

**FROM PERSONALISM TO TERRITORIALITY:
State Authority and Foreign Policy in Medieval and Modern Europe**

Jeffrey T. Gayton

University of Wisconsin
Political Science Department
110 North Hall
1050 Bascom Mall
Madison, WI 53706

phone: (608) 259-9084
fax: (608) 265-2663
e-mail: jtgayton@polisci.wisc.edu

Paper presented at the International Studies Association Conference,
San Diego, CA, 16-20 April 1996

Abstract

This paper has two primary purposes – to develop a more sophisticated conceptualization of state authority relations and to demonstrate the utility of this conceptualization in explaining state behavior. It attempts to contribute to international relations theory by illustrating the contingent nature of territorial sovereignty. Territoriality is defined as a means of asserting, enforcing, and legitimating authority claims; authority claims are limited in terms of particular domains of human activity engaged in by humans within a particular space. This is contrasted with personal authority claims, which are limited in terms of particular domains of human activity engaged in by particular humans regardless of their location in space. When a state prohibits driving over a certain speed limit, it is using territoriality as a means of asserting, enforcing, and legitimating an authority claim. The claim is limited to a specific domain of human activity (speeding) engaged in by people within a particular space (the territory of the state). In contrast, when a religion prohibits sexual relations before marriage, it asserts, enforces, and legitimates its authority claims personally rather than territorially. The claim is limited to a specific domain of human activity (pre-marital sex) engaged in by adherents to the faith.

The distinction between personal and territorial authority relations not only helps distinguish the state from other organizational forms, but helps distinguish different historical state forms. This paper argues that the medieval state, organized around feudal bonds of loyalty between lord and vassal, relied on personal rather than territorial authority claims. A preliminary exploration of the Hundred Years War demonstrates that the personal organization of medieval state authority relations helps explain certain “puzzles” of medieval state behavior that are inexplicable if the medieval state is viewed as territorial.

This paper also suggests that the distinction between personal and territorial authority is also useful in understanding the behavior of modern states. Modern states are not entirely territorial; they rely in part on personal means of legitimating state authority. This latent personalism helps explain Russian claims of extra-territorial authority over ethnic Russians in the “near abroad” and the attempts by American citizens to bring suit against foreign nationals for human rights violations in other countries.

“Since now we will divest us both of rule (interest of territory, cares of state)...”

– Shakespeare, *King Lear*, act 1 scene 1

Sovereignty’s current resurgence in international relations theory has been both a bane and a blessing. Those who have “problematized” sovereignty have rightly cast a critical eye over a largely unexamined concept. However, in doing so, many have framed sovereignty either too abstractly or too narrowly. On the one hand, sovereignty has been considered a constitutive principle of international relations.¹ Sovereignty is such a principle, but is it nothing more? On the other hand, sovereignty has been considered either state authority, or state control, or an international legitimating principle for the state.² These conceptual divisions/oppositions have done little except fuel an increasingly trite debate about which of these aspects of sovereignty is most important. Things have gotten so bad in the sovereignty literature that having once viewed sovereignty as an important “institution” with considerable “breadth and depth,” Stephen Krasner now considers it only “a reference point or convention.”³ Despite the “poverty” of much

¹ See Richard Ashley, “Untying the Sovereign State: A Double Reading of the Anarchy Problematique,” *Millennium*, Vol. 17, No. 2 (1988), p.p. 227-262 and R.B.J Walker, "Security, Sovereignty, and the Challenge of World Politics," *Alternatives*, 15 (1990), p.p. 3-27.

² For an approach emphasizing sovereignty-as-state-authority, see Janice E. Thomson, "State Sovereignty in International Relations: Bridging the Gap between Theory and Empirical Research," *International Studies Quarterly*, Vol. 39, No. 2 (June 1995), p.p. 213-233. The interdependence literature is a good example of the sovereignty-as-state-control approach. See Robert O. Keohane and Joseph Nye, *Power and Interdependence* (Boston: Little, Brown, 1977). For an approach emphasizing sovereignty-as-state-legitimacy, see Robert H. Jackson and Carl G. Rosberg, "Why Africa's Weak States Persist: The Empirical and Juridical in Statehood," *World Politics*, Vol. 35, No. 1 (1982), p.p. 1-24.

³ In “Sovereignty, an Institutional Perspective,” *Comparative Political Studies*, Vol. 21, No. 1 (April 1988), p.p. 66-94, Stephen Krasner argued, “With regard to both breadth and depth, sovereign states have become increasingly formidable institutions. They influence the self-image of those individuals within their territory through the concept of citizenship, as well as by exercising control, to one degree or another, over powerful instruments of socialization. With regard to breadth, states are the most densely linked institutions in the contemporary world.... Institutions that have high degrees of breadth and depth, that define the nature of actors and have many links with other institutions, are not up for grabs” (p. 76). In “Compromising Westphalia,” *International Security*, Vol. 20, No. 3 (Winter

of the sovereignty literature, it is possible to make both theoretical and empirical use of the concept. I will argue that one way to do this is by understanding sovereignty as the assertion, enforcement, and legitimation of authority claims by *territorial means*.⁴

Authority claims cannot be unlimited; neither an individual nor an organization can hope to assert, enforce, and legitimate authority claims over everything everyone does.⁵ In order for authority to be intelligible, it must be limited. Individuals and organizations limit their authority claims in two ways – by making reference to a specific domain of human activity and to a specific group of humans engaged in that activity. All individuals and organizations are similar in that they limit their authority claims to specific domains of human activity. But what I will argue is that there are two ways for individuals and organizations to limit their authority claims over humans engaged in that activity – personally or territorially.

To make an authority claim *personally* is to limit that claim to a domain of human activity engaged in by specific humans. This is the way many individuals and organizations claim authority. When parents claim authority over the behavior of their children, they limit their authority in terms of specific activities (for example, what kinds of foods they can eat) and specific humans (their children, and not the children of others). When the Catholic Church claims authority over the behavior of their members, they limit their authority claims in terms of

1995/1996), p.p. 115-151, Krasner argues, “Rather than being regarded as an empirical regularity in which territoriality and autonomy are accurate descriptions of most if not all states, or as an analytic assumption that regards central decision-makers as capable of independently formulating policies subject only to constraints imposed by the international system, the Westphalian model is better conceptualized as a convention or reference point that might or might not determine the behavior of policymakers who are also motivated by material interests, security, and national ideals, and whose ability to influence outcomes depends upon their power” (p. 117).

⁴ Two writers who have emphasized territoriality, though in ways different from the way I do, are John Ruggie and Friedrich Kratochwil. See John Gerrard Ruggie, “Territoriality and Beyond: Problematizing Modernity in International Relations,” *International Organization*, Vol. 47, No. 1 (Winter 1993), p.p. 139-174 and Friedrich Kratochwil, “Of Systems, Boundaries, and Territoriality: An Inquiry into the Formation of the State System,” *World Politics*, Vol. 39, No. 1 (October 1986), p.p. 27-52. See below for a more in-depth discussion.

⁵ What I refer to as asserting, enforcing, and legitimating authority claims is similar to traditional understandings of authority, control, and legitimacy. I group them together under the term “authority relations” to emphasize their interconnectedness. See below for a further discussion of this point.

specific activities (for example, when sexual relations are permissible) and specific humans (Catholics, and not members of other religious faiths).⁶ To make an authority claim *territorially* is to limit that claim to a specific domain of human activity engaged in by humans within a specific territory. This is the way the modern, sovereign state claims authority. The state does not claim authority over the behavior of its citizens *qua* citizens; rather it claims authority over the behavior of people within its boundaries, whether or not they are citizens.⁷ When the state claims authority over a domain of human activity (for example, how fast one can drive), it does so only when humans engage in that activity in a specified territory. The state does not claim the authority to punish speeders in other countries, even when its own citizens speed.⁸ This is in marked contrast to personal authority claims. The authority claims of parents over their children and of the Catholic Church over its believers obtain regardless of where the children or believers are.⁹ In sum, the reference points or limitations on personal authority relations are based on the type of activity and *who* the person engaged in it is, while the reference points or limitations on territorial authority relations are based on the type of activity and *where* the person engaged in it is.

