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MAITLAND, Frederic William (London, 1850-Las Palmas, 1906), British historian. Educated at Eton and Trinity College, Cambridge, lawyer, and then Downing professor of the laws of England at Cambridge University. Maitland's historical writing was undertaken over a relatively short period of twenty-two years, during the last sixteen of which he suffered increasing ill health. Yet for many he is the greatest of British historians. As a legal writer he stands with Glanvil, Coke, and Blackstone, and as an authority within the discipline he has the stature and continuing vitality of Max Weber (q.v.), Alexis de Tocqueville (q.v.), Malthus, or Darwin within their respective sciences. His genius manifested itself in several major ways. He took as his central theme the single most important area of English history, the legal system, and within this domain he concentrated on the most difficult and important aspects: property, process, and tenure. He mapped out the world of medieval English law in an entirely new way; the map he provided is still the one we use today, with only minor details altered. He created a vision of an orderly, centralized, and sophisticated system of integrated royal power from a very early period in England. He brought central features of this unique system into sharp relief by his comparative approach. His linguistic ability and deep knowledge of continental Roman law enabled him to see the peculiar characteristics of the English legal and governmental system with an unparalleled clarity. This comparative perspective was combined with a subtle theoretical understanding. He was able to overcome the problems of combining change and continuity, enduring structures and steady growth. Maitland fused the evolutionary vision of the later nineteenth century with the newer analytic and functional traditions of the twentieth century. Thus, he showed both the origins and development of the legal and political system of England, and the interconnections of this system with social, religious, and intellectual changes. He was able to do this convincingly only because of his technical genius. Throughout his work he maintained that balance between general theory and a deep immersion in documentary sources which Mare Bloch (q.v.) was later to advocate. Indeed, Maitland could be seen as the model of everything that Bloch was to recommend in *The Historian's Craft*. Maitland mastered the extraordinarily voluminous and difficult sources of medieval law and government for the first time; he made them available through his own editions and by encouraging others, particularly through the Selden Society which he founded. Finally, his genius was expressed in his brilliant style. He makes the driest and (p.206)most arcane subjects interesting through his vivacity, humor, charm, and clarity. To read his work has been likened to going on a country walk with an erudite, witty,

and sympathetic guide. He explains directly and simply the new world of medieval society which he has uncovered.

The specific theories which he advanced and which altered our conception of the past are as follows: the importance of the twelfth and thirteenth centuries in laying the foundations of settled government and the common law in England; the central place of forms of action and the system of tenure in medieval society; a new analysis of Anglo-Saxon society achieved by working back from the known to the unknown; the real nature of medieval Parliaments as courts rather than political assemblies; the influence of canon law on the medieval English church. These and many current orthodoxies were first outlined by Maitland. But more importantly, he provides a wider vision.

Through his energy, his intuition, and his gift of going straight to the center of problems and of deeply understanding his sources, he provided a total picture of the early roots of the first industrial nation which is still true and which still guides and overshadows us. He outlined what the problems should be, and he provided persuasive answers to many of them. He is the ancestor from whom the technical, objective, document-soaked history of the twentieth century is descended and he is still the greatest exponent of this approach. There are, of course, some revisions of emphasis to his work. For instance, his argument that England nearly accepted Roman law in the sixteenth century is an exaggeration. Or again, some argue that the world of equal citizenship and centralized national government which he rightly described for the thirteenth century was newer than he thought. Yet, in an almost unrivalled quantity of published materials, he never wrote a dull sentence and very seldom did he make a mistake. His masterly vision of a medieval England that had strong continuities with later periods, a view that stands as a bulwark against the invented revolutions of twentieth-century historians and sociologists, is enshrined in several million published words. Just to enumerate these would fill up this article. The Dictionary of National Biography lists twenty-four volumes that Maitland either wrote, or provided lengthy introductions for and edited. The most important of these is the nearly 1,400 pages on *The History of English Law* (1895); although published as ---Pollock and Maitland,---in fact all but one chapter was written by Maitland. Among his edited works the edition of *Bracton's Notebook* (3 vols., 1887) is worth singling out among many volumes. He also wrote numerous articles, most of which have been published in three volumes as *The Collected Papers of Frederic William Maitland* (1911), edited by H. A. L. Fisher.

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