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Was there Really Such a Thing as Feud in the High Middle Ages? ¹

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Few of us, however hard we try, can avoid the urge to take vengeance for the wrongs that others do to us, to try and get our own back. We may restrain ourselves from ~~actual~~ action, but the urge is always there. The pull toward the taking of personal vengeance is at least as evident in the medieval West as at other times and in other places. It is, indeed, a staple theme of entertainment literature, quite as much in gentle late medieval romances as in the *chansons de geste* that seem to speak to us of earlier times and their *mores*. So widespread a cultural pattern necessarily moved clergy to the protection of their lay flocks, and so features in pastoral works as behavior to avoid or guard against. The fear was always that one violent act could beget another and lead participants into that much-cited “unending cycle” of tit-for-tat violence.² What gives this fear a certain plausibility is

¹ This article revises the arguments of my book *Rancor and Reconciliation in Medieval England* (Ithaca NY, 2003), hereafter referred to as *Rancor and Reconciliation*, where fuller documentation may be found, especially in Chapter 1, “Understanding of Feud and Friendship.” My colleague, Oren Falk, read an earlier draft with a special intensity that compelled a number of developments and improvements. Further lessons were learned with the help of my co-editor, Dr. Throop, and of Dr. Ionutz Epurescu-Pascovics while he was still my student. Important among recent work relevant to the topics covered here is John Hudson, “Faide, vengeance, et violence en Angleterre (ca 900-1200),” in Dominique Barthélemy, François Bougard and Régine Le Jan (eds), *La vengeance 400-1200* (Rome, 2006), pp. 341-82. This time, alas, I was the one who did not find ~~this~~ study until mine was written.

² I suspect this actually happened much less often than was feared, and certainly less often than some lofty modern “observers” assert.

the way that we humans so commonly adduce a *casus belli*, some previous wrong done to ourselves or our associates and loved ones, in justification of any harm we may plan to commit against our fellows. We do this in many circumstances, from petty thefts represented as recalled loans all the way up to attempted genocide said to be in requital for the killing of God's son.

Any observer, even an alien spaceman with no knowledge of earthly tongues, would visually identify this behavior pattern in us humans. Indeed the urge to vengeance is often immediately apparent through body language. But every culture needs a form of words, a discourse, with which to explain, justify, plan and persuade. This chapter aims to show one significant way in which the men and women of the high middle ages managed and waged their conflicts and vengeance within a set of behavior patterns—scenarios, if you like—inherited from the past and widely recognized at the time.³ Medieval men and women articulated these behaviors through a small group of *locutions* familiar to contemporaries, but which we historians can recover only with difficulty from written materials often quite distant from the acts themselves, the language independently important as the means by which this *imaginaire* was propagated, calibrated, and renewed. We obtain thereby our glimpse of the modes by which medieval people made sense of the micropolitical choices they and their neighbors made. When they perceived themselves to have been wronged, they understood their situations and sought to decide their responses (if any) by reference to loose scenarios inherited from

³ For reasons that will become apparent I avoid talk of “scripts,” which seems to me to suggest ~~as~~ much more of a set discourse and order of attack than I can see in the evidence. My suggested alternative “scenario,” is only slightly less unsatisfactory, but does seem more neutral.

their forbears and internalized in advance as fair and just. Armed with a firm sense of obligations, duties, and rights governing whether and how to seek redress in general, men and women might seek to replicate the *imaginaire* and meet their personal challenges by acting out inherited scenarios.

Since the particular behavior patterns to be considered here share common features with those that various Germanic languages apparently denoted by the precursors of our word “feud,” I find it useful to refer to them as “feuds,” despite *some* obvious dangers. Feud, like its unconnected dictionary neighbor “feudalism,” is a much overused term, a notion in real peril of collapsing and losing all precision and utility.⁴ I make no essentialist defense of my own usage of the term; I shall not argue that the word has a core meaning, without which it cannot be real or true.⁵ Nor is it defensible to reify feud as an “institution,” as has sometimes been done in the past. Marriage can perhaps be viewed in institutional terms, so too the manumission of serfs. Both are organized around known and tighter scenarios mostly with set forms of words, legally enforced, and so have relatively predictable consequences.⁶ Feud, in contrast, is only loosely predictable and not normally protected or enforced by laws. I therefore follow the well-established approach

⁴ I have myself objected to the continued use of “feudalism” and its cognates on very similar grounds, in my “The End of Feudalism?,” *Journal of Interdisciplinary History*, 28 (1997): 655-62.

⁵ Stephen Pinker, *How the Mind Works* (New York, 1997), pp. 323-27 offers a partial defense of essentialism as a move to facilitate our own daily life. I concede nevertheless that the approach remains inappropriate to scholarly study.

⁶ Robert Bartlett, “‘Mortal Enmities’: The Legal Aspect of Hostility in the Middle Ages,” *T. John Pierce Lecture* (Aberystwyth, 1998), however, demonstrates that *inimicitia mortalis* (for which see below) was recognized in some Continental law codes as a valid defense. This was not normally the case in England.

of those anthropologists who focus on process and practice, patterns set by nothing more formal than what has repeatedly been done in the past, and in the case of feud found workable as mechanisms for the control and limitation of the effects of violence.⁷ Such a “processual” or “practice” approach assumes a degree of procedural flexibility—the actors, including bystanders, always have at their disposal more than one choice of how to respond.⁸ This capital point is one to return to in due course.

But first an anecdote. John Cusin, a substantial Somerset landowner, was dining one afternoon in 1196 secure in his own home and surrounded by his household and family. Seven men burst in upon them, having somehow got past the gate keeper. Some of them seized John and dragged him by his feet into his bedroom. They then pulled torches from the fire, and waved them at his face close enough to singe his beard, pulled out his tongue, cut it off and laid it on his chest. Meanwhile their companions were ransacking the house. When they found John’s valuables chest, they took out from it important title deeds, royal and other charters, and flourished them in the injured man’s face. One they burned in his face. Only then was he pulled out of the house where one William Basher (sic!) beheaded him.

⁷ John L. Comaroff and Simon Roberts, *Rules and Processes : The Cultural Logic of Dispute in an African Context* (Chicago, 1981) is a classic expression of this approach. I have found Karen Sykes, *Arguing with Anthropology: An Introduction to Critical Theories of the Gift* (London, 2005), Chap. 7 a useful sketch of the ways in which routine habits such as gift-giving, and feud can be regarded as “knowledge practices” that come to be “weighted with meaning”.

⁸ There are, of course, real and important differences between these two approaches. But my limited concern in this paper is simply to map a course which I can use, as a historian, to capture “feud” as represented by my sources.

John's son, Simon, a clerk, witnessed as much of this as he could see from his relatively safe hiding place deep in the window recess. As soon as he could escape, he left the area and stayed away for three years. This was, as he later confessed, from fear of the family enemy, Thomas FitzJohn, son of a dominant local baron, William FitzJohn, and himself "almost lord of the whole *patria*." Telling the story later still at the presentation of his homicide appeal against his father's killers, Simon spared no pains to explain that everyone knew the FitzJohns to be responsible, though William himself was personally absent from the incursion. Significantly, the accusations never reached judgment or proof. High-level political influence apparently underpinned the peace-making settlement laboriously brokered between the parties. No offenses having been proved, nobody was punished. The ~~powers-that-be~~ apparently considered inappropriate any punishment of the kind royal justices habitually meted out to other homicides—mutilation at best, and quite possibly hanging.⁹

Data concerning the previous relations between the Cusins and the FitzJohns is too scant for anyone to aver with confidence that their difference of opinion constituted a "feud," however defined. But most would agree that it was at least feud-like.¹⁰ The FitzJohns had dispatched their men with instructions to destroy their enemies' most protected space. This would proclaim their supremacy to all; the nay-sayers had nowhere left to hide. Why they chose John Cusin and this moment is beyond our knowledge. But the tongue-cutting (linguectomy?) surely tells us that words, and the honor and esteem for

⁹ *Rancor and Reconciliation*, pp. 274-76 ~~outlines~~ all the evidence I was able to locate.

