Chapter 1
Lordship and the State: Alloy or Emulsion?[1]

John Watts

At the Diet of Worms in 1495, 'it was weighed and resolved, especially by the Franconians, that they would not let themselves be put on a level with the French nobility, who once were also free'. In this moment of imperial reform, these lords were threatened with two significant extensions of state power—the abrogation of the right to feud and the levy of a universal 'Common Penny' tax across the Empire on the subjects of princes, lords and towns alike; they were determined to resist.[2] A few decades earlier, and seen from other countries, the French nobility had looked rather different. In the late 1460s, Sir John Fortescue, the English judge and political commentator, remarked, 'In our days, we have seen a subject of the French king's in such might that he has given battle to the same king, and put him to flight, and after besieged him … and so kept there unto the time his said king had made such end with him, his adherents and factors, as he desired'.[3] Fortescue was probably talking about the duke of Burgundy's role in the War of the Public Weal, and he presented him as all too typical of the 'over-mighty subjects' whom he blamed for England's civil wars, but his view of the French nobility was more widely shared. Fernando de la Torre, a member of the *regimiento* of Burgos, commented in 1454 on the independence of French lords, whose lordships he said were free of royal taxation and justice, in contrast to the relative subjection of the Castilian nobility to the *excelencia* of the king.[4] That was not quite how the Bohemian knight Václav Šašek saw the situation in Spain: arriving with Lord Leo of Rozmital in the mid-1460s, he observed that 'at that time there was great dissension in the kingdom among the nobles of the country, for the majority of them had proclaimed the king's brother to be king'.[5] But the high view of French lords was certainly held by the French themselves. In the *Débat des Hérauts d'Armes*, also written in the 1450s, English lords were mocked for not owning the lands from which their titles derived, unlike their French counterparts: 'and if [English dukes] have neither nobles nor people below them, but only borrowed men, this is *petite duché*'.[6] An Italian visitor to England around 1500 concurred: '[you] might have imagined that I meant to imply that the dukes of Lancaster, York, Suffolk and many others, dispensed justice in their own countries, but' (he added tartly) 'these English noblemen are nothing more than rich gentlemen in possession of a

[1] I thank Charlie Briggs, Peggy Brown, Frederik Buylaert, Justine Firnhaber-Baker, Hans Jacob Orning, Christian Liddy, Luca Zenobi and the late and sadly missed Hamish Scott, for their very helpful comments on previous versions of this paper. The responsibility for any errors or shortcomings in what follows is mine alone.
[2] Hillay Zmora, *State and Nobility in Early Modern Germany: The Knightly Feud in Franconia, 1440–1567* (Cambridge, Cambridge University Press, 1997), p. 129.
[3] Charles Plummer (ed.), *The Governance of England … by Sir John Fortescue, Knight* (Oxford, Oxford University Press, 1885), p. 129.
[4] María Jesús Diez Garretas (ed.), *La Obra Litteraria de Fernando de la Torre* (Valladolid, Universidad de Valladolid, 1983), pp. 18, 346.
[5] Malcolm Letts (ed.), *The Travels of Leo of Rozmital …* (Cambridge, Cambridge University Press, 1957), p. 96.
[6] Léopold Pannier and Paul Meyer (eds), *Le Débat des Hérauts d'Armes de France et d'Angleterre …* (Paris, Firmin-Didot et Cie, 1877), p. 42, par. 114.

great quantity of land belonging to the crown'.[7]

These extracts show that contemporaries were certainly interested in the relationships of kings and lords and, in their consciousness of common political structures and dynamics, in the relationship of lordship and the state too. But they also reveal a certain confusion and disagreement over the relative standing—the freedom, autonomy and status—of aristocracies in different settings. In part, of course, that reflects the roles of contingency and change: French lords of the 1460s or early 80s may well have looked freer than their 1490s counterparts, as Charles VIII came of age and reaped the benefits of policies begun under Charles VII and Louis XI. But it also reflects the ambivalences of the political relationship which is the main focus of this volume—the interweaving of the power and authority of the state with the power and authority of lords, a connection which might have had all the seamlessness of an alloy, but could also have been the unstable mixture of an emulsion, or something even more volatile.

If contemporary views on these questions cross-cut one another, their situation was not so different from our own. These days, we have abandoned the old view that states, or modern states, were inherently opposed to aristocratic power, and it has become axiomatic both that states proceeded (in part) by integrating the nobility, and that lordships developed (in part) by exploiting state resources, often with the agreement or encouragement of rulers themselves. As Hillay Zmora argues in his brilliant short book on aristocracy and the state in early modern Europe, 'nobility was becoming a constitutive principle of the Old Regime' and the experience of Europe between the 14th century and the 18th was one of 'aristocratisation', not *embourgeoisement*.[8] Lordship is not precisely the same as nobility, of course, but Zmora is not alone among medievalists and early modernists in noting both the close alignment of royal, noble and statal interests over a long period, and also the frequency of conflicts centring on the state in which lords, kings and other rulers were very much implicated. It is a compelling and ambivalent picture, and we have not necessarily got to the bottom of its ambivalences; but if we are at least agreed on the capacity of states and lords to work together, there is much else about which we are uncertain, starting with the terms 'state' and 'lordship' themselves, but extending to the trajectory of political and governmental development over the 14th–16th centuries, and to the ever-multiplying contexts in which that development is understood to have taken place.

The central cause of uncertainty is not so much disagreement, but the sheer profusion and redevelopment of approaches—modern historiography has an aggregative quality: we revise, but we no longer correct. Take the state, for instance. The great historian of the medieval British Isles, Rees Davies, did make a direct attack on medievalists' use of the state, and he was answered by another great historian of a similar generation, Susan Reynolds, but that was almost twenty years ago, and while British medievalists in particular remain uneasy about the term itself, most of us, like almost everyone else, accept some version of the Genet-Blockmans view of later medieval state formation, coined in the 1980s and developed ever since.[9] Where

[7] Charlotte Augusta Sneyd (ed.), *A Relation … of the Island of England … about the year 1500* (London, Camden Society, 1847), p. 37.

[8] Hillay Zmora, *Monarchy, Aristocracy and the State in Europe, 1300–1800* (London, Routledge, 2001), pp. 2–5.

[9] Rees R. Davies, 'The Medieval State: The Tyranny of a Concept?', *Journal of Historical Sociology*, 16 (2003), 280–300; Susan Reynolds, 'There Were States in Medieval Europe: A Reply to Rees Davies', *Journal of Historical Sociology*, 16 (2003), 550–5. For the Genet-Blockmans view, see the description of the 'Origin of the

that model centred on war and finance and on the period 1280–1360, and many scholars (including Genet and Blockmans themselves) would want to give equal importance to justice, representation, communication and so on, and to tinker with the timing, the beguiling image of a *machine folle*, integrated in later medieval society and culture even as it reshaped them, commands widespread assent.[10] Many of the initiatives of the last decade or so have extended the model—I think of the collection on *Empowering Interactions* from 2009, which looks at the role of subaltern groups in accessing and extending state power, or the recent volume on *Trajectories of State Formation*, where Jo Van Steenbergen and Jan Dumolyn introduce the ideas of Timothy Mitchell, a scholar of the modern Middle East, to consider the state as a 'structural effect of society', an effect which is also a cause, as we shall see below.[11] Even my own work, which (for a variety of reasons) preferred the term 'polities' and dealt in structures that were not necessarily connected to each other, subscribed to an account of state formation not so far from Genet's *modèle opératoire*.[12] More recently, it is true, there are some rather different ideas coming into focus—new work on territory, for instance, challenging the idea of homogeneously governed bounded space in favour of overlapping spatialities, multiply managed by networks rather than institutions. This work undermines, or at least complicates, the notions of Italian *stati territoriali*, German *Landesherrschaft*, the Burgundian state and so on, and it has implications for kingdoms too, whose territories were often just as messy, especially at the peripheries.[13] Then there is Zmora's work on *Pfandschaft*, the mortgaging of offices in the German lands which produced co-ownership of the means of authority between princes and nobles; or, staying in the Empire, Duncan Hardy's 'associative political culture' depicting a politics of collaboration across borders, in which units of jurisdiction were jointly owned and frequently traded, and where an ever-changing net of interpersonal alliances was the key to political activity and stability: this is a world from which 'the state' is pretty remote, except as an idea capturing the totality of these relationships.[14] And then there is the refusal of teleology—not so surprising from the vantage-point of today when western states, at least, are

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Modern State' project in Jean-Philippe Genet (ed.), *L'Etat moderne: genèse* (Paris, Éditions du CNRS, 1990), pp. 285–303; Genet's essay, 'L'État moderne: un modèle opératoire?', in *L'État moderne*, pp. 261–81; Wim P. Blockmans, 'Voracious States and Obstructing Cities: An Aspect of State Formation in Preindustrial Europe', in Charles Tilly and Wim P. Blockmans (eds), *Cities and the Rise of States in Europe, A.D. 1000–1800* (Boulder, Westview Press, 1994), pp. 218–50.

