



## The "Feudal Revolution"

Dominique Barthelemy; Stephen D. White

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## DEBATE

### THE "FEUDAL REVOLUTION"

*In our issue number 142 for February 1994 we published an article by Professor T. N. Bisson on "The 'Feudal Revolution'". We are pleased to publish below the first two contributions to a Debate on the article. Further contributions and a Reply by Professor Bisson will follow in a subsequent issue.*

#### I\*

Thomas N. Bisson, a shrewd analyst of the "politicization" of power after 1200, seeks the origins of the accountability of the thirteenth century in two hundred years' experience of "bad lordship": since 1000, the latter's agents had been multiplying their exactions. His model appears, then, as a variant of a thesis often argued recently: in one way or another, the feudalization of the eleventh century was a necessary precondition for the birth of the modern state.<sup>1</sup> Bisson's variant, however, is novel in its moderation; the "mutation-revolution" of the year 1000 is here primarily political. This moderation allows him to accept some of my criticism of "mutationism", first expressed in 1992,<sup>2</sup> but he tends, all the same, firmly to reject it.

The debate is in part about the importance we should attach to a significant (but not radical) development of the written instrument in France between 980 and 1030 or between 1020 and 1060, that is to say, in a country and at a period when it did not yet have the major social role it acquired in the thirteenth cen-

\* I am grateful to Jean Birrell for translating this Comment from the French.

<sup>1</sup> T. N. Bisson, "The 'Feudal Revolution'", *Past and Present*, no. 142 (Feb. 1994), pp. 6-42. For the thesis, see, for example, J.-P. Poly and E. Bournazel, *The Feudal Transformation, 900-1200*, trans. C. Higgitt (London, 1991), p. 357; J. P. Genet, "Féodalisme et naissance de l'Etat moderne: à propos des thèses de Charles Tilly", in M. Bourin (ed.), *Villes, bonnes villes, cités et capitales: études d'histoire urbaine (XII<sup>e</sup>-XVII<sup>e</sup> siècle) offertes à Bernard Chevalier* (Tours, 1989), pp. 239-46.

<sup>2</sup> D. Barthélemy, "La mutation féodale a-t-elle eu lieu? Note critique", *Annales E.S.C.*, xlvii (1992), pp. 767-77; see also D. Barthélemy, "Encore le débat sur l'an mil!", *Revue historique de droit français et étranger*, lxxiii (1975), pp. 349-60.

tury.<sup>3</sup> But the principal disadvantage of the "mutationist" thesis, in my view, is that it retains notions which are too vague or inappropriate, such as the opposition between public and private, and "feudal society"; it thus invites the peremptory challenge to any idea of medieval society made by the hyper-Romanist "school" (Jean Durliat, Elisabeth Magnou-Nortier, even, to some degree, K. F. Werner). What is needed now is to describe the changes occurring in the period between Charlemagne and the First Crusade in terms which are subtler and draw more on anthropology than do those of the mutationist "school". The "feudal revolution" is blocking socio-political history after having stimulated it, just as the "two-tier model" obstructed socio-religious history before Peter Brown. Here, too, we have "an unimaginative model that is not sufficiently sensitive".<sup>4</sup> Hence the importance of pursuing the debate here.

Let us try first to be clear about words. The model which is dominant today as regards the socio-political history of France around the year 1000 is that of a "feudal" *revolution*, rather than *mutation*. There is a kind of understatement in the titles of the books by Jean-Pierre Poly and Eric Bournazel, and by Guy Bois, which I have criticized; though they use the word "mutation", these historians describe a brutal rupture, often a "social tempest", and this merits the name "revolution", to which Bisson returns in his article. We may also include in the debate the pages devoted to the "feudal revolution" by Georges Duby in 1978,<sup>5</sup> and by most recent textbooks, and the Catalan and Languedocien model of Pierre Bonnassie (1975-6 and 1980).<sup>6</sup> Against this thesis, and above all against its "totalizing power", I argue, rather, for a series of political mutations, from 860 on in France, and for a gradual social evolution, moving at the more moderate pace suggested by Fernand Braudel, who said: "while societies rarely

<sup>3</sup> The conclusions of M. T. Clanchy are, by and large, also applicable to France: M. T. Clanchy, *From Memory to Written Record: England, 1066-1307*, 2nd edn (Oxford, 1993).

<sup>4</sup> P. Brown, *Society and the Holy in Late Antiquity* (Berkeley, 1981), p. 8.

<sup>5</sup> G. Duby, *The Three Orders: Feudal Society Imagined*, trans. A. Goldhammer (Chicago, 1980), pp. 147-66.

<sup>6</sup> P. Bonnassie, *La Catalogne du milieu du X<sup>e</sup> à la fin du XI<sup>e</sup> siècle*, 2 vols. (Toulouse, 1975-6); P. Bonnassie, "From the Rhône to Galicia: Origins and Modalities of the Feudal Order", in his *From Slavery to Feudalism in South-Western Europe*, trans. J. Birrell (Cambridge, 1991), pp. 104-31.

progress with giant's strides, major transformations can be accomplished with the passing of time".<sup>7</sup>

Let us try next to order the debate. Since 1953, the work of Georges Duby on the Mâconnais and, even more, since 1975, the Catalan model of Pierre Bonnassie, have imposed the image, for the years between 860 and 980 or 1030, of a society which was hardly or not at all "seigneurial". Bisson was wrong to say: "No one doubts that personal and patrimonial lordships were proliferating in Carolingian times".<sup>8</sup> In fact, many recent historians have doubted it, and not only the advocates of Romanist administrative order! In the tenth-century Mâconnais, according to Duby, there were only patronage networks, and hardly a territorial lordship worthy of the name;<sup>9</sup> in Catalonia, according to Bonnassie, it was not until 1020-60 that lordship, in the full sense of the word, was born. Bisson is right, however, I believe, to emphasize the seigneurializing trend and a violence that was "frequent, continuous and by no means new" by the ninth century;<sup>10</sup> but here, too, he draws back from the radical views which have prevailed since 1975. Lastly, I am grateful to him for taking note of my criticism of the enserfment of the eleventh century,<sup>11</sup> and I observe once again that the notion of "revolution" is weakened as a result.

What then remains of that notion in Bisson's article? Essentially, the idea of an eclipse of the kings and the counts, whose authority had previously checked an endemic violence. A crisis in the fidelity of their vassals coincided with the proliferation of references to bad customs (980-1030). All in all, Bisson is in agreement with Poly and Bournazel: the transition to castle-based lordship took place at just this time and, unlike previous stages in the dissemination of power in France, it represented a struc-

<sup>7</sup> F. Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans. S. Reynolds, 2 vols. (London, 1973), ii, p. 719.

<sup>8</sup> Bisson, "Feudal Revolution", p. 11 (my emphasis).

<sup>9</sup> G. Duby, *La société aux XI<sup>e</sup> et XII<sup>e</sup> siècles dans la région mâconnaise*, 2nd edn (Paris, 1971; first edn, Paris, 1953), pp. 73-131: hardly a landed "seigneurie", because it was only a unit of exploitation. See also the definition of C. Violante, "La signoria rurale nel secolo X: proposte tipologiche", *Settimane di studio del Centro italiano di studi sull'alto medioevo*, xxxviii, pt 1 (1991), pp. 329-89, esp. p. 341. I have two articles in press on this subject: D. Barthélemy, "Seigneurie", in J. Le Goff and J.-C. Schmitt (eds.), *Dictionnaire raisonné de l'Occident médiéval* (Paris, forthcoming); D. Barthélemy, "Il mito signorile degli storici francesi", in G. Dîlcher and C. Violante (eds.), *La signoria rurale nei secoli X-XII* (Bologna, forthcoming).

<sup>10</sup> Bisson, "Feudal Revolution", p. 12.

<sup>11</sup> *Ibid.*, p. 42; cf. Barthélemy, "Mutation féodale a-t-elle eu lieu?", pp. 771-2.

tural change.<sup>12</sup> For him, the "revolution" put an end politically to Carolingian order. The problem is that this scenario exactly reproduces the ideas of the old school (historians from 1840 to 1940), while changing actors and period! The role of villain passes from the counts to the lords, and the drama takes place not between 860 and 890 but a century and a half later.<sup>13</sup>

To historians of the last century, the feudal revolution hardly affected the basic seigneurial structures (the *villa*); it consisted rather of the rise of new men, the counts and the *vassi*, whose power was based, from the beginning, on force and the *fait accompli* in the face of the monarchy. The years 860-90 provide clear evidence of crisis: at a time of Norman raids, the countryside sprouted ramparts and castles, while the capitularies and the letters of Hincmar of Reims denounced the oppression of the "poor" by the "powerful"; there were crises of loyalty (843, 858, 877) and the final collapse of the Carolingian dynasty was complete by 888. All that is missing, for this period, is a locally dense documentation, except for around Redon;<sup>14</sup> and, even there, the documents are not so vivid or expressive as those of the eleventh century.<sup>15</sup>

<sup>12</sup> Poly and Bournazel, *Feudal Transformation*, p. 38.

<sup>13</sup> By the eighteenth century — that is, before our paradigms were established — royal or (up to 877) comital office was opposed to the seigneurial exercise of power by the counts, hereditary from 877. Historians of the old school (1840-1940) remained rather uncertain regarding the reality of the Carolingian state; but all the same, for them, too, all public order disappeared after 860-90.

<sup>14</sup> See the fine book by Wendy Davies, *Small Worlds: The Village Community in Early Medieval Brittany* (London, 1988).