¹⁰ This otherwise helpful subterfuge has the disadvantage of assuming the model whose existence it cannot establish. It seems nevertheless worth extending its usage beyond the historians in search of lesbians ~~in the middle-ages~~ who coined it (*Rancor and Reconciliation*, p. 33).

which they contend, were central to the story. People had been saying things Thomas disliked, to the point that he felt compelled to act, in order to maintain his position over the inhabitants of his patch. This, he was announcing, is what happens to people who say bad things about *me*.

Here, then, as so often, is a snapshot which the historian needs to fit into an action movie he does not possess. There has to have been a pre-history to the scene the legal records preserve for us in such flickering brilliance. We must do what we can to supply enough of the surrounding context to make sense of our sources. But they too are designed to make specific points which the reader seven centuries later can easily misconstrue, especially if s/he thinks s/he knows the feud scenario. The tellers of the tale evidently knew how to tell their story in more than one way; they tailored their narrative to their audience at the time. What we have on the royal plea rolls are versions designed to further the interests of the parties to a lawsuit before royal justices, but recorded by clerks concerned primarily to check that court rules were followed. Faulty pleas ensured that this one went to the gallows while that one escaped scot-free.

But there was also at least one quite different narrative created by, and aimed at, the neighborhood. This had to appeal to people who perhaps imagined their social relationships, and the politics of their neighborhood (their *patria*) in terms of alliance (*amicitia*) and enmity, love and hatred, and who took it for granted that men would and should affirm by force their view of their own reputation and position when it was challenged. We almost never possess this second narrative -- there was in medieval

northern Europe no tradition of recording it in writing.¹¹ And if we did, the true oral discourse in which such matters were prepared, cooked, served and consumed, would still remain beyond our reach.¹²

But was *any* discourse of dispute in high medieval Europe also a discourse of feud? That seems to depend on one's definition. I will in due course explain why definition is not, in my view, a useful way to tackle a social practice as amorphous as feud.¹³ But I will first discuss briefly some apparently promising feud definitions and will review and revise a couple of my own *non-definitions*, before going on to examine a

¹¹ The revenge narratives of Renaissance Italy for all their rhetorical artifice perhaps come a little closer to the oral discourse into which we should really like to tap. See Edward Muir, *Mad Blood Stirring: Vendetta in Renaissance Italy* (Baltimore & London, 1998), pp. xxv-xxvi.

¹² Stephen D. White has perhaps been the major proponent of this discourse view. I have benefited from various of his writings, now available in his *Feuding and Peace-making in Eleventh-century France* (Aldershot, 2005), but especially from "Un imaginaire faidal: La représentation de la guerre dans quelques chansons de geste", in Dominique Barthélemy, François Bougard and Régine Le Jan (eds), *Vengeance, 400-1200*, (Rome, 2006), pp. 175-98. I am grateful to have been able to see this in draft form. For my taste, White makes the discourse too exclusively aristocratic; see here Dominique Barthélemy, *Chevaliers et miracles: La violence et le sacré dans la société féodale* (Paris, 2004), p. 14. Whatever may have been its origins and inspiration, it was widely shared, down to the village level, in thirteenth-century England (*Rancor and Reconciliation*, Chap. 8, esp. pp. 246-51). I should add that I feel no commitment to any strict Foucauldian sense of "discourse." A much broader alternative is offered, for example, by Emile Benveniste, *Problèmes de linguistique générale* (2 vols., Paris, 1966-74), vol. 1, p. 242: "toute énonciation supposant un locuteur et un auditeur, et chez le premier l'intention d'influencer l'autre en quelque manière."

¹³ Cf. J. M. Wallace-Hadrill, "The Bloodfeud of the Franks," in his *The Long-Haired Kings* (New York, 1962), p. 123: "feuds remain undefined by those who have to resort to it."

strong version of the case against **labelling** the phenomena under examination as feud. Finally, I will outline my ways of meeting the criticisms with an understanding of the way that medieval people just might have organized their acts of vengeance.¹⁴ I adduce mainly English evidence. The anecdote with which I began is just one of a whole number of **colourful** feud-like narratives that can be found in England well into the age of the Common Law. We are of course very dependent on the chance that contemporaries had some interest in making a record, and that this interest did not distort the sequence of events beyond recognition. This rules out any statistical approach. The events we have may thus be exceptional, some even “entirely made in hindsight.”¹⁵ Others must decide to what extent the argument is plausible for the different sources of Continental Europe. But England, given its reputation for precocious legal centralization and state apparatus, suffices as a worthwhile *prima facie* case.

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Feud is certainly a term whose over-abundant usage appears to make it an excellent candidate for a moratorium. Anyone who has ever read texts in translation and later

¹⁴ Guy Halsall seems to me to represent that strongest recent case. I am most grateful to him for letting me see the speaking draft from which he delivered his presentation to the Aarhus conference on “Feud, Vengeance, Politics, and History in Early Medieval Europe,” and sad that he felt unable to develop it for publication. His earlier “Violence and Society in the Early Medieval West: An Introductory Survey”, in Halsall (ed.), *Violence and Society in the Early Medieval West* (Woodbridge, 1998), pp. 1-45 had already moved me to an earlier and salutary **process of rethinking**.

¹⁵ As Halsall has said of the great Durham conflict, on which I have expressed a view of my own (*Rancor and Reconciliation*, pp. 76-7 and 277-79). But all feud may be said to be “made” by observers. What one man calls feud may always be described by others as mere violence or a breach of the peace or, later, simply as crime.

checked their readings against the original will have noticed how many quite different Latin and vernacular words and whole phrases end up rendered “feud.” Peter Sawyer long ago alerted scholars to the notion’s danger of imminent collapse.¹⁶ It is a concept in need of pruning, to say the least, and two kinds of dead wood can go without regret. First, it is unnecessary to envision feud as in some way intrinsically in opposition to law and the state. Both direct action (in the sense of private enterprise acts to avenge perceived wrongs) and the enmities thus pursued can patently coexist comfortably alongside law and state apparatus. This was as true in the early middle ages as in more recent “traditional” societies. Thus the well-documented existence of a court system and governmental institutions, along with their records, in, say, Carolingian Francia and later in Anglo-Saxon England, is not in itself reason to deny that feud operated there too.

Equally, we need not limit the operation of anything we may call “feud” to clans and kinship. Because blood was thicker than water, medieval Europeans privileged among their “friends” those whom they regarded as blood kin. They consequently represented support groups, both their own and their enemies’, as if they consisted primarily, even exclusively of kinsmen. Regino of Prüm’s endlessly quoted remark on “*vindicta parentum, quod faidam dicimus*” should not lead us to read this convenient fiction as if it were fact. In time of peril men naturally hurried to choose allies from the ranks of powerful but unrelated lords, vassals, and neighbours, and to refuse their support

¹⁶ Peter Sawyer, “The Bloodfeud in Fact and Fiction,” *Tradition og Historieskrivning*, Acta Jutlandica 63.2 (Aarhus, 1987), pp. 27-38.

to habitually troublemaking cousins, or even formally to expel them from their own kindred.¹⁷

No definition will do then that separates feud from law or conceptualizes it merely as a function of kinship. But what might? Definition arguments among historians are among the most arid and unproductive of all their disagreements.¹⁸ But one cannot analyze process without some delineation of what it is and where it starts and ends. In earlier work, I found it useful to offer two “working assumptions,” as I called them. Each springs from recorded observation of what people seem to have *done*, rather than what they might have *said* about their actions.

The simpler one presents confrontations between individuals *as ones* between political entities, which is what support groups really are, on a small scale. In effect, one treats personal relations as if it were international relations. This makes good prima facie sense. Feud support groups viewed without preconceptions emerge as small scale political entities, recruited and deployed as such. So, when I see men strive to resolve their disputes by means of a peace treaty, as it were, rather than submitting them to a winner-takes-all tribunal capable of meting out punishment on the loser, I scent feud. Oversimplified possibly, but useful in that it includes within a single frame both the process of prosecuting perceived wrongs by violence or its threat, and the option of

¹⁷ See William I. Miller, “Choosing the Avenger,” *Land History Review*, 1 (1983): 159-204, and my *Rancor and Reconciliation*, pp. 9-10.

¹⁸ “Remember that we sometimes demand definitions for the sake not of the content, but of their form. Our requirement is an architectural one: the definition is a kind of ornamental coping that supports nothing.” Ludwig Wittgenstein, *Philosophical Investigations*, ed. R. Rhees and G.E.M. Anscombe (New York, 1958), p. 217.

securing closure by peaceful means. This assumption goes far to collapse the debated distinction between feud and politics and demarcates a significant band **within** the spectrum of conflict resolution methods from the rest. It will not serve for all the questions that might be asked of violent conflicts, and can only serve as a “feud alert.” Our notion of feud must do better than that.

