

AGIR EN COMMUN DURANT LE HAUT MOYEN ÂGE

HAUT MOYEN ÂGE

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# Agir en commun durant le haut Moyen Âge

*Édité par*

VITO LORÉ, GENEVIÈVE BÜHRER-THIERRY ET  
RÉGINE LE JAN

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*Orta fuit intemptio*\**Communities and Disputes in Northern Iberia  
(9th-11th centuries)***Seeing Communities in the Northern Iberian Peninsula**

One of the most significant aspects of the ninth to eleventh centuries in the north of the Iberian Peninsula is the existence of rural communities, whose collective action became reflected in charters<sup>1</sup>. This was already revealed in studies carried out by Abilio Barbero and Marcelo Vigil in the 1960s and 1970s. Both authors advocated a process of feudalisation of the regions of northern Iberia after the disintegration of tribal societies that had resisted the impact of romanisation and of the Visigoths. At an intermediate stage, prior to the flourishing of feudalism, peasant/rural communities based on villages – where shared and family-owned properties coexisted – would have been the main social actors<sup>2</sup>. This claim defied the image of a world of free small-scale landholders without strong community ties, proposed by influential Spanish medievalist scholar Claudio Sánchez-Albornoz and linked to his liberal political view<sup>3</sup>. Based on this analysis, historians took an interest in peasant communities as an object of study. The field of study has many nuances and scholars have not always used the same

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- 1 A reality that contrasts with the situation in other European areas, as expressed by Chris Wickham, *Espacio y sociedad en los conflictos campesinos en la Alta Edad Media*, in Ana Rodríguez (ed.), *El lugar del campesino. En torno a la obra de Reyna Pastor*, Valencia, 2007, p. 44-45.
- 2 Abilio Barbero and Marcelo Vigil, *La formación del feudalismo en el norte de la Península Ibérica*, Barcelona, 1978.
- 3 Claudio Sánchez-Albornoz, *Pequeños propietarios libres en el reino asturleonés. Su realidad histórica*, in *Agricoltura e mondo rurale in Occidente nell'alto Medioevo*, Spoleto, 1966, p. 185-222.

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definition<sup>4</sup>. Their relationship with the settlement and the clearance of land have garnered particular attention. This would have been a consequence of the general phenomenon of the so-called early medieval agrarian growth, but also of the occupation of empty or, at least, scattered land by peasants<sup>5</sup>. The different studies underline the disintegration of these communities as a result of the activity of external aristocrats who, through the acquisition of properties and rights, altered internal balances<sup>6</sup>. This focus on the loss of autonomy of communities has meant that they have not been thoroughly analysed from the perspective of their own dynamics. Nevertheless, emphasis has been placed on the inequality inside the communities, which was reflected in written evidence thanks to expressions such as *maiores et minores*, *maximos et minimos*, or *senes et iuvenes*, especially in Castile<sup>7</sup>.

However, recent research has been paying more attention to the social dynamics within the communities. Archaeological data proves that we are before

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- 4 See Carlos Estepa, *Comunidades de aldea y formación del feudalismo. Revisión, estado de la cuestión y perspectivas*, in María José Hidalgo, Dionisio Pérez, and Manuel J. Rodríguez Gervás (eds.), *“Romanización” y “Reconquista” en la península ibérica: nuevas perspectivas*, Salamanca, 1998, p. 271-282 and Francisco Javier Peña Pérez, *Las comunidades de aldea en la Alta Edad Media. Precisiones terminológicas y conceptuales*, in Ignacio Álvarez Borge (coord.), *Comunidades locales y poderes feudales en la Edad Media*, Logroño, 2001, p. 335-358.
- 5 Pascual Martínez Sopena and M.<sup>a</sup> José Carbajo Serrano, *Notas sobre la colonización de Tierra de Campos en el siglo X: Villobera*, in *El pasado histórico de Castilla y León. Volumen I. Edad Media*, Burgos, 1983, p. 113-125; José Ángel García de Cortázar, *Del Cantábrico al Duero*, in José Ángel García de Cortázar and others., *Organización social del espacio en la España medieval. La Corona de Castilla en los siglos VIII a XV*, Madrid, 1988, p. 43-83; José Ángel García de Cortázar, *Las formas de organización social del espacio del valle del Duero en la Alta Edad Media: de la espontaneidad al control feudal*, in *Despoblación y colonización del valle del Duero. Siglos VIII-XX*, Ávila, 1995, p. 11-44; Pascual Martínez Sopena, *La Tierra de Campos occidental. Poblamiento, poder y comunidad del siglo X al XIII*, Valladolid, 1985; Ernesto Pastor Díaz de Garayo, *Castilla en el tránsito de la Antigüedad al feudalismo. Poblamiento, poder político y estructura social del Arlanza al Duero (siglos VII-XI)*, Valladolid, 1996; José María Mínguez, *Continuidad y ruptura en los orígenes de la sociedad asturleonese. De la villa a la comunidad campesina*, *Studia Historica. Historia Medieval*, 16, 1998, p. 89-127; Juan José Larrea, *Aldeas navarras y aldeas del Duero: notas para una perspectiva comparada, Edad Media. Revista de Historia*, 6, 2003-2004, p. 159-181. For a detailed view of agricultural growth, see Álvaro Carvajal Castro, *Bajo la máscara del “regnum”. La monarquía asturleonese en León (854-1037)*, Madrid, 2017, p. 91-92.
- 6 J. María Mínguez, *Antecedentes y primeras manifestaciones del feudalismo astur-leonés*, in *En torno al feudalismo hispánico. I Congreso de Estudios Medievales*, Ávila, 1989, p. 87-120.
- 7 Reyna Pastor, *Resistencias y luchas campesinas en la época del crecimiento y consolidación de la formación feudal. Castilla y León, siglos X-XIII*, Madrid, 1980, p. 37-41; Carlos Estepa, *El nacimiento de Castilla y León. Historia de Castilla y León 3*, Valladolid, 1985; J. María Mínguez, *Antecedentes*, cit. n. 6, p. 110-112; Ignacio Álvarez Borge, *Poder y relaciones sociales en Castilla en la Edad Media. Los territorios entre el Arlanzón y el Duero en los siglos X al XIV*, Salamanca, 1996, p. 28-30; Julio Escalona Monge, *De ‘Señores y campesinos’ a ‘poderes feudales y comunidades’*. *Elementos para definir la articulación entre territorio y clases sociales en la Alta Edad Media castellana*, in Ignacio Álvarez Borge (coord.), *Comunidades locales y poderes feudales en la Edad Media*, Logroño, 2001, p. 115-155.

histories that date long back, starting in the post-Roman period and undergoing subsequent changes over time. Places such as Zaballa or Zornostegui, whose histories over the centuries have been studied, revealed the presence of communities that already managed the surrounding territory in the eighth century, undergoing changes with the emergence of new organisational axes, especially churches<sup>8</sup>. Agricultural terracing has also been interpreted as the materialisation of collective action on the landscape and, therefore, as evidence of such communities, whose external appearance displays subtle forms of inequality<sup>9</sup>. Historians have engaged in new reflections where they have expressed the need to examine local societies from within their own dynamics, thus avoiding a teleological view of feudalisation<sup>10</sup>.

