

# SUSAN REYNOLDS

Susan Mary Grace Reynolds

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elected Fellow of the British Academy 1993

by

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Susan Reynolds<sup>1</sup> was elected to the British Academy in 1993 after she had worked out a new framework for the medieval history of England, France, Germany and northern Italy. The breakthrough book was her *Kingdoms and Communities in Western Europe 900–1300* (Oxford, 1984). Her previous publication record, including the edition of part of a bishop's register<sup>2</sup> and a good book on medieval English towns,<sup>3</sup> was solid enough but *Kingdoms* was of a whole new quality. It brought all levels of society together in a synthesis. For all its limitations (only England, France, Germany and Italy, very little religion) it was a stunning achievement. Her subsequent *Fiefs and Vassals* (Oxford, 1994) left a generation reluctant even to use the word 'feudalism', and other important contributions continued until not long before she died.<sup>4</sup> In 2001 she was honoured with a *Festschrift* entitled *Law, Laity and Solidarities*. Nobody could have foretold all this from her undramatic start.

Susan's father did not go to university; neither did his father, and perhaps nobody had done so at least in the male line. Still she was born into a prosperous upper middle class world, which would have some relevance to her career as a historian. Her paternal grandfather, the son of a greengrocer in south London, had been an office boy in a solicitor's firm. He was gifted and had the chance to work towards qualifying as a solicitor himself, which he did. He rose fast, which paradoxically was bad luck for his daughters. The family moved up in the world to better and better neighbourhoods, so Susan's aunts were never in one place and social milieu sufficiently long to meet a potential husband. They stayed at home and were frustrated. One of the aunts was a gifted Latinist – self-taught? – and coached Susan when she was told she needed to improve her Latin before taking up her place at Oxford. (In the end a threatened exam was quietly forgotten. Susan used to say with her underlying modesty that her Latin was never quite good enough for the purposes for which she *needed* it.) Susan often spoke about her father and his sisters, her aunts; much more seldom about her mother or her maternal grandparents, though she mentioned that her mother's father too was a lawyer. Yet 'mother' was Susan's last word when she died.<sup>5</sup>

This legal lineage no doubt predisposed Susan to be interested in legal history, an interest that grew stronger in her later work. On a personal level she was certainly interested in her father's legal career almost as a slice of social history. He was destined to

<sup>1</sup> The memoir is largely based on many conversations between Susan Reynolds and the authors. See also the interview conducted under the aegis of the Institute of Historical Research on 17 March 2008: [https://archives.history.ac.uk/makinghistory/resources/interviews/Reynolds\\_Susan.html](https://archives.history.ac.uk/makinghistory/resources/interviews/Reynolds_Susan.html), accessed 10 January 2022.

<sup>2</sup> *The Registers of Roger Martival, Bishop of Salisbury, 1315–1330*, iii, *Royal Writs* (Oxford, 1965), ed. Susan Reynolds.

<sup>3</sup> *An Introduction to the History of English Medieval Towns* (Oxford, 1977).

<sup>4</sup> *Ideas and Solidarities of the Medieval Laity: England and Western Europe* (Aldershot, 1995); *Before Eminent Domain: toward a history of expropriation of land for the common good* (Chapel Hill NC, 2010); *The Middle Ages without Feudalism: essays in criticism and comparison on the medieval West* (Farnham, 2012).

<sup>5</sup> Information from the carer on duty.

follow in her grandfather's footsteps, from a much more advantageous position (though after serving through the First World War). He too was very successful. For many years he ran his law firm without partners. Eventually he took on two bright young men. When, after two heart attacks, he asked them to buy him out, they refused, presumably because they could not afford it, and Susan vividly remembered finding him utterly distraught on the evening in question. He felt he was ruined but that was evidently far from the case. He was good with young children, though – reading between the lines – insensitive or hard to know when she was a teenager. Despite his eventual wish to retire he was clearly a workaholic, and Susan may have inherited that single-mindedness. It was not so much that she worked Stakhanovite hours, and she always took a long summer holiday (three weeks in France, more on which below), but her academic research became the centre of her life, what made it worth living for her, for all her warm relationships with friends and family. She never married. At one crossroads point she developed passionate feelings for a married man – was 'dotty about him'. Apparently he was also in love with her and told her. She knew she could have said: 'What a coincidence!' and started an affair; instead she said: 'What a pity', and that was the end of it. She knew that if they had gone on to discuss the situation she would have weakened, but she did not want to break up a marriage. From then on, the desire to investigate and interpret History was the fire inside her.

That she would do a degree was apparently taken for granted. Susan's father wanted his three daughters to avoid his sisters' fate and to go to university but not to join the family firm. Perhaps that was the patriarchal mentality of his generation, or perhaps it was because a university degree was still not the normal path to a solicitor's career, so that he had to make a choice for them. At any rate, they all got degrees, one sister from Oxford and the other from St Thomas's Hospital Medical School (University of London) (she became eminent). Susan was on good terms with them and especially with her nieces, who used to play in her bed-sitter when she lodged with one of her sisters and who helped her greatly when she was old and frail. As is common, in her old age she retained vivid memories of her early years.

Her school days were happy enough. There was one girl who mildly bullied her. Curiously, the same girl and Susan regularly went to tea at each other's houses, and the bullying relationship lapsed into a different dimension. Eventually her headmistress learned of the problem from Susan's mother and solved it by asking the most popular girl of the cohort to befriend Susan. The head may also have had a word with the bully. Decades later she and Susan resumed contact, and the girl said it was the first time that she really understood that other people were real in their own right, not just part of her life.

Until and during the early part of the Second World War Susan attended Francis Holland School in London. She and her whole family thought that a German invasion was going to happen. Her well-to-do family had a second residence in Norfolk where they were staying. (Her mother had grown up there as a girl, and had happy memories of it, though her father, Susan's maternal grandfather, another successful solicitor, had parked the family

there and only visited at weekends.) Susan vividly remembered a rather pathetic contingent of some forerunner of the Home Guard who were supposed to hold off the invading Germans. Via her mother, who had one of the only telephones in the area, they were given the codeword ‘Windmill’ to warn them of imminent attack. Susan didn’t think much of their chances; when one of Susan’s sisters was left alone in the house in Norfolk she did indeed receive such a phonecall and had to go out to the pioneer corps in the middle of the night and say ‘windmill’ at which they all woke up and swore. Their mother sent the family back to London and a brief spell in North Wales followed – safer from Germans?! Then, in July 1940, her father managed to arrange for his wife and three daughters to go to Canada – Montreal. The family that agreed to take them was not expecting four people, but did their bit. During her time at Dartmouth College in the mid-1980s, Susan was pleased to reconnect with her host family from four decades earlier.<sup>6</sup>

In Montreal, Susan attended an excellent school called ‘The Study’, where she appears to have been very content. As the fortunes of war changed, a return to England seemed possible and highly desirable, for her father had had a heart attack. A passage was arranged for January 1944, as Susan’s mother was the sister of a naval officer: technically not quite a justification but it did the trick. Susan was then sent to school in Wales, Howells School Denbigh. Again she seems to have been reasonably happy, probably because she was sufficiently clever to manage transitions between schools easily, though presumably her Latin was not quite good enough for Lady Margaret Hall, Oxford – hence the catch-up lessons with her aunt. Her interest in History seems to have been sparked by reading romantic novels about the English Civil War period – just as a later generation would be hooked by Tolkien and a still more recent one by ‘Game of Thrones’. To judge from a half memory that surfaced when she was dying, she may have supplemented the fiction reading with Dame Veronica Wedgwood’s distinguished three-volume history of the English Civil War.<sup>7</sup>

<sup>6</sup>Professor G.R. Garthwaite, personal communication.

