WRITING LAND IN ANGLO-SAXON ENGLAND

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by

Scott Thompson Smith

__________________________
Michael Lapidge, Co-Director

__________________________
Katherine O’Brien O’Keeffe, Co-Director

Graduate Program in English
Notre Dame, Indiana

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Abstract

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This project considers the ways in which the Anglo-Saxons used writing (in both its documentary and discursive sense) to establish legitimate and enduring possession of property and in doing so formed longstanding cultural ideas that connected writing and holding land. Anglo-Saxon legal texts designed to control the ownership, use, and transmission of property produced a pervasive discourse for land possession with its own terminology and concepts. Composed in Latin and Old English, these texts stipulated specific terms and limits of possession, but more powerfully, they also defined land by establishing its history and charting its boundaries. Land tenure practices were originally an instrument of ecclesiastical institutions, and tenurial texts, originally written in Latin, were heavily inflected with religious language. From at least the late sixth century, for example, land holding in Anglo-Saxon England was framed in a rhetoric of salvation and oppositions between the eternal and transitory. The terminology of land tenure was translated into the vernacular, yielding such terms as *bocland* and *lænland*, which further facilitated the adoption of tenurial language for considering issues of transience, salvation, political power, and sacred history.
Tenurial discourse moved beyond legal texts to inform widely varied textual genres in the vernacular, including homilies, historical writing, biblical narrative poetry, and the lives of native saints. The project examines a range of texts, including Latin diplomas, vernacular leases and dispute narratives, the tenth-century annals of the Anglo-Saxon Chronicle, *Guthlac A*, and *Genesis A*, considering them within a matrix of contemporary texts and events in order to examine questions of historical reception. In their engagement with issues of landholding and inheritance, these texts variously enact a tension endemic in the language and practices of land tenure: an assertion of the instrumentality of writing in securing legitimate and longstanding possession, shadowed by an insistent anxiety over the stability of those claims. In using writing as a means to contain dispute over time, the Anglo-Saxons repeatedly inscribed the troubling evidence of past dispute and anticipated loss into their thinking about land.
In memory of my father, Thom Smith.
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ABBREVIATIONS

ANS  Anglo-Norman Studies

AntJ  Antiquaries Journal

ArchJ  Archaeological Journal

ASE  Anglo-Saxon England

ASPR  Anglo-Saxon Poetic Records


CCSL  Corpus Christianorum Series Latina


CSASE  Cambridge Studies in Anglo-Saxon England

DOE  Dictionary of Old English in Electronic Form A-F, ed. Angus Cameron, Ashley Crandell Amos, Antonette diPaolo Healey (Toronto: Pontifical Institute of Mediaeval Studies, 2003), CD-ROM.
EETS Early English Text Society


EHR English Historical Review


JMH Journal of Medieval History


MÆ Medium Ævum

MP Modern Philology

MS Mediaeval Studies

N&Q Notes and Queries ns

NM Neuphilologische Mitteilungen

PL Patrologia Latina


TRHS Transactions of the Royal Historical Society
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CHAPTER 1:

INTRODUCTION

Land was a vital component of Anglo-Saxon political power and administration. Divisions of land assessed in hides, for example, determined obligations and service to the king, such as military service and the *feorm*, a levy of food and raw materials.¹ Institutional divisions of land known as hundreds provided the basis for the administration of local courts, and they became increasingly instrumental in the maintenance of public order in the tenth century.² Monastic documents carefully recorded details of individual estates, privileges, and sureties for their land holdings.³ Grants of property provided powerful instruments of political reward and motivation, and charters record such grants (as well as forfeitures of land) throughout the period. Law codes

¹ Ine’s law-code, for example, specifies the *feorm* for ten hides in some detail: “70.1 Æt X hidum to fostre X fata hunies, CCC hlafa, XII ambra Wilisc ealað, XXX hluttres, tu eald hrideru, oððe X weðeras, X gees, XX henna, X cesas, amber fulne buteran, V leaxes, XX pundwega foðres 7 hundteontig æla” [10 vats of honey, 300 loaves, 12 ambers of Welsh ale, 30 ambers of clear ale, 2 full-grown cows or 10 wethers, 10 geese, 20 hens, 10 cheeses, a full amber of butter, 5 salmon, 20 pounds of fodder, and 100 eels shall be paid as food-rent every 10 hides]. Attenborough, 58 and 59. See also Richard Abels, “Bookland and Fyrd Service in Late Saxon England,” *ANS* 7 (1984): 1-25.


³ Several examples of such records are preserved in the twelfth-century Black Book of Peterborough (Society of Antiquaries of London, MS 60). See Robertson, *Anglo-Saxon Charters* (Cambridge: Cambridge University Press, 1956), nos. 39 (S 1448) and 40 (S 1448a); and David Roffe, “The Descriptio Terrarum of Peterborough Abbey,” *Historical Research* 65 (1992): 1-16.
stipulated measures and safeguards for the inheritance, alienation, and forfeiture of property. Landed property apparently could even determine social class, as one legal distinction between a *ceorl* and a *thegn* was determined by the amount of land an individual held. Land provided an essential component for the maintenance of political power and order, and its regulation became a matter for writing.

This dissertation explores the longstanding imperative in early medieval England to legitimize the possession of land through writing. Writing not only records and interprets events, but creates authoritative ways of knowing land and its history. “Writing Land in Anglo-Saxon England” investigates the ways in which the Anglo-Saxons used writing—in both its documentary and discursive sense—to establish legitimate and enduring possession of property and in doing so formed a longstanding connection between writing and holding land. Anglo-Saxon legal texts designed to control property contributed to an enduring discourse for the possession of land with its own terminology and concepts. Composed in Latin and Old English, tenurial texts stipulated specific terms and limits of possession, but more powerfully, they also defined the land by establishing

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4 *Be wergildum 7 be geðindum 2:* “And gif ceorl geþeah, þæt he hæfde V hida fullice agenes landes, bellan 7 burhgeat, setl 7 sundornote on cynges healle, þonne wæs he þanon forð þegenrihtes wyrðe” (*Gesetze*, 1:456). [And if a *ceorl* prospered, that he possessed fully five hides of land of his own, a bell and a castle-gate, a seat and special office in the king’s hall, then was he henceforth entitled to the rights of a thgn.] Translation, *EHD*, 468; *Norðleoda laga* 9-12: “And gif ceorlisc man geþeo, þæt he hæbbe V hida landes to cynges utware, 7 hine man ofslea, forgilde man hine mid twam þusend þrimsa. And þæh he geþeo, þæt he hæbbe helm 7 byrnan 7 golde fæted sword, gif he þæt land nafað, he byð ceorl swa þeah. And gif his sunu 7 his sunu sunu þæt geþeoð, þæt hi swa micel landes habban, siððan bið se ofsprinc gesiðcundes cynnes be twam ðusendum. And gif hi þæt nabbað, ne to þam geþeon ne magon, gilde man cirlisce” (*Gesetze*, 1:460). [And if a *ceorl* prospers, that he has five hides of land on which he discharges the king’s dues, and anyone kills him, he is to be paid for with 2,000 *thrymsas*. And even if he prospers so that he possesses a helmet and a coat of mail and a gold-plated sword, if he has not the land, he is a *ceorl* all the same. And if his son and his son’s son prosper, so that they have so much land, then the offspring is of gesith-born class, at 2,000 [thrymsas]. And if they have it not, and cannot prosper sufficiently, one is to pay at the *ceorl’s* rate.] Translation, *EHD*, 469.
its history and charting its boundaries. But a discourse of land tenure also moved beyond legal texts to inform widely varied textual genres, including homilies, historical writing, biblical narrative poetry, and the lives of native saints. These genres grapple with issues of landholding and inheritance in their attempt to determine an authoritative basis for legitimate and longstanding possession.

Many tenurial texts frequently work to validate claims on land while concurrently registering some anxiety over the stability of such claims. Nicholas Howe has argued that for the Anglo-Saxons any “story of place had always to deal with the intertwined acts of possession and dispossession, both as historical fact and as future possibility.”

Howe’s evocative discussion specifically considers the physical traces of past possession in the landscape of early Anglo-Saxon England (earthworks, graves, Roman ruins) and the ways in which “the Anglo-Saxons viewed landscape through the material accumulation of the past.” Howe’s work on land and landscape in Anglo-Saxon England has largely favored broad conceptual models (such as his ‘migration myth’) primarily grounded in literary texts. This critical paradigm favors ‘grand narratives’ of culture (such as origin

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6 Ibid., 95.

myths and issues of national identity), however, consequently runs the risk of inscribing a monolithic Anglo-Saxon England in critical discourse. In addition, the frequent citation of Howe’s work can pre-determine the textual focus and conclusions of subsequent analyses of the possession and dispossession of land. In his essay “Literary History as Challenge,” Hans Robert Jauss comments on the epistemological function of scholarly citation: “Citations customarily call upon an authority to sanction a step in the process of scholarly reflection. But they can also remind us of a former way of posing a question, to prove that an answer that has become classic is no longer satisfactory, that it has itself become historical again and demands of us a renewal of the process of question and answer.” While I affirm productive value in Howe’s now “classic” work on land, landscape, and historical memory, my critique questions the potential of such authoritative scholarship to forestall critical inquiry. This dissertation consequently aims to consider the conceptual and functional place of land in Anglo-Saxon England through a different “process of question and answer.” It pursues this goal in two methodological ways: by analyzing tenurial texts and practices, and by considering texts as local events within the tenth and early eleventh centuries.

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8 See Fabienne L. Michelet, *Creation, Migration, and Conquest: Imaginary Geography and Sense of Space in Old English Literature* (Oxford: Oxford University Press, 2006). Michelet uncritically amplifies the conclusions of Howe’s work. She claims with little justification or elaboration beyond the citation of Howe, for example, that the *adventus Saxonom* “permeates Anglo-Saxon England’s literary production” (ibid., 200). Howe’s argument here serves as an unexamined ‘truth’ defining the culture of Anglo-Saxon England.

The project borrows a conceptual term from Edward Said’s *Orientalism* to describe the ways in which diverse texts separate in date, provenance, and genre can be read as an aggregate expression of cultural concepts or concerns. Said uses the term *strategic formation* to designate “a way of analyzing the relationship between texts and the way in which groups of texts, types of texts, even textual genres, acquire mass, density, and referential power among themselves and thereafter in the culture at large.”

Said presents *strategic formation* in conjunction with *strategic location*, which he distinguishes as the position of an individual author or text. This methodology facilitates analyses which “employ close textual readings whose goal is to reveal the dialectic between individual text or writer and the complex collective formation to which his work is a contribution.” My own study analyzes the ways in which different texts from Anglo-Saxon England form a “complex collective formation” around concepts of land tenure and its texts and practices. Tenurial practices produce certain ideas about land just as they reiterate, revise and react against those same ideas.

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11 For Said, “strategic” indicates the deliberative choices a writer makes—“the kind of narrative voice he adopts, the type of structure he builds, the kinds of images, themes, motifs that circulate in his text”—when that writer represents the Orient. Said is less clear, however, on how this “strategic” agency applies to a group of texts. I do not suggest that analysis of a text or a group of texts can reveal a controlling authorial intent or a deep structure driving the text(s) in question, but I do value Said’s attention to the ways in which texts traditionally isolated from one another in academic study can contribute to a variegated cultural discourse which accumulates around some key concept.


13 “Land” (much like Latin *terra*) covers a wide semantic range in Anglo-Saxon texts, signifying levels of property from the small individual estate to an entire kingdom, as well as signifying general terrain or bodies of land.
In pursuing this investigation, I hope to avoid the traditional divisions of text and genre long characteristic of the discipline of Old English. Greenfield and Calder’s *A New Critical History of Old English Literature*, for example, maintains such generic division by grouping a startlingly wide range of prose texts—including charters, wills, laws, and scientific texts—into a single chapter entitled “Legal and Scientific Prose.” This heterogeneous mix of texts, we read, shares one common essence: “While little of the prose we have examined is intentionally ‘literary,’ there is yet a separate corpus of texts which must be put into its own category called ‘practical.’”  

An introductory survey must by necessity classify texts and make some distinctions between them, but this particular rationale enforces a clean division between those texts deemed “literary” and those deemed “practical.” While *A New Critical History* does not precisely define what it means by “practical,” it does classify a scientific text as one “which attempts either to describe or control the world.” In this sense, a practical text aspires to actually *do* something by outlining a procedure which promises some tangible result. Could we extend such an aspiration to literary and legal texts? Could we envision the ways in which such texts work to both describe *and* control the world?

Anglo-Saxon texts interested in land in all its various levels and manifestations—from small estate to *eðel* (homeland)—work to establish legitimate and longstanding...

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possession. In this sense, these texts are practical; they attempt to do something as they participate in a discourse of land tenure. Segregating texts according to modern critical distinctions neither advances our understanding of Anglo-Saxon culture nor challenges modern strictures of disciplinary discourse and fashion. Indeed, generic distinctions between “literary” and “practical” texts effectively obscure the dialectic between culture and politics described by Said in *Orientalism*. Said emphatically argues that culture must be studied in conjunction with “configurations of power” enabled through “socio-economic and political institutions.”

Charters, writs, wills, and laws represent such institutional interests in Anglo-Saxon England, and accordingly act as powerful agents in shaping cultural attitudes toward land. The discourse of land tenure in Anglo-Saxon England was deeply shaped by the interests of ecclesiastical and lay power. Indeed we can think of nearly all surviving Anglo-Saxon texts as institutional productions, copied and preserved in ecclesiastical or royal centers, and representing significant investments of time, labor, and materials. To regard a literary tradition sequestered from institutional forces would be anachronistic and misleading.

Despite the regularity and volume of their production, diplomatic texts have largely been excluded from discussions of the literary culture of Anglo-Saxon England. Such isolation of diplomas from contemporary literary production has been cultivated in part by those same scholars who have devoted substantial time to their study. Some historians have qualified their work on charters through some witty disclaimer or lament


about the tedium involved in studying diplomatic texts. The prefatory matter in a diploma known as the proem has been a common target for such acerbic asides. In his 1865 collection of Anglo-Saxon charters, for example, Benjamin Thorpe defines the proem as follows: “This is usually a pious effusion, sometimes, particularly in later documents, of inordinate length, and not seldom hardly intelligible.” 18 Thorpe seems put off by the aesthetic excess of the proems in question—they are offensively effusive, too long, and barely coherent. Frank Barlow repeats a similar criticism in his biography of Edward the Confessor when he describes Anglo-Saxon charters as “almost perverse” in their style: “In England the moralizing pomposities usually denied the very utility and purpose of earthly government.” Barlow cites the proem to S 1006 as an example and offers the stinging assessment, “Such hysterical expressions of disgust for the theatre of the world are bizarre trappings for an efficient government.” 19 Again, the diplomatic ‘aesthetic’ is censured for what it is seen as its freakish deficiency rather than critically considered in terms of its own qualities and methods. 20 Beyond expressing a specific revulsion for proems, scholars have issued occasional general warnings against the diploma. Patrick


20 J. M. Kemble seems to have been an exception to the posture of disdain for diplomatic proems. In the preface to his The Saxons in England (1876) he even momentarily assumes their grandiloquent style: “On every side of us thrones totter, and the deep foundations of society are convulsed. Shot and shell sweep the streets of capitals which have long been pointed out as the chosen abodes of order: cavalry and bayonets cannot control populations whose loyalty has become a proverb here, whose peace has been made a reproach to our own miscalled disquiet. Yet the exalted Lady who wields the sceptre of these realms, sits safe upon her throne, and fearless in the holy circle of her domestic happiness, secure in the affections of a people whose institutions have given to them all the blessings of an equal law” (J. M. Kemble, The Saxons in England: A History of the English Commonwealth till the Period of the Norman Conquest, 2 vols., new edition revised by Walter de Gray Birch [1848; London, 1876], 1:v).
Wormald, for example, after providing a wonderfully succinct and informative survey of the early history of the charter in Anglo-Saxon England, apologizes to his audience that charters “may be indigestible fare.” In his excellent series of lectures on Anglo-Saxon charters, F. M. Stenton likewise presents tenth-century charters as dry material of limited interest:

Apart from their local, and under Athelstan their political interest, the charters of the kings between Edward the Elder and Edward the Martyr form a monotonous series, and one which offers few passages for quotation to the legal historian. As illustrations of curial scholarship, these charters are disappointing, for the elaboration of Athelstan’s great diplomas was not maintained under his successors. To judge from the numerous specimens that are still extant, these later charters were generally fine examples of stylized calligraphy. To the student of Anglo-Saxon topography they are of great interest, for in the tenth century a set of boundaries written in English becomes a regular part of every normal charter. In texts which may be contemporary, the appearance of the writing on the sheet is pleasantly diversified by the contrast between the monumental hands of the Latin portions of the charters and the smaller type of script used for the English boundaries. But the charters in which these boundaries are embedded do not invite consecutive reading.

Are tenth-century diplomas only valuable palaeographical and topographical data? Such an abrupt dismissal within an otherwise outstanding study is perplexing—the many fascinating insights in Stenton’s book belie such a failure of critical imagination. These curious acts of critical sabotage by historians essentially warn us away from charters.

A parallel lack of interest in diplomatic material is equally pronounced in literary studies. Recent histories of Anglo-Saxon literature mainly pass over diplomas with only


the most cursory discussion. Fulk and Cain’s *A History of Old English Literature* (2003) surveys the tenurial function of diplomas, the production of cartularies, problems of authenticity, and the formal elements of a diploma within a single page. Boundary clauses “preserve many archaic forms and attest to dialect features,” the writers observe, “yet their evidence is limited” due to the relative scarcity of original documents. 23 A more generous treatment appears in Carole Hough’s essay “Legal and Documentary Writings” in *A Companion to Anglo-Saxon Literature* (2001). This essay devotes five of its fifteen pages to diplomas, but it clearly places them in a secondary position to the vernacular law-codes: “Charters shed additional light on various aspects of Anglo-Saxon law and society, supplementing the information preserved in the law-codes.” 24 Charters provide supplemental information; they have no literary or artistic function in themselves. 25 “Charters also constitute a primary source of evidence for Anglo-Saxon case-law,” Hough adds, quoting S 362 (her only citation of a diplomatic text) as evidence for the law-codes being enforced in social practice. 26 A substantial part (approximately twenty percent) of the essay’s coverage of diplomas, then, is pre-empted by a return to the law-codes. Diplomas play the poor cousin to the much more interesting law-codes. There is little here to inspire interest in students of literature.

23 Fulk and Cain, *History*, 149.


25 Thorpe offered a similar view of charters as supplemental texts: “… [charters] prove and rectify the chronology of the chronicles, and serve not unfrequently as a commentary on, and an exemplification of, the Laws, rendering intelligible many points which, without their aid, would be involved in obscurity” (Thorpe, *Diplomatarium*, xi).

26 Hough, “Legal and Documentary Writings,” 181.
What do these examples tell us about the place of charters in the intellectual and literary culture of Anglo-Saxon England? Charters do not seem to matter all that much. They are insignificant, undistinguished, repetitive, and dull. Diplomatics becomes a small domain for those scholars able to bear the wearisome burden of its minutiae. Rather than apologizing for diplomas or simply viewing them as repositories for data, however, we can usefully take them seriously as literary and cultural productions. Brigitte Bedos-Rezak has discussed the traditional practice in diplomatics in which “documents of practice, once their authenticity is established, have tended to emerge as transparent texts which can assert objective truth independent of the subjective act that intended the document and of the operations of language within it.”\textsuperscript{27} An authentic or original document might prove invaluable in studying local ecclesiastical history or in discerning the shape of an individual political career. According to Bedos-Rezak, however, diplomas can also produce meaning in ways which allow “the retrieval both of the ideological and evidential status of the text, and of the ideological and social standards from the past.”\textsuperscript{28} This methodology effectively collapses the traditional divisions of “literary” and “practical.” While diplomas and other legal documents do record or describe social practices, their manner of doing so—the “operations of language” and “ideological status” within the text—also makes meaning in ways traditionally associated with “literary” texts. This dissertation consequently considers the language and formal


\textsuperscript{28} Ibid., 334.
techniques of diplomatic texts and the ways in which these features contribute to, challenge, or extend ideas about holding land in early medieval England. Rather than avoiding charters as “indigestible fare,” then, I give them prominent place in my analysis.

This dissertation considers the various ways in which Anglo-Saxon tenurial texts make meaning both “ideological and evidential,” and the ways in which tenurial discourse in its various textual forms both produces and extends cultural thinking about land in early medieval England. The first chapter, “The Terms of Possession,” examines the ways in which Anglo-Saxon legal texts aimed to control the acquisition, use, and transmission of property. The most common of these texts was the royal diploma, an elaborate and stylized Latin document representing a grant of property made under certain terms. Royal diplomas functioned as written evidence of possession, but they also fostered imaginative concepts such as the eternal possession of land and divine sanction for ownership. These concepts in turn were rendered into vernacular terms for delineating the possession and use of land. Two of these terms, bocland and lænland, represent the most common forms of Anglo-Saxon land tenure and, concomitantly, express two different expectations for holding land: eternal possession and temporary lease. Since these modes of land tenure were formally framed within Christian rhetoric, they became operative concepts for considering issues of transience, salvation, and political power. In the process, landholding in Anglo-Saxon England became both a practical and philosophical enterprise.

The second chapter, “Storied Land,” investigates vernacular narratives of local property disputes. Royal diplomas and vernacular wills may have imagined terms and conditions to ensure the possession and transmission of land, but such expectations
frequently were complicated in social practice. The large number of property disputes in the Anglo-Saxon period generated a genre of vernacular legal document known as the *talu*, a compact narrative history that claims rights of possession for one party in a dispute. By incorporating fictional devices such as direct speech and dramatic tableaux, *talu* texts frequently construct and then appeal to a simple ethical basis to dictate the fact of possession: those who lost property did so only because they had committed some clear wrong. These texts function as narrative arguments using story to determine possession. Some *talu* texts, however, connect their accounts of local disputes to contemporary controversies in royal succession in sophisticated ways.

The third chapter, entitled “*Westseaxna Land*: Dynastic Land in the Anglo-Saxon Chronicle,” analyzes the Anglo-Saxon Chronicle as a composite text which incorporates historical writing, poetry, and genealogy into a sustained assertion of West Saxon political authority over an increasing area of territory. The tenth-century annals of the Chronicle provide an account of conquest which legitimizes West-Saxon political authority as the natural fulfillment of historical and spiritual destiny. The vernacular Chronicle also uses techniques similar to those found in contemporary diplomas, such as the textual mapping of territorial boundaries and the incorporation of conspicuous literary ornamentation. The Chronicle’s attention to the frontiers of West-Saxon authority recalls the boundary clauses of charters, while its turn to poetry parallels the contemporary tenth-century diplomas and their own distinct diction and style. These diplomatic correspondences clarify the ideological work of the Chronicle as it claims land for the West-Saxon dynasty. Whereas diplomas deal in individual estates, the Chronicle affirms a longstanding dynastic authority over collective territory and peoples.
The final chapter, “Promised Land,” examines the ways in which vernacular biblical poetry and the lives of native saints articulate the relationship between landholding and faith. These texts rehearse the divine promise of land for the Christian faithful and conversely stage the disinheritance of the unfaithful. *Genesis A* provides a poetic meditation on the right to property as a component of faith through its frequent use of terms for inheritance and its dramatization of a divinely promised homeland. At the same time, the poem presents a series of episodes featuring the forfeiture of property as a penalty for disobedience and disloyalty. The idea that landholding is predicated on faith also appears in *Guthlac A*’s depiction of a native saint claiming land by driving away the evil spirits of previous inhabitants. The interest in land rights inflecting these renderings of sacred history repeats the intrinsic connection between land and faith so evident in the legal discourse of land tenure. That these texts so often involve conflict and displacement, however, indicates an abiding unease about the security of claims to land.

The different texts examined in these chapters all attempt to fix the possession of land across time. Tenurial texts frequently build their arguments for possession, however, based in part on the contradiction of their own propositions. Vernacular records of property dispute, charter assurances of eternal possession, annalistic records of dynastic succession, and sacred narratives of land and faith are all predicated in part on dispossession. Land in these texts is always marked by contention and competing claims, whether they be located in the past, present or future. Even the most ambitious claims to property cannot fully contain the anticipation of future conflict or the troubling evidence of past displacement.
CHAPTER 2:
THE TERMS OF POSSESSION

All art is *propositional* … it proposes models for the world, for thinking about and understanding the world.

Curtis White, *The Middle Mind*

To speak in such a context of law-codes as “literature” is not to imply that they were exercises in creative imagination; but rather, that law-making in writing was a better expression of an image of society than of practical remedies for its discontents.

Patrick Wormald, *The Making of English Law*

Modern understanding of early Anglo-Saxon customs regarding inheritance and the transmission of property remains elusive and incomplete. It has been long assumed by scholars that the Anglo-Saxons maintained Germanic customs after their settlement in England; the majority of these orally-preserved customs, based on the bonds of family and kinship, have been left unrecorded in the written record. Bede writes in his *Historia ecclesiastica gentis Anglorum* that King Æthelbert of Kent introduced a written law-code in English “iuxta exempla Romanorum,” the first of a series of vernacular law-codes issued by Anglo-Saxon kings.¹ Pollock and Maitland saw these law-codes as “mere

superstructures on a much larger base of custom.”\(^2\) a view representing the persistent assumption that despite its absence in the written record a sturdy Germanic legal tradition provided the basis for Anglo-Saxon law. Other scholars such as J. E. A. Jolliffe saw Romanic and Germanic legal traditions as antithetical forces locked in cultural competition. Jolliffe’s statement, “The *jus ecclesiasticum* was the enemy at all times of the *barbarica consuetudo*,”\(^3\) for examples, sets a firm division between the Roman Church and the Germanic *folc* in matters of property and inheritance.

In this binary model of dueling traditions, one of the main structures guiding the transmission of property can only be inferred from surviving textual evidence. Dorothy Whitelock noted both the absence and influence of the Germanic legal system: “A great amount of customary law, such, for example, as that relating to inheritance and other family matters, was probably never put into writing at all, being too well known and too fixed to require written statement.”\(^4\) The absence of such written statements should caution us against placing undue confidence in “custom” or some irretrievable Germanic deep structure informing Anglo-Saxon legal practices. Some degree of assumption has

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\(^2\) Frederick Pollock and F. W. Maitland, *History of English Law Before the Time of Edward I*, 2\(^{nd}\) ed., 2 vols. (Cambridge, 1898), 1:27. The book favors the idea of a strong Germanic legal foundation, claiming that English law before the Normans “was in the main pure Germanic law” (ibid., xxviii). Pollock sees legal practices influenced by Roman models as inferior somehow to the indomitable Germanic stock; *boceland*, for example, is characterized as “a clerkly and exotic institution, and that grants of it owe their existence directly or indirectly to royal favour, and throw no light, save incidentally, on the old customary rules of land-holding” (ibid., 60).


\(^4\) *EHD*, 362.
driven early scholarly work in this area, especially in its insistence on what Eric John has called “primitive hereditary tenures” that preceded and survived Roman influence. The fragmentary state of the surviving textual evidence introduces an additional complication into questions of land tenure, one compounded by frequently oblique references to procedures and occasional ambiguous terminology. In its analysis of tenurial conventions, this chapter focuses on surviving texts (such as diplomas, law-codes, and wills) while remaining aware of potential influence from unrecorded inheritance customs and expectations. It should also be noted that many interests and practices may be absent in the records, and that the long Anglo-Saxon period contains significant variability in its tenurial procedures.

The Anglo-Saxons employed a range of written instruments for controlling the acquisition, use, and transmission of estates of land. Most of our knowledge about land practices in Anglo-Saxon England has come from charters, a general category of texts which includes royal diplomas, leases, and wills. Charters record grants of land and the specific provisions attendant upon those grants, as represented in two primary forms of land tenure: land held on lease (commonly known as lænland) and land granted into hereditary possession (commonly known as bocland). These tenurial practices and concepts produce what Michel de Certeau has called “a field of operations within which the production of theory also takes place.” My analysis begins by investigating lænland

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and *bocland* as tenurial practices and then proceeds to examine the textual form of the Latin diploma. The chapter concludes with a consideration of several vernacular translations which incorporate and extend the conceptual implications of these texts and practices. As a whole, the chapter demonstrates how tenurial practices and language—the terms of possession—produce a theory of property in which the possession of land is bound to an ideal of permanence which carries the elements of its own contradiction.