<sup>15</sup> Eleventh-century acts record, after the judgements, the agreements which softened, even annulled, their effect. This was, then, an addition to a traditional schema, since those of the ninth century always stuck to the *judicium*. However, my hypothesis is that agreements might already exist "off the record"; at least we cannot be sure that judgements were implemented. Gregory of Tours gives a good example, for the late sixth century, in the Sichar-Austregisel feud: "they acted illegally, to ensure the restoration of peace" ("Et hoc contra legis actum, ut tantum pacifici redderentur"): Gregory of Tours, *The History of the Franks*, trans. O. M. Dalton, 2 vols. (Oxford, 1927), ii, p. 323 (vii.47); for the original, see *Historia Francorum*, ed. W. Arndt (Monumenta Germaniae Historica, Scriptores rerum Merovingicarum, i, pt 1, Hanover, 1883), p. 324. Gregory's comment anticipates the excuses of the monks of Marmoutier when, in the 1060s, they agreed to forgo execution of a judgement in their favour, for the sake of peace. For the ninth century, Wendy Davies can quote a charter of 852 which records a settlement and, as a result, evasion of the judgement: Cartulaire de Redon, no. 127; Davies, *Small Worlds*, p. 151. This is not exactly the same as its cancellation, but, nevertheless, such a scenario once more clearly anticipates the eleventh century. Bisson can hardly accuse me of avoiding the facts! We are all faced with sources which select certain facts; the ninth-century selection is confined to the judgement, whereas in the eleventh century, the written act sought to inform

If recent historians have relocated the great rupture, it is because their regional monographs have lost sight of "general" history in the interests of "regional" history. They have seen the counts of the tenth century as incarnating order, compared with the lords of the eleventh century. They have taken at face value the charters and acts recording donations and comital pleas, up to the year 1000, in Carolingian form — however terse and conventional. The old school combined these with the fuller and more varied sources of the eleventh century to paint a picture of the "feudal regime", whose harshness was revealed by the councils of the Peace of God, as they began to alleviate it (from 989 on). In contrast, since 1953, historians have more clearly distinguished the forms of documents, according to their chronology, and seen the councils of peace as an attempt to stem a violence that was *in full spate*. The relationship between the tenth and the eleventh centuries is therefore reversed: once regarded as "worse", the tenth century now seems "better", and retrospective idealization has sometimes gone a very long way. It is highly likely, in my view, that the gradual proliferation of castles gave rise to periods of disorder and, during princely or baronial minorities, to political crises. But was this instability and violence new in the eleventh century? Well before my own criticisms, Georges Duby doubted whether the socio-institutional change of the period was in proportion to the changes in the documentation.<sup>16</sup> Pierre Bonnassie himself, in 1975, pointed out at the beginning of his thesis that the diversification of sources after 990 allowed "a surer approach to the society of the eleventh century than to that of the preceding century" and promised a possible "retrospective method", which his book then failed to employ.<sup>17</sup> The "feudal revolution" of the year 1000 is thus based on poorly relativized sources. It has been associated with a dynastic change (987), though one whose importance was less than that of 888, or with a transformation of royal government (1025-8, according

(n. 15 cont.)

about the difficulty of enforcement. Surely it is sound historical method to seek to know what type of facts were of interest, or not of interest, to those who drew up the document.

<sup>16</sup> Duby, *Three Orders*, p. 149. Duby's hesitation between "revolution" and "revelation" is already apparent in 1953: "The profound transformations of social structure which, in the years around 1000, would gradually be revealed": Duby, *Société aux XI<sup>e</sup> et XII<sup>e</sup> siècles dans la région mâconnaise*, 2nd edn, p. 131.

<sup>17</sup> Bonnassie, *Catalogne du milieu du X<sup>e</sup> à la fin du XI<sup>e</sup> siècle*, II, pp. 9-10.

to Jean-François Lemarignier),<sup>18</sup> which the recent research of Olivier Guyotjeannin is beginning to question.<sup>19</sup> The mottes and secondary fortifications now play the role once attributed to the *principal* fortifications in the revolution of 860-90.

These two revolutions are not altogether identical. The recent one, now in favour, shook peasant society to its foundations, but, unlike the older one, did not renew the highest level of the nobility. Furthermore, the castellan lords possessed an authority of royal or comital type; they maintained order, after a fashion, within a district. The nobility and the noble power of the eleventh century were thus post-Carolingian. Whatever their differences, however, these two revolutions both rely on documentation that is equally defensible — and equally inadequate. Above all, they use the same notions, shocking to anyone familiar with anthropology. In each case, there is an emphasis on the scale of seigneurial, or "feudal", "violence", which tends always to be opposed to legitimate rule. It is also assumed that the real curb on that violence could only be regalian, that is, by the action of the state. "Feudal society" is seen, with an ethnocentrism which Poly and Bournazel denounce in passing (too hastily), as the antithesis of the state;<sup>20</sup> Bisson uses the word "unpolitical".<sup>21</sup> Consequently, it is difficult to connect it with Carolingian order; the latter must either have been only apparent, or have been destroyed in a period of crisis. Further, the elements of public order after 860-90 (the old school) or 980-1030 (the new) are underrated. Bisson here forgets a remark he himself once made to Pierre Bonnassie,<sup>22</sup> and underestimates the persistence of some genuine comital court

<sup>18</sup> J.-F. Lemarignier, *Le gouvernement royal aux premiers temps capétiens (987-1108)* (Paris, 1965). Diplomatic analysis suggests a diversification of the documentary tradition, but not a pure and simple "seigneurialization" of the monarchy; it corroborates, in addition, my view of the updating of the formulas of immunity: Barthélemy, "Mutation féodale a-t-elle eu lieu?", p. 770.

<sup>19</sup> O. Guyotjeannin, "Les actes de Henri I<sup>er</sup> et la chancellerie royale dans les années 1020-1060", in *Comptes rendus de l'Académie des inscriptions et belles-lettres* (1988), pp. 81-97.

<sup>20</sup> Poly and Bournazel, *Feudal Transformation*, p. 5. Admittedly, recent research, consciously, "has hardly been concerned with" the "hydra of feudalism" which "lies in wait in the depths of historical ignorance", but this is to acknowledge that the hydra lives on. Perhaps Poly and Bournazel should have run it to earth in their own works!

<sup>21</sup> Bisson, "Feudal Revolution", p. 19.

<sup>22</sup> T. N. Bisson, "The Problem of Feudal Monarchy: Aragon, Catalonia and France" (1975), repr. in his *Medieval France and her Pyrenean Neighbours* (London, 1989), pp. 237-55, esp. pp. 243-7.

cases into the eleventh century in central France. The basic problem, in fact, is that he makes "violence" the most salient feature of the castellan lordship of the eleventh century,<sup>23</sup> a feature which can then be tellingly contrasted with the earlier order. In this he concurs with Bonnassie and, in some passages, with Duby;<sup>24</sup> lordship is fundamentally predatory. But we may ask whether the "unleashing of violence" in societies where the state was non-existent or weak has not been overestimated by modern historians.

In 884, the last capitulary signalled that everyone now set about his neighbour *per vim*; "après moi, la violence" was the message of Carolingian state culture — and the old school took it at its word. "Moi, ou la violence", said the monasticism of the year 1000, which had a violence of its own, in "pious plunder" — and recent historians have been taken in. Each time, faced with either of these two documentations of "feudal revolutions", the historian must, on the one hand, recognize the role of force and cruelty, which is too often concealed, and, on the other, relativize the selective polemic which reveals it. The extreme nature of the words of Gregory VII quoted by Bisson ought in itself to put us on our guard.<sup>25</sup> There were remarkable moments when the medieval church lost patience with the world to the point where it prefigured Rousseau or Engels and seemed to deny the legitimacy of lay power. But these were only words, or threats, which convey neither its whole outlook, nor its whole policy. I do not believe that the true historic role of the Carolingian state was to limit the social power of the great; rather, as Chris Wickham has argued,<sup>26</sup> it durably strengthened noble power, creating a typically "chivalric" conjunction between the right to bear arms and judicial power.<sup>27</sup> Did the eleventh- and twelfth-century church do more to curb social "violence"? It legitimized and pardoned the knights, encouraging them to offend again. Look at Fulk Nerra, the count of Anjou (987-1040) who alternated war crimes with pious reparations. It is historians of after 1688 and 1789 ("true" revolu-

<sup>23</sup> "new lordships typically fortified and violent": Bisson, "Feudal Revolution", p. 40.

<sup>24</sup> Bonnassie, *Catalogne du milieu du X<sup>e</sup> à la fin du XI<sup>e</sup> siècle*; Duby, *Three Orders*.

<sup>25</sup> Bisson, "Feudal Revolution", p. 42.

<sup>26</sup> C. Wickham, "Mutations et révolutions aux environs de l'an mil", *Médiévales*, no. 21 (Autumn 1991), pp. 27-38, esp. p. 38; see also the useful remarks on p. 35.

<sup>27</sup> D. Barthélemy, "Qu'est-ce que la chevalerie, en France aux X<sup>e</sup> et XI<sup>e</sup> siècles?", *Revue historique*, ccxc (1994), pp. 15-74.



tions!) who use the denunciation of abuses of force to make the latter the very principle of "feudal government". In reality, regalian authority was never the only curb on the "violence" and "oppression" of the nobility. Violence can also limit itself, and neither it nor oppression destroyed the social fabric. Both suffered from the weakness of their means and met with peasant resistance. Let us substitute confrontation for "violence", and a certain ambivalence for "oppression". This still makes for a very sombre picture of the ninth to eleventh centuries, but one more shaded than total darkness.