<sup>7</sup>This came up when Susan could only talk with difficulty. The train of thought was as follows. I had mentioned to her that Lucy Sutherland had been offered the Regius Chair at Oxford before Hugh Trevor-Roper, and commented that maybe the Prime Minister Macmillan (who made the appointment) was better informed than one might think. Or maybe he didn’t care, responded Susan. I then mentioned that I had once had a chat with the then Patronage Secretary at a party, and learned that he relied much on Veronica Wedgwood’s guidance. Did Susan remember Veronica Wedgwood? I was about to continue talking when she said: When you ask a question, wait for an answer! A memory of how Wedgwood had been important in her life was struggling to the surface. Was it when Susan was already at LMH? No, she didn’t think so. A little later she ventured that she may have consulted Wedgwood about university applications, and been told that LMH was a college for ladies. (Susan couldn’t remember whether that was meant to be a positive or a negative comment. Given that Wedgwood had been a student at LMH, it was probably positive.) Susan could not remember how she knew this very distinguished amateur historian. (DLd’A)

Susan was an undergraduate at Lady Margaret Hall, Oxford, from 1947 to 1950. Her medieval tutor at LMH was Naomi Hurnard, whose significant contributions to scholarship were lengthy articles on 'The Anglo-Norman Franchises' and a book on *The King's Pardon for Homicide before 1307*. A comparison with Natalie Zemon Davies' much more recent book about French royal pardons (in a later period) would say a lot about historical trends. Hurnard may not have been an inspiring teacher but she got off to a good start with Susan. What is your evidence? – she asked on some point in the first tutorial. Susan mentioned a historian, Maitland no less. That's not your *evidence*, said Hurnard, it's your authority. Later Susan's immense yet critical respect and affection for Maitland would contrast with Hurnard's compulsive efforts at correcting him.

Significant for Susan's later career were tutorials with Lucy Sutherland, the Principal, and an important figure in the Oxford of the day. Not long afterwards Sutherland was more or less offered the Regius Chair of History, but turned it down rather than give up her position as Head of House (at Oxford, unlike Cambridge, it has to be one or the other); Hugh Trevor-Roper then took the job. Later events would prove that Dame Lucy had been impressed by Susan. Lucy Sutherland was a post-medieval historian. Susan does not seem to have been much inspired by the Oxford medievalists of the day or to have remembered a lot about the medieval teaching she received, apart from the tutorials with Hurnard, though perhaps she owed more than she realised from the university's then still very strong focus on medieval history. For medieval history it was, indeed, rather a good day, when a clientele of devoted undergraduates trailed behind K.B. MacFarlane, R.W. Southern was well established, and F.M. Powicke was bringing together a stellar group of intellectual and cultural historians who worked with manuscripts. Great woman scholars were nearby: Beryl Smalley at St Hilda's and Marjorie Reeves at St Anne's. Role models for Susan? There is no sign of it. It says something about the role of the colleges in Oxford, at least in those decades, that the impact of this milieu on Susan's intellectual development seems to have been minimal, at least so far as she remembered.

She graduated in 1950 with a good second (the class was not divided in those days). She did not dare propose herself for doctoral work, or, apparently, think she would be given the opportunity. Later on, she would attribute her sense of being an outsider to the fact that she had not been a doctoral student alongside other future dons. How justified this little chip on her shoulder was is another question: how many of the other medieval dons had been research students together? For Susan's generation, furthermore, the doctoral qualification was less crucial than it would later become. Even those who had doctorates, like Maurice Keen and Beryl Smalley, preferred to be addressed as 'Mr' or 'Miss', as if a doctorate were a slightly shameful thing.

In any case Susan would manage well without one, and obtained what may have been an even better research training thanks to her career path over the next few years. When



she was asked by Lucy Sutherland what she wanted to do, she said ‘archivist’. As it happens, this was a happy choice.

She took the archive course at University College London (1950–1951). In general it was not excitingly taught but Palaeography and Diplomatic were in the hands of L.C. Hector, a Public Record Office man who was an inspired communicator of those disciplines. He later wrote an outstanding teaching book, *The Handwriting of English Documents*, than which there is no better way into the field. Susan still remembered his instruction on scribal errors: the usual categories but also the joker in the pack, errors due to something unrelated to the text going on in the scribe’s mind as he was copying. If she had stayed on for research at Oxford she would have been taught Palaeography by Neil Ker, a great palaeographer indeed but by most accounts an abysmal teacher: one former student remembered how he would write an abbreviation up on the blackboard with one hand and almost simultaneously rub it off with the other. Susan herself would take over the Palaeography teaching of History graduate students in her last years as a don at Oxford, leaving Pierre Chaplais to focus on the teaching of Diplomatic, that is, study of the structure and setting of documents.

To go back to her early career: her research training continued with a brief spell at the Middlesex County Record Office followed by recruitment to the Victoria County History, based at the Institute of Historical Research, University of London. ‘Susan was an assistant, not at a tranquil time, but when the VCH’s content, design, and research guidelines were being rapidly and extensively modernized under [Ralph] Pugh’s new regime, and she played a full and important part ... before going on to be editor of the Middlesex VCH herself’.<sup>8</sup> At the VCH her boss Ralph Pugh believed that his staff should also do personal research. He assigned her to work on the writs in the episcopal register of the 14th-century bishop of Salisbury, Roger Martival. Her edition of vol. 3 of the Register, ‘Royal Writs’, would be published by the Canterbury and York Society in 1965. Editing the highly formulaic writs was an advanced training in Diplomatic as well as in Palaeography. This editorial work together with Pugh’s supervision and guidance at the VCH gave her a research training probably superior to anything available in Oxford or Cambridge.

After seven years of this hands-on training, working tranquilly alongside the future General Editor of the VCH Christopher Elrington, she decided it was time for a change. As if sleep-walking into her academic vocation, Susan decided to try teaching – school teaching. For school teaching she had no training. Her first school was an un-academic ‘secondary modern’ school, Christ Church School, North Finchley. None of the other teachers had a degree, and the common room was tiny. There was no resentment of her, or impatience with her inexperience and the discipline problems that went with it. Susan remembered her fellow teachers with gratitude and affection. They offered sincere congratulations when

<sup>8</sup> Christopher Currie, later General Editor of the VCH, personal communication.

she landed a presumably far better-paid job at an independent girls' day school, Queens College Harley St London, founded in 1848 to train governesses. Here she taught from 1960 to 1964. From time to time she would visit her old tutors at LMH.

The urge to do more original research was, however, making itself felt. She planned to do a biography of the Anglican bishop and historian of the papacy Mandell Creighton. At that time Susan was still a believing Anglican. Her faith left her when she was about 40, by her own account because of her habit of questioning everything.

She was already in her early thirties when her professional life took an unexpected turn at which, for the rest of her life, she continued to marvel. Lucy Sutherland, the Principal of her old college LMH, wrote to her – hand-written note – saying that she might be aware that Naomi Hurnard was going to retire, and would Susan like to come to lunch. Susan suspected that Hurnard had not really expected her resignation to be accepted, but if so Hurnard was mistaken. She and the other LMH History tutor Ann Wightman had not spoken to each other for years – one wonders how entrance interviewing was managed – and Wightman and the Principal were on good terms. So a space was created.