⁶ These analogies are drawn from Robert Sack, "Territorial Bases of Power," Alan Burnett & Peter Taylor, eds., *Political Studies from Spatial Perspectives: Anglo-American Essays on Political Geography* (Chichester: John Wiley & Sons, 1981), p.p. 53-71; Robert Sack, *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press, 1986); and Michael Mann, "The Autonomous Power of the State: Its Origins, Mechanisms and Results," *Archives Européennes Sociologie*, XXV (1984), p.p. 185-213. See below for a further discussion of these authors.

⁷ An exception to this principle would be the immunity of diplomats.

⁸ I admit that I am drawing an overly bold distinction here. Sometimes states do claim authority over the behavior of their citizens (or national/ethnic group) outside their borders. However, I believe my general point holds; that territoriality is the preferred means by which the modern, sovereign state asserts, enforces, and legitimates its authority claims. Moreover, I would suggest that my definitions of personal and territorial authority can be used to help understand why and when some states engage in personal rather than territorial authority claims. See below for a further discussion of this point.

⁹ This is not to say that children and believers will necessarily obey authority at a "distance," but the authority claim is still asserted without regard to distance. This brings up the issue of the relationship between authority and control. This will be discussed in greater depth below, but it should be mentioned here that territoriality's limitation of authority claims in terms of location is one of the things that often makes it more effective than personal authority claims, which tend to be more wide ranging.

The purpose of this paper is to develop this distinction between personal and territorial authority relations and demonstrate its empirical utility. I want to show how Lear's "interest of territory, cares of state," are not immutable and eternal; that the state's "interest of territory" depends in part on whether the state asserts, enforces, and legitimates its authority claims territorially or personally. In the first section, I will explore the approaches of international relations, sociology, and geography towards sovereignty, territoriality, and state authority. I will show how most approaches fail to adequately conceptualize territoriality as a means (one of two) of asserting, enforcing, and legitimating authority claims. In the second section, I will more fully develop my conception of personal and territorial authority claims, emphasizing the relationship between authority, control, and legitimacy. In the third section, I will explore the utility of this conception of authority relations by applying it to the case of the Hundred Years War. I will argue that feudalism and medieval conceptions of sovereignty reflect a personal rather than territorial means of organizing authority relations. I will then show how viewing the medieval state as based on personal authority relations helps solve some of the "puzzles" of the war. One puzzle involves England's pursuit of exclaves – territories not contiguous with the remainder state – in France. While exclaves were common in medieval Europe, they are all but extinct today, in part because it is so difficult to enforce authority claims at a "distance."¹⁰ I will argue that the notion of exclaves is dependent on a modern conception of territorial authority that did not apply to the medieval period. By viewing medieval state authority claims as personal, exclaves in a sense "disappear" from the map. The second puzzle is why England failed to enforce its authority claims in conquered lands. I will argue that England's use of the *chevouchée* or prolonged raid and the creation of fiefs reflected weak administrative capacity and the

¹⁰ For an interesting discussion of exclaves, see G.W.S. Robinson, "Exclaves," *Annals of the Association of American Geographers*, Vol. 49, No. 3 (September 1959), p.p. 283-295.

personal authority relations inherent in feudalism. The third puzzle is why England and France repeatedly signed treaties that failed to resolve their competing authority claims. I will argue that the ambiguous lines of authority inherent in personal authority relations facilitated the “papering over” of each side’s competing claims. Weak enforcement of authority claims also helped obscure the overlapping assertions of authority. The fourth puzzle is why France was willing to make so many territorial concessions. I will argue that these concessions stem from the nature of personal authority relations, which makes a loss of territory only a loss of resources inside the territory rather than a threat to the (territorial) authority of the state itself. In addition, the lack of enforcement meant that the territorial concessions did not translate into a very significant loss of resources for France or a significant gain for England. I will conclude this paper with a discussion of how this conception of personal and territorial authority relations can be used to help understand contemporary international relations among sovereign, territorial states. I will argue that all modern states have varying degrees of personal and territorial authority relations, and that the balance between them affects their international behavior.

Sovereignty, State Authority, and Territoriality in Theoretical Perspective

Human relations are structured by authority claims. Every individual is both a subject and an object of authority claims; each of us makes authority claims and is subject to the authority claims of others. This is not a particularly novel observation; virtually every work in social science is dedicated to exploring this phenomenon. Unfortunately, most of these works focus on the *ends* of authority and have a limited appreciation of its various *means*. Emphasis is placed on *who* claims authority over *whom* and *why* authority is claimed, rather than *how* claims are

made.¹¹ I want to suggest that human relations are structured as much by the *means* of authority (how claims are made) as the *ends* (who makes the claims and why).

International Relations

In international relations theory, conceptions of the state revolve around definitions of sovereignty. Perhaps the classic definition of sovereignty is that of F.H. Hinsley: "[T]he idea of sovereignty was the idea that there is a final and absolute political authority in the political community...'*and no final and absolute authority exists elsewhere.*'"¹². Here we see little recognition of the possible existence of different means of asserting, enforcing, and legitimating authority claims over "the political community." How is this community defined – personally or territorially? Another problem is the emphasis on the "supremacy of state authority," which forms one of the main points of debate in the sovereignty literature.

Stephen Krasner notes three major problems with this conception of sovereignty. First, he argues that "final authority within a given territory has been challenged in one way or another throughout the history of the state system." Second, he notes that "there are territories and spheres of human activity in which partial sovereignty – that is, control over only some issues – is claimed." Third, "The claims that states have made with regard to the authoritative control of movements of people, commodities, investments, and information ideas, or culture across their international boundaries have changed across time and over countries."¹³ These points reflect a similar problem with Krasner's analysis – a failure to appreciate the interrelationships between authority, legitimacy, control, and territoriality. First, challenges to the "final authority" of the state have often been a question of legitimacy, conferred or withheld by actors within and outside

¹¹ Consideration of the issues of legitimacy and control does demonstrate some concern with means, but I want to suggest that there are different means to the establishment of control and the creation of legitimacy. See below for a further discussion of this point.

the state. The story of the rise of state sovereignty (and its possible decline) is in many respects a story of its legitimacy. Legitimacy must therefore be considered a part of sovereign authority. Second, by focusing on the variability of state control of transborder flows, Krasner downplays the importance of control.¹⁴ The problem is that this approach ignores the reciprocal relationship between authority and control. Historically, the development of new state capacities contributed to the development of new state authority claims. In turn, new assertions and legitimations of authority contributed to the expansion of state control. Nicholas Onuf acknowledges these points:

Physical control must be matched by a conviction within the community that this control is appropriately exercised. Even supreme authority implies the existence of rules authorizing the exercise of physical control.¹⁵

Finally, the absence of authority claims over some “spheres of human activity” ignores the issue of territoriality. What is important about the sovereign state is not the number of authoritative claims but the manner in which those claims are made. The sovereign state makes its claims territorially. It claims authority over a domain of human activity within a territory; it claims authority over those activities only when they occur within the territory. In terms of comparing the medieval and modern state, the means by which the claim is made is more important than the number of claims made.

Kenneth Waltz views sovereignty in two ways – as a “unit attribute” of the state and as a reflection of anarchy:

The parts of international-political systems stand in relations of coordination. Formally, each is the equal of all the others. None is entitled to command; none is required to obey. International

¹² F.W. Hinsley, *Sovereignty* (Cambridge: Cambridge University Press, 1986), p. 26. Italics in original.

¹³ Krasner (1988), p.p. 87, 88.