Eleventh-century noble power in France was essentially post-Carolingian. For Burgundy and Italy, the Turin school (represented by Giovanni Tabacco and Giuseppe Sergi)<sup>28</sup> has given us an exemplary description of "seigneurialization": royal, then comital, power was already "mixed" (publico-seigneurial) in nature in the tenth century and the eleventh-century barony, in its turn, combined a patrimonial aspect with a "tendency towards the public". No stage in the dissemination of the ban, consequently, was more important than another; there was a gradual shift from the royal ban to the ban of the castellan lords. Is this not also true of France? The splendid texts of 980-1030 on "turbulent" vassals do not reveal problems or tensions without precedent. And the dating-clauses of documents of the years around 1100 officially recognize castellans, after the king, counts and bishops. Elements of "force" and "custom" were already significant in royal and comital power in the ninth and tenth centuries; nor was the *potestas* of the eleventh-century "brigands" always illegitimate. The castellan lordship was not pure military pressure; ideology also contributed, even if, in the last analysis, force was never far away. This lordship seems to me above all a superstructure, a co-ordinating power of local knightly domination; in this respect it was a copy, on a smaller scale, of the royal and comital lordships. It is not, however, immaterial that power of this sort fragmented, and was exercised on an increasingly small scale: power was concentrated at the base.

Neither a stagnant and compartmentalized economy nor social

<sup>28</sup> See G. Tabacco, "Ordinamento pubblico e sviluppo signorile nei secoli centrali del medioevo", *Bullettino dell'Istituto storico italiano per il Medioevo*, lxxix (1968), pp. 37-51; and most recently, G. Sergi, "Assetti politici intorno al Mille: ricerche sui regni di Borgogna e d'Italia", in F. Lepori and F. Santi (eds.), *Il mestiere di storico del Medioevo* (Spoleto, 1994), pp. 5-38.

immobility characterize tenth- and eleventh-century France; we may speak of post-Carolingian dynamics, before the changes of the 1100s. But in the conceptual framework I propose, there is no need to assume a new underclass (the *milites*) or the sudden abolition of slavery or serfdom. In general, the relations of dependence, in the social sense dear to the old school, seem to me no heavier in the eleventh century; I observe no "seigneurialization" of this type.

One last word on the "mutations of the year 1100". No more than for the year 1000 should France be a model for the whole of Europe, nor French historians give others lessons. I will observe only how much Gregorian reform and the newly acquired strength of the towns challenged, in a new way, the post-Carolingian knightly domination. This is an argument of the old school — but why not? We would do well to defer to it a little, so much does the totalizing power of the highly debatable "revolution of the year 1000" now monopolize attention. The twelfth century saw a little more juridical abstraction, and taxes in money, in the castle-based lordships of the South and in the co-seigneuries of the North (the basic seigneurial units, under the superstructural authority of the magnates and lords); people counted and fixed "rent". There was also a new princely administration; in Normandy, the *officiales mali* were worse than the brigand lords, said Orderic Vitalis,<sup>29</sup> because there was no escaping them.

Are these not the mutations of the year 1100 which led, quite naturally, to the development of accountability? Was this not the inverse of the lordship which prevailed in the eleventh century, intermittent, and brutal from a sort of impotence, rather than its "last stage"? Let us remember not only the administrative innovations of Henry Beauclerc, but Cluniac activity under Peter the Venerable himself (an opponent of "bad lordship", as Bisson remarks).<sup>30</sup> This type of nicely hypocritical lordship, a prudent, as well as fraternal, collector of rents from its *servi* and *ancille*, could be accountable sooner than could the knightly households. Bisson perhaps neglects this. Between his initial qualifications and

<sup>29</sup> "Officiales mali predonibus peiores sunt": *The Ecclesiastical History of Orderic Vitalis*, ed. and trans. M. Chibnall, 6 vols. (Oxford, 1969-80), vi, p. 330 (xii.34); see also *ibid.*, p. 340 (xii.36).

<sup>30</sup> G. Duby, "Economie domaniale et économie monétaire: le budget de l'abbaye de Cluny entre 1080 et 1155", *Annales E.S.C.*, vii (1952), pp. 155-71; Bisson, "Feudal Revolution", p. 30.

this final omission, his article confirms me in my view that the theme of the "feudal revolution" is weighing too heavily on research. We must break with its "totalizing power".<sup>31</sup>

University of Paris XII

Dominique Barthélemy

<sup>31</sup> The phrase is Chris Wickham's: "Mutations et révolutions aux environs de l'an mil", p. 387.

## II

It is the historian's own choice of context that determines which powers he recognizes as actually or potentially political.<sup>1</sup>

In eleventh- and early twelfth-century western French charters, monastic scribes recorded hundreds of conflicts in which litigants used force and violence to disturb, vex, weary, injure, damage, maltreat, trouble, rob and plunder monks and monastic dependants.<sup>2</sup> When broadly summarized or mined for anecdotes, these

<sup>1</sup> Otto Brunner, *"Land" and Lordship: Structures of Governance in Medieval Austria*, trans. Howard Kaminsky and James Van Horn Melton (Philadelphia, 1992), p. 4.

<sup>2</sup> Comments on eleventh-century violence are based largely on evidence from source collections abbreviated as follows: A: *Cartulaire de l'abbaye de Saint-Aubin d'Angers*, ed. Bertrand de Broussillon, 3 vols. (Paris, 1903); MB: *Marmoutier: cartulaire blésois*, ed. Charles Métais (Blois, 1889-91); MD: *Cartulaire de Marmoutier pour le Dunois*, ed. Emile Mabille (Châteaudun, 1874); MM: *Cartulaire manceau de Marmoutier*, ed. E. Laurain, 3 vols. (Laval, 1911-45); MP: *Cartulaire de Marmoutier pour le Perche*, ed. Philibert Barret (Mortagne, 1894); MS: *Livre des serfs de Marmoutier*, ed. A. Salmon (Paris, 1845); MV: *Cartulaire de Marmoutier pour le Vendômois*, ed. Charles Auguste de Trémault (Vendôme, 1893); N: *Cartulaire de l'abbaye de Noyers*, ed. C. Chevalier (Mémoires de la Société archéologique de Touraine, xxii, Tours, 1872); T: *Cartulaire de l'abbaye cardinale de la Trinité de Vendôme*, ed. Charles Métais, 5 vols. (Paris, 1893-1904); V: *Cartulaire de l'abbaye de Saint-Vincent du Mans*, ed. R. Charles and Menjot d'Elbenne, 2 vols. (Mamers, 1886-1913). Space permits only a few references to these sources.

Many charters include one or more of the following terms: *vis*: A 160 (1056-60); V 310 (1080-1100); *violencia* and derivatives: MD 116 (1050-60); MV 87 (after 1062); T 460 (1124-30); V 310 (1080-1100); A 218 (1060-7); *inquietare*: A 640 (1106); MB 26 (after 1044); MD 26 (1070-2); *vexare*: A 640 (1106); *fatigare*: A 626 (1107-10); *injuria* and derivatives: A 220 (1080-2); MV 91 (1050-63); N 194 (c.1090); T 429 (before 1115); *dam(p)num*: A 887 (c.1080); MB 86 (1062); MV 57 (1064); T 429 (before 1115); V 369 (1080-96); *mala*: A 826 (1082-1106); V 369 (1080-96); MV 30 (c.1050); MD 57 (1084-1100); T 174 (1060-4); *molestiae*: A 235 (1087-1109); MB 74 (1092-1101); MV 11 (1072); T 439 (1122); V 564 (1090-6); *rapina* or derivatives: A 90 (1067-82); MV 57 (1064); T 251 (1075); V 753 (c.1060); *preda* or derivatives: A 284 (n.d.); MB 28 (c.1050); MV 42 (1064); V 308 (1080-1100).

case materials provide support for familiar assertions about eleventh-century “anarchy” and “violence”<sup>3</sup> and also for T. N. Bisson’s innovative argument about how, around 1000, “the violence of castellans and knights” suddenly became the basis of a new form of lordship, which was “unpolitical” and “arbitrary”, and which differed dramatically both from the “public order” of preceding centuries and from the true “government” that appeared after 1200.<sup>4</sup> Like the texts Bisson cites in vividly documenting the thuggery of eleventh- and twelfth-century lords and their men,<sup>5</sup> the charters already noted document many acts that both modern historians and medieval scribes treat as “violent” and that were performed mainly by knights and castellans.

