**fealty**

1.

History/Historical.

1. fidelity to a lord.
2. the obligation or the engagement to be faithful to a lord, usually sworn to by a vassal.



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*(note: to avoid awkward language constructions, the usage of gender- specific words in this article should be construed to cover both male and female persons.)*

**One of the major problems in the SCA (and one of its' major advantages, in my opinion) is the enormous cultural sweep that the group covers. We have 17th Century Cavaliers interacting with 9th Century Vikings talking to 7th Century Irishmen and leering at a 12th Century lady while practicing 15th Century Italian politics and eating God-knows-what.**

**Each of these historical periods, and cultures, had differing concepts of the world, and we -can- accomodate all of them, with a little effort -not- to be ethnocentric; to not take the attitude that our -personal- period-of-choice, or our personal -interpetation- of that period, is the "One True Medievalism." <**

**One of the major dividing lines is "fealty." In the SCA, we use something that we call "fealty," but there seems to be a great deal of misunderstanding about it .... many people seem to think that "liege-fealty" is the only "real" kind .... so why do we allow "Masters of Arms" and other non-fealty swearing Peers?**

**First of all, we must discuss what "fealty" really is, keeping in mind that I have formed my opinions as expressed here from much study of the period, and from more than twenty-five years of discussion and observation within the SCA itself.**

**Fealty is a very complex, interlocking structure of oaths, obligations and loyalties that enables a feudalistic form of social structure to work.**

**It is also a very -personal- concept, differing in intensity from person to person.**

**It is -not- what the modern world has come to call a "loyalty oath."**

**From a study of medieval law and history we see that fealty is primarily a -contract- between two persons or entities. The act of entering into this contract is called "doing homage." Each party in the contract promises certain things to the other, and *if this contract is violated, then the fealty can be "de-fiefed" or "de-fied" with no penalties nor legal difficulties; there is no "felony," in the medieval legal sense of the word.***

**Fealty comes in three basic forms. All of them are -conditional.- In order for them to be operative, each party must fulfil certain pre-set conditions.**

**The first, and most well-known, is exemplified by the oath sworn by a Knight to the Crown. This is called LIEGE FEALTY, and is a promise of -absolute- service and obedience to the Crown of his Kingdom, or to an individual person. The Crown, or the individual person, in turn promises to defend that liegeman's "rights and privleges," and in general to be an honorable Lord to that vassal. One swears this kind of fealty -once.- Any other re-swearing of it is simply a renewal, or re-affirmation of the fealty, and should not be required of anyone, but merely optional.**

**We occasionally see liegemen absenting themselves from the renewal of fealty at Coronation, in order to make a "political statement" about the new King or Queen. This should not be considered as "de-fieing" the Crown, for they are -not- formally renouncing their fealty to the Crown, but rather choosing not to renew it thru this particular person. It's -*rude*,- but not *wrong*.**

**Some in the SCA take fealty very seriously indeed, taking it to mean a "real life" loyalty, that bleeds over into many aspects of the mundane world. Looking at the SCA in the light of a "sub-culture" of the "real" world, this is not a surprising development.**

**The second is "SIMPLE FEALTY," and is merely a pledge of loyalty by the fief-holder to his or her Lord. This can mean any number of things, from pretty much absolute obedience, to specified services from both parties. We can see a form of this in the standard marriage vows that are taken in the mundane world.**

**The third is "SERVICE FEALTY," being an oath of -service- to the Lord, with no -personal- obligations attached. This is the oath that Officers of an SCA branch can take with (usually) no legal complications with any other fealties they might have. This is the only thing I expect of my Apprentices and Proteges, and I consider it to specifically exempt any liege- fealty that might be required of them by any Crown or Coronet (though if they wish to swear liege-fealty to me, I will accept it .... after trying to talk them out of it!) This type of fealty will be shown to be very significant later in this article.**

**When someone swears "service," they are simply promising to do a job that is required of them. They are -not- swearing absolute loyalty, nor liege fealty. They are simply taking an "oath of office," if you will.**

**Note that these are -basic- types of fealty. It is quite possible to have some pretty fine shadings between the three, depending on the individuals concerned, and the fact that you do not have to be a Knight, or even a Peer, to swear liege-fealty.**