One of the easiest arenas to analyse the communities are through the disputes. There is information on how, in the northern Iberian Peninsula, these communities engaged in disputes and defended their rights<sup>11</sup>. The importance of these processes to understand the dynamics of rural communities in the northern Iberian Peninsula is nothing new. A work of reference is the book published by Reyna Pastor in 1980 defending the idea of peasant communities as typical of a “Germanic” mode of production, characterised by the coexistence of private and communal property and by a simple socio-political organisation. Aristocratic stress, especially against common lands, would have triggered resistance, as is reflected in the trials that took place. The final settlement of disputes in such cases would have been against the peasants as a consequence of what could be defined as “class justice”. In the eleventh century, troubles would revolve around lordship, with the presence of local elites (*infanzones*), although, even then, victory went to monks and lords. However, there were also other conflicts, such as those that set communities against each other to dispute their boundaries, brought about by the consequences of agrarian growth<sup>12</sup>.

8 Juan Antonio Quirós Castillo (ed.), *Arqueología del campesinado medieval. La aldea de Zaballa*, Bilbao, 2012; Juan Antonio Quirós Castillo (ed.), *Arqueología de una comunidad campesina medieval: Zornostegi*, Bilbao, 2019.

9 Juan Antonio Quirós Castillo and Alfonso Vigil-Escalera, *Archaeology of Medieval Peasantry in Northwestern Iberia*, in Sauro Gelichi and Lauro Olmo Enciso, *Mediterranean Landscapes in Post-Antiquity. New Frontiers and New Perspectives*, Oxford, 2019, p. 129-144; Juan Antonio Quirós Castillo, *An Archaeology of ‘Small Worlds’: Social Inequality in Early Medieval Iberian Rural Communities*, *Journal of Medieval Iberian Studies*, 12:1, 2020, p. 3-27.

10 Juan José Larrea, *Aldeas navarras*, cit. n. 5; Wendy Davies, *Acts of Giving. Individual, Community and Church in Tenth-Century Christian Spain*, Oxford, 2007; Robert Portass, *The Village World of Early Medieval Northern Spain. Local Community and the Land Market*, Woodbridge, 2017; Iñaki Martín Viso, *Unequal Small Worlds. Social Dynamics in Tenth-Century Leonese Villages*, in Juan Antonio Quirós Castillo (ed.), *Social Inequality in Early Medieval Europe. Local Societies and Beyond*, Turnhout, 2020, p. 255-279.

11 Chris Wickham, *Espacio y sociedad*, cit. n. 1, p. 44-45.

12 Reyna Pastor, *Resistencias*, cit. n. 7, p. 68-91.



Nevertheless, on the subject of communities and the delivery of justice in the twelfth and thirteenth centuries, Isabel Alfonso noted that the image of a “class justice” was hardly tenable<sup>13</sup>. Yet, such studies focus on a later timeframe, so that it is not clear whether such assessments are applicable to the Early Middle Ages. Conversely, a recent study by Wendy Davies focused on justice in the tenth century and analysed the procedures followed in disputes, paying special attention to who, how, where, and what was tried. Her viewpoint on early medieval rural communities in the north of the Iberian Peninsula could be described as “minimalist”. According to her approach, community identity was not as sound as has been assumed, and she also notes the existence of other ways to perform collective action, such as familiar relationships. This does not mean that local inhabitants as a group would not have engaged in collective action, but that community identity and cohesion were relatively weak<sup>14</sup>. It is therefore a view that clashes with the traditional idea of community cohesion and the almost automatic identification of judicial decisions in terms of class. However, the fact that most documents report legal procedures whose results were favourable to lords’ interests cannot be overlooked<sup>15</sup>. This circumstance could be the result of documentary bias, since the main ecclesiastical institutions were the ones to gather and preserve the information that suited them. Yet, it cannot be denied that rural groups could, indeed, have more difficulties in achieving success in disputes<sup>16</sup>. Access to justice was, no doubt, unfair, which does not preclude the assumption that rural communities could have had some leeway for action<sup>17</sup>. Another question that arises is how such communities were affected by internal inequalities and different frameworks for collective action (family and patronage networks), as well as the extent to which they held a solid identity or whether they were groups that became defined on each occasion and could even use legal scenarios as arenas for negotiation with encompassed powers<sup>18</sup>. In this regard, the involvement of mediators such as the *boni homines*, who facilitated agreements –

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13 Isabel Alfonso Antón, *Campesinado y derecho: la vía legal de su lucha (Castilla y León, siglos X-XIII)*, *Noticario de Historia Agraria*, 13, 1997, p. 13-31.

14 Wendy Davies, *Windows and Justice in Northern Iberia, 800-1000*, London, 2016, esp. p. 231.

15 José Miguel Andrade Cernadas, *Villas regias y asambleas judiciales entre los siglos X y XI: el caso de Larín*, *Signum*, 12:2, 2011, p. 22. This study also remarks an unbalance that favours the presence of disputes between institutions or individuals belonging to hierarchical sectors, while socially unequal confrontations are more blurred (p. 23). Once again, the reason is the gathering of information that is useful for the defense of the institutions that preserved the documents.

16 Álvaro Carvajal Castro, *Collective action and Local Leaderships in Early Medieval North-Western, Ninth-Eleventh centuries*, in Juan Antonio Quirós Castillo (ed.) *Social Inequality*, cit. n. 10, p. 294.

17 Álvaro Carvajal Castro, *Resistencias campesinas en el Noroeste ibérico altomedieval: confrontando la tragedia*, *Cuadernos Jerónimo de Zurita*, 95, 2019, p. 13-33.

18 Igor Santos Salazar, *Los privilegios de Berbeia y Barrio: elites, memoria y poder en Lantarón durante el siglo X*, *Studia Historica. Historia Medieval*, 31, 2013, p. 51-81.

probably owing to their social prestige at the local level – is an aspect that has been correctly emphasised, although it will not be addressed in this study<sup>19</sup>.

Our research falls within this general framework, focusing mainly on when and how rural communities in the northern Iberian Peninsula acted in legal disputes. On this subject, there is an excellent open access database, *Procesos Judiciales en las Sociedades Medievales del Norte Peninsular (siglos IX-XI)*, drawn up in the framework of a research project directed by Isabel Alfonso<sup>20</sup>. It is a collection of all the documentation available that includes legal content, which not only encompasses disputes but also other types of texts such as transactions, confessions, and agreements that provide information on such disputes and their resolution<sup>21</sup>. This study, however, is confined to those cases where communities appear as actors, leaving many others aside. Therefore, there is a deliberate intention to exclusively address groups identified in terms of communities of residence. Even though it is feasible to conduct a “macro” analysis with the approximately 75 cases that can be individualised, their marked disparity hinders any such attempt. It therefore seems more appropriate to use some study cases that provide information to draw a series of conclusions which, although impressionistic and provisional, could be stronger than others whose scope is more general. Accordingly, five cases set in different geographical areas and along different timelines – though all of them in the north of the Iberian Peninsula and in the Early Middle Ages – will be addressed.