### 2.1 Lænland

Leases “loan” property for a specified number of lifetimes and return the land to the grantor following the death of the grantee(s). In a classic study Vinogradoff defined this practice as one in which “the grantor or leaser reserves the right of ownership, and the grantee or lessee acquires only a derivative and dependent right.” Leases were most often recorded in English. This tenurial process appears in a charter (dated sometime between 871 and 877) in which Bishop Ealhferth of Winchester loans eight hides of land

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7 This form of tenure is frequently called *lænland* in the scholarship, but the word itself appears infrequently in the Old English corpus. *Leenland* appears in S 1367, a charter containing both Latin and Old English. In the document, Archbishop Oswald leases a *croft* to his *cliens* Ælfsige “ðe is be eastan Wulfsiges crofte ðet he hæbbe hit swa rum to boclonde swa he ær hæfde to lenlonde” (J. M. Kemble, ed., *Codex Diplomaticus Aevi Saxonici*, 6 vols. (London, 1839-48), vol. 3, no. 679 at p. 258). […] which is along Wulfsige’s eastern field so that he may have it as unrestricted as *bocland* as he had it before as *lænland*.

*Lænland* also appears in S 1347, another lease of Oswald’s: “Ponne is þæs londes þridde half hid þe oswold arcebiescoop selo cynelme his þegne to boclonde. Swa he hit him ær hæfde to forlæten to lænlonde ægþær ge on earðlonde ge on homlonde” (John Earle, ed., *A Hand-Book to the Land Charters and other Saxonian Documents* (Oxford, 1888), 208). [Then two-and-a-half hides of that land is that which Archbishop Oswald gives to his thegn Cynelm as *bocland* just as he had granted it before as *lænland*, both as arable land and enclosed pasture.] See also S 1334, 1350 and 1504. These are the only occurrences of the word I have been able to locate.

to *dux* Cuthred and his wife Wulfthryth for a term of three lifetimes, after which time it will revert to the community at Winchester:

Ealhferð Bisceop 7 ða higan on Wintaceastre habbað gelæneð hiora leofan friond
VIII hida landes on EASTUNE ðriora manna deg ðet is CUÐRED dux 7 Wulfriðe
his wife 7 anan man þerto sui him liofost sio him to hæbenne 7 to brucenne swa
him sælest sie eghwælces þinges freoh butan brycgeweorce 7 ferde 7 eahta
ciricsceattan 7 mæseprestes gereohta 7 saulsceattas.9

[Bishop Ealhferth and the community at Winchester have leased 8 hides of land at Easton for three lives to their dear friend Earl Cuthred and to Wulfthryth, his wife, and to one man of his own choice in addition, to hold and enjoy as may be best for him, free from every burden except the construction of bridges and military service and the payment of eightfold church dues and the priest’s dues and burial fees.]10

The recipients must satisfy the standard obligations of maintaining bridges and military service as well as meet certain financial obligations to the church.11 Ealhferth loans the land with the stipulation that it will return to Winchester after the allotted three lifetimes (“ðriora manna deg”). According to the recorded terms, “ðæt land sie laborðe 7 higan swa
gewelde ofer hiora ðriora deg swa hid wæs ðy dege ðe hioe hit hiom sealdan” [this estate shall be as completely subject to the lord and the community after the death of the three

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10 Ibid., 27. Due to the technical content of the charters cited, I offer Robertson’s translations for these texts. Unless otherwise noted, all other translations are my own.

of them as it was on the day that they granted it to them]. 12 Another charter dated to 904 makes a similar stipulation in which Bishop Werfrith leases a single hide of land to his reeve Wulfsige. After the term of three lives the land is to return to Worcester “butan elcon wiðercwide” [without any controversy]. 13 Lænland provides a temporary tenure with some benefits of possession but not full ownership, as it demands that the land later must return to its actual owner.

Many charters provide specific provisions and stipulations attendant on the lease, further delimiting the privileges of possession. Some charters contain clauses for forfeiture of the property in the case of criminal offense, as in a lease of land to Wulfgeat by Bishop Ealdred of Worcester. The charter states that Wulfgeat and his chosen heirs “syn æfre underþeodde 7 gehersume 7 ðam hlaðordscipe folhgien ðe ðonne bisceop beo 7 gif hig ænigne frambyge don ðolian ðære are” [shall always be submissive and obedient and acknowledge the lordship of whoever is bishop at the time, and if they are guilty of any defection, they shall forfeit the property]. 14 Land held on loan, then, could under certain conditions be revoked during the term of the lease, increasing the contingency of its possession and use. Such qualifications frequently extend to duties beyond the standard obligations attendant upon holding land. A charter dated to 963, for example, records the lease of one hide at Cotheridge by Bishop Oswald (Worcester) to his minister Ælfric for three lifetimes. As part of the agreement, Ælfric is to sow and reap two acres

12 Robertson, Charters, no. 14 at pp. 26 and 27.
13 S 1281; Robertson, Charters, no. 18 at pp. 34 and 35.
14 S 1409; Robertson, Charters, no. 111 at pp. 208 and 209.
of grain and deliver it each year as “his circsceat” [church dues]. Leases can also be given for less than three lifetimes, as evident in an early eleventh-century charter which leases an estate for only three years in return for a loan of three pounds. As these examples demonstrate, _lænland_ provides a mode of tenure defined by its limitations and its emphasis upon a terminal point of possession.

2.2 Bocland

The mode of land tenure known as _bocland_ can generally be defined as “land which was freed from payment of the king’s farm and certain other royal dues, originally with the intention that it should be devoted to religious purposes, and which was held with the power to alienate it freely.” _Bocland_ afforded the landholder certain desirable privileges, such as exception from some taxation and public duties, and more importantly, the freedom of alienation (i.e. the ability to leave the property outside of one’s family group). The grant itself was conveyed and represented by a Latin diploma which served as a kind of title-deed to the property. These benefits offered a clear improvement over the many contingencies attendant upon leased land and its designated return to its original owner.

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15 S 1303; Robertson, *Charters*, no. 35 at pp. 64 and 65.

16 S 1287; Robertson, *Charters*, no. 79 at p. 154.

17 _EHD_, 376. See also _DOE_, s.v. “bocland”: “(1) Land held by charter in hereditary possession, exhibiting various characteristics stipulated in the charter.”
Boycland often appears in contradistinction to folcland, an ambiguous and much-contested term of Anglo-Saxon land tenure. This is not an occasion for reviewing the debate surrounding folcland, but some discussion is in order, especially regarding the tenurial distinctions between folcland and boycland. Paul Vinogradoff defined folcland as “land held under the old restrictive common law, the law which keeps land in families, as contrasted with land which is held under a book, under a privilegium, modeled on Roman precedents, expressed in Latin words, armed with ecclesiastical sanctions, and making for free alienation and individualism.” This definition makes a clear distinction between folcland and boycland, and establishes the Latin documentation of possession as a crucial distinctive factor. Stenton modified Vinogradoff’s thesis by shifting attention to

18 The DOE defines folcland as “a term not precisely understood: land which is not boycland (q.v.), i.e. land which is held in unchartered tenure” (s.v. “folcland”). Edward’s first law-code distinguishes folcland from boycland: “2. Eac we cwædon, hwæs se wyrðe wære þe oððum ryhtes wyrndæ on boyclande oððe on folclande; 7 ðæt he him geandagode of þam folclande, hwonne he him riht worhte beforan þam gerefan. 2.1. Gif he ðonne nan riht næfde ne on boyclande ne on folclande, þæt se wære þe rihtes wyrnde scylæg XXX sçill’ wið þone cyning, 7 æt oððum cyrre eac swa, æt ðriddan cyrre cyninges oferhynnesse, ðæt is CXX sçill’ buton he ær geswice” [2. Further, we have declared what (penalty) he is liable to, who withholds from another his rights either in ‘bookland’ or ‘folkland.’ And with regard to the ‘folkland’ (we have declared) that he (the plaintiff) shall appoint a day when he (the defendant) shall do him justice in the presence of the reeve. 2.1. If, however, he (the plaintiff) does not obtain his rights either in ‘bookland’ or ‘folkland,’ (he the defendant) who withholds the rights shall forfeit a fine of 30 shillings to the king, and 30 shillings also on the second occasion, and on the third occasion the fine for insubordination to the king, that is 120 shillings, unless he has already desisted (from his wrong-doing)]. (Attenborough, 116 and 117). This law traditionally has been interpreted as an indication that an estate could be classified as either boycland or folcland and that a crucial difference existed between the two terms.


20 Vinogradoff, “Folkland.” 11. Pollock and Maitland endorsed Vinogradoff’s arguments on folcland, defining folcland as “land held without written title under customary law” (Pollock and Maitland, History of English Law, 1:62). G. J. Turner later challenged Vinogradoff’s definition, favoring instead the older view that folcland “is the ancient demesne of the Anglo-Saxon kings; and perhaps also the lands which were leased to the servants and officials of the Crown in return for services performed in the government of the country” (G. J. Turner, “Bookland and Folkland,” in Historical Essays in Honour of James Tait, ed. J. G. Edwards, V. H. Galbraith, and E. F. Jacob [Manchester: n. p., 1933], 357-86 at 385-86).
the public burdens placed on land, asking “whether the distinction between bookland and folkland may not turn after all on the simple fact that bookland, unlike folkland, was land exempt from the heaviest of public burdens.” Eric John later argued against both Vinogradoff and Stenton, claiming that *folcland* should be seen primarily as “land constantly being loaned and constantly falling back into the common stock when the loans expire; bookland is land that once given never returns unless at the will of the holder for the time being.” Folcland being granted on loan, John argues, does not mean it should simply be equated with *lænland*. Rather, *lænland* is used “simply to describe some particular estate on loan … *lænland* might be either someone else’s bookland, or simply folkland.” John’s view represents the current consensus. The key point for this study involves the greater benefits and stability promised by *bocland* over the several limitations inherent in the temporary tenure of both *folcland* and *lænland*.

In its earliest stages, *bocland* ensured donations of land to the Church and ostensibly protected those donations from later litigation and dispute. In contrast to *lænland* or *folcland*, *bocland* was granted into eternal possession. The concept of perpetual inheritance appears in the oldest diploma to survive in its original manuscript.

21 F. M. Stenton, *Anglo-Saxon England*, 3rd ed. (Oxford: Oxford University Press, 1971), 310; see also ibid., 309-12. Susan Reynolds has more recently suggested a similar conclusion, noting that in a charter dated to 858 (S 328), *folcland* “seems there to mean land owing obligations from which bookland was normally exempt—though bookland is not explicitly mentioned in the charter” (Reynolds, “Bookland,” 218).

22 John, “Folkland Reconsidered,” 117.

23 Ibid., 118.

form. In this document, dated to 679, Hlothere, king of Kent, grants land to Abbot Beorhtwold: “… teneas possedeas tu posterique tui in perpetuum defendant a nullo contradicitur”²⁵ [May you hold and possess it and your successors maintain it for ever. May it be contradicted by no one]. Diplomas also indicate eternal possession through such phrases as aeternam possessionem, aeternam hereditatem, in sempiterno possidenda, perpetua hereditas, and later in the vernacular as ece yrfe.

In a discussion of thirteenth-century English legislation, Paul Brand points out that the rhetoric of perpetual possession was primarily interested “in controlling the past, in cutting off claims based on the history of the property prior to their making, rather than in controlling the future.”²⁶ This point undoubtedly holds true for Anglo-Saxon England as well. The idea of eternal possession essentially denies history, refusing both the pressure of past claims and the uncertainty of the future. By making timeless claims for land, Anglo-Saxon tenure attempted to fix property in time and to distance mutability; the impetus driving such claims, however, was born from the fear that possession would at some later point be challenged (as evident in the verb “defendant” and the phrase “a nullo contradicitur” in S 8 above). From the beginning of the English diplomatic tradition, promises of permanence were haunted by an attendant anxiety over future conflict and reversal.

²⁵ S 8; CS, vol. 1, no. 45 at p. 70. Translation, EHD, 483. It should be noted that Birch’s edition frequently preserves the orthographical errors of the original documents (as in possedeas for possideas).

Another early example of perpetual tenure appears in a charter dated to 675 in which Hlothhere, king of Kent, grants an estate of three sulungs to the monastery of St Peter.

In nomine Domini Dei et salutaris Iesu Christi. Ego Lotharius rex Cantuariorum, anno regni nostri primo, indictione tercia, sub die kalendarem Aprilis, cum concilio uenerabilis archiepiscopi Theodori atque consensu primorum meorum, terram trium aratrorum in marisco qui appellatur Stodmerch’ iuxta Fordeuuicum, cum pratis, campis, siluis, fontanis, paludibus, fluminibus et omnibus ad eandem pertinentibus rebus in ipsa quantitate sicut antiquitus predecessores mei reges predicta libere tenuerunt, abbatii et monasterio beati Petri apostolorum principis quod situm est iuxta ciuitatem Dorouernis in suburbio in sempiterno possidenda concedimus et confirmamus, ita ut nec nobis nec aliquibus successorum nostrorum regum siue principum aut ecclesiasticarum dignitatum gradibus nefario temeritatis ausu aliquando infringere vel diminuere aliud de donacione nostra liceat, sed pro remedio anime mee et absolucione peccatorum meorum ita ut predixi famulis Dei absque aliqua lesione omnia predicta in euum stabilia permaneant.27

[In the name of Lord God and of the savior Jesus Christ, I, Hlothhere, king of Kent, in the first year of my rule, in the third indiction on April 1, with the counsel of Archbishop Theodore and the consent of my leading men, grant and confirm in eternal possession land of three sulungs in the marsh which is called Stodmarsh near Fordwich, with the meadows, plains, woods, springs, marshes, rivers, and everything relating to the same [land] in the same degree as my predecessor kings formerly held the aforementioned [land] freely, to the abbot and monastery of St Peter, prince of the apostles, which is located near the town of Canterbury, so that it should not permitted to me or to any other of my successor kings or leading men or ecclesiastical authorities ever to violate or reduce anything from our donation through nefarious presumption, but for the good of my soul and absolution of my sins I charge to the servants of God that all the aforementioned matters may forever remain stable without any injury.]

The land is granted “sempiterno possidenda,” and the charter forbids any future intrusion against its provisions in order that in “euum stablia permaneant.” In addition to the

promise of eternal possession, *bocland* provided its recipients with certain immunities and privileges. The earliest charter to provide a clause of immunity to a specific estate (dated to 732) records a small grant of land from Æthelbert II to Dunn, *abba presbyter*. The Kentish charter reads “… ita tribuo et dono ut a præsenti die et tempore vestræ sit potestatis eam semper habere ac possidere qualiter vobis placuerit. Et jus regium in ea deinceps nullum repperiatur omnino. Excepto dumtaxat tale quale generale est in universis ecclesiasticis terris quæ in hac Cantia esse noscuntur” [I now bestow and grant (the land) … in such a way that from the present day and season, it is to be in your power ever to have and possess it, just as you please. And next, no royal right is to be obtained in it at all, except only such as is general in all the ecclesiastical lands which are known to be here in Kent].

Nicholas Brooks has argued that this nonspecific *ius regium* “is none other than some or all of the military obligations which are more precisely reserved and stated to be ‘common’ or ‘general’ in later charters.” This would indicate that military obligations were customary and largely unstated in early charters. Later kings, however, were careful to reserve military service even as they granted other generous immunities. An early ninth-century charter (dated 17 September 822) in which King Ceolwulf of Mercia grants property to Archbishop Wulfred demonstrates such a keen attention to detail in its delineation of the terms and limits of its immunities:

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29 Brooks, “Military Obligations,” 75.
Moreover I will free the aforesaid land from all servitude in secular affairs, from entertainment of king, bishop, ealdormen, or of reeves, tax-gatherers, keepers of dogs, or horses, or hawks; from the feeding and support of all those who are called fæstingmen; from all labours, services, charges or burdens, whatever, more or less, I will enumerate or say. It is to remain freed everywhere for ever from all burdens, greater or smaller, specified or unspecified, except from these four causes which I will now name: military service against pagan enemies, and the construction of bridges and the fortification or destruction of fortresses among the same people, and it is to render single payment outside, according to the custom of that people, and yet pay no fine to anyone outside, but it is ever to remain free and secure in its integrity, without any violence for any reason, for Wulfred the archbishop and his heirs in the future, with its most certain boundaries.

The numerous confusions in grammar and orthography in this charter clearly represent the decline of Latinity evident in the ninth century, but the document still clearly

30 S 186; CS, vol. 1, no. 370 at p. 509. The charter survives in a contemporary single sheet dated to the early ninth century. For a facsimile of the charter, see Facsimiles of Ancient Charters in the British Museum, 4 vols. (London, 1873-78), vol. 2, pl. 15.

31 Translation, EHD, 515.

emphasizes both the secure longevity of the provided immunities and the permanence of its tenure. Unlike land held on lease, bocland was recorded in formulas which granted “rights of free disposition and perpetual inheritance.” Grants of bocland subsequently communicate an idea of power vested in eternal authority and able to transcend the limitations of time encoded in lanland.

Originally intended for ecclesiastical benefit, hereditary possession was soon extended to laymen in what appear to be secular transactions endowed with spiritual authority. One charter dated to 779, for example, records a grant of land from Offa to his minister Dudda. Despite its apparent secular context, the diploma retains an elaborate and ecclesiastical form: the proem, for example, expounds that all things visible to the human eye are but “vana et caduca transitoriaque” [empty and fleeting and transitory], yet the faithful can still use such fleeting things to buy “jugiter florentis paradisi amoenitas” [the delights of paradise blooming without end]. In the disposition, Offa grants four hides “in ius ecclesiasticalae liberalitatis in perpetuum” [in the eternal right of an ecclesiastical gift] with the freedom to leave the land to anyone of Dudda’s choice. In this document, Susan Reynolds argues, bocland “came to be applied to lay property.”

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34 S 114; CS, vol. 1, no. 230 at p. 320.
35 Ibid., 321.
2.3 Wills and the transmission of land

The freedom of alienation provided with bocland consequently facilitated and safeguarded political power by allowing some control in designating which heirs would inherit family land. Once acquired, bocland could be prohibited from later leaving the family, as Alfred’s law-code makes clear:

41. Se mon se ðe bocland hæbbe, 7 him his mægas læfden, þonne setton we, þæt he hit ne moste sellan of his mægburge, gif þær bið gewrit oððe gewitnes, ðæt hit ṭara manna forbod wære þe hit on fruman gestrindon 7 þara þe hit him sealdon, þæt he swa ne mote; 7 þæt þonne on cyninges 7 on biscopes gewitnesse gercce beforan his mægum.37

[41. We have further established, that a man who holds land by title-deed, which his kinsmen have left him, shall not be allowed to give it out of his kindred, if there is documentary or (other) evidence that the power to do so is forbidden him by the men who first acquired it, or by those who gave it to him. (And he who contests such an alienation) shall make a declaration to this effect in the presence of his kindred, with the king and bishop as witnesses.]38

This law indicates that bocland could be acquired and maintained in a family independently of ecclesiastical interests. Eric John has argued that ultimately “book-right took land into the family, not out of it.”39 Despite its early use to alienate land out of the kindred and into the possession of the Church, bocland later made it possible for a family to guarantee more effectively the security of its holdings. Bocland became a powerful means to gain a more secure possession of land and consequently greater political power.

37 Attenborough, 82.
38 Translation, Attenborough, 83.
39 John, Land Tenure, 48.
Patrick Wormald shows this process at work in his analysis of King Alfred’s will and the transmission of royal property within the West Saxon line.\(^{40}\) Alfred’s will begins with a detailed account of the family’s \textit{yrfe} which asserts Alfred’s just claim on that inheritance. The details of succession in the West Saxon line following Æthelwulf’s death are too complex to cover here,\(^{41}\) but the will does indicate that several disputes already had arisen over the inheritance.\(^{42}\) After the reading of Æthelwulf’s will and the statement of Alfred’s own \textit{wedd}, the council decides in Alfred’s favor: “7 hy þa ealle to rihte gerehton 7 cwædon þæt hy nan rihtre riht geþencan ne mihtan ne on þam yrfegewrite gehyran. ‘Nu hit eall agân is þæron oð þine hand, þonne þu hit becwede 7 sylle swa gesibre handa swa fremdre swaðer þe leofre sy’”\(^{43}\) [And then they all pronounced what was right, and said that they could not conceive any juster title, nor could they find one in the will. ‘Now everything therein has come into your possession, so you may bequeath it and give it into the hand of kinsman or stranger, whichever you prefer’].\(^{44}\) This declaration provides Alfred with the freedom to leave the \textit{yrfe} to


\(^{42}\) “Pa gehyrde we nu manegu yrfegeflitu, nu þa lædde ic Aþulfes cinges yrfegewrit on ure gemot æt Langandene 7 hit arædde man beforan eallum Westseaxena witum” (SEHD, 16). [When we now heard many disputes about the inheritance, I brought King Æthelwulf’s will to our assembly at Langandene, and it was read before all the councillors of the West Saxons.] Translation by Keynes and Lapidge, \textit{Alfred the Great}, 175.

\(^{43}\) SEHD, 17.

\(^{44}\) Translation by Keynes and Lapidge, \textit{Alfred the Great}, 175.
whomever he wishes, providing him control of the disposition of family property. According to Wormald, this maneuver constitutes a “property strategy … to limit dissipation of the family’s landed assets and to restrict them to those members in a position to bid constructively (as it were) for the throne.”

Alfred begins his bequests by granting several estates of *bocland* to his eldest son Edward, including “þa bocland ealle þe Leofheah hylt” and “ealle þa bocland þe ic on Cent hæbbe” [all the booklands which Leofheah holds … (and) all the booklands which I have in Kent] followed by estates given to his other children. Alfred carefully parcels out land to his heirs giving a clear priority to Edward. The will’s opening narrative of inheritance dispute and its resolution establishes the legitimacy of Alfred’s right to hold and bequeath the *yrfe*.

The will also reiterates the provision of Alfred’s law-code protecting a family’s right to restrict alienation of *bocland* outside the kindred. Alfred includes a similar clause near the end of the will:

7 ic wylle þa menn þe ic mine bocland becweden hæbbe, þæt hy hit ne asyllan of minum cynne ofer heora dæg, ac ic wille [ofer] hyra dæg þæt hit gange on þa nyhstan hand me butan hyra hwylc bearn hæbbe; þonne is me leofast þæt hit gange on þæt stryned on þa wæpnedhealfe þa hwile þe ænig þæs wyrðe sy.

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45 Wormald, “*On þa wæpnedhealfe*,” 271.

46 *SEHD*, 17. The estates in question were probably leased to Leofheah. This statement illustrates Pollock and Maitland’s claim that “a grant of book-land usually made no difference at all to actual occupation of the soul. It was a grant of lordship and revenues, and in some cases of jurisdiction and its profits” (Pollock and Maitland, *History of English Law*, 1:60).

47 Translation by Keynes and Lapidge, *Alfred the Great*, 175.

48 *SEHD*, 19.
[And I desire that the persons to whom I have bequeathed my bookland should not dispose of it outside my kindred after their lifetime, but I desire that after their lifetime it should pass to my nearest of kin, unless any of them have children; then I prefer that it should pass to the child in the male line as long as any is worthy of it.] 49

Alfred’s stipulations here regarding the transmission of *bocland* within his family seem designed to insure that the property should remain in the possession of those most likely to maintain the political power necessary to keep the land. Wormald surveys evidence from the Domesday Book to establish who owned the estates bequeathed in Alfred’s will in 1066 in order to test the success of this strategy and he concludes that “only nine or ten [of the approximately sixty listed estates] offer no trace of any lingering royal interest.” 50

Wormald’s evidence corroborates Eric John’s own claim that *bocland* provided aristocratic families with “a stability and continuity they cannot have had before. Whatever else their books did for them, they gave magnates the power to choose their heirs.” 51

Other vernacular wills show similar attempts to designate and control the transmission of family property. The will of Wynflæd, surviving in an eleventh-century copy, for example, specifies the exact bequeathal of her property, including a *bocland* estate which is to go to her daughter Æðelflæd: “7 hio becwið Æðelflæde hyre dehter

49 Translation by Keynes and Lapidge, *Alfred the Great*, 178.

50 Wormald, “*On þa waepnedhealfe*,” 271. Wormald specifies that only twenty-six “were still royal demesne in 1066” while “ten or so” may have been held by Edward the Confessor; five other estates “had been acquired by sometime royal chaplains” while four “had passed to Norman foundations particularly favoured by Edward or William”; finally six “had stuck to the prehensile fingers of Earl Godwine’s family” (ibid.).

51 John, “Folkland Reconsidered,” 69.
Wynflæd leaves the estate to Æðelflæd along with its representative boc; Æðelflæd receives the property in ece yrfe with the freedom of its alienation (“to ateonne swa hyre leofosð sy”), the two key attributes of bocland. Wynflæd’s other specifications regarding the distribution of estates to family members in a specific order of transmission indicates the general practice of using writing to assert lasting control of property over time. A later will of Edwin, dated to the middle of the eleventh century, demonstrates similar specifications on the transmission of certain estates. The will also recounts a prior agreement between Edwin and his brother Wulfric:

And þis is þe forward þe Wlfric and Eadwine þa tueye brethere wrouhten hem bituen ymbe þa to land at Thorp and at Middeltone þat is weþ[e]r here so lenger libbe habbe bothe þe lond. And after here boþere day go þat lond at Middiltone into sce Benedicte for here boþere soule and þat lond at Thorpe after here boþere day fange Ketel þerto to swilke forwarde so þer wrouht is.53

52 S 1539; Dorothy Whitelock, ed. and trans., Anglo-Saxon Wills (Cambridge: Cambridge University Press, 1930), no. 3 at pp. 10 and 11. Abbreviations expanded.

53 S 1516; Whitelock, Wills, no. 33 at pp. 86 and 88.
[And this is the agreement which the two brothers, Wulfric and Edwin, made between them about two estates, Thorpe and Melton: that is, that whichever of them shall live the longer is to have both the estates; and after the death of both of them, the estate at Melton is to go to St Benedict’s for the souls of them both: and Ketel is to succeed to the estate at Thorpe after the death of them both on such terms as are set forth there.]⁵⁴

Following this clause, the will specifies that portions of both estates will go to various churches after Ketel’s death. The fact that this will was made in three copies (with the clause above being repeated in Ketel’s own will [S 1519]) provides a late example of the use of writing to ensure a desired transmission of property. That these documents were written in some anticipation of death is obvious, but this attention to mortality attests nonetheless to the sense of imminent loss embedded in tenurial texts.

The secure possession and transmission promised by bocland indeed was not always realized. The transition from “precarious to permanent tenure” envisioned by John remained contingent on a range of social pressures and circumstances. Estates could be forfeited to the king in penalty of certain major offenses.⁵⁵ Abundant evidence survives of

⁵⁴ Ibid., 87.