[10] Genet, 'L'État moderne', p. 278.

[11] Wim Blockmans, André Holenstein and Jon Mathieu (eds), *Empowering Interactions: Political Cultures and the Emergence of the State in Europe, 1300–1800* (Aldershot, Ashgate, 2009); Jo Van Steenbergen and Jan Dumolyn, 'Studying Rulers and States across Fifteenth-Century Western Eurasia', in Jo Van Steenbergen (ed.), *Trajectories of State Formation across Fifteenth-Century Islamic West Asia: Eurasian Parallels, Connections and Divergences* (Leiden, Brill, 2020), pp. 88–156; Timothy Mitchell, 'The Limits of the State: Beyond Statist Approaches and their Critics', *The American Political Science Review*, 85 (1991), 77–96.

[12] John Watts, *The Making of Polities: Europe, 1300–1500* (Cambridge, Cambridge University Press, 2009), esp. pp. 23–33, 35, 205–86, 393–409.

[13] Mario Damen and Kim Overlaet (eds), *Constructing and Representing Territory in Late Medieval and Early Modern Europe* (Amsterdam, Amsterdam University Press, 2022), esp. introduction and essays by Duncan Hardy (Germany) and Luca Zenobi (Italy). For Valois Burgundy, see Élodie Lecuppre-Desjardins, *The Illusion of the Burgundian State* (Manchester, Manchester University Press, 2022).

[14] Hillay Zmora, 'Princely State-Making and the "Crisis of the Aristocracy" in Late Medieval Germany', *Past & Present*, 153 (1996), 37–63; Duncan Hardy, *Associative Political Culture in the Holy Roman Empire: Upper Germany, 1346–1521* (Oxford, Oxford University Press, 2018), esp. ch. 4.

being undercut by new technologies and other challenges.[15] Must the state always be forming rather than fading or failing? The Ghent ERC project asks whether there are dynamics of 'decentralisation' to counter those of 'centralisation'; Van Steenbergen and Dumolyn present state formation, with attractive ambivalence, as an 'integrative-cum-entropic process'.[16]

So conceptions of the state are continually broadening and deepening. And something similar is happening to lordship. The 1990s saw what we might call a Brunnerian moment, when it looked as if lordship might replace the state as the pre-eminent model of authority in the later Middle Ages (Kaminsky's 1992 English translation of Otto Brunner's *Land und Herrschaft* played a part in this, though the quite independent works of mid-century figures such as Suarez-Fernandez in Spain or McFarlane in England also had significant parts to play).[17] Today our approach is less binary and we are more interested in the interactions of lords with other social and political groups—kings and states, cities and peasants, the Church. We also look at the political activities of a wide range of different kinds of lords, from great princes like the dukes of Burgundy who were almost kings (and kings themselves, who—we must remember—were also lords), down to the minor nobles of Hungary, Ireland or the Basque Country, or the tiny but stubbornly ineradicable holders of imperial fiefs along the edges of the great *mouvance* centred on Milan.[18] Back in the 1990s, Robert Fossier offered a convenient threefold model of lordship: material base, power over others, and belonging to a distinctive cadre, though he pointed out that plenty of lords lacked one or other of these qualities, and subsequent historiography has only increased the complexity.[19] While Chris Wickham notes the fusion of rents and dues in 13th-century France and how it eroded the distinction between the cherished notions of *seigneurie foncière* and *seigneurie banale*, Duncan Hardy has emphasised not the concentration, but the distribution and commodification, of lordship in the Empire's southern territories, where lordships were 'really a vast array of endlessly

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[15] Jonathan R. Lyon, *Corruption, Protection and Justice in Medieval Europe* (Cambridge, Cambridge University Press, 2022), pp. 2, 5.

[16] Van Steenbergen and Dumolyn, 'Studying Rulers', p. 99.

[17] Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, ed. and trans. Howard Kaminsky and James Van Horn Melton (Philadelphia, University of Pennsylvania Press, 1992); Thomas N. Bisson, 'Medieval Lordship', *Speculum*, 70 (1995), 743–59; Davies, 'Medieval State', 287, 293ff; Giorgio Chittolini, 'The "Private", the "Public", the State', in Julius Kirshner (ed.), *The Origins of the State in Italy, 1300–1600* (Chicago, University of Chicago Press, 1995), pp. 34–61 at p. 38. For a similar observation about Brunner's influence in the 1990s, see Charles West, 'Lordship in Ninth-Century Francia: The Case of Bishop Hincmar of Laon and his Followers', *Past & Present*, 226 (2015), 3–40 at 7n15.

[18] See e.g. Hilde De Weerdt, Catherine Holmes and John Watts, 'Politics, c. 1000–1500: Mediation and Communication', in Catherine Holmes and Naomi Standen (eds), *The Global Middle Ages* (Oxford, Oxford University Press, 2018), pp. 261–96 at pp. 277–82; Peter Labanc, 'Spiš–Visegrád–Dabâca–Zagreb–Kalocsa–Napoli: Career Paths of a Family of the Lower Hungarian Nobility in the Thirteenth to Fifteenth Centuries', in Cosmin Popa-Gorjanu and Remus Câmpeanu (eds), *Corruption and Anticorruption in Historical Perspective (from the Middle Ages to Modern Age)*, special issue of *Annales Universitatis Apulensis*, Series Historica, 20/1 (2016), 61–71; Brendan Smith, *Crisis and Survival in Late Medieval Ireland: The English of Louth and their Neighbours, 1330–1450* (Oxford, Oxford University Press, 2013); José Ramón Diaz de Durana and Arsenio Dacosta, 'Changing Skin: Identities and Strategies in Late Medieval Basque *banderizo* Warfare', in Mathieu Caesar (ed.), *Factional Struggles: Divided Elites in European Cities and Courts (1400–1750)* (Leiden, Brill, 2017), pp. 37–55; Christine Shaw, *Barons and Castellans: The Military Nobility of Renaissance Italy* (Leiden, Brill, 2015), pp. 162–77.

[19] Robert Fossier, 'Seigneurs et seigneuries au moyen-âge', in *Seigneurs et seigneuries au moyen-âge* (Paris, Éditions du CTHS, 1995), pp. 13–24 at p. 14. A convincing plea for a more precise definition of lordship is West, 'Lordship in Francia', 3–6, 33–40.

fragmenting and combining assets', though admittedly with no clear distinction between the elements of *Grundherrschaft* and the supposedly more public *Gerichtsherrschaft*.[20] Erika Graham-Goering's exciting new work on co-lordship in France (Chapter 2) points in a similar direction: units of authority shared across multiple hands taking political historians towards networks and horizontal forms of power, rather than hierarchy and vertical forms. The *behetría* lordships of Old Castile have similar implications, though interestingly these were coming to be absorbed into either the holdings of the head lord or the lands of the Crown in the 14th century.[21] So local lords were sometimes more like stakeholders than domineering rulers, and there are some similar patterns at the other end of the political scale, with great magnates beginning to look more like brokers than lords, managing extensive portfolios of service and resource, complicated credit arrangements, and multiple stakes in public life.[22] Philippe Contamine considered the differing dynamics of societies with large numbers of middling lords and more stratified aristocracies with higher lords managing lesser ones: the former, he thought, were more given to feuding and the exclusion of royal interference; the latter were more friendly to state penetration.[23] It is a neat insight, and this essay will largely follow him in focusing mainly on the upper reaches of the aristocracy, but it underlines the point that the sheer variety and complexity of lordship makes the task of this volume all the harder.

