

Conventum (Agreement) between Count William V of Aquitaine and Hugh IV of Lusignan, 1020s¹

This document records a series of disputes between William, often nicknamed the Great, count of Poitou and duke of Aquitaine (ruled c. 995/6-1030) and one of his vassals who can be identified as Hugh the castellan of Lusignan, although in the text he is called by the nickname Chiliarchus. The information contained in the conventum makes it possible to date it by internal means to a period covering the years c. 1022-8, although the exact length of time which occurred before Hugh made a final settlement with his lord is by no means clear.

The genre of the conventum still remains a problem. The conventum seems to be a record of an oral agreement whose elaborate narrative is a necessary prelude to the account of the final settlement made between the count and Hugh. There are, however, no precedents in contemporary diplomatics for a document with such diffuse narrative characteristics, and therefore no similar material by which to judge it (though there are a few other examples of documents drawn up as written records of a court settlement, there are none with so much narrative). Although it resembles historical narratives of a literary type, in many ways it is unlike anything else which has survived for the first half of the eleventh century from the French kingdom. The author's language is far closer to the vernacular than to the Latin written by contemporary historians. Nevertheless there can be little doubt that the conventum was written from Hugh's standpoint.²

The count of the Aquitanians (called William) had an agreement with Hugh the Chiliarch³ that when the end should come for Viscount⁴ Boso, the count would give Boso's honor to Hugh in commendation. Bishop Roho saw and heard and kissed the count's arm. Savaric the viscount took away from Hugh the land which Hugh held from Count William and on the viscount's death the count promised Hugh that he would enact no

agreement or settlement with Savaric's brother Ralph until the land was released. He said this in the presence of everyone, but in secret afterwards he gave the land to Ralph. Hugh made an agreement with Ralph the viscount to marry Ralph's daughter in return for that estate or a greater estate or something else. When the count heard this he was very angry and hastened to Hugh in humility and said to him, "Don't marry Ralph's daughter. I'll give you whatever you ask me, and you'll be my friend before everyone else except my son." Hugh did what the count ordered and, out of love of the count and fidelity to him, he privately cast the woman off.

At that time it happened that Joscelin of the fortress of Parthenay met his end, and the count said that he would hand over Joscelin's honor and widow to Hugh; if Hugh refused to take them, the count would put no trust in him. Hugh did not make any suggestion or request to the count about this either for himself or for anyone else. So, after due consideration, he said to the count: "I shall do all that you command me."

The count, while holding a court assembly with Count Fulk, promised to give Fulk benefices from his own property. Fulk promised that he would give Hugh what belonged to him. The count sent for Viscount Ralph and said to him about this agreement: "Hugh won't keep the agreement which he has with you because I forbid it. But Fulk and I have an agreement to give him Joscelin's honor and wife. We shall act to your undoing because you are not faithful to me." When he heard this, Ralph was very distressed and said to the count: "For God's sake don't do this." And the count said, "Give me guarantees that you won't give him your daughter and won't keep your agreement with him, and in return I'll make

¹ translation by Paul Hyams, Jane Martindale, Susan Reynolds et al. From Internet Medieval Sourcebook
<http://www.fordham.edu/Halsall/source/agreement.asp>

² Introduction adapted from Jane Martindale, "Conventum inter Willelmum Comitem Aquitanorum et Hugonem Chiliarchum" *The English Historical Review*, Vol. 84, No. 332 (Jul., 1969), pp. 528-548.

³ "Chiliarch" means "Commander of a Thousand," though no other text calls Hugh by that name.

⁴ Viscount: a rank of nobleman

sure for you that he won't get Joscelin's honor or wife." And so they acted so that Hugh got neither one nor the other. Ralph went to Count William, who was in the fortress at Montreuil, and sent word to Hugh that they ought to talk things over. This happened, and Ralph said to Hugh, "I am telling you this in confidence that you will not give me away. Give me a guarantee that you will help me against Count William. I'm keeping my agreement with you and I shall help you against all men." Hugh refused all this for love of count William. Hugh and Ralph parted in sorrow. Ralph began to prosecute an open dispute with Count William while Hugh, for love of the count, began one with Ralph. Hugh suffered heavy loss.

