

Feudal Rules and Privileges during the early Middle Ages

This document has been inspired from excerpts of the book "Antiquités et Chroniques Percheronnes", written in 1838 by Jean Lebrun (Abbé Fret ¹). It recounts the relationship between the different levels of society in the feudal period of the early Middle Ages, especially those between lords and their vassals. Additionally, it clarifies the relationship between lords and vassals of the Perche, specifically, between those which interest us most, between Rotrou de Nogent and Thibault, Count of Blois and Chartres, and between Yves de Bellême and William, Duke of Normandy. It also gives an explanation of the appearance of middle nobility of several centuries. Because of favours bestowed upon them by local nobility, usually for services rendered, vassals rose firstly to the lower level of nobility by becoming "lords" of a town or other minute dominions. They would usually retain it at the pleasure of their senior lord. However, the visibility of these new lords allowed them access to a higher level of society, which could consolidate their new position. Often, the sons of these new "nobles" would access the titles of their father, upon his death, and so hereditary passing of their titles could become the norm.

Studying successive generations of the Rotrou Family in the Perche, between about 950 up to today is a perfect example of this potential. Rotrou de Nogent was rewarded for his fidelity to Thibault, Count of Blois and Chartres, and then to his son Eudes. In his new position of Lord (Seigneur) of Nogent, Rotrous daughter married into the family of the Viscounts of Châteaudun, and by a quirk of fate, the male descendants became themselves Viscounts of Châteaudun, and later (self-attributed) Counts in their own right. After allying themselves with William, Duke of Normandy, in his Conquest of England, the family thus had close access to English/French royalty, and a marriage of a daughter of Henry I to a "De Nogent" Count, finally brought the family into the spheres of royalty. Over the next Centuries, following the ups and downs of the English and Irish descendants of the family, we now follow a long line of Nugents, favoured by successive Kings of England, and several branches of this expanding family currently hold titles of Lords, Dukes and Earls, as a hereditary right.

We can now look at the customs of the early Middle Ages, which put unknown families on the first rung of the ladder to fame, and allowed them to reach the dizzy heights of royalty.

¹ Abbé Fret - A parochial priest and historian of the Perche (1800-1843)

Hereditary Lords and Counts - The Origins of Nobility

After the defeat of the Gaul tribes by the Franks (after 600), all confiscated territory was divided into three types, each of which represented a sort of territorial property :

1 - Lands governed by an "Allodial Law"

Allodial lands were the absolute property of their owner, and not subject to any service or acknowledgement to a superior. These lands are held by hereditary right.

2 - Lands governed by a "Salic Law"

Salic lands were governed, amongst others, by the rules of succession to the throne of France, preventing among other things, the accession of women to positions of power.

3 - Lands governed by a "Tributary Law"

Tributary lands represent those which, after the conquest, were abandoned to their original owners, under the condition that a tribute or rent was paid to the Frank warriors who had freed the land.

We will discuss only the lands governed by Salic Law, which covered the lands in and around the territories of the Perche.

Salic lands were those which fell to the Franks after the Conquest, which the current king often distributed to his companions in arms as a favour, as encouragement, or as a reward, under condition that they did military service², a situation known as *jure beneficii*. This mechanism was very much a "give and take" system. The king could not always maintain his lands at a distance, so he symbolically "gave" certain lands to his favoured subjects, on condition that they should be protected and maintained by the said subject. On a second count, this subject was obliged to provide a certain number of armed men into the service of the king, thus allowing him to maintain an army at little or no cost. The same mechanism could be operated at a lower level. Counts, having received extensive lands from their king, could allocate certain parts of this land (a town, for example) to his own subjects, under the same rules³. Such rewards could be revoked by the "donor" at any moment. Originally attributed with no specific duration, these rewards could be later attributed for life, before eventually becoming hereditary titles. This hierarchical mechanism was used also for other reasons, such as recovering taxes, or dispensing justice.

The principal recipients and other servants to whom the sovereigns gave concessions of land and titles, rewarding their military service, were known as

² Normally, the tributary of the reward was obliged to provide a specific number of men and their arms, to their sovereign, who would treat them as his own warriors. The number of soldiers provided and the duration of their service, depended on the importance of the reward (title and/or lands)

³ Thibault, Count of Blois and Chartres was the vassal of King Lothaire, but himself allocated to his vassal Rotrou, the "lordship" of the town of Nogent. Thibaults cost of maintaining troops to the king could thus be offset by the troops he himself received from Rotrou.