And variety and complexity are the keynotes of research on later medieval politics more widely. Ours is a flourishing field, and we should be thankful for that, but it is also expanding in every direction, and that brings challenges. We work hard these days to offer a whole-society approach to medieval politics, acknowledging how villages, towns and cities, peasants and workers, clerics, women, children and old people, interacted with political authorities and institutions of government; our conception of political society is consequently much wider. We are also interested in culture, and in phenomena that haunt the borders between culture and society—communication and space, commodification and material culture, gender and sexuality, ritual, religion and spirituality. It is harder to draw boundaries around any individual topic and harder to presume upon the power of conventional authorities—kings, lords and states, all of them so frequently challenged in our period—when those below them could wield the 'weapons of the weak'.[24] The contexts in which states and lords operated are much more extensively and richly depicted than they once were.

Lastly, there is less clarity over the big trajectory of the politics of our period. Later

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[20] Chris Wickham, 'Defining the *Seigneurie* since the War', in Monique Bourin and Pascual Mártinez Sopena (eds), *Pour une anthropologie seigneurial dans les campagnes médiévales (XIe–XIVe siècles): réalités et représentations paysannes* (Paris, Publications de la Sorbonne, 2004), pp. 43–50 at pp. 49–50; Hardy, *Associative Political Culture*, pp. 74–5.

[21] Cristina Jular Pérez-Alfaro and Carlos Estepa Diez (eds), *Land, Power and Society in Medieval Castile: A Study of Behetría Lordship* (Turnhout, Brepols, 2009), pp. 14–17.

[22] Sandro Carocci's recent essay, 'The Pervasiveness of Lordship (Italy, 1050–1500)', *Past & Present*, 256 (2022), 3–47, contrasts the 'powerful' lordship of distant greater lords, akin to brokerage, with the 'pervasive' lordship of local lesser lords. For lordship akin to brokerage, see De Weerdt, Holmes and Watts, 'Politics, c. 1000–1500', pp. 277ff; Zmora, 'Princely State-Making', 41–50; Simon K. Walker, *The Lancastrian Affinity, 1361–1399* (Oxford, Oxford University Press, 1990), esp. ch. 7.

[23] Philippe Contamine, 'De la puissance aux privilèges: doléances de la noblesse française envers la monarchie aux XIVe et XVe siècles', in *La France aux XIVe et XV siècles: hommes, mentalités, guerre et paix* (London, Variorum, 1981), ch. 9, pp. 235–57 esp. pp. 255–6.

[24] James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven, Yale University Press, 1985).

medievalists may be able to agree on the *genèse de l'état moderne*, or perhaps even 'the making of polities', but early modernists are mostly heading in a different direction. For Mark Greengrass, 'dynasticism … was destined to be the dominant political order'; 'dynastic rule mobilised resources around the aristocratic and patrimonial world of princely courts …'; 'dynasts' were the main political actors, while 'state administrative mechanisms were local, distributive and weak', overborne by faction at the centre and colonised by private interest-groups in the localities.[25] The new superpowers were 'dynastic states', exploiting expanded fiscal resources and credit facilities to mobilise military assets across long distances and hold multiple territories together.[26] This was a Europe of 'composite monarchies', as John Elliott called them, of 'dynastic agglomerations' according to Robert von Friedeburg and John Morrill, or of 'unions' as Robert Frost has emphasised—essentially of transnational networks of power, fronted by dynasties and serviced by an elevated aristocracy engaged in 'co-entrepreneurship' with rulers.[27] True, there are some partial challenges to this picture: Natalia Nowakowska has questioned the meaning of dynasty for contemporaries, suggesting that the rule of individual territories may have been more important than family in defining rulers' identities; John Morrill has challenged the notion of dynastic strategy, and highlighted the role of contingency in the shaping of the great powers; Jim Collins sees early modern France as essentially a commonwealth, even if things changed after the Wars of Religion; and several historians have indicated the solidity of many of the constituent kingdoms, provinces and regions that made up the 'agglomerations', noting their resistance to underwriting the defence of distant possessions.[28] It is clear that the newer version of early modern political history owes quite a lot to 17th-century developments and the formation of *ancien régimes* with prominent magnates, and perhaps it reflects a shift in the field's centre of gravity wherein the first half of the 16th century has lost ground, but it clearly has implications for any consideration of the state and lordship in the period we are concerned with.[29] If the end of the story is transnational dynastic agglomerations instead of new monarchies and nation-states, the 14th and 15th centuries may need a rethink.

So the task of the project, the volume, and indeed this paper, is ambitious. It will not be

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[25] Mark Greengrass, *Christendom Destroyed: Europe, 1517–1648* (London, Allen Lane, 2014), pp. 14–15.
[26] A classic treatment is Richard Bonney, *The European Dynastic States, 1494–1660* (Oxford, Oxford University Press, 1991), esp. pp. ix–x, 524–31.
[27] John H. Elliott, 'A Europe of Composite Monarchies', *Past & Present*, 137 (1992), 48–71; Robert Von Friedeburg and John S. Morrill (eds), *Monarchy Transformed: Princes and their Elites in Early Modern Western Europe* (Cambridge, Cambridge University Press, 2017), pp. 3–8; Robert Frost, *The Oxford History of Poland-Lithuania*, 2 vols (Oxford, Oxford University Press, 2015), vol. 1, ch. 4.
[28] Natalia Nowakowska, 'What's in a Word? The Etymology and Historiography of Dynasty—Renaissance Europe and Beyond', *Global Intellectual History*, 7 (2022), 454–73; John S. Morrill, 'Dynasties, Realms, Peoples and State Formation, 1500–1720', in Von Friedeburg and Morrill, *Monarchy Transformed*, pp. 17–43; James B. Collins, *The French Monarchical Commonwealth, 1356–1560* (Cambridge, Cambridge University Press, 2022). Despite his coinage of 'dynastic states' and 'dynastic agglomerations', Richard Bonney was conscious of the challenges posed by 'national' or regional resistance: e.g. *Dynastic States*, pp. 526, 528–9; cf. Ronald G. Asch, 'Monarchy in Western and Central Europe', in Hamish Scott (ed.), *The Oxford Handbook of Early Modern European History, 1350–1750*, 2 vols (Oxford, Oxford University Press, 2015), vol. 2, pp. 355–84 at pp. 358–9; Harald Gustaffson, 'The Conglomerate State: a Perspective on State Formation in Early Modern Europe', *Scandinavian Journal of History*, 23 (1998), 189–213.
[29] For the influence of the 17th-century, see e.g. Hamish Scott, 'Dynastic Monarchy and the Consolidation of Aristocracy during Europe's Long Seventeenth Century', in Von Friedeburg and Morrill, *Monarchy Transformed*, pp. 44–86.

easy to draw out some conclusions from the operations of lordship and the state amid the vast mosaic of later medieval political life. Conclusions are the last thing I should try to offer in these opening remarks, but I would like to present some provisional positions on three key questions. The first is close to theory: about the nature of medieval states, as historians have seen them, and how these organisations might be expected to have fitted the kinds of power we associate with lords, and indeed kings. The other two are closer to practice: first considering what later medieval states were actually like, and what they wanted from lords (and vice versa); and second considering change over time. Most of my discussion will consider larger polities, those with 'regnal' characteristics (to borrow Susan Reynolds's helpful term), and particularly in the west of the continent, but I hope at least some of its implications will hold good for other polities—city-states and principalities, and the so-called 'noble republics' that developed in east-central and northern Europe. Like other essays in the volume, I shall focus on secular lords, but it is important to remember that Europe was full of ecclesiastical lordships too, many of them as closely tied to the influence of great families as they were to the institutional frameworks of the Church.