¹⁴ For a more in depth analysis of this argument, see Janice Thomson & Stephen Krasner, “Explaining the Regulation of Transnational Practices: A State-Building Approach,” in Ernst-Otto Czempiel & James Rosenau, eds., *Global Changes and Theoretical Challenges* (Lexington: Lexington Books, 1989), p.p. 195-219.

¹⁵ Nicholas Onuf, “Sovereignty and Its Meanings,” *Alternatives*, 16 (1991), p. 430. It should be noted that Onuf ultimate purpose is to emphasize legitimacy over authority and control, essentially reversing the error of Krasner. Both approaches are equally problematic.

systems are decentralized and anarchic.... Anarchy entails relations of coordination among a system's units, and that implies their sameness.... To call states "like units" is to say that each state is like all other states in being an autonomous political unit. It is another way of saying that states are sovereign.

In other words, state sovereignty and anarchy are two sides of the same coin. Sovereign states are defined by an absence of authority above them, and in Waltz's view, this leads to a "self-help" system in which states must provide for their own security because there is no one to provide it for them.¹⁶ John Ruggie and Alexander Wendt have both criticized this view of sovereignty, though from different perspectives. Ruggie argues:

The concept of sovereignty...has become utterly trivialized by recent usage, which treats sovereignty either as a necessary adjunct of anarchy or as a descriptive category expressing unit attributes, roughly synonymous with material autonomy.... [I]n its proper modern usage, [sovereignty] signifies a form of *legitimation* that pertains to a *system* of relations....¹⁷

Wendt argues that sovereignty provides a system of order for states based on the "mutual recognition of one another's right to exercise exclusive political authority within territorial limits." He further argues "against the neorealist claim that self-help is given by anarchic structure exogenously to process." Anarchy is at most a permissive cause of self-help systems, which depend in part on the initial interaction of the states. If interaction begins cooperatively, self-help behaviors may be averted. In other words, "Anarchy is what states make of it."¹⁸

The problem with these views is their emphasis on the international aspects of sovereignty. Sovereignty pertains not only a "system of relations" based on international "mutual recognition," but to state-society relations as well. Sovereignty is "instantiated" not only when states interact with each other, but when they interact with their societies. The "institution" of sovereignty arises not only from the practices of sovereign states in the international system, but from the practices of asserting, enforcing, and legitimating authority claims within the territory

¹⁶ Kenneth Waltz, "Political Structures," in Robert O. Keohane, ed., *Neorealism and its Critics* (New York: Columbia University Press, 1986), p.p. 81, 87, 90.

¹⁷ Ruggie, "Continuity and Transformation in the World Polity," in Keohane, ed. (1986), p.p. 143-144.

of the sovereign state. A state's recognition of another state is as much an act of sovereignty as a state's passing and enforcing of laws within its territory. Sovereignty and anarchy are not just what "states make of it," but "what states are made of." It is also problematic to view sovereignty as exclusive authority. Sovereignty is an expression of a specific type of authority that is both exclusive and *territorial*.

Several writers have argued that the key problem of international relations theory with respect to sovereignty is that it treats the issue of territoriality lightly. However, the new attention to territoriality is often little more than a rephrasing of traditional approaches to sovereignty. Friedrich Kratochwil argues that "the present world system is characterized by conflicting trends in the universal recognition of territoriality as the organizing principle in international politics and by the observable countertrend of increasing interdependencies that undermine territorial exclusivity." For Kratochwil then, the central issue is the exclusivity of authority, rather than the territorial organization of authority. Kratochwil also views territoriality in terms of borders, focusing on their function as mediators of "exchange." However, before examining the functions of borders, it is necessary to explore their relationship to territorial authority. Borders are not just (im)permeable barriers to interactions and transactions, but an expression of the territorial means of authority relations.¹⁹

Ruggie recognizes the conditional relationship between territoriality and authority relations (what he terms "systems of rule"):

First, systems of rule need not be territorial at all.... Second, systems of rule need not be territorially fixed.... Third, even where systems of rule are territorial, and even where territoriality is relatively fixed, the prevailing concept of territory need not entail mutual exclusion. The archetype of non-exclusive territorial rule of course is medieval Europe – with its "patchwork of overlapping and incomplete rights of government...." The difference between the medieval and modern worlds is striking in this respect. Briefly put, the spatial extension of the medieval system

¹⁸ Alexander Wendt, "Anarchy is What States Make of It: The Social Construction of Power Politics," *International Organization*. Vol. 46, No. 2 (Spring 1992), p.p. 412, 394, 395.

¹⁹ Kratochwil (1986), p.p. 51, 28.

of rule was structured by a nonexclusive form of territoriality, in which authority was both personalized and parcellized within and across territorial formations and for which inclusive bases of legitimation prevailed.²⁰

Both Ruggie's emphasis on territorial exclusivity and his characterization of the medieval state as "heteronomous" are problematic. On the one hand, while it is clear that medieval state authority claims overlapped, that does not necessarily mean that they are heteronomous or territorially non-exclusive. Overlapping authority claims could also be a result of personal authority relations. On the other hand, to some degree, heteronomy persists in some modern states, particularly federal states. For example, in the United States, some domains of authority are held exclusively by the states, others exclusively by the federal government, and still others jointly. Does that make the United States heteronomous?²¹ If it does, we need a better yardstick by which to measure or determine the differences between medieval and modern states.

Sociology

Max Weber defines the state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory." Weber bases his conception of the state on two pillars: "legitimations of domination" (traditional, charismatic, or legal) and administration (patrimonial or bureaucratic).²² While traditional and charismatic legitimations and patrimonial administration largely correspond to what I call personalized authority, Weber does not conceptualize legal legitimations and bureaucratic administration in

²⁰ Ruggie (1993), p.p. 149-150. Hendrik Spruyt makes a similar point, arguing that the modern state is characterized by "sovereign territoriality" which he defines as a claim to "final [and] exclusive authority over a fixed territorial space." The medieval state is characterized as territorial but not exclusive; a situation in which "A variety of authorities might claim the right to govern and exercise jurisdiction over the same space." See his *The Sovereign State and Its Competitors: An Analysis of Systems Change* (Princeton: Princeton University Press, 1994), p. 34.

²¹ For an interesting exploration of the early United States as something in between international anarchy and unitary-state hierarchy, see Daniel Deudney, "The Philadelphian System: Sovereignty, Arms Control, and Balance of Power in the American States-Union, circa 1787-1861," *International Organization*, Vol. 49, No. 2 (Spring 1995), p.p. 191-228.

²² H.H. Gerth & C. Wright Mills, eds. *Weber: Essays in Sociology* (Oxford: Oxford University Press, 1946), p.p. 77-80.

terms of territoriality. Many other authors reflect these aspects Weber's definition of the state, either explicitly or implicitly. Dietrich Rueschemeyer and Peter Evans define the state as "a set of organizations invested with the authority to make binding decisions for people and organizations juridically located in a particular territory and to implement these decisions using, if necessary, force."²³ Charles Tilly defines the state as "an organization which controls the population occupying a defined territory...*in so far as* (1) it is differentiated from other organizations operating in the same territory; (2) it is autonomous; (3) it is centralized; and (4) its divisions are formally coordinated with one another."²⁴

Anthony Giddens argues that the main problem with Weber's definition of the state (an of Weberian definitions in general), is that it "defines the state in terms worked out first of all with reference to the modern state, generalizing backwards as it were." This, Giddens claims, "tends to minimize differences between traditional and modern states in respect of the very features he singles out." The main difference Giddens focuses on is the monopoly of the legitimate use of physical force within a territory. Giddens argues that the key difference between "traditional" and modern states is the difference between the frontier and the boundary, which he defines in terms of level of physical control over the territory: "In non-modern states, walled boundaries remain frontiers, well outside the regularized control of the central authorities." In contrast, "only in modern nation-states does the administrative scope of the state apparatus correspond directly with the territorial boundaries about which that claim is made." This leads Giddens to refer to the modern state as a "power-container."²⁵ The problem with this

²³ Dietrich Rueschemeyer & Peter B. Evans, "The State and Economic Transformation: Toward an Analysis of the Conditions Underlying Effective Intervention," in Evans, Rueschemeyer, & Theda Skocpol, eds. *Bringing the State Back In* (Cambridge: Cambridge University Press, 1985), p.p. 46-47.

