

Tom Burns
Organisation and Social Order

PART II

THE MEDIEVAL MILLENIUM

There is a familiar lecturing gambit to the effect that the division of history into periods is intolerable (history is, after all, a 'seamless web'), but unavoidable (how else is the study and the teaching of history possible?). Yet there is hardly any question that a cataclysmic change occurred in Europe - particularly in its western and central regions - in the two hundred years after the middle of the fourth century, and an almost equally radical change, though without the destructiveness of the first, a thousand years later, between, say, 1400 and 1600. Moreover, what we call the 'Middle Ages' has a sweeping continuity of its own which makes it more than the long interregnum between the ancient world and the modern world which the eighteenth century saw in it, and so gave the period the designation it still has.

The Roman Empire of the West was first dismembered and then wiped out under the impact of a series of invasions, or migrations, or occupations (at different times and places the movement had the character of one or the others, or of all three), by German and Slav tribes across the Rhine and the Danube. There was nothing sudden about it. The final phase of collapse began with the defeat of the Emperor at Adrianople in 378; Rome was sacked in 410; and the last Emperor of the West was deposed in 476. A second movement, longer and more sporadic, followed the first in almost consequential fashion. Beginning with the rise and devastatingly rapid expansion of Islam during the seventh and eighth centuries along the whole of the southern coast of the Mediterranean and into Spain, it was followed by the onslaughts of the Vikings and Magyars from the north and the east. The first half of the Middle Ages, then, was consumed by these invasions - by barbarians, Moslems, Scandinavians and Huns. It was interrupted only briefly by the Frankish empire created by Charlemagne - and dismembered by his grandchildren.

The early barbarian invasions differed in their speed and also in the extent of the human, physical and institutional damage they inflicted. England and, later, North Africa were the worst hit; elsewhere, the Burgundians and Franks in Gaul and the Visigoths in Spain were satisfied with occupying the material and institutional remains of the Empire (or even, as with the Ostrogoths in Italy, with trying to restore them or shore them up), alongside the indigenous populations whom they displaced or, rather, quartered themselves on.

However it all happened, civilised life, in the form it had taken in the later Roman Empire, was brought to an end in one region of the Western Empire after another.

Four centuries after the whole sequence of invasions had ended in the Norman conquests

of Sicily and England came the fall of Constantinople and the end, at long last, of the Roman Empire of the East. But although for Eastern Europe it carried with it the renewed threat of Islamic attacks and invasions, the event was of marginal significance for most of Europe, apart from some symbolic importance. For at the time it occurred, Western Europe was taken up with changes within its boundaries which were as fundamental as had occurred after the fall of Rome, though a good deal less violent. Immediately afterwards, it turned decisively from being relatively poor, weak, constantly under threat and on the defensive, to a positive and aggressive career of exploring, conquering and exploiting other continents.

The continuity which gives the medieval millenium its distinctive character is symbolised and, to some extent, actualised, by the continued existence of Constantinople - Byzantium - New Rome - 'The' City. It was the largest and richest city in the whole of Europe, the place from which silks and all the exotic treasures of the East could be bought (or, on occasion, looted), the keeper of a great store of learning and expertise concerning Roman law, politics and government, and of the philosophical, historical and literary writings of the classical world, which was put to use in the political, legal and cultural reconstitution of the West in the fourteenth and fifteenth centuries.

There were overriding circumstances in the West, too, which give the Middle Ages a distinctive character and even a colouring of homogeneity. Admittedly, the continuity which gives coherence to the whole thousand-year stretch is not very apparent in the political structures and networks of economic relationships which were created at different times and in different places. The kingship of a Roger II or an Edward I bears little resemblance to that of a Peppin II or an Aethelred; neither the 'feudalism' nor the urban civilisation which are generally accepted as distinctive features of medieval Europe are clearly discernible until the eleventh century; the Church of Innocent III is a very long way from being the Church of Leo III; and the commercial and banking systems which the great merchant families of Venice, Genoa and Antwerp began to operate in the thirteenth century, and which connected Byzantium and Aleppo with York and Bergen, bears little resemblance to the peripatetic trading ventures of Greeks, Jews and Levantines into the western Mediterranean five or six hundred years earlier.

It is also the case that any homogeneity which runs through the medieval millenium is difficult to specify. 'The West' in the Middle Ages was a political and cultural area whose boundaries were even less definite and stable than they are today. Geographically, it signifies an oddly shaped enclave comprising France, northern Italy, northernmost Spain, the Low Countries, central and southern Germany (i.e., the empire of Charles the Great) together with England, and reached out, later on, to include the southern part of Italy, Bohemia and Poland. Furthermore, the institutional elements out of which the political, economic and social life of 'the West' was built changed almost out of recognition during the course of the period.

There is one kind of continuity which runs through the millenium. It resembles genetic - or epigenetic - adaptation and modification rather than inheritance and replication, however. It is a matter of habits of thought and discourse, characteristic forms of relationship, attitudes, and beliefs - of ethos rather than social structures, institutions, or

regimes. At its core lay the family - not only the nuclear and the extended family of kinsfolk but also the larger quasi-family living together in the domiciliar commune of the manse or in the larger households maintained by the nobility or the church. The family redistributed resources among its members and trained and equipped them linguistically, socially and technically to take a place in the larger society. Independent of, or at best marginal or subordinate to, major institutions and associations, it sponsored membership of them and provided access to what opportunities there were for advancement. It was with its backing that individuals were able to take part in the religious life of the Church, in the sociable life, festivities and sports of the local community and in economic and social affairs. Above all, it taught them how to survive and helped them to do so when necessary.