⁵⁵ The relevant law-codes are those of Alfred, Æthelred II, and Cnut. Alfred 4: “Gif hwa ymb cyninges feorh sierwe, ðurh hine oððe ðurh wreccena feormunge oððe his manna, sie he his feores scyldig 7 ealles þæs ðe he age” [If anyone plots against the life of the king, either on his own account, or by harbouring outlaws, or men belonging to [the king] himself, he shall forfeit his life and all that he possesses] (Attenborough, 64 and 65); Alfred 4.2: “Swa we eac settað be eallum hadum, ge ceorle ge eorle: se ðe ymb his hlafordes fiorh sierwe, sie he wið ðone his feores scyldig 7 ealles ðæs ðe he age, oððe be his hlaforde were hine getriowe” [And likewise with regard to all classes, both commoners and nobles, we ordain: he who plots against the life of his lord shall forfeit his life to him, and all he possesses, or he shall clear himself by (an oath equal to) his lord’s wergeld] (ibid., 66 and 67); V Æthelred 28 (in London, British Library, Cotton Nero A. i [Gneuss 341]): “And gif hwa buton leafe of firde gewænde þe se cyninge sylf on sy, plihte him sylfum 7 ealre his are” (Other manuscripts of this code substitute wergild for ealre his are) [And if anyone deserts an army which is under the personal command of the king, it shall be at the risk of (losing) his life and (all his possessions)] (Laws, 86-87); II Cnut 13.1: “Se ðe utlages weorc gewyrce wealde se cyng ðæs friðes 7 gyf he bocland habbe, sy þæt forworht ðam cyngæ to hande, sy ðæs mannes man ðe he sy” [If anyone does the deed of an outlaw, the king alone shall have power to grant him security. And if he has land held by title-deed, it shall be forfeited into the hands of the king without regard to the
individuals attempting to dispute the provisions of *bocland* and resume control of the contested land. The frequency of such disputes shows that diplomatic provisions forbidding trespass against the recorded terms were not always successful insurance. Land (even *bocland*) could be lost as easily as it were gained. *Bocland* also carried some attendant civic responsibility, as evident in its reservation of the three common burdens. Richard Abels consequently has argued that *bocland* essentially is “a privileged but still dependent form of tenure” in which land is still “held directly of the king.” The idea of eternal possession is limited finally by the possibility of an intervening authority with the power to revoke both privileges and possession. The documents which authorized the possession of property and promised an eternal right of possession were indeed the same instruments that recorded and sanctioned the loss of land.

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2.4 Land in Writing: the Latin Diploma

Over one thousand diplomas survive from the Anglo-Saxon period, with approximately two hundred surviving in their original single-sheet form.\(^{58}\) Latin diplomas changed significantly in style over time, but they do display some consistent characteristics in form and layout. The royal diploma is composed of a series of distinct formal elements.\(^{59}\) The invocation usually begins with a short phrase such as *In nomine domini*, and sometimes bears a Chi-Rho monogram or a cross; the proem provides a preamble on some theme; the superscription provides the name of the king and his full title, and is usually delivered in the first-person; the disposition states the actual grant of property and its terms; the blessing and sanction threaten any future trespass on the diplomatic provisions; boundary clauses record property borders in an ambulatory catalogue of landscape features; and the witness list records the individuals who affirmed the document, listed in order of their social prominence. These formal elements also allowed some space for invention and literary showmanship, especially within the proem.

The form and language of a single-sheet diploma represents the grant of the land by recreating the immediate presence of the act itself: the diploma is presented in the voice of the king, while the subscriptions of the witnesses are likewise marked by the

\(^{58}\) Most diplomas have been preserved as copies in the cartularies of religious houses, and many have been truncated, forged, or altered in some way. The possibility of scribal tampering complicates the study of charters, but diplomatic texts still provide understanding of Anglo-Saxon land tenure and the attitudes toward land contained and promoted within those practices.

\(^{59}\) Simon Keynes has described the royal diploma as “essentially a combination of various discrete elements” which may include some or all of the following: “pictorial and verbal invocations, proem, superscription, dispositive section, immunity and reservation clauses, blessing and sanction, boundary and dating clauses, witness list, and endorsement” (Simon Keynes, *The Diplomas of King Æthelred the ‘Unready’ 978-1016: A Study in Their Use as Historical Evidence* [Cambridge: Cambridge University Press, 1980], at 6 and xiv).
first-person pronoun. The diploma furthermore embodies the land itself as the walking map of the boundary clause marks the margins and landscape features of the property. These acts of textual presence aspire to exist outside of time—the living voice of the king, the physical features of landscape, the political authority of the witnesses, and the possession and privileges provided over the land are all memorialized in the document. More than just insurance against future litigation, the royal diploma fixes both the grant and the property itself within a material text.

The diploma was introduced in England during the seventh century, most probably by Archbishops Theodore and Wilfrid, and was initially used to record and protect the privileges and lands of the Church. Eddius’s *Life of Wilfrid* provides a remarkable representation of ecclesiastical endowment by diploma in the later seventh century. At the consecration and dedication of a newly-constructed stone church at Ripon, Bishop Wilfrid reads out a list of donated lands to the assembled dignitaries. These donations have clearly been recorded in witnessed diplomas:


62 For a succinct discussion of Wilfrid’s career and his active role in facilitating large endowments of land to the Church, see John Blair, *The Church in Anglo-Saxon Society* (Oxford: Oxford University Press, 2005), 94-99.
Stans itaque sanctus Wilfrithus episcopus ante altare conversus ad populum, coram regibus enumerans regiones, quas ante reges pro animabus suis et tunc in illa die cum consensu et subscriptione episcoporum et omnium principum illi dederunt, lucide enuntiavit necnon et ea loca sancta in diversis regionibus quae clericus Brytannus, aciem gladii hostilis manu gentis nostrae fugiens, deseruit. Erat quippe Deo placabile donum, quod religiosi reges tam multas terras Deo ad servиendum pontifici nostro conscripserunt.63

[Then St Wilfrid the bishop stood in front of the altar, and, turning to the people, in the presence of the kings, read out clearly a list of the lands which the kings, for the good of their souls, had previously, and on that very day as well, presented to him, with the agreement and over the signatures of the bishops and all the chief men, and also a list of the consecrated places in various parts which the British clergy had deserted when fleeing from the hostile sword wielded by the warriors of our own nation. It was truly a gift well pleasing to God that the pious kings had assigned so many lands to our bishop for the service of God.] 64

The text here shows the Roman antipathy toward its British competition so familiar from Bede, and Jane Hawkes has regarded this ceremony as a public performance “clearly designed to celebrate the triumph of Roman ‘orthodoxy’ in a very material and highly visible manner.”65 Wilfrid’s recitation of endowed lands before an assembly of secular and ecclesiastical powers ceremonially includes the ecclesiastical estates within the consecration of a sacred site. The altar itself is adorned in purple and gold for the service,66 and the ceremony is followed by three days of feasting.67 The place of diplomas

63 Bertram Colgrave, ed., The Life of Bishop Wilfrid by Eddius Stephanus (Cambridge: Cambridge University Press, 1927), lines 11-19 at p. 36.

64 Ibid., 37.


66 “… altare quoque cum bassibus suis Domino dedicantes purpuraque auro texta induentes” (lines 9-10) [The altar also with its bases they dedicated to the Lord and vested it in purple woven with gold]. Colgrave, Wilfrid, 36 and 37.
in this extended performance shows their cultural prestige and their powerful conflation of secular and sacred endorsement ("cum consensu et subscriptione episcoporum et omnium principum") embodied within a document.

The endowment of land by diploma, however, was extended to (or appropriated by) laymen beginning in the eighth century (if not before) and it allowed families to secure and consolidate their property holdings.\textsuperscript{68} This practice was common enough by the early eighth century to warrant strong censure from Bede. In a letter written to Bishop Ecgberht in 734, Bede addresses a number of issues,\textsuperscript{69} but he is most pointed in his criticism of lay persons using diplomas to obtain hereditary property under the pretense of founding monasteries: "sunt loca innumera, ut nouimus omnes, stilo stultissimo in monasteriorum ascripta uocabulum, sed nichil prorsus monasticae conversationis habentia" [there are innumerable places, as we all know, allowed the name of monasteries by a most foolish manner of speaking, but having nothing at all of a monastic

\textsuperscript{67} "Deinde, consummato sermone, magnum convivium triu m dierum et noctium reges, cum omni populo laetificantes, magnamines in hostes, humiles cum servis Dei inierunt" (lines 21-23) [Then, when the sermon was over, the kings started upon a great feast lasting for three days and three nights, rejoicing amid all their people, showing magnanimity towards their enemies and humility towards the servants of God]. Ibid.

\textsuperscript{68} Blair, \textit{Church in Anglo-Saxon Society}, 79-134, provides an excellent discussion of the ways in which secular families looked to ecclesiastical endowment in the seventh and early eighth centuries as a means of controlling the possession and transmission of family land. The tenurial innovation of bookland provided a “situation in which minsters, founded and controlled by members of leading kindreds, received a sustained flow of endowments from those same kindreds at just the point when the advent of foreign conceptions of property gave them a privileged and immensely advantageous form of land-tenure. It does seem possible that some the ‘donors’ were, in a sense, giving to land to themselves” (ibid., 90).

\textsuperscript{69} Some of these issues include proper pastoral duty and conduct, the use of the vernacular in preaching, and the recommended installation of an archbishop at York. For discussion of the letter see Patrick Sims-Williams, \textit{Religion and Literature in Western England}, 600-800, CSASE 3 (Cambridge: Cambridge University Press, 1990), 126-30; Scott DeGregorio, “Bede’s \textit{In Ezram et Neemiam} and the Reform of the Northumbrian Church,” \textit{Speculum} 79 (2004): 1-25; and Blair, \textit{Church in Anglo-Saxon Society}, 100-108.
way of life].\textsuperscript{70} The abundance of such endowments, Bede claims, has created a shortage of land for endowing legitimate monasteries or rewarding faithful soldiers. This unjust allocation of property have been facilitated and protected through royal diplomas, and Bede condemns both the scribes (\textit{\`{m}endax stilus scribarum iniquorum} [the lying pen of wicked scribes]) and the documents themselves (\textit{irreligiosa et iniqua priorum gesta atque scripta} [the irreligious and unjust acts and writings of our predecessors]).\textsuperscript{71}

According to Bede, the land enjoined to false monasteries is essentially wasted since it can support neither genuine pastoral work nor provide for the defense of the kingdom. Such places, Bede argues, have accumulated enough land \textit{\`{u}t omnino desit locus, ubi filii nobilium aut emeritorum militum possessionem accipere possint} [that there is a complete lack of places where the sons of nobles or of veteran thegns can receive an estate].\textsuperscript{72} As a result, these men, deprived of hope for land of their own, often leave the same \textit{patria} that they should defend, or even worse, wallow at home in \textit{luxuriae} and \textit{fornicatio}.\textsuperscript{73} This abuse must stop, Bede warns, \textit{\`{n}e nostris temporibus uel religione cessante, amor timorque interni deseratur inspectoris, uel rarescente copia militiae secularis, absint qui fines nostros a barbarica incursione tueantur} [lest in our times by the ceasing of religion, love and fear of him whom sees into the heart be abandoned, or else, by the dwindling of the supply of secular troops, there arise a lack of


\textsuperscript{73} Plummer, \textit{Opera}, 1:415 (lines 14 and 17). Translation, \textit{EHD}, 805.
men to defend our territories from barbarian invasion]. Bede positions the just ownership of land as the cornerstone for the security of both nation and faith. In this framework, the larger consequences for a mismanaged or unjust distribution of property are dire indeed.

As a further consequence of this shortage of property, some laymen have secured estates in hereditary right under the pretense of founding a monastery on the land:

At alii grauiore adhuc flagitio, cum sint ipsi laici, et nullo uitae regularis uel usu exerciti, uel amore praediti, data regibus pecunia, emunt sibi sub praetextu construendorum monasteriorum territoria in quibus suae liberius uacent libidini, et haec insuper in ius sibi haereditarium regalibus edictis faciunt asscribi, ipsas quoque litteras priuilegiorum suorum quasi ueraciter Deo dignas, pontificum, abbatum, et potestatum seculi obtinent subscriptione confirmari.

[But others by a still heavier crime, since they are laymen and not experienced in the usages of the life according to the rule or possessed by love of it, give money to kings, and under the pretext of founding monasteries buy lands on which they may more freely devote themselves to lust, and in addition cause them to be ascribed to them in hereditary right by royal edicts, and even get those same documents of their privileges confirmed, as if in truth worthy of God, by the subscription of bishops, abbots, and secular persons.]

The laici in question have taken advantage of the protections and privileges offered by royal diplomas (“regalibus edictis”) to secure their interests. Like the laymen who have


76 Translation, *EHD*, 805.

77 Blair suggests that some of these grantees “could be representatives of long-standing local kindreds who were securing an over-king’s charter to convert existing family land into monastic property which was more stable and could be more tightly controlled” (*Church in Anglo-Saxon Society*, 104). This would indicate again that the security promised by bookland was seen as a means of providing some protection against political turmoil and a means of securing the possession of land over time.
disingenuously acquired these estates in hereditary right and inadequately imitated the monastic life, the bishops who approved the necessary documents were driven by the love of money (filargyria) “ad confirmandum male scripta” [to confirm the same wicked documents]. 78 Bede calls upon Ecgberht to halt this corruption, disregard the authority of these male scripta, and refrain from endorsing additional “inutiles scripturas ac subscriptiones” [hurtful documents and their subscriptions]. 79 As he closes the letter, Bede rails against these same diplomas, comparing their perceived legal authority to the veneration of pagan idols:

… quod ipsi uel similes ipsorum instinctu avaritiae uel luxuriae scrisserunt, quasi sanctum ac diuinitus caatum eradere atque emendare formidant, in morem, ni fallor, ethnicorum, qui, contempto ueri Dei cultu, ea quae ipsi sibi de corde suo finxerunt ac fecerunt, numina uenerantur, timent, colunt, adorant, et obscurant, dominica illa insectatione dignissimi, qua Phariseos, cum suas deuteroses legi Dei praeponerent, redarguit, dicens: ‘Quare et uos transgredimini mandatum Dei propter traditionem uestram?’ Qui si etiam cartas protulerint in defensionem concupiscientiarum suarum adscriptas, ac nobilium personarum subscriptiones confirmatas; tu nunquam, precor, dominicae sanctionis obliuiscaris, qua dicitur: ‘Omnis plantatio, quam non plantauit Pater meus caelestis, eradicabitur.’ 80

… [They] are afraid to erase and emend what they, or others like them, instigated by avarice or wantonness, have written, as if it were holy and secured by heaven itself; in the manner, unless I am mistaken, of the heathens, who despise the worship of the true God and venerate, fear, honour, adore and entreat as gods the things which they have themselves formed and invented in their hearts, meriting indeed that rebuke of our Lord’s, who refuted the Pharisees when they put their traditions before the law of God, saying: “Why do you also transgress the commandment of God for your tradition?” Even if they also produce charters drawn up in defence of their covetous acts, and confirmed with the subscriptions.

78 Plummer, Opera, 1:417 (lines 12-13). Translation, EHD, 806.
79 Plummer, Opera, 1:421 (lines 6-7). Translation, EHD, 809.
80 Plummer, Opera, 1:421 (lines 13-27).
of noble persons, never you forget, I pray, the decree of our Lord, in which it is said: “Every plant which my heavenly Father hath not planted, shall be rooted up.”\textsuperscript{81}

According to Bede, this abuse of a documentary device originally intended to protect and provide for ecclesiastical interests gravely threatens the common good. Bede represents this threat through a series of biblical allusions to deprivation engendered by avarice; greed most importantly is responsible for casting the angels out of heaven and for expelling the first created beings from paradise.\textsuperscript{82} The greed of laymen and bishops alike has exposed the English to a similar danger—what God did not plant will be rooted up, Bede warns. The exploitation of diplomas for secular gain threatens both the safety of the earthly kingdom and the salvation of its citizens. The imminent barbarica incursio threatens the security of the English, just as the human expulsion from paradise represents displacement in sacred history. Bede’s connection between national land and heavenly paradise, between political security and salvation, becomes a regular component of writing land in Anglo-Saxon England.

Bede’s letter provides valuable insight into the authority and respect which royal diplomas could invoke. These documents could act not only as legal instruments or written records, but as solemn ritual objects imbued with ceremonial power (as we have seen in Wilfrid’s performance at Ripon). Consequently, land grants themselves could be endowed with a sacred authority, a process which Bede depicts as an affront to God.

\textsuperscript{81} Translation, \textit{EHD}, 809.

\textsuperscript{82} Avarice “angelos a caelo deiecit; et protoplastos a Paradiso perpetuae uoluptatis expulit” (Plummer, \textit{Opera}, 1:422 [lines 24-25]). [(Greed) cast out the angels from heaven, and expelled the first created beings from a paradise of perpetual delight.] Translation, \textit{EHD}, 810.
Sufficient parallels exist in recorded practice to justify Bede’s concerns. Many grants of land, for example, are recorded in gospel books, and the granting of a diploma itself at times was accompanied with ritualistic ceremony, with sods of land being placed on the gospels or charters being laid on the altar. A Sherborne charter dated to 864, for example, contains a confirmation clause which describes King Æthelberht placing the document on the high altar: “Pa æfter þyssum hit gelamp þan ilcan geare þæs þe þis on midne winter wæs gedon. þæt Æþelbreht se cining on frigedæg twam nihtum ær estron þisne freols mid his agenre hande unnende mode ufan in þone heah altare alegde æt ham æt Scirebuman” [Then after this it came to pass in that same year that this was done in midwinter: that on the Friday two days before Easter, Æthelberht the king with his own hand and willing heart laid this charter on the high altar at the house at Sherborne]. The granting of a diploma is again played out in a public scene which conflates secular and sacred authority.

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83 Robertson, *Anglo-Saxon Charters*, nos. 71 (S 1281a) and 80 (S 1464) at pp. 144 and 154.

84 This practice is recorded in a grant of King Coenred to Abbot Bectun, dated somewhere between 670 and 676 (S 1164): “Nam earundem supradi ctarum cespites pro ampliori firmitate euuangelium superposui, ita ut ab hac die tenendi, habendi, puussidendi in omnibus liberam et firmam habeat potestatem” (S. E. Kelly, ed., *Charters of Shaftesbury Abbey*, Anglo-Saxon Charters 5 [Oxford: Oxford University Press, 1996], no. 1a at p. 3). [Now I have placed for more complete security sods of the above-mentioned lands on the gospels, so that from this day he may have in all things free and secure power of holding, keeping, possessing.] Translation, *EHD*, 481. See also S 1258.

85 Cnut ceremonially placed charters on the altar at Christ Church in order to demonstrate both the authority of the documents and his own commitment to their recorded grants: “Pa nam ic me sylf þa freolas 7 gelede hi uppan Cristes agen weofod on þæs arceb[iscopes] gewitnysse. 7 on þurkilles eorles. 7 on manegra goddra manna þe me mid væron” [Then I myself took the charters of freedom and laid them on Christ’s own altar, with the cognisance of the archbishop and of Earl Thurkill and of many good men who were with me]. F. E. Harmer, ed. and trans., *Anglo-Saxon Writs*, 2nd ed. (Manchester: Manchester University Press, 1952), no. 26 at p. 182. See also S 1258.

A striking artistic representation of such ceremonial investment appears in the Winchester New Minster charter of 966 and its full-page gold-adorned frontispiece depiction of Edgar, flanked by the Virgin Mary and St Peter, presenting the charter to Christ enthroned in Heaven and holding the Book of Life. On the opposite folio a short Latin verse appears written in gold uncial characters, while the following long text, known as the “New Minster Foundation Charter,” is also written in gold ink. The document utilizes diplomatic conventions (such as an invocation, proem, blessing and sanction, and a distinguished witness list) but it also contains extended matter on proper monastic rule. Within this hybrid form, Alexander R. Rumble observes, the document advances “an elaborate theological argument” which draws parallels “between the ejection of the secular canons and firstly the Fall of the Lucifer and his Angels and secondly the Fall of Adam and his ejection from Paradise, all three acts of expulsion being presented as God’s punishment for sins of disobedience committed through pride while in a position of privilege relative to Him.” This argument utilizes images of forfeiture drawn from sacred history to legitimate its own position in an ecclesiastical dispute, while its presentation within a diplomatic form accentuates its tenurial basis. The

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88 “SIC CELSO RESIDET SOLIO QUI CONDIDIT ASTRA / REX VENERANS EADGAR PRONUS ADORAT EUM” [Thus he who fashioned the stars sits on a lofty throne; King Edgar, inclined in reverence, worships him]. Ibid., 70. Michael Lapidge has suggested that these lines were composed by Æthelwold and that Æthelwold himself may have been responsible for the composition of the New Minster charter. Michael Lapidge, “Æthelwold as Scholar and Teacher,” in his Anglo-Latin Literature: 900-1066 (London and Rio Grande: Hambledon Press, 1993), 183-211 at 190-91.

89 Rumble, Property and Piety, 67-68.
New Minster charter was a unique production, but it testifies nonetheless to the symbolic power manifest in the royal diploma and the capacity of tenurial forms and language to inform a range of textual productions.

In addition to their ritualistic aspects and legal authority, diplomas gained prestige through their ecclesiastical rhetoric and sanction. The formal elements of royal diplomas emphasize the ecclesiastical sanction of the grant of property, even when the grants in question did not directly involve the Church or even challenged its interests. Nicholas Brooks sees this ecclesiastical element as crucial to the unique textual authority of the charter: “Their authenticity was purely religious and ecclesiastical—hence the pictorial and verbal invocations to God, and the pious preambles and anathemas, even in grants to laymen; hence too the use in the earliest charters of uncial and majuscule scripts that were normally reserved for sacred books, and the association of charters with gospel books and with ceremonies at the altar of an important church.”

We have already seen the ceremonial uses of charters, but Brook’s comment also points to the prestigious style of Latin diplomas. The invocations, proems, and anathemas can be quite elaborate in these texts, providing the document with a presence that goes beyond any utilitarian function as a title-deed or documentary record. Stenton remarked that the Latin diploma “was the most solemn form of record that human wit could devise. Drafted by unskillful hands it might become obscure but it was always impressive.”

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91 Stenton, Latin Charters, 49.
Beginning in the tenth century, the language of diplomas became increasingly ornate and sophisticated, featuring hermeneutic Latin and complex alliterative and rhythmical phrases. The conspicuously grand style of these particular diplomas is due in part to the hermeneutic style in vogue at the time, but its use also constitutes an attempt to employ artistic language to contain the pressing awareness that the possession of land was contingent on any number of social pressures. A few examples should demonstrate both the verbosity of these texts and the tension between the eternal and finite which they attempt to negotiate.

Our first example comes from a diploma of King Edgar dated to 960. In this diploma, Edgar restores several estates to a Wulfric who had previously forfeited the land for some unspecified offense. The diploma begins with a weighty reflection on the need for legal documentation in a precarious world:

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Quamuis enim regalium dignitatum decreta et saluberrima regnorum consilia manente immunitatis singrafa iugiter fixa firmaque perseverent . adtamen quia non [n]umquam tempestates et mundi turbines fragilem uite cursum humane pulsantes contra diuina supernæ affirmationis ac legitima iura illidunt . Idcirco ordine litterarum ac cartarum scedulis sunt roboranda ne fortuitu casu
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successorum progenies posterorum ignorato precedentium patrum cirographo inextricabilem horendorum barathrorum uoraginem incurrat. 

[For although the decrees of royal authority and the most sound deliberations of kingdoms may continually persist as fixed and firm in enduring contract of immunity, nonetheless, because the storms and whirlwinds of the world sometimes dash against the fragile course of human life, seething in defiance of the divine and just laws of heavenly affirmation, they must be reinforced through writing and charter sheets lest by unfortunate chance, the line of generations to come should, through ignorance of the contract made by their fathers before them, hurtle into the inescapable maw of the terrible abyss.]

This proem affirms the stability of royal decrees and their preservation in writing, but it also agonizes over the possibility that documentation might not be enough to insure against an uncertain future. The diploma itself restores the eternal possession of estates to a man who most likely had already received that privilege in the past and then had it revoked in consequence of some crime he had committed. This diploma asserts the lasting authority of legal documents and the perpetuity of possession while also providing abundant evidence that those assertions were not guaranteed.

We see a similar contradiction in terms in another of Edgar’s diplomas dated to 958. This diploma records a grant of land to an Ealhstan in exchange for forty mancuses of gold. It begins with the following proem:

Cunctipotens pater arce superna sedens pronam . labilemque humani generis conspectans fragilitatem . unigenitum suum per quem secula ineffabili relatu dispositum nobis ad nostra crimina delenda misit . Constat namque ejusdem piii

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The Almighty Father, occupying the heavenly citadel, observing the declining and fleeting frailty of the human race, sent to us his only-begotten Son, through whom he ordered the ages with ineffable redemption, for the deletion of our sins. For the will of the same gracious Creator resolved, and his mercy conceded, that anyone could buy with the lowest things the highest, with the terrestrial things the celestial, [and] with the things that perish, acquire those which will last for ever.\textsuperscript{95}

This proem casts an entirely secular transaction in a rhetoric of salvation, investing the sale of land with an authority emanating not only from Edgar, king “divina favente gratia” [by the favour of divine grace], but also from God, the “cunctipotens pater” [Almighty Father]. The document grants the property “ut habeat et semper æternaliter possideat cum omnibus bonis ad illam terram rite pertinentibus et quicquid exinde facere voluerit potestatem habeat faciendi” [that he may have it and always possess it eternally, with all benefits duly belonging to that land, and that he may have the power to do with it whatever he shall wish to do].\textsuperscript{96} These ambitious terms claim to transcend time and changeability, promising an unlimited potestatem, but they do so within a text also claiming that all the things of this world inevitably fail. Like S 687, this diploma cannot evidences a strain between its rhetorical content and its tenurial function.

Latin diplomas frequently assert timeless possession while also insisting that earthly possessions are limited. A charter of Æthelred II from 995 provides another

\textsuperscript{94} S 677; CS, vol. 3, no. 1040 at p. 242. The diploma survives as an original single sheet.

\textsuperscript{95} Translation, EHD, 558.

\textsuperscript{96} CS, vol. 3, no. 1040 at p. 243. Translation, EHD, 558.
example of a proem endorsing both the promise of eternal possession and the inevitability of loss:

[The Disposer of heaven and earth and Vanquisher of hell reigning from age to age. The condition of the tottering universe declines on every side and is shaken with severe whirlwinds, but by the help of the divine omnipotence it is nevertheless strengthened with the support of great men, lest it should seem improvidently to be ruined by feeble vacillation; while it is regulated by the authority of such great primates as long as the strength of the Christian name prevails and the rights of kingdoms are governed by provident dispensation; whence those whom the fortune of this age sports with by its feeble motion, ought especially to be vigilant to acquire those joys which are not for one year but for ever, that by the distribution of temporal treasures they may deserve to gain the support of the eternal bounty.]

This proem (unique to this diploma) disavows the earthly as failing and finite in the same gesture that affirms the use of the temporal as a means of obtaining the eternal. These are not paradoxical concepts, but they do present conflicting valuations of earthly property as something that is both essentially worthless and essential. Like S 677, this document records a secular transaction, but it aggressively frames land tenure within the rhetoric of

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97 S 886; Kelly, Abingdon, vol. 2, no. 126 at pp. 489-90. The diploma survives in two thirteenth-century copies, and as a transcript of a lost single sheet made in the sixteenth century by Robert Talbot (ibid., 492).

98 Translation, EHD, 573.
salvation and redemption. Yet this diploma clearly contains something of a contradiction: after declaring that the goods of this world will pass away in time, Æthelred grants the property to Wulfric in perpetuam hereditatem. In other words, the diploma promises something that it also claims does not exist. After its affirmation that the inconstant world is stumbling toward ruin, the diploma bravely defies mutability in its endowment of property. This contradiction becomes even more interesting when the diploma later reveals that the previous owner of the land, one Æthelsige, had lost the property after he committed theft.