It was a different age. A head of house and a tutor could in effect offer a job for life. The lunch was the interview with the appointment board, but it had all been decided beforehand. Susan had mixed feelings about this *modus operandi*, which belonged to a world about to vanish, but it was certainly a good call in her case. Susan's research would go from strength to strength. It was a slow build-up to world class achievement as a scholar. She already had under her belt the edition of writs in the Martival register. In 1969 an article in the *English Historical Review* exposed the charters of Barnstaple as forgeries. Here she showed real detective flair. The clues were there but previous scholarship had missed them. In 1977 she published with OUP an *Introduction to the History of Medieval English Towns*. While not as exciting as her later books, it was a good monograph in a field previously deadened by Tait's learned but, for many, unreadable *Medieval English Borough*. Susan's study achieved the by no means routine accolade of a positive review in the journal *Annales*, at that time the most important historical journal. Her VCH training may have helped with the research; much of the Middlesex covered by her volume had become part of London, and she had written particularly well on the development of Twickenham. And all that work sowed the seeds of the very different, later, studies for which she is best known. As she says at the start of the Preface to her first volume of collected essays, 'My interest in the collective activities of medieval lay people and the solidarities that underlay them were awakened soon after I started to work on medieval English towns in the mid-sixties' (*Ideas and Solidarities*, p. vii).

Susan was clearly a good teacher, as pupils like Pauline Stafford testify. In an interview given in 2008, Susan commented that 'after about twenty years there I was getting a bit stale, partly because I was more and more interested in the research and therefore spending less and less time on doing new things in teaching. So the teaching got staler.' Yet this was



far from the impression one of the authors of this piece got when, in 1982–3, Susan taught him for his Special Subject on ‘Reform and Revolution 1258–1267’. Not that the tutorials got off to an auspicious start. The preparatory meeting had to be cancelled because I (JH) was suffering from chickenpox. The first proper tutorial started late, after I limped across the Parks to LMH, having hurt my knee playing rugby. In the second I tried the phrase ‘Well, feudal in inverted commas.’ No one will doubt which of these three events was the most dangerous. Yet I remember very well the firm and insightful reprimand that when people say ‘in inverted commas’ they are just avoiding having to work out exactly what they mean. And the tutorials were memorable too for seeing a historian’s mind working in a rather different way from those which I had previously observed. Other tutorials had often been characterised by an approach that can best be described as combining the socratic and the contrarian – at their best to wonderful effect ... but not always at their best. Here one could see Susan continually turning over in her mind her latest hypotheses – and I rejoiced when she interrupted some statement of mine by saying, ‘Stop, let me take down that point, it fits with something that I am arguing.’ And all was done with enthusiasm and humanity. As another student writes, ‘Apart from looking over one’s shoulder for the rest of one’s life before saying the word “feudalism”, it is Susan’s enthusiasm that I remember, having had the good fortune to be tutored by her at LMH [1974–77]. She really did bounce in her chair, eyebrows up and beaming, if she was pleased. She was very kind – students who she felt were flagging before finals were taken out for a country walk and a pub lunch. In spring her room was filled with troughs of hyacinths in bloom, a scent which evoked Susan for ever after.’<sup>9</sup>

No doubt her years as a school teacher helped. As with all new university lecturers, the start was challenging: she was not yet familiar with the bibliography of the papers she had to teach. In Oxford’s Collegiate system, furthermore, she had to work to existing course and examining traditions, irrespective of her personal knowledge and interests. To the rescue came Barbara Harvey (prompted by Ann Wightman), who passed her own bibliographies and essay questions over to Susan.

In retrospect on her teaching, Susan criticised two categories of tutorial pupils who came her way at LMH. There were men from well-known public schools taught by confident young male teachers. (To this day, famous public schools often recruit history masters with excellent academic records even if they have no teaching qualifications or experience – a system that seems to work better than it should do.) These gentlemen were unable to let go of what they had learned at school, especially since it was a woman who was subverting their assumptions. Then there were women described on application forms by their head teachers as ‘scholarly’. This seems to have been a code-word for hard working and dutiful but uninspiring to teach, because unwilling to talk. On one occasion Susan told two

<sup>9</sup>Kate Currie, personal communication.

of them that if they weren't planning to say anything she might as well go and prepare her supper. Susan must have given lectures but does not seem to have attached so much importance to them as to tutorials. This was in tune with the general ethos of the Oxford History School. Research supervision seems rarely to have come her way. As noted above, in her final years at Oxford she took over the Palaeography teaching of History graduates, and enjoyed this change from undergraduate teaching.

Undergraduate teaching for Susan, as for others, was a predominantly college affair. That may explain what Susan felt to be a problem with the whole milieu, viz., that there was a lack of collective intellectual life. Intellectual leadership by great professors was not Oxford's style. It is true that the retired Regius Professor V.H. Galbraith (and his wife) made Susan very welcome on her return to the university, and she was most grateful for it and for the drinks sociably thrust into her hand. She was aware of R.W. Southern as an admired figure, but does not seem to have had much contact with him. Ernest Jacob, Geoffrey Barraclough (mostly conspicuous by absence it is true), Michael Wallace-Hadrill and Karl Leyser seem hardly to have been on her radar, to judge from her later reminiscences.

Furthermore, according to Susan, it was not done simply to turn up at seminars run by a colleague. One had to ask permission and there was no culture of doing so. In her mind, the contrast with London's Institute of Historical Research, on which more below, was overwhelming. Nor was it easy to find interlocutors with whom to discuss her own research. When the idea of *Kingdoms and Communities in Western Europe, 900–1300* (first edition Oxford, 1984), probably her greatest work, was germinating, she tried to engage Maurice Keen in conversation about it, but he said he didn't know enough. Since his general knowledge of medieval history was very wide, that must have sounded unconvincing, but Keen probably just felt that they were on different wavelengths. It was again Barbara Harvey who came to the rescue by being prepared to listen.

It was probably largely a matter of listening rather than criticising. Susan was herself not the best of listeners, though she wanted to be: but her own train of thought would soon take over, despite her benign intentions and her disarming self-awareness of this pattern. Whether she would have listened long and patiently to Maurice Keen's theories about Chivalry without interrupting is an open question – but in any case she was probably right that such discussions were uncommon in the Oxford History Faculty, despite Susan's theory that dons who had done doctorates together were intellectually close.

Perhaps Susan's approach and interests were not a good fit with the intellectual communities that did exist in her time among the dons. The focus on religious and cultural history, as transmitted in manuscript books, which united the informal group of Beryl Smalley, Marjorie Reeves, Daniel Callus, W.A. Pantin, and above all R.W. Hunt, had no more impact on her than when she was an undergraduate, and, as then, she remained far from the intellectual offspring of K.B. McFarlane. For whatever reason, she felt intellectually isolated.

One matter that did bring fellows of different colleges together was university examining. In her first year after returning to Oxford, Susan only had a college post and salary, but then a university appointment was added to it. Eventually, she took her turn on the Finals examination board: a heavy burden as the Oxford History School had many undergraduates. Her co-examiner was Maurice Keen. In the first year, they disagreed about practically every script. John Cowdrey of St Edmund Hall had to be brought in to re-mark the whole set. In subsequent years, Susan and Maurice Keen's marks were entirely in harmony, so they had learned from each other about examining at least, and clearly got on well personally.

Like a post-captain in the navy of Nelson's day, Susan rose in seniority, and thus she became Chair of the History Board of Examiners. She was not a professor and was warned on all sides to expect trouble from a potentially obstreperous Hugh Trevor-Roper, the Regius Professor, who had returned to the Board that year. His previous stint on it was vividly remembered for his drastic culling of potential First Class degrees, leaving only a handful. But by the time Susan was chair, his zeal or energy had diminished and he did not give too much trouble. Nonetheless he pulled down the class of one candidate who deserved better. Peter Mathias, who had a status close to Trevor-Roper's, took her aside during the lunch hour and proposed that they try to reverse the decision, which they did. Susan seems to have been an efficient chair and she took the trouble to thank the administrators with whom she worked, a gesture that was apparently unusual at the time.