## Communities and Territory

Our journey begins in the heart of present-day Portugal. In 936, Count Jimeno Dias settled the dispute held between people of Alcainça and Vila Cova, near Coimbra, on the subject of their boundaries<sup>22</sup>. The text, as is frequent in such cases, begins with the expression *horta fuit contemptio*, albeit it is more common

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- 19 Pascual Martínez Sopena, *La justicia en la época asturleonesa: entre el Liber y los mediadores sociales*, in Ana Rodríguez (ed.), *El lugar del campesino*, cit. n. 1, p. 239-260; Fernando Luis Corral, *Lugares de reunión, boni homines y presbíteros en Valdevimbre y Ardón en la Alta Edad Media* “*Medievalista online*, 18, 2015 (<https://medievalista.fcsh.unl.pt/MEDIEVALISTA18/corral1805.html>).
- 20 Accessible at: [prj.csic.es](http://prj.csic.es). References from this database with their corresponding edition between brackets shall be used for the disputes analysed. In the remaining cases, references from the database will be used.
- 21 Isabel Alfonso, *El formato de la información judicial en la Alta Edad Media peninsular*, in Julio Escalona and Hélène Sirantoine (eds.), *Chartes et cartulaires comme instruments du pouvoir. Espagne et Occident chrétien (VIII<sup>e</sup>-XII<sup>e</sup> siècles)*, Toulouse, 2013, p. 191-218.
- 22 Lorva01-36 (Aires A. Nascimento, *Transcripción del Liber Testamentorum – Transcrição do Liber Testamentorum*, in *Liber Testamentorum Coenobii Laurbanensis*, León, 2008, doc. 36). On this dispute, Iñaki Martín Viso, *Authority and Justice in the Formation of the Kingdom of Asturias-León*, *Al-Masaq. Journal of the Medieval Mediterranean*, 29:2, 2017, p. 129-130.



to find the form *orta fuit intentio*, which appears in the two last cases that are addressed in this study. The meaning of this expression is “a dispute arose”. As noted by Wendy Davies, the use of this formula correlates with the creation of a retrospective account at a later stage<sup>23</sup>. Thus, the purpose of the document is to record the final settlement of the dispute. The chart informs us of how the count ordered the appointment of certain individuals to recognise the borders (*diuisores*), specifically, Deacon Ataúlfo, Taurón, nicknamed Mogaria, and Kiram, alongside many others (*concilio multorum*) – probably inhabitants of both localities – in a public act. A perambulation was carried out and a series of landmarks (*arcas*) were placed, defining the territory of each of the small villages. The text reveals groups defined by their residence in a certain place (*homines de Alkinitia et de Uilla Coba*) who argued over the area that belonged to each of them. Hence, two rural communities with social agency and a territorial awareness that became official through the perambulation performed, acquiring new meaning through the setting of landmarks. This case is not unique, since documentation belonging to the tenth and eleventh centuries reveals other examples of territorial disputes. They sometimes involved two communities, as revealed by some cases that also took place in the tenth century<sup>24</sup>, and on other occasions the dispute arose between villagers and lords, whose estates (*cotos*) were not acknowledged by the inhabitants of neighbouring areas<sup>25</sup>. This territorial definition is early and, therefore, significant, if compared with what we know about other European regions<sup>26</sup>.

The main collective action involved the *homines* of both places. The word is rather generic. Its use implies an absence of formal organisation structures, so that it cannot be ruled out that they could have been groups that were mobilised specifically for that conflict. Nevertheless, the frequent use of this expression in association with territorial identity and agricultural spaces (*terras de omnes de*) implied some type of formalisation where they were held together by acknowledged existing functional ties that gathered a group of people linked by living in a place<sup>27</sup>. The text seems to show several internal differences. Among the *diuisores* appointed by the count, there is a deacon, which reflects the relevance of priests

23 Wendy Davies, *Windows on Justice*, cit. n. 14, p. 143.

24 This is the case, for example, with the dispute between the people of Souto and Leginoso over their boundaries; Celanova2-502 (940/10/06). Another example, also in Galicia, is the argument between the people of Saidres and Vilamaior concerning their borders; Carboeiro1-15 (961).

25 This is the case with the estate of the monastery of Samos, affected by the activities of the people of Castroncán and Pascais; Samos1-46 (933/05/13). Another example, already in the eleventh century, is the dispute between the monks of San Martín de Berberana and the *homines* of Halubbarri, in which king García III intervened; S. Millán1-218 (1042).

26 Chris Wickham, *La cristalización de la aldea en la Europa Occidental (800-1100)*, in *Movimientos migratorios, asentamiento y expansión (siglos VIII-XI)*. En el centenario del profesor José María Lacarra, Pamplona, 2008, p. 33-51.

27 Álvaro Carvajal Castro, *Collective action*, cit. n. 16, p. 287-289.

in early medieval societies in Northern Iberia, not only as religious specialists, but also because of the different roles they could play<sup>28</sup>. The other two *diuisores* would have been individuals who were well-known at the local level for their knowledge or prestige, or more likely for both factors at the same time. This could lead to the conjecture that we are before local elites. If such identification is correct, their actions would have been conditioned by the presence of many more participants, probably other members of said communities.

One might believe that the conflict stemmed from problems between two communities, but the real origin derived from another issue. In 936, Oneca, mother of Count Jimeno Días, gave the village of Vila Cova to the monastery of Lorvão<sup>29</sup>. Such a donation must have disturbed the *status quo* and forced a more accurate definition of the boundaries between the people who were under the monastic control (Vila Cova) and those of Alcaínça, who were not. Therefore, the need to define the territory more precisely was a consequence of the intervention of other actors. There was not a policy of destruction of the communities and their logics by the monastery, if not an attempt to control them. As a consequence, there was a transformation which needed the creation of a new *status quo*. We cannot even know what such control really consisted of, although one might suspect that it materialised in the payment of some duties.

The dispute was settled by means of a perambulation, which is a quite common way to solve these cases: boundaries were not formally defined, but recognised, so that local knowledge was the key<sup>30</sup>. Here the perambulation was a public event which, as noted, involved the participation of more people than the *diuisores*. A participation whose purpose, in this case, was that the settlement be known and accepted – it worked as a consensus mechanism thanks to the participation of a numerous group of individuals – ensuring that the boundaries would be passed down from generation to generation. However, it was also an action that changed the contents of such limits, giving them a new dimension by setting landmarks.

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28 Ignacio Álvarez Borge, *Poder y relaciones sociales* cit. n. 7, p. 32 and 54-58; Fernando Luis Corral, *Lugares de reunión*, cit. n. 19; Wendy Davies, *Local Priests in Northern Iberia*, in Steffen Patzfold and Carine Van Rijn (eds.), *Men in the Middle. Local Priests in Early Medieval Europe*, Berlin, 2016, p. 125-144; Analia Godoy, *Los presbíteros locales y sus estrategias de ascenso social en las comunidades leonesas del siglo X*, *Calamus*, 1, 2017, p. 105-135.

29 Aires. A. Nascimento, *Transcripción*, cit. n. 22, doc. 33.

30 Julio Escalona, *Dense Local Knowledge: Grounding Local to Supralocal Relationships in Tenth-Century Castile*, in Julio Escalona, Orri Vésteinsson and Stuart Brookes (eds.), *Polity and Neighbourhood in Early Medieval Europe*, Turnhout, 2019, p. 351-379.