Nam quod hominis memoria transsilit litterarum indago reseruat; unde hec legentibus est intimandum quia hoc prefatum rus per cuiusdam uiri infandæ presumptionis culpam qua audacter furtiue se obligare non abhorruit, cui nomen Æðelsige parentes indidere, licet foedo nomen dehonestauerit flagitio, ad mei iuris deuenit arbitrium atque per me reuerendo ut iam ante præfatus sum conlatum est ministro. ⁹⁹

[For, what the memory of man lets slip, the circumscription in letters preserves; hence it ought to be made known to readers that this aforesaid estate came into the control of my possession through a crime of unspeakable presumption of a certain man, to whom his parents gave the name of Æthelsige, although he disgraced the name by a base and shameful act; in that he did not shrink from audaciously committing theft; and, as I have said above, it was conferred by me on the honorable thegn]. ¹⁰⁰

The draftsman incorporates several ornamental features here: the statement that writing can save what fails in memory, a play on the meaning of Æthelsige’s name, and a stylistic

¹⁰⁰ Translation, EHD, 574.
amplification of the enormity of his crime. The diploma then shifts to English to describe Æthelsige’s offense:

[Thus was the land at Dumbleton forfeited which Æthelsige forfeited into King Æthelred’s possession: it was because he stole the swine of Æthelwine, the son of Ealdorman Æthelmer; then his men rode thither and brought out the bacon from Æthelsige’s house, and he escaped to the wood. And he was then outlawed and his land and his goods were assigned to King Æthelred. Then he granted the land in perpetual inheritance to his man Hawas; and Wulfric, son of Wulfrun, afterwards obtained it from him by exchange with what was more convenient to him, with the king’s permission and the witness of his councillors.]¹⁰²

This vernacular narrative makes it clear that the diploma was drafted to confirm Wulfric’s possession of the property, while the episode itself was included, as Susan Kelly has claimed, “to forestall any future claims by Æthelsige’s kindred.”¹⁰³ The estates had been held on ece yrfe by a number of individuals and the vernacular text makes it clear that eternal possession was subject to commercial exchange. The episode presents a messy history for a property that seems prone to later litigation. The grandeur of the diplomatic language coupled with the vernacular account of less-than-noble forfeiture

¹⁰¹ Kelly, Abingdon, vol. 2, no. 126 at p. 490. Abbreviations expanded.
¹⁰² Translation, EHD, 574.
¹⁰³ Kelly, Abingdon, vol. 2, no. 126 at p. 493.
demonstrates how writing about land could represent the stylized promise of continuity while also containing traces of past displacement. In the witness list, King Æthelred confirms the diploma *indeclinabiliter*. This particular diploma contains abundant evidence that confirmations of land were anything but fixed in Anglo-Saxon England.

These diplomas admittedly contain commonplaces of religious rhetoric, but this conventional aspect should not encourage us to regard these sentiments as simple verbal padding or a compositional reflex. In her work on Old English homilies, Clare Lees has argued that rhetorical conventions help construct and maintain culture and belief. Lees suggests that homilies should be considered not only statements and commentaries on aspects of the Christian faith, but also “a matter of religious practice, a set of constitutive discourses that construct, through reiteration, that meaning in the world.” Conventional ideas assume cultural force through repetition and intersection with other texts. Latin diplomas make a persistent connection between land and redemption while expressing anxiety over worldly transience, producing a theoretical counterpoint in which the eternal is always shadowed by the finite. This uneasy set of diplomatic concepts participates in the construction and maintenance of the “constitutive discourses” surrounding land within Anglo-Saxon England. The discourse of land tenure, however, was not confined to diplomatic and legal texts; it functioned under multiple textual conditions in both Latin and English to facilitate both practical and philosophical considerations of property.

2.5 Tenure in Translation

As we have seen, Anglo-Saxon land tenure was well represented in Latin texts by the ninth century. The concepts and terms driving those practices began to move from Latin documents into vernacular texts, including several texts associated with King Alfred’s translation program. The use of the word *boeland* in these vernacular texts provides a specific case study for the ways in which tenurial practices contained ideas about holding land that could move and develop across texts, including straight renderings of legal concepts from Latin into English as well as more ambitious metaphorical treatments of those concepts.\(^\text{105}\) This process demonstrates the interplay between texts and what Said calls the “way in which groups of texts, types of texts, even textual genres, acquire mass, density, and referential power among themselves and thereafter in the culture at large.”\(^\text{106}\) The ranging textual attention to dispute and displacement bears witness to an abiding awareness that claims to land in early medieval England were tenuous and vulnerable to sudden change.

The term *boeland* appears several times in the *Old English Bede*, signifying in each case a grant of land from a king to an ecclesiastical community. The first use of *boeland* in the text shows King Æthelberht granting estates to Bishops Mellitus and Justus and their communities: “Ond se cyning æghwæðerum þissa biscopa his gyfe sealde

\(^{105}\) Two other Old English words are notably related to *boeland*: the verb *(ge)boician* (to give [a grant of land] by charter) and the related phrase *(ge)boician on ece yrfe* (to give [a grant of land] by charter in perpetuity), with over 200 occurrences; the noun *bocung* (conveyance, transference of land by deed or charter; also the written document by which this transference is effected), with two occurrences. *DOE*, s.v. “boician,” “gebocian,” and “bocung.”

7 bocland 7 ahete, him to brucanne mid heora geferum”  

[And the king granted his gifts to each of the bishops, *bocland* and possessions, for them to enjoy with their companions]. The translator has rendered “territoria ac possessiones” with “bocland 7 ahete,” suggesting that Æthelberht has provided land to the communities at London and Rochester as booked estates.  

While it renders *territoria* closely, *bocland* is not a literal translation; the translator could have simply provided *lond*, for example. *Bocland* captures the specific tenurial practices involved in a royal endowment to a monastery, but as a compound word it links land to writing and contains the promise of eternal possession.

*Bocland* also occurs in Book III of the *Old English Bede* when King Oswiu looks to God for help against the depredations of Penda, the heathen king of Mercia. Oswiu vows to repay the divine assistance he receives against his enemy: “Ond he þa gehet, gif Drihten him sige sellan wolde, þæt he wolde his dohtor Gode forgeofan 7 gehalgian in clænum mægðhade; ond swelce eac twelf boclanda æhte þæt he Gode geaf mynster on to timbrenne” [And then he promised that if the Lord would give him victory, he would give and consecrate his daughter in pure virginity, and give possession of twelve booked estates to God for the building of a monastery]. As above, *bocland* in this case signifies a

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108 The Latin reads, “In qua rex Aedilberct ecclesiam beati Andreae apostoli fecit; qui etiam episcopis utriusque huius ecclesiae dona multa, sicut et Doruernensis, obtulit, sed et territaria et possessiones in usum eorum, qui erant cum episcopis, adiecit” [and in it King Æthelberht built the church of the apostle St. Andrew; he later bestowed many gifts on the bishops of each of these churches and that of Canterbury; and he also added both lands and possessions for the maintenance of the bishops’ retinues]. Colgrave and Mynors, *Ecclesiastical History*, lines 20-24 at p. 142 and lines 21-24 at p. 143.

109 Miller, *Old English Bede*, 1:234 (lines 31-33) and 1:236 (line 1).
grant of land to a monastery: “twelf boclanda æhte” translates “XII possessiones praediorum ad construenda monasteria” [twelve small estates to build monasteries].

*Bocland* here renders *praedium* (estate). After Oswiu gains a decisive victory, he honors his vow by consecrating his daughter Ælfflæd to the Church and granting the promised twelve estates:

> Þa dyde Osweo se cyning, æfter þon þe he Drihtne gehet, 7 for ðan forgifenan sige Gode þonc sægde, ond Ælfflæde his dohtor Gode forgef, 7 him gehalgode ecre clænnisse. Ond eac swilce þa twelf boclond him gefroede eorðlices comphades 7 eorðlicre herenisse to bigongenne þone heofonlican comphad, 7 to munucstowum gesette, 7 him weorulds pede 7 æhte forgeaf, þæt heo scoldon for hine þingian 7 for sibbe his þeode. Wæs þæs londes ealles hundtwelftig hida, syxtig in Dera mægde, syxtig in Beornicum.

[Then King Oswiu acted according to what he had promised the Lord, and gave thanks to God for the granted victory, and gave his daughter to God, and consecrated [her] to him in eternal chastity. And he also freed the twelve booked estates from earthly warfare and earthly obedience in order to practice heavenly warfare and to establish monasteries, and he gave them worldly wealth and possessions so that they should pray for him and for the peace of his people. There were 120 hides of all this land, sixty in Deira and sixty in Bernicia.]

*Bocland* in this example translates “possessiunculis terrarium” (small estates). In the *Old English Bede*, *bocland* consistently renders the early practice of royal endowments to

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110 Colgrave and Mynors, *Ecclesiastical History*, at p. 290 (lines 11-12) and p. 291 (lines 12-13).


112 “Tum rex Osuiu, iuxta quod Domino uouerat, pro conlata sibi victoria gratias Deo referens dedit filiam suam Aelfflædam, quae uixdum unius anni aetatem ingleuerat, perpetua ei virginitate consecrandam; donatis insuper XII possessiunculis terrarum, in quibus ablati studio militiae terrestris ad exercendam militiam caelestem supplecandumque pro pace gentis eius aeterna devotioni sedulae monachorum locus facultasque suppeteret. E quibus uidelictet possessiunculis sex in prouincia Derorum, sex in Berniciorum dedit” [Then King Oswiu, in fulfilment of his vow to the Lord, returned thanks to God... ]
ecclesiastical grantees even though the text contains no explicit reference to these grants being commemorated by charter or to any intention of perpetual tenure.

The Old English Orosius contains a use of *bocland* which follows the sense of the word evident in the Old English Bede. The word appears only once in this text, and despite its anachronistic use, appropriately signals issues of legitimate possession of land:

“Æfter þæm þe Romeburg getimbred wæs dc wintrum 7 xxi, Luci[n]ius Crassus se consul—wæs eac Romana ieldesta biscep—he gefor mid firde ongean Aristonicuse þæm cyninge, se wolde geagnian him þa læsson Asiam, þeh þe ær Attalis his agen broðor hæfde Romanum to boclande geseald”\[113\] [After the city of Rome had been built for 621 years, the *consul* Licinius Crassus, who was the chief priest of the Romans, went with an army against King Aristonicus, who wished to take Asia minor for himself, although his own brother Attalidus had given it to the Romans as *bocland*]. The origin of the manuscript exemplar for the Old English Orosius remains uncertain beyond the possibility that “it may have been of English or Irish provenance.”\[114\] As a result, one cannot with certainty establish a comparison between a specific word or phrase in the Old English text and its Latin source material. Zangemeister’s edition of Orosius, however, does provide an approximate base text for evaluating the translator’s use of *bocland*. The

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\[113\] Janet Bately, ed., *The Old English Orosius*, EETS, s. s. 6 (London and New York: Oxford University Press, 1980), lines 1-5 at p. 118.

\[114\] Ibid., lx.
parallel passage in Zangemeister reads, “Anno ab Urbe condita DCXII P. Licinius Crassus consul et pontifex maximus adversus Aristonicum Attali fratrem, qui traditam per testamentum Romanis Asiam pervaserat”\textsuperscript{115} [621 years after the founding of the city, P. Licinius Crassus, \textit{consul} and the leading \textit{pontifex}, (went) against Aristonicus, brother of Attalus, who had overcome Asia, which had been legally bequeathed to the Romans]. The Anglo-Saxon translator seems to have rendered \textit{per testamentum} as \textit{bocland}, thereby capturing the legality of the Roman claim on the land and establishing Aristonicus’ own presumption in trespassing against the hereditary rights his brother had transferred to Rome. Even though \textit{bocland} appears here in a secular sense, the translator may have been led its use in part by the fact that Licinius Crassus was both \textit{consul} and \textit{pontifex maximus} (which the translator renders as “Romana ieldesta biscep”). As the ninth-century translations of Orosius and Bede demonstrate, \textit{bocland} frequently was associated with the ecclesiastical institutions that had ushered it into regular practice.

\textit{Bocland} again appears in the context of ecclesiastical land tenure in Ælfric’s homily \textit{Depositio Sancti Cuthberti}. In the relevant episode, Cuthbert drops his knife at the dinner table after being startled by a vision of a soul ascending to the heavens. His hostess, the abbess Ælfflæd, asks her guest why he appears so shaken: “Đa cwæð se bispoc mid onbryrdum mode; Efne nu ic geseah englas ferigan gesælige sawle of ðinum boclande to healicre heofenan mid halgum sange”\textsuperscript{116} [Then the bishop said with an

\begin{itemize}
  \item \textsuperscript{116} Malcolm Godden, ed., \textit{Ælfric’s Catholic Homilies, Second Series}, EETS, s.s., 5 (Oxford: Oxford University Press, 1979), lines 295-300 at pp. 89-90.
\end{itemize}
inspired spirit: ‘Just now I saw angels traveling with a blessed soul from your bocland to the lofty heavens in holy song’]. This use of bocland is consistent with its sense in the earlier translations as an estate held in hereditary right. According to Malcolm Godden, Ælfric used a number of Latin sources for this homily: primarily Bede’s *Historia ecclesiastica* and his metrical life of Cuthbert, with some material drawn from both the anonymous vita and Bede’s prose vita. Each of these sources attests to the use of bocland as a standard gloss for Latin terms connoting an estate of property. Of the possible Latin sources, *Historia ecclesiastica* contains no reference to Cuthbert’s vision of the man falling from the tree, and the anonymous prose vita only specifies that the man had been “ex familia tua” [from your household]. Bede’s prose vita, however, offers a fuller account which specifies that the scene occurs on an estate held by Ælfflæd’s monastery. At her request, Cuthbert “venit ad possessionem monasterii ipsius … Nam et ipsa possessio non pauco famulorum Christi examine pollebat” [he came to an estate belonging to her monastery … For the estate contained no small number of the servants of Christ]. When Ælfflæd inquires about the place of the soul’s ascension, Cuthbert answers that it has come “de tuo monasterio” [from your estate]. In Ælfric’s homily *bocland* renders *possessio*, just as it does in the *Old English Bede*.

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118 Bertram Colgrave, ed. and trans., *Two Lives of Saint Cuthbert: A Life by an Anonymous Monk of Lindisfarne and Bede’s Prose Life* (Cambridge: Cambridge University Press, 1940), line 9 at p. 126.

119 Ibid., lines 4-7 at pp. 262 and 263.

120 Ibid., lines 28-29 at pp. 262 and 263.
Bede’s metrical *vita* confirms this sense in its indication that the deceased man had been a resident of Ælfflæd’s own estate:

> Venerat angelicus,’ respondit, ‘ab aethere coetus, Deque tuis secum praelecto milite castris Aurea dulcisonis remeabat ad astra triumphis.’

[“An angelic host had come from heaven,” he answered, “And with a soldier chosen from among your own camps it returned to the gilded stars in sweetly resounding processions.”]

The translations surveyed thus far all show *bocland* as land granted into hereditary right and carrying certain privileges and freedoms. The term renders this sense in these examples without any further connotation or signification beyond the practical tenurial implications. Several manuscript glosses corroborate this literal sense of *bocland* and testify to its familiarity and frequency of use. *Bocland* appears in London, British Library, Cotton Tiberius C. ii (Gneuss 377) as a gloss for *possessiunculis terrarum* in Bede’s *Historia ecclesiastica*. It also appears as a gloss for *fundus: fundi grundas vel boclandes;* and *fundos bocland vel landrice.* Finally, it twice appears as a gloss for *alodium* in the *Institutio Cnuti: in alodio id est bocland* (I:11); and *allodium bocland* (II:13.1). In addition, the twelfth-century *Quadripartitus* glosses *terram testamentalem*

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as *bocland*, recalling the use of *bocland* to translate *per testamentum* in the *Old English Orosius*. Bocland, then, frequently provides a literal translation for land held in hereditary possession. Other Old English texts, however, adopt the terms and concepts of land tenure in order to reflect upon salvation and loss in the vernacular.

Perhaps the most well-known example of tenurial imagery in a philosophical context appears in the preface to the Old English *Soliloquies*, attributed to King Alfred. In the preface, Alfred uses images of woodcutting and building as metaphors for a life of good works and scholarship. He then imagines Anglo-Saxon land tenure as an apt metaphor for salvation. Learning and reflection, Alfred hopes, will show the most direct way “to þam ecan hame, and to þam ecan are, and to þare ecan reste”127 [to the eternal home, and to eternal glory, and to the eternal rest]. The noun *ar* can signify both glory and landed property, however, allowing *ecan are* to signify both eternal glory and eternal property.128 The association between land and salvation becomes explicit in the preface’s conclusion:

> ac ælcre man lyst, siððan he ænig cotlyf on his hlafordes læne myd his fultume getimbred hæfð, þæt he hine mote hwilum þar-on gerestan, and huntigan, and fuglian, and fisian, and his on gehwilce wisan to þere lænan [æhte] tilian, ægþær ge on se ge on lande, oð þone fyrst þe he bocland and æce yrfe þurh his hlafordes miltse geearnige.129

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126 “Et si terram testamentalem habeat (que Anglice dicitur bocland)” (*Gesetze*, 1:317).


128 *DOE*, s.v. “ar,” c.1 and c.3.

[And it is pleasing to any man, after he has build any dwelling on his lord’s loan with his aid, that he may rest himself therein for a time, and hunt, and fowl, and fish, and work his loaned possession there in his own fashion, both on sea and on land, until the time when he might earn bocland and an eternal inheritance through his lord’s mercy.]

The passage distinguishes between the temporary benefits of land used “on his hlafordes læne” (presumably land held on lease) from the “æce yrfe” (eternal inheritance) provided by bocland. Alfred uses the language of land tenure to contrast the transitory rewards of earthly life with the eternal rewards of heaven. Bocland here represents not only land granted and recorded by diploma, but also the ece yrfe of heaven, the eternal land promised in a religion of the book and made more accessible through the writings of the holy fathers.¹³⁰

A more sustained treatment of bocland appears in the homily Vercelli X. This homily combines several Latin sources into an exposition on the conventional theme of the transitory nature of worldly goods and prosperity.¹³¹ The homily contains several narrative movements, including an exposition on Christ’s Incarnation and salvation, a vivid rendering of the Last Judgment, a dramatization of the parable of the wealthy man

¹³⁰ Christine Fell has suggested that tenurial practices provided the basis for poetic homiletic treatments of transience: “… it is arguable that it was precisely this practical distinction between two forms of land tenure that gave rise to the regular use of læne in poetic and homiletic antithesis to ece” (Christine Fell, “Perceptions of Transience,” in The Cambridge Companion to Old English Literature, ed. Malcolm Godden and Michael Lapidge [Cambridge: Cambridge University Press, 1986], 172-89 at 174). This is an attractive suggestion. The surviving evidence suggests that the terms bocland and lænland came into regular use only in the late ninth century, but the forms of tenure they represent were established in England by the late sixth century. Fell also makes the point that boc can mean both charter and the gospels in Old English, further facilitating the association between land tenure and salvation (ibid.).

in Luke 12:16-21, a meditation on the transient world, and an *ubi sunt* catalogue. Despite the thematic range in these sections and the different Latin source material informing each of them, Scragg argues that Vercelli X should be read as an essentially unified work rather than an accomplished piece of patchwork: “The whole piece is carefully and cleverly constructed, the sources often supplying little more than basic ideas which are expanded and redeveloped. The similarity of method in the use of the three known sources argues for the whole homily as it survives having been composed by a single author, probably in English rather than Latin.”

An examination of the use of *bocland* within the context of the entire sermon shows that the homilist has skillfully incorporated ideas drawn from tenurial practices and documents and extended them into a meditation on faith and redemption.

In its early stages, the homily begins to weave into its exposition several references suggestive of landed property and its legal security. Many of these references are oblique and circumstantial, but they accumulate greater presence as the homily nears its conclusion. The first reference appears early in the homily in its notice that Christ came from the heavenly kingdom “hyder on þas eorðan, 7 him þas cynerico on his anes æht ealle geagnian” [here on this earth, and claimed this kingdom for himself entirely into his own possession]. These lines show Christ assuming earthly authority, and *cynerice* implies the leadership and possession of an earthly kingdom. The homily later extends this idea of Christ as earthly ruler in its vision of salvation being accomplished.

132 Ibid., 192.

133 Ibid., lines 13-14 at pp. 196-97.
through a documentary act. Before the coming of Christ, the homilist claims, we were as orphans dispossessed; through his mercy, however, our right to the heavenly kingdom has been reinscribed and renewed:

Ær þan we wæron steopcild gewordene, ða we wæron bewerede þæs hiofoncundan rices, 7 we wæron adilgode of þam þryðfullan frumgewrite ða we wæron to hiofonum awritene. Wæron we nu syþan amearcode þurh þone soðan scyppend 7 þurh þone lyfigendan [God] 7 þurh þone acennedan sunu, urne dryhten, to þan gefean neorxnawanges. ¹³⁴

[Before then we had become orphans when we were forbidden from the heavenly kingdom, and we were erased from the glorious original charter when we were recorded for heaven. We were then marked down afterwards through the true Creator, through the living God, and through the born Son, our Lord, into the joys of paradise.]

No Latin source has been located for these lines. The documentary process depicted here draws its force from the theological resonance between land and salvation so familiar from royal diplomas. The compound *frumgewrit* signifies a foundational document, the original diploma which granted eternal right to *neorxnawang* (paradise). ¹³⁵ Although dispossessed of this land through original sin, the faithful have had their rights restored through the sacrifice of Christ. Vercelli X incorporates concepts and language drawn from land tenure by using a foundational diploma, or a *frumgewrit*, as a metaphor for the promise of salvation renewed through Christ. These lines invoke the familiar social practice of the granting or renewal of estates by diploma.

¹³⁴ Ibid., lines 35-40 at p. 198.

¹³⁵ This homily survives in several different versions, but *frumgewrit* is unique to its text.
The homily extends this parallel between salvation and land tenure in its scene of the Last Judgment when the devil, “se frecna feond” [the terrible enemy], demands that God honor his claim to the souls of the damned. This powerful set-piece greatly expands on its Latin source, chapter 62 of Paulinus of Aquileia’s *Liber exhortationis ad Henricum comitem*, by transforming the devil into an impassioned petitioner pleading his case before a judge. “Se wiðerwearda feond” [the contentious enemy] describes himself as a harper who has artfully enticed sinners to follow and honor him: “Ac ðonne ic mine hearpan genam 7 mine strengas styrian ongan, hie ðæt lustlice gehyrdon, 7 fram þe cyrdon 7 to me urnon”\(^{136}\) [And when I took my harp and began to stroke my strings, they heard that with pleasure, and turned from you and ran to me]. The devil depicts the sinners as traitors to their lord, arguing that they “þin cynerice eal forgeaton” [they all forgot your kingdom] and “mishyrnesse gewrecan” [wrought acts of disobedience].\(^{137}\)

These lines recall the earlier image of Christ as the holder of a *cynerice*, a political motif which culminates as the *hælend* speaks “worda grimmost” [the sternest of words] and casts the traitorous sinners into damnation. The loss of paradise as a punishment for disobedience recalls the law-codes and their own penalties for treason. The scene stages forfeiture in salvation history, keeping tenurial process securely in view of its audience.

The homily moves to an admonition to avoid such damnation and makes a specific appeal to exercise charity. The homilist draws from a new source at this point (pseudo-Augustine, *Sermo* 310) as he presents the parable of the rich man from Luke


\(^{137}\) Ibid., lines 88 and 100 at p. 201.
12:13-21. Christ rebukes the rich man for his foolish confidence in his own prosperity and his neglect of charity. Instead of sharing his wealth with the needy, the rich man has instead hoarded it for himself and his heirs: “To hwan heold ðu hit þe sylfum 7 þinum bearnum, þæt meathe manegum mannum genihtsumian?” [Why do you hold for yourself and your sons what could suffice for many people?]. At this point, the Old English closely follows its Latin source, but it soon independently extends the theme of inheritance and the attempt to secure possession for heirs. Christ states that he will now withhold his own aid from the wealthy man, leaving him to suffer the same hardships he ignored in others. Christ tells the man that his power over the earth is ultimately limited: “Gif ðu wene þæt hit þin bocland sie 7 on agene æht geseald, hit þonne wæron mine væter þa ðe on heofonum væron, þanon ic mine gife dæle eorðwærum. Gif ðu mihta hæbbe, dæl regnas ofer þine eorðan. Gif ðu strang sy, syle wæstm þinre eorðan” [If you suppose that it is your bocland and given into your own possession, then it was my waters that were in the heavens from which I bestow my gifts to earth-dwellers. If you have the power, bestow rains over your earth. If you are strong, give fruit to your earth]. The homily employs the rhetoric of land tenure to indicate that the full rights promised in

138 Ibid., lines 162-63 at p. 205.


140 Scragg, Vercelli Homilies, lines 170-73 at p. 206.
bocland are contingent on the mercies of God. The wealthy man learns that the allegedly perpetual inheritance of bocland proves to be a legal fiction, yet another presumption of his earthly vanity.

The source text for the passage above communicates the same basic premise, but the homilist has amplified it through his use of specific legal terminology: “Si terra tua est, mea est pluia quae super terram tuam discendit. Plue super terram tuam si potes; producat germen suum si vales”\(^{141}\) [If it is your land, it is my rain which falls over your land. Rain over your land if you can, let your seed sprout if you are able]. Bocland provides an accurate enough translation for terram tuam, but the English compound incorporates the specific language of land tenure and inheritance in the vernacular. The homily concludes this episode with a statement, absent from its Latin source,\(^{142}\) that the wealthy man and his sons— who are designated as yrfewwardas (keepers of the inheritance)—are now dead and that their possessions (including their bocland) have fallen into the hands of strangers: “Sona þa on þon e welegan mann on þære ilcan nihte deaþ becwom, 7 on his bearn ealle. Fengon þa to gestreonum fremde syþþan”\(^{143}\) [Then death immediately came over the wealthy man on that same night, and over all his children. Then strangers afterwards seized their possessions]. All the provisions for

\(^{141}\) Ibid., 206.

\(^{142}\) “O uanitas huius diuitis! Nescit si uiuat, et de fructibus tediat nocte moriturus, fabricare disponit ubi non es[t] mansurus” (ibid., 208). [Oh the emptiness of this rich man! He does not know if he lives, and soon to die in the night he is weary from his profits. He plans to build where he will be unable to remain.] *PL* 39:2342 reads, “O uanitas huius diuitis! Nescit si uiuat, et de fructibus cogitat; nocte moriturus, fabricare disponit” [Oh the emptiness of this rich man! He does not know if he lives, and he thinks of his profits; soon to die in the night, he plans to build].

\(^{143}\) Scragg, *Vercelli Homilies*, lines 198-99 at p. 208.
family inheritance have come to nothing. This episode affirms in the vernacular an anxiety over the stability of legal provisions for land. Like the royal diplomas, Vercelli X encodes land as something both eternal and transitory, as something associated with both salvation and death.

The final section of the homily, based in part on Isidore’s *Synonyma*, concludes its thematic attention to inheritance and land. The homilist ends an *ubi sunt* catalogue (drawn in part from *Synonyma* II.91) with what appears to be his own observation: “Swa læne is sio oferluufu eordan gestreona, emne hit bido gelice rena scurum, þonne he of heofonum swidoest dreoseð 7 eft hraðe eal toglideð—bido fæger weder 7 beorht sunne”.

[So temporary is the immoderate love of earthly possessions, just as it is like a shower of rain when it falls so heavily and then it all quickly vanishes—there will be fair weather and a bright sun]. This figure recalls Christ’s earlier admonition to the wealthy man and its own reference to rain, while the observation “Swa læne is sio oferluufu eordan gestreona” provides a negative complement to the wealthy man’s presumptuous faith in *bocland* and his ability to pass that land to his heirs. The homily repeats the same anxiety

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144 Ibid., lines 241-43 at p. 211. In Isidore, the passage reads, “Brevis est hujus mundi felicitas, modica est hujus sæculi gloria, caduca est et fragilis temporalis potentia. Dic ubi sunt reges? ubi principes? ubi imperators? ubi locupletes rerum? ubi potentes sæculi? ubi divites mundi? quasi umbra transierunt, velut somnium evanuerunt” (*Synonyma* II.91 [PL 83.865]). [The good fortune of the world is brief, the renown of the age is short, temporal power is fleeting and frail. Where are the kings? Where are the princes? Where are the emperors? Where are those wealthy in things? Where are the powerful men of the age? Where are the riches of the world? They have passed away like shadows, as if they have faded into a dream.]

145 “Gif du wene þæt hit þin bocland sie 7 on agene æht geseald, hit þonne wæron mine water þa þe on heofonum wæron, þanon ic mine gife dæle eordanwærum. Gif du mihta hæbbe, dæl regnas ofer þine eordan. Gif du strang sy, syle væstm þinne eordan” (Scragg, *Vercelli Homilies*, lines 170-73 at p. 206). [If you suppose that it is your *bocland* and given into your own possession, then it was my waters that were in the heavens from which I bestow my gifts to earth-dwellers. If you have the power, bestowe rains over your earth. If you are strong, give fruit to your earth.]
over the stability of landed property evident in the royal diplomas. Vercelli X

demonstrates the potential for tenurial concepts to travel across texts and to inform
multiple genres.

