

Freemen and Unfree men

Feudal land tenure – the system by which land was held by tenants from lords. As developed in medieval England and France, the king was lord paramount with numerous levels of lesser lords down to the occupying tenant.

Tenures were divided into free and unfree.

Of the free tenures, the first was tenure in chivalry, principally grand sergeanty and knight service. The former obliged the tenant to perform some honourable and often personal service; knight service entailed performing military duties for the king or other lord, though by the middle of the 12th century such service was usually commuted for a payment called scutage.

Another type of free tenure was socage, primarily customary socage, the principal service of which was usually agricultural in nature, such as performing so many days' plowing each year for the lord. In addition to the principal service, all these tenures were subject to a number of conditions, such as relief, the payment made on transfer of a fief to an heir, and escheat, the return of the fief to the lord when the vassal died without an heir. Chivalric tenures were also subject to wardship, the guardianship of a fief of a minor, and marriage, payment made in lieu of marriage of the vassal's daughter to the lord.

Another form of free tenure was the spiritual tenure of bishops or monasteries, their sole obligation being to pray for the souls of the grantor and his heirs. Some ecclesiastics also held temporal lands for which they performed the required services.

The main type of unfree tenancy was villenage, initially a modified form of servitude. Whereas the mark of free tenants was that their services were always predetermined, in unfree tenure they were not; the unfree tenant never knew what he might be called to do for his lord.

Although at first the villein tenant held his land entirely at the will of the lord and might be ejected at any time, the royal courts later protected him to the extent that he held tenancy at the will of the lord and according to the custom of the manor, so that he could not be ejected in breach of existing customs. Moreover, an unfree tenant could not leave without his lord's approval.

Tenure in villenage in England then became known as copyhold tenure (abolished after 1925), in which the holder was personally free and paid rent in lieu of services.