My second non-definition started life as an extended definition exercise of the steps by which feud began and was prosecuted. In the absence of written rules, I necessarily derived my data very largely from descriptive sources. From this, I sought to set down as precisely as I could the ways in which medieval people pursued serial vengeance. Though factual in outward appearance, each one of the steps in the series is charged with justification, morality of various kinds, emotion, and local politics. This was not, I was aware, what a definition ought to be like, but **I** could at the time find no better description.

I now see that what I was moving toward was the recording of a scenario of practice. Like any such practice, this must have coalesced around some core underlying notions, in this case a particular concept of wrong. In the age before the legal revolution that saw the birth of the English Common Law and its Continental cousins, Europe had what has been called an undifferentiated notion of wrong very different from the legally defined ones that followed.

Anglo-Norman litigants and court-holders around 1100 still conceptualized party-and-party conflict and dispute resolution, whether on a horizontal or vertical dimension, through a notion of wrong that for the most part lacked the familiar modern legal

distinction between crime and tort.¹⁹ Until the importation of this distinction from the Roman law of the schools c. 1166, they chose their procedures according to **their goals, amongst which might be blood vengeance itself, and the power and resources at their disposal**. There were until the generation following the adoption of the new conceptualization no observable “forms of action,” and few special requirements **for** the form in which complaints had to be made. Instead the same very general “undifferentiated” conception of wrong appears to underlie the whole discourse of dispute, including but by no means restricted to the way pleas were argued in duly constituted courts.²⁰

This notion, doubtless vernacular and oral in origin, seems virtually ubiquitous in case narratives and a variety of other sources of the period. It was *not at all* restricted to issues of physical violence, though all kinds of dispute contain the potential for violence if unresolved with emotions left unchecked. Men pleaded conflict of all sorts, from property claims to personal grudges to external wars and Crusades, very largely in terms of licit redress (vengeance, if you prefer) for the wrongs that the other side had

¹⁹ The modern approach defines wrongs to be prosecuted and punished publicly on behalf of the state as crimes, while private or civil wrongs for whose redress individuals sued, usually in search of money damages, are torts (*Rancor and Reconciliation*, pp. 220-24).

²⁰ I tried to explain my view in *Rancor and Reconciliation*, Chaps. 6-7. Some previous scholars, seeking to understand the early common law, have talked in related terms but about an undifferentiated **action** or **procedure**. This is not my contention. It is the understanding of wrong that is undifferentiated (i.e. lacking the later distinction) and not any single action or procedure. I see little or nothing before Henry II’s reign that deserves the name of action, itself a borrowing from Roman law. Admittedly, canonists and others did write about “crimen” and sometimes use this term in ways that reflect its meaning to Roman lawyers, but their work did not as yet, I argue, affect the general consciousness.

committed against them as individuals, and through them against the social groups of which they were members—the party of God or His son, or some local saint. None of this excludes what may be called Downwards Justice, where punishment, sometimes harshly afflictive, was imposed on those whose wrongs were deemed to have harmed a wider community.²¹ Kings, bishops and powerful lay lords were quite happy to mutilate and hang killers, thieves and other offenders within this conceptual framework of wrong, without feeling the need to talk about “crime” in the later sense of the word.

The introduction into medieval Europe from the law of Rome of that foundational distinction split a previously undifferentiated notion of wrong into two discrete concepts. Wrongs that kings chose or were persuaded to prosecute came to be labelled crime, and their punishment was justified in terms of a public interest. But individuals might also proceed against many of the same wrongs on their own account by civil suits, called in England “trespass” from a French word for wrong.

Associated with this development was an emerging claim that something like a full monopoly of violence, or at least its regulation, ought to reside in some kind of public authority, which in England meant the king or his delegated agents. But the transition from old to newer understandings of wrong was much more drawn out and contested than many of us realized. Aggrieved individuals continued to have options beyond the new remedies provided by the king. For many decades after the new terminology of crime and tort had become second nature to the law professors and their many former students now

²¹ I use this phrase when writing about early medieval Europe, to avoid anachronistic mention of “crime” or “criminal” before the introduction of the Roman law distinction between crime and tort, as in the following paragraph.

practicing as lawyers or officials, many lay people remained confident that they had the power, even the **legitimate** duty, to avenge wrongs done them by extra-curial means including violent self-help. If English experience is at all typical, the “moment” of change **lasted a long while**. The king’s principle was from the start that all convicted thieves, robbers, and murderers should suffer penalties of life and member, in a fashion that relatively few other than the poor and friendless had in the past. But all animals were not equal, or so thought those of rank. The embarrassment and difficulty when the king and the justices knew the individuals involved, as they patently did the FitzJohns, is very evident in a significant body of cases from the early years of the thirteenth century. The law books specified corporal or capital punishment for criminals, but the politically influential continued to prefer for their own kind peace settlements that would last.²²

Anyone who searches the abundant case records of the thirteenth century royal courts for possible instances of vengeance and feud with a reasonably open mind will come up with a fair number of palpable hits. Other non-legal sources confirm the general picture. Obviously the procedures by which men and women prosecuted enmities and sought their vengeance **in the thirteenth century through the good services of** royal justices were very different from those of earlier times. The Angevin law reforms and the legal revolution that furnished much of their inspiration transformed the atmosphere of thought in multifarious ways. Although many of the detailed insights remain to be

²² Compare *The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, ed. G.D.G. Hall (London & Edinburgh, 1965; repr. Oxford, 1993), Book 14 with the cases I discuss in *Rancor and Reconciliation*, pp. 191-96.

worked out, one can see a place for feud within the general picture along the following lines.²³

Feud as Practice²⁴

1. Feud starts as an effort to avenge an act perceived as a wrong, generally violent injury and often a killing.
2. It represents this wrong as the act of an enemy and signals a lasting enmity between those who inflicted it and the "victim."
3. The wrong that provokes and justifies feud is understood to affect a larger group around the original victim that was in part known and even recruited in advance of trouble. That group's solidarity, threatened by its inability to protect its own, may now seem to need reassertion.
4. Given a similar sense of the vicarious liability of the injuring party's associates, these were sometimes targeted for vengeance in the principal's stead.
5. The level of response is constrained by a notion of rough equivalence, requiring the keeping of a "score."
6. Emotions both fuel the response and help to determine its quantum and nature.
7. The response is open to public view and ritualized in ways that proclaim the acts to all as legitimate and honourable. This distinguishes it from the kind of secret killings and ambushes perpetrated by traitors and called by such names as murder and felony.
8. Action from the side of the "victim" nevertheless raises the high probability of a further tit-for-tat response from their enemies.
9. To dispel this and offer hopes of an end to the violence, something much more than the punishment of individual offenders is necessary, amounting to a veritable peace settlement between the wider groups involved.
10. This settlement, though widely recognized to be legitimate, is nevertheless understood in some, broad sense to be distinct from any act of public authority.

²³ The preceding paragraphs summarize a position I have argued in much more detail in *Rancor and Reconciliation*, Chaps. 5-8.

²⁴ My earlier version of this model was in *Rancor and Reconciliation*, pp. 8-9.

Let me emphasize that this is not intended even as a crypto-definition. I did initially envision it as a kind of check list, though I was aware that the more elaborate and specific such a list gets, the more closely it approximates to a formal definition. With the help of Pierre Bourdieu, I now see more clearly why I found definitions of feud so unhelpful. Definitions, as he puts it, falsely objectify the subjective. In matters of life and death, men do not proceed mechanically by following definitions, painting by numbers, as it were. They act subjectively, as seems natural to them, doing what *feels* right. So I present the above as a description of what people appear actually to have done at critical times in the pursuit of their vengeance for wrongs. It presents a rough account of the practice of medieval Englishmen and women in the taking of tit-for-tat vengeance. By formalizing to a degree what I think to have found in thirteenth-century England, I can offer a target for disagreement to specialists in other high medieval societies, whose vengeance paths and scenarios I believe to have been very likely described and argued in similar language, thus comparable yet culturally distinct.