## Fighting for a Church

Let us now turn to Galicia, more specifically to the village of Amoeiro a few kilometres north of the city of Ourense, in those same years, even though the date of the document is unclear. In fact, the textual tradition is quite complex, since the information it contains is gathered on an eleventh-century parchment<sup>31</sup>. The parish of Amoeiro had given the local church to priest Agabio but, blaming him for the breach of certain terms related to his appointment, they banished him. Agabio then turned to the hermitage of San Fructuoso and engaged in a series of offenses, probably aided by the monks of Santa Cruz and aimed at transferring the church, most likely in favour of the monks. Amoeiro's men – a total of 23 – sought Count Gutier and Countess Ilduara and Bishop Rosendo, their son. The dispute was settled with the church being recovered by that people, who, in turn, gave it to the counts and the bishop under the condition that one of the inhabitants of Amoeiro could remain as its priest<sup>32</sup>. In this case, the issue at stake is control over the management of a church. In the north of the Iberian Peninsula there is no dearth of examples of churches in the hands of communities, managed by local elites or priests. This reality emerges after the second half of the eleventh century, when such churches become parishes and control by communities is known in the framework of the negotiations on how duties were distributed or who controlled the appointment of the parish priest<sup>33</sup>. The church of San Román in Vegamián is a good example, built by the local *colacione*, under the leadership of priest Fernando and consecrated by the bishop of León in exchange for its control<sup>34</sup>. However, Amoeiro is a very early case. Such local churches must have been a very important element in the construction of identity: they were places where worship and the main rituals were performed, but they also worked as meeting places and very often played essential roles in judicial proceedings<sup>35</sup>. The

31 Alvaro Carvajal Castro, *Resistencias campesinas*, cit. n. 17, p. 25.

32 Cat-Orense-3 (Francisco Javier Pérez Rodríguez and María Beatriz Vaquero Díaz, *Colección documental de la Catedral de Ourense. I (888-1230)*, León, 2010, doc. 3) (934-938).

33 Pascual Martínez Sopena, *La Reforma de la Iglesia y las comunidades campesinas: León y Castilla en el siglo XI*, in Alain Dierkens, Nicholas Schroeder and Alexis Wilkin (eds.), *Penser la paysannerie médiévale, un défi impossible? Recueil d'études offerts à Jean-Pierre Devroey*, Paris, 2017, p. 347-361, esp. p. 354-361; Mariel Pérez, *Encuadramiento del clero local y reorganización eclesial en la diócesis de León (siglos XI-XIII)*, *Studia Historica, Historia Medieval*, 36:1, 2018, p. 57-84, esp. 69-70 and *Proprietary Churches, Episcopal Authority and Social Relationships in the Diocese of León (Eleventh-Twelfth centuries)*, *Journal of Medieval Iberian Studies*, 10:2, 2018, p. 195-212, esp. p. 205-207.

34 Sahagún2-708 (1071).

35 Alvaro Carvajal Castro, *Local Meetings and Meeting Places in Early Medieval León*, *Early Medieval Europe*, 25:2, 2017, p. 186-207; Julio Escalona, *Community Meetings in Early Medieval Castile*, in Jayne Carroll, Andrew Reynolds, and Barbara Yorke (eds.), *Power and Place in Europe in the Early Middle Ages*, Oxford, 2019, p. 216-237; José Miguel Andrade Cernadas, *Baños, claustros*

dispute is concerned with control over that church, since priest Agabio threatened to sell it, a threat that affected a key constituent of community identity.

In this case, collective action is initiated by a group of *filiigleses* (parishioners) who made free use of the church. Priest Agabio was appointed in response to the need to include a specialist to undertake the ecclesiastical duties. The community, which is defined in terms of locality and belonging to a church, casted the priest out and turned to the counts for justice to be done. It is quite striking that Agabio would have built and owned the chapel he moved to, possibly with the intention of promoting this church over that of the people of Amoeiro or perhaps at the instigation of the monks of Santa Cruz<sup>36</sup>. On this subject, the document is rather confusing. In any case, we are before an influential local actor, again a priest. One hypothesis is that Agabio would have been a member of Amoeiro's community of parishioners who also happened to have another small church. In such case, he could have been a part of the group of owners of the church, maybe one of the most prominent, which would place us before an internal community conflict. The dispute was finally judged by the counts and the bishop, which means that the community of Amoeiro could have been subordinated to the count or, at least, acknowledged his authority. The settlement clarifies the conflict: the church will be left to the parishioners and will remain free; but, to prevent further disputes, a new actor stepped in. The counts obtained a patronage over the church while at the same time allowing a local priest to perform duties in it. Mention of a tithe to be paid to the see of Ourense seems, however, an interpolation, since it does not fit in with the situation in the tenth century, a time when parish rights are still not documented. This last point may have been added at a later date, when the priests of the see of Ourense and the monks of Celanova were fighting each other, already in the twelfth century, for parish rights<sup>37</sup>.

## Community *Presuras*

A third example, also framed in the third decade of the tenth century, brings us close to the north of the city of León, to the valley of the river Torío. In 931, the monks of San Julián de Ruiforco, together with García, Ruiforco's son-in-law, litigated against the people of Manzaneda de Torío and Garrafe de Torío. Alfonso III had granted Ruiforco a plot of land where he must have built the monastery, which was probably under his and his family's patronage. However, people of the adjoining areas ploughed up the land, claiming that it belonged to them by

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*y piedras: una aproximación a los escenarios de las asambleas judiciales en la Galicia altomedieval, Studia Historica. Historia Medieval*, 36:1, 2018, p. 21.

36 The reference to this monastery in the text is rather unclear, but there could have been an attempt to control the church by this monastic community. Álvaro Carvajal Castro, *Resistencia campesinas*, cit. n. 17, p. 25-26.

37 Álvaro Carvajal Castro, *Resistencia campesinas*, cit. n. 17, p. 25.



*presura*. The king ruled that the monastic rights be respected and ordered an inquiry to be conducted where all the boundaries between the monastery and the village of Manzaneda del Torío were defined exactly as they had been transferred to Ruiforco in times of Alfonso III<sup>38</sup>.

An interesting aspect of this dispute is that it seems to be one of the scarce testimonies of resistance to the establishment of Asturian rule in the Duero plateau. The cause was the appropriation of a certain space that had been granted by king Alfonso III to Ruiforco. We do not know who Ruiforco was, but the fact that he received a royal grant and built a monastery leads us to believe that he was an aristocrat with ties to royal authority. Although the information available on the mechanisms of implementation of Asturian power in the Douro plateau in the late-ninth and early-tenth centuries is rather poor, there seems to have been a redistribution of lands and rights among the kings' loyal companions or those that joined in under the new power<sup>39</sup>. This must have been the case with Ruiforco. Yet, what the king transferred were the superior rights he possessed. People of Manzaneda and Garrafe might have been willing to accept the existence of a new authority that demanded some kind of land duties, but, judging by the lawsuit, they refused to consider that they had been dispossessed of part of their territory. If this interpretation is not mistaken, it is yet another instance of the territorial definition of these communities, which lack a formalised structure (they are the *omnes habitantes*), but have, by contrast, an identity that allows them to act as a group. Their reaction is interesting: they ploughed up the land and claimed that it was theirs by *presura*. This is a highly complex concept, although the most recent studies advocate for it being understood as the appropriation by a group or individual of pre-existing properties and rights creating a new framework of social relations<sup>40</sup>. Hence, *presura* is identified with the ways to legitimate the appropriation of lands and rights by the elites linked to Asturian power. Nevertheless, it could also be used in the case of ploughed areas that had been put to use

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38 León1-89 (Emilio Sáez, *Colección documental del archivo de la Catedral de León, I (775-952)*, León, 1987, doc. 89) (931/01/29).

