

History 113A

Conflict and Settlement in Medieval Europe

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Office Hour: Thurs. 11-12
and by appointment
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The Subject of the Course

In this course, we will try to do something unusual—apply modern theories of conflict resolution and social control to medieval society as exemplified in classic literary texts of the period. The aim of the course is to introduce students to the social mechanisms through which medieval Europeans resolved conflict and to explore the degree to which such mechanisms can be seen as foundation stones for the development of western legal systems. So, in this course you will not study law *per se*, but you will look at the role law plays among the other mechanisms society has for resolving disputes.

We are using medieval literature as sources for this study because while these works idealize society and heroic individuals they also present the narrative of conflict and of the social response to them with a completeness and clarity that cannot be found in ordinary historical records. Historical records from the medieval period present the task of reconstructing what happened and their incompleteness inevitably leaves the historian with an uncertain narrative, not the ideal basis for applying theory of any kind to explain the events. In order to use modern theory to explain medieval social conditions, one has to find complete narratives that represent the way contemporaries described and thought about conflict and its resolution. Literary texts supply those narratives. The one exception to this observation is Galbert's *Murder of Charles the Good*, which is an unusually focused and literary history of events in northwestern Europe in the first half of the twelfth century.

Method of the Course

A course on this topic cannot be a pure lecture course. It will do no one any good to sit and listen to me talk about conflicts and settlements and their abstract patterns. I will lecture some of the time, but we will spend a good deal of class time discussing the issues and texts assigned for the week. I have made assignments that match the class topics as well as I can, but we will certainly get off schedule. This is the first time this course has been offered, so I cannot know exactly how our discussion will proceed. Read ahead as much as you can.

While we will focus on the conflict narratives in the texts, I do not want to ignore the literary context of those narratives. In the first place, the narratives themselves are shaped by their function within the whole story and aims of the writer. In the second place, these texts are among the great literary works of European culture, and it would be shameful to ignore their culturally significant themes.

Requirements

The normal requirement for upper-division history courses is a research paper of 10 or so pages and a final exam. There will be a final exam. I will prepare a study guide for it, and all questions on the final will be in the study guide. The exam will not be a take-home exam. You will come to the exam with blank blue books and will only learn which questions I have chosen from the study guide when you see the exam. I will post the study guide on the class web site (see below) during the tenth week of the quarter, at least a week before the exam.

I have decided to do something unusual for the paper assignment. In my experience, students have a lot of trouble writing good research papers, and I think that the difficulty would be compounded in this course. In addition, I want to give you more instruction in writing than one could in response to a single paper handed in at the end of the quarter. Consequently, I have decided to assign three short papers and to impose certain strict requirements on them.

First, the length requirement will be strictly enforced. You know how to write to a deadline; I want you to learn to write to a length restriction. If I assign a 600-word essay, I will insist that you turn in a paper that is between 590 and 610 words in length. Hone the paper until it meets the requirement. The first paper will be 600 words; the second will be 900 words; the third will be 1200.

Second, I will provide a prompt or question for you to write about.

Third, I will graduate the weight of the paper grades in calculating the course grade. Paper 1 will be worth 10% of the course grade; paper 2 will be worth 20%; paper 3 will be worth 30%. (The final exam will be worth 40% of the grade.)

Paper 1 will be due at lecture on April 19 (third week)

Paper 2 will be due at lecture on May 10 (sixth week)

Paper 3 will be due at lecture on May 31 (ninth week)

Communications

The best way to communicate with me is by email rather than by telephone. I will be in my office during my office hour, but I'm not often there during other times. My office phone does not have a message service. I will try to answer email quickly—though not instantaneously. If you drop me a note at 2 AM, don't expect an answer until the next morning.

Office Hour: I have set up an official office hour, Thursday 11-12. I know that for some students the office hour conflicts with other classes and work schedules. I'll be happy to make an appointment to see you at another time during the week. Set up an appointment by email.

