The works of Sir James Holt are well known to all those working in medieval history, in Europe, North America and Japan. This important set of essays, written in his honour, reflects his interests in England and Normandy from the tenth to the thirteenth centuries. The first group, on rebellion and warfare, reminds us particularly of his work on the Northerners. The second analyses the issues of landholding, family and politics: issues particularly discussed by Sir James in a series of papers since the early 1970s. The third group treats documents, politics and government, a field in which Sir James' collection of Henry II's and Richard I's acta will be of outstanding importance.

Particular concerns of the essays are the neglected subject of military intelligence; the legitimacy of rebellion and responses to revolt; the development of land law, and in particular of inheritance; legal learning, both Anglo-Norman and Romano-canonical; charters both for their own sake and as a more general source; and the extent of the forest of Nottinghamshire, itself a setting for the Robin Hood legends upon which Sir James has written so notably.

The essays have been contributed by specialists in these fields who have worked alongside, studied under, or debated with the honorand. Unusually for such a collection, it also contains an essay by his own tutor, J. O. Prestwich. The collection will be widely welcomed by all medieval historians.
LAW AND GOVERNMENT IN MEDIEVAL ENGLAND AND NORMANDY

*Essays in honour of Sir James Holt*
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Preface

J. C. Holt

This volume marks no significant anniversary or event, although its publication may, by luck rather than design, coincide with Jim Holt’s seventy-second birthday. We have missed by wide margins the customary occasions for the presentation of such tributes. But in Jim’s case both ‘retirement’ and seventieth birthday appear to be almost irrelevant: the former because he has if anything been even more active since that happy (in terms of the alleviation of distractions) event, the latter because he seems to be getting younger with each year. Indeed, any urgency in the editing of this volume arose from an uncomfortable sense that if we delayed too long he might well pass us, moving briskly, as it were, in the opposite direction. The first essay in this volume shows that he is not unique in this respect: they clearly put something miraculous in the tea in The Queen’s College during the 1940s.

In the preface to his collection of essays on Magna Carta, Jim Holt observes that reflection ‘at any length on such a prolonged period of work would be neither inspiring for the reader nor remedial for the author’. In considering his work as a whole, we take the hint; but a few, brief words may prove inspiring – or at least revealing – to future readers of this volume, however much they might disconcert the honorand.

Brevity, or more accurately, pithiness, is one of the striking features of a piece of Holt prose. Many of his sentences have an epigrammatic quality which might look well in Latin, were it not that their crisp directness is unmistakably that of northern English, and that they quite often embody a modern, technical metaphor, perhaps echoing his experiences in the Royal Artillery. They are epigrammatic because they summarise an argument, or express a judgment, economically. They owe something to the formulaic conciseness of the early legal records to which he has
Preface

devoted so much of his attention; but their pellucidity stands at the opposite extreme from the enigmatic opaqueness of those records, and is directed to uncovering something of the world which that opaqueness obscures. As such, like the arguments they encapsulate, these sentences are manifestly the product of intensive, sustained reflection. This is why his work deserves and requires repeated, careful re-reading; and why his books have achieved the durability of classics, meriting second editions, in paperback, anything up to thirty years after their first publication. The arguments are both trenchant and nuanced; they have depth, and they are still developing, a process which has sometimes been fostered by the sort of dialectical trial by combat in which he has engaged with several of the contributors to this volume. However finely honed the prose, the reader would be in error if he inferred that the argument has been finally formulated. It is a living thing, requiring repeated redrafting and refinement. In this respect Jim Holt is very close to V. H. Galbraith, to whom he owes much. But, despite his equally northern roots, Galbraith’s prose style was never quite as distinctive.