Yet, as Otto Brunner argued, “complex political and legal problems lie behind . . . apparently clear and simple statements about ‘brigands’” and behind “stereotyped [medieval] complaints about ‘thieves and plunderers,’ ‘arson and looting,’ which modern historians then faithfully repeat”.<sup>6</sup> Calling an act or person “violent” may conceal as much as it reveals, and is also an act worth analysing in its own right as a means of positioning both writer and audience in relation to alleged “violence” — and to unmentioned persons or acts implicitly judged *unviolent*. Calling a particular regime, society or period “violent” is a complex rhetorical and historiographical manoeuvre because it involves comparisons with regimes, societies or periods implicitly judged less violent or even non-violent, and constitutes a sort of accusation to which responses may sound like apologies. As William Ian Miller observes, “Violence may simply be what we

<sup>3</sup> See, e.g., A. Luchaire, *Les premiers Capétiens (987-1137)* (Histoire de France illustrée depuis les origines jusqu’à la Révolution, ii, pt 2, Paris, 1911), pp. 12-13; Yvonne Bongert, *Recherches sur les cours laïques du X<sup>e</sup> au XIII<sup>e</sup> siècle* (Paris, 1948), p. 41; Jacques Boussard, “La vie en Anjou aux XI<sup>e</sup> et XII<sup>e</sup> siècles”, *Le Moyen Age*, lvi (1950), pp. 35, 36, 37; Jean-François Lemarignier, *La France médiévale: institutions et société* (Paris, 1970), pp. 144-6; Guy Bois, *The Transformation of the Year One Thousand: The Village of Lournand from Antiquity to Feudalism*, trans. Jean Birrell (Manchester, 1992), pp. 150, 152. Duby and Barthélemy argue that eleventh-century society was not anarchic: Georges Duby, *La société aux XI<sup>e</sup> et XII<sup>e</sup> siècles dans la région mâconnaise* (Paris, 1953; repr. Paris, 1971), p. 171; Dominique Barthélemy, *L’ordre seigneurial, XI<sup>e</sup> et XII<sup>e</sup> siècle* (Paris, 1990), p. 7.

<sup>4</sup> T. N. Bisson, “The ‘Feudal Revolution’”, *Past and Present*, no. 142 (Feb. 1994), pp. 6-42, at pp. 18, 19, 35, 6-12, 39.

<sup>5</sup> *Ibid.*, pp. 14-15, 33, 34, 36-7.

<sup>6</sup> Brunner, “*Land*” and *Lordship*, pp. 7, 4; see also *ibid.*, p. 71.

accuse the Other of when we are contesting interests".<sup>7</sup> Even if we accept "violence" (very reluctantly, in my case) as a usable, quantifiable category for historical and cross-cultural analysis, substantive questions remain about what roles various forms of it played in eleventh-century France; whether, around 1000, those roles changed as rapidly as Bisson says they did and through the revolutionary processes he postulates; and whether, in the history of power and violence, the eleventh and twelfth centuries constitute a distinctive period, which began with a revolution and ended when real "government" appeared. Do we see around 1000 the sudden appearance of a new "unpolitical mode of affective patrimonial power", which was "rooted in will instead of consensus" and animated by a new "self-justifying ethic of violence"? Before 1000 and in later medieval France, do we find modes of power that are truly "political", rooted in consensus and exercised through "official, accountable and lawful ways of action", not through violence?<sup>8</sup>

After 1000, according to Bisson:

the violence of castellans and knights was a method of lordship. In practice and expression it was personal, affective, but inhumane; militant, aggressive, but unconstructive. It had neither political nor administrative character, for it was based on the capricious manipulation of powerless people. Nothing whatever survives to show that the castellan élite of the eleventh century thought of their lordships in normative or prescriptive terms; we have no surveys of domains from them, no evidence of accountability. We must suppose that their servants shared their predatory outlook, while the cavalcade enforced the abrasive immediacy of personal domination.<sup>9</sup>

Like previous analysts of the "feudal" revolution or mutation of the year 1000, Bisson attaches great significance to "the problem of violence",<sup>10</sup> but he does so for reasons very different from theirs. Whereas Pierre Bonnassie, for example, argues that by "violently" imposing "radically new burdens" on peasants

<sup>7</sup> William Ian Miller, "Getting a Fix on Violence", in his *Humiliation and Other Essays on Honor, Social Discomfort, and Violence* (Ithaca, 1993), p. 77; also, "what is at issue in many kinds of interaction is the very definition of the activity as violent or not": *ibid.*, p. 55. Tracing "la montée des violences", Bonnassie acknowledges that eleventh-century Catalan documents cannot support statistical arguments: Pierre Bonnassie, *La Catalogne du milieu du X<sup>e</sup> à la fin du XI<sup>e</sup> siècle: croissance et mutations d'une société*, 2 vols. (Toulouse, 1975-6), ii, p. 1 n. 1. On quantifying violence, see Susan Dwyer Amussen, "Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England", *Jl Brit. Studies*, xxxiv (1995), pp. 1-6 and the works cited *ibid.*, p. 1 n. 1.

<sup>8</sup> Bisson, "Feudal Revolution", pp. 19, 31, 40.

<sup>9</sup> *Ibid.*, p. 18.

<sup>10</sup> *Ibid.*, p. 9.

around 1000, “the ruling class” created a “new servitude”,<sup>11</sup> Bisson doubts whether “a uni-directional shift from freedom/slavery to servility” took place and contends that “the typical struggle of the eleventh and twelfth centuries was not that between lords and peasants but that opposing two levels of the seigneurial élites”, one composed of “bewildered princes and kings” and the other of “knights, retainers and servants”. Treating the latter as the agents of feudal revolution and distancing the former from the practice of violence, he views as the instrument of a revolutionary transformation “the characteristic violence of lay seigneurial power”, which was “nurtured in the economy and sociability of castles” and which, before 1000, had been subject to “regalian control”.<sup>12</sup> Unlike the feudal revolutions of Georges Duby, Pierre Bonnassie, Jean-Pierre Poly and Eric Bournazel or Guy Bois, Bisson’s leads, not to new relations of production and exploitation, but to a new political regime in which violence suddenly became a form of lordship. Abandoning both Marxist and anthropological idioms for the analysis of politics, Bisson puts a Weberian gloss on the new regime by identifying it as an example of “patrimonial domination”, which Weber defined as “a special case of patriarchal domination — domestic authority decentralized through assignment of land and sometimes of equipment to sons of the house or other dependents”.<sup>13</sup>

Bisson’s focus on fiefs, fidelity, political accountability and struggles between upper and lower levels of the nobility is congruent with Weber’s definition; Bisson’s distinction between “militant lordship” and government is parallel to Weber’s distinction between “the master”, who wields “power without restraint, at

<sup>11</sup> Pierre Bonnassie, “The Survival and Extinction of the Slave System in the Early Medieval West (Fourth to Eleventh Centuries)”, in his *From Slavery to Feudalism in South-Western Europe*, trans. Jean Birrell (Cambridge, 1991), pp. 57-8 (my emphasis). See also Bois, *Transformation of the Year One Thousand*, p. 136; Georges Duby, *The Three Orders: Feudal Society Imagined*, trans. Arthur Goldhammer (Chicago, 1980), esp. pp. 151-5; Jean-Pierre Poly and Eric Bournazel, *The Feudal Transformation, 900-1200*, trans. Caroline Higgitt (London, 1991); Jean-Pierre Poly and Eric Bournazel, “Que faut-il préférer au ‘mutationnisme’? ou le problème du changement social”, *Revue historique de droit français et étranger*, 4th ser., lxxii (1994), pp. 407-8. Chris Wickham argues for major political change around 1000 without a revolutionary change in the mode of production (see n. 71 below).

<sup>12</sup> Bisson, “Feudal Revolution”, pp. 42, 40-1 (also pp. 29-30, 33, 37), 17.

<sup>13</sup> *Ibid.*, pp. 19, 21-2, 41 and n. 119; Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich, trans. Ephraim Fischhoff et al., 2 vols. (Berkeley, 1978), ii, p. 1011.

his own discretion and, above all, unencumbered by rules", and the "bureaucratic official", whose power "goes in principle only as far as his special 'competence' permits, and this in turn is established by a rule". Nevertheless, instead of allowing for the possibility, envisioned by Weber, that the power of lords can be "limited by tradition or by competing powers", Bisson insists that the "characteristic violence of lay seigneurial power" is totally arbitrary and wilful.<sup>14</sup>

To assess this argument it is important to identify specific acts of violence, locate them in specific political processes and strategies, and determine how the use of violence was limited. In addition, because stereotyped references to lay *violentia*, *rapina* and the like occur frequently in medieval religious texts, it is also important to see how "violence", along with associated metaphors, figured in the rhetorical strategies of the monks or priests who accused their lay enemies of using it; to treat such accusations themselves as ways of carrying on a dispute by constructing and vilifying an enemy; and to compare these religious images of lay violence with representations, in religious sources, of legitimated forms of ritual violence and supernatural violence.<sup>15</sup> Even if "everyone knew what *violentia* meant", its eleventh-century meanings are now far from transparent, and are particularly hard to interpret because of the need to rely on polemically charged religious sources. Whether or not these texts exaggerate or fabricate lay violence, they certainly incorporate it into a discourse very different from the ones in which anyone positioned differently in relation to the alleged violence (e.g., knights or peasants) would have understood it.<sup>16</sup>

<sup>14</sup> Bisson, "Feudal Revolution", pp. 23-8, 40, 18-19; cf. Weber, *Economy and Society*, ed. Roth and Wittich, ii, pp. 1006-7. According to Duby, the "violence and greed" of knights was limited by "moral obligations and the persuasion of their peers": Georges Duby, "The Evolution of Judicial Institutions: Burgundy in the Tenth and Eleventh Centuries", in his *The Chivalrous Society*, trans. Cynthia Postan (Berkeley, 1980), p. 58.

<sup>15</sup> On references to violence in religious sources, see Elisabeth Magnou-Nortier, "The Enemies of the Peace: Reflections on a Vocabulary, 500-1100", in Thomas Head and Richard Landes (eds.), *The Peace of God: Social Violence and Religious Response in France around the Year 1000* (Ithaca, 1992), pp. 58-79; Lester Little, *Benedictine Maledictions: Liturgical Cursing in Romanesque France* (Ithaca, 1993), pp. 25, 107; Patrick J. Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton, 1994), pp. 116-19; Brunner, "Land" and *Lordship*, p. 4. On ritual violence and supernatural violence, see n. 23 below.