39 The clearest example takes place in Brimeda, near Astorga, analysed in Iñaki Martín Viso, *Authority and justice*, cit. n. 22, p. 127-128; Cat-Astorga-5. But also near León is the case of Eslonza, where there is mention of some lands obtained by *squalido* (a term that would be roughly the equivalent of *presura*) whose boundaries were defined by prince Gonzalo, son of Alfonso III, probably in the last quarter of the ninth century. José Manuel Ruiz Asencio and Irene Ruiz Albi, *Colección documental del monasterio de San Pedro de Eslonza*, León, 2007, doc. 24.

40 Juan José Larrea and Roland Viader, *Aprisjons et presuras au début du IX<sup>e</sup> siècle: pour une étude des formes d'appropriation du territoire dans la Tarraconaise du haut Moyen Âge*, in Philippe Sénac (ed.), *De la Tarraconaise a la Marche Supérieure d'al-Andalus (IV<sup>e</sup>-XI<sup>e</sup> siècle). Les habitats ruraux*, Toulouse, 2006, p. 167-210. A minimisation of the role of *presura* in J. María Mínguez, *Innovación y pervivencia en la colonización del valle del Duero*, in *Despoblación y colonización*, cit. n. 5, p. 60-62.

for the growing of crops<sup>41</sup>. The latter is what the people of Manzaneda and Torío did, using to their advantage a legal argument that is typical of the aristocracy that is linked to the monarchy. Therefore, they used the rhetorical weapons of the powerful. A conjecture might be added: the land in question, which was not the entire area that had been given to Ruiforco, was not cultivated. It may have been a wasteland used as a common land and its being claimed by the community as a whole and not by a family or group of families. If this were so, monastic control would have meant a threat to one of the main axes of the definition of community.

Therefore, acting as a group, the inhabitants initiated an action that included the use of a legal argument that was typical of the dominant group. The other part of the conflict was a monastery in the hands of an aristocratic family with close ties to royal power, so that their access to royal justice was no surprise. The king, despite the typical royal itinerancy in early Middle Ages, had placed one of his main political centers in León, where he held a very strong property. We are at the very heart of the kingdom and the king is close by. However, access to his justice is not only a physical matter, but also one of social proximity. The monastery and García were in a position to turn to him and the decision was favourable to them. We should not forget that the cause of the conflict involved a donation made by Alfonso III, the king's grandfather. A last detail is that the text makes no mention of a perambulation, even though the boundaries are registered. Perhaps the purpose of this case was not to reach a consensus, since a royal donation seems to be behind the whole problem. Such transfer could not be discussed, so that there was no need for an agreement between communities. Still, there might be some confusion between the authority based on the safeguard of common lands, which could have been one of the main features of the Asturias-León kingdom in its process of implementation of power in the Duero Plateau, and manorial control such as that exercised by the monastery<sup>42</sup>.

## Access to Commons and a Local Hero

The issue of common lands appears in our fourth example, dated in 1050 in the district of Liébana, south of current Cantabria. The dispute arises between the people (*omines*) of Bembibre and the abbot of Piasca, who acts in representation of the inhabitants of Piasca and Taberniego. People from Bembibre claimed ownership of the *monte* of Yebas, but the abbot argued that the inhabitants of Piasca and Taberniego, who were under his lordship, also made common use of such *monte*. The term referred to wasteland located in an area outside villages and their

41 Beyond the traditional works on *presura*, this is the picture of the term portrayed by Pascual Martínez Sopena and María J. Carbajo Serrano, *Notas*, cit. n. 5. The term might conceal a variety of circumstances, but always attached to the meaning of elitist appropriation.

42 Iñaki Martín Viso, *Commons and the Construction of Power in the Early Middle Ages: Tenth-century León and Castile*, *Journal of Medieval History*, 40:4, 2020, p. 373-395.



arable land, generally on mountainous ground, although not high mountains, and devoted mostly to extensive grazing and firewood gathering. Both parties appeared before Count Gómez, who decided that the abbot's party be subjected to the *caldaria* – the ordeal by hot water. An individual who went by the name of Bermudo underwent the trial and, according to the text, passed it unharmed: *deinde iurabit Uermudo et intrabit ad caldam exhibitque inde sanum*. As a result, people of Bembibre agreed to shared use of the wasteland, as confirmed in a *placito*<sup>43</sup>.

In this case, the essence of the conflict involved the use of a common area by several communities<sup>44</sup>. It should be noted that commons were a clear arena for collective action<sup>45</sup>. It is difficult to trace their presence in the documentation, because charters focus on the defence of property rights, and not on communal uses, which nevertheless may be implicit in certain expressions included in ownership clauses (*cum totu ingressu et regressu*)<sup>46</sup>. The areas devoted to communal uses surfaced at times of conflict, most especially in the eleventh century. Some researchers have thought that this chronology was a result of the stress provoked by lords under those areas, since they were large livestock owners in northern Iberia. Communities had to react through a careful definition of who had rights to use such lands, but also the correct or accepted ways of exploitation. It was a process plenty of troubles that resulted in the acceptance of the lord's intervention<sup>47</sup>. The discussion revolved around whether the inhabitants of Piasca and Taberniego, which were under the monastic lordship, could use a common wasteland that those of Bembibre thought was theirs. The abbot undertook the defence of his *omines*, and one cannot detect – at least not explicitly – a desire of appropriation of the space. The final agreement states that the *monte* will continue to be shared by several small villages.

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43 Piasca-34 (Julia Montenegro, *Colección diplomática de Santa María de Piasca (857-1252)*, Santander, 1991, doc. 34) (1050/09/15).

44 On these disputes, Álvaro Carvajal Castro, *Resistencias campesinas*, cit. n. 17, p. 21-22.

45 On the case of northern Iberia, see Reyna Pastor, *Resistencias*, cit. n. 7; Ernesto Pastor Díaz de Garayo, *Castilla*, cit. n. 15; Iñaki Martín Viso, *Poblamiento y estructuras sociales en el norte de la Península Ibérica (siglos VI-XIII)*, Salamanca, 2000; Juan José Larrea, *Aldeas*, cit. n. 5; Margarita Fernández Mier and Juan Antonio A. Quirós Castillo, *El aprovechamiento de los espacios comunales en el Noroeste de la Península Ibérica entre el periodo romano y el medieval, Il Capitale Culturale. Studies on the Value of Cultural Heritage*, 12, 2015, p. 689-717. At a more global European level, Léopold Genicot, *Rural Communities in the Medieval West*, Baltimore, 1990; Tine de Moor, *The Dilemma of the Commoners. Understanding the Use of Common-Pool Resources in Long-Term Perspective*, Cambridge, 2015; Eline Van Onacker, *Village Elites and Social Structures in the Late Medieval Campine region*, Turnhout, 2017.

46 Carmen Díez Herrera, *La formación de la sociedad feudal en Cantabria*, Santander, 1990, p. 109 and 117-128.

47 Reyna Pastor, *Resistencias*, cit. n. 7, p. 84-92; José Ángel García de Cortázar, *La sociedad rural en la España medieval*, Madrid, 1988, p. 35-38.