As we have seen, Latin diplomas attempt to defer the threat of dispute but their
terms of possession cannot fully dispel the evidence of past displacement or the uneasy
fear of imminent loss. The Anglo-Saxons wrote a permanent tenure wrapped in the
promise of salvation but this writing also betrays its own suspicions of such dreams of
everal possession. This double bind makes its way into other texts in a variety of ways.
Vercelli X and the Old English Soliloquies both imagine tenurial ideas and practices as
metaphors for earthly loss and heavenly salvation. The latter text employs land tenure in
a positive sense which seems untroubled by intimations of loss. The homily, however,
implies the futility of legal documentation while it at the time uses images of that
documentation to represent the promise of salvation. In this sense, the homiletic text
repeats the conceptual tensions evident in diplomatic texts. The promise of possession
always carried its own negative correlative.
The Anglo-Saxons developed a range of documentary forms for regulating and controlling land tenure, but these legal instruments all too frequently broke down under social pressures. Property disputes were all too common, even when the land in question had been documented as *bocland* and ratified in a charter. A glance through Patrick Wormald’s useful handlist of Anglo-Saxon lawsuits shows that a majority of those cases listed involve property disputes,¹ and many charters contain narratives which record the complex details of these disputes. Such documents have provided invaluable evidence about dispute settlement in Anglo-Saxon England, but thus far little attention has been given to their narrative function and strategy. This chapter examines how charter narratives not only record the details and procedures of property disputes, but also how these texts construct narratives in order to claim land and to assert the lasting legitimacy of that claim. These texts show how the ideal of eternal possession inherent in *bocland* could be frequently frustrated in social practice. In addition they give voice to a cultural anxiety over the limitations of land tenure. This anxiety in turn engenders a priority being placed on the authority and longevity of writing in establishing rights to possession.

Prose accounts of property disputes appear frequently in various charter
documents, including diplomas, wills, and dispute narratives and/or estate histories.
Many of these charters contain only brief details of past disputes or offer slight reference
to those disputes, but some feature more detailed narratives of particular disputes. These
documents, most often composed in the vernacular to serve as evidence in pleas or
disputes, are generally classified as *talu* texts,² or “the formal statement of a claim either
by the plaintiff or the defendant in a case (once distinguished as the *ontalu* and the *oftalu*
respectively).”³ The vernacular terms for these documents appear in an account of a late
tenth-century dispute over an estate at Snodland between Bishop Godwine and one
Leofwine.⁴ Soon after his appointment as bishop at Rochester in 995, Godwine found
*swutelunga*, or written evidence, documenting the claim of the monastery to land at
Snodland. Unfortunately, the property was currently in the possession of Leofwine.
Before making his bid to reclaim the land, Godwine ensures that King Æthelred and
Archbishop Ælfric (995-1005) are informed of the case:

\[…\] ongan ða to specenne on ðæt land . 7 elles for Godes ege ne dorste . oððæt seo
spræc wearð þam cygne cuð. Þa ða him seo talu cuð wæs . þa sende he gewrit 7

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² F. M. Stenton, *Latin Charters of the Anglo-Saxon Period* (Oxford: Clarendon Press, 1955), 44. Regarding the *talu*, Stenton remarks: “Its object is to record the settlement of a dispute or to indicate the stage which has been reached in its progress, and it proceeds by way of a narrative of events which is often elaborate and covers a long period” (ibid., 43).


his insegl to þam arcebisceope Ælfrice. 7 bead him þæt he 7 hys þegenas on East Cent. 7 on West Cent. hy onriht gesemdon. be ontale. 7 be of tale. 5

[Then he set about laying claim to the estate—and durst not do otherwise for the fear of God—until the suit became known to the king. When the claim was known to him, he sent a letter and his seal to Archbishop Ælfric, and gave orders that he and his thegns in East Kent and West Kent should settle the dispute between them justly, weighing both claim and counterclaim.] 6

After examining the documents, “eal seo duguð” asks the bishop to allow Leofwine to continue occupying the property during his lifetime, after which time the estate would return to Rochester; Leofwine in turn agrees to the terms and surrenders his own documentary claims to the property. 7 The document presents a clear narrative of the settlement, followed by a list of witnesses and a final anathema threatening hellish torment to anyone presumptuous enough to break the recorded agreement. This charter, precise in its documentary terminology, testifies to the regular use of written evidence in property disputes and to the influence such evidence could wield in the resolution of those disputes. 8

5 Ibid., 54.
6 Translation by Robertson, Charters, 141.
7 “7 he behet þæs truwan þæt land æfter his dæge unbesacen eode eft into þære stowe þe hit ut aðeæd was. 7 ageaf þa swutelunga þe he to þam lande hæfde þe ær of þære stowe geutod was” (Campbell, Rochester, 54-55). [And Leofwine gave his solemn assurance that after his death the estate should revert uncontested to the foundation from which it was leased, and gave up the deeds relating to the estate which he had and which had been alienated from the foundation.] Robertson, Charters, 143.

8 Patrick Wormald has argued that written evidence was just as instrumental in dispute settlement, if not more so, than the proof of an oath or verbal testimony. See Patrick Wormald, “Charters, Laws and the Settlement of Disputes,” in his Legal Culture in the Early Medieval West: Law as Text, Image and Experience (1986; London: Hambledon Press, 1999), 289-311.
*Talu* documents, however, do not exhibit a regular form or even designate themselves as part of any particular documentary class, and they employ a variety of strategies in their common purpose. This lack of determining formulae afforded a freedom of composition conducive to narrative invention, and many property histories display a range of narrative techniques. As we shall see, some *talu* employ rhetorical devices such as direct speech, temporal clauses, adjectives and adverbs to shade certain events and agents, embedded explanation of certain events, rhetorical patterns such as doublets, and so on. These narratives share a common imperative to provide some explanation or justification for the movement of property from owner to owner, especially if that movement has involved forfeiture or dispossession. *Talu* documents designate clearly discernible signs which confirm the order of things claimed within the document; by establishing that the disenfranchised party has lost property for definitive and just reasons, a *talu* account dispels or at least distances ambiguity in its inscription of tenurial history. In cases of forfeiture, documentary narratives often explain the loss of property through some moral logic imposed by the narrative. Property would be forfeited, for example, if its owner were found guilty of a crime, be it theft or treason.

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10 Paul Fouracre sees a similar reflex in Merovingian dispute settlement and *placita* documents: “The confiscation of property must be seen to be indisputably correct, for this is where visible injustice could occur and those monitoring the count, the *rachymburgi*, were themselves property owners, thus likely to have a strong interest in the protection of property through due legal procedure.” Paul Fouracre, “‘Placita’ and the Settlement of Disputes in Later Merovingian Francia,” in *The Settlement of Disputes in Early Medieval Europe*, ed. Wendy Davies and Paul Fouracre (Cambridge: Cambridge University Press, 1986), 23-43 at 40.
against the king. Such examples appear in the charters of Edward the Elder,\textsuperscript{11} and are especially prominent in the charters of Æthelred II.\textsuperscript{12}

Forfeitures for theft or treason accord with the law-codes, but charters also contain evidence of forfeiture for offenses more sensational and mundane. S 1377, drafted sometime between 963 and 984, records an exchange of property between Bishop Athelwold and Wulfstan Uccea. One of the estates in question had been forfeited by an earlier owner for alleged practice of witchcraft:

[Here it is declared in this document that Bishop Æthelwold and Wulfstan Uccea have exchanged lands with the cognisance of King Edgar and his councillors. The bishop gave Wulfstan the estate at Washington, and Wulfstan gave him the estate at Yaxley and at Ailsworth. Then the bishop gave the estate at Yaxley to Thorney, and that at Ailsworth to Peterborough. The estate at Ailsworth had been forfeited by a widow and her son, because they drove an iron pin into Ælfsige, Wulfstan’s father, and it was discovered, and the deadly image was dragged out of her room. Then the woman was taken and drowned at London Bridge, but her son escaped and became an outlaw, and the estate passed to the king, and the king then granted

\textsuperscript{11} S 362, dated to 901, refers to property previously forfeited by one Wulfhere and his wife for treason against Alfred. CS, vol. 2, no. 595 at p. 243. The charter survives in the twelfth-century cartulary of Winchester, Old Minster (London, British Library, Add. 15350), but it has generally been deemed authentic.

According to the logic of the embedded narrative, the property passed to Ælfsige through legitimate channels—the unnamed widow and son were rightly punished for their malicious plot and the king thereafter rewarded the property to Ælfsige, perhaps as recompense for his nearly fatal encounter with the dark arts. To a skeptical reader, of course, the situation immediately looks dubious. Ælfsige clearly benefited from the accusation brought against the widow and her son; he even may have been its engineer, although such suspicions can only remain speculative. The important point here is not the accuracy or bias of the episode, but the documentary need to justify the paths through which the land came to Ælfsige and ultimately passed to Peterborough.

Another series of charters provides details on a property forfeiture that seems to have involved some form of sexual misconduct or transgression. In the late ninth century, sometime between 879 and 909, Bishop Denewulf of Winchester leased forty hides of land at Alresford to one Alfred, in continuation of a lease his parents had previously received from the monastic community. S 375, dated to 909, records Alfred’s loss of the property after committing an unspecified *stuprum* and Denewulf’s later redemption of the estate:

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13 S 1377; Robertson, *Charters*, no. 37 at pp. 68 and 69 (abbreviations expanded). Dorothy Whitelock has dated the forfeiture for witchcraft more precisely to 948. Dorothy Whitelock, ed., *Anglo-Saxon Wills* (Cambridge: Cambridge University Press, 1930), 130. The document survives in a twelfth-century cartulary of Peterborough (Society of Antiquaries of London, Manuscript 60).

14 For other cases of forfeiture due to sexual offense, mainly adultery, see S 901, 911 and 927.

15 The lease is recorded in S 1287; Robertson, *Charters*, no. 15 at p. 28. For a brief summary of the various documents relating to this property, see ibid., 288.
Prefatum equidem rus pro stupro cuiusdam militis cui accomodatum fuerat ut censum singulis annis persolveret indictum a prefata æcclesia injuste abstractum nuper fuerat. sed Denewulf Uuentanæ æcclesiæ cathedram illo in tempore regens pateram centum auri siglis appendentem regi qui tunc temporis Angul Saxoniam regebat. Licet non juste tribuit. et possessionem ad usus succedentium presulum æcclesiæ Dei restituit.  

[Indeed the aforementioned estate recently had been confiscated unjustly from the aforementioned church on account of the sexual offense of a soldier to whom it had been leased for a yearly rent to be paid as established; but Denewulf, holding the episcopal see of Winchester at that time, presented a golden bowl weighing twenty-five ounces (albeit unjustly) to the king who then ruled the Anglo-Saxons at that time, and the king restored possession for the uses of the succeeding bishops of God’s church.]

S 375 presents the offense leading to forfeiture as only one component in its account of the property history—indeed the charter seems equally interested in the subsequent arrangement between Denewulf and the unnamed king. S 814, an undated charter of Edgar, however, later provides additional information on the sexual offense.

Quidam aliquando prædictæ pontifex basilicæ a notis Denewulf nuncupatus cuidam propinquorum suorum Ælfred vocitato. eatenus cum consensu æcclesiasticæ familæ accommodavit. ut annis singulis censum tocius telluris vita comite ritæ persolveret. Is equidem insipiens adulterans stuprum propriam religiose pactatam abominans. scortam diligens libidinose commisit. Quo reatu

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18 H. P. R. Finberg has suggested that the king in question was Edward rather than Alfred. H. P. R. Finberg, *The Early Charters of Wessex* (Leicester: Leicester University Press, 1964), 238n4.

19 Pactatam is an error for pactam.
omni substantia peculiali recte privatus est. et prefatum rus ab eo abstractum rex hujus patriæ suæ ditioni avidus devenire injuste optavit.²⁰

[A bishop of the aforementioned church, known to acquaintances as Denewulf, once granted a lease to one of his relatives called Alfred with the approval of the church’s community under terms that he should pay duly each year the rent of all the ground during his lifetime. At any rate, being a foolish adulterer, he lustfully committed a sexual crime, scorning his own sacredly bound wife and seeking out a mistress. Through that wrong, Alfred rightly was deprived of the wealth of all property, and the covetous king of this nation removed the aforesaid estate from him and wished to acquire it unjustly through his own command.]

S 814 allows us to examine different treatments of the same events, and to compare their respective narrative emphases and interests. S 814 gives greater detail in its account of Alfred’s crime, as evident in its stinging array of present participles (insipiens, adulterans, abominans, and diligens), and it also stresses that the forfeiture of property for the stuprum was a just punishment, as signified by the adverb recte. The injustice in the situation was not the forfeiture, but the king’s attempt to claim the property as his own. Since the land was leased from Winchester, it should have been returned to the community after Alfred’s adulterous transgression; the document censures the king’s tactics by labeling him avidus and stating that he acted iniuste. This charter establishes a narrative justification for the property’s history, one more pronounced than that seen in the earlier account from S 375.

Analysis of S 375 and 814 is complicated by the fact that both documents survive only as twelfth-century copies in the problematic Winchester, Old Minster archive.²¹ As a

²⁰ S 814; CS, vol. 3, no. 1150 at p. 405.
result their authenticity must remain suspect. S 375 has largely been deemed spurious, while S 814 has had some support for its authenticity.\(^\text{22}\) The “truth” of these documents is not so much at issue, however, as the impulse evident within them to compose a history for the property in question and to assign a narrative logic to that history which assumes its own legitimacy. The ethical order imposed on the narrative of course favors the interests of the minster, but the documentary practice of formulating a property history which posits an inherent justification for the loss and acquisition of property is common to many Anglo-Saxon charters of various dates and provenances.

As they work to justify the possession of property, charter narratives consequently underscore how vulnerable claims to ownership were in actual social practice. The declaration—or at least the uneasy expectation—that property can be held with some degree of stability over time frequently appears in Anglo-Saxon documents, especially in cases involving *bocland*, but these insistent claims also find their impetus in the realization that such stability often proves an ephemeral fiction. As we have seen, many charters ascribe some historical or ethical basis to legitimize the tenurial processes they describe as one means of asserting stable and longstanding possession. As they recount their details of property disputes, charters often mingle moments of fine detail with vague


references and fragments, creating an impression similar to that described by Erich Auerbach in his analysis of Gregory of Tour’s *History of the Franks*: “here an occurrence sufficiently confused in itself is very obscurely narrated.” Rather than dismiss such a style of narrative representation as unorganized and inept, however, Auerbach sees its use of incidental detail and direct discourse as imperative in achieving a presence of action, a stylistic “reawakening of the directly sensible.” Charles M. Radding has argued that Gregory’s primary interest in the sensible represents a cognitive inability, characteristic of the early medieval mind, to either recognize intention or causality, or to distinguish between the inconsequential and the important: “Abstract concepts—society, the state, the Church as a whole—have no place in Gregory’s thought and provide him with no criteria for including or excluding subject matter. The incoherence of Gregory’s episodes is thus echoed on a larger scale as struggles between kings are recounted side by side with trivial quarrels among citizens of Tours.” This narrative commingling of local and national events, however, need not be labeled a regrettable weakness, but may be regarded as a powerful narrative effect. Anglo-Saxon charter narratives themselves at times map local events against those of broader political import—kingdom, kingship, and royal succession—in order to achieve greater persuasive force. This chapter focuses on


24 Ibid., 94.

two vernacular narratives of property disputes and the ways in which these charters bolster their claims by linking local property disputes to recent political conflicts and anxieties.

In order to demonstrate this powerful interplay between the local and national in land disputes, I use the concept of textual environment as articulated and practiced by Paul Strohm. Strohm defines a textual environment as an array of texts and events, a “field of shared knowledge that allows an author to write in the confidence of being understood”; this environment “embraces not just words and textual conventions, but also schemes or structuring ideas functioning at an intermediate level of generalization.”

These material and ideological forces may not find direct expression in the text itself, Strohm argues, but careful and responsible interpretation can “register the presence of centers of authority beyond textual bounds, the ultimate reliance of the text upon those contending processes that determine reception and circulation, interpretation and application.” Strohm’s interpretive model recalls the “horizon of expectation” formulated by Hans Robert Jauss in his work on historical reception.

26 S 1445 (better known as the Fonthill Letter) and S 1447, a tenth-century history of a Sunbury estate.


28 Ibid., 7.

29 Jauss thinks of texts as “events” whose production and reception are situated in specific historical environments: “The coherence of literature as an event is primarily mediated in the horizon of expectations of the literary experience of contemporary and later readers, critics, and authors. Whether it is possible to comprehend and represent the history of literature in its unique historicity depends on whether this horizon of expectations can be objectified” (Hans Robert Jauss, Toward an Aesthetic of Reception, trans. Timothy Bahti [Minneapolis: University of Minnesota Press, 1982], 22).
particular concept of textual environment situates a range of potential influences (including the textual, political, and ideological) at the moment of contemporary reception. Such an interpretative practice, Strohm argues, avoids the “divide of text and context” and accommodates an interpretive horizon that spans beyond the text itself.

Since most Anglo-Saxon charters can be dated with some precision, interpretation of these texts can take into consideration other contemporary texts and events with some confidence. In addition, both S 1445 and 1447 survive in single-sheet manuscripts roughly contemporary to the events they record, alleviating some of the limitations imposed by documents of uncertain authenticity and integrity. I read both legal texts as constructed and controlled fictions. This is not to say that the narratives are fabrications, but that they actively employ fictional devices in making their case. Strohm argues that legal texts can be interpreted “less as records of events than as interpretations of events, inevitably reliant to one degree or another upon invention, upon fictional devices. A text’s fictionality may derive from acts of commission (its imputation, for example, of motive) or omission (by what it evades or excludes).”

This methodology acknowledges that talu texts incorporate narrative techniques without denying their basis in actual historical events and persons.

S 1445 and 1447 use story to deliver their interpretation of past events and to determine the authority of their claims about land. In this sense, they recall Michel de

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Certeau’s arguments about how stories can function to construct space and fashion its limits. Working as a kind of “spatial legislation” and “composed of fragments drawn from earlier stories and fitted together in a makeshift fashion,” story founds and articulates space. To illustrate this theoretical model, de Certeau offers an example of a traveling tribunal which would hear the contradictory stories of different parties in a dispute over property boundaries and then compose a narrative which would reconcile the competing stories and interests in the case. Many Anglo-Saxon charter narratives dealing in property dispute or forfeiture (such as S 1377 and its account of witchcraft) offer only bare and often biased accounts of the victor, but the two texts examined in this chapter present narratives which attempt to contain the tension of competing elements and interpretations. Like the judicial scenario presented by de Certeau, the talu transforms the land it describes by arranging selective narrative “fragments” and fictional elements within a teleological arc, one which shows the property moving through time toward its rightful owner.

The talu shows the property and the persons driving its drama of possession within time, as events unfold and agents move through the narrative. By incorporating specific political events and players, the text engages its textual environment and enhances its ordering and interpretation of the past (and the bearing of that past on determining the current possession of land). In this sense, the talu makes timely claims, in contrast to a royal diploma, which makes claims that are essentially timeless. The royal

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diploma conceptualizes land as existing outside time, promising eternal possession and defining the bounds of the property according to landscape features memorialized within the document. This conceptualization of land resembles de Certeau’s idea of *place*, which he defines as “an instantaneous configuration of positions” which “implies an indication of stability” and is ruled by “the law of the proper.”\(^{32}\) In contrast, de Certeau sees *space* as “a practiced place” which is “situated as the act of a present (or of a time), and modified by the transformation caused by successive contexts.”\(^{33}\) The royal diploma attempts to fix property as a place, governed by a stable “law of the proper,” whereas the *talu* inscribes land as a *space* open to the manipulation of multiple agents according to shifting circumstances. S 1445 and 1447 use story to produce “a space and to associate it with a history,”\(^{34}\) as de Certeau would put it, thereby attaching their respective properties to the contemporary history of the kingdom and kingship. The terms provided by de Certeau allow us to think about the different textual strategies for claiming land offered by the royal diploma and *talu*: both forms provide a mode for knowing land and defining the basis of its possession through writing, but the explicitly narrative form of the *talu*, in contrast to the absolute claims of the diploma, features a chain of “successive contexts” contingent on textual environment, on the power plays, compromises, manipulations, and failures of politics and time. The *talu* aspires to establish possession through the workings

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\(^{32}\) Ibid., 117. De Certeau also states that “The ‘proper’ is a *triumph of place over time*” (ibid., 36; de Certeau’s italics).

\(^{33}\) Ibid.

\(^{34}\) Ibid., 118.
of story, but in doing so it also inscribes and exposes the mutability that endangers possession, the very force that it attempts to distance and contain.

3.1 Of Kings and Cattle Thieves: The Fonthill Letter

The Fonthill Letter, an Old English account of a tenth-century Anglo-Saxon property dispute, survives in an early-tenth century manuscript roughly contemporary to the events it records. Despite its textual integrity, the Letter still presents certain difficulties to its readers. In the prefatory matter to the 1878 facsimile of the Letter, for example, W. B. Sanders noted, “This singular document is from its corruptness and curious allusions very difficult to understand, and of some portions I have only been able to guess the meaning.” The work of recent scholars has largely alleviated the need for guesswork and cleared away the murk that frustrated Sanders. The legal and historical contexts of the Fonthill Letter have received expert and thorough analysis, as have its linguistic features. The Letter has been considered as possible evidence for lay literacy

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36 Sanders, Facsimiles, 1:v.

in the early tenth century and as evidence for the success of King Alfred’s educational program.\(^{38}\) Sanders’ irascible comment, however, may still hold true in part. While scholarship on the Fonthill Letter has been directed primarily to matters of legal practice, linguistics, literacy, and paleography,\(^{39}\) the Letter has received virtually no attention to the ways in which it carefully constructs a history for the disputed property in the service of its larger argument about legitimate ownership.

The Letter presents itself as a direct address to Edward the Elder, petitioning him to uphold the interests of Winchester in a dispute over five hides of land at Fonthill. On one level, the Letter presents a selective narrative, complete with strategic elisions, emphases, and anecdotal detail, in support of its claims. Beyond its careful narrative ordering of past events, however, the Fonthill Letter also makes its appeal through its strategic invocation of the authority of King Alfred and of issues of legitimacy in the succession between Alfred and his oldest son. My reading of the Fonthill Letter examines the ways in which the text makes rhetorical use of the figure of Alfred by surveying evidence from other contemporary sources—what Strohm would call its textual environment—to show how the Letter appeals to contemporary issues of legitimate succession within the West-Saxon line of kings.


The Letter apparently was written in Edward’s reign to serve as evidence in a
dispute in which one Æthelhelm Higa brought suit against Denewulf, bishop of
Winchester (879-909) over five hides of land at Fonthill. Most of the events recounted
in the Letter occurred between 897 and 901, but Simon Keynes argues that the Letter
itself “was written nearer c. 920 than c. 900,” placing its composition late in Edward’s
reign (899-924). Because the property transactions mentioned in the Fonthill Letter are
complex, I offer a summary to anchor the analysis that follows. The earliest mentioned
owner of the property, located in southern Wiltshire, is one Æthelwulf who gave it to his
bride Æthelthryth as a morgengifu; Æthelthryth later sold the property to an Oswulf, a
transaction reportedly documented by a charter which does not survive. Afterwards the
property passed by unspecified means to Helmstan. Æthelhelm Higa sometime later
brought suit against Helmstan for the property after Helmstan was charged with the theft

40 Denewulf’s death is recorded in the Anglo-Saxon Chronicle at 909. Janet Bately, ed., The
1284 (dated to 900) records a transaction in which Denewulf provides Ordlaf with ten hides at Lydiard in
exchange for ten hides at Fonthill. For a discussion of the charter’s authenticity and its bearing on the
Fonthill Letter, see Keynes “Fonthill Letter,” 89-90; and Mark Boynton and Susan Reynolds, “The Author

41 Keynes, “Fonthill Letter,” 56 and 95.

42 The morgengifu, or morning-gift, was land or money given to the bride by the groom on the
morning after the consummation of the marriage. The morgengifu was the woman’s personal property and
she was free to sell or bequeath it however she saw fit. See Christine Fell, Women in Anglo-Saxon England

43 For information on Helmstan and his property holdings, see Keynes, “Fonthill Letter,” 58 and
81-83. Helmstan was a king’s thegn and held an estate at Tisbury in addition to the property at Fonthill. See
also Smyth, King Alfred, 397-98.

44 The Fonthill Letter provides the only information about Æthelhelm Higa. Keynes, “Fonthill
Letter,” 58.
of a belt. Helmstan defended his claim with some assistance from ealdorman Ordlaf, and Helmstan then gave the property to Ordlaf in return for his aid in the legal proceedings. Ordlaf subsequently exchanged the property with Denewulf for another estate at Lydiard in northern Wiltshire. Æthelhelm Higa later renewed his claim to the property against the community of Winchester. The Letter seems to have been written on the occasion of Æthelhelm’s renewed suit, but the bulk of its narrative is concerned with the earlier dispute between Helmstan and Æthelhelm Higa.

The narrator never names himself in the Letter, but J. M. Kemble first identified him as Ordlaf, a prominent ealdorman of the early tenth century; this identification was subsequently accepted by both Dorothy Whitelock and Simon Keynes. At one point, however, the Letter names Ordlaf in the third-person and this inconsistency has led to some recent questions over Ordlaf’s authorship. I accept the identification of Ordlaf as author, but the question of authorship does not significantly affect my arguments about the Letter’s construction of past events or its invocation of contemporary national politics. The rhetorical strategies employed by the Letter remain the same whether it was

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45 Keynes offers a synopsis of Ordlaf’s political career and property holdings (ibid., 56-58). Ordlaf was an ealdorman, probably of Wiltshire. Appointed in the later years of Alfred’s reign, he continued in his position under Edward the Elder. The Fonthill Letter also indicates that Ordlaf was Helmstan’s godfather.


47 *EHD*, 544. Keynes adds with more confidence that Ordlaf’s authorship “is guaranteed.” Keynes, “Fonthill Letter,” 55n16.

written by Ordlaf or another unnamed party, as do the specific appeals the Letter brings to bear on Edward.

As Simon Keynes has noted, the narrator was primarily concerned “to affirm his support for the judgement originally given by King Alfred” in the earlier suit. As a result, the Letter focuses mainly on the earlier case, and its narrative works as an argument for that case’s just outcome. By establishing that Ordlaf had acquired the property legitimately, the Letter ostensibly supports the Winchester community against Æthelhelm’s contemporary suit. Æthelhelm may have been renewing his original claim against Helmstan, however, rather than bringing new charges directly against Winchester. Such renewed suits seem to have been relatively common. Alan Kennedy has argued, for example, that “claims against a current holder by virtue of a grievance against a predecessor in title were often made with some hope of success, and in defiance of the passing of the property at issue into the second or third hand.” The Letter’s emphasis on the earlier proceedings surrounding Helmstan and the property suggest that it was intended to answer such a renewed suit from Æthelhelm Higa.

As a result of its strategic endorsement of Ordlaf and Helmstan, the Letter omits any basis for the competing claims of Æthelhelm Higa. The narrative elides Æthelhelm’s own history with the property, thereby passing over any possible foundation for his claim. The Letter merely states that the property had formerly belonged to an Æthelwulf,

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49 Ibid., 64.
51 For the potential success of a renewed suit, see Keynes, “Fonthill Letter,” 85-87.
who gave it to his wife Æthelthryth as a morning-gift; Æthelthryth subsequently sold the
land to Oswulf, from whom the property passed to Helmstan. Keynes wonders whether
Æthelhelm might have been an heir to Æthelwulf and Æthelthryth and “was attempting to
recover what he considered to be part of his paternal inheritance.” The property in
question seems to have been *bocland*: it was sold outside of the family group in a
transaction recorded and ratified in a charter. If Æthelhelm were attempting to regain
family lands, this motivation would certainly explain his tenacious pursuit of the
property. But the Letter is silent on such matters, just as it is reticent about the details of
Æthelhelm’s case against the bishop of Winchester. The details it does provide are only
sufficient to establish how the property came to Helmstan (although the text offers no
specific information on how Helmstan himself came to possess the land). This strategic
absence of any basis for Æthelhelm’s claims seems natural enough when we consider
whose interests the document represents.