²⁴ Charles Tilly, "Reflections on the History of European State-Making," in Tilly, ed., *The Formation of National-States in Western Europe* (Princeton: Princeton University Press, 1975), p. 70.

²⁵ Anthony Giddens, *The Nation-State and Violence* (Berkeley: University of California Press, 1987), p.p. 18, 51, 172.

view is that focuses more on the enforcement of authority claims than their assertion. The modern state is a “power-container” not only because of a correspondence between the assertion and enforcement of authority claims, but because authority claims are asserted and enforced *territorially*. It is the notion of territoriality that makes the metaphor of a power-container meaningful. The Catholic Church cannot be considered a power-container not only because it lacks enforcement capabilities, but because it does not assert its authority territorially. I would argue that the medieval state is the same.

In contrast to these more state-centric approaches, pluralist approaches focus more on societies and the limits they place on state autonomy.²⁶ The primary conflict between state-centric and pluralist approaches therefore is how much autonomy to accord to the state. While this is an important issue, there is, in a sense, a prior consideration – upon what is this autonomy based? For state-centrists, what is it about the state that gives it autonomy from society? Why is the authority of the state somehow above that of other institutions and ideologies? Why do state institutions have power over social institutions? For pluralists, how is the state able to impose the will of one segment of society on those that disagree? What is missing from these approaches is an understanding of what makes the state unique as an ideological and administrative organization. What is missing is an understanding of the modern state as a territorial entity.

Michael Mann presents a point of departure. He defines the state as “a) a *differentiated* set of institutions and personnel embodying b) *centrality* in the sense that political relations radiate outwards from a centre to cover c) a *territorially-demarcated* area, over which it exercises d) a monopoly of *authoritative binding rule-making*, backed up by a monopoly of the

²⁶²⁶ For a comprehensive, if a bit hysterical, pluralist critique of “neostatism,” see Gabriel Almond, “The Return To The State,” *American Political Science Review*, Vol. 82, No. 3 (September 1988), p.p. 853-874. For a neostatist rebuttal, see Eric A. Nordlinger, Theodore J. Lowi, and Sergio Fabbrini in the same issue, p.p. 875-901.

means of physical violence.” Following Mann, I will focus on what he terms the “territorialised centrality” of the state.²⁷

Mann argues that what makes the state unique and gives it authority over so many domains of human activity is that its “resources radiate authoritatively outwards from a centre but stop at defined territorial boundaries.” This is in marked contrast to other types or organizations, such as economic and ideological institutions. Economic organizations like businesses, “do not exercise general control of a specified territory [but] control a specialised function and seek to expand it ‘transnationally’ wherever that function is demanded and exploitable.” Ideological organizations like religions, have “a socio-spatial, as well as a spiritual ‘transcendence’, which is really the opposite of the territorial bounds of the state.”²⁸

Despite his emphasis on the enforcement or control aspects of territoriality, Mann provides a clear distinction between territorial and non-territorial authority forms. His analysis of the territorial basis of state power also underlines some of the weaknesses of state- and society-centered approaches to the state. Weber, despite his recognition of territory as an important aspect of the state, does not connect it to his analysis of authority. He ignores the *territorial* form of state organizational enforcement and the territorial objects of popular loyalty and legitimacy. Because Evans emphasizes only the juridical *location* of people and non-state organizations within a territory, he is unable to explore the *territoriality* of state organizations. Tilly's definition of the state fails to recognize that the primary way in which state organizations are differentiated from other organizations within the state is that they are by their very nature *territorial*.

Geography

²⁷ Mann (1984), p.p. 188, 194. Italics in original.

²⁸ Mann (1984), p.p. 198-200.

Political geography, Gordon East argues, is concerned with three primary aspects of the territorial state:

First, the territorial patterns of power form part of the state's political landscape.... The variety, number, and location of the internal administrative units are among the basic facts which must be provided in any account of the geography of a country.... The second interest is based on the fact that the territorial division of administrative power may have important geographical consequences. The policies of local governments may influence the location of factories and the rate at which rural land is subdivided for residential purposes.... The third interest arises because political geographers can make a contribution when changes in the territorial structure of the state become necessary.²⁹

While these are important aspects or consequences of the modern territorial state, they fail to distinguish different means of asserting, enforcing, and legitimating authority. The geographical literature on boundaries tends to focus on the functions of boundaries, and how they differ from frontiers. For example, J.R.V. Prescott argues that:

Boundaries and frontiers are elements of the landscape which mark either the legal or actual limits of the state's political sovereignty...which is one quality of areal differentiation.... *Boundary* refers to a line, while frontier refers to a *zone*.³⁰

Again, we see a failure to appreciate how boundaries (and frontiers) relate to the territorial means of asserting, enforcing, and legitimating authority relations.

In contrast, Robert Sack recognizes that there are different means of organizing authority relations. He argues that there are two main aspects to the geographical approach to space, "action by contact" and "territoriality." He defines action by contact in terms of the space within which two or more objects interact. He defines territoriality as "the attempt to affect, influence, or control actions and interactions (of people, things and relationships, etc.) by asserting and attempting to enforce control over a specific geographic area." To illustrate the differences between action by contact and territoriality, Sack uses the example of a father who wishes to prevent his children from playing with the objects in his study. To do so by action by contact, he

²⁹ Gordon East & J.R.V. Prescott, *Our Fragmented World: An Introduction To Political Geography* (London: Macmillan Press, 1975), p.p. 159-160.

can talk to the children and tell them not to touch specific objects: "[T]he father is attempting to control the actions of his children directly, by contact, and in a way that is directed towards specific categories of things such as books, note cards, and manuscripts." To do so by territorially, he can make the study off limits to the children: "This is an example of *territoriality* because it is an attempt to control the actions (of children) by asserting control over an area (the study)."³¹

Sack argues that territoriality has several advantages over action by contact. One is classification. Territorial classification is much more direct because one can specify objects in terms of their location rather than by type, which can be ambiguous. Second, the simplicity of territorial classification improves communication "because it requires only one kind of marker or sign – the boundary." Third, because of the relative simplicity of classification and communication, territoriality is efficient. Territorial classification also makes authority and control easier by simultaneously reifying and obfuscating power.³²

Because Sack is interested in territoriality in general rather than the territoriality of the state, there are some problems of applicability. First, the relationship between authority, legitimacy, and control is ambiguous. The ability of the state to establish control over a territory depends on both the administrative and coercive capacity of the state *and* the legitimacy of the claim of territorial authority. Territorial authority claims may be more efficient than action by contact, but that does not necessarily mean that they are efficient enough, in the absence of state capacity and legitimacy. In addition, Sack fails to recognize the key limitation of territorial authority – that it explicitly restricts the scope of state authority. The bounding in space of state authority puts a considerable limit on its authority. Its power may be deeper "vertically" but is

³⁰ J.R.V. Prescott, *Boundaries and Frontiers* (London: Croom Helm, 1978), p. 57. Italics in original.

³¹ Sack (1981), p.p. 54-56.

limited "horizontally." Why does a state decide to limit itself in this way when other organizations do not? To return to Sack's example of the study, a father is able to impose territorial authority over his children in a relatively restricted area of space. When they go off to college, he will be unable to regulate their behavior territorially. A better strategy for the father (though perhaps not for the children!) may be to regulate the activities of the children through action by contact, thus prohibiting certain behaviors anywhere they are. A state cannot regulate the behavior of its citizens once they leave the territory of the state. A state might therefore be better off regulating the behavior of its citizens wherever they are in the world, regardless of what country they happen to be in. Sack does not deal with this fundamental issue of why states choose to bound their authority territorially and do not behave like economic, ideological, or military organizations.

