

# Heteronomy: Tyranny of a Construct?

Written by Andrew Latham and Colin Churchill

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ANDREW LATHAM AND COLIN CHURCHILL, AUG 25 2019

By the time this article is published, it will have been 45 years since the publication of Elizabeth A.R. Brown's 'The Tyranny of a Construct: Feudalism and Historians of Medieval Europe.' In this milestone of the field, she shed light on the various negative effects of the overreaching concept of Feudalism, and the ways in which it was unthoughtfully applied to medieval history as a whole. While the article is well-known to all significant scholars in the field today, the impact it had hoped to have – specifically, Brown's hope that Feudalism would ultimately become relatively marginalized as a concept, and that 'Perhaps in its downfall it will carry with it those other obdurate isms – manorial, scholastic, and human' – must be found wanting. Misconceptions and faulty models continue to populate the field – perhaps none more stubbornly than Heteronomy.

Heteronomy, a term first introduced to IR scholarship by John Ruggie nearly four decades ago, refers to the idea that a wide variety of governmental types populated Christendom throughout the medieval era, until the invention of the state in 1648. The wide variety of titles given to the realms of the time and the misconceptions surrounding medieval politics that we bring with us might initially incline us to accept this as a necessary part for any geopolitical model of the medieval era to be constructed. However, further investigation will show that this concept must be heavily qualified for it to continue in serious consideration of medieval history, if not discarded altogether.

This article will demonstrate the invalidity of the concept by illuminating its many weaknesses – specific focus will be given to the underdeveloped nature of the concept, the way in which it prevents us from considering medieval-era anarchy and sovereignty, and most damning of all, its unfounded nature. It will do so first by reviewing the dominance of Feudalism as a concept in pre-Browning medieval studies as well as Browning's own critique thereof, drawing conclusions about the many grounds upon which we can seek to refute the concept of heteronomy today. It will then examine Heteronomy as a concept and reject it through identifying various omissions and overreliances in the justifications put forth by its proponents as well as phenomena it has failed to explain. It shall conclude by identifying the concept as part of the flawed 'Rupture Thesis' framework, and shall recommend its replacement with more accurate concepts.

### Feudalism in Medieval Historiography

Our review of Feudalism and its impact upon the literature surrounding medieval political and geopolitical structures must begin with its definition. Unfortunately, no consensus definition exists. The literature is largely oriented around 3 different conceptions of the term – these consisting of F.L. Ganshof's classical description of feudalism as the property relations surrounding the fief (Brown, 1974, p. 1071), Marxist conceptions of economic and social repression as the primary forces of feudalism (Abels n.d. p.2), and focuses on the military aspects of feudalism from Joseph R. Strayer and others (Brown, 1974, p. 1073).

Despite this multifaceted definition, Feudalism as a concept has had notable staying power in academia – largely due to the ease with which one can use it to impose uniformity on the varied structures of medieval Europe – and now constitutes a central pillar of almost all frameworks used to understand the social and political structures of Latin Christendom. Brown's critique of the concept exposes several ways in which this has served to distance our understanding of these structures from the historical realities – namely, the ways in which its multitude of definitions leads to a lack of clarity in serious analyses of medieval political structures, as well as the fact that it never existed in

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any uniform manner across Europe except as an “ideal type” to be striven for – leading Brown to conclude, and us to believe, that there is no function the concept of feudalism serves that cannot be better done by other concepts (Brown 1974, p. 1066).

Ultimately, despite these well-known arguments, feudalism remains the dominant manner in which scholars today analyze medieval politics, leading the academy to analyze most medieval political structures on their conformance to or divergence from the ideal of feudalism, while placing little emphasis upon analyzing these structures and their properties in their own rights. We can see this on full display in Larkins' otherwise excellent *From Hierarchy to Anarchy: Territory and Politics Before Westphalia*. In his effort to deemphasize the 1648 treaty of Westphalia as the beginning point of state sovereignty in favor of the Renaissance, he constructs a comparison of medieval political structures to their Renaissance equivalents, making repeated and uncritical references to feudalism. He grounds his usage of this concept in Reynolds' *Fiefs and Vassals* for its discussion of its titular subject as the center of feudalism – but in doing so, he ignores the work's own critique of feudalism's prevalence as a concept throughout the literature (Brown, 1974, p. 212).