**A Peer, or a Landed Baron/ess, or a Prince/ess, is a "tenant-in- chief" with a "fief ligium;" they hold their title -directly from the Crown.- These titles (and all titles in the SCA, for that matter) fall under the concept of "mainmorte," i.e. they are -not- inheritable, but revert to the Crown (or the SCA) on the holder's death.**

**I must here remind my readers that when we in the SCA say "the Crown," we mean that abstract entity that is symbolized by the Crowns (both the King's and Queen's) of the Kingdom. We do -*not*- mean the person(s) sitting underneath them. They are most emphatically -*not*- "the Crown" to which one swears fealty.**

**For the origins of this concept, let us look at the first Knightings in the SCA, back in AS 2 in the Kingdom of the West:**

**from the Western 12th Night AS 2**

**"... And that the Crown may endure, and our Kingdom prosper,**

**these Gentlemen will be asked to give fealty , in matters**

**concerning this Society, and -only- this Society; not to the**

**King, who shall, in his time, pass from the throne; but to the**

**Crown of this, the Society of (sic) Creative Anachronism. And**

**if these Gentlemen will give that fealty, then they shall be**

**created Knights...."**

**In period, the vassal owed certain things to his Lord, and the Lord promised certain things to the vassal. In general, there are certain items that can be considered "universal" for the fealty contract:**

**The military service ("auxilium") owed fell into five types:**

** 1) the defense of the Lord's castle**

** 2) the ransom of the Lord, if he was taken captive**

** 3) the costs of the knighthood of his eldest son**

** 4) the costs of the marriage of his eldest daughter**

** 5) participation with the Lord in a Crusade**

**Two thru four can be pretty much ignored in an SCA context, though some will provide gifts when a Lord reaches a Peerage .... and sometimes the Lord will provide these to the vassal, in the context of the "fief de bursa." Number one can be expressed in an SCA context by defending the Lord against his enemies, both on -and off- the field, and number five is simply showing up at Wars and such like, to fulfill the obligation of "expeditio," or service in warfare for 40 days at the vassal's expense. These are the basic obligations of a "fief militum" or "fief loricae;" a Knighthood, or Prince, or Landed Baron.**

**The vassals also have the rights (and obligations) of "consilium," to advise their Lord of their opinions, and of "fidelitas," or faithfulness to their Lord.**

**We also see "purveyance," or the right of the Lord to ask hospitality of his vassal. In the SCA, this works both ways: the two parties can expect food and shelter, or at least help with it, from each other at an event.**

**"Scutage" is not much used in the SCA. This was a payment of money in lieu of military service, and used to hire mercenaries .... and could stand to be adopted within the SCA to add to a vassal's fighting force; to ask (not -require!-) the non-fighting Peerage to provide a substitute to fight in their place at a War would be quite period .... and very useful to add to a Kingdom's fighting strength.**

**A vassal can expect protection; the "justice" concept, if you will. Their Lord has the absolute obligation to defend them against anything that might harm them, and to see that they are treated fairly and chivalrously by others, and the vassal should return the obligation by standing with the Lord when he needs it.**

**The vassal can also expect their Lord to behave in an honorable manner towards them; to refrain from taking an unfair advantage, or "using" them to advance the Lord's own personal agenda .... and the Lord can expect the same from them.**

**Do you see some of the qualities of behaviour that we name as "chivalric" coming out here?**

**There could be other conditions, such as the Lord giving the vassal "livery," i.e. a piece of garb that marks them as that Lord's vassal such as a surcoat or a House badge, or giving them armor to fight in .... whatever is acceptable to -both- parties concerned.**

**One can also swear multiple fealties, but you -must- specify your "fief ligium," your -primary- Lord. This is the Lord that takes precedence over other obligations, and such obligations must be considered -before- swearing an additional fealty oath. This was a common practice in period, and many times led to some rather sticky situations indeed; such multiple fealties should be considered most carefully, as it could land you between two (or more) loyalties and cause much heartache and problems for all concerned.**

