

**THE ADVANTAGES AND
DISADVANTAGES
OF THE FEUDAL
SYSTEM, A PRIZE ESSAY**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649315017

The advantages and disadvantages of the feudal system, a prize essay by Henry Boothby Barry

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

HENRY BOOTHBY BARRY

**THE ADVANTAGES AND
DISADVANTAGES
OF THE FEUDAL
SYSTEM, A PRIZE ESSAY**

*The Advantages and Disadvantages of the Feudal
System.*

A PRIZE ESSAY

READ IN

THE SHELDONIAN THEATRE, OXFORD;

JUNE 28, 1843.

BY HENRY BOOTHBY BARRY,

MICHEL SCHOLAR OF QUEEN'S COLLEGE.



OXFORD:

PRINTED AND PUBLISHED BY J. VINCENT.

1843.

ARGUMENT.

VARIOUS opinions on the Feudal System—importance of the institution—the standard by which it must be estimated.

The Feudal System viewed in itself and in its own times—considered in its principles—as a form of society—in its particular effects, on natural defence, on social order, and the administration of justice, on the increase and diffusion of wealth, and on the social state of the population at large.—Some advantages separately considered—General estimate of its effects on its own times.

The Feudal System considered in reference to general civilization—difficulty of this view—cautions—how far an institution is good which is adapted to its own times.—Alleged beneficial effects of the Feudal System on general civilization—beneficial consequences of its decay—general view of its influence on the progress of society—notice of important questions—concluding remarks.

THE ADVANTAGES AND DISADVANTAGES OF THE FEUDAL SYSTEM.

Ces loix qui ont fait des biens et des maux infinis :

Montesquieu, Esprit des loix. liv. xxx. c. 1.

No political institution has been so variously represented as the Feudal System. Some have viewed it as an almost ideal form of society, which afforded scope for the exercise of the best feelings of human nature, and in which men were influenced, not by considerations of interest, but by sentiments of honourable obligation. Over this, as over other past institutions, "poetry," to use the expression of Niebuhr, "has flung her many-coloured veil:" but it is not merely in writings of fiction that the illusion it has produced may be discerned. The beautiful theory of feudalism thus presented, has almost imperceptibly impressed itself even upon men of practical abilities, who in serious writing have drawn pictures of "the dignified obedience,"* of the "manly sentiment," and "heroic enterprise" of feudal times. Yet these representations, though they have indeed some basis, have been greatly overdrawn, and seem, on strict investigation, to rest on little historical authority. "Like enchanted castles, they appear to be something, they are nothing but appearances; and when we examine the foundations on which they lean, the charm is dissolved, and they

Various
opinions on
the Feudal
System.

* These are the actual expressions of Burke, in his Work on the French Revolution; but reference is not so much made to any particular passage, as to the general tone of eulogy in which he describes feudal times.

^b Bolingbroke. Study of History, letter i. ad fin.

vanish from the sight." There are also writers,^c particularly those of the last century, who, taking a very different view, have stated that the Feudal System occasioned general anarchy; and while it stripped the crown of almost every prerogative, reduced the people to a state little better than slavery.

The Feudal System is described by others^d as having done infinite good and infinite mischief, and as having been productive of the most opposite effects,—of rule with a tendency to anarchy—of anarchy with a tendency to order and harmony. But of late years, a kind of revulsion of opinion has taken place; and several writers of the present day do not so much consider the effects of feudalism upon its own times, but rather, in shewing its merits, direct our attention to its influence upon the progress of society.

Importance
of the insti-
tution.

It is difficult to decide upon these different opinions, and to estimate the real advantages and disadvantages of the Feudal System. Yet to do so is of the utmost interest; "for^e this institution makes a very important part of the history of mankind," and, singular in its character, stands alone and unparalleled in the annals of the world. Attempts have been made, but without success, to prove that it resembles several institutions of antiquity. "Thus," to use the words of Sir Henry Spelman, "may fancy couple the remotest of things." The Feudal System occupies the most prominent place in the progress of events in Western Europe after the dissolution of the Roman Empire; and the institution itself, although it had long begun to decay, has been but recently removed. Less than two hundred

^c Robertson.

^d Montesquieu, *Esprit des loix*, liv. xxx. chap. 1.

^e Expression of Dr. Johnson's. *Boswell's Life*, ii. 191.

^f Feuds and Tennes, chap. xi.

years have elapsed since its formal abolition in England ;^a in Scotland it continued till the middle of the last century ; and in France it was only destroyed when all other institutions perished with it. Some countries,^b even in the present day, still formally adhere to many of its customs, and continue to resist their abolition. That vast structure, which once embraced within it the whole of Western Europe, has at length fallen : yet its remains lie not in scattered ruins ; but, like the temples of Athens, have been built up into the very fabric of modern civil constitutions. For the results of the Feudal System have so pervaded the whole frame of society, that it is difficult to find any important laws, customs, or institutions which it has not more or less affected. To consider, therefore, the advantages and disadvantages of feudalism, is not only the investigation of a subject of great historical importance, but also an inquiry of present and almost of personal interest.

But by what standard are the merits of the Feudal System to be estimated ? An institution may be viewed, Standard by which it must be estimated. either in itself and in its own times, or with reference to its influence upon the progress of society. Although no complete estimate of the merits of an institution can be formed without taking into account its effects upon general civilization, yet it must be viewed alone to discover in what manner it produced those effects. For by the dispensations of Providence, the eventual good of society is promoted, as well by present evils as by present benefits. Yet, as far as good and evil appear to result from man's agency and support, the one must be approved of, and the other condemned. The Feudal System, considered in itself, may be viewed either in its principles, or as a form or con-

^a 2. Car. II. c. 24.

^b Canada.

stitution of society, or in its particular effects upon the social state of its own times. In its principles: for institutions as well as individuals must proceed upon certain principles; and it is upon their character that the durability and efficacy of an institution in a great measure depend. As a form of society: for feudalism was not only a great institution, but also became a system of social union; which, as it is contradistinguished from all other forms of political society, deserves to be considered with particular attention. In its particular effects: for it is by their nature only that a judgment can be formed of the actual influence of the principles and constitution of feudalism upon the state of society. In regarding the relation of the Feudal System to the progress of society, it must be inquired whether it promoted or retarded the advances of civilization. By civilization¹ is here meant, both the amelioration of society at large, and the improvement of man individually. After having viewed the Feudal System in this manner, it will be necessary to state the general result; and from a comparison of its advantages and disadvantages, to decide as well upon its nature and effects when considered in itself, as when regarded in-reference to the progress of society.

The Feudal System viewed in itself and in its own times.

On examination, it will be found that the Feudal System practically proceeded upon erroneous principles. One of these principles was the substitution of an obligation, founded upon a tenure of land, for that duty which a subject naturally owes to his sovereign; another, the annexing to some subjects that homage and that obedience which are due to the supreme power alone. That this was the case appears from the fact, that the immediate tenant only held

Considered in its principles.

¹ Guizot's Civilization in Europe, lecture i.