Larkins is far from the only author to make uncritical reference to this rightly controversial concept. Benno Teschke, in his book *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations*, on the transition between the medieval and modern international orders published in 2003, sought to define international systems based on the property relations within their constitutive units (Teschke, 2003, p. 46). In seeking to define a new era to serve as the birth of sovereignty, he makes numerous references to feudalism while failing to reference the controversy over the concept as a whole – especially problematic, considering the importance that the fief has in his argument, and the disputed nature of the fief's place in medieval structures.

Another example of uncritical reliance on feudalism-informed frameworks can be found in the work of Andrew Phillips, who, while avoiding the usage of the concept of feudalism in his otherwise outstanding book, *War, Religion and Empire*, made numerous references to ‘Feudal Law’, usually in connection to Canon Law, to explain the nature of power structures throughout Medieval Europe such as feuds between nobles (Phillips, 2011, p. 68) – all while ignoring the wild variances in medieval laws and customs over time and space (Reynolds, 1994). With these three authors under consideration, we may safely identify a trend of unwillingness within the IR community to address the arguments against feudalism put forth by Brown and Reynolds.

Further grounds to reject feudalism may be found in the lack of meaning possessed by the term as a consequence of the many conflicting definitions put forth by scholars. Ganshof's definition, focused on individual lord-vassal relations (Brown, 1974, p. 1071), contrasts with Marc Bloch's definition of feudalism, focused on the class relations of ‘a subject peasantry’ and ‘a class of specialized warriors’ (Brown, 1974, p. 1071). Bloch's definition of feudalism is often relegated to defining ‘Feudal society’ – but many authors have used the two concepts interchangeably (Brown, 1974, p.1064-66). The issue has been further complicated through the work of Joseph R. Strayer, focusing on feudalism not only as ‘a method of government’ but as ‘a way of securing the forces necessary to preserve that method of government’ (Brown 1974, p. 1073), and the Marxists, who strictly defined it as a means of social and economic repression.

Reynolds's critique of feudalism reveals further unclarity within Ganshof's definition by showing that the central elements of Ganshof's definition – vassals and fiefs – are extremely difficult to define. She provides evidence of many conceptions of the vassalage relationship, from employment to subjugation to tyranny (Reynolds, 1994, p. 33) – and shows that the relationship has often existed in the absence of fiefs, a fact often ignored, as Susan Reynolds has argued extensively, by historians (Reynolds, 1994, p. 33). Reynolds' ultimate conclusion is that interpersonal relationships, while important throughout the middle ages, have been so broadly defined qua “vassalage” that they are of no use to modern historians and political scientists (Reynolds 1994, p. 47).

Reynolds extends this critique of the essential components of feudalism to the specific social unit of the fief. Reynolds gives us the notably broad definition of ‘units of property, normally though not always landed property, that were held with more or less restricted rights than historians consider normal in their own society’ (Brown, 1994, p.48). Reynolds shows us the massive variation as she tells us that no single ‘system of fiefs’ existed in the medieval world, with a

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wide variety of customs serving to govern how property was controlled and exchanged – fiefs could be inheritable or otherwise, obligatory to be given or otherwise, and part of a larger lord-subject relationship or otherwise (Reynolds, 1994, p.58).

Our final argument against the concept of feudalism rests upon the fact that it has only ever existed as an ideal type, rather than an actual for of political economy. Brown demonstrates this in depth by recouping Bloch's argument that feudalism both never touched some areas of Europe – such as Frisia, Ireland, and Scandinavia – and recounting his argument that the extent to which it did touch down in parts of Europe varied wildly (Bloch, 1939, cited in Brown, 1974, p. 1074) as well as by referencing Robert S. Hoyt's work, *Europe in the Middle Ages*, wherein he discusses an essentially feudal society while denying that a common feudal system ever existed in Europe (Hoyt, 1957, cited in Brown 1974, p. 1074-1075). Reynolds's critique of feudalism has further undermined the concept by challenging the central component of fiefs through an investigation of the allod – a categorically different form of property ownership centering on free property ownership, often ignored or miscategorized by historians.