The problem would arise when the relationship between communities and lords became altered. In those commons shared among several communities (*mancomunales*), the integration of one of them into lordship could be regarded as a potential break of the *status quo*. This new situation involved the presence of a new and powerful social actor that could defend the interests of one of the parties more strongly. But it also introduced the possibility of management by communities being affected by the lord, which could use such a level of collective action as the foundations of an estate that would encompass all the communities involved. It is feasible to think that this is what happened with the *monte* of Yebas and the people of Bembibre, who were not under the lordship of the monastery and expelled the inhabitants of Piasca and Taberniego because of their being part of an estate that had not existed until then and that did not affect the locals of Yebas. In any case, the abbot acted in defence of his *omines* and not as a predator of common lands. Yet, it was not an exercise of mere altruism, but a tool to legitimise his power by defending his subordinates' rights, which was, in turn, to his own economic benefit as a lord<sup>48</sup>. Other examples, such as the famous dispute of the valley of Orbaneja, near Burgos, in 1073, could be explained from this perspective, although with their own nuances<sup>49</sup>. It is not the purpose of this study to engage in an interpretation of such conflicts – an aspect that is part of a research project that is currently underway. I would simply like to remark that lord's action was key to the consolidation of communal rights, governed by local customary practices and loosely defined terms. However, it was not the result of a threat – or at least not always – but of the need to introduce a new actor, not necessarily negative or free-rider – at least from the perspective of the people of Piasca and Taberniego – into the management of commons.

As regards the terms used to refer to the inhabitants, the word *omines* appears again applied to a group that is defined in terms of residence. In the case of Bembibre, there is also a very vague allusion to the existence of internal differences (*maiores et minores*). Still, what is revealed on this occasion, unlike what happened in the previous cases, was the presence of a lord as an influential actor, who did not necessarily confront communities, but defends the interests of those under his control. Lordship disrupted local balances but must not be regarded as a threat to all the participants. It is also necessary to emphasise how the dispute was settled. Commons were not conceived in terms of property, but of access rights, and such rights being governed by local practises that were recognised by the different actors but not in writing. Ordeals were used as a means to rule in favour of one of the parties, something that also happens on other occasions when issues concerning entitlement were at stake, as is the case with the dispute

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48 This is a display of paternalism that must have been essential in the consolidation of local lordship, as noted in Jean.-Pierre Devroey, *La nature et le roi. Environnement, pouvoir et société à l'âge de Charlemagne (740-820)*, Paris, 2019, p. 393.

49 Cardeña-340.



between Coja and Matute in 1097<sup>50</sup>. Nonetheless, it is unthinkable to end this brief analysis without talking of Bermudo. This individual emerged unscathed from the challenge involved in the ordeal by hot water, which, beyond any medical or physical explanation, speaks of a figure that doubtlessly gained great prestige: he was a true local hero for the communities of Piasca and Taberniego.

## Claims of Freedom

The fifth and last example takes us to the region of Asturias. There, King Alfonso VI and a group of *infanzones* (local elites) and *hereditarii* (peasant landowners) of the valley of Langreo confronted each other, as reported in a charter dated 1075. The latter argued that their properties were exempt from any payment due to the king, but Alfonso VI maintained that such places had been part of the royal estate since the times of Count Sancho of Castile (995-1017) and his grandfather Alfonso V (999-1027). The king then urged the *infanzones* to settle the dispute through a fight between two *militēs*; in other words, a trial by combat. However, Princess Urraca, the king's sister, Counts Muño González and Pedro Peláez as well as the *infanzones* and *hereditarii* of Langreo warned him that this type of dispute should be solved through an inquiry. The king agreed – we believe that to the great relief of the *infanzones*, who could have ended up having to fight against one of the king's experienced warriors – and two inquirers were appointed, one by the king and the other by the *infanzones*. Once completed, the result of the inquiry was favourable to the king. The *infanzones* accepted the settlement and promised to never claim the property again. The king, in turn, transferred all the rights over the valley to the Bishop of Oviedo<sup>51</sup>.

The dispute revolved around royal power. Actually, as revealed by the donation to the cathedral of Oviedo, it was subordination to a new lord that was at stake. The *infanzones* and *hereditarii* refused to pay taxes and duties to the king, thus claiming their freedom. However, it may be reasonably assumed that the real purpose was to avoid such duties being now received by the cathedral of Oviedo. Lordship, and especially claims of not being subject to it, seem to have been an important fact in disputes that involved communities. For example, in 1046 Fernando I relinquished the see of Astorga to the village of Matanza after its inhabitants killed a royal officer that was to deliver the village back to the

50 S. Millán 2-266. An analysis of the area – although not of this document, it covers others related to these places – in Juan José Larrea, *Obispos efímeros, comunidades y homicidio en La Rioja Alta en los siglos X y XI*, *Brocar*, 31, 2007, p. 177-199.

51 Cat. Oviedo 2-51 (María Josefa Sanz Fuentes and others, *El 'Liber Testamentorum' de la catedral de Oviedo*, Barcelona, 1995, doc. 51).

episcopal estate<sup>52</sup>. If the dispute about the *monte* of Yebas showed a lord that acted in defence of its *omines*, here we can observe the other side of the coin: resistance to being subjected to the lord and, therefore, the claim of freedom. It is possible that royal authority would have involved a low level of demand and that the taxes and duties referred to were obligations that were delivered on an occasional basis. But the people of the valley of Langreo could expect – and that is what they feared – the new lord to be far more demanding in compliance with such obligations. Hence their resistance, contravening even the king.

Another important aspect is that the community is made up of two groups: *infanzones*, who can be identified as local peasant elites or the bottom rungs of aristocracy, but always at a local level; and *hereditarii*, characterised by owning landed property, that is, peasants with free properties, probably very similar to *alodiarii*. The differences acquired special relevance on other occasions, since representation of the community fell to the *infanzones*<sup>53</sup>. In Langreo, the superiority of the *infanzones* is not explicitly stated, although it might be assumed that this would, indeed, be the case and that they took on the role of representing the community. The intervention of a new actor, the Bishop of Oviedo posed a threat to the autonomy that such local elites had so far enjoyed. *Infanzones* and *hereditarii* made up a group that was once again defined by its residence. A community that spread over an entire valley, which is not at all surprising if the scattered nature of settlements in the Cantabrian north is taken into account, something that has allowed valleys to continue playing a role in territorial definition. This community confronted the king because he wanted to get rid of their domain to give it to a lord. The *status quo* was being altered, and a way to tackle the situation was by declaring the royal absence of entitlement to any right.

The dispute is settled by means of an inquiry. Neither party could appeal to a written testimony because the implementation of royal power had not taken place through a donation or legal action. There was only the memory that it must have come into effect in the late-tenth or early-eleventh century and that it had been perpetuated via his ancestors until reaching Alfonso VI himself. However, there is a striking chronological vagueness or even imprecision, since there is no information as to whether it was Count Sancho or Alfonso V, nor is there any mention of his father Fernando I (1037-1065). This circumstance reinforces the image of lenient control based on a tacit acknowledgement of authority, which might also entail recognition of the authority of the *infanzones* as local leaders. At first, Alfonso VI intended to settle the dispute by combat. Once again, an ordeal was proposed. It is revealing that his sister, Urraca, and other magnates would support the inhabitants of Langreo to ensure that the combat did not take place and to prevent the application of the rules of the Visigothic *Lex*, probably related

52 Cat-Astorga-306 (1046/06/28). Juan José Larrea, *Villa Matanza*, in Hélène Débax (ed.), *Les sociétés méridionales à l'âge féodal (Espagne, Italie et Sud de la France, x<sup>e</sup>-xiii<sup>e</sup> s.). Hommage à Pierre Bonnassie*, Toulouse, 1999, p. 223-228.