Antrustions ⁴, that is, volunteers devoted to the service of their king, and who had sworn fidelity, and so had become his "Leude" ⁵, his "Fidelis" ⁶ or "Convive" ⁷, terms later known under the name "Vassal" ⁸. The Antrustions give to the king an intrinsic force with which he defends himself, his dignity, and who employs this force to the good of the nation.

Kings gave entire provinces under the title of Duchies, regions under the title of Marquisates, towns and their territories under the title of Counties, Baroneries and "Châtellenies" ⁹, or finally, a Lordship. The domain was possessed as a reward by a Lord (as an example), exerted upon its inhabitants a governing mechanism inherent to the property, which was the fundamental element of the principal of "Feudality".

The direct sovereign over a number of territories which formed his royal domain, and the vassals who lived there, the king was the absolute head of all the subservient lords, who, within the limits of the feudal law, imposed themselves upon their own vassals with complete independence. They were, in the same way as the king, absolute masters in their domain (known as fiefs), alone apt at recovering taxes and exercising all forms of authority, and, if powerful enough, even allowed to make their own currency ¹⁰.

Relationship between a Vassal and his Suzerain ¹¹

The absolute sovereign of a number of lands which formed his royal domain, and of his vassals which lived on those lands, the king was the head or suzerain of all the other lords, who, within the feudal laws were themselves suzerains over their own vassals. Dukes, Marquess and Counts carried the titles of Feudal Lords of the Crown, and paid homage only to the king. Whenever a fief became hereditary, the relationship between the suzerain and the vassal followed the law of heredity, the sons being engaged as were their fathers. However, the sons did not become in their turn, vassals of their suzerain, by tacit consent. A special ceremony was held which would confer upon the son, the same rights and the same obligations as those of his father, a ceremony composed of three specific acts, Hommage ¹², a Sermon of Allegiance, and an Investiture.

In spite of the hereditary nature of the fief, the death of a vassal would imply a new ceremony, in order to renew the feudal links between the suzerain and his new vassal. In this ceremony, the vassal would present himself before his future lord, after having saluted him, and then would kneel before him without armour or weapons, and bare-headed, joining his hands, which the lord would take between his, and

⁴ Antrustion : a Franc warrior who declares himself to be a follower of the king.

⁵ Aristocracy or privileged class.

⁶ Fidelis : Faithful, loyal, devoted, trustworthy, constant.

⁷ Convive : table-companion, invited to eat with the sovereign.

⁸ Vassal : A person who has entered into mutual obligations with a Lord or Monarch. The obligations often included military support and mutual protection, in exchange for certain privileges, usually including the grant of land held as a fiefdom.

⁹ Châtellenie : The smallest unit of administrative power, governed by the master of the chateau.

¹⁰ The later Counts of Perche are reputed to have struck coinage, but little information is available concerning these monies.

¹¹ Sovereign in this context is not necessarily "King", but any superior or master over his vassals. A little known word in English, "Suzerain" covers this definition.

¹² Tribute.

which signified on behalf of the vassal, subjection and respect, and on behalf of the lord, protection and defence. The homage would be announced thus : *"I become your subject, from this day forward, of my life and my acts, and promise allegiance¹³ for the lands that I avow to hold in your name"*. The Hommage would be followed by a Sermon, where the vassal would stand with his hands on the Gospel, and pronounce the following words : *"I will be a true and faithful vassal, and will pledge my faith for the lands I hold in your name, with the exception of the respect and faith that I owe to my king, our sovereign, and to his heirs"*. The ceremony would end when the vassal kissed the sacred book, and the suzerain would present to the vassal, a symbol of the fief upon which he would exercise control, a branch of a tree, a handful of earth or a sod of grass. The suzerain would then embrace his vassal as a mark of the joint engagement that each contracted with the other.

The feudal custom defined that Hommage could only be paid in the presence of the lord himself, whereas the Sermon of Allegiance could be received, in the absence of the lord, by the lords Seneschal or Bailiff. In the province of the Perche, the custom obliged the suzerain to receive Hommage from the young, when the boys reached the age of 20, and the girls reached the age of 16.

