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978-0-521-39327-0 - The Origins of Peasant Servitude in Medieval Catalonia

Paul Freedman

Excerpt

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I

Introduction: medieval serfdom and Catalonia

This book investigates how peasants in a European region came to be serfs during the high Middle Ages. Although Southern Europe is thought to stand apart from the model of what used to be called “classic lands of feudalism,” Catalonia, a Mediterranean principality, experienced a severe form of lordship that so limited the freedom of peasants as to resemble what used to be thought more characteristic of the Loire, Thames and Rhine regions. In the northern and eastern parts of Catalonia, an area known beginning in the thirteenth century as “Old Catalonia,” peasants were subject to hereditary restrictions on movement off tenures, to degrading levies on marriage and inheritance incidents, and were placed under a largely arbitrary seigneurial jurisdiction. Catalan agrarian history offers two puzzles to the observer approaching it within a comparative European framework: (1) how a pioneer society of free agricultural settlers in the tenth century could have become a substantially servile population by the thirteenth century, and (2) how serfdom was overthrown by a revolt in the fifteenth century that stands as the unique example of a successful medieval peasant uprising. Catalonia was wealthy, commercially successful and politically expansive during the eleventh to fourteenth centuries. It had a strong central administrative tradition and numerous privileged towns. Yet this realm, in apparent contrast to its neighbors (the rest of Iberia, Languedoc and northern Italy), experienced a paradoxical oppression of its formerly free peasantry, and later the formal abolition of serfdom through an alliance between kings and peasants.

At one time it was thought that the immense majority of European peasants of the Middle Ages were legally unfree. Although definitions of serfdom might vary, all serfs were in some measure the property of their lord (associated with their tenements or attached personally to their lords), unable at their own will to leave this hereditarily

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transmitted dependence. Medieval writers, especially lawyers, often assumed, or tried to assume, that all those falling below a certain level were more or less assimilable into the common designation of serfs. In a celebrated passage the thirteenth-century French jurist Beaumanoir attributed servile status to anyone below the category of privileged townsman.¹ An even more radical maxim from late medieval Germany held that only a wall (i.e. of a town) separated the burgher from the peasant: that both were essentially subordinate.²

Historians of the late nineteenth and early twentieth century followed the lead of their largely legal sources and assumed that medieval peasants could by and large be considered servile dependents. For Vinogradoff the vast majority of English agriculturalists in the Angevin era were villeins, and this view was implicitly shared by social historians such as H. S. Bennett.³ France did not have as elaborate a law of servitude as England but nevertheless its medieval inhabitants were thought by historians such as Sée and Luchaire to have been for the most part serfs.⁴ The Mediterranean was always rather awkward because it was known to have had a more diffuse lordship that usually did not impinge on the social status of those working the land, but the pioneering observers of Catalan rural history, Piskorski and especially the legal historian Hinojosa, showed how the standard indices of northern European serfdom also applied to the late medieval Catalan bondsmen known as *Remences*, whose name derived from the requirement that they pay a redemption fine to leave their lords and tenements (from *redimentia*, in Catalan *remença*).⁵ Hinojosa explained the presence of serfs in medieval Catalonia by reference to a supposed continuity with the late Roman institution of the colonate, an amelioration of slavery in favor of settling families on individual pieces of land. To resolve the question

¹ Philippe de Beaumanoir, *Coutumes de Beauvaisis*, ed. Amédée Salmon, vol. 1 (Paris, 1899; repr. Paris, 1970), c. 1452 (p. 234): “Nous avons parlé de .II. estas, c’est assavoir des gentius hommes et des frans hommes de poosté, et li tiers estas si est des sers.”

² Cited in Thomas A. Brady, Jr., *Turning Swiss: Cities and Empire, 1450–1550* (Cambridge, 1985), pp. 32, 34.

³ Paul Vinogradoff, *Villeinage in England: Essays in English Medieval History* (Oxford, 1982), pp. 43–220, especially 44–45; H. S. Bennett, *Life on the English Manor* (Cambridge, 1937), 3–26, 99–150.

⁴ Henri Scé, *Les classes rurales et le régime domanial en France au moyen âge* (Paris, 1901), pp. 156–211; Achille Luchaire, *Social France at the Time of Philip Augustus*, trans. Edward Benjamin Krehbiel (New York, 1912), pp. 392–393.

