecclesiastical establishment had immunity, no royal official could enter its lands. In the beginning this simply meant
that criminals sought by the count were seized and turned over to him by the church's officers, but as time went on there was a natural tendency to give the prelates actual powers of jurisdiction. They tended to become counts in their own lands. Unfortunately we do not know how early immunity was given to lay landholders. It seems clear that the *vassi dominici* of the Carolingian kings enjoyed this privilege. In short, in the Carolingian period the count exercised the royal power in his county as the king's delegate, but a number of lay and ecclesiastical estates were exempt from his authority and their lords exercised comtal power.

As we have seen, during the period of confusion that marked the last century of Carolingian rule, offices as well as benefices became hereditary. Thus the office of count and the right to exercise the powers of government became part of the property of a feudal family. And when a count granted part of his lands to a knight as a *fief*, he was inclined to grant all or part of his rights of jurisdiction. If a count wanted to persuade a very powerful landholder to become his vassal, he might well tempt him with the offer of extensive judicial powers. But probably more important than actual grants of public power was pure usurpation. A powerful feudal lord well entrenched in a strong castle was in a position to exercise what rights he pleased unless his overlord was unusually strong and determined. As the distribution of rights of jurisdiction in the feudal hierarchy depended largely on the comparative power of lords and vassals, it is difficult to make useful generalizations on the subject, but a few cautious remarks seem in order. In discussing the distribution of power in the feudal hierarchy, it was pointed out that the lowest lord who had a strong castle was likely to have the greatest relative power. This same lord
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was usually in possession of full royal rights of jurisdiction. The great thirteenth-century legist, Philippe de Beaumanoir, defined a baron as one "who is king in his own barony." Other contemporary writers defined a baron as the possessor of from one to three good castles. Thus throughout most of France a baron had all the rights of jurisdiction possessed by the crown; that is, his court could try all types of crimes and inflict all punishments. Lower members of the feudal hierarchy had more limited powers. By the late thirteenth century French jurists had classified rights of jurisdiction into high, middle, and low. The high justice was the full jurisdiction over all cases. The middle might have the right to hang criminals in some cases. The holder of low justice was confined to police-court jurisdiction and could use only the stocks and whipping post. In general, one can say that a lord would have at least low justice over his tenants.

It is, however, important to remember that the distribution of powers of justice varied greatly from place to place. In Normandy the duke reserved high justice for himself, and the Norman kings maintained the same system in England. Except for the so-called palatine lords—the bishop of Durham, the earls of Chester and Pembroke, and the barons of the Welsh marches—no English baron had higher powers than would have been called middle justice in France. Practically every English lord of a village had what was called sac and soc, police-court jurisdiction over his own tenants. A good many had infangentheof, the right to hang one of his own tenants caught in the possession of stolen goods after a hot chase. A few had utfangentheof, which was the privilege of hanging any man found with stolen goods on his lands. But in general all serious crimes were tried in the royal court before the king's judges.
Rights of jurisdiction were valued for three reasons. For one thing they were profitable. In minor cases one imposed money penalties. When a man was hanged, the lord having jurisdiction seized all his personal property. Then having these rights increased greatly the lord's control over his tenants. The combination of delegate of the royal judicial authority and the power of the landlord was almost impossible to resist. Finally, these rights were a mark of prestige. There were few things dearer to the heart of a mediaeval baron than his gallows; his gallows marked him as a man of position and dignity with powers of life and death over his subjects.

The Manor

The term "manor," which has deliberately been avoided in the preceding discussion as possibly confusing, properly describes the basic unit of seignorial administration. Often a manor would consist of a village and its lands, but this was by no means always true. Many villages were divided between several lords, and each one called his part a manor. Then a number of neighboring villages could be combined to form a manor. In the Celtic lands a manor could consist of a number of scattered hamlets. In certain English shires, such as Yorkshire, Lincolnshire, and Cambridgeshire, few villages had a demesne or a dominant lord. The tenants owed obligations to many different lords, some of whom had no demesne lands anywhere near the village. In this region a manor could consist of scattered tenements in many different villages. In short, a manor had only one fixed requirement: an agent of the lord who collected the rents due him and exercised his rights of jurisdiction. Thus the village was the fundamental economic and social unit of rural life; the
manor was simply an artificial creation of seignorial exploitation.