In contrast to its narrative silence regarding Æthelhelm, the Letter carefully
establishes the due procedure of the initial case Æthelhelm brought against Helmstan and
its eventual outcome in Helmstan’s favor. Æthelhelm had brought the suit, the Letter tells
us, after Helmstan was caught stealing a belt. While the details of Helmstan’s crime and
its punishment are absent from the text, the Letter does assume his guilt. As a known
thief, Helmstan would have been considered a man of bad reputation, and consequently

52 Ibid., 72.

53 Chapter 41 of Alfred’s law-code makes provisions allowing an individual to stipulate that
*bocland* could not be sold outside the kin group. See *Gesetze* 1:74; for a translation, see Attenborough, 83. This particular problem of land tenure seems to have been a prominent concern during the reign of both Alfred and Edward. See also I Edward 2 and I Edward 2.1 (*Gesetze* 1:140; translation, Attenborough, 117).
may not have been considered *adwyrðe*, or “oath-worthy.” Helmsán’s specific legal status at this point in the proceedings remains uncertain, but it is clear that he would have faced a disadvantage in the lawsuit. At any rate, Helmsán felt that he needed the assistance of powerful friends. By including this initial detail of Helmsán’s earlier theft, the narrative establishes Helmsán as a man of questionable character; this ostensibly would weaken his credibility and perhaps reflect badly upon the narrative itself. By emphasizing Helmsán’s legal vulnerability, however, the Letter also insinuates that Æthelhelm may have seized upon Helmsán’s weakness in a quick bid for property. The Letter diminishes Æthelhelm’s character in other subtle ways, as we shall see.

Helmsán comes to Ordlaf for help because, the Letter tells us, Ordlaf had sponsored him at his confirmation. Ordlaf intercedes on Helmsán’s behalf by persuading King Alfred to allow Helmsán to prove his claim to the property: “Đa, God forgelde his saule, ða lyfde he ðæt he moste beon ryhtes wryðe for mire forspæce 7 ryhtrace wið

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54 For circumstances when an individual would be prohibited from making a judicial oath, see Ine 46, I Edward 3, and II Athelstan 26 (*Gesetze* 1:108, 140, and 164; translation, Attenborough, pp. 51, 117 and 141).

55 Keynes, “Fonthill Letter,” 65. Eric John has suggested that Helmsán would have been considered *tyhtbysig*, a man of bad reputation. Eric John, *Orbis Britanniae and Other Studies* (Leicester: Leicester University Press, 1966), 148. Bosworth and Toller observe that, “One to whom the epithet applied was in an unfavourable position when brought into court, for he was forced to go to the three-fold ordeal, and if he failed to clear himself was subject to a heavier penalty than others” (BT, s.v. “*tihthisig*”). The term only appears, however, in law-codes post-dating the Fonthill Letter: Edgar (III Edgar 7), Æthelred II (I Æthelred 1.1, III Æthelred 3.4), and Cnut (II Cnut 22, 25, 30). The *Quadripartitus* translates *tyhtbysig* as *accusationibus infamatus* (*Gesetze* 1:205, 217, 325 and 329) and *infamatus homo* (ibid., 228).

Æðelm ymb ðæt lond”\textsuperscript{57} [Then—may God reward his soul—Alfred allowed him to be worthy to prove his right against Æthelhelm over that land, because of my advocacy and true account]. According to the text, Alfred comes to his decision due to Ordlaf’s “forspæce 7 ryhtrace,” his advocacy and true account. In her analysis of the document’s legal terminology, Mechthild Gretsch offers a more specific translation for ryhtracu: the word signifies here “… a testimony which is accepted as the correct representation of a controversial affair and which eventually decides a lawsuit.”\textsuperscript{58} The Fonthill Letter contains the word’s only appearance in legal discourse, and its inclusion indicates a careful lexical choice within a narrative set on the resolution of a difficult dispute.

The word ryhtracu (or its close equivalent) appears primarily in the prose texts associated with Alfred’s translation initiative. In the Old English Dialogues of Gregory the Great, for example, the word seems to signify careful rational deliberation: “Ac se þe ne gelyfeð, þæt þa ungeywelenican gefean syn, witodlice se byþ ungeleaffull, 7 þonne se þe ungelyfende byþ in þon þe he tweoð he ne seceð na þone geleafan, ac rihtræce 7 gesceadwisnesse”\textsuperscript{59} (emphasis added) [But he who does not believe that there are joys unseen, certainly is without belief, and then the man who is without belief, in what he doubts he does not seek faith, but correct argument and reason]. Werferth has translated Latin rationem with the Old English doublet rihtræce 7 gesceadwisnesse, and rihtræce in

\textsuperscript{57} Gretsch, “Language,” 99. For my translation of the Fonthill Letter, I have consulted the translation by Gretsch (“Language”) and the notes provided by Marsden in his Old English Reader.

\textsuperscript{58} Gretsch, “Language,” 78.

this case signifies a kind of reason based on investigation and evidence.\textsuperscript{60} The Old English \textit{Boethius} uses \textit{ryhtracu} in a related if more general sense: “Þa cwæð ic: Þæs ic gelefe þæt þe ælc unriht witnung sie þæs yfel þe hit deð, nès þæs ðe hit ðafæð, forðæm his yfel hine gedeð earmne; 7 ic ongite ðæt þis is swiðe \textit{riht racu} þæt þu nu recst, 7 swiðe anlic þæm þe þu ær reahtes; ac ic wat þeah ðæt þis folce swa ne þincð”\textsuperscript{61} (emphasis added) [Then I said: This I believe, that each unjust punishment is an evil for the one who inflicts it, not the one who suffers it, since his evil makes him wretched; and I realize that what you now relate is quite correct, and quite similar to what you related earlier; but yet I know that this people does not think so]. In this case, \textit{riht racu} signifies an accurate account of a difficult or obscure dilemma, one requiring careful evaluation by a wise auditor.\textsuperscript{62} By using this specific word, the Fonthill Letter presents Ordláf’s opinion on the case as predicated on cool reason and clear assessment, an assertion supported in turn by Alfred’s endorsement of Ordláf’s account. The Letter invites its recipient to examine the account with the same care and sagacity demonstrated by Alfred and, by extension, to follow his original endorsement of Ordláf and Helmstán.

\textsuperscript{60} The Latin source reads, “Sed qui esse inuisibilia non credit, profecto infidelis est. Qui uero infidelis est, in eo quod dubitat, fidem non quaerit, sed rationem” (Adalbert de Vogüé, ed., \textit{Grégoire le Grand Dialogues}, 3 vols., Sources Chrétiennes 251, 260 and 265 [Paris: Éditions du Cerf, 1978-80], 3:22). [But he who does not trust that there are things unseen, he surely is without faith. And he who is without faith, in that which he doubts, does not seek faith but reason.]


\textsuperscript{62} \textit{Ryhtracu} appears at several other points in the Old English \textit{Boethius}, and its meaning seems consistent with that outlined above. For example, chapter 40 reads, “Þa ongann ic wundrian, 7 cwæð: Is ðæt forinweardlice \textit{rihtracu} þæt þu ðæg recst” (ibid., lines 14-15 at p. 137). [Than I began to marvel and said: That genuinely is a true account that you relate there (emphasis added).]
Helmstan and Æthelhelm begin the proceedings by providing their respective accounts of the case, although the text says nothing about the specific content of these statements. Helmstan produces charters to prove his right to the property, one of which records Æthelthryth’s sale of the land to Oswulf. The men arbitrating the case examine the charter, and the Letter records several names from the document’s witness list, including those of King Alfred and an Edward whom Simon Keynes believes to be “probably none other than Edward the Elder.”63 As king, Alfred would naturally appear first in the witness list, and the text emphasizes that his name on the charter signifies his endorsement of the transaction: “7 Ælfred cing ða Osulfæ his hondsetene sealde, ða he ðæt lond æt Æðeldryðe bohte, ðæt hit swa stondan moste”64 [and King Alfred had given his signature to Oswulf when he bought the land from Æthelthryth, so that it might remain that way]. Based upon his possession of the charter, the arbitrators decide that Helmstan “wære aðe ðæs ðæt near”65 [was nearer to the oath], and consequently that he “should be given the opportunity to counter Æthelhelm’s claim by the production of the requisite oath.”66 The evidence of a charter—witnessed by both Alfred and his son Edward—supports Helmstan’s claim to the property, and by extension, its later

63 Keynes, “Fonthill Letter,” 71n78.
65 Ibid. For the meaning of this phrase, see Keynes, “Fonthill Letter,” 72-73. Alan Kennedy surveys other cases in which “the possessor of the charter was entitled to produce his oath as the final and in some sense unassailable proof of his right to the land.” Kennedy, “Law and Litigation,” 171. See also Gesetze 2:310, s.v. “Beweisnähe.”
66 Keynes, “Fonthill Letter,” 73.
transmission to Ordlaf and Winchester. Again, the narrative omits any basis for Æthelhelm’s claims.

We have already seen Alfred appear twice in the Letter, first as an agent intervening in the earlier case and second as the principal witness to a charter used as evidence in that case. In both instances, the narrative uses Alfred to endorse the interests of Helmstan and Ordlaf. With this in mind, the Letter’s earlier prayer for Alfred—“may God reward his soul”—marks the beginning of a consistent strategy of invoking the authority of the dead king and his previous support of Ordlaf. The text makes its third and best-known reference to the king in its account of Alfred’s hearing the details of the case at the insistence of a protesting Æthelhelm:

[Then Æthelhelm would not fully agree until we went in to the king and told entirely how we had decided it and why we had decided it; and Æthelhelm himself stood in there with us. And the king stood in the chamber at Wardour—he was washing his hands. When he had done that, he asked Æthelhelm why what we had decided for him did not seem just to him; he said that he could think of nothing more just than that Helmstan should be allowed to give the oath if he could. I then said that he wished to try it, and asked the king to appoint a day for it, and he then did so.]
This scene has been valued for its domestic glimpse of Alfred and his commitment to the law, but the episode is also notable in its use of Alfred to argue that the case was conducted justly. Why does the Letter include circumstantial details such as Alfred washing his hands, or a petulant Æthelhelm insisting that he accompany the men into the king’s chamber? These details certainly are not imperative to establishing the history of the case, but they do accomplish certain narrative effects: they foreground the figure of Alfred, showing him consistently siding with Helmstan and Ordlaf against Æthelhelm, and they portray Æthelhelm in an unfavorable light. This episode creates what Auerbach in another context calls a stylistic attention to a “visual vividness” which endeavors “to imitate the occurrence directly.” This scene conjures the living person of the king from the past in order to lend support to Ordlaf and to uphold the legitimacy of the proceedings of the earlier case.

After Helmstan gives his oath in the case, the judges decide in his favor: “Đa we cwædan ealle ðæt hit wære geendodu spæc ða se dom wæs gefylled” [then we all said that it was a settled suit when the judgement had been given]. The Letter now abruptly interrupts its narrative with two questions addressed directly to Edward the Elder: “7 leof, hwonne bið engu spæc geendedu gif mon ne mæg nowðer ne mid feo ne mid aða geendigan? Oððe gif mon ælcne dom wile onwendan ðe Ælfred cing gesette, hwonne

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68 Auerbach, *Mimesis*, 86.


70 Within its general meaning of “brought to completion or perfection, carried through to the end,” *geendod* can be defined as “a settled suit” in legal contexts. *DOE*, s.v. “geendod” (c and c.i.b.ii).
habbe we ðonne gemotad?” [And, Sir, when will any suit be settled if one can settle it neither with money nor with an oath? Or if one wishes to change every judgment which King Alfred gave, when shall we have finished disputing?]. This rhetorical shift to direct address marks a key moment in the narrative. The questions plead for closure to the dispute through their appeal to Alfred and his dom, again foregrounding Alfred’s reputation for legal integrity and his support of Ordlaf and Helmstan.

These questions and their invocation of Alfred also work to establish the legitimacy of Ordlaf’s acquisition of the Fonthill property. Immediately following its direct questions to Edward the Elder, the text states, “And he then gave me the charter just as he had pledged to do before, as soon as the oath was given.” This brief statement quietly emphasizes a number of points representing proper legal behavior: Helmstan made a successful oath, after which he honored his wedd by giving the property to Ordlaf, who in turn acquired a charter for the land. The powerful rhetorical appeal to Alfred’s dom, however, also effectively obscures a questionable deal between Helmstan and Ordlaf. The Letter has stated earlier that Helmstan offered the land to Ordlaf in exchange for his support at the oath-giving:

…”bæd me ðæt ic him fultemade 7 cwæð ðæt him wære leofre ðæt he [ðæt land me se]alde ðonne se að forburstse ððð hit æfr[ . . . . . . . . . g . . ]æde. Ða cwæð ic

72 Ibid.
δæt ic him wolde fylstan to ryhte, 7 næfre to nanan wo, on δa gerada δe he his me uðe; 7 he me δæt on wedde geséalde.\textsuperscript{73}

[Helmstan asked me to help him, and said that he would rather give (the land to me) than that the oath should fail or it ever (...) Then I said that I would help him toward justice, but never toward any wrong, on the condition that he granted it (the property) to me; and he gave me a promise on that.]

The text specifies that Helmstan proposes the deal, not Ordlaf, and that Ordlaf only agrees under the condition that there will be no shady business. At this crucial point, the narrative needs to establish the legitimacy of both Ordlaf’s ownership of the property and the means by which he acquired it without sullying his character. The Letter accomplishes this by quickly moving attention away from a questionable exchange,\textsuperscript{74} and using its bold direct questions to appeal to the authority of Alfred. This rhetorical move obscures what seem to have been unethical circumstances surrounding Ordlaf’s acquisition of the property. It also sanctions the outcome of the case in Helmstan’s favor through its repetitious appeals to Alfred.

But Alfred has a fifth and final appearance to make in the narrative. After the case is concluded, Ordlaf leases the Fonthill property to Helmstan, allowing him to continue

\textsuperscript{73} Ibid. The manuscript is slightly damaged at this point, with two holes worn in the center of the sheet.

\textsuperscript{74} Bribery and \textit{ad hoc} deal-making were common problems in tenth-century Anglo-Saxon legal practice. See Kennedy, “Law and Litigation,” 152-53; Kennedy suggests that “the transaction between Helmstan and Ordlaf may have been a somewhat surreptitious one” (ibid., 163n126). See also Keynes, “Crime and Punishment,” 68-71. Asser mentions Alfred’s investigations of judges who arbitrated \textit{nequiter} due to “alicuius pecuniae cupiditate” [greed for money], W. H. Stevenson, ed., \textit{Asser’s Life of King Alfred together with the Annals of Saint Neots, Erroneously Ascribed to Asser}, 1904, new impression with an article on recent work on Asser’s Life of Alfred by Dorothy Whitelock (Oxford: Clarendon Press, 1959), 93. The prologue to Edward’s first law-code also indicates some frequency of legal corruption and malpractice; Edward calls on his reeves “δæt ge deman swa rihte dorðas swa ge rihtostc cunnon, 7 hit on δære dombec stande” (\textit{Gesetze} 1:138). [... that ye pronounce such legal decisions as ye know to be most just and in accordance with the written laws.] Translation, Attenborough, 115.
using it as long as he stays out of trouble. A year or two later, however, soon after Alfred’s death in 899, Helmstan is caught stealing cattle. The local reeve responds to the theft (drastically perhaps) by confiscating all of Helmstan’s possessions; King Edward then declares Helmstan an outlaw. The Fonthill property now returns to Ordlaf since he was its actual owner, while Helmstan held the property on lease. At this point, a desperate Helmstan attempts to redeem himself by visiting the grave of King Alfred. The Letter reads, “Đa gesahte he ðines fæder lic 7 brohte insigle to me, 7 ic wæs æt Cippanhomme mit te. Đa ageaf ic ðæt insigle ðe. 7 ðu him forgeafe his eard 7 ða are ðe he get on gebogen hæfð” [Then he sought your father’s body, and brought a seal to me, and I was with you at Chippenham. Then I gave the seal to you, and you granted back his land and property on which he still resides]. Simon Keynes has remarked that the circumstances of this remarkable passage are obscure, but he suggests that “the attested practice of vouching a dead man to warranty provides a possible analogy.” Vouching to warranty involves cases in which stolen property is discovered in the possession of another party and then claimed by its rightful owner. The current holder of the stolen property

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75 This declaration is surprising. The more common penalty for theft would have been death; outlawry usually applied to a criminal who had fled and remained at large. See Keynes, “Fonthill Letter,” 87-88.

76 Gretsch, “Language,” 100.

77 In his comments on the letter, Sanders suggests that lic might be a mistake for lac: “This curious incident of Helmstan’s visit to King Ælfred’s tomb, or body, is inferred from the words in the narrative … But it is possible that ‘lic’ may be the other Anglo-Saxon word ‘lic’ or ‘lac,’ meaning a gift or present, and that the signet brought by Helmstan was one given him by King Ælfred to be used by him for protection in circumstances of peril” (Sanders, Facsimiles, v). This suggestion has not been endorsed by later scholars.

78 Keynes, “Fonthill Letter,” 88 and 88n146. See also Ine 53 and II Æthelred 9.2 (Gesetze 1:112 and 1:226; translation, Attenborough, pp. 53 and 55, and Laws, 63).

79 BT, s.v. “team” (iii); and Keynes, “Crime and Punishment,” 77.
attempts to show that he bought the property lawfully by calling on a witness to the transaction. This process would clear the owner of any charge of wrongdoing. Helmstan indeed was discovered in the possession of stolen property, but it seems doubtful that the purpose of his visit to Alfred’s body was to demonstrate that he had lawfully acquired the livestock through a legitimate sale. In this case the visit would suggest that Alfred somehow had been involved in the sale, or was once in some position to verify it. Neither alternative seems particularly likely.

If Helmstan wasn’t vouching Alfred to warranty, then what was the purpose of his graveside visit, and how does it function in the narrative? What should we make of the seal that Helmstan brings back and gives to Ordlaf, the same seal that prompts Edward to forgive Helmstan his transgressions and return his land? These questions evade easy answer, but the episode clearly intrudes the dead king further into the narrative, reminding Edward the Elder yet again of his father’s earlier involvement in the case and his consistent support of Ordlaf. The Letter also shifts here from its usual practice of referring to Alfred by name or as the king and names him instead as Edward’s father (“ðines fæder lic”). This slight shift continues the narrative embodiment of the Alfred: this sequence begins with the evidence of the king’s signature on a charter, continues with the image of Alfred’s clean hands, appears again in the appeal to the king’s dom, and concludes with the invocation of the father’s body. As the sequence culminates in the evidence of the interred body, the text makes the familial connection between father and son explicit.

The account of Helmstan’s visit to Alfred’s grave and his subsequent pardon by Edward provides another key narrative unit in the teleological movement of the Letter.
Helmstan begins the story marked as a thief, and he later fulfills his low reputation by stealing cattle. The Fonthill property begins its story in the hands of a disreputable owner who barters the land away in exchange for legal protection. The land subsequently moves to Ordlaf, an influential man of respected social standing, who then exchanges the property with the minster at Winchester for another estate of equal hidage. The narrative moves the Fonthill property out of unethical circumstances and into legitimate possession by the church. The narrative also includes Helmstan in its progressive moral trajectory when it specifies that he continues to reside on the estate Edward granted him, with the implication that Helmstan has since refrained from larceny. The momentous visit to Alfred’s grave facilitates some recuperation of Helmstan’s character, just as Ordlaf’s own interactions with the king endorse his interpretation of the property dispute. The Letter’s narrative portrays the land as progressing from contested ownership to legitimate and lasting possession.

The grave episode further emphasizes the decisive role documents have played in the property dispute: a charter allowed Helmstan to make an oath on his own behalf; a charter ratifies the legitimacy of Helmstan’s grant of the property to Ordlaf; and the insigle Helmstan carries away from the visit, itself a material evidentiary sign, prompts Edward to pardon Helmstan and restore his property. By extension, the Letter aspires to a similar degree of documentary influence in deciding the current dispute over the Fonthill property. The carefully constructed story set forth in the Fonthill Letter is designed to support the earlier decisions that decided the possession of the land. The dorse of the charter states that Æthelhelm later retracted his claim to the property—this information
testifies to the Fonthill Letter’s efficiency in establishing itself as an authoritative rihtracu for the events that it records.

The remarkable invocation of Alfred in the Letter assumes greater significance when we consider how this appeal would have exerted particular influence over Edward the Elder. Several other charters from the early years of Edward’s reign feature similar, albeit less prominent, invocations of the previous king. One charter dated to 900, for example, documents the foundation of the New Minster at Winchester and specifies that Edward acquired the land “… to ðæn ðæt ic ðær mynst er on gestaðolode, for mine saule hælo 7 mines ðæes arwyrðan fader Ælfredes cyninges”\(^{80}\) […] in order that I might found a monastery there, for the good of my soul and that of my honored father, King Alfred]. This text shows a young king mindful of both the memory of his recently deceased father and the political legacy he has inherited.\(^{81}\) It seems clear that Alfred and his helpers were deeply committed to building an image of kingship dedicated in part to just legislation.


\(^{81}\) Another charter, S 378, states that Edward grants the property “propter Dei amorem et eiusdem familæ . et propter amorem parentum eius qui in eodem loco sunt dediti sepulture” (CS, vol. 2, no. 624 at p. 294). […] for the love of God and of that same community (Winchester) and for the love of his parents who are consigned to a tomb in that same place.] This document generally is seen as a forgery, but Cyril Hart has claimed that the forger used genuine material in his work, classifying the document as “basically authentic, but incorporating some spurious material.” Hart, “Codex Wintoniensis,” 34. Hart judges those texts in the archive deemed as suspicious to be “basically genuine texts which have been subjected to minor interpolation or touching up at some stage in their transmission” (ibid., 7). Simon Keynes views the group of charters to which S 378 belongs as suspicious, but also claims “that those responsible for producing these charters had access to some genuine material from the period.” Simon Keynes, “A Charter of King Edward the Elder for Islington,” *Historical Research* 66 (1993): 303-16 at 313. While the frequency of references in Edward’s charters to his parents and ancestors within the Winchester cartulary might suggest a “house style” available for forging or embellishing documents, the occurrence of similar references in other archives instead suggests a genuine documentary practice.
Asser’s *Life*, for example, famously praises both Alfred’s commitment to justice and his legal insight:

… erat namque rex ille in exequendis iudiciis, sicut in ceteris aliis omnibus rebus, discretissimus indagator. Nam omnia pene totius suae regionis iudicia, quae in absentia sua fiebant, sagaciter investigabat, qualia fient, iusta aut etiam iniusta, aut vero si aliquum in illis iudiciis iniquitatem intelligat, leniter usus suatim illos ipsos iudices, aut per se ipsum aut per alios suos fideliuers quoslibet interrogabat, quare tam nequiter iudicassent, utrum per ignorantiam aut propter aliam quomlibet malevolentiam, id est utrum pro aliquorum amore vel timore aut aliorum odio aut etiam pro alicuius pecuniae cupiditate.  

[… the king was an extremely astute investigator in judicial matters as in everything else. He would carefully look into nearly all the judgements which were passed in his absence anywhere in his realm, to see whether they were just or unjust; and if he could identify any corruption in those judgements, he would ask the judges concerned politely, as is his wont, either in person or through one of his other trusted men, why they had passed so unfair a sentence—whether through ignorance or because of some other malpractice (that is to say, either for love or fear of the one party or for hatred of the other, or even for the sake of a bribe).]

The Fonthill Letter seems to advance a similar idealized reputation as one to which Edward himself should aspire as he continues in his father’s work, especially as he arbitrates thorny legal disputes. A dedication to just law and arbitration, the parallel implies, would establish Edward as a worthy successor to his father. This ideal of legal integrity and sagacity would have been recognized as a crucial part of the model of kingship advanced in the writings associated with the intellectual climate of Alfred’s

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circle. Edward’s own law-codes indicate that he was committed in some degree to maintaining his father’s dedication to legal innovation and investigation.\textsuperscript{84}

Such appeals to Alfred’s legacy would have had ample social precedent for their force. Edward was not the only eligible candidate for the throne, and Barbara Yorke has argued that Alfred and his helpers were most concerned “to present Edward as the most throneworthy of the available æthelings.”\textsuperscript{85} Alfred was himself the youngest of five sons. His older brothers Æthelbald, Æthelberht and Æthelred all preceded him as king, and Æthelred had two sons, Æthelwold and Æthelhelm, both eligible for the throne after Alfred’s death. As a result, Alfred seems to have taken some care in preparing Edward to be the most promising candidate for kingship: Edward received a special education at court, frequently witnessed charters with his father, and had a prominent place in Alfred’s will.\textsuperscript{86} Edward is the only one of Alfred’s five children to be mentioned by name in the will,\textsuperscript{87} and Alfred grants him extensive lands in contrast to the three estates he grants his

\begin{itemize}
\item \textsuperscript{86} Ibid., 27-32. For the text of the will, see \textit{SEHD}, no. 11 at pp. 15-19; see also Miller, \textit{Charters of the New Minster}, no. 1 at pp. 3-6.
\item \textsuperscript{87} The will refers to Alfred’s younger son Æthelward as “þam gingran minan suna” [to my younger son]; Alfred’s three daughters (Æthelfled, Æthelgifu, and Ælfthryth) are only mentioned as “minre yldstan dehter … 7 þere medemestan … 7 þere gngestan” [to my oldest daughter … and the middle [daughter] … and the youngest (daughter)]. \textit{SEHD}, 17.
\end{itemize}
nephew Æthelwold. Alfred’s will refers to the many inheritance disputes he faced before the formal endorsement of the will by the witan:

When we now heard many disputes about the inheritance, I brought King Æthelwulf’s will to our assembly at Langandene, and it was read before all the councillors of the West-Saxons. When it had been read, I urged them all for love of me—and gave them my pledge that I would never bear a grudge against any one of them because they declared what was right—that none of them would hesitate, either for love or fear of me, to expound the common law, lest any man should say that I treated my young kinsmen wrongly, the older or the younger. And then they all pronounced what was right, and said that they could not conceive any juster title, nor could they find one in the will. ‘Now everything therein has come into your possession, so you may bequeath it and give it into the hand of kinsman or stranger, whichever you prefer.’ And they all gave me their pledge and their sign manual that no man, for as long as they lived, would ever change it in any way other than as I declare it myself at my last day.

The will claims that all the inheritance disputes were decided in Alfred’s favor without coercion and that the arrangements did no harm to any of his kin. Richard Abels has

88 Ibid., 17-18.
89 SEHD, 16-17.
90 Keynes and Lapidge, Alfred the Great, 175.
argued that the meeting at *Langandene* was “a publicly staged display of the king’s rectitude and of the love and loyalty borne him by his subjects,” as well as a public demonstration that Alfred had not slighted his nephews in dispensing the disputed inheritance. The direct speech attributed to the *witan* endorses Alfred’s right to the inheritance and his decisions in bequeathing it, while their *wedd* and *handsetene* sanction the will’s demand that no future party should alter its provisions. Part of these provisions essentially nominate Edward as Alfred’s successor, investing him with great amounts of property while subordinating the *æthelings* Æthelwold and Æthelhelm to a secondary position. Alfred’s will clearly shows him positioning Edward to become the next king.

Raised to be his father’s successor, Edward must have remained aware of that responsibility during his own kingship.

The revolt of *ætheling* Æthelwold after Edward’s succession to the throne in 900 shows that Edward’s succession was anything but secure. During his first years as king,

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92 For a different view on Alfred’s intentions for succession, see Janet L. Nelson, “Reconstructing a Royal Family: Reflections on Alfred, from Asser, Chapter 2,” in *People and Places in Northern Europe: 500-1600, Essays in Honour of Peter Hayes Sawyer*, ed. Ian Wood and Niels Lund (Woodbridge: Boydell Press, 1991), 47-66 at 60-66. Nelson argues that the evidence indicates “a growing tension between Alfred and Edward, and (whether as cause or effect) attempts on Alfred’s part to keep open his options on the succession” (ibid., 66).