⁵ Wladimir Piskorski, *El problema de la significación y del origen de los seis “malos usus” en Cataluña*, trans. Julia Rodríguez Danilevsky (Barcelona, 1929; originally published Kiev, 1899); Eduardo de Hinojosa y Naveros, *El régimen señorial y la cuestión agraria en Cataluña durante la Edad Media* (Madrid, 1905; repr. in Hinojosa, *Obras*, vol. 2, [Madrid, 1955], pp. 35–323).

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of why Catalonia had serfs while the rest of Iberia did not, subsequent historians invoked the alleged influence of “Frankish” institutions, an ironic consequence of Catalonia’s own persistent wish to be part of “Europe” rather than associated with “Spain.”⁶

If it were still generally believed that serfdom was characteristic of medieval European land tenure, then Catalonia would be another example, among many, of a general rule. Perhaps the peculiar outcome of the *Remença* wars of the period 1462–1486 would still stand out, but Catalonia could without undue difficulty be fit into a pattern of enserfment followed by enfranchisement that might hold true (allowing for chronological differences) for rural society from Scotland to Sicily and from the Atlantic to the Elbe.

As will be discussed below, however, this model is no longer accepted, least of all for the once classic territories of northern Europe. Where formerly there appeared to have been serfs, there now seem to have been a hodgepodge of cultivators, most of them paying rent to be sure, but as tenants holding different sorts of leases, not as members of a subjugated status group. For most historians economic means and the functioning of the local community have more to tell us about medieval peasants than the abstract and inaccurate generalizations of jurists. To examine Catalan history in terms of the imposition and destruction of serfdom goes against this orthodoxy and obviously assumes that it makes sense to talk about serfdom as more than a legal fiction, and that legal status did make a difference to medieval peasants.

Historians have been too willing to avoid the entire matter of serfdom because of a desire to leave the artificial constructs of legal codes and commentaries in favor of the physical geography of medieval agriculture. I would like to look at Catalan rural society in terms of its routine social and economic transactions but also with attention to how the power of lords both affected and was influenced by how tenants were categorized. Once serfdom became legally sanctioned in the thirteenth century, the economic position of peasants was constrained and defined. Although not all tenants in Old Catalonia were *Remences*, the elaboration of laws arbitrarily defining them as such tended to debase the social condition of many previously free peasants. It is my contention that far from being vestigial or artificial, servile institutions constituted a mechanism by

⁶ A view discussed and rebutted by Pierre Vilar, *La Catalogne dans l'Espagne moderne*, vol. 1 (Paris, 1962), 377–393.

which lords ruled and gained the profits of their tenants' labor. Catalonia, whatever its unique character, is not absolutely exceptional in this regard. It may at least be suggested that serfdom elsewhere in Europe, even where it affected a minority of inhabitants, was an aspect of effective seigneurial power and was resented by those it affected or threatened.

It is necessary at the outset to discuss how historians now regard the organization of medieval rural society and to delineate the characteristic features of Catalonia. Following these preliminaries we shall look at the settling of Catalonia after the Carolingian conquest of the Spanish March and the process by which a seigneurial regime was established from the eleventh to late thirteenth centuries. We shall conclude by offering a broad account of the period leading into the late medieval peasant wars and by suggesting what Catalonia might offer in illuminating the still murky history of the medieval peasantry and its social condition.

Peasants and serfs

Contemporary scholars of land tenure and social change define peasants as cultivators of land who pay rent, work as a family, are identified with a property held on long-term lease or by inheritance, and whose liberty is in some measure constrained by the state or a dominant *rentier* class.⁷ Peasants do not usually own their land outright, but they have effective possession (*dominium utile*) over a particular parcel; they are not just casually associated with it as short-term lessees. They turn over to a landlord a substantial rent in kind or in money (or in a combination of the two). Peasants are not completely independent of the wider economic market – they are not exclusively subsistence farmers – but produce both to feed themselves and to fulfill the obligations of rent by means of commodities, labor or money for landlords. The social condition of this population is ambiguous but they are tied to the masters of the land by something more than a free contractual relationship. Whether through debt,