The common concern in all Jim Holt’s work – whether it be Magna Carta and the political circumstances which gave rise to it, ranging forward into the later middle ages and beyond, or Normandy and the Norman Conquest, or Robin Hood – is with law. But, on the whole, it is with law as secreted in the interstices of procedure, or implicit in the staccato phrases of a charter or court record, of a Pipe or fine roll or a chronicle; with the extent to which law is a function of governmental activity. He is fascinated by the processes which eventually led to the systematic exposition of rules of law, but the suspicion is that his interest thereafter diminishes to the extent that they are expounded thus. For what appears to excite him is reconstructing the thought which informed the surviving fragmentary details. Systematic exposition removes this challenge; and thereby it also tends to distance law from political and social circumstances. His work, on the contrary, is a realisation of the truth of Maitland’s aphorism that law is the point where life and logic meet. As Jim might put it, this is not doctrine, but fact. Legal history, and political and social history, become inseparable; his reconstruction of the conventions or rules of law, largely from the records of governmental action, resurrects the context in which contemporaries acted. If not
Preface

the history of political thought, systematically expounded, it is certainly the history of political thinking.

To this end one of his most important achievements has been to integrate into English medieval history the lessons which French scholars have had to teach about understanding the medieval nobility. This has not received due recognition, perhaps because he has applied those lessons to rich materials with which continental scholars are largely unfamiliar, and because he has formulated his analysis with a sparse directness which seems to be uncharacteristic of much continental scholarship. Concomitant with this integration of modern French scholarship has been an acute sense of the bonds and divisions between the kingdom of England and the Continental possessions of English kings following the Norman Conquest; of the continental context of medieval English history. In the years while he has been working on it, this has been a theme with strong contemporary resonances.

As opposed to Holt the scholar and teacher, the editors have relatively little knowledge of Holt the administrator. But the little we have seen, and what we have gleaned, make it clear that his style of government has been at one with his scholarship. For him, assessment of the motives of men of action in the past is informed by watching how power is exercised in the present, and exercising it himself. According to his history of the University of Reading, Stenton, his august predecessor there, whose blurred image appears in the background to our frontispiece, held a season ticket to Paddington before the war, and considered it a very bad day when he had not yet set out for the PRO or BL by lunchtime. That Stenton’s successor operated in a different bureaucratic world is not to be accounted entirely as loss or waste where Jim’s scholarship is concerned. In her oration presenting him for an Honorary D.Litt. at the University of Reading in 1984, Professor Hufton drew attention to the inadequacy, in Jim’s case, of the conventional verbs used to describe a professor’s tenure of his chair: ‘holds’, ‘fills’, or ‘occupies’ all, she said, ‘suggest a degree of containment which fails to convey what Jim Holt did here’. She is right, and not only with respect to Reading: his restless vigour means that he almost never sits still in any chair, let alone

1 J. C. Holt, The University of Reading: the First Fifty Years (Reading, 1977), p. 3.
2 University of Reading Bulletin, no. 173 (Long Vacation, 1984), p. 3.
Preface

the metaphorical ones which did not quite ‘contain’ him at Nottingham, Reading and Cambridge. His liking for incisive action, for cutting a swathe through administrative impedimenta, must have rubbed many a professional committee man up the wrong way. For he displays an irreverence, sometimes twinkling, which is rare amongst his (administrative) peers. He likes to get things done: if you half close your eyes, you can see him as one of those Northerners who created, with purposeful astuteness, so many difficulties for King John, to such epoch-making effect. When contrasting the irreconcilable methods of the lawyer and the historian, Maitland said: ‘The lawyer must be orthodox otherwise he is no lawyer; an orthodox history seems to be a contradiction in terms.’ There can be no doubt about which category Jim Holt and his work fall into.