53 Igor Santos Salazar, *Los privilegios*, cit. n. 18 for a specific case.





to treason. Information obtained through questioning would be the path to a solution, and the inhabitants of the valley of Langreo were the ones who had to finally yield on their pretensions.

## Disputes, Identity, and “micropolitics”

After a brief review of these five cases, it is appropriate to consider a series of final reflections, which are, nevertheless, not intended as definitive conclusions. The first thing that should be noted is the existence since the tenth century – documentation originating from the ninth century is very scarce – of communities defined by their residence in northern Iberia. As mentioned, this situation does not fit within the standards of the rest of Western Europe in those times. This greater visibility of collective ties involves a solid identity that seems to have been a consequence of the deep collapse of political power in this region between the eighth and ninth centuries. The disappearance of all forms of central authority and the slow reconstruction of an encompassing polity favoured the coherence and strength of local frames<sup>54</sup>. Accordingly, local societies acquired considerable prominence, which provided them with remarkable autonomy against a central authority whose ability to intervene at the local scale was scarce, except in those areas where there was a solid royal estate<sup>55</sup>. However, the level of legal and institutional formalisation of these communities was very low. In the case studies, the most frequent term was that of *omines*, although in the eleventh century, in Langreo, definitions that highlighted internal differences were used. Yet, such confirmation is not an equivalent of nonexistence or weakness, but it was a feature of a local society where legal institutionalisation was not a necessary tool. However, the increasing lordship made the formalisation and *spatialisation* of communities possible<sup>56</sup>.

There were undoubtedly other possibilities of engaging in collective action that cannot be overlooked, but the examples studied show the effectiveness and power of community ties in some contexts. In fact, charters mention *concilia* and *collaciones*, words that, as already noted, refer to assemblies held by communities. It is interesting to highlight that when communities were involved in disputes

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54 Iñaki Martín Viso, *Colapso político y sociedades locales: el Noroeste de la península ibérica (siglos VIII-IX)*, *Reti Medievali. Rivista*, 17:2, 2016, p. 335-369; Chris Wickham, *Espacio*, cit. n. 1, p. 54.

55 Iñaki Martín Viso, *Authority*, cit. n. 17; Álvaro Carvajal Castro, *The Monarchy and the Elites in Early Medieval León (Ninth-Eleventh Centuries)*, *Journal of Medieval Iberian Studies*, 7:2, 2015, p. 232-248.

56 Joseph Morsel, *Appropriation communautaire du territoire, ou appropriation territoriale de la communauté? Observations en guise de conclusion, Hypothèses*, 9, 2006, p. 89-104.

such terms were hardly used<sup>57</sup>. *Concilia* appear in legal text as the place where agreements or decisions were validated, even where the legal action itself was conducted. An example is the dispute between the abbot of Matallana and an individual known as Pascual in 1022 over some properties, which was settled by an agreement that was validated before the *concilio* of San Juan<sup>58</sup>. The participation of communities implied the existence of a public act where the agreement or decision was endorsed<sup>59</sup>. However, these aspects did not affect the community as a whole, but only some members. In any case, they showed how there was an interest – at least sometimes – in the settlement of the dispute to be public and endorsed by some type of consensus.

The participation of communities as actors in disputes is related to issues pertaining to the entire group; that is, matters that were part of the definition of the communities and its collective action. There were two main axes: on the one hand, collective arenas, such as territory, commons, and some churches<sup>60</sup>, and on the other hand, rights and ties to superior powers<sup>61</sup>. The case studies illustrate such situations, although more issues might be added, such as access to water or the payment of *homicidio*, the fine that communities were faced with if a homicide took place within their territory<sup>62</sup>. When a threat related to such issues was perceived, groups became mobilised and communities acted. Judging by what we have seen, they did not always turn to justice, but could also engage in actions aimed at re-establishing balance *de facto*. This was the case when people of Manzaneda and Garrafe de Torío appropriated lands they claimed as theirs. The *infanzones* and *hereditarii* of Langreo refused to acknowledge the existence of a previous royal power. The examples also highlight how the interference of new

57 However, there are some exceptions, especially in the area of Castile, such as the agreement on the use of water for a mill between the monastery of San Martín and the *concilio* of Vil-labáscones; Cardaña-89 (956/08/23). Another example is that of the *concilia* of Berbeia, Barrio and San Zadornil; S. Millán-3-535 (1012/11/29). See Igor Santos Salazar, *Ruling Through Court: the Political Meanings of the Settlement of Disputes in Castile and Álava (ca. 900-1038)*, *Al-Masaq. Journal of the Medieval Mediterranean*, 17:2, 2017, p. 133-150.

58 Matallana 2-784: *In quorum concilio Sancti Iohannis et alios plures*.

59 Isabel Alfonso, Judicial Rethoric and Political Legitimation in Medieval León-Castile, in Isabel Alfonso, Hugh Kennedy, and Julio Escalona (eds.), *Building Legitimacy. Political Discourses and Forms of Legitimation in Medieval Societies*, Leiden, 2004, p. 255; Igor Santos Salazar, *Ruling*, cit. n. 57.

60 Wendy Davies, *Windows*, cit. n. 14, p. 221-223.

61 Igor Santos Salazar, *Ruling*, cit. n. 57.

62 An example of the problems caused by the use of water is the conflict between the monastery of Valdevimbre and Gondemaro together with its *heirs* of the *collatio* of San Juan, in Vega de Infanzones, on the subject of the aqueduct that channelled water to the monks' mills and also to those that he other party had owned for a long time; Valdevimbre1-128 (938/06/25). On the other hand, there is also evidence of some cases of fierce resistance against the *homicidio*, as is the case with people of Albelda who, throughout the eleventh century, refused to pay such a fine on several occasions; Albelda1-60 (c. 1082). See also Juan José Larrea, *Obispos*, cit. n. 2, p. 194-196.



actors caused imbalances that led to conflict. Confrontations were not merely disputes between lords and peasants, since communities could also struggle against each other, even though underlying lordship interests can be observed. Neither should we understand the outcome in terms of victory or defeat; the case of the *monte* of Yebas is very telling in this regard. Nonetheless, it is not the purpose of this study to analyse the final result, and there are recent studies that provide very appropriate views on the matter<sup>63</sup>.