Personalism and Territoriality in Authority Relations Among Society, the State, and the International System

I argued above that all individuals and organizations make authority claims, and that in order for those claims to be intelligible, they must be limited. No individual or organization can hope to "make good" authority claims over everything everyone does; such claims would be difficult to enforce and would not be viewed as legitimate by most people. Individuals and organizations therefore limit their claims by reference to the type of human activity and the humans engaged in it. I defined territoriality as a means of asserting, enforcing, and legitimating authority claims over a domain of human activity engaged in by humans within a territory. The reference points or limitations on the claim are defined in terms of the activity and the location of the people engaged in it. This is the means by which the modern, sovereign state claims authority. The sovereign state does not claim authority over activities that take place outside the

³² Sack (1981), p.p. 63-67.

borders of the state, even when they are engaged in by the citizens of the state. In contrast, I defined personalism is a means of asserting, enforcing, and legitimating authority claims over a domain of human activity engaged in by particular humans. The reference points or limitations on the claim are the activity and who is engaged in it. This is the means by which parents and religions claim authority. Parents claim authority over the activities of their children (and only their children) and religions claim authority over the activities of their believers (and only their believers) no matter where they are.³³

The Relationship between Personal and Territorial Authority Claims

I have purposely drawn a sharp distinction between personal and territorial authority to help illustrate the different means organizations and individuals can use in claiming authority. However, in practice, states, other types of organizations, and individuals use a combination of personalism and territoriality in asserting, enforcing, and legitimating authority claims. For example, assume a father wishes to keep his daughter from eating candy bars. On the one hand, the father could claim personal authority and prohibit his daughter from eating candy bars. Such an authority claim is purely personal because the father claims authority over a domain of human activity (eating candy bars) with reference to a specific human (his daughter). On the other hand, the father could claim territorial authority and prohibit anyone from eating candy bars in the house. Such an authority claim is purely territorial because the father claims authority over a domain of human activity (eating candy bars) with reference to a specific space (the home). However, as Sack notes, a more likely scenario would be for the father to prohibit his daughter from eating candy bars in the house. Such an authority claim would be both personal and

³³ As noted above Sack recognizes the ability of parents to use territorial authority. I agree with his point but would add that his conception of “action by contact” and “territoriality” still largely correspond with my definitions of personal and territorial authority.

territorial, because the authority claim refers to the activity, the person engaged in it, and the place in which it is engaged.

Why in practice are authority claims often a combination of personalism and territoriality? I suggest that the reason is the interconnectedness of authority, control, and legitimacy. As noted above, Sack argues that asserting authority claims territorially has several functional advantages – most notably classification and communication. These advantages carry over into the enforcement of authority claims (control) in four ways, three of which related to the notion of a boundary. First, the classification and communication of authority claims territorially makes encroachments against those claims more obvious because they depend on a (stationary) boundary rather than (movable) people.³⁴ The easier it is to recognize challenges to one's authority claims, the easier it is to defend against them. Second, the (stationary) boundary creates a point of defense against encroachments against territorial authority claims.³⁵ This is implicit in the notion of a “line of defense,” an idea that would be virtually unintelligible if authority claims were made personally. Third, the boundary creates a clear and practical limit to the scope of authority claims. This works both ways; those on either side of the boundary know where their authority claims stop. This is the fourth advantage of territoriality for enforcement or control. Because it is less clear under territoriality exactly who is claiming authority, it is more difficult to challenge. This is implicit in the notion of the “law of the land,” an idea that connotes an omnipresent and immutable claim of territorial authority.

However, while territoriality has functional advantages over personalism in the assertion and enforcement of authority claims, it may not with respect to their legitimation. This is because

³⁴ I acknowledge that boundaries are not entirely stationary and that people are not completely mobile, but in comparison to each other, they are.

³⁵ However, the border may be more useful in this regard for defending against other territorial authority claims than it is for defending against personal, non-territorial claims. See below for a further discussion of this point.

territoriality is not only non-personal, it is *impersonal*. It is difficult for impersonal authority to command a great deal of loyalty. The language of asserting and enforcing authority claims is one of “musts” and “wills” – you must obey; you will obey. But the language of legitimating authority claims is one of “shoulds” and “oughts” – you should obey; you ought to obey. While territoriality helps provide clear answers to the musts and wills of obeying, it provides unclear answers to the shoulds and oughts. Because of this problem, the territorial assertion, enforcement, and legitimation of authority claims is often supplemented by personal claims to legitimacy. In the modern, sovereign state, this is most often done through appeals to nationalism or some other transcendent “value.” The appeal to such a value attempts to do two things. First, it creates a personal sense of community that is more meaningful and resonant to individuals than simple territoriality would. Second, it binds that community to the territorial state. Nationalism is well suited to this task, for, as Ernest Gellner notes, “Nationalism is primarily a political principle, which holds that the political and national unit should be congruent.”³⁶ Ideally, the nation should obey the state because it embodies the desires and aspirations of the nation. The idea of citizenship can play a similar role. Ideally, the citizenry should obey the state because it embodies the values of the citizenry. The daughter obeys the territorial authority claims of the father at least in part because of the personal relationship she has with him; she recognizes his authority over her as legitimate because of this relationship. Similarly, the nation and/or citizenry obeys the territorial authority claims of the state at least in part because of the personal relationship it has with the state; it recognizes the authority of the state as legitimate because of this relationship.

³⁶ Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983), p. 1. This definition views the development of modern nationalism as dependent on the development of the modern state. For an alternative view, see John A. Armstrong, *Nations before Nationalism* (Chapel Hill: University of North Carolina Press, 1982).

I use the word “ideally” advisedly, because the personal legitimation of authority does not fit well with its territorial assertion and enforcement. Often, the nation does not correspond to the territorial boundaries of the state. Minority groups within the territory may not have any basis for accepting the legitimacy of the state’s authority claims. Alternatively, there may be co-nationals outside the territorial boundaries of the state. The nationals within and/or outside the territory may demand a greater correspondence between the territorial assertion and enforcement of state authority claims and its personal legitimation.³⁷ Citizenship presents a different problem. Modern nationalism has a territorial aspect; some kind of “homeland” is always stipulated. In contrast, the values of citizenship or “civic nationalism,” at least in liberal democracies, are viewed as universal and thus unconnected to territory.³⁸ On the one hand, with the spread of democracy around the world, there will be less reason for a “democrat” to view the authority claims of his own territorial state as uniquely legitimate. On the other hand, such a democrat, upon finding himself in an undemocratic state, may insist that his own state protect his “universal” rights there.³⁹

In addition to these conceptual links between the assertion, enforcement, and legitimation of authority claims, there are empirical ones. To return to the example above, assume the daughter does not eat candy bars in the house. This might reflect the ability of the father to control what goes into the house, but what if his daughter does not eat candy bars in the house

³⁷ This can be done in one of two ways. The border itself could be changed, thus bringing the co-nationals within the territorial authority of the state. Alternatively, some kind of extra-territorial authority could be asserted across the border. This, I would argue, is what Russia’s claims of authority over ethnic Russians in the “near abroad” are about. See below for a further discussion of this point.

³⁸ Liah Greenfeld, *Nationalism: Five Roads to Modernity* (Cambridge: Harvard University Press, 1992), p.p. 9-12.