When Ralph died Hugh asked the count to give up to him the land which Ralph had taken away from him. But the count said to Hugh, "I won't make a settlement with Geoffrey the viscount, Ralph's nephew, or with the men of Thouars fortress until I hand over your land to you." None of this happened, but the count went off and made a settlement with Viscount Geoffrey and with the men of Thouars, and made no settlement at all with Hugh and Hugh did not get his land. And for the misdeeds which Hugh did on the count's behalf, Geoffrey took up the quarrel with Hugh and burned the fortress Mouzeil, captured Hugh's horsemen and cut off their hands, and did plenty of other things too. The count in no way helped Hugh or made a good settlement between them, but Hugh is now still without his land and has lost the other land which he had held in peace on the count's behalf. And as Hugh saw that he was not going to have the land he captured forty-three of the best horsemen of Thouars. He ought to have been able to have peace and have his lands secure and justice for the offence and if he had been willing to accept a ransom he could have had 40,000 solidi.⁵

⁵ Solidus/solidi: a coin, broadly analogous to the shilling.

But when the count heard this and should have been delighted, he was upset and sent for Hugh and said to him: "Hand over the men to me." Hugh replied: "Why do you ask that of me, my lord? All my losses arise from my fidelity to you." The count said: "I am not asking them from you because of your wrongdoing, but because you are mine to do my will. And I shall therefore take the men on these terms: either I shall make a settlement with your lands secured and the wrongdoing compensated, or I shall have the men surrendered to you. Act without doubt in my trust and faith, and if any harm come to you, you can know that I shall make it up to you." Hugh put his trust in God and in the count and surrendered the men to the count by this agreement. Afterwards Hugh got neither the men nor justice and he lost [some of] his land.

The count of the Poitevins and Bishop Gilbert jointly came to an agreement with Hugh's Uncle Joscelin. It concerned the fortress called Vivonne, and said that after the death of Bishop Gilbert the fortress was to be Joscelin's. And in the bishop's lifetime the bishop caused the men of the fortress to be commended to Joscelin, and he handed over the tower to Joscelin. And after they both died the count made an agreement between Bishop Ysembert and Hugh that Hugh would get half of the fortress and half the domain and two-thirds of the vassals' fees. So the count had Hugh commended to Bishop Ysembert, but now he has taken the better estate from them.

A certain official named Aimery took a fortress called Civray from Bernard his lord and this fortress was Hugh's right as it had been his father's. Count William, because of his anger against Aimery, required Hugh to become Bernard's man⁶ for the part of the fortress which had been his father's so that they could both prosecute the quarrel with Aimery together. But it seemed wrong to Hugh that he should be Bernard's man and he was unwilling to do it. The count persisted in this

⁶ Man: this apparently means "vassal" in the following paragraphs, though it does not use the exact term.

demand for a year and the more angry he became, the more he insisted that Hugh become Bernard's man. A year later the count came to Hugh as if in anger and said to him, "Why won't you make an agreement with Bernard? You are so dependent on me that if I had told you to make a peasant your lord, you ought to have done it. Do what I say, and if harm comes to you, turn to me." Hugh believed him, and became Bernard's man for a quarter of the aforesaid fortress. But Bernard made the count a guarantor to Hugh along with four hostages. The count said to Hugh, "Hand over those hostages to me on this condition that if Bernard does not faithfully observe your arrangements, I shall surrender them to you, and by my faith I shall come to your aid." Thus the count solemnly promised Hugh no more than suited himself. Hugh put his trust in his lord, and began a fierce dispute about the fortress and suffered heavy loss both of his men and much other property. And the count began to build a fortress called Couhé, but did not finish it for Hugh, but negotiated with Aimery and abandoned the fortress and did nothing to help Hugh.