Much more can be said about this non-prescriptive model of rather special vengeance **behaviour**. A few comments of my own may help to advance the discussion and possibly also meet some of the objections that can **doubtless** be raised **against** it. I drew attention in points # 3-4 above to the links between the principals (victim and offender) and the larger support groups whom they involved in their dispute, as have others in this volume. The eventual avenger was frequently quite distant from the original wrong that initiated the conflict. Feuds tend to ascend the social hierarchy. The victim and his closest kin often lacked the power and resources to act for themselves against any strong enemy. They therefore try to persuade a local lord or Big Man to take up their

grievance as his own. Similarly, closure must be sought by agreement with the opposition's power leadership, which might again be quite distant from the individual actually responsible for the injury. The "Big Man" who had sent the men out from his house on their mission of vengeance, habitually kept himself absent when the blow was struck.²⁵ Lords must usually have been brought into the dispute if only to ensure that they would ratify any peace proposals.

The "publicity angle" to feud now strikes me as more important than I used to realize. Everyone needs to know what enmities are alive on their patch, and whether these, being pursued in **honourable** and open fashion, are to be considered licit. This point needs emphasis. The invaders need to persuade local society that they were "only" acting from the need to avenge a preceding wrong done to their side. Their claim was that their action was required by the norms, and so constituted neither simple predation nor, more dangerous yet, mere motiveless violence. In a word, if we assume that a notion of feud was familiar to them and their peers, their task was to bring their actions within its scope and thus legitimate them. The penalty for failure here was communal condemnation, which, even if it did not cause the whole body of the previously uncommitted to ride against them, would breed sympathy for the opposition's counter-measures.

One very attractive function of house assaults like that in which John Cusin perished was the visual demonstration that one had restored one's **honour** by the

²⁵ *Rancor and Reconciliation*, pp. 213-14 and 248-49 presents some evidence on the lord's role, including sending a raiding party off from his house, and on the occasional contract killing. F. Liebermann, *Die Gesetze der Angelsachsen* (Halle: Max Niemeyer, 1906), vol. 2, p. 180 gives some relevant references to earlier law, s.vv. *ræd* (3), and *rædbana*. Armstrong above cites a telling description of an act committed "per iniquitatis suae fautores, quorum ipse auctor et caput existit" (n. 71, p. 00).

humiliation of one's foes. A very public invasion that annihilated the victim's most private and protected space made two important points. It established in the clearest possible manner the recovery of **honour** and social superiority. And it cleared the invaders of any suspicion of acting **dishonourably** themselves; they were neither secret murderers nor motiveless random killers.

The mention of publicity, of the need for **honourable** action to take on a "public" aspect, prompts one to ask to what degree feuding incorporated some version of the distinction between public and private spheres so familiar to the modern West in its various guises. Patently, feud decisions were never argued in the kinds of terms canvassed in the schools. Ideas of the "public interest" were hardly central to the standard discourse of dispute, organized around that undifferentiated notion of wrong already mentioned. By the twelfth century at the very latest, however, most people were aware that their kings, transformed by their coronations into a special, sacral kind of person, purportedly possessed a different authority to act against wrong than those over whom they ruled. Their advisers were coming to justify royal actions as acts of *publica potestas*. Their subjects (itself a fairly novel term at this time) certainly knew the difference between acts of force made licit by the giving of proper advance warning and the shameful, unadvertised violence of a *felun*. That is why avengers went to considerable ritual lengths to follow the "rules" and so proclaim their action legitimate. Ganelon's plea in the *Song of Roland* that he had acted in **rightful** prosecution of his private quarrel with Roland is only one of a whole number of fictional confirmations of this awareness.²⁶

²⁶ *Chanson de Roland*, ed. G. J. Brault (University Park, PA, 1984), ll. 3757-60 and 3827-30, also ll. 289-91 which contain the original and very public declaration of enmity.

Feuding was not, therefore, incompatible with a sense of the privileging of acts performed in the public interest over selfish and private ones. In order for us to strike the right balance here, we shall need to reread the sources more carefully than I have done so far.

What degree of the injury justified a violent response? How serious did a wrong have to be to justify the taking (or the threat) of vengeance against an enemy's life? Everyone agrees that the culpable killing without excuse of one's close relative or associate met the required standard. But a variety of lesser but still serious acts also sufficed to trip the wire. Fictional narratives that raise issues of rights as well as wrongs, and especially accounts of happenings that left one side with a sense of having been shamed in some way, suggest the kinds of *offence* serious enough to justify vengeance on life and limb. It would be relatively easy and very worthwhile to compile such a list, which would certainly comprehend serious assaults, especially rapes and arsons. A neglected source for comparison is the many regional lists of *offences* deemed serious enough to be reserved for the attention of public justice in the shape of the Carolingian count and his successors. These so-called *vicaria* surely lie behind the lists of serious and so indictable *offences* introduced into English legal practice from 1166 onwards as felonies.²⁷ They too show us from an unusual angle the kinds of *offence* most hated and feared by influential opinion over the period from the ninth to thirteenth centuries. The lists, differing in length and content from one Frankish county or region to the next, are

²⁷ I set out what I knew of the development of haute justice in my "The Common Law and the French Connection", in R. Allen Brown (ed.), *Proceedings of the Battle Conference on Anglo-Norman Studies*, 4 (1982): pp. 84-5.

good indicators of an early medieval ranking order of serious wrongs that passed formally unchanged into the high middle ages. This comparison of fictional with prescriptive sources suggests that private vengeance and royal justice drew upon a common cultural understanding of violence on a sliding scale.

* * *

In what I have written to this point, I have permitted myself to lapse frequently into feud language, thus apparently begging the very question I set out to answer. Let me now try and revisit the main question, armed with the kind of data briefly rehearsed above, and see if the notion of feud can be placed on some more scientific and defensible basis.

I have **endeavoured** to construct here from the various kinds of available evidence **behavioural** patterns followed in certain circumstances by some people in England between, say, the eleventh and thirteenth centuries, in order to avenge perceived wrongs done to the shame of themselves and their friends. The resulting loosely delineated notion of feud helps make sense of some of the more significant patterns of competitive **behaviour** in medieval Europe. The nub of the argument is the utility of a single, crucial idea. Vengeance is always conceived in responsive, reactive terms; the avenger always claims **that the other side had** started the conflict, and committed the previous wrong. Similarly, so much direct action, violent and otherwise, is excused in retrospect (but also, one imagines, planned beforehand) as a response to some past wrong. In each case, the challenge for the principals on both sides of the dispute, and **especially** for their **counselling** friends, is how to minimize the overall cost of a satisfactory resolution of the issues in such a way as to restore with maximum speed the working equilibrium necessary for the world to get on with its life. Just how they **might reach** these decisions I

leave to the final, speculative section of this paper. But it should already be evident that the convenience of some notion of feud **resembling the action model presented above**, despite or maybe because of **its definitional** looseness, is that it **gathers within** a single scenario a whole narrative of strike, counter-strike, and effort at resolution. It offered contemporaries a **kind of** modular procedure, within which the decision to act or not was directed by answers to custom-set questions **and allowed the actors to leave at any time they chose**. The fact that it also enables us historians to situate within a posited continuous and dynamic narrative the few scrappy episodes or fragmentary narratives preserved by our sources hints at the conceptual advantages for participants.

Some Objections to this Approach

In our age of science, technology, and high theory, this may not be enough to persuade. I therefore turn finally to consider a strong critique of conclusions like the ones I am advancing here. I test my position against arguments that Guy Halsall has rehearsed and developed in recent years from a close and intelligent reading of mostly early medieval evidence. Halsall finds it “odd” that most feud definitions are so “vague.”²⁸ He identifies “true” feud as a long-term phenomenon, a form of exchange based on select past acts that legitimate current violent responses. Blood is taken for blood; compensation is acceptable only at a time when the other side cannot pay its blood debt.²⁹ This alone qualifies as “real” feud. The contemporary feud words on which I place considerable weight, he dismisses from relevance as referring to a “one-way relationship,” seeking either to

²⁸ Halsall, “Violence and Society,” pp. 19-29, here 19, **see** also his “conference draft”, pp. 2-3. Unless otherwise noted below, the quotations come from Halsall’s unpublished conference draft.