In spite of the customs of this period, often considered today as barbaric, the customs of that time were much respected, although we come to the end of a decadent civilisation, that, even if we can look upon these times as "gallant", we must admit that these customs were, at least illegal, and often close to the level of criminal behaviour. However, any vassal found guilty of adultery or any criminal offence towards the wives or daughters of his suzerain, and to have profited from the innocence and purity of any young virgin, whether it be within the family of the suzerain, or any other, and who was in principal under his protection, would be immediately stripped of his land and titles, and would lose all rights, in the future, to his possessions. Such were some of the more positive elements of an otherwise negative medieval environment.

If a vassal was to find his lord in any danger of falling into enemy hands, he would be obliged to come to his help. seat him back upon his horse, if necessary, and even provide his personal mount, if the suzerain's horse was lost. All of these material obligations were considered to be feudal service, including : military service, legal assistance and, in fact, any other possible assistance. A vassal was obliged, under orders from his suzerain, to follow him in his military expeditions, with a fixed number of armed soldiers, either inside or outside the limits of the feudal territories, the duration of which could be twenty, forty or sixty days, either for defensive or for offensive operations.

If the suzerain was obliged to leave for the Crusades, the vassal was legally obliged to provide a certain sum of money to contribute to the enormous cost of such a voyage.

Obligations of the Suzerain towards his Vassal

A vassal, in acquitting all of his obligations towards his suzerain, was master in his own fief. Not only was his independence total, but he also had rights concerning his

¹³ From the Latin "ligare" - to bind.

suzerain. The reciprocity of rights between the two was such, that, a suzerain could lose all his rights to a vassal, if he was proved to fail to follow the laws of modesty towards the wife or the daughters of his vassal, if, instead of protecting his vassal from any enemies, or if he caused injury to his vassal. If the vassal was denied judgment in his suzerain's court, or if the suzerain did not maintain the vassal in the fief which was his, by right, then the vassal would cease to honour his direct suzerain, and instead pledge homage to the suzerain of the next higher level, looking to his new liege for satisfying the injustice caused.

Relations between Vassals of the same Suzerain

All the vassals being ceded similar territories or fiefs by the same suzerain, were considered equal to each other and were known as "Peers". The only link which united them was the feudal relation that they had with the same suzerain. They each had different business, obligation and rights to their suzerain. Moreover, they were completely independent with respect to each other, they had no business or obligations to each other, except perhaps to be present at the suzerain's celebrations, or to help in rendering justice, or to take part in a military expedition under control of their suzerain, whenever he so required. Outside of these circumstances, they each lived isolated and separate from each other. Nevertheless, due to ambition, pride and other differences, some vassals inevitably came to hate others, and dispute territory and control. These situations required the intervention of the suzerain, who made a judgement and thus ended the quarrel. In between vassals of different suzerains, there was no such judgement and pacification possible, and so under many cases, there could be long-standing animosity, and even protracted war between neighbouring vassals.

In the case of the Family of Rotrou in Nogent, and the Family of Creil in Bellême, their differences were solved after more than 100 years of belligerence, by a change of policy in the Rotrou family. They sided with William ¹⁴, Duke of Normandy in his invasion of England, and were later favoured with an increase in standing (marriage of Henry 1st's daughter with Rotrou II), and finally recovered the town of Bellême under the auspices of the King of England, after having lost it in battle in 963, many years before. The stature of the family was much enhanced by military prowess, participation in several Crusades, and a clear acumen for climbing the ladder of success. However, the French side of the Bellême family (after Yves de Bellême) was decimated by internal quarrels (including several murders), worthy of the Borgia family. Although the English descendants (by marriage) enjoyed a successful future in the aura of the English kings (William, Henry I, Henry II), the Bellême fief fell into the hands of the Counts of the Perche more by lack of contestants and loss of favour with English Royalty, rather than by efficient military campaigns and judicious planning. As Vicomte de Romanet states in his excellent treaty of the events of this period, the Bellême family were bloodthirsty savages of no stature whatsoever, with respect to the pious Christian family of the Rotrou dynasty who were to leave an indelible trace on the developing society of these times.

¹⁴ After his marriage to Adelaide de Bellême, Rotrou II came into contact with Roger de Montgomery (Adelaide's 2nd cousin), chief counsellor to William. This relationship flowered into a change of policy by the Rotrou family, and developed progressively from an alliance to friendship. This judicious change was the major reason for the rapidly expanding power of the Rotrou family in the succeeding years.