She also played her efficient part in College administration. She noted that those who avoided such duties because of the demands of 'their own work' did not necessarily achieve much with the latter either. Notably, Susan took on the role of Dean, responsible for welfare and discipline. Much later she wondered if she had been as aware as she should have been of problems like mental health among undergraduates. Her approach was firm and brisk, but, given the natural kindness that informed all her behaviour, probably effective. When LMH started to take male students, she went the extra mile to make contacts that would increase recruitment from state schools.

Oxbridge college life and teaching brings with it great satisfactions – a sociable community and close intellectual interaction with the college's undergraduates – but the teaching, in particular, can begin to pall after a couple of decades. The main papers are in the thrall of a collective examining tradition, which is overthrown every couple of generations by acrimonious Kuhnian revolutions but is in general out of the control of the individual tutor who needs to prepare undergraduates for the kind of questions that are 'likely to come up'. After a decade or so, every possible way of answering every one of such questions is all too familiar, echoing endless previous tutorials. At this point, they may start looking for ways to get paid leave or diminish their teaching loads. Susan escaped this mid-life teaching crisis. She had come late to the job, and she retired very early. Born in 1929, appointed in 1964, she left Oxford in 1986.

Two years before, she had published the book that made her famous, *Kingdoms and Communities*. This presented medieval society as structured above all by 'horizontal' groups of people *de facto* similar in status, as opposed to 'vertical' bonds between inferiors and superiors. Though 'Kingdoms' is the first word in the title, an alliterative choice she later regretted, the book is about a wide range of communities: parishes, guilds, urban groups, regional assemblies as well as kingdoms, the feudal character of which she was already dismissing. This original synthesis brought together within a single interpretative framework a whole series of social and political phenomena usually studied separately. Sir Isaiah Berlin once proposed that great history was the kind that found connections between different layers of life. That is exactly what Susan did in *Kingdoms and Communities*. She also broke down the barrier that tended to separate British from 'Continental' history. England, France, Germany and Italy were studied together. The traditional medieval syllabi of English universities had tended to segregate English from 'European' history and the strong historical schools of Germany, France and Italy had tended to leave England out of the picture, and indeed also each other (except that German and French scholars treated Italian history as part of their remit). To master the very different historiographies, Susan had to learn German, essential for all but the most specifically English medieval history and sometimes for that too. She could have stayed where she began, in English history, but she broadened out. The protection of Continental history in Bantustan 'General History' papers may have pushed her in that direction. She had to teach it at Oxford. Many a medievalist has done that, however, without doing original research on regions across the Channel. It is a sign of Susan's professionalism that she took the trouble. The book also gave evidence of her reading in social theory, especially anthropology. The writing was crisp and clear. Reading it for the first time I (DLd'A) missed my stop on the London underground, I was so engrossed. Reviews were enthusiastic. Susan was like a different person in this book. Until then a massively powerful intellect had been half concealed. In her mid-fifties, it revealed itself, confident and assured. After *Kingdoms and Communities* her election to the British Academy (in 1993) was a natural thing.<sup>10</sup>

Not long after the appearance of *Kingdoms and Communities*, Susan retired from Oxford, perhaps just in time to save her from getting tired of the conservative syllabus. She spent a year (1986–7) teaching as a visiting professor at Dartmouth College in the USA, and found it stimulating, though problems with the heating system of the house she had exchanged for a year for her London flat nearly spoiled it as the brutal North American winter began. She liked the students (at the same time noting their well-to-do provenance) and enjoyed co-teaching an introductory course on medieval and early modern Europe. For their part, the students and faculty took to Susan. One of the latter told us that

<sup>10</sup> Famous and successful though she was, Susan still had difficulty in placing articles in leading journals, as she disarmingly volunteered in her IHR interview. She was also frustrated in her desire to write a book about Nationalism.

Dartmouth students are leery of visiting faculty classes, but not Susan's. ... Susan valued the History Department's culture of openness, commitment to world and comparative history, and the range of interaction on campus in seminars and the continuing of lively discussions off campus on social occasions. We all quickly learned the value of her deep knowledge and critical eye. Her culinary skills were often shown at dinners on North Balch or at faculty potlucks. She delighted in pitching in on friends' projects whether academic or not ... And after 1987, Susan would return to Hanover often on her way to conferences and lectures, or to give one here.<sup>11</sup>

Susan told the Administrator of her department (after helping in the manual labour of lugging and laying rocks to build a walkway to the administrator's house!) that her period at Dartmouth was one of the best times of her life.<sup>12</sup>

Clearly Susan felt very much at home with American scholars, and she built up warm friendships. Ralph Pugh had introduced her to the University of Michigan legal historian, Tom Green, in 1979 as she already wanted to visit the United States and she duly went in 1980. The visit included Ann Arbor, the home of the University of Michigan, and she returned there about half a dozen times up to the early 21st century. She would stay for four or five days, building up connections to PhD students, some of whom she would also see when they visited London. Her connections were primarily with History but she also developed friendships with members of the Law School. Bruce Frier describes her as the most delightful dinner companion he has ever encountered, her conversation full of her fascinating observations on subjects such as the differing colour and stance of the green man on British pedestrian crossings, the white man on US ones. Another of these friends, the scholar of Icelandic law, William Ian Miller, recalls flying her in his small plane from Ann Arbor to the medieval conference at Kalamazoo: 'you cannot imagine the danger we were in on that little flight ... in conditions way more demanding than my skill level could manage, though somehow I did. She did not even get the least bit queasy as we banged around and the plane was in turbulence just about at the limits it could safely handle, but instead she continued her flow of talk without interruption.' She was also a regular visitor to Santa Barbara, California, where she again delighted in the intellectual company of the doctoral students whilst not in the least modifying her usual choice of garb, despite Californian weather and informality.

In 1987, on her return from Dartmouth College, she committed to making London her full-time working base – 'retirement' seems decidedly the wrong word. This was a wonderful period for her and for the London medieval scene. She had always been happiest doing research in the British Library and the Institute of Historical Research, and had regularly returned during university vacations to the very nice flat she had kept since 1962 in Lennox

<sup>11</sup> G.R. Garthwaite, Emeritus Professor at Dartmouth, personal communication.

<sup>12</sup> Gail Patten, as reported by Cecilia Gaposchkin (personal communication).

Gardens. In fact the IHR was a great continuity in Susan's life, going back to her time with the VCH which was based there. She enjoyed the Common Room's social facilities, and the opportunity of meeting, and discussing ideas with, both contemporaries and younger scholars, to whom she never adopted a *de haut en bas* attitude. Having left Oxford, she could now work in London full-time and she made the most of it. She regarded the BL as distinctly superior to the Bodleian, and rejoiced in its relative efficiency by comparison with her earliest experiences, when books were often declared to have been lost in the war even if published after 1945. She attributed the transformation to the appointment of a qualified librarian to run the library, though the explanation may be more complex than that. At any rate it was paradise for her, both before and after the move from Bloomsbury to St Pancras.