⁷ Thus, for example, Teodor Shanin, introduction to Shanin ed., *Peasants and Peasant Societies: Selected Readings* (New York, 1971), pp. 14–17; Eric Wolf, *Peasants* (Englewood Cliffs, 1966), pp. 1–17. A succinct definition is given by Steve J. Stern, *Peru's Indian Peoples and the Challenge of Spanish Conquest: Huamanga to 1640* (Madison, 1982), p. 20: "By 'peasantry,' I mean subsistence-oriented agricultural producers or communities whose integration into a wider political structure subjects them to the authority and economic demands of the state, or of a landed class of overlords."

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taxation or privation of legal standing, landlords impose (directly or indirectly) an extra-economic power over peasants that limits their autonomy as purely economic actors.

Medieval agriculture was undertaken by peasants who of course constituted the overwhelming majority of the total population. In various privileged areas (on the frontiers or in strategic isolated regions such as certain Swiss cantons) there were independent farmers who owed nothing to anyone in return for their land, but most medieval agriculture was undertaken both to feed the producers and to support those who held lordship over them. Medieval social theory at least occasionally acknowledged that the labor of peasants made possible the activities of the military and spiritual elite.⁸

As has been remarked above, it was at one time common to describe the social condition of medieval agriculturalists by simply considering them all more or less as homogeneous “serfs.” Serfs are understood as in some sense unfree but not slaves.⁹ Serfs contracted legally valid marriages and were settled permanently on holdings rather than being bought or sold apart from them.¹⁰ They labored these holdings as a family, not as part of a gang dispatched to various parts of a great estate. They might perform labor service on a lord’s own land but this was part of their rent and not the entire sum of their labor. Serfs could not easily depart from their land and its obligations. They tended to belong to their lords as a form of property and transmitted this subordination to their descendants. Within the rural community, however, this unfreedom was mediated through local institutions administered by the serfs themselves.

The ambiguous social position of the serf, between slavery and

⁸ Georges Duby, *The Three Orders: Feudal Society Imagined*, trans. Arthur Goldhammer (Chicago, 1980; originally published Paris, 1978), pp. 90–92, 103–109, 325–327; Otto Gerhard Oexle, “Die funktionale Dreiteilung der ‘Gesellschaft’” bei Adalbero von Laon. Deutungsschema der sozialen Wirklichkeit im früheren Mittelalter,” *Frühmittelalterliche Studien*, 12 (1978), 29–30.

⁹ The classic statement of the difference between serfdom and slavery is Marc Bloch, “Personal Liberty and Servitude in the Middle Ages, Particularly in France. Contributions to a Class Study” in Bloch, *Slavery and Serfdom in the Middle Ages*, trans. William R. Beer (Berkeley, 1975), pp. 33–91, trans. of an article originally in *AHDE*, 10 (1933), 5–101. A particular comparison is drawn in Peter Kolchin, *Unfree Labor: American Slavery and Russian Serfdom* (Cambridge, Mass., 1987).

¹⁰ On serfdom in general: Marc Bloch, *Feudal Society*, trans. L. A. Manyon, vol. 1 (Chicago, 1961; originally published Paris, 1949), 255–274; Guy Fourquin, “Serfs and Serfdom: Western European,” *Dictionary of the Middle Ages*, vol. 11, 199–208; *idem*, *Lordship and Feudalism in the Middle Ages*, trans. Iris and A. L. Lytton Sells (London, 1976; originally published Paris, 1970), pp. 173–183; Robert Boutruche, *Seigneurie et féodalité*, 2nd edn, vol. 2 (Paris, 1970), 51–82; Charles Edmond Perrin, *Seigneurie rurale en France et en Allemagne du début du IXe à la fin du XIIe siècle* (Paris, 1966), 154–205.

liberty, made it sometimes difficult to determine what constituted servile condition. This was especially true when attempting to distinguish serfs from a free rural population. According to medieval jurists, followed by an earlier generation of historians, there were tests, indices such as fines paid for marriage or inheritance, that proved servitude and marked those affected off from privileged cultivators.