Later medieval historians have taken many different approaches to the state, but these fall into three main groups. First, as we have seen, some prefer not to use the term, typically arguing that it obscures as much as it reveals and expressing concern about potential anachronisms or teleologies. Second are those who have argued for a broad definition of the medieval state, to comprehend the political system as a whole. These include Susan Reynolds, who proposed a modified version of Weber's famous definition, as an 'organisation of human society within a more or less fixed area in which the ruler more or less successfully controls the legitimate use of physical force', noting that a great deal of this force was supplied by subjects through what were often highly informal arrangements.[30] A few years earlier, Giorgio Chittolini had taken a partly similar line, at least in terms of the openness of medieval regimes to the participation of private power, but avoiding Weber's emphasis on force. For him, 'the state was, in short, a system of institutions, of powers and practices, that had as one of its defining features, a sort of programmatic permeability to extraneous (or, if one prefers, 'private') powers and purposes, while retaining an overall unity of political organisation'; it was a 'collective constitution' or 'comprehensive political order'.[31] A third group of historians, also often indebted to Weber and/or to the British sociologist Michael Mann, distinguishes between the state and political society as a whole, identifying the former as a cluster of institutions and officers, asserting central and public authority and claiming to be distinct (or 'differentiated') from subjects, however dependent it was in practice on their participation in its agencies.[32] The Genet-Blockmans view of the state fits into this group, as does the more recent definition of Van Steenbergen and Dumolyn, who propose that states emerge 'as and when successful social practices of exclusion, integration, reproduction and appropriation start appearing and

[30] Susan Reynolds, 'The Historiography of the Medieval State', in Michael Bentley (ed.), *Companion to Historiography* (London, Routledge, 1997), pp. 117–38 at p. 118.
[31] Chittolini, 'The "Private", the "Public", the State', 46, 53.
[32] Max Weber, *Economy and Society: A New Translation*, ed. and trans. Keith Tribe (Cambridge, MA, Harvard University Press, 2019), pp. 135–6; Michael Mann, *The Sources of Social Power*, vol. 1, *A History of Power from the Beginning to AD 1700* (Cambridge, Cambridge University Press, 1986), p. 37. Note that it is Mann's definition that uses the word 'differentiated'.

presenting themselves as pertaining to an apparatus of coercion, distinction, differentiation and hegemony'.[33] As noted above, this last perspective rests partly on Mitchell's argument that the state is 'a structural effect of society', rather than something distinct from it, but like Mitchell it also acknowledges that the state is a particular kind of effect, one associated with 'institutional mechanisms', 'the power to regulate and control', 'political arrangements', and the production of 'the appearance that state and society are separate things'.[34] This idea is close to the critical argument of Philip Abrams, developed in the 1970s, that the 'state-system', 'a cluster of institutions of political and executive control and their key personnel', was accompanied by a 'state-idea', which was an 'ideological artefact, attributing unity, morality and independence to the disunited, amoral and dependent workings of the practice of government'.[35]

Clearly, the second and third group of approaches are actually quite close to each other. They both emphasise the interdependence of state and society; the only real difference is over whether it is helpful to distinguish the two. My contention here is that the distinction *is* helpful, even if we accept that the state is a 'structural effect of society' or, in the somewhat similar formulation of Bob Jessop, a 'social relation', 'a relationship of forces, or more precisely the material condensation of such a relationship among classes'.[36] In Jessop's theory, as in Mitchell's, the state is a particular kind of social relation, entailing an 'institutional ensemble', 'state-managers' and a 'juridico-political apparatus', all of them interacting with social forces, interest-groups and the holders of social power. Although the state is shaped by society, it is also a 'structuration': it channels social action, and does so in part according to specific languages, procedures, history and dynamics.[37] In practice, this is how Chittolini represents the later medieval state, despite his wish to challenge its distinction from society—it is a 'system of institutions', an 'official apparatus of power', and one undergoing 'increasing disentanglement … from the dynamics of society' over the 15th century.[38] If we maintain a sense of the distinctness, and distinctiveness, of the state, we isolate a key element in later medieval political society, one that is not only active in other periods and available for comparison, but also a particular phenomenon in the societies we study, a phenomenon that must act through real people—rulers, ministers, scholars, lords and other social actors—but which is distinct from all of them: a 'structural effect' that differentiates between public and private, articulates ideas of political legitimacy, and harnesses these ideas to a particular set of political and governmental institutions.

This is an important perspective for the study of the state and lordship. These two forms of power were not the same. However much states might bedeck themselves in the trappings of lordship, and however much their structures were colonised or animated by people we could

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[33] Van Steenbergen and Dumolyn, 'Studying Rulers', p. 144.
[34] Mitchell, 'Limits of the State', 90, 94
[35] Philip Abrams, 'Notes on the Difficulty of Studying the State (1977)', *Journal of Historical Sociology*, 1.1 (1988), 58–89 at 71, 81.
[36] Bob Jessop, 'The State as a Social Relation', in John L. Brooke, Julia C. Strauss and Greg Anderson (eds), *State Formations: Global Histories and Cultures of Statehood* (Cambridge, Cambridge University Press, 2018), pp. 45–57 at pp. 45, 47–8. See also his book, *The State, Past, Present, Future* (Cambridge, Polity, 2016), esp. ch. 3.
[37] Jessop 'State as Social Relation', pp. 48–9; Abrams, 'Notes', at 82. For Jessop on Abrams, and his own acceptance of the notion of a 'state-idea', see *The State*, pp. 16–18, 46–52.
[38] Chittolini, 'The "Private", the "Public", the State', pp. 46, 53, 54.

describe as lords, they were not lordships themselves—not even when the preservation of noble privileges, including against the ruler, was a prominent feature of their self-presentation, as was indeed the case in a number of the kingdoms in the period: Poland, Bohemia, Aragon for instance.[39] This means that, when we consider the state and lordship, we are always dealing with a relationship, with interaction. The key difference, it seems to me, is between the personal power and authority of the lord and the public power and authority of the state. As we have seen, lordships were not necessarily units ruled by one person, and lords themselves were located in networks of kinship, friendship and service, members of families and *familiae*, stretching from the past and into the future—they were not islands. But their role was fundamentally personal and interpersonal: to protect and to judge and to discipline as fitted each specific relationship and circumstance, to the best of their capacity. As the English Lord Moleyns put it to the tenants of the manor of Gresham he had just seized in 1449, 'I will be your warant as for your discharge, and save yowe harmeles ayenst all thoo that wold greve yowe, to my power'; or as Gerardo Rangoni, aristocratic client of the Este marquess of Ferrara, put it in a 1502 request that the marquess pardon a local boy's trespass—he 'is the son of my great friend', and I ask this favour 'out of the love you bear me'; or, more darkly, as the lord of Seckendorff justified burning the property of the peasant Hopf—'he had acted against his duties and oath … it followed that I could not allow such a disobedient gallows-bird to abuse me [and] … this is why he got his blaze'.[40] The state, on the other hand, was inherently institutional and public—public in the triple sense of association with the Justinianic emperor, imputed source of all law and justice; of being avowedly devoted to the public utility, *res publica* or Common Good; and of being in some sense widely and publicly available.[41] Elements of this picture too were apprehended by contemporaries—in Claude de Seyssel's notions of *justice* and *police*, laws and officers as bridles to guide the French monarchy towards the public good; in Sir John Fortescue's idea of *dominium politicum et regale*, where *politicum* means 'rule carried out with the learning and counsel of many'; in the Hungarian idealisation of the Crown as the true authority in the realm, above the king, and implying the common action of the ruler and *regnicolae*; in the widespread notion of kingship as an office; or (with a more institutional emphasis) in the intriguing reference of a later 15th-century English prelate

[39] Frost, *Poland-Lithuania*, chs 2, 4, 21, esp. pp. 11–12, 14–15, 64–6, 234–41; Jeanne E. Grant, *For the Common Good: The Bohemian Land Law and the Beginning of the Hussite Revolution* (Leiden, Brill, 2014), esp. chs 1–2, and pp. 126ff; Angus MacKay, *Spain in the Middle Ages: From Frontier to Empire, 1000–1500* (Basingstoke, Macmillan, 1977), pp. 104–17.

[40] James D. Gairdner (ed.), *The Paston Letters*, 6 vols (London, Chatto and Windus, 1904), vol. 2, p. 97 (no. 86); Trevor Dean, 'The Dukes of Ferrara and their Nobility: Notes on Language and Power', in Marco Gentile and Pierre Savy (eds), *Noblesse et États Princiers* (Rome, Collections de l'École Française de Rome, 2009), pp. 365–74 at p. 371; Zmora, *State and Nobility*, p. 110.