²⁹ Halsall, “Violence and Society,” pp. 20, 21.

avenge or punish a past affront (invariably homicide) in such a way as to minimize the fear of retribution, or to exact compensation for it. These words were not used to denote “a lasting and reciprocal relationship of violence” and seldom a “lasting vendetta.” What I here call “feud,” picking up the term’s Germanic precursors, he distinguishes as “customary vengeance,” contending that Old English *fæhðe* and the rest, though they may also lurk behind such Latin locutions as *inimicitia*, actually mean “legal vengeance, usually as a right or threat.”³⁰ He is especially keen to distinguish feud from politics including the “violent competition for resources between the powerful groups or families,” a point he illustrates with an excellently nuanced account of the political context and character of the multi-generational conflict in eleventh-century Durham between the families of Earl Uhtred and Thurbrand.³¹

I accept many of Halsall’s analytical points. Like Sawyer before him, he **has richly earned** our respect and gratitude for reminding us of the distorting conceptual baggage we carry into feud. So much of the literature is beset by assumptions, often incompletely argued out, though impossible to confirm from the sources. His call for clarity of thought is well made. The important distinction between single acts of vengeance and a continuing state of enmity had a contemporary importance, for example, that I at one stage tried to indicate with my own terminological coinage.³² If the issue

³⁰ Halsall, “Violence and Society,” pp. 22-3, 25.

³¹ This is the case I call “Earl Uhtred’s Feud” in *Rancor and Reconciliation*, pp. 277-79. Whether one regards this as a series of linked conflicts or a single story depends partly on taste, quite largely also on the questions one wishes to pose. Robert C. Palmer presents a thirteenth-century mega-suit that might be said to present a comparable dilemma in *The Whilton Dispute, 1264-1380* (Princeton, 1984).

³² Hyams, “Feud in Medieval England”, *Journal of the Haskins Society*, 3 (1992 for 1991): pp. 6-7.

were no more than one-off acts of vengeance, the difference of opinion would be minimal. Iteration and reciprocity, within a chain of acts and reactions, **forms** the nub of the question here. There is no need to posit a romantic vision of cycles of unending violence. Yet I should not wish to talk of feuding relationships or discourse in the absence of a degree of reciprocity. I shall need to persuade readers that what I call feuds worked through continuing relationships between individuals, and (usually) also certain larger groups to which they belonged.

It is noteworthy that Halsall's analytical distinction between feud and customary vengeance, though useful in its sphere, is not to be found in contemporary sources. He notes the absence of any "clear term" for his feud, which does not, of course, necessarily diminish its ability to illuminate medieval ways of thought on conflict and violence. Much turns on the way one reads the primary sources, and more especially their silences. The attempt to reconstruct lost movies from the few "stills" that have come down to us will always require scholars to contest with each other the **conceptual equipment with** which we **try to tackle the task**. I might justify **my own suggested premises** by the need of the majority of the population in the middle ages (as today) to get on with their lives in a very imperfect world without totally sacrificing their sense of decency and self-esteem. To register and account for the various manifestations of this need, the historian must, as Halsall agrees, focus on the relationships that are to endure. **I differ from him** only on how best to achieve this ~~most meaningfully~~. I seek primarily to understand as best I can management of conflict in the medium to long term. In consequence I seek to bring together within a single framework the acts of violence and their motivations with the means by which adversaries and the wider society tried to contain these and limit the

damage. In my view, this makes for a movie with not merely a more cheering, optimistic denouement, but also a richer message.

Much turns on the interpretation of the small group of terms by which contemporaries seem to have indicated vengeance—I would say feud-like—**behaviour** patterns. These include most obviously the slew of cognate words from the Germanic languages of the early middle ages that lie behind our modern English word “feud.” Old French *faide*, Latin *faida*, and their Germanic counterparts like Old English *faehðe* and Middle High German *vehde*, were all used ostentatiously to describe dispute situations. Other terms that seem to occupy similar semantic space include Latin *inimicitia(e)* and vernacular equivalents, and another Germanic term that became thoroughly incorporated into Romance languages, *werra* (and the Old French *guere* derived from it).

It is **risky** to draw simple conclusions from so mixed a bag. A vocabulary shared throughout Western Christendom could indicate a common understanding of the situations to which it was applied across otherwise firm linguistic boundaries. One can surely claim that the vocabulary is common to a wide area, comprising most of Western Christendom. Pending a proper linguistic study, for which I am signally unqualified, I restrict myself to rehearsing a few points on matters directly relevant to the argument.

Enmity was a familiar notion in the middle ages. It came in various shapes and sizes. It received various restrictive labels; enmity could be mortal, public, or (as variously expressed) ancient and long lasting.³³ *Inimicitia* thus denotes a superset of situations that takes in feud, as experienced and defined by modern observers, but also

³³ That hatreds are so often labeled ancient indicates a noteworthy community awareness of potentially life-threatening situations in their own midst (see *Rancor and Reconciliation*, p. 247, n. 18).

much else.³⁴ Roman law rules concerning one form, *inimicitia mortalis*, make it look very much a candidate to denote this feud. But mortal foes and mortal enmities also appear all over the vernacular entertainment literatures.

Enmity does not immediately entail action. Old French *guere*, in contrast, registers violence imminent or already begun. Stephen White's analysis of its usage in certain *chansons de geste* of the twelfth and early thirteenth centuries usefully begins by noting that every such act assumes wrongs to justify the action and stories by which each side justifies its own position.³⁵ The semantic field covered by *guere* is not quite as clear as a philologist might wish. It seems to cover conflicts not covered by Latin *bellum*, which essentially denotes the kinds of war started by a recognized authority like king or pope that can be justified along the lines of just war theories.³⁶ In the twelfth-century schools, and the courts they influenced, these were beginning to be conceptualized as public wars. In consequence, the modern Continental secondary literature describes as private war most situations where Anglophone scholars habitually talk of feud. It follows

³⁴ One good way to study its parameters would be to review glosses on the word's occurrence in the Bible, at locations like Gen. 3.15 and 26.21; Num. 35.23; Ezek. 26.15; Gal. 4.20; Sirach. 6.17; I Macc. 7.26, 10.51; 11.12 and 13.6; II Macc. 3.3. I shall use as my own guide Pamela Barmash, *Homicide in the Biblical World* (Cambridge, 2005), Chap. 2.

³⁵ Stephen D. White, "Imaginaire faidal".

³⁶ F.H. Russell, *The Just War in the Middle Ages* (Cambridge, 1975), Chap. 1. G.A. Raymond, "Military Necessity and the War Against Global Terrorism," offers a brief summary of the distinction between *bellum* and *guerra* in H.M. Hensel (ed.), *The Law of Armed Conflict: Constraints on the Contemporary Use of Military Force* (Aldershot, 2005), pp. 11-12).

that any comprehensive account of feud in the high middle ages will have to take full account of their analyses too.

Two other Latin words must also come under scrutiny, *ultio* and *vindicta*.³⁷ Notably, each of them raises questions of interpretation, because they can each refer to either vengeance or punishment, and they sometimes seem to be innocent of any distinction between the two. *Vindicta* is especially interesting for its vernacular consequences. Its Old French cognates, verb and noun, appear from the very earliest texts, and its Italian form, *vendetta*, emerged as the description of choice for the kind of conflict patterns under examination here.³⁸ To assume that the different meanings that happen to accrue to any particular word imply some semantic or cultural association between them is an elementary linguistic error. Yet the way that both these words are capable of denoting such (to us) different responses to publicly identified wrongs remains striking. It does not seem much of a stretch to posit a semantic development by which the notion that a wrong to me and mine deserves vengeance is extended into a vindictive view that it should receive afflictive punishment in the interests of all. Whether this development is plausible must be left to specialist linguists.

³⁷ See further now below, chap. 8, 00-0 [14-7, at ns. 55-67].

³⁸ One main Romance derivative of *vindicta* is our word “vengeance.” See *Dictionnaire de l’ancien français*, ed. J. A. Greimas (2nd ed., Paris, 2004), p. 613; Tobler-Lommatzsch, *Altfranzösisches Wörterbuch* (Stuttgart, 1989), Fasc. 88, pp. 160-61, 177-77; and *Glossario degli Antichi Volgari Italiani*, ed. G. Colussi (20 vols. to date, Helsinki, 1982-2006), Vol. 19, pp. 422-29. It was the *vindicta* root that spread into Romance languages, and not *ultio*—see W. Meyer-Lübke, *Romanische Etymologisches Wörterbuch* (2 vols., Heidelberg, 1911-20) and *Altfranzösisches Wörterbuch*, ed. Adolf Tobler and Ernest Lommatzsch (Berlin, 1925-95).