An examination of these conflicts leads us into the arena of “micropolitics”, meaning a set of small-scale social and political practices that were, nevertheless, crucial for most of the population and were passed on as a *habitus* rather than as regulated standards. These “micropolitics” were underpinned by a “moral economy”, a set of moral or social values that gave meaning to such economic practices<sup>64</sup>. The management and legitimation of such practices is governed by customary regulations, which explains the resolution mechanisms they adopted, for which there is no written evidence. This does not mean that such societies were not acquainted with writing, nor that they were helpless against the property control exerted by lords through written culture. The key was in the fact that these practices were outside the scope of written records and, actually, as was also the case with the use of common lands, they were not recorded in writing until the eleventh century as a result of the settlement of disputes in legal arenas that required it. Nonetheless, the case of Ruiforco can be checked against the written document, associated with the king and the new authorities, which is expressed in terms of ownership and community rights; nonetheless, it is reasonable to assume that the royal transfer, as a result of the conflict’s evolution, would have been articulated in vague terms. However, the dispute seemed to have provided the setting for record-keeping and disputes increased in number with lordship. None of this entails disagreement between documents and customary proof<sup>65</sup>.

Legal disputes worked as windows that provide insight into the scope of such values and the central role played by “micropolitics” in the definition and evolution of communities<sup>66</sup>. They do not cover the entire framework of existing conflicts, but only a part where ecclesiastical lords are involved, whose archives have been preserved. There is no doubt that some disputes have not been registered and that there were informal problem-solving mechanisms related to said “micropolitics”. Nonetheless, there can be no talk of constant conflict that set lords and communities against each other, even though it was one of the main causes of strain in the system of social dominion and the lord’s intervention was not always regarded in a positive or detached way. Disputes also provided

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63 Álvaro Carvajal Castro, *Resistencia campesinas*, cit. n. 17.

64 James C. Scott, *The Moral Economy of the Peasant. Rebellion and Subsistence in Southeast Asia*, New Haven, 1976; Edward P. Thompson, *Customs in Common*, London, 1991.

65 Chris Wickham, *Legge, pratiche e conflitti, Tribunali e risoluzione delle dispute nella Toscana del XII secolo*, Rome, 2000, p. 475-476.

66 Álvaro Carvajal Castro, *Collective action*, cit. n. 16, p. 292-293.

the settings to reflect and articulate internal inequalities within the community. Representatives were to be chosen among those acknowledged as local leaders, probably individuals with experience and persuasive skills<sup>67</sup>. In the eleventh century, the *infanzones* gained prominence as community representatives, although the existence of such leaderships was already gathered in certain well-known and controversial Castilian texts<sup>68</sup>. The centrality of these local elites was doubtlessly earlier, although it could be expected that their role in these disputes would add to their prestige. When communities achieved their goals, the influence of those who had been involved in the settlement of the dispute would grow considerably. Let us recall the brave Bermudo, who must have been regarded as a true hero and whose prestige undoubtedly increased (we do not know if it cost him his hand). In any case, it seems that internal differences were somewhat better established in the eleventh century. In this same century there is also a stronger presence of lords, whose intervention is one of the main axes of the disputes. Even though their ubiquitous activity might alter balances, it was not necessarily a threat to communities, as can be observed in the case of Yebas. Even the case of Langreo could be interpreted in the sense that those who were under the greatest threat were local leadership groups who would have to renegotiate a new status. It was not until the twelfth century that progress was finally made in the formalisation of rural communities, thanks to the *fueros* or charters of franchises<sup>69</sup>. Such documents already presented communities as interlocutors and defined the framework of the relationships between lords and communities. Even though these texts are portrayed as acts of kindness granted by lords, we know that they were very often the result of complex negotiations and prior tensions<sup>70</sup>. In any case, this formalisation should be understood as a new stage in a long sequence that probably dates back to at least the early medieval period.

All the same, the life of the inhabitants of northern Iberia in the early medieval centuries was linked to different forms of group-building, such as families, patronage networks, or belonging to supralocal communities. Memberships that overlapped became the reason why collective action did not always revolve around the axis of community action; this would depend on the aspects at stake and the relationships among the different social actors. The action of these communities did not require a formal and legal framework, and even less that it be

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67 Wendy Davies, *Windows*, cit. n. 14, p. 231.

68 These are the so-called 'fueros' of Barrio, Berbeia, and San Zadornil, analysed by Igor Santos Salazar, *Los privilegios*, cit. n. 18. On this aspect, see also Igor Santos Salazar, *Ruling*, cit. n. 57 and his contribution to this volume.

69 Pascual Martínez Sopena, *Autour des fueros et des chartes de franchises dans l'Espagne médiévale*, in Monique Bourin and Pascual Martínez Sopena (eds.), *Pour une anthropologie du prélèvement seigneurial dans les campagnes médiévales (XI<sup>e</sup>-XIV<sup>e</sup> siècles). Réalités et représentations paysannes*, Paris, 2004, p. 211-237; Carlos M. Reglero de la Fuente, *Las comunidades de habitantes en los fueros del reino de León (1068-1253)*, *Studia Historica. Historia Medieval*, 35:2, 2017, p. 13-35.

70 Isabel Alfonso, *Campesinado*, cit. n. 13.



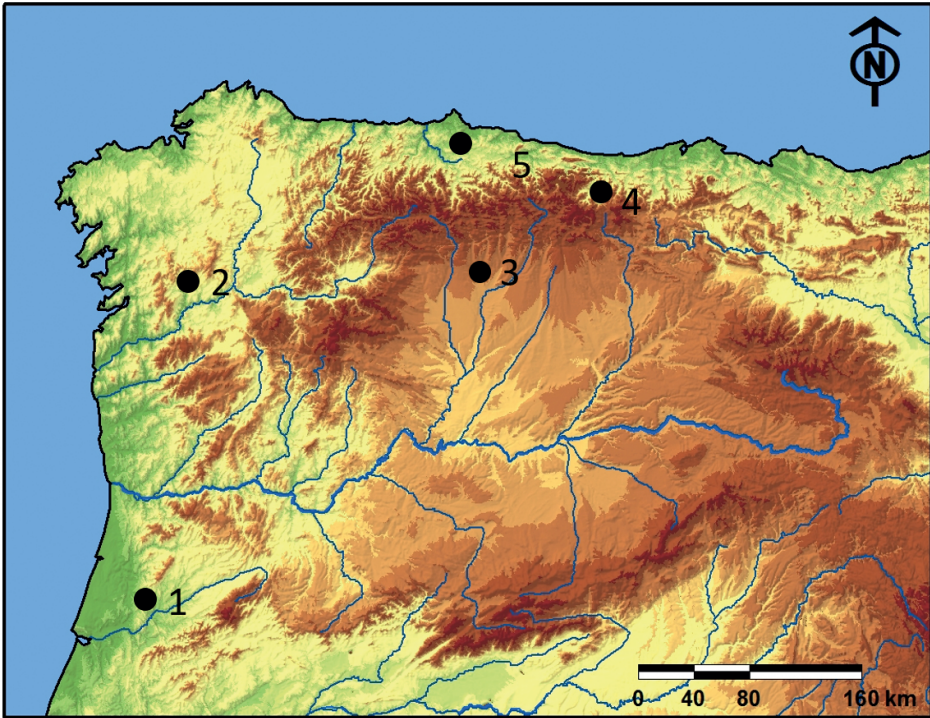


Fig. 1. Location of the places sited in the text: 1) Vila Cova and Alquinítia; 2) Amoeiro; 3) Manzaneda and Garrafe de Torío; 4) Yebas; 5) Langreo. Image by Iñaki Martín Viso.

continuous; on the contrary, they might have gained visibility from time to time at particular moments, while on other occasions their activity became obscured by our sources. And disputes for reasons that affected the group as a whole were one of those moments where the community became reflected in the texts.