³⁹ This can be done in one of three ways. The border could be changed, thus bringing the undemocratic territory inside the democratic state. Alternatively, the democratic state could insist that the undemocratic state assure democratic rights within the territory. Finally, the democratic state could assert some kind of extra-territorial authority over the undemocratic territory. This, I would suggest, is what some Americans have tried to do in using U.S. courts to bring suits against foreign nationals for human rights violations in other countries. See below for a further discussion of this point.

even when he is not home? This might reflect the daughter's belief that her father's authority claim is legitimate; that even in the absence of enforcement, she will comply. Alternatively, assume the daughter eats candy bars in the house despite her father's prohibitions. This could reflect the inability of the father to enforce his authority claims and/or reflect the daughter's view that such a claim is illegitimate. The interrelatedness among the assertion, enforcement, and legitimation of authority claims also extends across domains of activity. If the daughter views one authority claim as illegitimate, she may begin to view others as illegitimate as well. If the father is able to enforce his authority claim in one area despite challenges to his legitimacy, his daughter might be unwilling to challenge them in other areas, even when his enforcement capabilities are limited in that area. The point here is not to point out all the interrelations, but to demonstrate that the asserting, enforcing, and legitimating of authority claims must all be considered part of territorial (as well as personal) forms of authority.

One final point. Thus far, my discussion has emphasized what could be considered the state-society aspects of personal and territorial authority claims. However, there are important system-state aspects as well. A state that asserts territorial authority claims must not only enforce them against and assure their legitimacy among those inside the borders, but must do the same among those outside. Interestingly, it may be that recognition of the legitimacy of territorial authority may be less problematic on the international level than it is on the domestic, because for sovereign states, the legitimacy of territorial authority is a value in itself.

Medieval Europe: Feudal Authority Relations and the Hundred Years War

In this section, I will begin with a discussion of how the medieval European state asserted, enforced, and legitimated its authority claims. I will argue that feudalism and medieval conceptions of "sovereignty" reflected personal rather than territorial authority relations. I will

then give a brief outline of the Hundred Years War and show how viewing authority relations in medieval England and France were personal helps explain some of the “puzzles” of the war.

Feudalism and the Medieval State

There are three main aspects of feudalism, each of which is antithetical to modern territorial authority. First, feudal landholding was based on the principle of shared or divided “ownership,” which makes the establishment of a single authority over territory problematic. Second, feudal “property” was based on conditional land tenure based on the performance of service. Feudal lords depended on their vassals to administer lands over which the lords had little day-to-day control. Third, feudal relations were reciprocal and personal. In terms of reciprocity, if a lord failed to uphold his end of the bargain, his vassal would be free to abrogate the “contract” between them and seek a new lord. In terms of personalism, a vassal owed allegiance to the lord because of a personal obligation to him, not because the vassal lived in the lord’s territory.⁴⁰

Feudal notions of property differed from the modern primarily in terms of an absence of a right to alienate land: "Medieval civilians defined ownership as the right to use a thing, to enjoy the fruits of it and to abuse it." Land was seen more as a “resource container” than a “power container.” What was in the “container” was far more important than the container itself, which means that it would have been difficult to view land as a means organizing authority relations. Feudal property contributed greatly to the fragmentation of medieval states, because the "grantor could not take the fief back at will." A vassal holding land in fief from his lord could sub-enfief

⁴⁰ Jean Gottman argues that another aspect of the medieval period that reinforced personalistic authority relations was the dominance of the Catholic Church in Europe. He notes, “The individualistic and tribal allegiance to a sovereign and the Church became the essential framework for the social and political structure. Indeed, European society in the period from the fifth to the twelfth centuries was too fluid and nomadic to give any substance to the territorial concept.” See Gottman, *The Significance of Territory* (Charlottesville: University Press of Virginia, 1973), p. 30.

it to another. Vassals could also pass on their lands to heirs. Land held in fief by a vassal only reverted back to the lord under certain conditions – when the grantee died without heirs, when the grantee failed to confirm his title with the heir of the original grantor within a year of the grantor's death, or when the heir of a grantee failed to confirm his title with the grantor within a year of the original grantee's death.⁴¹

The lord could also reclaim his land if his vassal failed to perform the services stipulated. Vassal service usually took the form of military service, and later, under so-called “bastard feudalism,” monetary payments to the lord.⁴² However, the fact that vassals rarely lived up to all their obligations illustrates the inability of many lords (particularly kingly lords) to enforce their authority claims in their vassal's fiefs.⁴³ Service did form an important basis for medieval state administration, as vassals were frequently used by the king to govern far-flung territories. However, this was a double edged sword, as kings were rarely fully confident in the loyalty of their distant vassals.⁴⁴

The obligations of lords and vassals were reciprocal; each owed something to the other. If either party failed to live up to his obligations, the other would have the right to abrogate the feudal “contract.” The reciprocal obligations between lord and vassal are important to the structure and organization of medieval kingship:

Like all political authority, medieval kingship depended upon opinion, opinion as to self-interest and opinion as to what is right.... In this case the people whose opinion mattered most were military aristocrats who held large parts of the kingdom by feudal tenure as vassals of the Crown. And their opinion was greatly influenced by fief holding and feudal concepts of lordship.... At its widest, discussion of 'feudal kingship' can include such matters as the idea that the king was under the law, not above it, coronation oaths in which he swore to uphold good customs and usages, and

⁴¹ J.S. Critchley, *Feudalism* (London: George Allen & Unwin, 1978), p. 17.

⁴² For an excellent discussion of the differences between bastard feudalism and its “legitimate” precursor, see Michael Hicks, *Bastard Feudalism* (London: Longman, 1995).

⁴³ See Marcus Fischer, “Feudal Europe, 800-1300: Communal Discourse and Conflictual Practices,” *International Organization*, Vol. 46, No. 2 (Spring 1992), p.p. 427-466.

⁴⁴ Critchley (1976), p. 24.

the principle that authority, while derived from God, is none the less authority not to do anything but authority only to do 'right' and 'justice'.⁴⁵

This is not to say that feudal kings were nothing more than the "chief lord." Rather, it means that feudal kingship and loyalty to the king were personal rather than territorial. Vassals did not owe the king loyalty because he was lord of the territory in which they resided. Landholding based on fiefs and sub-fiefs made it exceptionally difficult, indeed inconceivable, for the king to make such a claim. Instead, loyalty to the king was a matter of oaths and personal honor (on both sides). As Samuel Finer notes, "whereas today political obedience is a simple function of territorial location in that one owes allegiance to the government of the territory in which one finds oneself, [in the feudal period] allegiance was a man-to-man relationship, and obedience might be due, in different circumstances, to several overlords."⁴⁶

The radically decentralized nature of medieval kingship had an administrative aspect in addition to the feudal. Medieval kings simply did not have the administrative apparatus necessary to enforce their authority claims over people at a distance. Feudal land tenure for service, reciprocal obligation between lord and vassal, and personal loyalty were about the most efficient means to establish a large kingdom in the absence of significant administrative capacity. One view of this dynamic holds that feudal decentralization was reflective of the beginnings of European state-building. J.S. Critchley argues:

[F]eudalism was the first rude state of every monarch in the universe. Even the wisest and most powerful monarchs knew of no other mode of settling their empires, with the result that they were but faintly acknowledged by the great feudal lords.⁴⁷

Another view holds that feudal decentralization was a manifestation of the disintegration of medieval European states. Joseph Strayer argues:

⁴⁵ Critchley (1976), p.p. 43-44.

⁴⁶ Samuel E. Finer, "State- and Nation-Building in Europe: The Role of the Military," in Tilly, ed. (1975), p. 86.

⁴⁷ Critchley (1976), p. 54.

In fact feudalism is apt to appear whenever the strain of preserving a relatively large political unit proves beyond the economic and psychic resources of a society. And early feudalism can relieve the strain only by simplifying institutions and personalizing loyalties.⁴⁸

Whether feudalism reflects the construction or destruction of large territorial units, the point is the same – it is a reflection of personal obligations between lord and vassal and limited administrative capacity, both of which illustrate an absence of territorial authority.

In conclusion, feudalism was a system of authority relations based on personal and reciprocal bonds between lord and vassal, based in part on the weak administrative capacity of the medieval state. Kristen Neutschel puts this nicely:

[The noble] experience of jurisdiction was grounded in the seigneurie, which was a complex of rights and not simply or necessarily a coherent territory. They were accustomed to managing a variety of their own and others' claims to authority. These claims, stemming from persons (including the king and such corporate entities as towns), did not need the territorial "logic" that is induced by the abstract perception of uniform space made possible by modern familiarity with maps.⁴⁹

While territory (the fief) was central to the formation and perpetuation of feudal bonds, it was subordinate to the personal relationship. In a sense, feudalism is the exact opposite of modern territorial sovereignty. If territoriality can be described as authority claims over people defined in terms of land, feudalism could be described as authority claims over land defined in terms of people.