[41] Gaines Post, *Studies in Medieval Legal Thought: Public Law and the State, 1100–1322* (Princeton, Princeton University Press, 1964); Mario Bellomo, *The Common Legal Past of Europe, 1000–1800*, trans. Lydia G. Cochrane (Washington, Catholic University of America Press, 1995), ch. 4, esp. pp. 78–83; Watts, *Making of Polities*, pp. 74–89, 131–3, 205ff, 385–6. For these themes in individual countries, see e.g. Jacques Krynen, *L'Empire du roi: idées et croyances en France, XIIIe–XVe siècle* (Paris, Gallimard, 1993); Antonio Padoa-Schioppa (ed.), *Legislation and Justice* (Oxford, Oxford University Press, 1997). For more on the conceptualisation of 'public' (and 'private'), see Jeff Weintraub, 'The Theory and Politics of the Public/Private Distinction', in Jeff Weintraub and Krishan Kumar (eds), *Public and Private in Thought and Practice: Perspectives on a Grand Dichotomy* (Chicago, University of Chicago Press, 1997), pp. 1–42, esp. pp. 10ff, 37–8. I am grateful to Christian Liddy for drawing this last item to my attention.

to the 's*tructura machine rei publicae anglicane*'.[42]

As these examples suggest, many medieval states were associated with kings, the products of routinised and re-worked versions of royal rights (often pretended ones) to service, justice or resources, but we would be wrong to ignore the distinctions between kings and states. First, state-like structures were attached to many different kinds of authorities, even if the high status and superior resources of kings, emperors, or indeed, popes, gave them particular salience. Leagues, cities, armies, churches and lords themselves also ruled the inhabitants of their territories at least in part through 'systems of institutions', 'official apparatus[es] of power' and so on; it was only in the course of our period that, in many polities, a dominant set of mechanisms and powers, typically associated with kings, emerged to contain and manage the others.[43] Second, even where royal states had a kind of hegemony, their nature might be highly contested—almost every realm saw the king's agency restrained by laws, councils and representative institutions, either temporarily or permanently; many witnessed formal depositions, interference in the royal succession, the assertion of regional or national independence, the establishment of electoral arrangements or the attempted enforcement of coronation oaths; royal rights were continually debated and reshaped, and other powers besides the king could often claim public authority. So the states of this period cannot be regarded as simply patrimonial or dynastic, and by implication closer to lordships. Meanwhile, if kings and lords had much in common, they were not the same either. As in Fossier's model, kings had private property, power over men and distinctive social status; in addition to their public responsibilities, they too were expected to dispense personal and interpersonal rule. But they can be distinguished from other lords in many ways: they could stand in for the Roman emperor and claim his prerogatives; they were better able to claim divine appointment and the specific aura of authority it typically conferred; they normally possessed the most splendid centres, equipped with the means of magnificence and plenty of *gens de savoir* for the development and articulation of policy; they were usually able to claim the unique right to exercise the kingly office; and they were typically unwilling to accept subordination to anyone else, whereas, however reluctantly and however tacitly or formally, lords frequently accepted relations of dependence with a higher power.[44]

Nor can the obvious dependence of royal states on social power be taken as a reason to see them as subject to domination by lords. For one thing, states drew on the support of multiple groups besides aristocrats—merchants and manufacturers, churchmen, professionals, farmers, even agricultural and urban workers—acting as jurors, tax-payers, militias, village or parish

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[42] Claude de Seyssel, *The Monarchy of France*, trans. J. H. Hexter and Michael Sherman, ed. Donald R. Kelley (New Haven, Yale University Press, 1981), pp. 56–7; Plummer, *Governance of England*, p. 112; Laszlo Péter, 'The Holy Crown of Hungary, Visible and Invisible', *Slavonic and East European Review*, 81 (2003), 421–510, esp. 441–52 (note, however, that Péter is emphatic that the Crown should not be equated with the state: 442n111. The Polish version of the same idea seems to have been more corporational: Frost, *Poland-Lithuania*, pp. 14–15); Frédérique Lachaud, *L'Éthique du pouvoir au Moyen Âge* (Paris, 2010), p. 633; British Library, Cotton MS Cleopatra E.iii, ff. 108r–112v (sermon for convocation, 1483).

[43] These are central themes of Watts, *Making of Polities*: see pp. 205–44 and 393–409 for governing institutions associated with different kinds of polity in the 14th and 15th centuries, and 410–19 for the progress of 'regnal structures' in the 15th century in particular. The quotations are Chittolini's (note 39 above).

[44] Watts, *Making of Polities*, pp. 95–8. For *gens de savoir* and royal courts, see Jacques Verger, *Men of Learning in Europe at the End of the Middle Ages*, trans. Lisa Neal and Steven Rendall (Notre Dame, Notre Dame University Press, 2000), chs 4, 5 and 9.

representatives and so on. And states commonly drew on this support collectively, requiring groups of subjects to act together—in meetings of estates, in law courts, in *posses* for peacekeeping or defence—but collective action complicated the operation of vertical ties, since members of networks were forced, or enabled, to interact with members of other networks to achieve common goals. Lords valued the interpersonal relationships with superiors and inferiors that were so integral to their social roles, but states, forcing them to sit next to each other in assemblies (albeit in vigorously contested orders of precedence), commonly distinguishing lesser lords from greater ones, and providing roles or rights for each, disrupted and reshaped those relationships.[45] Engaging with the state could certainly benefit lords, as we shall see, but it cost them too, and it was not a frictionless process.

Finally, we might reasonably argue that these kings, lords and states were all equally amalgams of public and private power: that is, in a sense, the message of Mitchell's and Jessop's theories, and also of those ideas of 'state feudalism' which are often applied to our period. These theories could point to a world in which kings, lords and states were all much the same: all based in some autonomous resource; all concerned with rule over others; all socially distinguished; and all handling a mixture of unquestionable and negotiated authority, and formal and informal mechanisms, with remarkably little difficulty.[46] Certainly, the purely private elements of lordship or kingship were few in number if sometimes large in scale: inherited land, and sometimes ownership of the people who worked on it; inherited status, though that inheritance required recognition by others; exclusive spaces, such as chambers in fine castles, or hunting parks (though again, these places were brought to life only with the action of others—others over whom the king or lord had distinct advantages, borne of wealth and tradition, but who were ultimately free to choose how they acted). Much of what kings and lords were—the majority of their powers and resources: their offices, their honour, standing and reputation, their leadership, their incomes from public taxation and royal pensions, even their landed incomes—was publicly transacted and publicly dependent, even if the publics concerned were various and not always those of the state. Public-private partnerships, informal arrangements in a context where more formal ones were possible, or at least imagined: these were always vulnerable to alteration, scrutiny and challenge through the mechanisms of the state, and when they ceased to command the acceptance of groups who could access state machineries—which was almost any group in the later Middle Ages, most of the time—they were open to attack. In other words, the inevitable power-sharing of later medieval political society was inherently vulnerable. But at the same time, as we shall see, state mechanisms could only correct and challenge, they could not create and, in particular, they could not create the networks of interpersonal and informal relations which enabled both the exercise of power and the forging of agreements. Informal arrangements were continually being made, corrected

[45] Michel Hébert, *Parlementer: assemblées représentatives et échange politique en Europe occidentale à la fin du Moyen Âge* (Paris, Éditions de Boccard, 2014), ch. 8, and for precedence, pp. 304ff. K. Bruce McFarlane's classic 1945 essay on 'Parliament and Bastard Feudalism', in Gerald L. Harriss (ed.), *England in the Fifteenth Century* (London, Hambledon, 1981), pp. 1–21, has wider applications; see also Mario Damen, 'The Nobility in the Estates of the Later Medieval Duchy of Brabant', in Mario Damen, Jelle Haemers and Alastair Mann (eds), *Political Representation: Communities, Ideas and Institutions in Europe (c. 1200–c. 1690)* (Leiden, Brill, 2018), pp. 161–81.

[46] Cf. e.g. Lyon, *Corruption, Protection and Justice*, esp. introduction and ch. 12; see also H. Kaminsky, 'Estate, Nobility and the Exhibition of Estate in the Later Middle Ages', *Speculum*, 68 (1993), 684–709, esp. 685–6.

and re-made—both in small, because of the inevitable failures of individuals and lines, and in large, amid corruption scares, reform movements and the settling down that followed crises. As Chris Wickham has remarked, the informal needs the formal.[47] We might add the more obvious point that the reverse is also true, and that the public also needs the private, and vice-versa. In the later Middle Ages, states typically needed kings and lords, and those kings and lords—in somewhat different ways—needed the powers and resources of states, but that does not mean that these relationships were consistently comfortable.