A definitive cross-cultural linguistic study of medieval vengeance words is both desirable and likely to be quite productive for historians. I should expect such an inquiry to conclude that men and women all over the medieval West did, indeed, share^d a broad understanding of the kinds of new and continuing hostilities that must be controlled for the safety of all, and around which local life must manoeuvre and organize itself, if reasonable order is to survive. It might also reveal that the distinction between vengeance and punishment was not much appreciated outside very learned circles until the advent of Roman law into the law schools gradually propelled it into a general acceptance. If these predictions are confirmed the second conclusion might prove as significant as the first.

In the meantime, we can still ask where all this leaves the case for using the notion of feud as an analytical tool in high medieval Europe after, say, 1100. I will once more work mainly from English evidence and partly by reference to Guy Halsall. Halsall contends that the F-words from which our modern terms for feud—*faide*, *vehde* and the like—are derived, denoted in the middle ages not what he calls feud but his “customary vengeance.” He makes a number of constructive points about the actions these words actually covered, but the crux is that he believes that all of them denote “a one-way relationship” lacking reciprocity. The goal is vengeance without any danger of a come-back, something quite distinct in his view from the tit-for-tat patterns of genuine feud.

He is certainly right that many vengeance killings do not in fact trigger off a response. One might point in illustration to the relation of Beowulf and Unferth in the Old English poem.³⁹ But the real question is this. Can one find in the Middle Ages at any

³⁹ *Beowulf and the Fight at Finsburgh*, ed. F. Klaeber (3rd ed., Boston, 1950), ll. 587-89.

stage a strategic procedure distinct from the reciprocity of “real” feud in which no response was *expected* or even perhaps, in some sense, permitted? This seems most improbable for more than one reason.

Remember first that there is no ~~evidence-of-a~~ way to separate the two procedures from each other verbally. I cannot see that our “F-words” will fill the need. Like *inimicitia* and some of the other words discussed above, it seems possible to use them for both kinds of conflict, the ones stemming from strategic acts of vengeance that generate no counter-action and the other kind that occur within a tit-for-tat series. Indeed, as Halsall **understands**, words like *fēhðe* often take on a quite general meaning of conflict with no evident limitation to any particular kinds of situation. I shall suggest that this may in fact be their defining purpose. I strongly suspect that they are empty set terms, or something very close, which rely for their precise effect on the context and the way the protagonists understand their situation. But this is a non-specialist guess. We need a proper study of usage, carried out by a competent linguist conversant with the historian’s **extensive** feud literature, including both Halsall’s work and mine.

There certainly does appear to be an important difference between a cycle of violence and a one-off act of vengeance. One can imagine public opinion in a particularly egregious instance of wrong lining up squarely behind the one-off act, yet in mortal fear **that** cycle with all its threats to the rest of the community **will continue**. But what are these cases where a one-off vengeance is approved by all where a further comeback would not be? I do not find this question easy to answer. The most likely such case is one where there has simply been no previous relationship between the parties. If a complete stranger attacks someone in the street, or rapes one’s wife or daughter before one’s eyes,

many people today would permit his companion or her husband or father to kill with little compunction. We would probably not even call this vengeance taking; we would more likely talk of self-defence, which is how those who composed thirteenth century legal records wrote these matters up.⁴⁰ If the wrongdoer was a kinless and lordless man, there would be no support group to target his killer anyway. If the wrong consisted of a killing in wartime, again a case without previous relationships to consider, we and they would describe any personal comeback in terms of something like Just War theory, not as feud.⁴¹ All these cases appear exceptional. The norm for vengeance within established social relations, often said to be the standard case~~s~~ for murders today, looks to be an act where further comeback is possible, a possibility that peacemakers and others can never afford to ignore. In practice then acts of one-off vengeance without the likelihood of more must have been very rare indeed.

This may explain the lack of a contemporary model for them. Halsall recognizes the difficulty of positing a distinction that cannot be confirmed from contemporary terminology. He raises the possibility that even contemporaries might identify a one-off act of customary vengeance *after* a successful peace settlement had been made. This comes close to collapsing the two cases posited. The response to vengeance can never be automatic. Even in the clearest case of a feud model, the party last hit has options. He—such decisions generally fall on the men—may try and perhaps fail to take a life for a life;

⁴⁰ N.M. Hurnard, *The King's Pardon for Homicide Before A.D. 1307* (Clarendon Press: Oxford, 1969), chap. 3.

⁴¹ But this case helps one understand why medieval chroniclers and fiction writers *do* in fact frequently use feud-like language to describe what we would certainly call warfare. A study of the semantic development of *guerra/guere* could be most instructive here.

he may choose a cowardly way out; or – perhaps the normal case -- he may seek a settlement. No law or documented custom of which I am aware absolutely rules out any of these or their variants. The closest case is to try and rule out all vengeance for the execution of wrongdoers, as is found in some early medieval laws.⁴² Naturally, people will always take different views on the justice of executions, and in a vengeance culture, men will try and avenge even the most just of killings, a tendency that is very hard to restrain. It thus makes little sense to me that a community which accepts the principle of licit blood vengeance could easily exclude all possibility of a likely violent response from a kindred (or equivalent) newly a life in arrears. In the eleventh century, one can see evidence for a sentiment that even accidental deaths or the execution of a hand-having thief caught in the act demanded some compensation, to avoid the danger that blood would be taken for blood.⁴³ No law that permits blood vengeance could outlaw a violent response to past vengeance. That some looser unwritten custom would permit such a rule is less plausible still.

The distinction between one-off and recurring efforts at vengeance, intellectually so attractive, begins to look like a distinction without a difference. But here Halsall's insight, that the classification of disputes tends to be made with hindsight, makes good sense. The truth surely is that nobody in a feuding culture can ever predict with certainty

⁴² The Old English laws of Wihfred, 25; II Athelstan, 6.2-3; VI Athelstan, 1.5 (Liebermann, *Gesetze*, i. 14, 154, 174) banned the seeking of vengeance for a thief duly caught and killed in the act; a prudent executioner would ritually proclaim this invulnerability to all (Ine 16, 21, 35 (Liebermann, *Gesetze*, i. 96, 98, 104)).

⁴³ In addition to the last note, see *The Vita Wulfstani of William of Malmesbury*, ed. R. R. Darlington (London, 1928), vol. 2, pp. 15-6.

how the “victims” will respond to an act of vengeance. The newly aggrieved may at once seek further vengeance of their own. More likely, they will agree to “lump it”, take their punishment, nurse their injuries and do nothing more; perhaps the **neighbourhood** would have to beware of an ancient enmity thereafter. Or they might make it known that they would respond **favourably** now to peace overtures. There is really no way to be sure which, or what combination, of these, to expect. Nor can one set a time limit on this uncertainty. The attention paid in the sources and secondary literature to the timing of revenge and to the duration of enmities implies just such an uncertainty. The last avenger in any series (even a series of one) can never be sure if he is home free. Often he will walk in fear.⁴⁴ The only way to remove this fear is to kill off all the opposition, to practice small-scale genocide and not necessarily that small in scale either. It has to be significant that just this intent is sometimes attributed to the villains of medieval romance. The killer of the father is made to try and wipe out the whole family so that he never need fear vengeance.⁴⁵ Though he naturally never to my knowledge succeeds, the theme is a neat illustration of the way that real life fears are sometimes played out in literary fiction. In real life, the best the fearful killer can do is to consult his friends, take their counsel, and perhaps set in motion negotiations toward a peace offering and settlement.⁴⁶ Meanwhile, his enemies may well be taking their own counsel too. They must decide whether to swallow the insult or prolong the killing and the enmity. The very

⁴⁴ A marvelous fictional depiction of this fear is to be found in Ismail Kadare, *Broken April* (New York, 1990). But Kadare is depicting a system in which further vengeance is known to be required. How realistic this is or was in his Albania I cannot say.

⁴⁵ I give a couple of examples in *Rancor and Reconciliation*, p. 64, n. 152.