**Now let's look at another period form of fealty that is not quite so well-known: COMMUNIO JURATA. This is fealty that has been sworn by a group of people to themselves; a bonding together. This is what the Dark Horde is, and some of the other SCA "households" too. They are in fealty -with each other,- not with any titular head, and act together as a "corporate body," The three basic forms of fealty enumerated above can fit with varying degrees of ease within this. The KaKhan of the Dark Horde, for example, is a "primus inter paris" sort of figure; a "first among equals" as opposed to an absolute ruler.**

**This form can be shown in period European society as each and every craft Guild and merchant association of medieval Europe.**

**I might add that the concept of an "absolute monarch" is blatantly out-of-period for the SCA. The SCA's monarchs are, in fact, "semi-constitutional monarchies," being limited in their powers by Kingdom Law and Corpora. Some Kingdom's monarchs are more limited than others, however, and the usual saying about "anything you can get away with is legal" tends to apply .... but a liege that expects his or her vassals to blindly follow anything he or she does is -not- acting as a liege lord / lady but rather as a cult leader.**

**So what one of the parties breaks the contract? And what would be considered legitimate breaches? We have seen three things, at least, that would be obvious breaches of the fealty contract:**

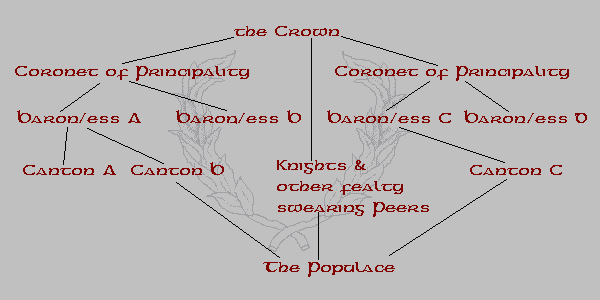
** 1) Failure to protect the vassal / Lord**

** 2) Refusal of justice to / from the vassal/Lord**

 **3) Dishonourable conduct towards the vassal / Lord**

**And, of course, any specific clauses in the fealty oath that are broken or ignored (such as a Peer -not- teaching his Squire / Apprentice / Protege) would be considered good and sufficient reason for "de-fieing" the Lord and finding another. If one party violates the conditions set, then the contract is null.**

**Feudal society was considered to be "pyramidal" in structure, with the Crown at the apex, and the rest of the populace, in descending order of "rank" forming the rest of the pyramid. We could illustrate this by showing what could be considered a "typical" feudal structure, using SCA terms:**

****

**Peers hold directly of the Crown, as their oaths, whether of liege-fealty or service or whatever, are to the Crown on their creation, and others of the populace might have sworn fealty directly with the Crown. Thus, the pyramid is a good bit more complex than the above idealized format.**

**In practice, a person in liege-fealty to a Peer who is in liege- fealty to the Crown should be considered "in fealty" to the Crown....unless the person has made their fealty to the Peer their "fief ligium." At this point, it gets a bit sticky. The same could be considered of a person in liege-fealty to the Coronet of a Principality or Barony.**

**So...what about Masters of Arms, and other Peers that swear no fealty?**

**First of all, back in the dim days of the SCA's beginnings, one Richard of Montroyal, called "the Short," was given the Belt .... but he could not swear fealty for (religious, I am told) reasons. Thus (Duke) Master Richard of Montroyal, of West Kingdom, became the SCA's first "Master of Arms."**

**We see it in the original Knighthood ceremony of the Kingdom of the West:**

**from the Western 12th Night AS 2**

**"... But if one of this company shall not give his fealty, or if**

**thru prior commitment, he -may- not give this fealty, as this**

**would do wound his honor, then may he yet be awarded acclaim; and**

**this acclaim shall take the title of 'Master.' ...."**

**This tradition has been continued thru the Society's history, and is even embodied in Corpora:**

**CORPORA**

**VII.A.4. Patent Orders**

**a.) The Chivalry consists of two equal parts, the Order of**

**Knighthood and the Order of Mastery of Arms. No one may belong to**

**both orders at one time. When a member is admitted to the**

**Chivalry by the Sovereign the choice of which order to join is**

**made by the new member.**

**1) Specific requirements:**

**b) To join the Order of Knighthood, the candidate must swear**

**fealty to the Crown of his or her kingdom during the knighting**

**ceremony. Members of the Order of Mastery of Arms may choose to**

**swear fealty, but are not required to do so.**

**We can see pretty clearly here that it is -not- up to the Crown to decide if a person may or may not be a Master of Arms or a Knight. Such a choice is up to the person being offered the Belt.**