Let us turn from now high-level generalisations to something closer to practicalities. What were later medieval states like? What did states and lords want from each other in the later Middle Ages, and how did the picture change over time? The governments of the period had a limited range of functions, even if those functions tended to grow and multiply: justice and law-making; defence and fiscality; counsel/consent and representation; communication and the projection of authority—these were the essentials. States routinised and officialised those functions, partly on the basis of romano-canonical models, partly on the basis of copying from other states in a highly networked Europe, and partly in response to the demand generated by the provision of those same functions. This last was perhaps the biggest cause of innovation and state-growth: providing governmental services inevitably attracts both usage and resistance, posing conundrums for the group that Jessop attractively calls 'state managers'—who, in our period, were mostly legally trained clerics and laymen, supplemented by kings, lords and urban leaders of various kinds; only from the 15th century or later did new generations of managers emerge, endowed with a different kind of neo-classical training based on humanism, and (perhaps) readier to see the state as a means of social and political improvement.[48] These 'state managers' had their own private interests and agendas, of course, and it is important to remember that kings and bureaucrats were living people, with their own ideas, morals, and attachments.[49] They had particular stakes in the state, and often bore particular responsibility for formal innovations in its systems, but they also belonged to families and networks of interpersonal service, patronage and clientage, and might have as many reasons to bend or smooth over the operation of institutions as to enforce them. At the same time, however, they were restrained by oaths of office and by the recurrent pressure of

[47] Chris Wickham, 'The "Feudal Revolution" and the Origins of Italian City Communes', *Transactions of the Royal Historical Society*, 6th ser., 24 (2014), 29–55, at 55.

[48] Genet, 'L'État moderne', pp. 268–9, called for a prosopography of 'les serviteurs de l'état' back in 1990, though I am not aware of one at European level covering this period. For the related category of 'councillors', see Cédric Michon (ed.), *Conseils et Conseillers dans L'Europe de la Renaissance, v. 1450–v. 1550* (Tours/Rennes, Presses universitaires François-Rabelais/Presses universitaires de Rennes, 2012). For specific regions, see e.g. Robert Stein (ed.), *Powerbrokers in the Late Middle Ages: The Burgundian Low Countries in a European Context* (Turnhout, Brepols, 2001); Christine Carpenter and Olivier Mattéoni, 'Offices and Officers', in Christopher Fletcher, Jean-Philippe Genet and John Watts (eds), *Government and Political Life in England and France, c. 1300–c. 1500* (Cambridge, Cambridge University Press, 2015), pp. 78–115. For humanists, see Verger, *Men of Learning*, ch. 9, and John Watts, '"New Men", "New Learning" and "New Monarchy": Personnel and Policy in Royal Government, 1461–1529', in Benjamin Thompson and John Watts (eds), *Political Society in Later Medieval England* (Woodbridge, Boydell, 2015), pp. 199–228.

[49] E.g. Jan Dumolyn, 'Les Conseillers flamands au XVème siècle: rentiers du pouvoir, courtiers du pouvoir', in Stein (ed.), *Powerbrokers*, pp. 67–85; Elizabeth A. R. Brown, 'Philip the Fair and his Ministers: Guillaume de Nogaret and Enguerran de Marigny', in William C. Jordan and Jenna R. Phillips (eds), *The Capetian Century, 1214–1314* (Turnhout, Brepols, 2017), pp. 185–218; Steven Gunn, *Henry VII's New Men and the Making of Tudor England* (Oxford, Oxford University Press, 2016).

political consumers to make the state work according to the principles it proclaimed: to link taxation to evident necessity and the protection of the population; to ensure the law protected right and justice; to uphold the Common Good, ancient liberties and well-established political traditions. For these reasons, 'state managers' rarely discarded their commitment to the state, and were an important element in its articulation and reproduction.[50] When we treat the state as a subject—'wanting', 'governing' and so on—it is these people we particularly have in mind, though it is useful to recognise that almost anyone could act for (or against) the state, and so bring it to life.

A serious threat to later medieval states was the frequent turbulence of the times, particularly given the complexity of the political scene, with its multiple centres, each with its own elements of statehood. In circumstances of division, revolt or war, state mechanisms were frequently overborne, officers suborned or killed, royal and public assets seized and redistributed: this happened in every few generations in most kingdoms—dramatically so in 15th-century Bohemia.[51] But there are few places in which disorder persisted without some kind of settlement—Naples, perhaps, between the 1340s and the 1440s; Sweden for much of the later 15th century until the 1520s—and in any settlement the state was implicated, and often foregrounded.[52] It might be reshaped to give more emphasis to the claims of particular areas or groups, but the utility of governing institutions, harnessed to ideas of public good, was lost on no one, and it can be argued that the conflicts of the later Middle Ages played an important part in the state growth of the period: even when the outcome was to limit the powers of kings, some public authority was invoked to determine and police those limits.[53]

So states exerted a continual implicit pressure on political society, but two key features are helpful to keep in mind, particularly because they cut across the Weberian emphasis on the control of legitimate violence, which is part of historians' deep programming despite copious evidence against its primacy.[54] The first is that states were essentially concerned with regulation, not coercion—rulers coerced, as did officers and lords, and the state might provide them with helpful media (ideas of felony and *lèse-majesté*, publicly funded entourages, proclamations, written instructions, etc.)—but equally the state provided the media for others to contest their actions (principles of public utility, means of public assembly and protest, definition of official roles, notions of accountability, sources of pardon and mercy, forms of

[50] For a good example of this dynamic, see Chapter 4 (Jostkleigrewe).
[51] Reginald R. Betts, *Essays in Czech History* (London, Athlone Press, 1969), ch. 14, gives a good sense of the collapse and re-creation of Bohemian institutions as a result of the Hussite revolution. For other countries, see e.g Watts, *Making of Polities*, chs 3–4.
[52] Francesco Senatore, 'The Kingdom of Naples', in Andrea Gamberini and Isabella Lazzarini (eds), *The Italian Renaissance State* (Cambridge, Cambridge University Press, 2012), pp. 30–49; Thomas Riis, 'The States of Scandinavia', in Christopher Allmand (ed.), *The New Cambridge Medieval History*, vol. 7, *c. 1415–c. 1500* (Cambridge, Cambridge University Press, 1998), pp. 671–706 at pp. 687–706.
[53] E.g. the French royal *ordonnances* granted to the Leagues of 1314–15, the 1374 Statute of Koszyce, or the establishment of the *diputació* of the Catalan Corts: all three measures were guaranteed by the authority of the ruler, and the second and third involved the provision of reliable revenues in exchange for liberties: Elizabeth A. R. Brown, 'Reform and Resistance to Royal Authority in Fourteenth-Century France: The Leagues of 1314–1315', in *Politics and Institutions in Capetian France* (Aldershot, Variorum, 1991), ch. 5, pp. 109–37; Frost, *Poland-Lithuania*, pp. 65–6; Peter Rycraft, 'The Role of the Catalan Corts in the Later Middle Ages', *English Historical Review*, 89 (1974), 241–69.
[54] Jessop notes that the 'monopoly of legitimate physical force' quickly disappears from Weber's definition in favour of regulation and bureaucracy: *The State*, p. 26; Weber, *Economy and Society*, pp. 135–7, 335–6.

legal and para-legal action, etc.). A second and related point, perhaps even more important, is that states outsourced the majority of their functions—as Christine Carpenter has pointed out in an English context, they did not themselves produce the means of implementation and enforcement: military, fiscal and judicial muscle was provided by subjects, and above all by lords.[55] Why was this—especially as medieval states were modelled after the Roman Empire, which famously had a tax-funded army to enforce its will? The great shift towards landed power with the fall of that Empire and the rise of lordship is obviously part of the answer: it was natural for the developing states of the 12th–13th centuries onwards to regulate and refine existing contractual relationships rather than create new structures.[56] The limitations on state resources too must be important: it was much cheaper and easier to outsource than to provide in-house, even if that meant a more distributed power network.[57] Rulers' pragmatism, and their own lordly inclinations—honour, familiarity with relations of protection and service—must be a third reason.[58] Tax-funded standing armies were beginning to appear in the 15th century, of course, but French *compagnies d'ordonnance* bore the personal devices of their commanders, and it is quite clear that they and their Spanish and Hungarian counterparts remained interwoven with networks of local power.[59] But even if there are some qualifications to this picture, and whatever the causes, if we accept that states were above all regulatory enterprises, and that their tendency was to contract out the tasks of enforcement, implementation, and the provision of manpower, we have an important context for any discussion of the state and lordship.