Similarly, she found deep intellectual satisfaction in the 'Wednesday Seminar' on early medieval history (up to c. 1300) in the IHR. The IHR seminars did not 'belong' to any particular London college, and medievalists from all colleges and from outside the University and London could attend with the minimum of formality. The IHR was (and is) common intellectual and scholarly ground. The Wednesday seminar was entering a golden period, partly of course due to Susan's regular presence. Around the time she moved to London full-time, Michael Clanchy and his wife moved down to London, and he too was a regular attender. Adding these stellar medievalists to the existing group around Janet Nelson, John Gillingham, and Wendy Davies made the seminar for a while one of the most exciting in the world. Susan always spoke, very confidently but, even when contradicting, always kindly and benignly. Papers by some of the best medievalists in the Anglophone world (and France) were amicably discussed. Questions and discussion were followed by socialisation, in a pub or, latterly, in the common room of the Institute. Those who wished then went on to an inexpensive dinner, usually at Olivelli's in Store Street. Susan revelled in the intellectual camaraderie that she felt she had missed in Oxford, with its close college communities which brought together scholars from different disciplines but separated workers in the same disciplines

As indicated above, 'feudalism' was already sidelined in *Kingdoms and Communities*. Before that book had come out, E.A.R. Brown had published an influential indictment of the concept in a major *American Historical Review* article (1974). Susan and Peggy Brown now made contact personally. Susan met Peggy on arrival in England, holding a copy of Marc Bloch's *Feudal Society* (which both were implicitly subverting) to identify herself. Susan held Peggy in high regard ('one of the important figures in my field of research', she said in her IHR interview, complimentary language from her somewhat critical lips) and hoped for a joint book, but in fact Peggy Brown's inclinations turned more and more to articles full of insight about the late Capetians, and close study of the relevant documents. Susan for her part had moved away from manuscript research, though a clever essay on Magna Carta noticed a copyist's mistake that suggested that by the late 13th century nobody was reading the small print numbers in the document.



During this time Susan was building up to her monumental *Fiefs and Vassals*, which appeared the year after her election to the British Academy. Its reviewer in *Revue Historique* (Elisabeth Nortier) described it as ‘un grand livre, un livre iconoclaste’. The icon that it set out to break was the very notion of feudalism. The field of battle was the same as for *Kingdoms and Communities*, and indeed had been pre-figured in it: “‘feudalism” and “feudal” are meaningless terms which are unhelpful in understanding medieval society’ (*Kingdoms and Communities*, p. 9). Now Susan set out to use medieval evidence to demolish conclusions and assumptions held by historians like Marc Bloch (*Feudal Society*), Ganshof (*Feudalism*), and indeed Maitland, whose *Domesday Book and Beyond* had argued for feudal elements in Anglo-Saxon society. Susan was unafraid of attacking giants.

Her attack had destructive and constructive elements. She argued that still influential ideas about the early medieval development of fiefs and vassalage were a product of early modern legal writing, drawing on the 12th- to 13th-century north Italian compilation known as the *Libri feudorum*. Likewise, the forms of relationship to which the terms ‘fiefs’ and ‘vassals’ have commonly been applied developed in the context of governmental bureaucratisation and the growth of academic legal scholarship from the mid-12th century. Such changes, and changing interpretations, were concealed by continuity in terminology, but not in concepts or phenomena. The constructive element was, first, to allow proper understanding of the vertical, lordship relationships that formed part of medieval societies but should not be taken to define them, and, second, to integrate these relationships with the horizontal ones that had been set out in *Kingdoms and Communities*, along with another type of vertical relationship, that of government.

What then of her target and her method? For many decades, schoolchildren had been taught that ‘feudal society’ could be summed up in a sort of diagram showing barons below kings, knights below barons, and peasants below knights. It was certainly time to try to pull the carpet from under any assumption that medieval society could be represented in any such simplistic way. It is also true the words ‘feudal society’, ‘feudal’, ‘fief’ and vassal had been employed sloppily, without sufficient thought. Susan liked to apply to her historical analysis the distinction between ‘words, concepts and phenomena’, taken from Ogden & Richards’ famous book *The Meaning of Meaning*. Her belief that historians tend to use words unthinkingly was surely salutary. To Susan’s delight, in 2021 Robin Fleming dedicated a book to her as the person who taught her and historians generally to ‘mind their language’. The words-concepts-phenomena schema has its limitations. It needs a further distinction between the concepts of the people studied, everyday modern concepts, and the special concepts created by scholars for analytical purposes. Susan was certainly aware of the need to draw that distinction, but she did not clearly see past phenomena as involving concepts: she automatically classified ‘concepts’ and ‘phenomena’ as mutually exclusive, though she would backtrack on this when challenged informally in later life. It might have

diminished her polemical zeal if she had thought of 'feudalism' as a social system working together with other social systems – those 'horizontal' bonds, loyalty to a monarch, etc. – and as a system which was as much mental as physical, one kind of reason that could be given, alongside other reasons, for doing this or that. 'This or that' in England included allowing the man from whom one held land to pick husbands or wives for marriageable sons and daughter before they reached the age of majority. The traditional explanation in terms of a feudal logic makes perfect sense of these marriage rights, which the barons of Magna Carta treated with a light touch because they wanted to retain them over their own vassals.

Susan was aware of the problem for her thesis and glossed over it like a brilliant barrister passing rapidly through a weak point in the case.<sup>13</sup> Likewise, the book does not address the issue of whether other words that it is happy to use might not be subjected to similar criticisms as talk of feudalism; is the problem a general one, or is it really the damage that has been done by this particular word that requires the assault upon its use? Why not use it, not as a key to a whole society, but to indicate one among a number of ways of organising social life, alongside gift exchange, community and kinship, sacral kingship, etc.? One may also wonder whether the book's arguments fully reconcile emphasis on the effects of academic law, both upon practice from the mid-12th century and upon later historical interpretation, with Susan's belief, stated most clearly in *Kingdoms and Communities*, that 'what the academics, polemicists, and lawyers wrote articulated and refined the old ideas rather than producing entirely new ones' (pp. lvi-lvii). Might this allow room for the custom stated in the *Libri feudorum* to be a better guide to at least some earlier practice and perhaps everyday (as opposed to merely academic) thought than *Fiefs and Vassals* allows?

However, such criticisms must not hide the tremendous achievements of the book. Firstly, it made scholars think hard about what they had previously tended to take for granted. Secondly, there was a positive contribution that has not been sufficiently noticed. Susan brought understanding of Roman law and its medieval reception into the mainstream of historical interpretation. Hitherto it had been carefully studied by specialists in the field. In the course of arguing that its pervasive influence has obscured underlying and older structures, she showed just how influential it was. Above all, she brought out the later, historiographical significance of the *Libri Feudorum* that became an integral part of

<sup>13</sup> *Fiefs*, 368–70, cf. 336. The mental schema is that when you hold land from a lord, he has a right to make sure that it doesn't pass through marriage into the wrong hands, or slip out of his control – the classic explanation that still convinces. Susan seems not to have addressed the further problem of the tenorial emphasis of Clause 14 of the 1215 Magna Carta: 'to obtain the common counsel of the realm for the assessment of an aid ... or a scutage, we will have archbishops, bishops, abbots, earls and greater barons summoned individually by our letters, and we shall also have summoned generally through our sheriffs and bailiffs all those who hold of us in chief'.

the Roman law corpus as understood in the later Middle Ages, and thereby drew a much wider range of historians' attention to the *Libri* in their own time. Thirdly, and again a neglected contribution, she suggested similarities in early medieval land ownership over a wide geographical area, for example suggesting that the difference between Anglo-Saxon 'bookland' and French or Italian allod was one of language, not substance. This discussion in turn relates to an effort to get historians to think hard about other casually used terms, such as tenure and property, issues to which she would return in later papers.