The Villagers

By the eleventh century most of the people who lived in the villages were unfree. A villager could not leave his lord’s land without his consent. He could not own any personal property; everything he possessed belonged to his lord. He could not marry the tenant of another lord. His lord could increase the services and rents due from the villager whenever he saw fit. But he was not a slave in the usual sense. His lord could not sell him or give him away unless he gave his tenement with him. His lord could not legally beat him or maltreat him physically. In England this distinction was very clear. The unfree villager could not bring any civil suit against his lord; he had no property rights against him. But he could carry a criminal charge against his lord to the royal courts. In France, where the lord often had full rights of jurisdiction, this distinction was probably more theoretical than practical, but it always existed. When a French baron hanged his unfree tenant, he did so as the king’s delegate, not as a manorial lord. Nevertheless, the tenant had no economic rights against his lord and could be exploited at the lord’s will. But here again practice probably did not follow theory too closely. The Middle Ages was a time when custom had enormous weight, and most lords probably continued to collect the same services and dues as had their ancestors, even though they had the right to increase them. Moreover, much increase was likely to be impractical. The villagers were the lord’s labor force, and his land was useless to him unless they were alive and able to work.
Villain and Serf

Contemporary writers used many different terms to describe the unfree villager, and the meaning of these terms varied from region to region. Perhaps the most common was villain, which meant simply villager. Another was rusticus or countryman. In England villain was the regular term for the unfree tenant and could mean nothing else, but in France it could be used for a freeman. The word used in France to describe the unfree—and the unfree only—was servus or serf. Contemporary English and Norman writers insist that there were no serfs in Normandy and England, but actually there was little difference between the position of the English villain and the French serf. What difference there was sprang chiefly from the fact that in England a strong royal government protected what rights the villain had.

It is impossible to form any estimate of the relative numbers of free and unfree among the agricultural workers of the early Middle Ages. It seems that in the village region of France the peasants were almost universally unfree by the eleventh century. Although the process of reducing free villagers to serfs started later in Germany, it seems to have been equally thorough. But in England there were always freemen. While they were particularly numerous in Yorkshire, Lincolnshire, Cambridgeshire, Norfolk, and Suffolk, they existed in all parts of England. In fact, the English had a special legal term for the tenure enjoyed by the free farmer, “tenure in socage.” It seems likely that freemen were more numerous in the regions where hamlets predominated. Certainly in special districts, such as the vine-growing lands and the mountainous country, they were extremely common. Most of these freemen were tenants paying rent to their lords
and often owing them services. Only in a few regions, such as the country around Bordeaux, were small alodial holdings common. And all nonnoble freemen were subject to the jurisdiction of the local lord, who held delegated royal power. The tenant by knight service, the noble sief-holder, could only be tried by his fellow vassals in his lord's court, but the ordinary freeman was subject to the seignorial court.

The Great Clearing

This discussion of agriculture and the agricultural classes applies generally to the eleventh century. It now seems well to glance briefly at a few significant features of their history during the next two centuries. As a matter of fact, the eleventh century itself saw the beginnings of a tremendously important movement, what French scholars call the grands défrichements or the great clearing. Western Europe had never been very thickly settled. Anglo-Saxon England and the Carolingian empire had vast forests and extensive marshes that were uninhabited. The age of Viking raids and general internal confusion had greatly increased the amount of waste land. In France whole villages were deserted, and their lands reverted to the forest. The eleventh century saw the start of a vast movement of reclamation. Much of it was carefully organized by lords who hoped to exploit their fiefs more effectively. In the early eleventh century a thin populated strip of territory connected Paris and Orléans. The French kings who were lords of the region founded new villages and persuaded people to settle in them. Other lords followed similar policies. The duke of Brittany, lord of Rennes, and the barons of Fougères and Vitré turned a large part of the great forest of Rennes into rich farmland. This movement was important from several points of view.
It increased the population, the productivity of the country, and the income of the feudal lords. But it also improved the lot of the peasants. In order to attract colonists the lords offered attractive terms, and often the settlers on new lands were far better off than those who lived in older villages.

This great reclamation movement went on for at least two centuries in a wide variety of ways. Great abbeys drained marshes and cleared forests and secular lords did the same. But much of the work was on a small scale. Individual peasants got their lord's permission to clear a small tract of land and cultivate it. All along the edges of the great English forests new patches of farmland appeared. Sometimes we find traces of this process in modern place names. The Old French word for a clearing was *essart*, and in France one can find many villages with some form of this name, such as Les Essarts du Roi, or the king's clearings. More common perhaps are the names with "new" in them, Neufville, Villeneuve, and others.

The great clearing movement resulted in an expansion of the medieval agricultural system but did not change its essential nature. The growth of towns and the reappearance of a money economy had far more profound effects. Although these developments will be discussed in detail in the next chapter, their influence on agriculture, the agricultural classes, and the seigniorial system requires mention here. Before the latter part of the eleventh century there was for all practical purposes no market for agricultural produce. The manorial lord and his household consumed what he received from his estates, and the workers consumed the rest. But as soon as towns inhabited by merchants and artisans appeared, there was a population that did not grow its own food. This immediately created a market for agricultural produce. The
development of this market was a slow, gradual process. The first small merchant settlements affected only the country near at hand. Only as towns grew numerous and increased in size was a large-scale market created. As soon as this took place both manorial lords and tenants became deeply involved. Formerly a lord had no use for more produce than his household could eat; now he could sell it and buy things he wanted. The peasant could also sell his surplus on the open market. In short, money entered the agricultural economy.