<sup>16</sup> Bisson, "Feudal Revolution", pp. 15, 30. On the representation of violence in a vernacular source, see Peter Haidu, *The Subject of Violence: The Song of Roland and the Birth of the State* (Bloomington, 1993).

To illustrate "the whole programme of *violentia*", Bisson discusses an oath that a council held at Beauvais imposed on knights in 1023. This "anti-inventory of seigneurial rights" includes:

violating churches or the sanctuaries about them . . . ; attacking unarmed priests, monks or pilgrims, or seizing their horses and property; plundering domestic animals; seizing, robbing or ransoming villagers . . . or merchants; burning houses; seizing crops at harvest; destroying mills or confiscating grain from them; beating villagers' animals; attacking "noble women without their husbands" or widows or nuns.<sup>17</sup>

Because inventories constructed from records of what historians now know as "peace movements" merely specify violent acts that clerical leaders tried to forbid or limit, but say nothing about how violence was actually practised or understood by those who used it, they are worth comparing with very similar inventories that can be constructed from monastic charters written in the new narrative style recently discussed by Dominique Barthélemy.<sup>18</sup> Along with the stereotyped images of violence noted above, these texts sometimes describe litigants of different statuses, using force in different ways, as an element in different legal strategies, in disputes with different kinds of people over different kinds of property. Violence, like aggression, turns out to be a complex and highly artificial construct.<sup>19</sup>

From charters, one can construct an inventory of eleventh-century violence very similar to Bisson's. It includes: the plundering and burning of an entire village; burning barns and houses; seizure of horses, cows or pigs; killing horses; damaging a mill; destroying fishing-nets; cutting down trees; uprooting vines; homicide; attempted homicide; abusing hospitality; improperly pasturing animals; beating peasants and seizing their goods or money; issuing threats; digging up corpses and taking them away for burial elsewhere; evicting a tenant; ejecting a plough; seizing a beehive; collecting tithes or customs; usurping a mill; taking over a church; and invading land.<sup>20</sup> Besides showing, as records

<sup>17</sup> Bisson, "Feudal Revolution", p. 18.

<sup>18</sup> Like Duby, Barthélemy argues that documents written in this style "reveal" practices that are not necessarily new but that documents written in an older style conceal: Dominique Barthélemy, *La société dans le comté de Vendôme de l'an mil au XIV<sup>e</sup> siècle* (Paris, 1993), pp. 11, 28-9, 61-4; cf. Duby, *Three Orders*, pp. 147-50.

<sup>19</sup> See Signe Howell and Roy Willis, "Introduction", in S. Howell and R. Willis (eds.), *Societies at Peace: Anthropological Perspectives* (London, 1989), pp. 1-28.

<sup>20</sup> For single examples of each form of violence, see: A 325 (1102); MS 127 (1097); A 939 (c.1030); MD 143 (1084); V 403 (end of the eleventh century); A 939 (c.1030); 223 (1087-1106); MV 37 (c.1080); A 270 (1082-1106); V 694 (1068-1102); A 270 (1082-1106); MV 91 (1050-63); A 90 (1067-82), 178 (1056-60); MV 30 (c.1050); A



of peace movements do, that *violentia* took many different forms, monastic charters also locate violent acts in disputes that can be understood as feuds.<sup>21</sup> Because the violence mentioned in these cases was usually the work of castellans, knights, foresters or bailiffs, most of it can be termed "seigneurial". But the fact that great nobles, peasants, monks and canons also practised violence supports Marc Bloch's conclusion that "the same customs [of feuding] prevailed at every level of society".<sup>22</sup> As a feuding tactic, violence might be practised by anyone. And if the study of eleventh-century violence is extended to the forms of ritual violence that were used against human adversaries by monks — and against saints by both monks and peasants — and also to the imaginary violences that God and his saints allegedly practised when feuding on behalf of their monastic friends,<sup>23</sup> it becomes difficult either to distinguish "seigneurial violence" sharply from other forms of

(n. 20 cont.)

930 (1103); MV 94 (1071); A 887 (c.1080), 218 (1060-7); MB 34 (c.1060); V 621 (1060-1102); A 680 (1112), 292 (c.1070); V 524 (1110-25); MV 11 (1072); N 91 (c.1081); A 90 (1067-82); V 312 (1071); A 223 (1087-1106); V 553 (end of the eleventh century); T 450 (1126); MV, Appendix, 22 (1075-85); MV 116 (1040-60); V 132 (c.1103); N 112 (c.1084); A 185 (1060-81); V 105 (1100-20); N 146 (c.1087); MV 108 (eleventh century); MD 55 (1084-1100); T 259 (1077). For other inventories, see Stephen D. White, "Inheritances and Legal Arguments in Western France, 1050-1150", *Traditio*, xliii (1987), p. 75 n. 91; Stephen D. White, *Custom, Kinship and Gifts to Saints: The Laudatio Parentum in Western France, 1050-1150* (Chapel Hill, 1988), pp. 51-2.

<sup>21</sup> For a flexible definition of feud, see Brunner, "Land" and Lordship, chs. 1-2; see also William Ian Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (Chicago, 1990); Paul R. Hyams, "Feud in Medieval England", *Hashins Soc. Jl*, iii (1991), pp. 1-22.

<sup>22</sup> Marc Bloch, *Feudal Society*, trans. L. A. Manyon (Chicago, 1961), p. 127; see also Brunner, "Land" and Lordship, pp. 44-63. On great nobles, see Penelope Johnson, *Prayer, Patronage, and Power: The Abbey of La Trinité, Vendôme, 1032-1187* (New York, 1981), p. 77; Barbara H. Rosenwein, Thomas Head and Sharon Farmer, "Monks and their Enemies: A Comparative Approach", *Speculum*, lxi (1991), pp. 787-8; on peasants, see Stephen D. White, "Proposing the Ordeal and Avoiding It: Strategy and Power in Western French Litigation, 1050 to 1110", in T. N. Bisson (ed.), *Power and Society in the Twelfth Century* (Philadelphia, 1995), pp. 119-20; on monks, see A 218 (1060-7); on canons, see T 460 (1124-30); on bishops, see Rosenwein, Head and Farmer, "Monks and their Enemies", p. 780; on nuns, see Belle S. Tuten, "A Feud over Corpses: Le Ronceray d'Angers versus Saint-Nicolas d'Angers, ca. 1080-1140", *Medieval Perspectives*, x (1995), pp. 178-88.

<sup>23</sup> On ritual violence, see, e.g., Patrick J. Geary, "Humiliation of Saints", in his *Living with the Dead in the Middle Ages* (Ithaca, 1994), pp. 112-13, 116-24; Patrick J. Geary, "Coercion of Saints in Medieval Religious Practice", *ibid.*, pp. 157-8. On miracles of chastisement, see, e.g., Thomas Head, *Hagiography and the Cult of Saints: The Diocese of Orléans, 800-1200* (Cambridge, 1990), pp. 144-6, 172-4, 177-81. On the "feud-like tone of discourse" in many such stories, see Hyams, "Feud in Medieval England", p. 7.

violence or to follow Bisson in singling out castles as the places where an eleventh-century culture of violence was reproduced. Moreover, seigneurial violence did not involve only "the capricious manipulation of powerless people" by the powerful; it was also practised against equals and superiors and, in the most complex cases, was used against peasants in disputes between their lords.<sup>24</sup> Even "seigneurial violence" is thus a broad and artificial category.

As practised by members of several different social groups, violence was an element in disputing processes which could assume many different forms, depending on such variables as the status of the parties, their past relationships with one another, the kind of property in dispute and the presence or absence of third parties willing and able to intervene. Violence served not only as a method of expropriation, domination and intimidation, but also as a way of symbolically asserting rights, pressuring enemies to settle by distraining property, recovering rights and expressing righteous anger and justifiable enmity.<sup>25</sup> What looks like a single form of violence could thus serve multiple functions and, without ceasing to seem violent, take on different meanings in different contexts. Although charters, like *clamores* and other religious texts, treat many violent acts as unjust and sometimes attribute them to an enemy's cupidity, wickedness or reliance on evil counsel,<sup>26</sup> certain texts make it clear that violence was an element in a legal strategy and, as such, was often limited so as to serve specific strategic purposes. When rights in landed property were at issue, violence could be an instrument of asserting them, a means of taking exactly what litigants claimed from their

<sup>24</sup> Bisson, "Feudal Revolution", pp. 17, 18; see Stephen D. White, "Feuding and Peace-Making in the Touraine around the Year 1100", *Traditio*, xli (1986), pp. 195-263, esp. pp. 261-3.

<sup>25</sup> On self-help and distraint, see Brunner, "Land" and Lordship, esp. pp. 67-81; John Hudson, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994), pp. 22-51. For the anger of lay litigants, see A 112 (1100); for monastic anger, see A 135 (1067-70); for enmity, see T 204 (before 1070); for hatred, see V 686 (1100-20); for God's anger, see Little, *Benedictine Maledictions*, p. 65. On the emotional dimensions of dispute and the normative dimensions of emotion, see Brunner, "Land" and Lordship, p. 31; Hyams, "Feud in Medieval England"; William Ian Miller, "Emotions, Honor, and the Affective Life of the Heroic", in his *Humiliation and Other Essays*, p. 108; Catherine A. Lutz, *Unnatural Emotions: Everyday Sentiments on a Micronesian Atoll and their Challenge to Western Theory* (Chicago, 1988), ch. 6.