Above all, *Fiefs and Vassals* is a pioneering essay in comparative legal history. Comparison was as crucial an element of Susan's work as was her emphasis upon words – and the two aspects were closely interconnected. She argued that comparison could reveal not just differences but also similarities: 'there was much less difference in social and political organization – not least in its collective manifestations – between different parts of western Europe than seems to be generally thought' (*Kingdoms and Communities*, p. 7). Essential for proper comparison was to have more than two comparators: 'bilateral comparisons inevitably tend to polarities' (*Kingdoms and Communities*, p. 8). Ill-informed and crude comparisons of England and 'the Continent' were unhelpful. England might, or might not, be different, but if different, different from what? And how? And why? As she said in her 2008 interview, 'I think comparison is vital. If you find that in your bit of history A leads to B, you assume that it always does – but if you immediately look somewhere else, you find that A leads to C, or to X. ... I think comparisons are vital for history.' As epitomised in *Fiefs and Vassals*, comparison thus disrupts the assumptions of national historiographies and questions traditional interpretations.

During her later years Susan also published a string of important papers. One that appeared between *Kingdoms and Communities* and *Fiefs and Vassals* diverged in subject matter from the trajectory that links them. In her 'Social Mentalities and the Case of Medieval Scepticism', published in 1991, 'she pointed out the various ways in which medieval people might *not* have been straightforward "believers" but might treat various claims about Christian religion with a sceptical eye: the powers of saints, the idea of Hell, the wider theological framework proffered by the Church', to quote John Arnold's summary.<sup>14</sup> John Arnold was to take this line of argument much further, and it had been anticipated by Alexander Murray.<sup>15</sup> Susan was making a wider point, however: as John Arnold puts it, the article was

not simply about revising our opinion of the religiosity of the middle ages, but is very clearly directed against the idea that people are trapped within mental structures (as she saw the concept of *mentalité*). She was very irritated with the French scholarship of this kind, as similarly with *féodalité*, but on the other hand clearly found its generalisations a

<sup>14</sup> Personal communication.

<sup>15</sup> A. Murray, 'Piety and Impiety in Thirteenth Century Italy', *Studies in Church History*, 8 (1972).

useful foil against which to push. To some large degree the 'mentalité' debate has now moved on – I think the move to microhistory in the 80s (*Montaillou* apart!) did quite a lot to shift the idea of 'governing' mental structures, as in a different way did gender history – but Susan's article was then also fundamental in making the space for a more sustained attempt to think through the extent to which ordinary medieval people simply 'believed', or were in fact capable of active questioning in regard to Christianity.<sup>16</sup>

Numerous important articles by Susan were brought together in two Variorum Reprints volumes. These are in many ways companion works to *Kingdoms and Communities* and *Fiefs and Vassals. Ideas and Solidarities of the Medieval Laity: England and Western Europe* appeared in 1995, *The Middle Ages without Feudalism: Essays in Criticism and Comparison on the Medieval West* in 2012. Especially interesting in the first is an unpublished paper on 'The history of the idea of incorporation or legal personality: a case of fallacious teleology.' This was a topic that continued to engage Susan's thinking until her very last months, even though it never produced a full-length study. It allowed her full rein for some of her favourite activities, attacking teleology, arguing that the greatest attention should be given to practice rather than academic writings: 'The hypothesis that I suggest emerges from this survey, incomplete as it is, is that attempting to explain the way that west European law about the rights and responsibilities of collective groups at law by looking for the origin of the modern jurist's idea of legal personality is to fly in the face of evidence about how law changes in practice. It is starting at the wrong end' (*Ideas and Solidarities*, VI.16). The later volume is particularly notable for extending still further the already great geographical range of *Fiefs and Vassals*, from Scotland to the kingdom of Jerusalem. Titles of essays such as 'Secular power and authority in the Middle Ages' also clearly illustrate the ever-broader subjects that Susan was tackling, a broadening that is a defining characteristic of her career from the *Victoria County History* onwards. Other articles form part of a project on nations and nationhood, a subject on which Susan contemplated writing a book.

Further, one of the essays in this second Variorum volume, on 'The use of feudalism in comparative history', seems to go beyond the not quite satisfactory 'words, concepts and phenomena' formula, which glossed over the distinction between 'our' (etic) and 'their' (emic) concepts. She writes that 'It is of course perfectly reasonable for historians both to use their own words and to think in terms of their own concepts, but it is easier to distinguish evidence from interpretation if one distinguishes whether a concept is ours or is that of people in the past' (VI.197). In 'Vocabularies for comparative and interdisciplinary history' (written in 2009–2011) she suggests that 'historical comparisons are also made less useful when words are used as if they unambiguously referred to a single phenomenon although they have been used over the centuries to refer to a whole range of different

<sup>16</sup> Personal communication.

phenomena perceived in different ways by historians with different interests and ideas about what is significant in history' (XVII.17). She endorses a plea for a 'common vocabulary' and suggests that we 'might even consider replacing or supplementing' words that have been used in too many different ways 'with generic terms where that would help the reader'. She is in effect proposing that historians construct their own terms of art, à la Max Weber. Like most British historians, Susan did not entirely 'get' Weber, while thinking she did. Downright mistaken is her reference (VII.497) to 'teleological assumptions of growing rationality and European superiority that Max Weber made academically respectable', but in her essay on 'Empires: a problem of comparative history' she seems to come close to adopting his ideal-type method, without using the word: '... looking directly at the variety, not to say confusion, of words and concepts that we have inherited may make it easier to lay both words and concepts aside for the moment and concentrate on deciding what seem to be the most important characteristics of the phenomena with which I think that historians of empires, particularly more modern empires, are concerned' (XV.158). She goes on to construct a well-designed ideal-type: 'If one starts by thinking of what we are interested in as, by and large, relatively large polities that consist of a ruling part (the metropolis) and other parts (colonies or peripheries) that it dominates as a result of military conquest or some kind of political or economic bullying, and that are retained and governed separately from the metropolis rather than being absorbed in it, then one has to note that not all the polities that look likely cases seem to have all these characteristics' (XV.158). Susan then works through a series of political agglomerations asking in which respects the ideal-type she has given applied. She finds many differences, offers explanations, and takes from the Middle Ages an element for her ideal-type that modernists have overlooked: the importance of 'a good deal of voluntary submission' (XV.161). She convincingly states that 'the real argument against comparison is that it is such hard work' (XV.165).

Collections of papers aside, Susan's last book was *Before Eminent Domain*. This pursues her feud against feudalism but into entirely different territory, and in such a way that her 'refutation' of feudal interpretations are of secondary importance (just as they were when she put the *Libri Feudorum* on the map of general medieval history). Eminent domain is the right of governments to expropriate property for the common good, for example by confiscation or by compulsory purchase. Some scholars had traced the origins of this right or claim back to feudal concepts. Susan (of course) disagreed. She looked at medieval thinkers, above all academic Roman lawyers, and found that they took the right to expropriate for granted without any invocation of feudalism. If they gave a justification, it was the common good or common utility, but the right was grounded in Roman law anyway. Susan's research instinct led her far beyond the confines of the Middle Ages, however, to Grotius, the 17th-century Dutch thinker who played a central role in the shaping of the idea of international law. For Susan, Grotius not only invented the concept of eminent domain, a new name for an old concept, but also developed an entirely original

rationale for the right. He grounded it in social contract theory. In a theory which has since then become commonplace (so that nobody worries about its totally mythical character) there was originally no private property. Private property and the right to it were a consequence of the social contract to submit to a government and its positive laws. Given that origin, the government could naturally override property rights.