93 Asser, chap. 75, emphasizes the special care given to Edward and his sister Ælfthryth as well as their remarkable obedience to their father: “Eadwerd et Ælfthryth semper in curto regio nutriti cum magna nutritorum et nutritum diligentia, immo cum magno omnium amore, et ad omnes indigenas et alienigenas humilitate, affabilitate et etiam lenitate, et cum magna patris subiectione huc usque perseverant” [Edward and Ælfthryth were at all times fostered at the royal court under the solicitous care of tutors and nurses, and indeed with the great love of all; and to the present day they continue to behave with humility, friendliness and gentleness to all compatriots and foreigners, and with great obedience to their father]. Stevenson, *Asser’s Life*, 58; translation, Keynes and Lapidge, *Alfred the Great*, 90.
Edward “was kept in unease by an enemy sprung from his own house.”\footnote{94} As the son of Æthelred, Alfred’s older brother and previous king, and an ætheling, Æthelwold had valid expectation of the throne.\footnote{95} Evidently he felt moved to act upon that expectation.

The Anglo-Saxon Chronicle s.a. 899 (900) records:

Her gefor Ælfred Aþulfing, syx nihtum ær ealra haligra mæsan, se wæs cyning ofer eall Ongelcyn butan ðæm ðæle þe under Dena onwalde wæs, 7 he heold þæt rice ðiþrum healfum læs þe .xxx. wintra; 7 þa feng Eadweard his sunu to rice. Þa geral Æðelwald his fædran sunu þone ham æt Winburnan 7 æt Twooxneam butan ðæs cyninges leafe 7 his witena. Þa rad se cyning mid firde [þæt he] gewicode æt Baddanbyrig wið Winburnan; 7 Æðelwald sæt binnan þæm ham mid þæm monnum þe him to gebugon 7 hæfde ealle þæt geatu forworht in to him 7 sæde þæt he wolde oðer oððe þær libban oððe þær licgan.\footnote{96}

[In this year Alfred son of Æthelwulf died six days before All Saints’ Day. He was king over the whole English people, except for that part which was under Danish rule; and he held that kingdom for twenty-eight and a half years. And then his son Edward succeeded to the kingdom. Then Æthelwold, his father’s brother’s son, seized the residences at Wimborne and Twynham without the permission of the king and his councilors. Then the king rode with the army until he encamped at Badbury near Wimborne, and Æthelwold stayed inside the residence with the


\footnote{95} All æthelings would be eligible for succession, although certain candidates were advanced and supported prior to the event. For a discussion of the position of ætheling and its significance for determining royal succession, see David N. Dumville, “The Ætheling: A Study in Anglo-Saxon Constitutional History,” ASE 8 (1979): 1-33. For a specific discussion of Æthelwulf’s provisions for dispensing his inheritance as reported in Alfred’s will, and its implications for a king attempting to ensure a particular line of succession, see ibid., 21-24. Dumville is responding to arguments advanced by Eric John in \textit{Orbis Britanniae}, 36-44. In S 356, dated to 892, Æthelwold appears just above Edward in the witness list; both are designated as \textit{filius regis}. CS, vol. 2, no. 568 at p. 210.

\footnote{96} Bately, \textit{MS A}, 61-62. A small cross has been inserted above the names of both Alfred and Edward in the manuscript, and a larger encircled cross has been placed in the left margin adjacent to the line “healfum læs þe .xxx. wintra; 7 þa feng Eadweard his” (ibid., 61). The manuscript in this way marks and confirms graphically the legitimate succession between Alfred and Edward.
men who had submitted to him; and he had barricaded all the gates against him, and said that he would either live there or die there.]

Æthelwold escaped in the night, however, and would remain a dangerous threat to Edward until 902, when he was killed in a battle where he seems to have been leading a Danish army. James Campbell has argued that Æthelwold’s rebellion enjoyed remarkable success until it ended on the battlefield in the southern Danelaw. Contemporary sources may not do full justice to the gravity of this threat to Edward’s rule or the legitimacy of Æthelwold’s claim. Edward must have been sensitive, then, to pleas honoring his father’s previous decisions regarding property, especially when they conjured the ghosts of past disputes, even if those disputes were on the local scale of the Fonthill Letter. Æthelwold’s own appeal in the Letter, “Donne, leof, is me micel neodðearf ðæt hit mote stondan swa hit nu gedon is 7 gefyrn wæs” [Then, Sir, it is a great necessity for me that it may stand as it is arranged now and as it was before], recalls Alfred’s own appeal in his will that its provisions remain as he had stated them. In this way, the Fonthill Letter recalls a recent dispute over royal succession and its own allotment of property and power. This evocative appeal marks the point at which the story achieves a confluence in

97 Keynes and Lapidge, Alfred the Great, 120.


99 The BCD versions of the Chronicle add that the Viking army in Northumbria submitted to Æthelwold as king. Keynes and Lapidge suggest that in A “the acceptance of Æthelwold as king in Northumbria was suppressed, perhaps to obscure this evidence of dissension within the West Saxon royal dynasty” (Keynes and Lapidge, Alfred the Great, 292n11). BCD also provide Æthelwold with the title of ætheling, whereas A does not.

100 Gretsch, “Language,” 100.
which local and national property disputes become synonymous, aligning the precedents of Alfred’s legal endorsement in both the Fonthill case and the disputed succession.

The charters of Edward’s reign also demonstrate a sensitivity to issues of succession in their need to reify a legitimate continuity between Alfred and Edward.¹⁰¹ A number of Edward’s early charters contain references to Alfred and his forefathers, drawing connections between Edward and the West-Saxon line of kings. In two charters from 901, for example, Edward endows land to the New Minster at Winchester with the attendant request that the community pray for his soul and that of his venerable father: the first charter reads, “… quandam terram donaui quod est at Anne .xv. mansas, quatinus ibi pro me et uenerabili patre et auibus meis cotidie orationes fiant et intercessiones”;¹⁰² […] I gave some land, that is, fifteen mansas at Ann, in order that prayers and intercessions be made daily for me and for (my) honorable father and my ancestors; the second charter also specifies that Edward grants the land “pro remedio anime mee meique uenerabilis patris”¹⁰³ [for the good of my soul and that of my honorable father]. Kings granting property in exchange for prayers are common enough in charters, but the regular inclusion of the king’s father in these appeals is remarkable.¹⁰⁴

¹⁰¹ For the disputed succession after Edward’s own death, see Barbara Yorke, “Æthelwold and the Politics of the Tenth Century,” in Bishop Æthelwold: His Career and Influence, ed. Barbara Yorke (Woodbridge: Boydell Press, 1988), 65-88 at 69-73. Edward married three times and produced sons by each marriage. Ælfweard (a son by Edward’s second wife Ælfflæd) briefly succeeded to the throne for less than a month before Athelstan became king in 924.

¹⁰² S 365; Miller, Charters of the New Minster, no. 4 at p. 26.

¹⁰³ S 366; Miller, Charters of the New Minster, no. 5 at p. 31.

¹⁰⁴ A small number of other documents contain similar appeals. See S 333 (Æthelberht in 864), “7 eac swylyce for arwulfnesse Æþelwulfes saule mines fede” (M. A. O’Donovan, ed., Charters of Sherborne, Anglo-Saxon Charters 3 [Oxford: Oxford University Press, 1988], no. 6 at p. 19) [and also for the honor of
Another Winchester charter dated 900 contains five conspicuous references to Alfred. The first two references occur within a short account of the provisions made that the property in question should pass to Winchester after Alfred’s death:

… ego EADWARD gratia Dei Angul Saxonum rex . litterarum memoriae commendare procuraverim . quod in diebus avi mei . Aðelwlfi regis . et Ælfredi regis patris mei factum fuerat . hoc est quod ille Aðulf rex moriens commendavit Ælfredo regi filio suo illam terram ÆT CEOLSLEDENE æt ÆT SWEORES HOLTE ea conditione quod ille Ælfred rex post obitum suum dimitteret eandem terram illi familie venerabili . in WINTONIA civitate …

[I. Edward, king of the Anglo-Saxons by the grace of God, have endeavored to commit to written record what had been done in the days of my ancestor, King Æthelwulf, and my father, King Alfred, that is that as he was dying King Æthelwulf committed the land at Ceolseldene and Sweoresholt to his son King Alfred under the condition that King Alfred leave that same land after his own death to that honorable community in Winchester …]

Edward’s declared commitment to the actions and decisions of his forefathers asserts his position in the West-Saxon royal line and confirms him as the rightful heir and executor of their political will and legacy. In simplifying the recent history of West-Saxon

my father Æthelwulf’s soul]; S 995 (Harthacnut in 1038/39), “pro remedio anime patris et matris atque mee” (Benjamin Thorpe, ed., Diplomatarium Anglicum Ævi Saxonici [London, 1865], 344) [for the redemption of my father and mother’s soul as well as my own]; and S 1062 (Edward the Confessor in 1042 x 1065), “for Æþelredes kinges mines fæderes saule an Hardacnudes mines broþer an ealra þara kinge þe tefore me wæron oþþe æfter me cumed to þise rice” [for the souls of King Æthelred, my father, and Hardacnut, my brother, and of all the kings who were before me or who shall succeed to this kingdom after me], Robertson, Charters, no. 118 at pp. 218 and 219. The latter two charters are spurious. Requests for the redemption of a father’s soul also appear in several wills. Ætheling Æthelstan bequeaths all his possessions “minre saule to alysednysse 7 mines fæder Æþelredes cynges” (S 1503; Dorothy Whitelock, ed., Anglo-Saxon Wills [Cambridge: Cambridge University Press, 1930], no. 20 at p. 56) [for the redemption of my soul and that of my father King Æthelred]. For other wills with similar phrasing, see S 1501 (“for uncera saule 7 for mines fæder” [Whitelock, Wills, no. 16.1 at p. 42]) and S 1533 (“for mine sawle 7 for mines fæder 7 for mines ildran fæder” [Robertson, Charters, no. 26 at p. 52]). The repetition of such appeals, however, is characteristic only of the Edwardian material.

kingship by drawing a line directly from Æthelwulf to Alfred to Edward—that is, omitting mention of Alfred’s brothers—the charter elides any questions of the succession after Alfred’s death. These genealogical references in the charter appear as part of the property’s history, but this embedded narrative also reflects a documentary preoccupation with establishing a legitimate line of succession running from Æthelwulf to Alfred to Edward.

S 359 goes on to mention Alfred three further times: once in the dating clause, and twice in its stipulation that Winchester is to receive with the property all those men living on the land at the time of Alfred’s death. The authenticity of this charter is suspect in part, however, due to both its late date (it survives only in a twelfth-century cartulary) and its conspicuous reference to Alfred in its dating clause. Simon Keynes has deemed the charter to be “substantially authentic,” however, with “all the appearance of a routine text formulated within the general context of the ‘West Saxon’ diplomatic tradition.”

Three other Edwardian charters also refer to ancestral figures from the West-Saxon royal line, suggesting again some documentary interest in establishing Edward’s legitimate rule. Most of Edward’s charters survive in late copies within the archives of the Old

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106 Another charter, S 362, also mentions Alfred in its account of the property’s history. Edward grants property that previously had been forfeited by a Wulfhere and his wife due to treason: “Ista vero prænominata tellus primitus fuit . præpeditus a quodam duce nomine Wulhere . et eius uxore quando ille utrumque et suum dominum regem Ælfredum . et patriam ultra iusiurandum quam regi et suis omnibus optimatibus iuraverat sine licentia dereliquit” (CS, vol. 2, no. 595 at p. 243) [And this afore-mentioned estate was originally forfeited by a certain ealdorman, Wulfhere by name, and his wife, when he deserted without permission both his lord King Alfred and his country in spite of the oath which he had sworn to the king and all his leading men].


and New Minsters at Winchester, but there is enough material in other archives, Keynes argues elsewhere, “to provide some form of corroboration and independent control.”

The recurrent invocation of Alfred as father stands as one stylistic reflex in the Edwardian charters. Despite diplomatic complications surrounding the charter evidence, the number and consistency of references to Alfred in the Edwardian material suggest a contemporary basis for the Fonthill Letter’s own repeated appeals to the previous king.

The Fonthill Letter provides a valuable specimen of Old English prose composed independently of a Latin source text or a formal diplomatic model. Consequently, its composition would have been largely unrestricted by determining diplomatic conventions and open to strategic invention. Contemporary documentary evidence clarifies the skill of the Fonthill Letter in representing the past in the service of its larger argument. The Fonthill Letter strategically appeals to the mode of kingship Alfred represents, and it refers to the urgent political consequences when royal decisions in past disputes were later challenged. This synergy between local and national events invests the text with a

(Scuol: Oxford University Press, 2000), vol. 1, no. 19 at pp. 81-85. These charters each come from a different archive: S 358 survives in the Winchester cartulary; S 368 in the Wilton archive (fourteenth century); S 369 in the Abingdon archive (thirteenth century). S 358 mentions Kings Egbert, Æthelwulf, and Alfred; S 368 and 369 refer to ÆThelwulf. S 369 further specifies that Edward grants the property “pro piaculorum meorum remedio necnon et antecessorum meorum etiam posteritatis mei subsequentis” (Kelly, Abingdon, 1:81) [for the remedy of my sins as well as those of my predecessors and those of the generation following me]. These explicit connections between Edward and his predecessors, each coming from a different archive, suggest a documentary pattern of reiterating Edward’s legitimate kingship.


great deal of its persuasive force, and its narrative equivalence between a small estate and
the West Saxon kingdom underscores the reality that legal provisions for ensuring the
transmission of property were never secure or easy at any social level. The possession of
land brings with it the pressure of competing claims, past lives and expectations. Charter
narratives like the Fonthill Letter shape that past into a coherent story which transforms
the tensions of history into an argument for legitimate possession.

3.2 Between Brothers: A Dispute at Sunbury

Like the Fonthill Letter, S 1447 links the possession of local property to the
politics of dynastic succession in order to bolster its narrative authority. It records the
history of an estate at Sunbury prior to its purchase by Archbishop Dunstan in 968. The
document was composed sometime after 968 and before Dunstan’s death in 988,
probably in response to (or in anticipation of) some dispute after Dunstan’s purchase of
the property. The charter dorse contains the inscription “Sunanburge talu,” followed by
a small cross enclosed in a square and a brief Latin description of the document. The

\[\text{footnote 111}\]

\[\text{footnote 112}\]
detailed property history in S 1447 spans approximately fifteen years and involves three different kings, and attaches its local dispute to Edgar’s succession following the deaths of kings Eadred and Eadwig. By arranging a messy history full of interruptions and frustrations into an artful narrative, this *talu* imposes an order upon the vicissitude of dispute and changes in possession which culminates in the closing claim of Dunstan. S 1447 also links Dunstan’s acquisition of the Sunbury property to Edgar’s own succession to a reunited kingdom, thereby invoking the weight of dynastic history and the positive associations Edgar’s reign would come to wield in many contemporary texts. In this sense, S 1447 uses story to associate the space of the Sunbury estate with a particular history.

S 1447 tells the story of an estate of ten hides at Sunbury (Middlesex) and its passage through the hands of several owners, beginning in the early 950s and ending in 968. The first owner to appear in the story is an Athelstan who loses the property after he fails to vouch warranty for the sale of a stolen slave. Athelstan’s brother, Edward, attempts to intervene and save the family property but Athelstan refuses his assistance. Athelstan later attempts to reclaim the property after the death of King Eadred (946-55), but he is expelled from the estate by King Eadwig (955-59) who then grants the property

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Not to be deterred, Athelstan appeals to Edgar, recently elected king by the Mercians, but he is again unsuccessful and Edgar books the property to Ealdorman Athelstan. Ecgferth then buys the property from Ealdorman Athelstan and asks Archbishop Dunstan to act as a guardian for the land after his death in the interest of his widow and child. Dunstan cannot honor this request after Ecgferth’s death, however, due to an unspecified offense of Ecgferth which results in the forfeiture of his property. Edgar then grants the Sunbury property to Ealdorman Ælfheah, who later sells the estate to Dunstan, the transaction which concludes the *talu*. The story begins with a crime followed by a case of legal default, and gradually progresses to legitimate transactions and procedures.

In his list of Anglo-Saxon lawsuits, Patrick Wormald divides the events detailed in the *talu* into three distinct cases. The organization of the narrative supports this division through its use of temporal transitions (two of which are structured around kingship and succession) to separate the major episodes: the opening statement, “Se fruma wæs,” begins the first episode and initiates the property history; the second episode begins with the transitional phrase, “binnan þam wendun gewyrda”; “æfter þam getidde” introduces the third episode, featuring Ecgferth and his loss of the property; and finally, 

114 A thegn of this name (*Byrnrice*) appears in the witness list in two of Eadwig’s charters, S 610 (dated to 956) and S 659 (dated to 958), and received estates in Wiltshire (S 612: six hides *æt Langanforde* in 956) and Hampshire (S 613: five hides *æt Polhamatune* in 956). Robertson, *Charters*, 337.

115 Ealdorman Athelstan “is a regular witness of Edgar’s charters both before and after he became sole king” (ibid.). S 1447 does not clarify the apparent conflict between Eadwig giving the property to Beornric and Edgar shortly thereafter granting it to Ealdorman Athelstan as *bocland*. At any rate, it is Ealdorman Athelstan who later sells the property to Ecgferth.

“Þæs on syxtan gere” marks the conclusion which records the terms of the transaction between Dunstan and Ælfheah and presents the document’s closing plea. By anchoring its narrative transitions in the succession of kings, S 1447 associates the local property at Sunbury with dynastic history, in each case showing land moving away from unworthy holders and into the keeping of rightful possessors.

The narrative also establishes two parallel stories of brothers at odds over family lands: the brothers at Sunbury, Athelstan and Edward, and the two kings, Eadwig and Edgar, ruling a divided kingdom. Of the first two brothers, Athelstan is clearly the rogue of the story, as his irresponsible actions lead to the loss of family property. Conversely, the story of royal brothers features a rogue of its own. Although Eadwig makes only a scant appearance, a contemporary audience could easily have supplied the missing backstory: a young and impetuous king infamous for rash land dealings, and later vilified by monastic writers. Edgar in contrast would be celebrated as an exemplary king who mended political division, maintained dynastic lands, and championed the English Church. The story of Athelstan provides a negative example of family land lost through the actions of a ‘bad’ brother while the story of Edgar provides a positive example of family land saved through the prudence of a ‘good’ brother. By juxtaposing the local dispute at Sunbury against the unification of the kingdom under Edgar, S 1447 conjoins Dunstan’s claim to Sunbury with the legitimacy and prestige of Edgar’s kingship. I will

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117 Upon his succession, Eadwig dispossessed his grandmother Eadgifu of her lands, appointed new ealdormen in Mercia, and issued over sixty diplomas in 956 in an attempt to win political support and establish a new power-base. See Cyril Hart, “Athelstan ‘Half King’ and his Family,” ASE 2 (1973): 115-44; and Barbara Yorke, “Æthelwold and the Politics of the Tenth Century.”
demonstrate this juxtaposition through an analysis of the narrative itself, followed by a
consideration of how the narrative draws upon its textual environment for its persuasive
power.

The *talu* begins with the theft of Thurwif, a female slave owned by Ælfsige, who
later finds the woman in the possession of Wulfstan. Wulfstan asks Athelstan to stand
warranty that he paid for the woman in a legitimate sale; Athelstan accepts but fails to
appear at the appointed time and produce warranty. Athelstan subsequently pays a
penalty of two pounds to Ælfsige, a price equivalent to the value of a slave.118 Athelstan’s
failure to pay *wergeld* for his default on warranty, however, brings the property at
Sunbury into danger of forfeiture. Ealdorman Brihtferth summons Athelstan’s brother
Edward, who offers to pay Athelstan’s *wer* in exchange for full possession of the estate at
Sunbury.119 Edward’s possession of a *boc* for the property indicates that the estate was
*bocland*. This reference to a charter also indicates the prominent role documents will play
in the narrative—*S 1447* frequently draws attention to the authority of documents in
establishing and protecting the transmission of property, thereby underscoring its own
instrumentality in declaring Dunstan’s claim to the property.

The tension between the brothers produces the text’s first narrative setpiece. The
episode contains a short exchange of dialogue featuring direct speech from Edward as he
tries to negotiate a settlement that will preserve family possession of the property: “7

118 David A. E. Pelteret, *Slavery in Early Mediaeval England: From the Reign of Alfred Until the

119 Liebermann suggests that Athelstan and Edward may have held the property jointly at one
time: “Oder von zwei Brüdern [vielleicht einst Gemeineigentümern] besass einer das ~ und wollte dem
andern, der die Urkunde hatte, diese abkaufen” (*Gesetze* 2:327, s.v. “bocland” [25b]).
cwæð . ic . hæbbe Sunnanburges boc ðe uncre yldran me læfdon . læt me þæt land to
handa ic agife þinne wer ðam cynge” [and (he) said, “I have the title-deeds of Sunbury
which our parents left me; give me possession of the estate and I will pay your wergeld to
the king”].120 Athelstan refuses Edward’s offer, answering that he would prefer the
property were lost “to fyre oððe flode” rather than accept the bargain. Edward answers
“hit is wyrse þæt uncer naðor hit næbbe” [“It would be worse for neither of us to have
it”].121 This statement concludes the brief dialogue between the brothers, and Edward’s
fear that the property will be lost to them both is quickly realized, as the talu simply
states, “þa wæs þæt swa” [that was what happened].122

The prominent details of this initial short episode set the property history against a
backdrop of two brothers at odds over family property. The attention provided to this
scene is not commensurate with its relevance to Dunstan’s own history with the Sunbury
property, so it is notable that the talu initiates its story with this tableau. The episode
marks the beginning of the property’s history with illegality, including theft and default
on warranty, while the precise legal terminology and delineation of procedures
establishes that Athelstan’s loss of the Sunbury property was just (he was involved in the
sale of a stolen slave, failed to vouch warranty, neglected to pay the penalty for that
default, and refused to negotiate with his brother). S 1447 arranges its story in such a way
that “the successive contexts” (to borrow de Certeau’s language) surrounding the

120 Robertson, Charters, 90 and 91 (abbreviations expanded in all citations of S 1447).
121 Ibid.
122 Ibid.
property begin with an account of forfeiture marked by legal transgression and discord between brothers.

The second episode begins with the death of King Eadred and Eadwig’s succession to the throne. This change in the political climate inspires Athelstan to reoccupy the Sunbury property: “7 wende Æðelstan hine eft into Sunnanbyrg . ungebetra þinga” [Æthelstan went back to Sunbury without making amends]. King Eadwig intervenes and gives the property to the thegn Beornric, who ejects Athelstan from the estate. S 1447 specifies that these events occur during Edgar’s tenure as king of the Mercians (957-59), again linking local events and national politics. After his failure with Eadwig, Athelstan petitions Edgar for the return of the Sunbury property. The Mercian witan demands that Athelstan make good on his long-outstanding wer, but Athelstan again refuses to pay the penalty:

þa ætdehdon him Myrcna witan land buton he his wer agulde þam cynge swa he oðrum ær sceolde . þa næfte he hwanon . ne he hit Eadwearde his breðer geðafian nolde . þa gesælde se cyng . 7 gebecte þæt land Æðelstane ealdormenn . to hæbbenne . 7 to syllanne for life . 7 for legere þam him leofost were.

[Then the Mercian council decreed that he should lose the estate, unless he paid his wergeld to the (present) king, as he should have done to the other one. Then he had nothing with which to pay, nor would he allow his brother Edward to do so. Then the king gave the estate and confirmed it by charter to Ealdorman Æthelstan,

\[\text{123 Ibid.}\]

\[\text{124 “gemang þam getidde þæt Myrce gecuran Eadgar to cyngle . 7 him anweald gesealde ealra cynerihta” [In the meantime it happened that the Mercians chose Edgar as king, and gave him control of all the royal prerogatives]. Ibid.}\]
to be held and granted, during his lifetime or at his death, to anyone he pleased.]\textsuperscript{125}

The talu echoes the language of the royal diploma in its statement that Edgar has granted the property to Ealdorman Athelstan as bocland, emphasizing again the efficacy of documents in establishing the legitimate possession of property. Eclipsed by the authority of the boc, the first Athelstan disappears from the narrative after Edgar books the property to Ealdorman Athelstan. The talu has established Athelstan as undeserving of his property and moved the land into the full and legitimate possession represented by bocland. Athelstan’s petition to Edgar also represents a moment in the talu when the friction between Athelstan and Edward intersects with the story of a kingdom split between Eadwig and Edgar—both stories feature disputed family land and brothers divided.

In the third episode, Ecgferth purchases the land from Ealdorman Athelstan. The document clearly establishes that this sale was legitimate and properly conducted: “æfter þam getidde þæt Ecgferð gebohte bocland æt Æðelstane ealdormenn . on cynges gewitnesse . 7 his witena swa his gemedo wærón . hæfde 7 breac oð his ende” [After that it happened that Ecgferth bought both the estate and the title-deeds from Ealdorman Æthelstan with the cognisance of the king and his councillors, as was his good pleasure, and held and enjoyed it till the end of his life].\textsuperscript{126} At some point after his purchase of the property, Ecgferth asked Dunstan to act as guardian for the property in the interest of his

\textsuperscript{125} Ibid. Translation modified (Robertson’s “Earl Æthelstan” changed to “Ealdorman Æthelstan”).

\textsuperscript{126} Ibid., 90 and 92, 93. Emphasis added. Translation modified (Robertson’s “Earl Æthelstan” changed to “Ealdorman Æthelstan”).
wife and child: “þa betæhte Ecgferð on halre tungan . land 7 boc on cynges gewitnesse Dunstane arcebisceope to mundgenne his lafe . 7 his bearne” [Then Ecgferth unequivocally committed both the estate and the title-deeds, with the cognisance of the king, to Archbishop Dunstan, in order that he might act as guardian to his widow and child]. The details suggest that the guardianship was established properly, and Ecgferth’s initial purchase of the property and his entrustment to Dunstan textually link property and document (“boc 7 land” and “land 7 boc”). S 1447 again underscores the crucial role charters play in the legitimate possession and transmission of property.

When Dunstan approaches the king about his guardianship, however, Edgar declares Ecgferth’s property to be forfeit: “þa cwæð se cyng him to andsware mine witan habbað ætrecð Ecgferðe ealle his are . þurh þæt swyrd þe him on hype hangode þa he adranç” [Then the king said to him in answer, “My councillors have declared all Ecgferth’s property forfeit, by the sword that hung on his hip when he was drowned”]. The specific nature of Ecgferth’s transgression (and the exact significance of the sword that hangs on his hip) remains unclear: Kemble and Liebermann both held that Ecgferth had committed suicide, but Robertson rejects this view, noting the “entire absence of any reference elsewhere to forfeiture in the case of suicide.” More recently, Nicholas Brooks has proposed that Ecgferth drowned during an ordeal undertaken on account of

127 Ibid., 92 and 93. Emphasis added.

128 Ibid.

129 Ibid., 338. See also Liebermann: “Für einen Selbstmörder muss dem König Wergeld bezahlt werden wið clænum legere; Urk nach 962 Birch 1063. Sonst also entbehrt er geweihetes –. Und der König, nicht die Kirche entscheidet darüber. Das hohe Lösegeld zeigt, wie tief diese Unehre galt” (Gesetze, 2:479, s.v. “Grab” [D]).
“some major crime,” a point supported by Ecgferth’s being denied burial in consecrated ground. Whatever the actual offense may have been, the talu gives the consequent loss of property a prominent place in the narrative, even while it mutes a potential conflict between the king and archbishop over this forfeiture.

Despite Edgar’s refusal to honor Dunstan’s request for the property, the narrative does not explicitly censure Edgar or his decision to give the land to Ælfheah. Edgar has consulted his witan, and the text clearly indicates that Ecgferth was considered guilty of some major offense. Edgar’s direct speech (the first to appear since that of Edward in the initial episode) lends greater presence to his statements, and the talu does not censure his subsequent grant of Ecgferth’s property at Sunbury and Send to Ælfheah. Recording that Edgar allowed Ecgferth a consecrated burial after Dunstan had settled Ecgferth’s wer also favors Edgar despite his decision against Dunstan’s interests. The narrative depicts the situation as a complex and unfortunate one for Dunstan, but it also presents its resolution as just. The use of direct speech in this episode, following a case of forfeiture as a penalty for some legal transgression as well as an outstanding wer, recalls the similar presentation of Edward’s own direct speech in the first episode after Athelstan loses the estate. This parallelism underscores the gradual progression in the story of the property away from illegality and transgression and into legitimate channels of transmission.