England and France in the Hundred Years War

At its most basic level, the Hundred Years War was a war over English landholdings in France.⁵⁰ As a result of the Norman invasion of England in 1066, the Dukes of Normandy added

⁴⁸ Joseph Strayer, *Medieval Statecraft and the Perspectives of History* (Princeton University Press, 1971), p. 14.

⁴⁹ Kristen B. Neutschel, *Word of Honor: Interpreting Noble Culture in Sixteenth-Century France* (Ithaca: Cornell University Press, 1989), p. 28.

⁵⁰ The long-standing conflict was also complicated and intensified by the death of Charles IV of France in 1328. Charles died without a direct descendant, and because Edward III of England was the closest male heir (though through the female line), he (and his successors) claimed the French throne. The French nobility rejected this claim and crowned Philip Count of Valois the King of France. Though Philip V was more distantly related to Charles, he was descended from the male line (he was also 15 years older and had spent his entire life in France – not unimportant considerations to the French nobility).

England to their considerable holdings in northern France. Other important lands came from Eleanor of Aquitaine, who in 1152 divorced Louis VII of France and married Duke Henry of Normandy (later to become Henry II of England), thus linking the Duchy of Aquitaine with England. After nearly a century of conflict over these lands, England and France signed the Treaty of Paris in 1259. By this treaty, Louis XI of France recognized Henry III of England's rights in France in exchange for the swearing of liege homage by the kings of England to the kings of France. In 1337, arguing that Edward III of England had violated his feudal obligations, Philip VI of France ordered the seizure of Aquitaine and other lands. Approximately twenty years of English military success and French disarray culminated in the Treaty of Brétigny in 1360. By the terms of this treaty England received a much expanded Aquitaine and regained many of its northeastern holdings, including Normandy. However, the treaty did not stop the fighting, which continued to go largely in England's favor. In 1420, Henry V of England and Charles VI of France signed the Treaty of Troyes. Troyes represented the height of English success in France, Henry V being made not only the regent of the sick and feeble Charles VI, but heir to Charles' throne as well. Unfortunately for England, Henry never inherited the crown, dying shortly before Charles in 1422. Because Henry's son was only a year old, France had another opportunity to expel the English. By 1450, England had lost its holdings in northern France, and by 1453, had lost the southwest as well.⁵¹

I am as interested in explaining the ways England and France pursued their interests in the Hundred Years War as I am in explaining the interests themselves. I pursue this approach for two reasons. First, the ability of England and France to pursue their interests were limited by the

⁵¹ This brief account is drawn from Christopher Allmand, *The Hundred Years War: England and France at War c. 1300-c. 1450* (Cambridge: Cambridge University Press, 1988); Kenneth Fowler, ed., *The Hundred Years War* (London: Macmillan Press, 1971); Robin Neillands, *The Hundred Years War* (London: Routledge, 1990); and Edouard Perroy, *The Hundred Years War* (London: Eyre & Spottiswoode, 1962).

means available to them. Second, and more important, their interests were in part constructed by the means available to them. Some of England's interests were "objective;" that is, strategic and economic. England's control of the coastal provinces of Aquitaine, Normandy, Brittany, and Flanders were important to the security of its shipping and fishing interests. In addition, Aquitaine was an important producer of wine, Brittany important to the salt trade, and Flanders the main producer of cloth from English wool. France certainly was interested in opposing England in the pursuit of these interests.⁵²

Despite these more "objective" interests, John Le Patourel notes that most historians "are broadly in agreement that the root cause of the trouble lay in the position of King Edward III, sovereign in his kingdom of England, a vassal of the king of France in his duchy of Aquitaine."⁵³ This relationship was created by the Treaty of Paris in 1259, and required the King of England to swear liege homage to the King of France. Robin Neillands argues:

During the early Middle Ages, the act of homage was much more than a colourful ceremony. It was the central political act between powers: the basis of medieval society.... Medieval society recognized two forms of homage: simple homage, which was a simple statement of the terms by which a vassal held his fief, and liege homage, a much more powerful and personal affair, where one man became the other's subject.⁵⁴

There is another important aspect to liege homage. As noted above, feudalism did not preclude one lord's vassal from swearing homage to another. This often led to cross-cutting loyalties and conflicting obligations. Because of the problems inherent in such ambiguous authority relations, Le Patourel argues, "Liege homage [was] devised as a kind of 'priority' homage, the obligations

⁵² Allmand (1988), p.p. 11-12 and Fowler, "War and Change in Late Medieval France and England," in Fowler, ed. (1971), p.p. 3-8.

⁵³ John Le Patourel, "The Origins of the War," in Fowler, ed. (1971), p. 28.

⁵⁴ Neillands (1990), p.p. 16, 18. This view is in marked contrast to Marcus Fischer, who argues that such acts of homage were little respected and thus were not meaningful to the actors involved. Though I disagree with him on this issue, it does not undermine my main argument – that feudal practices like homage reflected a system of authority relations that were personal rather than territorial. See Fischer (1992). On the point that "constructivists" would not necessarily expect more cooperative relations among feudal actors (as Fischer claims), see Ruggie (1993), p. 150, note 57.

of which took precedence over any such obligations that the vassal might have....”⁵⁵ We should therefore be careful with the use of the term “sovereignty,” above. Le Patourel himself notes that sovereignty must be understood in its “medieval sense.”⁵⁶ The medieval sense means supremacy within the domain of authority that is claimed. This differs from supremacy in the modern sense in three ways. First, the domain was limited to secular matters; the Pope still retained authority in ecclesiastical affairs. Second, supremacy was about the assertion and legitimation of authority claims, not their enforcement. Third, the domain of authority was defined in terms of people rather than a territory. As Jean Dunbabin argues:

It was not until the end of the fifteenth century that *status* was first used with its modern connotation. Before that, authors had the choice of *res publica*..., *regnum*... or *civitas*.... All could, but need not, denote that combination of a precise territorial area with a form of political organization which ‘state’ implies for us.⁵⁷

In other words, the “sovereignty” claimed by medieval kings was defined in terms of the activity and the people engaged in it (the *res publica*, *regnum*, or *civitas*) rather than the location of the people. As John Palmer acknowledges, “homage [was] the outward sign of the recognition of sovereignty.”⁵⁸

This point helps explain the first “puzzle” of the Hundred Years War – England’s pursuit of exclaves.⁵⁹ As noted above, exclaves were a common feature of the medieval map, but have virtually disappeared today. Part of the reason for this was the dominance of personal authority

⁵⁵ Le Patourel in Fowler, ed. (1971), p. 30.

⁵⁶ Le Patourel in Fowler, ed. (1971), p. 48, note 5.

⁵⁷ Jean Dunbabin, “Government,” in J.H. Burns, ed., *The Cambridge History of Medieval Political Thought c. 350-c. 1450* (Cambridge: Cambridge University Press, 1988), p. 479.

⁵⁸ John Palmer, “The War Aims of the Protagonists and the Negotiations for Peace,” in Fowler, ed. (1971), p. 53.