When that book appeared Susan was over 80. She was 86 when her remarkable chapter on 'Society: hierarchy and solidarity' was published in the *Cambridge History of the World*, vol. 5. She argued that 'assumptions about hierarchy and solidarity were apparently similar everywhere'. It is an astonishingly bold analysis of concepts that apply very generally to the period 500–1500, across world history. In her mid-eighties, Susan became still more impressive as a historian.

In her 2008 interview, Susan stated: 'I think that historians are not interested enough in historical method and how you prove something or don't prove it. Karl Popper, disproving things and so on. I remember at one stage I got very fussed about this and I couldn't find anything to read on historical reasoning. ... what I was interested in was historians thinking harder about what they're doing. You could call it theory, but I wouldn't want to go into what is considered theory now.' We may, then, reflect more broadly upon Susan's own historical method. Some well-known aspects have already been mentioned. There is the emphasis upon words and the relationship of word, concept and phenomenon, along with the connected concern with teleology and national historiographies: 'Differences of vocabulary became differences of concept when they began to be explained by lawyers and historians brought up within their separate national traditions' (*Kingdoms and Communities*, p. 8). There is the return to the sources, and their language: 'It seemed better to try to understand the ways medieval people perceived their communities – the meanings they gave to them – by using their own words, and the circumstances in which they used them, as a guide to their concepts, rather than by starting from modern words and concepts' (*Kingdoms and Communities*, pp. 332–3).

There is also an emphasis upon practice, as a subject for study in itself and as a way into the practical ideas of people at the time, and thence to the relationship between practice and theory, notably the importance of practice in the development of theoretical or academic ideas. In the Introduction to the second edition of *Kingdoms and Communities* Susan reflected:

Not that I thought the book was only about activity. I meant it also to be about ideas: that is, the ideas of lay people about the rights and activities of groups, but I thought that these could best be explored through the evidence of their activities. ... New ideas were only slowly worked out to justify or resist new practices of government and law which were themselves made possible by economic and social changes. (pp. xii-xiii)



And at the end of the book she had concluded that ‘it looks ... as if new practice evoked new theory, not the other way round’ (p. 332). Despite her conviction that the emergence of academic law and professional lawyers made a major difference to thinking, to records, and to practice, even then she prioritised practical ideas: ‘Intellectuals are not the only people in any society who think ... Intellectuals, even if they write in their society’s vernacular and have access to ample technologies of popularization, surely do not have as big an effect on their societies’ values and assumptions as their societies’ values and assumptions have on them?’ (*Kingdoms and Communities*, p. lvii). Sensible, one might say commonsensical, ideas should not be mis-interpreted as lofty theories: ‘Using the metaphor of a person or body is not the same as working out a theory of corporations in general as fictitious persons’ (*Ideas and Solidarities*, VI.8). We feel that for Susan common sense mattered both in the past and in historical writing, common sense that, of course, involved thinking hard.

Not surprisingly, therefore, Susan’s work always showed a preference for record sources, especially those that could be taken to reveal lay activity. Particularly in *Fiefs and Vassals* she expressed concern about projecting from the more extensive records of ecclesiastical activities onto lay activities. But more generally she was devoted to returning to the primary sources, and to thinking about them and the people and activities that they recorded.

And once she had read widely in the sources and the secondary literature, and thought hard about them, she would come up with her case, to be presented in lawyer-like fashion. The style of her writing contains phrases resonant of the court room, a statement beginning ‘I suggest that ...’ being followed by sustained reasoning and evidence based on acceptance of that hypothesis (e.g. *Before Eminent Domain*, p. 3). And the range of types of arguments employed would be familiar to the barrister, or to the scholars of the *Libri feudorum* whom she brought fully to our attention. She drew distinctions, she produced analogies, she gave narrow or broad significances to particular words, concepts, and phenomena, sometimes narrowing the definition of a word whilst broadening the scope of the associated phenomenon, or vice versa. The forms of argument might sometimes evoke worries in the reader, even if the reader did not identify the rhetorical forms she was using: the presentation of possibilities as mutually exclusive alternatives when they might co-exist (e.g. *Fiefs and Vassals*, pp. 382, 470); the rejection of a theory concerning the significance of a phenomenon sliding into a rejection of the significance of that phenomenon itself (e.g. *Before Eminent Domain*, p. 54). Yet if such might be presented as weaknesses, they were in fact what created the very vigour of the arguments, their value along with their basis in the sources.

Of course, not all the ideas in her writings were contained in the initial argument or arguments that she was seeking to prove. As she wrote in *Kingdoms and Communities* (pp. 9–10) ‘Other ideas emerged as I worked, some of them quite unexpected but deriving,

as it seemed to me, from the primary sources which I read.' However, she then tellingly reasserted the centrality of the core points of her case: 'Although all these [further] arguments confirm and extend my original propositions, they were not formulated, at least consciously, for that reason, for I was prepared to argue the original propositions without them.' And like a barrister, once her brief on one matter was argued, the focus turned to a new case, with the previous one often disappearing from view.

These characteristics go along with her ever increasing interest in the history of law. In *Kingdoms and Communities* the tone is almost apologetic, with worry being expressed about misunderstanding as to the autonomy of law from economic, social religious and political forces, and with justification being provided in terms of the available source material (p. 12). By 2008, when interviewed, she was saying 'And then there's law, which I've always been interested in and am more closing in on. ... This expropriation for public good was not meant to be a book, but it got a bit big and so it's going to be a short book', which indeed was published as *Before Eminent Domain*. Tellingly, and rather differently from many who come to law from other areas of history, her focus was less disputes, more transactional law, and records of transactions involving property or rights were central to so much of her work: 'The law that was applied, in both north and south, is to be deduced for the most part rather from grants to individuals and from more or less laconic reports of individual cases, than from general statements' (*Kingdoms and Communities*, p. 16). Her explorations then broadened further. There is the interest, manifest particularly in *Fiefs and Vassals*, on the developments in academic law. And there is the consideration of the effect of the shift from non-professional to professional law, prominent in *Kingdoms and Communities* and most fully discussed in an article on 'The emergence of professional law in the long twelfth century', published in *Law and History Review* in 2003 and reprinted in *The Middle Ages without Feudalism*. There she examined the effects of the revolution in scholarly law upon legal practice, expounding upon favourite issues such as what happened when words were adopted from Roman law with a limited or different grasp of the concepts, and applied to very different social situations.<sup>17</sup>

Such were the sorts of large questions in which Susan delighted and which took her into what might be referred to as much as Historical jurisprudence as legal history. It is significant that she cited Sir Henry Maine with approval when considering the nature of pre-professional law: 'Law between the tenth and early twelfth centuries was the undifferentiated, indeterminate, and flexible law appropriate to a society that was for many practical purposes illiterate (if not strictly preliterate), and it must be understood in those terms, not in the terms of later professional or academic law. In the words of Maine: "The distinctions of the later jurists are appropriate only to the later jurisprudence"' (*Kingdoms and Communities*, p. 13). She was happy both to identify clear turning points and to make

<sup>17</sup>Thanks to Alice Taylor for discussing this point.

brave and broad generalisations: ‘It is the nature of custom that it presupposes a group or community within which it is practised. Any statement of law will therefore be made in some sense on behalf of the community, and government is likely to involve some kind of consultation with it’ (*Kingdoms and Communities*, p. 21). Some of her contributions in this field are well recognised, such as her discussions of the relationship of technical to other meanings of words and her emphasis on the fluidity of signification. Others merit much greater recognition and much further consideration, for example the suggestion in *Fiefs and Vassals* that many phenomena that law before c. 1150 had treated as *variations* in custom or practice came thereafter to be treated as *exceptions* to rules, without the phenomena themselves having changed.