⁴⁶ See “settlements, peace” in the index of *Rancor and Reconciliation*.

fact that we have to posit these possibly agonized faction debates supports the overall notion of a feud-like culture, for it will be in the impassioned course of these debates that **feud norms** are rehearsed, modified and taught to the inexperienced, a point I shall develop in a moment.

For the moment it is enough to conclude that the process or possibility of serial vengeance, which I want to term feud, is a rather more contingent than **it is often** portrayed. It is not just that later narrators make feud from what has already occurred. The actors themselves must improvise their responses in a world not without rules but certainly lacking anything of a set script or mechanical form to the waging of dispute and the treatment of wrong. This can serve as a cue to pose at last the question of how medieval actors may have exercised their agency in such situations.

* * *

I begin from the premises that the urge to avenge wrongs was well nigh universal, and irresistible to all save the very saintly,⁴⁷ and that all vengeance carried the potential for further violence through a tit-for-tat response. If these premises hold, intelligent people will take them into account when faced by what they perceived as wrongs. And their practice, the practice of the respected and successful taken as *good* practice, will influence those around them. This is what I **was out** to formalize ~~in a loose way~~ through my multi-stage model of feud as practice above.

In principle, this kind of decision can be made by following binding and systematic rules of the kind that lawyers specify to effect, say, a valid will. This is patently not part of feud practice as it has been observed, and it would be surprising if it

⁴⁷ It is not clear we should except the saintly. My friend, Carol Kaske, directed me to Ps., cxxxviii. 21-2, and to Augustine's thoughts on this in his *Enarrationes in Psalmos* (MPL 37, col. 1801), with very selective quotations in the Glossa Ordinaria of the Vulgate Bible.

were, given the life and death stakes. Equally obvious, such matters cannot be entirely ungoverned in any society that hopes to avoid the descent into chaos. This is a point that holds for non-human societies too and from which originates the theories of the peace in the feud.⁴⁸ The most helpful way I have yet found to pin down the actual rule-driven but very non-mechanical processes by which people came to their decisions about vengeance is through the notion that Pierre Bourdieu has called the *habitus*.⁴⁹

Habitus offers a route through which to deal with the agency of individuals living in groups. The goal is to get inside the decision-making of other humans and try to understand why some options *feel* more right to them than others. We seek to deduce from people's past practice the source of their individual decisions. The idea is that individual men and women form from their experiences sets of dispositions about the world and their place in it alongside others. They use these dispositions to shape their responses to new experiences, which in turn constantly reshape the dispositions themselves. Early experiences carry particular weight and go far to fix an individual's direction on important matters for good.

This posits a system with so much feedback that it almost seems unnecessary to look for conscious decision-making at all. The *habitus* itself limits the number of possible choices, in part by excluding some as simply unthinkable. Individuals almost literally embody the *habitus*. That is, we internalize the more significant norms by which we live

⁴⁸ *Rancor and Reconciliation*, pp. 14-16, 87-92.

⁴⁹ Pierre Bourdieu, *The Logic of Practice*, tr. Richard Nice (Stanford, 1990), esp. Chap. 3. I am well aware that this work, originally published in 1980, has provoked some often heated debate. I have no interest in exegesis of the details of Bourdieu's theory or others' objections. These would be out of place in a **limited** chapter anyway. **So** I use his work as a convenient metaphor through which to express my own position.

to the point where they become second nature and apparently spontaneous, or at least such that we can think of them as beyond argument, and speak of them as “reasonable” and common sense.⁵⁰ In this way we do in fact tend to make many decisions without calculation or conscious reference to norms at all.⁵¹

There is nevertheless considerable room in the schema for necessary strategic calculation. There has to be. Though some responses look automatic, especially with hindsight, there can be nothing pre-ordained about the really big decisions concerning matters like vengeance, life, and death. The most the *habitus* can do in advance preparation is to set out general parameters. Each fresh situation demands decisions of its own. Even for the old chestnuts, the *habitus* will offer a range of possibilities from which the individual must choose, and in doing so slightly restructure his or her own *habitus* itself. Striving to reach a position that feels right, people individuate their own mix through a process of what the French call *bricolage*.⁵² This looks to the individual. But whole groups share *habitus*, or rather its members’ related but different versions of *habitus* overlap in a substantial way. This because they are inherently likely to have passed through comparable sets of experience, processed these through similar dispositions, and gone on to further multiple feedback between individual experiences and dispositions and those of their neighbours.

⁵⁰ Bourdieu nicely describes this as “like a train laying its own rails” (p. 57).

⁵¹ Malcolm Gladwell, *Blink: The Power of Thinking Without Thinking* (New York, 2005) both illustrates a wide variety of this type of swift and unpremeditated decision and also marshals some quite persuasive evidence that this is the optimal way to make them.

⁵² Bricolage is a central conceit of Claude Levi-Strauss, *The Savage Mind* (Chicago, 1966).

I find that this schema offers me a framework within which to understand how the feud findings above just may have worked in real life. The men and women of the middle ages were arguably considerably more forthright in voicing their thoughts and feelings about hatred and violence than I was brought up to be in the mid-twentieth century. Direct action was common enough that violence was always recognized to be among the known options in reaction to serious wrongs. The limits within which this was thought licit were openly debated and, to that extent, agreed. There were, of course, no hard and fast rules, certainly no set script, but people knew their norms all the same.⁵³ Our best chance to seize these is to research them in the usual kind of way we seek to block in the rest of the secular culture of the time.⁵⁴ Past experiences of contemporaries in their dealings with friends and enemies combine with a general awareness of proper behaviour as judged by one's peers to evoke on the appropriate occasion an avenging response over

⁵³ Scripts are written by an author different from the actors. They are generally supposed to stick to the allotted words. In a violent dispute, this is too much like painting by numbers. But real life is much freer. The closest medieval analogy might be the liturgical rituals for which we possess what appear to be properly drafted scripts. But my sense is that any able celebrant used them as prompts and improvised from them someone playing jazz than an orchestral musician. But even this is too tight. There is no script-text. We just "know" roughly what we ought to be doing, eg that a wrong *ought* to receive an avenging counter-stroke. I have avoided here even my favored alternative of "scenario" under pressure from my co-editor, who herself talks sensibly about "established patterns of thought" (Throop, p. 00 below).

⁵⁴ I look especially to the late Georges Duby and the lines of inquiry he initiated in "The Diffusion of Cultural Patterns in Feudal Society", *Past and Present*, 39 (1968), pp. 3-10. In *Rancor and Reconciliation*, Chap. 2, I was semi-consciously seeking to reconstruct a relevant portion of the *habitus*.

and against the *Patientia* which churchmen generally sought to promote, and pursue it through some or all of the known steps of an enmity.⁵⁵

The young **will** have **imbibed** these norms more or less effectively as they grew up. They could hardly avoid hearing in the home the complaints of their elders concerning insults and wrongs of all sorts, they watched what eventually ensued, and listened to instructive tales of past satisfaction and resentment. In special cases, their elders (often women who could not easily perform the act themselves) pressed upon them concrete tokens of what was required, the bloody shirt or broken sword preserved precisely in order to goad them if necessary into avenging action. It is not necessary to believe that they all witnessed the spectacular episodes of the “classic” feud anecdote, which were probably rare enough. One can acquire the ethos and dynamic of vengeance quite well from much more mundane squabbles and the manner in which people waged and retold them. Children could rehearse and practice the principles perfectly well in schoolroom and schoolyard, or as childhood preparation for life through mock hunts or battles and in play of all sorts.⁵⁶ In such locations, they experienced in their own persons

⁵⁵ I give some account of *patientia*, and its more secular counterpart *debonereté*, in my “What did Henry III of England think in Bed and in French about Kingship and Anger?”, in B. Rosenwein (ed.), *Anger's Past: The Social Uses of an Emotion in the Middle Ages* (Ithaca NY, 1998).

⁵⁶ I witnessed something very like this in a Palestinian village in the summer of 2007. An enmity smoldering between two half brothers burst out **into** violence. The wife of one was so angry she declared that she would bring in her brothers from their nearby homes, thus broadening the dispute. When the teenage full brother of the second brother heard this, he at once threatened to call his own brothers in from their work in the city. All of this, **especially with the teenager** was apparently spontaneous and without cogitation. **Eventually, the actors found ways to restore relations**, for the time being. I do not claim this unfortunate episode **even as a pre-feud**, but it certainly taught me something of how feuds might work.

and on their own bodies the power of pecking orders, the shame and loss of face in social failure, the joy of victory in “getting their own back,” the need to concede when the opposition was too strong or opinion too heavily against them, putting them “in the wrong.”