⁵⁹ It could be argued that England was not after exclaves, but was interested in the whole of France. After all, England did not give up its claim until 1802. However, it should be noted that every king of England appeared willing to give up his claims to the French throne in exchange for “sovereignty” over his more limited (and widely scattered) holdings. Edward III, who was the first to assert the claim aggressively, repeatedly offered to disclaim it in his negotiations with France, and even Henry V had to wait (and in vain) for the death of Charles VI before he could ascend the French throne. Even if France as a whole was the goal, it would still be an exclave of England. It may be added that even the English king’s claims were based on personal claims of authority, though more dynastic than feudal. See Palmer in Fowler, ed. (1971), p. 56-61, 66-72.

relations in the medieval period. Personal authority relations obtain regardless of the person's location in space; a vassal is a vassal regardless of how far he or his landholding is from his lord. In addition, because territorial contiguity was no assurance of meaningful enforcement of personal authority claims in the medieval state, medieval kings might be less aware of the even greater problems inherent in the enforcement of claims in non-contiguous lands. It is only with the territorial mode of asserting authority in the modern state, coupled with the modern state's greater administrative capacity to enforce those claims, that the problems of asserting and enforcing authority over exclaves become readily apparent. In some sense, the concept of exclave has no meaning in the medieval context, because it presupposes the assertion of territorial authority. Medieval states should therefore be more willing to seek exclaves than modern states.

The issue of enforcing authority claims also relates to the second puzzle of the war – the failure of England to establish effective control in its conquered lands. Allmand notes that until about 1419, the English strategy of conquest was the “*chevouchée*, or prolonged raid,” in which local power remained largely in local hands. After 1419, Henry V altered this policy, demanding “that the inhabitants of those lands should recognize the legitimacy of English rule by taking an oath of allegiance to Henry.” Those that refused were dispossessed and sent into exile, upon which Henry created new fiefs and gave them to his English and French supporters.⁶⁰ While the fief was a better means of enforcing authority claims than the *chevouchée*, its limitations are evident in the willingness of Henry's French allies to eventually turn against England. These strategies, both the *chevouchée* and the creation of new fiefs, stand in marked contrast how a modern state conquers new territories. The modern state would not only try to establish more effective control, but would do so in a territorial way rather than relying on personal oaths of

loyalty by individuals.⁶¹ However, in the context of the medieval state's limited administrative capacity and personal authority relations, the fief was the most effective means of asserting, enforcing, and legitimating authority claims. As noted above, feudalism is in part a reflection of administrative weakness. In the absence of a government able to enforce its authority claims over people and lands at a distance, the medieval king's efforts to bind local nobles, however incomplete, is the best strategy available. The nobles can carry out day-to-day administration and the king can pretend he is in control. Moreover, only personal claims, ones which respected the position of local nobles, would be regarded as legitimate.

The third puzzle is that of the "half-peace."⁶² In the course of the many treaty negotiations during the war, both England and France agreed to arrangements that failed to resolve their competing authority claims. For example, by the terms of the Treaty of Tours in 1444, Henry VI of England married a niece by marriage of Charles VII, by which "again it was hoped to postpone a settlement and place faith upon a personal union between royal families of the two countries to resolve the outcome of the old dispute between them."⁶³ These treaties reflect the ambiguity inherent in personal authority relations of feudalism, in which vassals often had multiple masters. Feudal personalism facilitated the signing of treaties in which both sides felt they gained "sovereignty" or supreme authority. The large gap between the assertion and enforcement of personal authority claims also facilitated the papering over of the dispute. Because neither side could *enforce* their authority claims, it was relatively easy for each to overlook the other's *assertions* of authority. To the degree that modern states are better able to

⁶⁰ Allmand (1988), p. 29.

⁶¹ This is not to say that modern states are necessarily successful in enforcing their authority claims over conquered territory, only that they make more of an attempt, and they make that attempt territorially.

⁶² Palmer in Fowler, ed. (1971), p. 53.

⁶³ Allmand (1988), p. 35.

establish a correspondence of authority claims and control, it is much more difficult to “pretend away” competing claims.

The final puzzle is France’s willingness to make considerable territorial concessions. As John Palmer notes, “After the early years of the war the French were prepared to offer fairly generous territorial concessions...”⁶⁴ While these concessions were partly a result of a string of French military defeats, they also reflect the personal authority relations inherent in feudalism. Because territory was more a container of resources than a container of authority, its partial loss was more a threat to the state’s wealth than to its authority. In addition, the lack of effective control by medieval states (both France and England) meant that the territorial changing of hands would be neither a major gain for England nor a major loss for France, even in terms of resources. In other words, the enforcement capabilities of the feudal state “mutes” the relative gains problem. The medieval state would be concerned with the loss of resources entailed in a loss of territory, but would not view it as a threat to the authority of the state *per se*, because territory is not the means by which it organizes authority relations. In contrast, the modern state would view the loss of territory not only in terms of a loss of resources, but as a threat to the authority of the state itself. In some sense, the idea of a threat to the “territorial integrity” of the state only has meaning in terms of modern, sovereign states with territorial authority relations.

Conclusion

In this paper I have attempted to draw a conceptual distinction between personal and territorial authority relations and illustrate the relationship among the assertion, enforcement, and legitimation of authority claims. This approach has several advantages. First, it serves as a bridge between traditional notions of authority, legitimacy, and control on the one hand, and

⁶⁴ Palmer in Fowler, ed. (1971), p. 53.

sovereignty on the other. Sovereignty is nothing more than the territorial means of asserting, enforcing, and legitimating state authority claims. Second, it helps frame the relationship between domestic and international aspects of sovereignty. Territoriality not only establishes the distinction between inside/outside, it constitutes an underlying structure of the relationship between state and society. Third, it recognizes the historical variability of the quantitative scope and qualitative effectiveness of state authority claims without resorting using this variability in order to define (modern) “stateness.” Finally, personal (and territorial) authority relations are important causal variables that help explain state behavior, as my preliminary study of the Hundred Years War has shown.

I would like to conclude with a comment on the usefulness of focusing on territoriality and personalism in state authority relations for understanding contemporary international relations and state behavior. First, as noted above, territoriality may be an effective strategy for asserting and enforcing authority claims, but is not as effective in legitimating those claims. The modern state’s resort to personal forms of legitimation through nationalism (either ethnic/linguistic/cultural or “civic”) may create conflicts with its territorial forms of asserting and enforcing authority. From the perspective of the state, this may help explain the Russian government’s claims of extra-territorial authority over ethnic Russians in the “near abroad.” From the perspective of society, this may help explain the attempts by some Americans to bring suits in U.S. courts against foreign nationalis for human rights violations in other countries. It may be argued that an important source of conflict in the international system is not territorial sovereignty, but the persistence of or continuing need for non-territorial means of state legitimation.

Second, the state must respond to challenges to its asserted authority claims (in terms of demands for contraction or expansion of its authority claims) from both above and below. For example, a state may have limited authority over setting its tariff policy because of its compliance with World Trade Organization regulations. This would constitute a challenge to its authority from above. In contrast, a state may have limited authority over redistributing income because of opposition from domestic interest groups. This would constitute a challenge to its authority from below. Neither of these observations are novel *per se*, but international relations theory has tended to focus on the former at the expense of the latter. I would suggest that both constitute a challenge to territorial authority relations and state sovereignty. If international relations is to say something useful about the viability of the state, it should not downplay challenges from within and “privilege” challenges from without.

Finally, if the viability of the state is to be explored, the focus should be more on the threats to territoriality as a means of asserting and enforcing state authority claims than to the claims themselves. On the one hand, the scope of state authority claims is variable, and a reduction need not present a significant threat to the state. Even the delegation of authority claims to trans- or sub-national organizations need not be a threat if the delegations are relatively limited (that is, if the state retains some “reasonable” number of territorial authority claims) and if the delegations are administered territorially by those organizations (for example, in the European Union). What would be a threat to the state would be the development of personalized transnational repositories of authority. The development of transnational communities and values could become such a threat. Such transnational communities might demand the preservation of certain rights and privileges, currently associated with particular territorial states, wherever they are. Such rights and privileges might include basic human rights (e.g., free speech and right of

assembly), socio-economic rights (e.g., welfare and housing), or political rights (e.g., democracy). This could undermine what limited ability the state has to link territorially asserted and enforced authority claims with personally legitimated claims. It is a development that warrants further consideration and analysis.