Afterwards the count became much more annoyed with Aimery about the fortress called Chizé, which Aimery had seized, and the count and Hugh stood together in the dispute with Aimery. The count besieged the fortress called Malval because of the offence which Aimery had committed against him and took it, and Hugh helped him to the best of his ability. Before Hugh left the count, the count promised him, as a lord should promise to be fair to his man, that he would not make any settlement or alliance with Aimery without Hugh, and would not have Malval finished without consulting Hugh. And the count made a settlement with Aimery and allowed him to build Malval without consulting Hugh. As long as Aimery lived none of the aforesaid property came to Hugh.

After Aimery's death a great dispute arose between Aimery's son Aimery and Hugh. At that time Hugh came to the count and said to him: "Things are going badly for me now, my lord, because I have none of the property which you have caused me to acquire." The count replied to him: "I shall hold a court assembly with them so that if they do as they ought, well and good, otherwise I shall make over to you the fortress which I have begun." And the fortress was built by the advice of Bernard who up till now had helped Hugh in the dispute. But when the men of Civray saw the heavy demands Hugh made on them, and found them unbearable, they made a settlement with Bernard and handed over the fortress to him. He took it without consulting Hugh. Both Bernard and Aimery were against Hugh in the dispute and he was alone against them. Hugh came to the count and said to him, "My lord, things are very bad with me because the lord whom I have got by your advice has now taken away my property. I beseech and urge you by the faith which a lord owes to his man to aid him: let me have either a proper hearing, or my property as you have pledged me, or return me the hostages which I turned over to you: and furthermore help me as you have pledged." But the count did not help at all, nor did he make a settlement with Hugh, nor did he return his hostages, but released them to Bernard. And after that the dispute between Bernard and Aimery and Hugh intensified.

And as Hugh saw that the count was giving him absolutely no aid he went to seek advice from Bishop Gerald of Limoges. Gerald and Hugh went off together into the March⁷ against Bernard and built a fortress. But the count, who ought to have been helping Hugh, instead seized the fortress from him and set fire to it. He and his son ordered that none of their men were to help Hugh on pain of death. Bernard took counsel with his own men how to do wrong to Hugh. By advice of the count they also accepted a date a fortnight off. During that fortnight the count insisted on

⁷ March: A border territory; these were often strategically significant and the site of increased military activity.

a truce between Hugh and Bernard. Three days into the truce the count took Hugh with him in his army to the fortress of Apremont where there was further pleading about the fortress. From there the count travelled to Blaye to hold the court assembly he was due to hold there with count Sancho, and he told Hugh to go with him. Hugh answered, “My lord, why do you summon me to go with you? You know how short my truce with Bernard is, and he is already threatening to do me harm.” The count said to him, “Don’t be afraid about anyone doing anything to you so long as you are with me.” He took Hugh on with him by force and against Hugh’s will.

And while they were still at the assembly Hugh’s men heard that Bernard was attacking him and they sent word to Hugh to come Hugh said to count, “Bernard is attacking me.” And the count said, “Don’t be afraid of him or anyone else attacking you. What is more, should they attack, I will come to your assistance and scatter them.” In that very hour the count sent orders by his men and sent Hugh on ahead and followed after him. When Hugh came to Lusignan, Bernard was at the fortress of Confolens and had taken the *burgum* and *barrium*⁸ and set fire to everything, after taking plunder and prisoners and doing plenty of other bad things. A messenger rushed to Hugh and said to him, “Bernard has got your wife besieged in the old fortress, which hasn’t been burnt yet.” Hugh came to the count and said to him, “Now help me, my lord, because now my wife is being besieged.” The count gave him neither help nor counsel. And by the time Bernard withdrew he and his men had done such evil to Hugh and his men that 50,000 solidi cannot cover it. And Hugh suffered this loss within the truce which the count had arranged for him at Blaye.