In sum, the ideal form of feudalism never existed, and its key components were never as prevalent as most modern academics portray them to be. While ideal types themselves are not inherently harmful to research, failing to acknowledge their status as being divorced from historical reality leads to the creation of political and social models which are notably distant from what solid analysis would indicate dominated Latin Christendom – this leads to a lack of analysis being done on data and societies which do not approximate the feudal model due to the assumption that ideal feudal institutions existed throughout substantial portions of medieval Europe. These actions are not only contrary to good academic practice, they are contrary to the facts, which show us that these institutions did not exist until they were created to define a very temporally and spatially limited set of property relations (Reynolds, 1994, p. 73).

Two main arguments exist for the continued use of feudalism as a concept within the literature – firstly that it is highly useful while teaching medieval history due to its inherently simplifying nature, and secondly that it is necessary to simplify the complexities of medieval power structures. Brown has given us reason to be critical of both, stating that the first argument is flawed in that oversimplification cannot help students learn (Brown, 1974, p. 1068), and stating that the second argument should be dismissed as 'analysis of societies on the basis of their conformity to or deviation from a norm [feudalism] offer little insight into the societies themselves, however, much the process of comparison may stimulate and challenge the ingenuity of historians' (Brown, 1974, p. 1077). Through the existence of these discussions, we can see that medievalists' views of feudalism has changed dramatically in the past 45 years, especially with the addition of Reynolds and her work. Despite this, holdouts remain throughout the constructivist literature – where this flagrant disregard for the constricting nature of feudalism combined with false conceptions of heteronomy serves to construct blatantly counterhistorical models of medieval politics.

### Heteronomy in IR Theory

Heteronomy's flaws most clearly reveal themselves through academia's tendency to cite John Ruggie's work as the highest authority on the political structures of medieval Latin Christendom. Among non-realists, the text has reached a canonical status, with few scholars to be found that do not use it as the foundation for their models of the medieval international system and the differences between it and the modern geopolitical order. Few scholars have acknowledged that Ruggie's work was never intended to do anything more than challenge Waltz' neorealist model of modern international relations, and promote alternative ways of thinking for the emerging postmodern era. It was never meant to shoulder the burden of the many models of medieval politics which have used it as their keystone.

Despite these flaws, Ruggie-grounded usage of heteronomy within IR and history has only grown – much of it coalescing to form a critique of neorealist and historical materialist models of the medieval system, seen best in Hall and Kratochwil's (1993, p. 493-505) collaborative critique of Fischer's neorealist account of medieval geopolitics. This was built upon by both Alkopher (2005, p. 715-737) and Latham (2011, p. 222-243), highlighting the explanatory power of constructivism through their respective analyses of the crusades. Through this, we can see an effort to explain the modern international system by constructing a medieval political order and transition consistent with the theory put forth by each individual researcher – most visible in Andrew Phillips' efforts to analyze the origins

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and collapse of the Latin Christian order, and Hall's article on 'moral authority', which sought to draw parallels between the medieval and modern orders.

This literature, despite its strengths, remains critically flawed in that it provides little to no attention to medieval state-building projects or medieval states themselves, due to its higher concern with refuting neorealist claims regarding the importance and necessity of international system grounded in sovereignty and anarchy. This primarily stems from the problematic and counterhistorical rupture thesis – the framework by which the modern world, with its states and international orders, is separated from the Orientalized and otherized medieval world by Westphalia, with nothing approaching modern state-based institutions to be found in the latter Fasolt, 2004, cited in Nederman, 2009, p. *xix* ). This framework manifests itself most odiously through heteronomy and its offshoots through the literature. This is done through the assumption that sovereignty was impossible due to the universalist strength of the pre-Westphalia popes and emperors, and that Latin Christendom should then be seen as a variety of qualitatively different political entities, from empire to guild, all of which were structured by a non-exclusive form of territoriality, in sharp contrast to the neorealist frame that Ruggie himself adopts to explain the modern order.

A close examination of the significance given to both heteronomy and the rupture thesis it stems from through the literature must find them to be counterhistorical. If we consider the political order emerging out of the high and late middle ages, with 1100 AD as our juncture point, we could not reasonably assert that the many overlapping and contested states that came to dominate the geopolitical stage were identical to the clearly-defined states of our own era – but neither could we reasonably ignore the dominance of the political project of statebuilding through the late middle ages, reflected through the clarification of the jurisdictions and boundaries of the state. Despite the ease with which this medieval conception of sovereignty lends itself to a conception of sovereignty-centered modern IR, modern scholars continue to ignore it as a potential predecessor to a modern anarchic system in favor of the rupture thesis, by which sovereignty came into being *ex nihilo* post-Westphalia.