**But is it "period," to have a Peer that does not swear fealty? In the context of medieval legal thought as applied to the SCA, the answer seems to be an unqualified "Yes!"**

**First of all: look at the oaths that are taken when the Peerages are given in Atenveldt:**

**Knighthood: (N), you stand before us this day having**

**indicated your willingness to accept the noble Order of**

**Knighthood in the Society for Creative Anachronism. Having**

**been adjudged fit for this honor do you (N) swear by all you**

**hold sacred and true that you will honor and obey the Crown**

**of Atenveldt, honor and defend all ladies and those weaker**

**than yourself, give courtesie to your Peers, both Knight,**

**and Master of Arms, and Masters and Mistresses of the Laurel**

**and Pelican, and conduct yourself in all matters as befits a**

**knight, drawing your sword only for just cause and being**

**chivalrous to all to the greater glory of yourself and the**

**Crown of Atenveldt?**

**(The King then says:) Then We, (N), by right of arms King of**

**Atenveldt, do swear to defend you and your household until**

**Death take Us, the World end, or the Crown shall pass from**

**Our Hands.**

**It should be noted that the combination of the Knight's Oath and the King's response, along with the gift of the Chain, result in a liege- fealty contract.**

**Master of Arms: Place your hands on this, the Great Sword of**

**State, and swear by all that you hold sacred and true, that**

**you shall conduct yourself in all ways as befits a Peer of**

**this Realm, to be at all times an example of Chivalry and**

**Courtesie, to give honor to the Crown and the Kingdom, and**

**to your Peers, to further your knowledge of the Arts of**

**Peace and War, and to aid others in this pursuit. All this**

**you should swear, by this Sword and by your honor.**

**Laurel (Pelican): Place your hands on this, the Great Sword**

**of State, and swear by all that you hold sacred and true,**

**that you shall henceforth conduct yourself in all ways as**

**befits a Peer of this Realm, to be at all times an example**

**of Chivalry and Courtesie, to give honor to the Crown and**

**the Kingdom, and to your Peers, both Knights and Masters of**

**Arms, and Masters and Mistresses of the Pelican (Laurel) to**

**further your knowledge of the Arts of Peace and War, and to**

**aid others in this pursuit. All this you should swear, by**

**this Sword and by your honor.**

**ALL Peers promise to -teach- their Art, and to improve themselves in their chosen field. This is a "service" contract prima facie. They take what amounts to an -*oath of service*.- Also, the Peerage cannot even be -offered- if the person has not shown obedience to Kingdom Law and respect for the Crown:**

**CORPORA**

**VII.A. Patents of Arms**

**1) General requirements: Candidates for any order conferring a**

**Patent of Arms must meet the following minimum criteria.**

**Additional requirements may be set by law and custom of the**

**kingdoms as deemed apprpriate and necessary by the Crown.**

**a.) They shall have been obedient to the governing documents of**

**the Society and the laws of the kingdom.**

**b.) They shall have consistently shown respect for the Crown of**

**the kingdom.**

**And let us go back to Corpora once again:**

**CORPORA**

**VII.A.4.**

**b.) The Order of the Laurel. Members of the Order of the Laurel**

**may choose to swear fealty, but are not required to do so.**

**c.) The Order of the Pelican. Members of the Order of the Pelican**

**may choose to swear fealty, but are not required to do so.**

**We can see pretty clearly here that to deny a person the Laurel or Pelican soley on the basis of their refusal to swear fealty would be a clear violation of Corpora. To be "obedient to ... the laws of the kingdom" and to "consistently show respect for the Crown" does -not- require a fealty oath.**