Not long afterwards, Hugh went to the fortress at Gencay and burned it down and captured men and women and carried off everything. Coming

to the count he said to him, “My lord, give me permission to rebuild the fortress which I have burnt.” And the count said to him, “You are Fulk’s man. How can you build the fortress? He will demand it from you and you will be incapable of withholding it from him.” Hugh said, “My lord, when I was Fulk’s man I told him that his men had seized from me what was my right and if I were capable of taking it back from them, I would do so: but I would hold just as much to my fidelity to him, which is what I wish to do. And Fulk said to me, ‘Whatever you take from them, don’t take it from me.’” When the count heard what kind of agreement Fulk and Hugh had made, he was pleased. And the count said to Hugh, “Build the fortress on those terms, and if I can manage to redeem it from Count Fulk with my money and yours, it will be part mine and part yours.”

And Hugh built the fortress. Fulk demanded it from the count. The count answered him, “Put your demand to Hugh.” And Fulk did so. Hugh answered him, “When I was your man, I told you that I could capture fortresses from my enemies, I would take them and hold them in fidelity to you, which is what I want to do, because the fortress which you are demanding from me belonged to my kinsmen and I have better right to it than those who were holding it.” And Fulk said, “How can you who are my man hold what I have not given you against my will?” And Hugh asked the count’s advice. The count said to him, “If he is willing to give you guarantees that your enemies will not have the fortress, you really can’t keep it. But otherwise keep it, because he won’t have a case against you.” So Hugh asked Fulk to give him hostages. He gave him none, but said, “I’ll put my demand to the count and give hostages to him and he will give you hostages from his men.” And the negotiation was turned to anger. Fulk demanded Hugh’s fortress from the count. Hugh said, “I won’t give it up now without guarantees.” The count said to him, “I’ll

⁸ *Burgus* means “fortified town” but here seems to refer to a specific part of the fortifications, such as the central building or fort; *barrius* may mean another part of the fortifications.

give a guarantee and he has told me what to give.” Hugh said, “Take what you like from Count Fulk and give me what I demand. Give me the custodian of the tower of Melle, so that if Aimery should get the fortress without my counsel, and harm should befall me, that man will surrender the tower to me.” The count said to him, “I won’t do that because I can’t.” Hugh said, “If you won’t do that, then deal with Chizé on the terms aforesaid.” But the count would do neither the one nor the other.

It seemed to Hugh and his men that the count was treating him badly, and they parted in anger. Hugh put all necessary supplies into the fortress and prepared to hold it against everyone if they would not give him guarantees. The count left the city and asked Hugh to come to him, and ordered him to enter the service⁹ of William count of Angoulême on the ground that he (the count of the Aquitainians) could not alter the fact that he had to help Fulk and he feared to lose either Hugh or Fulk. Hugh put himself in confidence and friendship with the count his lord, and would have done it for love of him, because he had security from Fulk that he would not come to harm. And the count said, “Let Hugh do this for me and I shall bear him that faith which a lord ought to bear to his man. And if harm does come to him he should know that I will have betrayed him and then he need believe in me no more.” And Hugh said, “My lord has said the same about a lot of things and has deceived me.” And Hugh had not one man who advised him then to put confidence in count. But the count reminded Hugh of all the good things that he had done for him, and Hugh, constraining the count by his love and entreaties, that is by his oath, said to him, “I am putting all my trust in you, but watch out that you do not do me wrong, because if you do I shall no longer be faithful to you nor shall I serve you and keep faith with you. But since I am to be separated from you, and you are not able to give me guarantees, I want you to give me my fee as a pledge that then I need no longer serve you, and release

me from the oaths which I have made to you.” The count said, “Willingly.”

Hugh surrendered the fortress [of Gencay] to the count against the wishes of his men on such terms that Aimery was not to have it unless Hugh was consulted and suffered no harm. Hugh received his fee in pledge, after hearing these untrustworthy words, and the count gave it to him on condition that if he was misleading Hugh over the agreement, he would not owe him service for Gencay in future. And he released him from the oaths so that he would no longer do anything for him on their account, but without any ill-will. The count did surrender Gencay without consulting Hugh and received money and domain land. Hugh suffered damages from men killed and houses burned and plunderings and lands being seized and many injuries which in truth he cannot count. After the period was over, the count gave Hugh a day and promised to give him a benefice, either from what was Hugh’s right or from something else acceptable to him. The day came and went and he did nothing for Hugh, but sent word to him, “Don’t expect me to do anything for you. And if all the world were mine I would not give you what I could lift with my finger.”