<sup>26</sup> MD 5 (1041-8); MV 84 (n.d.); A 270 (1082-1106), 223 (1087-1106). On *clamores*, see Little, *Benedictine Maledictions*, pp. 25, 39.

enemies or a little more.<sup>27</sup> Even when the violence escalated to the point where litigants damaged a mill or a vineyard, cut down trees, attacked people, or killed animals or people, its relationship to a claim is clear.<sup>28</sup> Violent but limited methods of asserting rights and exercising power are also characteristic features of disputes over customs. The destruction of fishing-nets and the seizure of fish caught with them was, not surprisingly, part of a dispute about fishing-rights. When a *vicarius* plundered an abbey's land, he did so for the count's custom. When a castellan disputed with the same monastery about customs, he did so first by sending his own horses and those of his knights and peasants into one of the monks' meadows and later by substituting for them a larger number of bulls, cows, pigs and other beasts. When an important landholder sent his men to plunder an abbey's men, he did so because the latter were not taking their grain to his mill.<sup>29</sup> Like the burning and plundering that figured in certain *guerres* between lay groups,<sup>30</sup> the violence that lay people used to claim so-called "evil customs" involved "the capricious manipulation of powerless people". But it was also part of the process through which power over peasants could be negotiated between a lay lord and a monastic lord. Seigneurial violence thus seems "unpolitical" only in the restricted sense used by Weber, who, at one point, treats "social action" as being "politically oriented" if it aims at exerting influence on the government of a political organization; especially at the appropriation, expropriation, redistribution or allocation of the powers of government".<sup>31</sup> In Brunner's terms, the violence of feud is anything but arbitrary: it has political and even juridical meaning.<sup>32</sup>

The roles of violence in eleventh-century litigation become even clearer when we note that many litigants who practised it also formulated arguments, some of which are just well enough recorded to reveal traces of a distinctive culture or discourse enabling litigants to represent their cases in "normative or pre-

<sup>27</sup> A 185 (1060-81), 217 (1056-60), 218 (1060-7), 369 (n.d.); MV 108 (eleventh century).

<sup>28</sup> A 216 (1060-7), 223 (1087-1106), 270 (1082-1106), 939 (c. 1030); MB 34 (c. 1060); MV 91 (1050-63).

<sup>29</sup> MV 37 (c. 1080); A 284 (n.d.), 178 (1056-60); MV 30 (c. 1050).

<sup>30</sup> See White, "Feuding and Peacemaking in the Touraine"; Brunner, "Land" and *Lordship*, ch. 1.

<sup>31</sup> Bisson, "Feudal Revolution", pp. 19, 31; Weber, *Economy and Society*, ed. Roth and Wittich, i, p. 54.

<sup>32</sup> See Brunner, "Land" and *Lordship*, pp. xxii-xxiv.

scriptive terms". Thus, claims — and even the violence used in prosecuting them — could be debated, and sometimes judged.<sup>33</sup> Litigants sometimes justified their claims by invoking the terms of prior agreements with an abbey or by identifying themselves as kinsman, lord, lord's kinsman or tenant of the person through whom the abbey claimed.<sup>34</sup> Although litigants did not cite rules or customs explicitly, they invoked them by telling stories; they alleged facts that would have been meaningless unless they were interpreted in the context of an implicit normative framework.<sup>35</sup> In addition to plundering monastic lands for the count's customs, the *vicarius* mentioned above also debated the issue with the monks. One man who "extorted" tithes from the same abbey did so because his wife was the heir of the donor of the tithes, another because he was the nephew and heir of the donor. Although an adversary of Saint-Aubin destroyed a vineyard, burned houses, and did other damage to the monks, he also justified himself by tracing the history of the rights he claimed. Saint-Aubin's dispute with a lord whose men plundered and burned the village of Arthèze eventually became the subject of discussion.<sup>36</sup> When debated in "normative or prescriptive terms",<sup>37</sup> the use of force to prosecute an allegedly unjust claim was certainly contested, but not the belief that violence should sometimes be used to claim a right or avenge a wrong.

Discussions of disputes took place in several kinds of forum.

<sup>33</sup> Bisson, "Feudal Revolution", p. 18; see Geary, *Phantoms of Remembrance*, pp. 108-9; White, "Inheritances and Legal Arguments in Western France"; White, "Proposing the Ordeal and Avoiding It".

<sup>34</sup> See MV 2 (1052-63), 5 (1050-66), 7 (1064); White, *Custom, Kinship and Gifts to Saints*, chs. 3 and 5 *passim*; for claims by alleged tenants, see MD 8 (1064-73). The tendency of scribes to associate the outbreak of a dispute with an event such as the death of a monastic benefactor (A 70 (1067-1109), 252 (n.d.)), a litigant's coming of age (A 127 (1060-81), 330 (1056-60)), or an important economic change (diverting a stream, clearing a forest, building a mill) suggests, even in the absence of recorded argument, that the violence accompanying disputes often had a normative dimension.

<sup>35</sup> See White, "Inheritances and Legal Arguments in Western France"; Stephen D. White, "Stratégie rhétorique dans la *Conventio* de Hugues de Lusignan", in *Histoire et société: mélanges offerts à Georges Duby*, 4 vols. (Aix-en-Provence, 1992), ii, pp. 147-57. On the recovery of such normative frameworks or cultural models from narratives, see John L. Comaroff and Simon Roberts, *Rules and Processes: The Cultural Logic of Dispute in an African Context* (Chicago, 1981), esp. pp. 70-106; Dorothy Holland and Naomi Quinn (eds.), *Cultural Models in Language and Thought* (Cambridge, 1987); Karen Ann Watson-Gege and Geoffrey M. White (eds.), *Disentangling: Conflict Discourse in Pacific Societies* (Stanford, 1990).

<sup>36</sup> A 284 (n.d.), 292 (c.1070), 900 (c.1087), 430 (1113), 325 (1102).

<sup>37</sup> Bisson, "Feudal Revolution", p. 18.

Some discussions constituted bilateral negotiations between parties. Others were evidently conducted in the presence of third-party mediators. Still others took place in the courts of counts, bishops or castellans.<sup>38</sup> Among the litigants who discussed their cases in these forums were those who had previously used "violence" against their monastic adversaries and might do so later. A lord who had sent bulls, cows, pigs and other beasts into the meadows of Saint-Aubin and was later attacked by the count's men eventually debated his case in a *placitum* in Angers. A young knight who had "forcibly" taken land from Saint-Aubin eventually settled with the monks, allegedly because he feared incurring the punishment imposed posthumously on a *raptor*.<sup>39</sup> In these forums, settlements of various kinds were reached; and although they did not permanently pacify the participants and did not necessarily resolve conflicts that should not be reduced to the model of simple lawsuits or disputes, "peace-generating mechanisms" not only coexisted with mechanisms generating feud and violence but also complemented them.<sup>40</sup> The same mechanisms also complemented (and often overlapped with) court hearings, yielding outcomes which, in the form of agreements, were informed by normative, as well as political, considerations and need not be read as signs of a debased legal order.<sup>41</sup> A man whose kinsman killed horses and burned houses in a dispute over land with Saint-Aubin was captured by Count Geoffrey of Anjou and

<sup>38</sup> On methods of dispute-processing in early medieval France, see, e.g., Patrick J. Geary, "Living with Conflict in Stateless France: A Typology of Conflict Management Mechanisms, 1050-1200", in his *Living with the Dead in the Middle Ages*, pp. 125-60; Barthélemy, *Société dans le comté de Vendôme*, pp. 652-80; Geoffrey Koziol, *Begging Pardon and Favor: Ritual and Political Order in Early Medieval France* (Ithaca, 1992), esp. ch. 7. For critiques of work on dispute processing, see Maureen Cain and Kalman Kulcsar, "Thinking Disputes: An Essay on the Origins of the Dispute Industry", *Law and Society Rev.*, xvi (1981-2), pp. 375-402; June Starr and Jane F. Collier, "Introduction: Dialogues in Legal Anthropology", in J. Starr and J. F. Collier (eds.), *History and Power in the Study of Law: New Directions in Legal Anthropology* (Ithaca, 1989), pp. 1-28.

<sup>39</sup> A 178 (1056-60), 330 (1056-60).

<sup>40</sup> Bisson, "Feudal Revolution", p. 41; on broken settlements, see Geary, "Humiliation of the Saints", p. 150 n. 69; Johnson, *Prayer, Patronage, and Power*, pp. 91-7 and the tables on p. 92.

