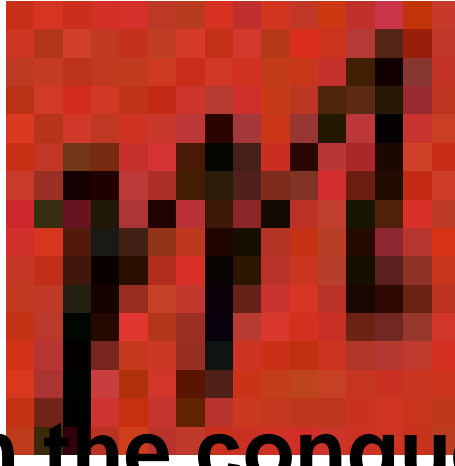


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# XXX.5 On the conquest of the Franks

- The Spirit of Law - Book XXX. Theory of feudal laws among the Franks, in the relation they have to the establishment of the monarchy -

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It is not true that the Franks, on entering Gaul, occupied all of its lands to make fiefs of them. Some have thought so, because they have seen that toward the end of the second dynasty almost all the lands had become fiefs, sub-fiefs, or dependencies of one or the other : but that had particular causes which we shall explain in what follows.

The consequence they would draw from it, that the barbarians made a general rule to establish villeinage everywhere, is not less false than the principle. If, in a time when fiefs were removable, all the lands of the realm had been fiefs or dependencies of fiefs, and all the men of the realm vassals or serfs in their dependency, inasmuch he who has the property also always has the authority, the king who had continually dispensed fiefs, in other words the sole property, would have had an authority as arbitrary as the sultan's in Turkey, which upends all of history.