Experiences naturally differed according to where one grew up and lived, at what level of society, and so forth. But further research will show, I believe, that the general lines of a feud ethos were kept reasonably consistent within a wider shared culture in the same way that other **behaviour** patterns and tastes were, by what people did and how they viewed and discussed this. That discourse of dispute mentioned earlier was the means through which people treated their conflicts and the issues these raised for them. It did much more than mere description. It constructed the events themselves. In an important sense, this is where feud was born.

This reaches beyond practice. The acts of vengeance and restraint, what men and women did, acquired meaning from the language with which people expressed them. A return to matters of language and vocabulary is therefore unavoidable, to justify the use of the “feud” words which still seem to me **to** meet our analytical needs. I strongly suspect that the actual oral usage of the Germanic “F-words,” Old English *fēhðe* and the rest, could it be recovered, would turn out to fit the case for feud as a known pattern of tit-for-tat vengeance much as in the practice model above. This is once again no simple matter of dictionary definitions. Our only evidence comes from written documents, which are far too distant from the oral locutions in which people conversed, debated and comforted each other. My untutored guess is that these “F-words” were quite elastic in their connotations. It is easy to document a non-specific, broad sense of dispute or

conflict with many examples.⁵⁷ Only by linking a written text to observed events of tit-for-tat serial vengeance could one **prove** the more specific sense that I suspect. But texts highly suggestive of this do exist. Perhaps the strongest example comes from the Old English laws. Edmund's second code (c. 943-46) is as clear an indication of an accepted vengeance procedure of the type under consideration coming under royal regulation.⁵⁸ Its first chapter labels as *fæhðe* a process that seems undeniably close to the feud practice outlined above; the regulatory purpose of the law seems to me to make best sense on this reading. Anyone who kills a man, it declares, is to bear the feud, unless within the prescribed period of a year his friends make a settlement providing for the payment of the proper wergeld. *Gif hwa heonanforð ænigne man ofslea, ðæt he wege sylf ða fæhðe.*⁵⁹ When a carefully drafted text like this one talks of people bearing a "feud" with legally enforceable consequences for themselves and their supporters, the term has to mean something more precise than generalized dispute or conflict. The twelfth-century *Leges Henrici Primi* took this over as it stood, and likewise has the killer bearing the feud.⁶⁰

⁵⁷ Illustrations s.v. *fæhðe* etc. in the Old English Dictionary Corpus are available **at** <http://www.doe.utoronto.ca/>.

⁵⁸ I have argued this in *Rancor and Reconciliation*, pp. 82-4.

⁵⁹ Liebermann, *Die Gesetze der Angelsachsen*, vol. 1, pp. 186-87 (I Em, 1). The word *fæhðe* is in fact quite rare in the laws, and the closely associated text **Wer** does not use it at all (Liebermann, *Die Gesetze der Angelsachsen*, vol. 1, pp. 392-95).

⁶⁰ *Leges Henrici Primi*, ed. L. J. Downer (Oxford, 1972), 88, 12-12d. See in particular p. 88, 12a which says "ipse sibi portet homicidii faidiam," using a French form that 88, 13 shows to come from the *Lex Salica*. For the post-Conquest development of the term "feud," see E.J. Dobson, "The Word Feud," *Review of English Studies*, 7 (1956): pp. 52-4 and the *Middle English Dictionary* (<http://ets.umdl.umich.edu/m/med/>) s.v. "fēd(e)".

Comment [PRH1]: Editor: The LHP references are not to Downer's pages, but to the conventional numberings of the text, as in Liebermann etc. Please just to leave it as I now have it?

Twelfth century translators and adapters apparently saw no incongruity in killers bearing the feud in this more specific sense.⁶¹ This single example demonstrates that *fæhðe* (and other F-words) are capable of carrying the narrower sense required for the hypothesis as well as the more easily documented general one. Interpretation of all these texts is inevitably tainted with circularity, and the best that one can say is that other ones remain congruous with the feud-as-practice reading for which I am arguing.⁶²

Much in oral converse turns on context. We learn to read between the lines and to learn from facial expression and body language when to deduce rules for action, approved and proscribed, from more general terms. I think it very possible that the “F-words” functioned in that manner. We possess a persuasive body of information from many different medieval communities and a variety of social milieus for an almost corporeal belief in the justice of seeking in person redress or vengeance for wrongs suffered in person*. It is up to the linguists to determine whether it is plausible to see our “F-words” used for this purpose, or to find an alternative linguistic route to make their use accord with the perceived patterns of vengeance in the middle ages.

* * *

The very inclusive approach argued for here has the merit of encouraging the incorporation of vengeance and its accompanying violence into our assessment of the

⁶¹ *Leges Henrici Primi*, p. 88, 12a. The contemporary Quadripartitus translation of II Em 1 is “inimicitie factionem,” and *fæhðe* is also translated by “factio” elsewhere (Liebermann, *Die Gesetze der Angelsachsen*, vol. 1, pp. 122-23 (Ine 74. 2), 187, 189 (II Em 7)).

⁶² Some of the Old Testament renderings are very suggestive, though they tend to refer to intra-kin or divine vengeance. Take, for example, the accounts of Cain and Abel and the confrontation of Abraham and Lot in “Genesis A” (<http://www.georgetown.edu/labyrinth/library/oe/texts/a1.1.html>), ll. 1023-35, 2037-73.

political culture of the societies under study. It has been said that all politics is local, a point perhaps more apt for our middle ages than in today's globalized world. I see feuds as a means by which men and women considered their local political options within a spectrum of possible choices aimed at a number of possible goals. Gadi Algazi has reminded us that feuds were "multi-layered practices with multiple uses and unexpected hidden edges."⁶³ No single approach will capture everything that is important about them.

White has recently categorized the literature on these directions under three heads. First, feud can be identified with the emotions that animated it, primarily but not exclusively **honour** and shame. It may then be analyzed in terms of its "my turn/your turn" rhythm and the exchange metaphors used to imagine it. A second approach stresses the legal dimension. The avengers contend that their direct action is made licit by the wrongs that have preceded it. Their adversaries may debate and seek to refute this position. Thus talk plays a highly significant role in the proceedings. And thirdly, there is the political dimension. Approaching disputes from this direction emphasizes the instrumentality of the actors' goals, the quest for wealth, power, and status. As White shows, one can easily find passages in chansons de geste—and, one may add, many other kinds of text too—to describe *gueres* and feuds in each of these ways.⁶⁴ I believe we can generalize White's postulate of a shared, highly flexible discourse of *guere* in eleventh- and twelfth-century France *mutatis mutandis* to a broader swathe of the high middle ages and other areas of Western Europe. To decide the degree to which this might be

⁶³ G. Algazi, "Pruning Peasants: Private War and Maintaining the Lord's Peace in Late Medieval Germany," in E. Cohen and M. de Jong (eds.), *Medieval Transformations: Texts, Power, and Context* (Leyden, 2001), p. 259, as cited by White, "Imaginaire faidal", p. 179, n. 10.

⁶⁴ White, "Imaginaire faidal", pp. 182-85.

acceptable, it is essential to cast one's net wider than any "strict constructionist" definition of feud would permit, in order to include the multivalence that appears to be a major feature, even a selling point, of the vengeance processes under scrutiny here.

It would be excellent if this chapter provokes more detailed studies of practice in different localities and at different dates, and so advances our understanding of the diverse but mutually intelligible modes in which many people in the high middle ages struggled to implement their right to answer wrong, by seizing on their own initiative the fullest satisfaction they could reasonably obtain. Whether particular instances of the taking of vengeance are to be considered as feud in the sense I have suggested remains a question of fact, and one **at that** which will not easily be decided.⁶⁵ That is as may be. I continue to find it helpful to talk of feud, and to seek out instances of feud and feud-like **behaviour** from the period for analysis.

⁶⁵ John Hudson examines evidence concerning noble disputes in twelfth-century England and is not convinced that he can find a form distinctive enough to be called feud ("Faide, vengeance et violence en Angleterre (ca 900-1200)," pp. 368-73).