From lords, rulers wanted judicial and military service—to raise men and command them, both in war and in the government of the localities. Many papers in this collection show the key role lords were expected to play in ruling peasants; their capacity to judge others—knights, outburghers, etc.—was typically more contested.[60] Lords were particularly useful at the edges of each state, where its authority was confronted by other states or by challenging political terrain of various kinds—mountains, distance, cities, ethnic variation.[61] Rulers wanted obedience, the honour that came with powerful servants, and access to their support networks;

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[55] Christine Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401–1499* (Cambridge, Cambridge University Press, 1992), pp. 4–5, 283–4. Note that fiscality was typically managed by royal officers or semi-independent networks of lenders and tax-farmers, but revenues were extensively shared with lords: e.g. Zmora, *Monarchy, Aristocracy and the State*, pp. 16–21, 43–4, 46–7, 52–4; R. Bonney (ed.), *Economic Systems and State Finance* (Oxford, Oxford University Press, 1995), pp. 438–47.

[56] Chris Wickham, *Medieval Europe* (New Haven, Yale University Press, 2016), chs 2, 4, 8.

[57] Genet, 'L'État moderne', pp. 264–8.

[58] See e.g. Zmora, *Monarchy, Aristocracy and the State*, chs 1–2; Antoni Mączak, 'The Nobility-State Relationship', in Wolfgang Reinhard (ed.), *Power Elites and State Building* (Oxford, 1996), 189–98; Contamine, 'De la puissance', p. 236.

[59] Mark Greengrass, 'Functions and Limits of Political Clienteles in France before Cardinal Richelieu', in Neithard Bulst, Robert Descimon and Alain Guerreau (eds), *L'État ou le roi? Les fondations de la modernité monarchique en France (XIVe–XVIIe siècles)* (Paris, Éditions de la MSH, 1996), pp. 69–82 at p. 74; John Edwards, *The Spain of the Catholic Monarchs, 1474–1520* (Oxford, Blackwell, 2000), pp. 119–20; Martyn Rady, *Nobility, Land and Service in Medieval Hungary* (Basingstoke, Palgrave, 2000), pp. 152–6.

[60] See Chapters 2 (Bourgine de Meder), 3 (Graham-Goering), 5 (Buylaert); Chapter 4 (Jostkleigrewe) is a good example of what happened when lords attempted to exercise jurisdiction over more influential persons.

[61] See e.g. Jim van der Meulen, 'Marginal Might? The Role of Lordships in the Territorial Integrity of Guelders, c. 1325–c. 1575', in Damen and Overlaet, eds., *Constructing Territory*, pp. 117–38 at pp. 127ff; Stephen G. Ellis, *Tudor Frontiers and Noble Power: The Making of the British State* (Oxford, Oxford University Press, 1995); Philip J. Jones, *The Malatesta of Rimini and the Papal State: A Political History* (Cambridge, Cambridge University Press, 1974).

they used their states to secure these things, through regulation and the articulation of governmental services to all comers, but also protected loyal servants from the full rigours of the law, endowed them with resources both private and statal, and maintained personal relations with the most important among them.[62] And what did lords want? To maintain, and ideally expand, their honour and resources: expand, because they had to provide appropriately for children, but also—noting Otto Gerhard Oexle's work on the importance of noble memorialisation—because they had a particular responsibility to glorify their lineages, a duty to the past as well as the future.[63] To gain these goods, they looked to surrounding states, rulers and other lords, peers and underlings—offices, as well as networks, were essential not only in generating resources but in generalising lords' authority beyond their estates.[64] And gain them they must, because of the challenges of heredity and dynasty: where rulers enjoyed some protection from the accidents of reproduction, and states were as permanent as the regimes they sustained, lords were highly exposed and needed to secure good marriages and an appropriate number of heirs. While we have largely abandoned the notion of a collective *crise nobiliaire* in the later Middle Ages, we know perfectly well that the class as a whole experienced a huge amount of 'churn', as roughly a quarter of families failed in each generation, while survivors accumulated inheritances and *arrivistes* appeared—often powered by commercial or professional wealth, or by the favour of rulers.[65]

The resulting balance of interests between lords and states is important. On one hand, it explains why the two were so deeply aligned, and why today's historiography is right to emphasise that common alignment. On the other hand, it points to a series of inevitable tensions. Many of these were caused by reproduction—the poor fit between a class dependent on heredity and systems that required permanent and reliable service; the inevitable disruption to interpersonal relations caused by the ceaseless pattern of births, marriages and deaths; the complications caused by the processes of replacement when lines failed; and notably the challenge of fitting the ruler's family and favourites into the upper echelons of the aristocracy—royal cadets were often given the most complete lordships by kings who were fathers, brothers or uncles (to the disadvantage of later kings who were nephews, cousins or grandchildren).[66] Other tensions were caused by conflicts over jurisdiction or resources, as states expanded their attentions and underlings renegotiated the terms of subjection.[67] Lordships, of course, were micro-states themselves (and sometimes much more than micro-states); that their administrations should come into conflict with the larger states around them

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[62] See e.g. Mączak, 'Nobility-State Relationship', p. 198; Peter Lewis, 'Reflections on the Role of Royal Clientèles in the Construction of the French Monarchy (mid-XIVth/end-XVth Centuries)', in Bulst, Descimon and Guerreau (eds), *L'État ou le Roi?*, pp. 51–67; José Maria Monsalvo Antón, La *Construcción del Poder Real en la Monarquía Castellana (siglos XI–XV)*, (Madrid, Marcial Pons Historia, 2019), pt. 3.
[63] Otto G. Oexle and Werner Paravicini (eds), *Nobilitas: Funktion und Repräsentation des Adels in Alteuropa* (Göttingen, Vandenhoeck and Ruprecht, 1997); cf. Carpenter, *Locality and Polity*, ch. 7.
[64] E.g. Zmora, 'Princely State-Making', 44ff; Carpenter, *Locality and Polity*, ch. 10; Olivier Mattéoni, 'Office, pouvoir ducal et société politique dans la principalité bourbonnaise à la fin du Moyen Âge', in *Le Duché de Bourbon des origines au connétable* (Saint-Pourçain-sur-Sioule, Bleu Autour, 2001), pp. 35–56, esp. pp. 40ff.
[65] Frederik Buylaert, 'The Late Medieval "Crisis of the Nobility" Reconsidered: The Case of Flanders', *Journal of Social History*, 45 (2012), 1117–34, esp. 1123ff.
[66] Gunner Lind, 'Great Friends and Small Friends: Clientelism and the Power Elite', in Reinhard (ed.), *Power Elites*, pp. 123–46, esp. pp. 139, 146; Zmora *Monarchy, Aristocracy and the State*, pp. 33–4.
[67] See e.g. Watts, *Making of Polities*, pp. 263–82, 340ff.

should not surprise us. Then there was the honour, status and position of lords in society: they could not easily stand by if the public good was in question. We have been schooled to think that problems between kings and lords were driven by jealousy, fear and ambition, but this approach can be too individualised: problems between lords and rulers were also, and more profoundly, caused by structural tensions and by widely shared—public—political crises.

That leads neatly on to my final section, dealing with change over time. The later Middle Ages were clearly a period of growth and change in the workings of states: how did this affect lords, whose power was also changing? This is not an easy question to tackle across a large space, a long time, and multiple social levels, but it may be possible to identify three rough phases. The first coincided with what is often considered the hottest period of later medieval state formation, from around the mid-12th century to around the mid-14th; this was also an era of population growth and economic expansion, favouring owners over workers, provided they could exploit their assets to keep abreast of inflation. The evolution of more coordinated systems of jurisdiction, followed rapidly by developments in troop-raising, taxation, office-holding and representation, often produced political conflict as rulers asserted new powers, while other interests—lords among them—sought to exclude or modify their exercise, typically on the basis of custom. This dynamic underlay the numerous clashes with unions and leagues in the period, and the resulting assemblies, charters and constitutional settlements, but conflict was not the whole story.[68] For one thing, there are many examples of lordships growing in tandem with the new states, bolstered by office or a share in revenues: the great peers of France, for example; the *adelantados* of Castile, with their moves towards territorial *mouvances*; the new castle lords of Angevin Hungary, with their improved inheritance arrangements.[69] For another, there were places that avoided conflicts between royal administrations and lords, as Alice Taylor has demonstrated for Scotland, and others, including France, where rulers would settle for recognition of their authority, in return for licence to operate more freely.[70] While contemporary regimes could invoke imperial powers and provoke jurisdictional conflict, they could also rein in the systematic tendency of the state and opt for a much looser form of power-sharing from which loyal lords could profit; and there were some places—Bohemia, Aragon, both upland territories—where royal power was pushed back and the authority of land-courts to judge nobles was formally established.[71]

A second phase ran from around the mid-14th century to the mid- or later 15th, and was

[68] See e.g. Björn Weiler, 'Politics', in Daniel Power (ed.), *The Central Middle Ages: Europe, 950–1320* (Oxford, Oxford University Press, 2006), pp. 91–120; Watts, *Making of Polities*, pp. 73–89, 91–8, 101–4, 122–9.