<sup>41</sup> Whereas Bisson treats the *Conventio* of Hugh of Lusignan as evidence of a "crisis of fidelity" ("Feudal Revolution", p. 27), White uses the same text to show how the idea of fidelity figures in the political relationship between lord and *fidelis*: White, "Stratégie rhétorique dans la *Conventio* de Hugues de Lusignan"; Stephen D. White, "La politique de la fidélité: Hugues de Lusignan et Guillaume d'Aquitaine", in Claudie Duhamel-Amado and Guy Lobrichon (eds.), *Georges Duby: L'écriture de l'histoire* (Brussels, 1996), pp. 223-30.

turned over to the monks, to whom he then paid compensation. An angry litigant who did such evil as he could to Saint-Aubin later sought the abbot's forgiveness. A litigant who unsuccessfully claimed rights over a mill returned to the monks who held it some grain that a court found he had taken unjustly. Adjudicating the claim about fishing-rights already noted, a court found that it was an "ancient custom" for local people to exercise such rights under certain limited conditions.<sup>42</sup> Under these settlements, litigants sometimes returned what they had plundered and paid fines for their violent acts.<sup>43</sup> The finding that many lay litigants settled with their monastic adversaries in such a way as to continue pre-existing relationships with an abbey reveals the ironies of both monastic friendships with lay plunderers and of lay friendships with monastic communities that impoverished lay kin groups;<sup>44</sup> the same evidence also shows that violence was not simply an "unpolitical" method of wilful domination and enrichment, but also a tactic used, within limits, in the process of renegotiating political relationships.<sup>45</sup>

Although eleventh-century *violentia* was far more than a linguistic artefact, modern understandings of it are inevitably shaped by the ways in which it is represented — and not represented — in surviving documentation.<sup>46</sup> A significant segment of that documentation is made up of religious texts dramatizing both the violence of a church or monastery's enemies and the ritualized or imaginary counter-violences inflicted on these enemies by, respectively, the monks themselves and by God and his saints acting at the monks' behest.<sup>47</sup> Beginning well before the time when eleventh-century monks and priests had attacked the *violentia* and *rapina* of their enemies in charters, *clamores*, miracle stories and records of peace movements, their ninth- and tenth-century predecessors were using the same terminology to construct images of their own enemies and images of themselves as

<sup>42</sup> A 939 (c.1030), 940 (1038-55); A 826 (1082-1106); MV 32 (1066-72); MV 37 (1080).

<sup>43</sup> A 284 (n.d.), 680 (1112), 939 (c.1030); MV 32 (1066-75).

<sup>44</sup> Bisson, "Feudal Revolution", p. 17; see Rosenwein, Head and Farmer, "Monks and their Enemies", esp. pp. 769-77; Barbara H. Rosenwein, *To be a Neighbor of Saint Peter: The Social Meaning of Cluny's Property, 909-1049* (Ithaca, 1989), pp. 72-7; Johnson, *Prayer, Patronage, and Power*, ch. 3.

<sup>45</sup> See Rosenwein, *To be a Neighbor of Saint Peter*, p. 48; Geary, "Living with Conflict in Stateless France".

<sup>46</sup> See Geary, *Phantoms of Remembrance*, p. 178.

<sup>47</sup> See n. 15 above.

their enemies' victims. The most powerful verbal images of this kind survive in the form of ritualized responses to alleged spoliation of churches. In a late ninth-century pontifical from Sens, according to Lester Little, "a charge is made against malefactors who are devastating (*devastando*) and preying upon (*depredando*) the goods and lands of the church". In a *clamor* from Tours (c.1020) canons ask Christ to "attack those who are attacking us", namely the "iniquitous and proud men [who] invade, plunder, and lay waste the lands of this your sanctuary and of other churches subject to it". A ninth- or tenth-century text from Saint-Wandrille records a "solemn malediction . . . against *molestatores, perturbatores, raptores, latrones et predones* of the monastery's possessions".<sup>48</sup>

Identical images of lay plunderers and lay violence appear in charters and records of the peace movements — and, indeed, figure prominently in modern discussions of the latter. Drawing from a special register of canonical terms reserved largely for eleventh-century France, historians have depicted an interlude of turmoil, insecurity, disorder, violence, anarchy and lawlessness between more respectable periods of law and public order by portraying aggressive, restive and violent warriors and local strong men, who practise usurpation, coercion, extortion, rapine, pillage, depredation, plunder and endemic brigandage.<sup>49</sup> Although Bisson, too, draws from the same dark literary register to dramatize the "feudal revolution", his analysis is more qualified and nuanced than most arguments that treat "seigneurial violence" as the defining feature of eleventh-century society.<sup>50</sup> It therefore

<sup>48</sup> Little, *Benedictine Maledictions*, pp. 9, 22-3, 24, 25; see also *ibid.*, p. 107, and the case materials at pp. 131-43.

<sup>49</sup> H. E. J. Cowdrey, "The Peace and the Truce of God in the Eleventh Century", *Past and Present*, no. 46 (Feb. 1970), pp. 47, 48, 53, 57, 60; Georges Duby, "Laity and the Peace of God", in his *Chivalrous Society*, pp. 125, 132; André Debord, "The Castellán Revolution and the Peace of God", in Head and Landes (eds.), *Peace of God*, pp. 145, 151, 152; Bernard S. Bachrach, "The Northern Origins of the Peace Movement at Le Puy in 975", *Historical Reflections / Réflexions historiques*, xiv (1987), pp. 405, 411, 415; Steven D. Sargent, "Religious Responses to Social Violence in Eleventh-Century Aquitaine", *ibid.*, xii (1985), pp. 219, 220, 224, 227, 228, 235, 239; Christian Lauranson-Rosaz, "Peace from the Mountains: The Auvergnat Origins of the Peace of God", in Head and Landes (eds.), *Peace of God*, pp. 105-10, 114-17, 120, 132; Daniel Callahan, "The Peace of God and the Cult of the Saints in Aquitaine in the Tenth and Eleventh Centuries", *ibid.*, pp. 165, 167.

<sup>50</sup> Since Bisson's response to Barthélemy's initial critique of *mutationnisme* — the thesis that French society rapidly underwent a general crisis and major structural transformation around 1000 — the latter has developed the critique much further: Barthélemy, *Société dans le comté de Vendôme*; Dominique Barthélemy, "Qu'est-ce

invites further qualification. First, in addition to adding a “feudal dimension” to the feudal revolution,<sup>51</sup> Bisson, unlike either Bois or Bonnassie, doubts whether seigneurial violence transformed relations of production. But if seigneurial violence no longer appears as the instrument through which a ruling class established and maintained a new kind of servitude, then the case for the kind of revolution posited by Bois and Bonnassie falls apart. Secondly, Bisson further weakens the case for another kind of “feudal revolution” by undermining the conventional opposition between, on the one hand, the “feudal anarchy” created by eleventh-century knights and castellans and, on the other, the lordship of twelfth-century rulers,<sup>52</sup> who, he argues, did not really “govern” their dominions, because their underlings “behaved not as agents but as . . . aggressive lords replicating the predatory methods of the early castellans”. If, as he suggests, rulers such as Louis VI did *not* suppress what he calls “the terrorism of fortified lordships”, and if, in the twelfth century, “men appointed to guard castles, collect customary revenues and keep local order behaved not as agents but as lords on the make”,<sup>53</sup> then Bisson provides grounds for asking whether the feuding culture of eleventh-century castellans or something like it lasted not just beyond 1100 but beyond 1200, and also whether the use of a developing state apparatus as a means of enrichment by state agents did not last at least as long.<sup>54</sup> How different are eleventh-century seigneurial violences from those of later periods?<sup>55</sup>

How different, indeed, are they from tenth-century violences? At the other end of the period he discusses, Bisson, although

(n. 50 cont.)

que le servage, en France, au XI<sup>e</sup> siècle?”, *Revue historique*, cclxxxvii (1992), pp. 233-84; Dominique Barthélemy, “Qu’est-ce que la chevalerie, en France au X<sup>e</sup> et XI<sup>e</sup> siècles?”, *ibid.*, ccxc (1993), pp. 15-74; and in several other works.

<sup>51</sup> Bisson, “Feudal Revolution”, pp. 23-8. Bisson’s argument about fiefs should be examined in the light of Susan Reynolds, *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford, 1994), esp. pp. 115-80.

<sup>52</sup> See, e.g., Lemaignier, *France médiévale*, chs. 3 and 7.

<sup>53</sup> Bisson, “Feudal Revolution”, pp. 36, 34.

<sup>54</sup> And possibly a lot longer. See, e.g., William Beik, *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge, 1985), pp. 3-33.

<sup>55</sup> See, e.g., Robert Fossier, “Fortunes et infortunes paysannes au Cambrésis à la fin du XIII<sup>e</sup> siècle”, in *Economies et sociétés au Moyen Âge: mélanges offerts à Edouard Perroy* (Paris, 1973), pp. 171-82; Hugh M. Thomas, *Vassals, Heiresses, Crusaders, and Thugs: The Gentry of Angevin Yorkshire, 1154-1216* (Philadelphia, 1993), pp. 59-65.



arguing for "abrupt and disruptive change" around 1000, also softens the contrast between a violent eleventh century and a peaceful Carolingian era by indicating that some features of the "old regime" may have survived the feudal revolution,<sup>56</sup> while others at least foreshadowed features of the new one. Again, the qualifications in his nuanced argument invite further qualifications in their turn.

First, Bisson notes that in tenth-century Francia, if not earlier, violence was "frequent [and] continuous"; was "normal" and "endemic" in war and in feud; did not necessarily violate "societal norms"; and was "institutionalized within as well as outside the [Carolingian] legal order". If this is so, then what he calls "the normal brutalities of [tenth-century] war and feud" would be worth comparing with what Barthélemy calls "l'indéniable brutalité" of eleventh-century *guerres*.<sup>57</sup> Were there at least similarities between the two feuding cultures, if not the identity that Brunner apparently saw?

Secondly, Bisson acknowledges not only that Carolingian political institutions did not "protect freedom and property very well", but also that, for the tenth century, "not even traces of delegated routine action" survive.<sup>58</sup> If the power to delegate power and maintain accountability is a crucial feature of "government"<sup>59</sup> and if twelfth-century government, as Bisson sees it, was a mask concealing a regime closely resembling eleventh-century "militant lordship", then how much does tenth-century "government" differ from eleventh-century arbitrary lordship?