The institutions which were built up in later centuries were rooted in the early centuries - or rather, were constructed out of materials and parts which were fashioned, however simply and crudely, by earlier generations. Their special function was to develop a sense of belonging (the feeling of 'community') and an affirmation of social identity. Without some reference to these earlier institutions, such unprecedented developments as, for example, the communal movement of the eleventh century, the urban renaissance, and 'feudalism' itself become inexplicable. Also, the institutional forms and social structures discernible in those early years reveal with a special clarity - despite their simplicity and crudeness, or perhaps because of it - the basic elements of organised relationships and collective behaviour out of and on top of which the later, more elaborate, institutions were constructed.

There were also, of course, certain institutions which we take to be specific to the Middle Ages that had either survived or been reconstituted from the Roman past. The church was one; though to describe it as identified with the whole of organised society, and this identification as 'the fundamental feature which distinguishes the Middle ages from earlier and later periods of history'¹, places the emphasis wrongly; the church served in many ways as a simulacrum of the Roman Empire of the West, its religious (or rather, ecclesiastical) ghost - although its supremacy did not go unchallenged. Bondage, in a wider variety of forms than obtained under Rome, was another. The patron-client relationship reappeared in a novel and potent guise.

The most important survival of all, as it turned out, was Latin; and the manner of its survival is something of an indicator of the special relationship which obtains between medieval and classical Europe. It stayed alive as the language of church services and of sacred literature; in both cases it was a second language set apart from the vernacular which both priesthood and laity used. It survived also as the language of law, and of the secular literature preserved and studied in the Eastern Empire, where again it was a second language, for the peoples of the Eastern Empire commonly used Greek. For the rest, languages and dialects differentiated themselves, assimilated one another, and drifted together to form more or less standardised usages among sizeable populations.

¹ R.W.Southern, *Western Society and the Church in the Middle Ages*, Penguin, 1970, p. 16.

Much of the Roman past which survived did so only in fragments. The stonework of ruined temples, theatres and villas served as quarries of dressed masonry and, in much the same way, remnants of Roman institutions were in some places sufficiently viable to become incorporated into constitutions, laws and social structures. The first barbarian invaders had in any case been reasonably well acquainted, at a distance, with the Roman Empire; they had known of it for generations, even centuries, as a vast presence to the south, a continuing source of lucrative employment for the men who joined the Roman army in increasing numbers (until, by the end of the fourth century, they were the Roman army), as an enormous bazaar in which they could trade furs, hides and slaves for luxury goods, and as an inexhaustible store of prospective loot. When they did move south as a tribal force, many dimly remembered stories and anecdotes must have taken on new life and substance in the behaviour and customary practices of the peoples they conquered.

However, the institutions, the cultural life of the Middle Ages, its ethos, cannot be accounted for as a kind of *bricolage* of relics of the Roman past. So far as the West was concerned, the organised political, legal and economic entity which the Empire had represented was, in the long run, obliterated. The elements essential to any moderately complex form of organization ceased to be available above the most elementary level. There was little or nothing left on which to found secondary relationships of the kind which bulk so large in what we think of as civilised society. Roman Law, at least as an intellectually coherent system, disappeared from the West for almost six centuries. Hence, along with the limited protection of life and property which Roman rule had assured went the ability to resort to a comprehensive and well-established body of law so as to remedy injustice. Rights of ownership in land by inheritance or purchase gave way, abruptly or gradually, to right of ownership by superior force. Civic life, and the institutions it had sustained, collapsed, along with what peace the Roman world had created for itself. So did the orderliness, the culture, the coherence and the familiar, uniform, institutional structure which Rome had imposed.

The elaborate system by which Roman society was graded according to specific categories of patriciate, knights, different grades of citizenship, freedmen, *coloni*, and slaves, disappeared. In its place were leaders of the conquering tribes, who assumed the title of king, or duke; members of their immediate retinue; armed followers; fellow tribesmen; notables from the former regime who collaborated, together with their dependents; other survivors, who somehow gained recognition, along with some newcomers, as freemen holding parcels of land (*allods*) free of any obligation to an overlord; a miscellany of peasants, who worked the land at their masters' pleasure and for their supply; and slaves. Slavery, inevitably, was much more in evidence after the barbarian invasions than under the Roman Empire; the Anglo Saxons, for example, drove a flourishing trade in slaves (their word for native Britons became the term they used for slaves), who were exported to the Baltic as well as nearer home. In all probability, too, slavery grew in harshness during the Dark Ages as well as in volume.

The very foundations on which society, government and law had to be built - indeed, the materials out of which they were built - were entirely different. In classical antiquity, the *res publica* and the polis was nothing more nor less than the people who were its

citizens. Now, it was land. "Land was wealth, livelihood, family provision and the principal subject-matter of law. To begin with, moreover, land was also government and the structure of society."²

The invasions which shifted the political centre of gravity of western Europe away from the Mediterranean also moved the locale of political, social and economic affairs from the cities (which remained targets for attack where they had not already been laid waste) to the land. As Western Europe emerges from the two centuries of the first wave of invasions it becomes apparent that law, economy and government all related primarily, and in the first place almost entirely, to land, its ownership and its occupancy, possession or tenure.

² S.F.C.Milsom, *Historical Foundations of the Common Law*, 2nd. edn., Butterworth, 1981, p. 99.