When Hugh heard this, he went to the count’s court and put his case before him about his right, but it did him no good. Hugh was enraged and broke off faith with the count, saving the count’s city and person, in the hearing of all. Before Hugh or his men had done any damage, the count’s men seized the benefice of Hugh’s men in the name of war. When Hugh saw this, he went to the fortress of Chize which had belonged to his uncle and which Peter was holding unjustly to Hugh’s loss. He captured the tower and threw out Peter’s men. Hugh did this because he thought he had the right, because the tower had been his father’s or some other kinsmen’s and he had lost it. When the count heard about it, he was most enraged and sent orders to Hugh to give him the tower which he had stolen from

⁹ Service: Again, this apparently means being a vassal.

Peter. Hugh told the count that he should give up to Hugh his father's honor and the other things which belonged to his kinsmen and to which he had right, and he would surrender to the count the tower and all that he had taken inside it, and all Joscelin's honor which the count had given him. The count gave this due consideration and they entered negotiations. The count said to Hugh, "I shall not hand over to you the honors you demand of me, but I shall make a gift to you of the honor which belonged to your uncle—the fortress, the tower, and the whole honor—on condition that you will no longer demand the honor which belonged to your father or your other kinsmen, nor anything else you demand as your right."

When he heard this Hugh was very suspicious of the count, because he had often deceived him maliciously in the past. He said to the count, "I dare not do this, because I fear that you threaten wrong to me as you have done on many other matters."

The count said to Hugh, "I shall give you such guarantees that you will not distrust me in future."

Hugh said to him: "What guarantees?"

The count said, "I shall produce a serf to undergo the ordeal¹⁰ for you, so that you cannot doubt but that the settlement we have made between ourselves shall be good and firm. And no further loss shall come to you from all the affairs which have taken place in the past, but the agreement will be firmly maintained without any trickery."

When Hugh heard the count talking this way, he said, "You are my lord; I shall not take a guarantee from you, but put myself only in the mercy of the Lord and in your service"

The count said to Hugh, "Give up all the complaints you have brought against me in the past, and swear fidelity to me and to my son, and I shall

give you your uncle's honor or something in exchange of equal value to you."

And Hugh said, "My lord, I pray you by God and by this holy cross which is made in the image of Christ, that, if you and your son in future wish to threaten me, you will not have it done to me in an underhand fashion."

The count said, "I shall do this on my faith, and my son too, without trickery."

Hugh said, "And once I have sworn fidelity, you may [I.e. what if you at some stage] require the fortress of Chizé from me, and if I do not surrender it to you, you may say that it is unjust of me to deny you the fortress which I have from you; and if I hand it over to you, you and your son will take it away from me because you have made me no guarantee except before God and at your mercy."

The count said, "We shall not do that. And if we do demand it from you, don't give it up to us."

They received Hugh as their man in faith and trust on the strength of the agreement as it was finally pronounced, that the count and his son would bear faith to Hugh without trickery. And they made Hugh renounce all that he had demanded from them in the past. And he swore fidelity to them and they gave him the honor of Joscelin his uncle as he had held it one year before he died.

THIS IS THE END OF THE AGREEMENTS BETWEEN THE COUNT AND HUGH

¹⁰ Ordeal: in medieval law, "trial by ordeal" involved either giving a person a burn or immersing them in water. If the wound did not get infected or the person did not drown, it was seen as proof of innocence. (The Fourth Lateran Council of

the church forbade trial by ordeal in 1215, though it continued to be used until the 1500s). Here, Count William is offering to subject a peasant to the ordeal (rather than himself) to prove his innocence.