Serfs were peasants: family farmers on individual holdings providing for themselves and furnishing rent (in labor, kind or money) to a landlord who held a species of jurisdictional power. Not all medieval peasants were serfs, however. It is concerning how widespread serfdom was, and whether legal niceties of status really mattered, that historians of recent decades have altered how rural society in the Middle Ages is imagined.

Marc Bloch in his seminal analysis of feudal society freed agrarian history from its tutelage (if not servitude) to legal history.¹¹ Bloch cast a much wider net to bring in more elements besides laws that might permit an accurate reconstruction of medieval production and social cohesion. Pointing to the significance of geography, patterns of human habitation, tools, unwritten custom, and private transactions, Bloch depicted a more intricate organization of agriculture and lordship.

Bloch is well-known as the historian of continuity, of the *longue-durée*, for whom the landscape transcended in significance all but the most massive political events. It is important to recognize, however, that in the context of a legal historical tradition that connected serfdom to Roman slavery or the late-imperial colonate, Bloch stressed the specificity of medieval society. Serfdom was not an adaptation of earlier slavery so much as a function of a feudal economy and a society founded on protection and dependence. Bloch described a seigneurial regime, a system of lordship by which nobles exercised formerly public powers of a military, political and fiscal nature.¹² This regime comprised substantially more than a collection of legal customs. It was an organization of productive activity, distinct from earlier economies of slavery and later economies of money, commerce, and state power.

¹¹ Bloch, *Feudal Society*; *idem*, *French Rural History: An Essay on its Basic Characteristics*, trans. Janet Sondheimer (Berkeley and Los Angeles, 1966; originally published Oslo and Paris, 1931).

¹² The word “seigneurial” is used henceforth to refer to lordship over land and command of the persons holding land, over whom the lord exercises formerly public powers (judicial, military or fiscal). See Perrin, *Seigneurie rurale*, fac. 1, p. 3.

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In the seigneurial regime as described by Bloch and his successors lords could obtain revenues from their dependents by means of their military entourage and in the context of immediate local institutions without relying on the more complex administrative and repressive apparatus required by slavery. Serfs acquired physical autonomy, a certain security of property, and the ability to create permanent and identifiable families. They produced more than slaves, their population increased more rapidly, and lords profited from the end of ancient slavery by maintaining a regime of economic exploitation and of semi-liberty.

The seigneurial system was thought to have merged a previously slave population and a previously independent peasantry who could no longer maintain their holdings in the face of the collapse of public authority and the climate of violence. There was thus a simultaneous amelioration of slave conditions and debasement in the status of allodialists.¹³ “Serf” might be a convenient term to describe medieval peasants whose social condition hovered between what Romans (and moderns) regarded as fixed levels of free and slave. The ambiguity of moderate dependence or semi-liberty creates immense obstacles to understanding essential aspects of medieval society. There is the problem of geographical diversity of tenurial forms and of terminology. There is also the question of the relationship between legal categories and economic position once the free/unfree distinction no longer conferred a dramatic difference on how the land was occupied. Blurring the distinction between slave and free makes more complicated and problematic the nature of legal status.

As Robert Boutruche remarked, the history and definition of serfdom “tormented” Marc Bloch.¹⁴ Despite his understanding of European regional variation and his efforts to wean historians from legal abstraction in favor of the physical and particular, Bloch attempted a definition of serfdom that evoked an earlier reliance on legal sources. Bloch identified three indices of servitude. Liability for these three exactions constituted proof of servile condition: *chevage* (an annual poll-tax), *formariage* (prohibition of marriage outside the lord’s jurisdiction), and *mainmorte* (a succession tax).¹⁵

¹³ Land held free of anyone’s lordship was called an allod. Recent considerations of the transition between ancient slavery and serfdom include Pierre Bonnassie, “Survie et extinction du régime esclavagiste dans l’Occident du haut moyen âge (iv–xix),” *Cahiers de civilisation médiévale*, 28 (1985), 307–343 and Hartmut Hoffmann, “Kirche und Sklaverei im frühen Mittelalter,” *Deutsches Archiv für Erforschung des Mittelalters*, 42 (1986), 1–24.

¹⁴ Boutruche, *Seigneurie et féodalité*, vol. 2, p. 74. ¹⁵ Bloch, *Feudal Society*, vol. 1, p. 263.

