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The Growth of the Manor (1905) is one of the key works of the eminent expatriate Russian jurist, Paul Vinogradoff (1854–1925). Expanding on his Oxford lectures, this book attempts to re-establish coherence within English medieval history after the critiques of scholars including Frederic Maitland had supposedly obscured the historical narrative. Tracing the evolution of the manor, Vinogradoff demonstrates how feudal law and tenurial relationships evolved out of more primitive systems of male descent. He claims there was demonstrable progress from a system of communal action and responsibility to one of personal rights and subjection that can be traced through what he calls the ‘Celtic’, ‘Old English’ and ‘Feudal’ periods. The latter system was secured in the Norman Conquest of 1066, although the former continued to exist underneath it. Of particular interest to those studying the Domesday Book, this is also an important text for medievalists and legal historians.

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THE GROWTH OF THE MANOR

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PREFACE

SOME twelve years ago I attempted to treat the difficult subject of villainage in a volume which was intended to pave the way towards a discussion of the origins of the Manorial System. Various professional duties have prevented me hitherto from following up the thread of my investigations, and, now that I am free to return to these studies, I find that their ground has been to a great extent shifted by the remarkable work achieved in the mean time by English scholars. Professor Maitland, Mr. Seebohm, Mr. Round and others have approached the problem from new points of view, have brought to bear on it a vast amount of new evidence, and have sifted the materials at our disposal with admirable skill. If I still beg leave to be heard on the subject, I may plead in excuse the nature of the problem and the stage at which the inquiry has arrived at the present moment. In a study of such magnitude and complexity there are, and will be for a long while yet, insufficiently explored fields awaiting labourers. I may point out, for example, the analysis of Domesday, and the study of the "Danelaw," as parts of the inquiry which will, according to the best authorities, yield fair results to conscientious explorers. Indeed, it is my hope to be able to publish in no very distant future a second volume of the "Essays in English Mediæval History," of which "Villainage in England" was the first instalment.¹

But there is also another aspect from which new attempts to approach the questions at issue seem warranted. If I am not mistaken, the very success of modern special investigations has rather disarranged our conceptions of English social development, and the want of co-ordination

¹ "Villainage in England. Essays in English Mediæval History." Oxford University Press.

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of results makes itself felt more and more. We were clearer in our mind before recent researches had laid bare the many hidden pitfalls which underlay our hasty generalisations. We shall be able to bring order into our ideas once more when the balance of our newest acquisitions has been carefully drawn, and latest discoveries assigned their proper place in the general course of inquiry.

Not in disparagement of eminent scholars, on whose work I shall have to rely all along, but in order to give a more concrete application to my general contention, I should like to suggest at the very outset that the principal achievements of later years may become the starting points of further reflection and inquiry. No one has done more than Professor Maitland to unravel the mysteries of legal antiquities in the light of mediæval Common Law and modern common sense ; no one has subjected to a more searching analysis the organising influence of kinship, the conceptions of mediæval communalism, the speculations as to hide, early manor, etc. But in some cases people with a hopeful turn of mind may venture on reconstruction where his subtle scepticism has dissolved ; and perhaps in the end we may get a better insight into historical peculiarities of thought and social arrangement.

Mr. Round has been specially conspicuous as a past master in the arts of social calculus which are so necessary to exponents of Domesday and other fiscal documents. But as, after all, no society can depend entirely on symmetrical computations, and no government has ever succeeded in mastering organic growth, the clues given by the artificial terminology and the neat numbers of the surveys will have to be adjusted to the requirements of actual husbandry and landholding.

Mr. Seebohm's researches have been always distinguished by their grasp of reality and their synthetic aims ; but he has been attracted in turn by one element of mediæval life after the other ; first, by the servile community and then by the tribe, by the freedmen after the slaves, by Roman culture and Celtic influence. No wonder that the very energy with which he urges his points prevents

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him from attending sufficiently to the equilibrium of the whole.