Thirdly, Bisson says that the Carolingian political order "countenanced extra-legal structures": "disputing parties could easily bypass regalian tribunals" and "personal and patrimonial lordships were proliferating". If this is so, how, precisely, do tenth-century methods of dispute processing compare with the practices

<sup>56</sup> Bisson, "Feudal Revolution", pp. 22, 12, 37. The concessions are mainly to the work of K. F. Werner: *ibid.*, p. 12 n. 24.

<sup>57</sup> Bisson, "Feudal Revolution", pp. 12-14; Barthélemy, *Société dans le comté de Vendôme*, p. 10; see also *ibid.*, pp. 351, 438.

<sup>58</sup> Bisson, "Feudal Revolution", p. 11.

<sup>59</sup> Bisson identifies "the demise of accountable service" as "the most profoundly subversive legacy of the eleventh century": *ibid.*, p. 34. "Even if we admit the subsistence of public order at the level of the principality [in the eleventh century], it hardly follows that bureaucratic ideals informed the department of *fideles* who came between the lord-ruler and his people": *ibid.*, p. 37.

of the next century, when one also finds a mix of adjudicatory and non-adjudicatory processes being used?<sup>60</sup>

Fourthly, whereas previous writers on the feudal revolution relied heavily on the public/private distinction to explain, among other things, how the crisis of the Carolingian state was necessarily linked to the revolutionary construction of the *seigneurie banale*, which usurped previously public powers,<sup>61</sup> Bisson contends that “[i]t is unnecessary, indeed misleading, to invoke modern statist conceptions of public/private to understand [the Carolingian] regime”.<sup>62</sup> But if we treat the “statist” distinction between “public institutions” and “private institutions” as an anachronism, what happens to arguments to which this distinction was central? If the distinction is abandoned, the Carolingian state begins to look like an integral part of Carolingian society, not an external force ruling it;<sup>63</sup> and Carolingian and eleventh-century seigneurial violence become harder and harder to distinguish from one another.

Finally, having located in tenth-century France certain practices that some *mutationnistes* treat as consequences or corollaries of the feudal revolution, Bisson, unlike Bonnassie or Bois, refrains from arguing for any statistical increase, during the late tenth century, in the incidence of “violence” during a well-defined revolutionary period.<sup>64</sup> Instead, he argues for a feudal revolution that changed the ways in which certain kinds of people thought about power and violence. In the tenth century, “there was, in some sense, public order . . . This is so . . . because contemporaries *thought* it was so”.<sup>65</sup> “That [violence] was *dis-order*, none who placed their hope in legitimate authority *doubted*.”<sup>66</sup> But around 1000, seigneurial violence was naturalized: it “ceased to seem new”.<sup>67</sup> “By the middle of the eleventh century people had

<sup>60</sup> Bisson, “Feudal Revolution”, p. 11; see Patrick J. Geary, “Moral Conflict and Peer Pressure: Conflict Resolution in the Medieval Aristocracy”, in Duhamel-Amado and Lobrichon (eds.), *Georges Duby: l'écriture de l'histoire*, pp. 217-22.

<sup>61</sup> See Duby, “Evolution of Judicial Institutions”.

<sup>62</sup> Bisson, “Feudal Revolution”, p. 12.

<sup>63</sup> On this distinction, see Beik, *Absolutism and Society in Seventeenth-Century France*, p. 12.

<sup>64</sup> Bois's feudal revolution erupts in the 980s and lasts for two decades: Bois, *Transformation of the Year One Thousand*, pp. 136, 149. For criticism of his arguments for an increase in violence, see Alain Guerreau, “Lournand au X<sup>e</sup> siècle: histoire et fiction”, *Le Moyen Age*, xcvi (1990), p. 536.

<sup>65</sup> Bisson, “Feudal Revolution”, p. 9 (my emphasis).

<sup>66</sup> *Ibid.*, p. 13 (my emphasis on the last word).

<sup>67</sup> *Ibid.*, p. 21 (Bisson's emphasis).

ceased to *think* of the king and the princes as guarantors of social order": a revolutionary "conceptual revelation" had led to "a new preoccupation with power in unofficial and affective forms".<sup>68</sup> How new, then, are these unofficial forms of power?

By qualifying in these ways an earlier argument for a social, economic and political revolution, Bisson creates a new argument for a revolution in which changes in political thinking and discourse within a restricted class of people seem more central than do changes in political practice. How much remains of the stark contrast between pre- and post-revolutionary France? The contrast would be more plausible if the alarmist rhetoric<sup>69</sup> was accompanied by precise analyses of violence, dispute processing and political discourse *both before and after* the year 1000 and, in particular, if evidence about violence did not consist largely of evidence (disparaged by historians as different as Brunner, Barthélemy and Elisabeth Magnou-Nortier) of stylized monastic reactions to stylized representations of "pillaging and plundering".<sup>70</sup> Arguments for political "rupture" around the year 1000 would also be more compelling if they did not depend so much on the assumption that when allegedly public institutions disappear uncontrolled violence necessarily breaks out.

Barthélemy is hardly the only recent historian to query arguments for sharply contrasting tenth- and eleventh-century France. While contending that a significant political transformation took place around 1000, Chris Wickham not only denies that it was associated with revolutionary economic change, but also represents it as merely the dropping of a veil that had been masking private power for a long time.<sup>71</sup> "Overstated" is Patrick J. Geary's characterization of arguments for feudal revolution or mutation: "[c]hanges in social and political traditions there cer-

<sup>68</sup> *Ibid.*, pp. 28 (my emphasis), 23.

<sup>69</sup> "The social storm" of the millennium, "the fever of violence", "[la] frénésie de violence": Bois, *Transformation of the Year One Thousand*, p. 148; Pierre Bonnassie, "From the Rhône to Galicia: Origins and Modalities of the Feudal Order", in his *From Slavery to Feudalism in South-Western Europe*, p. 104; Christian Lauranson-Rosaz, "Les mauvaises coutumes d'Auvergne (fin X<sup>e</sup>-XI<sup>e</sup> siècle)", *Annales du Midi*, cii (1990), p. 574.

<sup>70</sup> See nn. 6 and 16 above; also Dominique Barthélemy, "La mutation féodale a-t-elle eu lieu?", *Annales E.S.C.*, xlvii (1992), pp. 772-4.

<sup>71</sup> See Chris Wickham, "Mutations et révolutions aux environs de l'an mil", *Médiévales*, xxi (1991), pp. 33-5; Chris Wickham, "The Other Transition: From the Ancient World to Feudalism", in his *Land and Power: Studies in Italian and European Social History, 400-1200* (London, 1994), pp. 1-12, 30-6.

tainly were, but these had begun in the late ninth century across Europe and had been under way for more than a century".<sup>72</sup> Janet Nelson asks whether studies of peace movements do not run the risk of presenting a rosy view of the anterior order:

Was public justice so ubiquitous, the state so authoritative, royal agents (purveyors included) so nicely under control, private castles so uncompromisingly demolished, church lands and allods so securely held, *boni homines* so independently active? In fact, all the abuses denounced c. 1000 had been denounced two centuries earlier. The Carolingian state, no bureaucratic machine, coexisted with seigneurial power in always uneasy, yet necessary, interdependence, in constant interaction, constant friction. The public was enmeshed with the private. Royal agent and local lord were often actually one and the same man.

Viewing the revolution of the year 1000 from a Carolingianist's perspective, she writes: "The crisis model and the methods and assumptions bound up in it seem ripe for collapse".<sup>73</sup>

A principal assumption underlying Bisson's model of feudal revolution is that by maintaining and deploying carefully constructed, canonical oppositions between power and violence, order and disorder, the political and the unpolitical, government and lordship, law and will, medieval historians of power can identify an era of violent lordship during the central Middle Ages and neatly distinguish it from both earlier and later medieval eras of government, law and public order. Yet the sociological opposition Bisson posits between the era of violent lordship in the eleventh century and the era of public order in the tenth is only as stable as the conceptual oppositions out of which it is constructed. If it is "misleading" for medievalists "to invoke modern statist conceptions of public/private",<sup>74</sup> then the oppositions between violence and power and between the political and the unpolitical collapse as well. If conceptual oppositions such as these collapse, what becomes of the revolution of the year 1000? What Bonnassie and Bois, among others, represented as "massive social and institutional change"<sup>75</sup> and what Bisson now treats as a political revolution looks less than revolutionary, since so much of it involves changes in the way in which some of the surviving sources represent power. Such ruptures in discourse surely matter. But how much? And to whom? Clearly, they matter more

<sup>72</sup> Geary, *Phantoms of Remembrance*, pp. 24, 178.

<sup>73</sup> Janet L. Nelson, review of Head and Landes (eds.), *Peace of God, Speculum*, lxi (1994), p. 168.

<sup>74</sup> Bisson, "Feudal Revolution", p. 12.

<sup>75</sup> *Ibid.*, p. 6.

to those historians for whom "statist conceptions" provide the only categories for analysing power. The ruptures will matter less to those who treat statist discourse as just one possibility; who see the relationship between practice and discourse as problematic and contingent; and who, as Bisson has recently argued, view "government" as "a concept historians of medieval power should not take for granted".<sup>76</sup>

*Emory University*

*Stephen D. White*

<sup>76</sup> T. N. Bisson, review of Judith A. Green, *The Government of England under Henry I* (Cambridge, 1986), *Speculum*, lxiv (1989), p. 438.