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Bloch would be taken to task posthumously for this attempt at generalization, and in particular for treating payments made as part of normal leaseholds as indices of servile status. In his *Institutions médiévales*, a work that tests Bloch's conclusions against evidence from Hainaut, Léo Verriest found that serfs amounted to a rather small fraction of the rural population. He believed that they were the remnant of older dependency, the descendants of Carolingian slaves. This has not been supported by later historians, but they have accepted his doubts about the extent of serfdom and the relation (or really non-relation) between servitude and specific exactions. Supposed indices of servitude (*chevage* etc.), were incidents of tenancy, according to Verriest, not proofs of status.¹⁶ This was not to deny that lords received these and other revenues from their tenants, but that they did so by virtue of enforcing legal subjugation is doubtful. What peasants owed was determined by local custom or individual contract, not juridical position.

Since Verriest's book appeared shortly after the Second World War, historians have abandoned the idea that servile condition explains the structure of rural society. The model of aristocratic domination, the rise of private lordship beginning in the tenth and eleventh centuries, is invoked to explain a widespread oppression of formerly free agriculturalists, but this aristocratic hegemony operated without regard to subtle gradations of status. In fact the whole point of nobles' violence and its effect on the countryside was to render irrelevant the niceties of legal standing and to impose a new set of customs based on military power. This *seigneurie banale*, according to Duby, affected tenants regardless of their legal condition and coincided with a merging of previously distinct levels of freedom into a less differentiated mass of tenants without reference to formal social condition.¹⁷ The *seigneurie banale* was, to be sure, a means of exploitation. It is now regarded as the impetus to economic growth in medieval Europe, and thus its effectiveness is not in question. The seignorial regime, however, functioned by obscuring the distinction between serf and non-serf, extending the lord's economic and jurisdictional sway over both categories of persons.¹⁸

¹⁶ Léo Verriest, *Institutions médiévales: introduction au corpus des records de coutumes et des chefs-lieux de l'ancien comté de Hainaut* (Mons-Frameries, 1946), pp. 168–170.

¹⁷ Georges Duby, *Rural Economy and Country Life in the Medieval West*, trans. Cynthia Postan (Columbia, South Carolina, 1968; originally published Paris, 1962), pp. 188–190.

¹⁸ Georges Duby, *Guerriers et paysans, VIIe–XIIe siècle: premier essor de l'économie européenne* (Paris, 1973), pp. 179–300, especially pp. 256–257; Boutruche, *Seigneurie et féodalité*, vol. 1 (Paris, 1968), pp. 124–234.

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The regional studies of postwar French and Belgian historians followed Bloch's recommendation for a regional approach to history based on an exhaustive reading of the records of ordinary transactions and an appreciation of historical geography. These studies have demonstrated the variety of tenurial regimes and the exuberant diversity of terminology.¹⁹ What has emerged as the common element among these regions is a pattern of lordship rather than of tenancy. Duby in his study of the Mâconnais discerned a break in the eleventh and twelfth centuries when the last vestiges of central authority disappeared and nobles, through a network of castles and family alliances, asserted their control over the countryside.²⁰ The *seigneurie banale*, the military, jurisdictional and economic force wielded by aristocratic lineages, expropriated much of the peasants' surplus by usurping formerly public charges (especially those related to military service), by increasing what was demanded in rent, and inventing new monopolies and arbitrary taxes. The *seigneurie banale* was oppressive, according to this model, not because it degraded peasant status but because it made the judicial distinction between free and unfree less significant.²¹

Movements of seigneurial ascendancy similar to that outlined by Duby for the Mâconnais took place throughout Western Europe, including Catalonia. The establishment of the *seigneurie banale* might include debasement in the status of formerly free peasants. Indeed Duby elsewhere posits a common trajectory of enserfment and subsequent enfranchisement among regions whose difference is merely chronological in this regard, not geographical.²²

But reference to servile condition is not really necessary in order to explain the reordering of medieval rural life according to the regional