Altogether, the clash of opinions and arguments seems to call for harmonising combinations, for a summing up of results, for estimates of the manner in which recent researches counteract and limit, or supplement and support each other, for attempts to trace the general course of social evolution. Such attempts are especially needed, not so much by scholars engaged in current controversies, who have their hands full with their particular investigations, as by students of general history and the public at large, who have a right to know what the labour of searchers has achieved in the way of results.

Such are the considerations that have prompted the present work. I have tried to present an outline of the growth of the Manor, as a social institution passing through all the stages of English history. Dwelling only on the main facts and the decisive moments, I do not pretend to start an entirely new theory on the subject, but I have had to choose my way between conflicting theories and arguments and to set forth as clearly as possible the leading ideas to which, according to the best of my knowledge, details have to conform. I shall address myself primarily to students of general history and try to make my sketch intelligible to them, but it would be misleading not to state shortly the reasons for taking up this or the other position, and I hope the notes at the close of each chapter may be deemed sufficient for this purpose.

It is hardly necessary to dwell on the importance and interest of the subject, and I will merely venture to state the chief reasons for the personal fascination it has exercised over me.

When observing the classical world, we are apt to fix our attention on the city, “civitas,” “πόλις,” as the most complete expression of ancient society. If we look out for something as marked and as peculiar in mediæval life, it is impossible to choose anything but the Manor as the subject of discourse. As in the case of the Classical City, economic, social and political institutions and ideas are con-

centrated in its mould. It has not been devised or arranged by any one in particular, but slowly evolved by the needs of generations. If the direct intercourse of the city, the active participation of citizens in its corporate life, gives its peculiar stamp to ancient life, the rural work of the Manor, the customary constitution of its lordship, the curious intermixture of local interests and rights in the position of its tenants form the social nucleus of mediæval life. Then again, the Manor in its special framework appears as a thoroughly English institution, and at the same time it affords the best example of the feudal organisation which extended its sway over the whole of Western Europe. It may be said, in a sense, that by the strong constitution and the customary self-government of its Manorial system England has got quite as much the start of her continental neighbours in point of social development, as she obtained political precedence over them by the early consolidation of her parliamentary institutions. And at the same time there is so much affinity between the English "Manor," the French "Seigneurie," and the German "Grundherrschaft," that a careful study of every one of them is sure to throw light on the development of the others, and so one of the best modes of checking theories as to the growth of any of the three consists in applying these theories, with due allowance for the difference of circumstances, to the kindred cases.

All periods of English history have had their bearing on the life of the Manor. Some germs of manorial institutions may be found in the Celtic age; the Roman occupation of the island had undoubtedly a powerful influence on its economic arrangements; the Old English period is marked by the full development of the rural township; the feudal epoch finds the Manor at its height; the dissolution of the Manor forms one of the processes by which modern commercial intercourse was brought about, and survivals of the Manorial system and of its component elements may still be observed all over England. More is known, of course, about later than about ancient times, and this will make it necessary on many occasions to turn to well ascertained later facts in order to form a judgment

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about ancient conditions. But it is not necessary to invert the sequence of epochs in the sketch of historical development, and by following the chronological order we may guard against carrying into the distant past conceptions of comparatively modern growth. It is not so much the fact of studying later stages before the earlier that constitutes the method of investigation from the known to the unknown, as the careful distinction between evidence and inference, and the systematic use of both.

I am deeply indebted to several friends who have kindly read through the proofs of this book and given me the benefit of their advice. To Prof. Rhys and Prof. Anwyl I owe many valuable suggestions on Celtic questions, while Mr. Haverfield and Prof. Pelham have warned me against dangers in my survey of the Roman period, and the Rev. C. Plummer has given me invaluable assistance in regard to the Old English portion of the work. From Mr. F. Seeböhm I have received weighty advice on the general conceptions of the book as well as on many details, and Mr. T. Darlington has done everything in his power to supply my deficiencies in point of language and style. My friend and pupil, Mr. A. Savine, has kindly compiled the index to this volume. Altogether, if this book has not turned out more satisfactory, it is certainly not the fault of my friends and advisers. I may add that the essays now published as a book have formed the basis of lectures delivered in Oxford in the Summer term of 1904.

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