**Further, listen to the Monarch's oath (in the Kingdom of Atenveldt) at his Coronation:**

**"I (name of Crown Prince) do for my part swear fealty to these**

**knights of Atenveldt and all their households; to protect and defend**

**them and their rights and duties against every creature with all my**

**power; and to hold as my sacred trust this, the Crown of Atenveldt.**

**And I do swear that no man who will not guard the honour of the**

**people of Atenveldt, nor defend the principles of Chivalry; nor**

**protect rigourously the rights of all subjects of the Crown of**

**Atenveldt, and in particular those privileges ordained by Statute and**

**established by custom to be the exclusive perogatives of the**

**Nobility; nor who will swear this solemn oath so to do shall hold**

**this, the Crown of Atenveldt, after me. So say I (and here the Crown**

**Prince shall state his name), Prince of Atenveldt"**

**He promises to defend and protect -*all*- subjects, not just his liegemen ..... or just his friends. This constitutes (in my opinion) a legal fealty contract, though it is not "liege" fealty per se (except in the case of the Knights, of course.) It's actually a pretty strongly worded pledge, and should be studied and thought about, HARD, by -every- contender for the Throne. There are some serious promises made that, if broken, could result in his Peers *de-fieing* him quite legally and honourably.**

**Period feudalism was based on -land.- We in the SCA must transfer this concept to the simple Peerage-honor (the Belt / Baldric, Laurel and Pelican), since within the SCA only Kings, Landed Barons and Princes (and their Consorts, of course!) are "landed" titles; they are the only ones that "control" an area of land. Therefore, the concepts of "allodium," or land that is held in "feodum solis" or "fief francum," meaning a fief that had -no- Lord superior to the Landholder, and little or no service to the Crown required for its holding, would apply very easily to the Master of Arms, or to any Peer that does not swear liege fealty. It is evidently a very period concept indeed.**

**This is not to say that these Peers cannot swear a -personal- fealty oath of any kind to a Lord. Some Masters of Arms have sworn such an oath to the -person- of the King or the Queen and not to "the Crown" (with that particular feudal contract therefore ending at the end of that reign) and this is considered quite acceptable over the whole of the SCA.**

**To complicate matters even more, one can choose to swear fealty in the context of an Office and not in one's "private" persona.**

**I swore fealty as Baron of SunDragon .... not as "Ioseph of Locksley," who cannot and will not swear such, but as "The Baron of SunDragon." In other words, when the Baronial Coronet was on my head, I was the King's Man, and spoke and acted as the King's Representative. When the Coronet was -not- on my head, I reverted back to a simple, non-fealty swearing private person. When I made music, or went off raising hell, I -took off- the Coronet. My "private" persona and my "public" persona were kept -strictly- separate (especially because "Ioseph" had opinions that might not be quite in line with the opinions and agenda of "The Baron!")**

**This would be an acceptable "out" (in my opinion) to an Officer who cannot swear liege-fealty as a private person, but who holds a Society Office under a Crown or Coronet .... but it -must- be an individual decision. If that individual decides they cannot do it in good concience, then their decision should be respected.**

**I would not recommend this to persons who have no strong personal feelings nor very strong personalities. It is a hard and delicate line to walk, and can only be done with great attention to details, like saying -every time- "I am now talking as my private persona and NOT as (name of office)" and MAKING IT STICK.**

**Much of this may seem like logic-chopping, or making a big to-do out of semantics, but it seems necessary. We are dealing with some pretty delicate matters here, that impinge on both "legal" and emotional issues. These issues tend to be extremely important for many people, and thus, an understanding of them can only be had by some pretty close reasoning, and some drawing of fine lines.**

**I also must add that I have -not- talked about the various mundane considerations that might preclude the swearing of fealty. There -are- several good mundane reasons why a person could not swear fealty, even in the SCA in its' aspect as a "hobby" ..... but those mundane reasons are ultimately -*entirely up to the person concerned*.-**

**And any person who arrogates to themselves the power to decide whose mundane reasons for not swearing fealty, ESPECIALLY if these reasons are religious-based, are valid or not is a penny-ante tyrant and stupid besides.**

**I hope that this helps to clarify what is admittedly a rather confusing subject .... and I hope my unavoidable pedantry hasn't put too many readers off.**