[69] Marie-Thérèse Caron, *Noblesse et Pouvoir Royal en France, XIIIe–XVIe siècle* (Paris, Colin, 1994), pp. 45–54, 71; Fernando Arias-Guillén, *The Triumph of an Accursed Lineage: Kingship in Castile from Alfonso X to Alfonso XI (1252–1350),* (London, Routledge, 2021), pp. 126–39; Rady, *Nobility, Land and Service*, pp. 100–1 and ch. 8.

[70] Alice Taylor, *The Shape of the State in Medieval Scotland, 1124–1290* (Oxford, Oxford University Press, 2016), esp. pp. 438–55; Alice Taylor, 'Formalising Aristocratic Power in Royal Acta in Late Twelfth- and Early Thirteenth-Century France and Scotland', *Transactions of the Royal Historical Society*, 6th ser., 28 (2018), 33–64.

[71] Justine Firnhaber-Baker, 'Seigneurial War and Royal Power in Later Medieval Southern France', *Past & Present*, 208 (2010), 37–76; John M. Klassen, *The Nobility and the Making of the Hussite Revolution* (Boulder, East European Quarterly, 1978), pp. 48–9; MacKay, *Spain*, p. 114.

characterised by unstable compromises between the increasingly familiar and now expanded agencies of the state on one hand, and the powers of kings and lords on the other. Partly because of the strains of war, but more generally because of the progress of the state and its politicising effects across society, lords received both large portfolios of regional, fiscal and/or military power and a significant role—often through representative institutions, but sometimes through courts or institutions such as *privanza* in Castile—in the direction of regnal policy.[72] This could work well, as in the reigns of Edward III of England, Alfonso XI of Castile, Charles V of France, Louis the Great of Hungary and other effective kings of the period, many of whom were great warriors; but it could also go badly wrong, either at the interpersonal level (if, for instance, the successions of kings and leading lords were out of phase) or at the level of mass politics (if the government failed to defend the realm or maintain order and justice, particularly at times of high taxation), and typically both, since magnates could not easily avoid personal involvement in the political confrontations of a wider public.[73] The distinctiveness of this phase is most apparent for the top layer of lords—the peerages of each polity who held the major offices and were summoned to courts, councils and assemblies—but those below were often drawn in to its dynamics through the clienteles of kings and magnates, which seem to have been more extensive and formalised in this period.[74] In this phase, states and lords were quite highly integrated, but the frequency of chaos seems to have pushed rulers, commentators and 'state managers' towards revised forms of power-sharing, based on the reassertion of public authority and a new emphasis on the differentiation of the state's servants.

The large-scale civil wars of the 15th century had a significant part to play in the inauguration of this third phase, both because they created a groundswell of opinion in favour of reform and because they disrupted existing political relationships and successions, especially those at the top of political society. Rulers were able to resume lost assets; endow new nobilities; create new institutions of local and regional government; extend legislative, judicial and official supervision; redevelop courts and councils; evolve more sustainable financial arrangements; adjust representative structures to make them less confrontational; establish more manageable armies.[75] Civil wars did not happen everywhere, nor all at the same time—though the huge civil war in the Latin Church between 1378 and 1449 drew in all the powers of Christendom and provided the language and ideas for some key lessons in government—but the development of more stable, authoritative and self-conscious regimes was more or less

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[72] François Foronda, 'La privanza, entre monarquía y nobleza', in José-Manuel Nieto Soria (ed.), *La monarquía como conflicto en la corona Castellano-Leonesa (c. 1230–1504)* (Madrid, Sílex, 2006), pp. 73–132.

[73] See Zmora, *Monarchy, Aristocracy and the State*, pp. 35–6, 41–4; Watts, *Making of Polities*, pp. 270–86. For some detailed examples, see e.g. Pál Engel, *The Realm of St Stephen: A History of Medieval Hungary, 895–1526* (London, I. B. Tauris, 2005), chs 8–12; Rady, *Nobility, Land and Service*, passim; Caron, *Noblesse et Pouvoir Royal*, pp. 132–3 and ch. 3; Justine Firnhaber-Baker, *The Jacquerie of 1358* (Oxford, Oxford University Press, 2021); Guillén, *Triumph of an Accursed Lineage*, pp. 149ff; Clara Estow, *Pedro the Cruel of Castile, 1350–1369* (Leiden, Brill, 1995), esp. chs 1 and 2; W. Mark Ormrod, *Edward III* (New Haven, Yale University Press, 2011); Christopher Fletcher, *Richard II: Manhood, Youth and Politics, 1377–99* (Oxford, Oxford University Press, 2008).

[74] E.g. Rady, *Nobility, Land and Service*, ch. 7; Peter S. Lewis, 'Decayed and Non-Feudalism in Later Medieval France', in *Essays in Later Medieval French History* (London, Hambledon, 1985), pp. 41–68; Christine Carpenter, 'Bastard Feudalism in England in the Fourteenth Century', in Steve Boardman and Julian Goodare (eds), *Kings, Lords and Men in Scotland and Britain, 1300–1625* (Edinburgh, Edinburgh University Press, 2014), pp. 59–92.

[75] Zmora, *Monarchy, Aristocracy and the State*, ch. 3; Watts, *Making of Polities*, pp. 340–52.

universal in the later 15th century, and lords accommodated themselves: the greatest as military and political contractors, the lesser as state servants or the more closely-supervised renters of units of jurisdiction.[76] Stability might bring costs as well as benefits from the perspective of 'state managers', of course—more entrenched aristocracies accumulated power, both property and stronger ties of service—but that problem only came into focus beyond our period. It is not hard to see how these developments could both sustain more coordinated polities at regnal level and provide the new super-powers of France, Spain and the Habsburg connection with the wherewithal to support imperial and military adventures, in Europe and beyond. How these regimes addressed the massive challenge of the reformations from the 1520s onwards is an important question, but it opens a new chapter in the relations of lords and states, and it is not something I can consider here.

So—lordship and the state, alloy or emulsion? It will be clear that my argument is for emulsion. It is true, as Justine Firnhaber-Baker has neatly put it, that 'engagement, accommodation, negotiation, clemency and arbitration' were often the real responses of the French monarchy towards expressions of seigneurial freedom which ostensibly it proscribed.[77] But one point I would like to underline is the importance of distinguishing the ruler from the state: kings and princes were often more relaxed about aristocratic power than states were, and although that is a hugely important political fact, given the obvious agency of rulers and their influence over the operations of the state, the tendency of state institutions to insist on the public good, to provide services to all social groups who could access their functions, and to prefer due process and structures of accountability to the free-wheeling exercise of power, means that their relations with lords were always going to involve tensions. Licensing and remission could smooth over some of these, the limits of the state's appetite for enforcement and the discretion of the ruler (and of lords themselves) could smooth many more, but there is a dialectic here which produced much of the political energy of our period, and perhaps—since states and lords are, in some sense, always with us—of all periods.

[76] For consolidation in areas without civil wars, see e.g. Isabella Lazzarini, *L'Italia degli Stati Territoriali* (Rome, Laterza, 2003), pp. 72–4, 85–6, 94–7, 101–7 and passim; Zmora, *State and Nobility*, ch. 6; Watts, *Making of Polities*, pp. 352–70, 376ff; and Chapters 12 (Zmora) and 13 (Bozzi).
[77] Justine Firnhaber-Baker, *Violence and the State in Languedoc, 1250–1400* (Cambridge, Cambridge University Press, 2014), p. 184.