The Commutation of Rents

The first change seems to have been a tendency on the part of lords and tenants to want to commute payments in kind into money rents. In the twelfth century the numerous rents still kept their ancient names, but they were usually money payments. The peasant paid a rent in money for his land in the arable fields and a sum of money for pasturing his pigs in the lord’s woods. The commutation of labor services seems as a rule to have come later than that of rents, but it too was progressing in the twelfth century and became very common in the thirteenth. It was, or at least seemed to be, to the interest of both parties. The peasant resented forced labor on the demesne. The lord always wanted his hay harvested in the good weather, and it rained when the peasant had time to cut his crop. Then from the lord’s point of view forced labor was incredibly inefficient. In a thirteenth-century study of estate management a large part is devoted to the means by which the tenants could be made to do their work. If the lord received money from his tenants in commutation of their labor, he could hire laborers and discharge them if they did not work. Actually, of course, the lord must
have hired his own tenants, for there was no floating labor supply, but they did not have to take the work, and their lord did not have to pay them unless they worked effectively. Again, it is important to remember that commutation was a long, slow process. It probably started by the end of the eleventh century and was still uncompleted in the fourteenth. It was, however, of fundamental importance.

Closely connected with commutation was another significant movement, the freeing of the serfs. There had always been occasional enfranchisements of individuals or families. A lord might in this way reward some serf who had done him a service. The church had always preached that it was a virtuous act for a lay lord to free his serfs; a prelate could not legally do so as canon law forbade the giving away of church property. Hence once in a while a pious lord might free a number of serfs, perhaps even a whole village. But large-scale enfranchisement came only when it appeared profitable. When a lord believed that by freeing the serfs in a village he could get more revenue, he was inclined to do so. Usually the immediate consideration was a large sum of money to be paid in a fixed term. It was likely to be accompanied by higher rents than the lord had been able to collect.

**Enfranchisement**

When a lord freed the serfs of a village, a definite agreement, a charter of enfranchisement, was drawn up in solemn form. In it were listed all the obligations the tenants were to owe to the lord. This was in most cases simply a statement of the dues they had previously owed, though the rents might be made a little higher. The lord was careful to keep his monopolies of the mill and the oven. In general, the charter was likely to represent an economic loss rather than a
gain for the peasants. Even the rights they acquired by becoming freemen were likely to be made hard to enjoy. Thus a free peasant could leave the lord's land, but most charters provided that he must leave in his undershirt without taking any personal property. The free peasant could marry when he pleased, but he was usually required to pay a large fee if his bride came from another lord's land.

One might ask why under such circumstances the serfs should desire to be freed. The immediate answer is the obvious one: it was pleasant to have the prestige and position of freeman. But probably more important was the fact that enfranchisement ended the arbitrary economic power of the lord. He could collect the dues set forth in the charter, but he could not increase them. Probably neither lord nor peasants fully realized the long-range importance of this. The early Middle Ages had been a period of economic stability, and no one contemplated the possibility of rapid changes. Actually, however, as the market for agricultural produce increased, prices rose, and what was formerly a high rent became a small one. In short, once rents had been commuted and fixed by a charter, the lord was the loser if any inflation took place. The nobles of France were hard hit by the debasement of the coinage carried out by the fourteenth-century kings. A large proportion of them were ruined by the inflation of the fifteenth and sixteenth centuries.

The Disappearance of the Demesne

One more important development of the thirteenth and fourteenth centuries requires mention. When a lord commuted the labor services of his tenants, he was obliged to work his demesne with hired labor. This was a good deal of a nuisance. He had to have efficient managers and account-
ants and auditors to keep track of them. Moreover, he did not as a rule actually want the produce of the demesne. The produce of the village adjoining his residence and perhaps that of a few neighboring estates was used to feed his household. What was grown on the demesnes of his other manors was sold. In short, the lord wanted money rather than grain. Soon it occurred to him that it would be much simpler to stop cultivating his demesne himself and to rent it out to tenants. Here too, of course, the process was slow and gradual. But in general one can say that by the end of the thirteenth century many lords were no longer directly engaged in agriculture; they were simply landlords who collected rents. During the fourteenth and fifteenth centuries their number increased very rapidly. By the sixteenth century the demesne was a thing of the past in most of France and England.