GEORGE GARNETT
JOHN HUDSON

Acknowledgements

The editors are grateful to Betty Holt for her collusion, and to William Davies for steering the project through the Press. They acknowledge the permission of Times Newspapers Ltd. to reproduce the frontispiece.
Abbreviations

ANS
Pro eedings of the Battle Conference on Anglo-Norman Studies

ASC
Anglo-Saxon Chronicle

ASE
Anglo-Saxon England

Beauchamp

‘Benedict’
Gesta Regis Henrici Secundi Benedicti Abbatis, ed. W. Stubbs, 2 vols. (RS, 1867)

(BI)HR
(Bulletin of the Institute of) Historical Research

BL
British Library

BN
Bibliothèque Nationale

Book of Seals

Bracton

CChR
Calendar of the Charter Rolls, 1226–1516, 6 vols. (HMSO, 1903–27)

CDF
Calendar of Documents Preserved in France illustrative of the History of Great Britain and Ireland, ed. J. H. Round (London, 1899)

(CHJ)
(Cambridge) Historical Journal

Chronicles of Stephen, Henry II and Richard
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<td><strong>CRR</strong></td>
<td><em>Curia Regis Rolls</em> (HMSO, 1922–)</td>
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<td><strong>EHR</strong></td>
<td><em>English Historical Review</em></td>
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<td><strong>English Lawsuits</strong></td>
<td><em>English Lawsuits from William I to Richard I</em>, ed. R. C. van Caenegem, 2 vols., Selden Soc., cvi, cvii (1990–1)</td>
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<td><em>Receuil des actes des ducs de Normandie</em>, ed. M. Fauroux, Mémoires de la société des antiquaires de Normandie, xxvi (Caen, 1961)</td>
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<td><strong>Gesetze</strong></td>
<td><em>Die Gesetze der Angelsachsen</em>, ed. F. Liebermann, 3 vols. (Halle, 1903–16)</td>
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Abbreviations

GG  Guillaume de Poitiers, Histoire de Guillaume le Conquérant, ed. and tr. R. Foreville (Paris, 1952)

Glanvill  Tractatus de Legibus et Consuetudinibus Regni Anglie qui Glanvillia vocatur, ed. G. D. G. Hall (Edinburgh, 1965)


GP  William of Malmsbury, De Gestiis Pontificum Anglorum Libri Quinque, ed. N. E. S. A. Hamilton (RS, 1870)


HH  Henry of Huntingdon, Historia Anglorum, ed. T. Arnold (RS, 1879)


HMC  Royal Commission on Historical Manuscripts

HN  William of Malmsbury, Historia Novella, ed. K. R. Potter (Edinburgh, 1955)

Holt, Magna Carta  J. C. Holt, Magna Carta, 2nd edn (Cambridge, 1992)


Howden  Chronica Rogeri de Hovedene, ed. W. Stubbs, 4 vols. (RS, 1868–71)

JMH  Journal of Medieval History

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<tr>
<td>LHP</td>
<td>Leges Henrici Primi, ed. and tr. L. J. Downer (Oxford, 1972)</td>
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<td>MTB</td>
<td>Materials for the History of Thomas Becket, ed. J. C. Robertson, 7 vols. (RS, 1875–85)</td>
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<tr>
<td>NS</td>
<td>New Series</td>
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<td>PKJ</td>
<td>Pleas before the King or his Justices, 1198–1202, ed. D. M. Stenton, 4 vols., Selden Soc., l.xvii, l.xviii, l.xxxiii, l.xxxiv (1952–67)</td>
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<td>PL</td>
<td>Patrologia Latina</td>
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<td>PP</td>
<td>Past and Present</td>
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<td>PR</td>
<td>Pipe Roll</td>
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<td>PRO</td>
<td>Public Record Office</td>
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<td>PRS</td>
<td>Pipe Roll Society</td>
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<td>RCR</td>
<td>Rotuli Curiae Regis. Rolls and Records of the Court held before the King’s Justiciars or</td>
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Abbreviations

*Justices*, ed. F. Palgrave, 2 vols. (Record Commission, 1835)


*RS*, Rolls Series


*TRHS*, Transactions of the Royal Historical Society

*VCH*, Victoria County History