¹⁹ A summary of French regional studies before 1975 is furnished by Theodore Evergates, *Feudal Society in the Bailliage of Troyes under the Counts of Champagne, 1152–1285* (Baltimore, 1975), pp. 136–144. See also André Chédeville, *Chartres et ses campagnes (XIe–XIIIe siècles)* (Paris, 1973); Jean-Pierre Poly, *La Provence et la société féodale, 879–1166* (Paris, 1976); Michel Bur, *La formation du comté de Champagne v. 950–v. 1150* (Nancy, 1977); Dominique Barthélemy, *Les deux âges de la seigneurie banale: pouvoir et société dans la terre des sires de Coucy (milieu XIe–milieu XIII siècle)* (Paris, 1984); Christian Lauranson-Rosaz, *L'Auvergne et ses marges (Velay, Gévaudan) du VIIIe au XIe siècle, la fin du monde antique?* (Le Puy-en-Velay, 1987). Certain recent works have reiterated the importance of servile status: Raquel Homet, "Remarques sur le servage au Bourbonnais au xve siècle," *Journal of Medieval History*, 10 (1984), pp. 194–207; Joëlle Partak, "Structures foncières et prélèvement seigneurial dans un terroir du Lauragais: Caignac dans la seconde moitié du xiii siècle," *Annales du Midi*, 97 (1985), pp. 5–24; William Chester Jordan, *From Servitude to Freedom: Manumission in the Sénonais in the Thirteenth Century* (Philadelphia, 1986).

²⁰ Georges Duby, *La société aux XIe et XIIe siècles dans la région mâconnaise*, 2nd edn (Paris, 1971), pp. 173–286. ²¹ *Ibid.*, pp. 201–213.

²² Georges Duby, "Géographie ou chronologie de servage? Notes sur les *servi* en Forez et en Mâconnais du xe au xiii siècle" in *Hommage à Lucien Febvre*, vol. 1 (Paris, 1953), pp. 147–153.

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10 THE ORIGINS OF PEASANT SERVITUDE

studies of recent decades. In some places, such as an Occitan highland community described by Le Roy Ladurie, there was no seigneurial regime at all.²³ In other parts of Languedoc the institutions of serfdom lasted only a generation or so.²⁴ Even where there *was* an elaborate law of serfdom, as in England, such precision merely disguised what amounted to a mosaic of individual and community obligations and privileges that legal status did not really touch.²⁵

Even where lords dramatically increased their power, as in parts of Italy, social condition was less important than changes in population and habitation. Pierre Toubert described what has become a model of the order of the *seigneurie banale* for the Mediterranean, a process by which a previously dispersed rural population was concentrated under the hegemony of castellans into fortified villages for protection and greater ease of exploitation.²⁶ This process of *incastellamento* can be found in many parts of southern Europe and brings this formerly exceptional region into closer proximity with northern lordship. In Latium, as in Gascony, or in Hainaut, obligations of tenants might become more burdensome in the tenth to twelfth centuries, but not because of status. Lordship did not require a body of law relating to status but rather the maintenance of an essentially military authority and its consequent social and economic ordering of society.

The obsolescence of a general theory of serfdom has produced two approaches to medieval rural society and tenancy. One is to regard medieval cultivators in terms of their family economy and as part of a local community without regard to their nominal lords. At the extreme this has enabled one observer to deny the applicability of the word “peasant” to describe these essentially free agents who could maximize their economic advantage in a basically open system.²⁷ Lordship has disappeared from this picture and for this group of historians, which sees medieval society as a collection of disparate interests held together by family and community, and sees social hierarchy beyond the village level as irrelevant to the condition of the medieval cultivator. The dynamic element in social change for these

²³ Emmanuel Le Roy Ladurie, *Montaillou, village occitan de 1294 à 1324* (Paris, 1975).

²⁴ Paul Ourliac, “Leservage à Toulouse aux XIIe et XIIIe siècles” in *Economies et sociétés au moyen âge: Mélanges offerts à Edouard Perroy* (Paris, 1973), pp. 249–261.

²⁵ See the works cited below, note 46.

²⁶ Pierre Toubert, *Les structures du Latium médiéval: le Latium méridional et la Sabine du IXe siècle à la fin du XIIe siècle*, vol. 1 (Rome, 1973), 305–447.

²⁷ Alan Macfarlane, *The Origins of English Individualism: The Family, Property, and Social Transition* (Cambridge, 1979).