Occasionally, I will communicate with the class by email to make an announcement or inform you of something you should know. The WebCT platform has your UCSD email addresses in it, so I'll be communicating with you through that address. Many of you do not use UCSD email, and if that is the case then be sure to set a forwarding command in your UCSD mailbox. Then, you'll receive any communications we send to the class through WebCT.

Class Web Site

Go to the WebCT server, <http://webct.ucsd.edu>. Sign in with your UCSD username and password. Click on HIEU 113A.

The class web site will contain the syllabus for reference and any thing else that I decide to post. For example, I expect to post texts on the site for use in your papers, as well as the paper prompts themselves.

There is also a discussion board on the site to permit you to post questions for me and for your fellow students on the readings and lectures. My intention is to give you an opportunity to ask questions or make comments as they occur to you. I will check the discussion board frequently, if I find that you are using it.

To gain access to WebCT and the class web site, you need your **UCSD email username and password**. These were assigned to you when you registered. Some of you do not use UCSD email and have ignored the username and password you received. You need them to gain access to any controlled web site at UCSD. If you do not know your UCSD username and password, you can get it from APM 2113 (open Mon-Thurs. from 10 AM - 3:30 PM). You must present your student ID card.

Technology requirements: You can access the web site and all its materials on either a PC or Mac.

Technical Assistance: If you need some technical assistance with the course, you can email the Instructional Web Development Center (iWDC): iwdc@ucsd.edu. Students often ask me for help, but I am, relative to most of you, a techno-peasant. You are better off seeking help from iWDC.

Required Texts

The Song of Roland, tr. G. Burgess, Penguin
Njal's Saga, tr. R. Cook, Penguin
Galbert of Bruges, *The Murder of Charles the Good*, tr. J.B. Ross, Columbia
Miller, *Bloodtaking and Peacemaking in Saga Iceland*, Chicago
Ellickson, R.C., *Order without Law: How Neighbors Settle Disputes*, Harvard
Comaroff, J.L. and S. Roberts, *Rules and Processes: The Cultural Logic of Dispute in an African Context*, Chicago

Syllabus

Apr. 3: Introduction

Apr. 5: Theories of Social Order I
Reading: Ellickson (for 4/5 and 4/10)

Apr. 10: Theories of Social Order II

Apr. 12: Social Control in Tribal Society I
Reading: Comaroff and Simon (for 4/12 and 4/17)

Apr. 17: Social Control in Tribal Society II

Apr. 19: Conflict as Social Process in Medieval Society
Reading: Galbert of Bruges, *The Murder of Charles the Good*
Miller, ch. 3
[PAPER 1 DUE]

Apr. 24: The Feud: Conflict in Icelandic Society I
Reading: *Njal's Saga*, ch. 1-77
Miller

Apr. 26: The Feud: Conflict in Icelandic Society II
Reading: *Njal's Saga*, ch. 78-105

May 1: The Feud: Conflict in Icelandic Society III
Reading: *Njal's Saga*, ch. 106-159

May 3: Settlement and Trial in Njal

May 8: Settlement by Trial I
Reading: *The Song of Roland* (for 5/8 and 5/10)

May 10: Settlement by Trial II
[PAPER 2 DUE]

May 15: Settlement by Ordeal I

Reading: Galbert, pp. 282-89, Gottfried von Strassburg, Tristan, "Ordeal" (text on the web site)

May 17: Settlement by Ordeal II

May 22: Peacemaking I

Reading: Raoul de Cambrai (link on the web site), S. White, "Feuding and Peacemaking..." (for 5/22 and 5/24)

May 24: Peacemaking II

May 29: High Medieval Justice I

Reading: The Growth of Legal Systems (web site)

May 31: High Medieval Justice II

Reading: English Judges and Courts (web site)
[PAPER 3 DUE]

June 5: Understanding Conflict and Settlement I

June 7: Understanding Conflict and Settlement II