Indeed, they argue that the various political units existing through medieval Europe were something other than states entirely through their usage of Max Weber's definition of statehood *qua* sovereignty *qua* violence, uniform control over all parts of the political community, and dominance of impersonal institutions. A close examination of this argument must find it to be wanting – late medieval polities were more than semi-institutionalized, and the universalist claims of Empire and Church did little to hinder their sovereignty. As put by medievalist Susan Reynolds, 'the idea that medieval polities are supposed not to have been sovereign because of the universalist claims of pope and emperor seems to survive today chiefly in the minds of those who take their medieval history from old textbooks' (Reynolds, 1997, p.119).

The primary flaw with this worldview is conceptual and normative – Reynolds tells us how it conflates 'the modern state' with 'the state', overemphasizing the unique attributes of the modern state to an undeserved status of qualitative difference, ultimately preventing us from doing 'the kind of serious comparisons of polities and periods that we need if we are to turn mere assumptions about variants and changes into solid arguments based on evidence...' (Reynolds, 2003, p. 118).

While there were substantial differences between medieval and modern states – the shared sovereignty between states and the church as regarded spiritual matters, the increased importance of the corporal analogy, the existence of relatively powerful intermediaries through which sovereignty was exercised, and the quasi-legitimacy of *de facto* sovereignty most important amongst them – these differences are not nearly substantial enough to warrant the exclusion of medieval polities from the general umbrella of states. Ultimately, we must accept Reynolds' less presentist definition of the state as 'an organization of human society within a more or less fixed area in which the ruler or governing body more or less successfully controls the legitimate use of physical force' (Reynolds, 1997, p. 118), and follow her in finding that 'a good deal of western Europe was governed throughout the Middle Ages in polities that can reasonably be called states' (Reynolds, 1997, p. 132). Viewed this way, we find few discrepancies from a homonomous state-based political order apart from the church (as a distinctive governance/warmaking unit, in which manner it rapidly faded throughout this time) – in the failure of the constructivist literature to recognize this through its unjustified reverence for heteronomy, we see the creation of a model that is in extreme discord with most historians of medieval political thought and development.

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## Conclusions

We can summarize the errors of the constructivists as largely threefold – they have anachronistically based their models on feudalism and heteronomy through their undue emphasis on the church and empire as universalist institutions, they have ignored the distinct nature and structures of the late medieval era, and they have paid insufficient attention to the emerging institutions and norms of sovereignty and state-building projects throughout Latin Christendom. The aggregate effect of these errors has been to lend undue credibility to the rupture thesis, and to ignore continuity between the late medieval and early modern world – continuity that is essential if we are to understand the origins of concepts such as sovereignty and anarchy in our world today.

Recognizing this continuity cannot be seen as trivial, despite the established general refusal on the part of the IR community to do so. Despite the arguments among scholars to move the point of rupture, such as Teshcke's recommendation to move it to the final death of feudal economic relations or Reus-Smit's emphasis on the 'constitutional order', the consensus largely remains that sovereignty and anarchy emerged at once, whether at 1648 or 150 years earlier, as argue scholars such as Anderson, Mann, Tilly, Wallerstein, and Wight. This study contests these findings, and proposes instead that both concepts crystallized through the 13<sup>th</sup> century as a slow shift in generally accepted norms and customs – justifying the extension of the state-dominant epoch to 1200. While the states and state-system governing them were pre-modern in a variety of ways, these differences are not significantly greater than those differentiating the early-modern, high-modern, or late-modern era. Through such a framework, IR will be able to finally break with the 'myth of 1648' and its derivatives, allowing it to treat the late medieval period with the respect it deserves, as well as opening the door to cross-fertilization with the historiography of medieval political thought that it would now be in closer alignment with, and finally make way for serious history-based study of the differences between state-dominant eras of geopolitics. The alternative is to reduce medieval geopolitics to a uniform, counterhistorical abstraction – and thereby allow the tyranny of false concepts to continue.

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