In these ways Susan was also drawn into trying to identify the elementary ideas within both pre-professional and professional law, and the different nature of those ideas before and after a period of great legal change. Particularly in the earlier period, elementary ideas might well be unstated, or only formulated as particular cases arose: ‘Given, however, that the boundary between criminal and civil wrongs is never all that simple to draw, it is not surprising that there is no statement in the surviving records of where it ran. If anyone had needed to make the distinction, he would have drawn it in a way that made sense for one particular place, time, and case’ (*Kingdoms and Communities*, p. 20). And in the world of professional law, degrees of abstraction differed between systems: ‘The character of the Common Law training clearly had a vital influence on the law of corporations that resulted. The culture of the Common Law did not encourage theorizing’ (*Ideas and Solidarities*, VI.15). Throughout, she was worrying away at broad jurisprudential categories, be it the separation of legal rules from other social norms in *Kingdoms and Communities* or her 2012 essay on ‘Assembly government and assembly law’, or ‘property’ in *Fiefs and Vassals*, or ‘freedom’ in her last years. And as ever she enjoyed refining her ideas through argument, in conversation with friends or with figures from the past:

Oh, yes, Maitland. Now, I’m writing a little book on a subject in which he was completely wrong, but it doesn’t matter, I think he was a frightfully good historian. ... He had terrific historical imagination. ... he worked very closely on documents and on a pretty narrow field most of the time – English medieval law – but he infused this imagination about how it worked into it, so I think he was a very good thing. (2008 IHR interview)

Though legal history remained a central preoccupation into Susan’s mid-eighties, in her last years she was increasingly preoccupied with the history of racial attitudes, and frustrated that she was no longer up to writing on the subject. Her ideas were very clear. There was no clear idea of race until slaves were brought from Africa to North America. Previously, there was no clear black-white distinction, only a spectrum from deep brown in the mediterranean to lighter shades further north. Slaves and their masters really looked different. The abolition of slavery finished the job: now that the descendants of Africans

were no longer legally inferior, they had to be regarded as racially inferior to keep them down. That affected America before England. Only when African American GIs were stationed in the UK was there an awareness of colour, though initially the African Americans were regarded as nicer. Mendel's discoveries also came into Susan's interpretation, but we never got that aspect of her argument quite straight. At the age of ninety, Susan could not be expected to keep up with the burgeoning scholarly literature on race in history, but she could not help thinking hard about it, intellectual to the end that she was.

In July 2021 Susan took a turn for the worse. She fell out of bed during the night and had a fever. She was taken to University College Hospital where visitors found her very confused. After returning home she began to recover but was very weak, and bedridden. Her mind was still all there. To a visitor on 15 July she was able to say of a distinguished medievalist that he was 'not a very good historian' – so she hadn't gone soft. At another visit on 23 July she said that she could do better than 'I think therefore I am' by arguing 'I worry therefore I am'. She added that her worries were not too serious. For a while she had hallucinations, perhaps as a result of medication, that she had been kidnapped, but allowed herself to be reassured by being told frankly that her mind was playing tricks on her. On 27 July she could no longer talk easily but the mind was still working. She talked of Maitland: the best historian but still limited: he wrote only English history, only legal history. She talked affectionately of Pierre Chaplais, a well-loved Reader in Diplomatic at Oxford and member of the British Academy's Section H8 (Medieval Studies), and his work in the war for the resistance. She thought this made life difficult for him in France after the war because former collaborators resented what he had done. Amazingly, she was not focused only on her own past. She asked one of the authors of this memoir what had drawn him to History, and what he was currently working on – this when she was dying.

Susan had a great gift for academic friendship. Dame Janet Nelson rang her every other day in her last years. Michael and Joan Clanchy went out of their way to visit her before the Covid restrictions came down, even though travel was already physically difficult for them. Janet Loengard tells us that

Toby Milsom [the historian of law] said to me one day a little more than fifty years ago, 'You should know Susan Reynolds' and promptly arranged for us to meet. And meet we did and have been meeting ever since. Susan has stayed with me in New Jersey and once lectured most splendidly to my students on the Fonthill Dispute. I was not at her annual houseparties in France because they were in August and I was in England from mid-June to late July, but I did get to the last one, in Northumberland (the Alnwick/Annick one!) Most of the time we met in London, and by letters and email and the phone, where we argued happily for hours over nation/state and especially eminent domain, because I work in medieval English property law. Susan is the only person I know who could tell me that I was wrong, why I was wrong, and that in some cases I might be right, leaving both of us contented and happy to be together.

Jonathan Jarrett wrote in his medieval blog that

Certainly, what I mainly remember Susan for is interest and kindness. Quite early on we bonded somewhat over being the only two people in England whom each other knew to have thought about what the people called *Hispani* in the legislation of the Carolingian rulers actually were, in terms of status; but I used to make a point of chatting with Susan whenever I was in the IHR and saw her, partly in the hope of some delicious *bon mot* that could be quoted later, I admit, which I was not the only one collecting, but also because it was always interesting to talk with her and because she was always happy to be interested.

Susan was a well-rounded person with a great gift for friendship and collective sociability. This was especially in evidence at her house parties in France. At one of these she told John Arnold that she wrote a lot about ‘community’ but was not very good at it herself. He comments that

what I think she meant was that she liked to be *in charge*. Anyone who went on holiday with Susan knew what that meant: we were to take it turns to cook, tomatoes must always be skinned before being used in salad, we must all drink the cough-syrup-like Ambassador aperitif before dinner and so forth. And Susan could certainly be very fierce. My wife Victoria can remember thinking that Susan was the first person she had seen who really did stamp her foot in anger, the context being an occasion when Susan’s older sister Vicky was stacking the dishwasher ‘in the wrong way!’ But – but – as ‘in charge’ as Susan was, for those who went to Ver, the point was that it was actually rather relaxing to know who was supposed to be doing what, when; and that Susan’s in-charge-ness in fact made community possible for us. We were able to get along precisely because she provided a frame in which we could. And because we all loved her, we all came to realise ways in which we, sometimes quite disparate folk, could in fact get along with each other.<sup>18</sup>

Tom Green remembers how Susan developed friendships through shared interests with the non-historian partners of the medievalists who joined her on these holidays. Children were very welcome. She was enthusiastic with them, and firm in her views about them and about proper parenting; she said that the only thing for which she could not forgive Maitland was that he did not send his daughters to school.

She loved literature, perhaps above all the novels of Trollope which she continued re-reading into her final year. And she at times had literary aspirations of her own. In a perhaps unguarded moment in a tutorial, she revealed that as an undergraduate she had written a Shakespearean history play on the fate of the sons of Simon de Montfort after his death at the Battle of Evesham. She was vigorous in her politics. On entering Buckingham Palace for an event to mark the octocentenary of Magna Carta she remarked in her quietest, chandelier-shattering whisper, ‘I wonder if they know that I am a republican.’

<sup>18</sup> Personal communication.

Susan's funeral was a roll-call of many of the country's greatest medievalists. Words from the address by Dame Janet Nelson sum up Susan's impact on her fellow scholars.

I first met Susan at one of the seminars at the Institute of Historical Research but our friendship was forged over the years when we both regularly attended the Early Medieval Seminar. Susan loved this seminar and our presence in a field still dominated by male historians seemed to attract many women to the group. Susan was an outstanding teacher: she had a way of drawing women out and encouraging them to participate fully in the lively discussions that she enjoyed so much. Of course, our main bond was our shared passion for medieval history. Susan was always ready to discuss thoughts and ideas, sharing her knowledge and insights and coming up with difficult questions. I have been so grateful to her for helping me refine and develop many ideas over the years.

So many people can say the same.

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