Nicholas Brooks, The Early History of the Church of Canterbury: Christ Church from 597 to 1066, Studies in the Early History of Britain (1984; London and New York: Leicester University Press, 1996), 249. Brooks observes, “One might conjecture that the archbishop had less confidence than the king in the efficacy of proof by ordeal. Certainly when the king’s relations with his nobles and the letter of the law were at stake, Edgar was not prepared to show especial favour to his archbishop” (ibid.).

S 702 records Edgar’s grant of the property to Ælfheah. See Korhammer, “Bosworth Psalter,” 182-87.
S 1447’s final section specifies the price Dunstan paid for the estates, and establishes that the purchase was entirely uncontested: the property was purchased “ungbecwedene . 7 unforbodene wið ælcne mann to þære dægtide” [uncontested and unopposed by anyone at the time]. The uncharacteristically dense final sentence of the *talu* syntactically maps the legitimate transmission of the land from Edgar to Ælfheah, and finally from Ælfheah to Dunstan: “7 he him swa þa land geagnian derr . swa him se sealde ðe to syllenæ ahæte . 7 hi þam se cyng sealde . swa hi him his witan gerehton” [he is thus emboldened to claim ownership of the estates, since he who had the power of granting them and to whom the king had granted them, as his councilors, directed, gave them to him]. The syntax of S 1447 is largely paratactic and free of subordination, but the complex syntax of the final sentence breaks this pattern with its hypotactic succession of *swa* clauses and clusters of pronouns. A. J. Robertson has pointed out that the statement may have been modeled in part on a longer formulaic oath found in the legal text *Hit becwæð*: “swa ic hit hæbbe, swa hit se sealde, ðe to syllænæ ahæte, unbryde 7 unforboden” [so I have it, as he gave it who had it to give, honestly and lawfully]. The final sentence of S 1447 contains much more elaborate phrasing, however, than that found in the *Hit becwæð* oath. The phrase “swa him se sealde ðe to syllenæ ahæte”

132 Robertson, *Charters*, 92 and 93.

133 Ibid.

134 Ibid., 339; see also Gesetze, 1:400. Patrick Wormald has observed that *Hit becwæð* “is a formula … for emphasizing an owner’s freedom to do as he wished with a property, and to hold it for his lifetime. It is the position inherent in the whole principle of bookland, though the sort of usufruct that is hinted at here only became prominent in the evidence from the ninth century” (Wormald, *Making of English Law*, 385). *Hit becwæð* survives in two legal collections of the early twelfth century: Cambridge, Corpus Christi College 383 (Ker, *Catalogue*, no. 65) and the *Textus Roffensis* (Ker, *Catalogue*, no. 373).
matches the *Hit becwæd* oath nearly exactly, but the remainder of the sentence elaborates
the formula. This closing sentence contains several rhetorical devices which elevate its
formal register and decorate Dunstan’s claim. In order to more clearly demonstrate its
aesthetic embellishments, I have arranged the sentence in separate lines according to the
pointing in the manuscript:

7 he him swa þa land geagnian derr .
swa him se sealde ðe to syllenne ahte .
7 hi þam se cyng sealde .
swa hi him his witan gerehton.

These phrases present several examples of parallel syntax: the first two lines both end in
an infinitive form followed by a finite verb; the last two phrases feature parallel word
order <conjunction / accusative or nominative pronoun / dative article or pronoun /
nominative noun / finite verb> and each of the four phrases begins with a conjunction,
with the repeated order of 7 … *swa*. These parallelisms indicate some attempt to achieve
an ornamental prose style in the vernacular, perhaps in imitation of the literary
affectations evident in the many Latin diplomas of the later tenth century. In his *De
schematibus et tropis*, Bede describes the use of such an elevated style for Latin prose:

Solet aliquoties in Scripturis ordo verborum causa decoris aliter quam vulgaris via
dicendi habet figuratus inveniri. Quod grammatici Grece »schema« vocant, nos
habitum vel formam vel figuram recte nominamus, quia per hoc quodam modo
vestitur et ornatur oratio.

[The language of the Scriptures is sometimes found to be arranged, for beauty’s
sake, differently from the way the common usage would dictate. Scholars call an

135 The case of *hi* differs in the third and fourth lines, but the word occupies the same syntactical
position.
artificial arrangement of words a *schema* in Greek; speakers of Latin properly call such an arrangement a »habit«, or an »adornment«, or a »figure«, because in this way language is so to speak clothed and adorned.]\(^{136}\)

The final sentence in S 1447 uses several of the figures later outlined by Bede in his treatise, including polysyndeton\(^{137}\) (each phrase begins with a connecting conjunction), paromoeon\(^{138}\) («swa him se sealde dé to syllenne ahte. 7 hi þam se cyng sealde»), and polyptoton\(^{139}\) («he [1x], him [3x], hi [2x], his [2x]»). The first two lines also reverse word order in their initial set of words: the first line begins “he him swa” <nominative pronoun / dative pronoun / conjunction> while the second line contains “swa him se” <conjunction / dative pronoun / nominative article>. The appearance of several such devices in a single sentence, used at the expense of the direct syntax typical of S 1447, indicates vernacular composition *causa decoris*. These final ornamental flourishes

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\(^{137}\) “POLIPSINDETON est oratio multis nexa coniunctionibus est, ut: »Dominus conservet eum et vivificet eum et beatum faciat eum et emundet in terra animam eius; et non tradat eum in manus inimici eius«” [POLYSYNDETON is the name for the figure when a sequence of clauses is connected by multiple conjunctions, as in the Psalm (40:3): »The Lord preserve him and give him life and bless him and cleanse his soul on earth; and deliver him not into the hands of his enemy«]. Kendall, *Bede*, at 178 and 181.

\(^{138}\) “PAROMOEON est, cum ab hisdem litteris diversa verba ponuntur ... Dictum est in Psalmo: »Benediximus vos de domo Domini; Deus Dominus et inluxit nobis«” [PAROMOEON is a sequence of different words beginning with the same letter ... It is said in the Psalm (117:26-27): »We have blessed you out of the house of the Lord. The Lord is God, and he has shone upon us«]. Kendall, *Bede*, at 174 and 177.

\(^{139}\) “POLYPTHOTON est, cum diversis casibus variatur oratio, ut Apostolus: »Quoniam ex ipso et per ipsum et in ipso sunt omnia; ipsi gloria in saecula saeculorum«” [POLYPTOTON is the name of the figure when the same word is used in different cases, as when the apostle Paul says (Rom. 11:36): »For of him (ipso) and by him (ipsum) and in him (ipso), are all things; to him (ipsi) be glory for ever«]. Kendall, *Bede*, at 176, 179 and 181.
represent an attention to stylistic accomplishment,\textsuperscript{140} and their application to Dunstan’s closing claim underscores the intended culmination of the property history within that claim.

In addition to its ordered narrative and its occasional stylistic device, S 1447 parallels contemporary political events with the local history of the Sunbury dispute in order to magnify the authority of its claim. Several of the narrative transitions in the *talu* feature royal succession: the death of Eadred and succession of Eadwig; the Mercian allegiance to Edgar; and Edgar’s later succession to a reunited kingdom.\textsuperscript{141} These transitional links attach the charter’s estate history to contemporary political events, underscoring associative connections between local and national land and in the process accentuating the reality that disputes in dynastic succession or in administration of royal lands were, like many property disputes at the local level, predicated on division and conflict within a family. The story in S 1447 is constructed in such a way that it recalls recent dynastic disputes and banks upon contemporary writings praising Edgar.

The main intersections between S 1447 and its textual environment involve the division of the Anglo-Saxon kingdom between King Eadwig and Edgar in 957. The story of the brothers Athelstan and Edward in S 1447 anticipates that political division—both

\textsuperscript{140} S 1447 also contains a number of alliterative phrases: “forberstan 7 forbeh,” “læfdon læt me þæt land,” “fyre oððe flode,” “wendun gewyrda 7 gewat Eadred cyng,” “for life 7 for legere,” “on cynges gewitnesse 7 his witena,” “myngude þære munde,” and “ætrecð Ecgferðe ealle his are.” S 1447 furthermore contains the only occurrence of *wyrd* in any charter. *Wyrd* appears mainly in poetry and Alfredian prose, and its appearance here suggests an attempt to achieve some poetic flavor in the *talu*.

\textsuperscript{141} Neither Edgar’s succession nor Eadwig’s death are cited in the document, but the later events of the narrative occur early in Edgar’s full reign. Edgar’s grant of the estates at Send and Sunbury to Ælfheah is recorded in S 702 and is there dated to 962.
scenarios involve two brothers and their attempts to secure a piece of property at risk. The two situations are different of course, not least of all in their magnitude, while their correspondence remains evocative rather than exact, but the parallel between them effectively links the history of the Sunbury estate to that of the English kingdom. The text portrays Athelstan as a reckless individual who initially jeopardizes family possession of the property and later fails to secure that possession; this portrayal in turn recalls the negative depictions of Eadwig common in monastic sources of the late tenth century. The Sunbury property begins its progression to legitimate possession only *after* it has been finally denied to Athelstan by King Edgar. This narrative turn anticipates monastic accounts written soon after S 1447 that depict Edgar’s succession to a reunited kingdom as a progression from a time of corruption and division to one of justice and concord.

King Eadred died childless in 955 on November 23. His brother Edmund, however, had two young sons, Eadwig and Edgar, both of whom were eligible for the throne. Eadwig became king in 955 and ruled until his death in October of 959. Sometime between May and December of 957, however, the Mercians and Northumbrians renounced Eadwig and gave their allegiance to the young Edgar. Edgar ascended to a reunited kingdom in 959 after Eadwig’s death. This sketch of events undoubtedly conceals the political complexities, intrigue, and tension of these four years, but the Anglo-Saxon Chronicle is equally terse in its account of this period. The C-text, for example, records Eadred’s accession in 946 and affirms his authority over the

\[\text{142}\] For a discussion of “a certain amount of political disruption” following King Eadred’s death in November of 955, see Simon Keynes, “The ‘Dunstan B’ Charters,” *ASE* 23 (1994): 165-93 at 188-91. The various bequests of land in Eadred’s will, for example, seem to have been entirely disregarded.
Northumbrians and Scots; after this entry we find a string of empty annals up to 956, followed by only a bare outline of the next four years.

AN.dcccclvi. Her forðferde Eadred cing, 7 Eadwi feng to rice.
<AN.dcccclvii. Her Eadgar æþeling feng to Myrcna rice.
AN.dcccclviii. Her forðferde Eadwig cing, 7 Eadgar his broþor feng to rice ægðer ge on Wessexum ge on Myrcum ge on Norðhymbrum, 7 he wæs þa .xvi. wintre.143

[956 In this year King Eadred died, and Eadwig ascended to the kingdom.
957 In this year æþeling Edgar ascended to the kingdom of the Mercians.
958
959 In this year King Eadwig died, and his brother Edgar ascended to the kingdom of the West-Saxons, and of the Mercians, and of the Northumbrians, and he was sixteen years old.]

The A-text is even briefer, containing no mention at all of Edgar’s election by the Mercians.144 In the years following Edgar’s death in 975, however, accounts of these years would soon receive more drama and detail.

Edgar ruled from 959 to 975, and his reign would be remembered by later generations as a time of stability and peace, especially when considered against the tumultuous reign of his son Æthelred II. This admiration for Edgar as the architect of a better time appears most notably in monastic sources, as in Ælfric’s nostalgic appraisal of Edgar in his life of St Swithun:

We habbað nu gesæd be Swiðhune þus sceortlice, and we secgað to soðan þæt se tima wæs gesælig and wynsum on Angelcynne, þa ða Eadgar cyning þone Cristendom gefyrðrode and fela mnuclifa arærde; and his cynerice wæs wunigende on sibbe swa þæt man ne gehyrde gif ænig sciphere wære buton

144 Bately, MS A, 74-75.
agenre leode þe ðis land heoldon; and ealle ða cyningas þe on þysum āglende waren (Cumera and Scotta) comon to Eadgare—hwilon anes dæges eahta cyningas—and hi ealle gebugon to Eadgares wissunge.  

[We have now spoken briefly about Swithun, and we say truly that the time was prosperous and pleasant among the English when King Edgar advanced Christianity and raised up many monasteries; and his kingdom dwelt in peace, so that one never heard of any fleet except of our own people who hold this land; and all the Welsh and Scottish kings who were on this island came to Edgar—one once eight kings on the same day—and they all bowed to Edgar’s rule.]

Ælfric alludes to the famous account of Edgar being rowed down the river Dee at Chester by six Welsh and British kings, which was just one event among the many imperial productions surrounding Edgar in 973. These events signified the expansive scope of Edgar’s political authority, and in conjunction with his sponsorship of monastic reform, they stand as cornerstones of the cultural and political apex that Edgar represented to later Anglo-Saxons like Ælfric. The decades of political instability following Edgar’s death only accentuated his reputation and further influenced later narrative sources; soon after Edgar’s death, his “reign was already seen as a Golden Age which had just passed, especially by contrast with the attacks on churches and their property which were a


146 David Dumville has observed of Edgar, “Apart from the Benedictine revolution with all that it implied, Edgar’s reign is remembered principally for its lack of a major military conflict and for the very visible development—especially in the coronation at Bath in 973—of imperial pretensions” (David Dumville, “Between Alfred the Great and Edgar the Peacemaker: Æthelstan, First King of England,” in his Wessex and England from Alfred to Edgar: Six Essays on Political, Cultural, and Ecclesiastical Revival [Woodbridge: Boydell Press, 1992], 141-71 at 145). The Chronicle s.a. 973 commemorates the coronation in verse. Edgar also conducted a major coinage reform in 973, another event signifying the extent of his political authority.
feature of the 970s and the late 980s.¹⁴⁷ S 1447 was composed sometime between 968 and 988, most probably before Edgar’s death in 975. This would date the talu slightly earlier than the monastic sources which celebrate Edgar, making it remarkable in its anticipation of later portrayals of Edgar as a steward of justice presiding over a political climate amicable to the resolution of disputes.¹⁴⁸ The paired stories of brothers-at-odds in S 1447 would have recalled contemporary accounts of Eadwig and Edgar which contrasted the brothers as models of good and bad kingship (and as stewards of the land) in the decades immediately following Edgar’s death. The implicit allusion to a recent division of dynastic lands would have had a particular force within the horizon of expectations active in the 970s and 980s.

Monastic sources elevate Edgar in part by vilifying Eadwig as a poor king and presenting Edgar as the sanctified redeemer of church and state. The vernacular prose text “King Edgar’s Establishment of Monasteries,” attributed to Æthelwold and dated no later than 984 (approximately ten years after Edgar’s death), for example, dismisses Eadwig as an immature ruler overly susceptible to the manipulations of greedy sycophants while exalting Edgar as a praiseworthy ruler who easily surpassed the excellence of his predecessors:


¹⁴⁸ Soon after his death, Edgar enjoyed a reputation as a king “strong on law and order” (Keynes, “Crime and Punishment,” 72-73). VIII Æthelred 37 laments, for example, that “æfter Eadgares lifdagem, Cristes lage wanodon, 7 cyninges laga litledon” (Gesetze, 1:267). […] after the days of Edgar, the laws of Christ have waned and the laws of the king diminished.]
Neæ lang to þy þæt his broþor þyses lænan lifes timan geendode, se þurh his
cildhades nyteness þis rice tostencte 7 his annesse todælde, 7 eac swa halegra
cyricena land incuþum reaferum todælde. Æfter his forðsiþe Eadgar, se foresæda
cyningc, þurh Godes gyfe ealne Angelcynnnes anweald begeat 7 þæs rices
twislunge eft to annesse brohte, 7 swa gesundlice ealles weold þæt þæ þe on æran
timan lifes weron 7 his hyldran gemundon 7 heora dæda gefyrn tocneowan, þearle
swiþe wundredon 7 wafiende cwædon: ‘Hit is la formicel Godes wunder þæt
þysum cildgeongum cyninge þus gesundfullice eallu þing underþeodde synt on
his cynelicum anwealde; his foregengan, þe geþungene wæron on ylde 7 on
gleawscype swiþe bescawede 7 forewittige, [7] on ænegum gewinne earfobwylde,
næfre þísne andweald on swa micelre sibbe smyltnesse gehealdan ne mihton,
næpor ne mid gefeohte, ne med scette.’

[It was not long before his brother [Eadwig] ended the time of this loaned life,
who through the ignorance of childhood scattered his kingdom and divided its
unity, and also distributed the lands of holy churches to thieving strangers. After
his death, Edgar, the aforesaid king, obtained through God’s grace all authority
over the English, and brought the division of the kingdom back to unity, and ruled
so soundly in every way that those who had lived in former times and
remembered his ancestors and knew their former deeds, marveled a great deal and
said in wonder: “Oh it is a very great miracle of G od that all things thus are
subject so prosperously to this young king under his royal authority; his
predecessors, who were mature in age and very prudent and foreknowing in
wisdom, and strong in any struggle, could never hold this authority with such
great peace and calm, neither through a fight nor through tribute.”]

This account damns Eadwig for dividing the kingdom (“þis rice tostencte 7 his annesse
todælde”) and most especially for taking property away from churches and granting it to
his favorites (the repetition of todælde emphasizes division). Edgar, by contrast, heals the
rifts created by his older brother’s rash actions and brings unity, prosperity, and peace to
the land (Edgar holds anweald over ealne Angelcynnnes, repairs the partition (twislunge),

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149 Dorothy Whitelock, M. Brett, and C. N. L. Brooke, eds., Councils and Synods with Other
1:146.
and brings the kingdom “eft to anesse”). And unlike his errant brother, Edgar is a king favored by God:

Soþlice ælmihtig Driht[en, þe is ealra þinga gewita, þe on ær wat eal þæt [to]weard is, þe wiste hu fremful he beon wolde, him æfre siwþe milde wēs, 7 ealle god him symle fremfullice towearde dyde; swylce se rihtwisa 7 se arfête leangyfa no mid wordum ac mid dædum bodede, 7 þus cwæde: ‘Nu þu minne naman and andweald—þæt is, mine cyricean þe ic rihtlice on minum synderlicum andwealde hæbbe—georne friþast 7 fyrþrast, ic þe to leanes þinne noman mærsige 7 þin rice þe þu under minum andwealde hyltst geeacnige 7 mid gode fyrþrige.’

[Truly the Almighty God, who is aware of all things, who knows beforehand all that is to come, who knew how beneficial Edgar would be, was always very kind to him, and always made all good things beneficial for him in the future; as though the just and gracious giver of gifts announced not with words but with deeds: “Now that you eagerly protect and support my name and authority—that is, my church which I rightly hold in my own special authority—I will glorify your name in return and increase your kingdom which you hold under my authority, and further it with good.”]

Edgar unites kingdom and church under this divine sponsorship, and most importantly, embarks on a program of endowing monasteries. “King Edgar’s Establishment of Monasteries” portrays the transition from Eadwig to Edgar as a movement from disorder to order, from division to unity, and it legitimizes Edgar’s rule as the fulfillment of divine providence. Edgar represents a cultural moment of justice and peace in which political fortunes accord with divine will. This providential model of history resembles the narrative movement in S 1447 that shows the property passing from illegality and dispute into legitimate possession.

\[150\] Ibid., 147.
Despite its clear biases, “King Edgar’s Establishment of Monasteries” shows a narrative opposition between Eadwig and Edgar current c. 984 and suggests polemical ways in which a conflict between brothers could serve an ideological point. The narrative of Eadwig and Edgar in Æthelwold’s account does not coincide directly with the story of Athelstan and Edward and their failed negotiation to secure family property, but implicit parallels do exist between Athelstan and Eadwig. Both men endanger land through their irresponsible actions, and both men have a fraternal counterpart who attempts to alleviate the threat to their family property. The stories differ of course in that Edward fails whereas Edgar meets with success. In both texts, however, Edgar’s ascension to the throne clears a space in which property can be secured and disputes can move toward resolution (even if that movement must proceed gradually over time). S 1447 achieves this effect through narrative transitions constructed upon royal succession, and through the evocative similarities in its dual accounts of brothers and contested family land.

Another monastic source composed soon after Æthelwold’s account displays a dramatic contrast between Eadwig and Edgar similar to that found in “King Edgar’s Establishment of Monasteries.” The earliest life of St Dunstan, attributed to the scribe ‘B’ and dated c. 1000, censures Eadwig as a foolish ruler and applauds Edgar as a just king.

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151 Pauline Stafford highlights the political agenda driving the text: “Æthelwold’s account was spurred by appreciation of dangers to the reforming ecclesiastical movement of which he was a part; his portrait of Edgar is a mirror of princes, an instruction on the benefits to be reaped from support of the Christian church (for which read, reform)” (Stafford, Unification and Conquest, 46).

152 In his preface, “B” dedicates the work to Ælfric, archbishop of Canterbury (995-1006) and names himself as “sacerdotum B. vilisque Saxonum indigena” [the priest B. and a common native Saxon], William Stubbs, ed., “Sancti Dunstani Vita, Auctore B.,” in Memorials of Saint Dunstan, Archbishop of Canterbury, Rerum Britannicarum Medii Ævi Scriptores, Rolls Series 63 (London, 1874), 3-52 at 3. For further details on ‘B,’ see ibid., x-xxx; Brooks, Church of Canterbury, 245-46; and Michael Lapidge, “The
who fulfills divine providence. The author follows his unkind introduction of Eadwig as “ætate quidem juvenis parvaque regandii prudentia pollens” [a youth indeed in age and endowed with little wisdom in government],153 with the infamous tale of Dunstan pulling the newly consecrated king away from a dalliance with a mother and daughter and dragging him back to his coronation ceremony.154 The kingdom is later divided due to Eadwig’s flagrant lack of judgment, and the disaffected north—apparently prompted by divine guidance—chooses Edgar as their king:

Factum est autem ut rex praefatus in pretereauntibus annis penitus a brumali populo relinqueretur contemptus, quoniam in commisso regimine insipienter egisset, sagaces vel sapientes odio vanitatis disperdens, et ignaros quosque sibi consimiles studio dilcetionis adscciscens. Hunc ita omnium conspiratione relictum, elegere sibi, Deo dictante, Eadgarum ejusdem Eadwigi germanum in regem, qui virga imperiali injustos juste percuteret, benignos autem sub eadem aequitatis virgula pacifice custodiret. Sicque universo populo testante publica res regum ex diffinitione sagacium sejuncta est, ut famosum flumen Tamesæ regnum disterminaret amborum.155

[It came about that the aforesaid king in the passage of years was wholly deserted by the northern people, being despised because he acted foolishly in the


153 Stubbs, Memorials, 32; translation, EHD, 900.

154 ‘B’ clearly sensationalizes the account. The wanton daughter was Ælfgifu, whom Eadwig would later marry, even though their marriage later would be annulled on grounds of consanguinity. See Barbara Yorke, “Æthelwold and the Politics of the Tenth Century,” 76. The D-text of the Anglo-Saxon Chronicle records the separation s.a. 958: “Her on þissum geare Öda arcbishop totweænde Eadwi cyning 7 Ælyfe, for þem þe hi waron to gesybbe” (G. P. Cubbin, ed., The Anglo-Saxon Chronicle: A Collaborative Edition, vol. 6, MS D [Cambridge: D. S. Brewer, 1996], 45).

155 Stubbs, Memorials, 35-36.
government committed to him, ruining with vain hatred the shrewd and wise, and admitting with loving zeal the ignorant and those like himself. When he had been thus deserted by the agreement of them all, they chose as king for themselves by God’s guidance the brother of the same Eadwig, Edgar, who should strike down the wicked with the imperial rod, but peacefully guard the good under the same rod of equity. And thus in the witness of the whole people the state was divided between the kings as determined by wise men, so that the famous river Thames separated the realms of both.\textsuperscript{156}

‘B’ here emphasizes a number of points: the division of the kingdom was inspired by Eadwig’s political failings as well as by God’s will (“Deo dictante”); the division was supported and guided by unanimous decision of the northern peoples (they abandon Eadwig “omnium conspiratione” and the state is divided “universo populo testante”); and Edgar will be a king who brings peace, equality, and justice to deserving citizens (the “benignos”). ‘B’ further amplifies its condemnation of Eadwig by portraying his death as a form of divine justice which clears the way for Edgar’s ascension and the reunification of the kingdom:

\[
\text{Interea germanus ejusdem Eadgari, quia justa Dei sui judicia deviendo dereliquit, novissimum flatum misera morte exspiravit; et regnum illius ipse, velut æquus hæres ab utroque populo electus, suscepit, divisaque regnorum jura in unum sibi sceptrum subdendo copulavit.}\textsuperscript{157}
\]

[Meanwhile the brother of this same Edgar, because he turned from and deserted the just judgments of his God, breathed his last by a miserable death, and Edgar received his kingdom, being elected by both peoples as true heir, and united the divided rule of the kingdoms, subjecting them to himself under one sceptre.]\textsuperscript{158}

\textsuperscript{156} Translation, \textit{EHD}, 901.

\textsuperscript{157} Stubbs, \textit{Memorials}, 36.

\textsuperscript{158} Translation, \textit{EHD}, 902.
Like Æthelwold, ‘B’ uses Eadwig as a negative foil for Edgar, the divinely sanctioned king who will bring peace to the kingdom and end injustice. The passage clearly stresses the unity which returns under Edgar: he is elected by both peoples (“ab utroque populo”); he joins a divided kingdom (“divisaque regnorum iura”); and he rules with singular authority (“in unum … sceptrum”).

The ‘B’ and Æthelwold accounts both state that Eadwig’s death cleared the way for Edgar to bring unity and an unprecedented peace to the kingdom. In S 1447, Athelstan ceases his attempts to regain Sunbury only after his failed petition to Edgar; after Athelstan is unable or unwilling to pay his outstanding wer, Edgar grants the estate to Ealdorman Athelstan as bocland. This grant symbolically removes Athelstan from the narrative and ends the initial stage of the property’s history. Once freed from Athelstan’s repeated attempts at recovery and the failed negotiations of the two brothers, the property can begin its transition into legitimate possession. The S 1447 narrative parallels the contention in Æthelwold and ‘B’ that Eadwig’s death facilitated Edgar’s succession to a reunited kingdom and its attendant time of justice and peace. This deliberate arrangement of narrative units allows the talu to attach its local account of contested property to recent dynastic events and contemporary attitudes toward those events.

The situation in S 1447 is more complex, however, than the clear-cut oppositions and resolutions we find in the monastic sources. The Sunbury property moves through several different owners, for example, before Dunstan can make his own claim. Ecgferth had entrusted Dunstan “to mundgenne his lafe 7 his bearne” and he had done so “on cynges gewitnesse,” but as we have seen, Edgar denies the request and instead grants the property to Ælfheah. The talu suggests that Ecgferth had made the proper arrangements
when naming Dunstan as guardian, but it also specifies that Ecgferth had been found guilty of some serious offense. The talu makes the difficult move of defending the respective positions of both Dunstan and Edgar. Open censure of Edgar would have compromised the consonance between the talu and contemporary politics, thereby diminishing the persuasive capital of that connection. This concession also makes sense if we consider the complex political pressures the young king would have faced.

Pauline Stafford has argued persuasively that Edgar’s grant of the property to Ælfheah was a political maneuver by the young king to secure support in Wessex. Ælfheah had been appointed ealdorman in East Wessex by Eadwig, while his brother Ælfhere had supported Edgar in Mercia.¹⁵⁹ Edgar may have been securing political allegiance from a powerful man in an attempt to avoid later conflicts, even if this meant defying the interests of the archbishop. The reunification brought a number of political burdens and dangers to a young Edgar:

Edgar’s accession to Wessex in 959 was later presented as a restoration of unity, a prelude to a prosperous and tranquil reign. The reality was more fraught. Dispute and division meant that nobles had openly taken sides, some opposing Edgar. Edgar added a legacy of debts owed to supporters north of the Thames to his new need to reconcile his brother’s former allies in Wessex.¹⁶⁰

The political climate in 959 and the years following would require careful maneuvering and compromise, and Edgar would need to negotiate various demands and obligations as

¹⁵⁹ Stafford, Unification and Conquest, 51. For the political career of this powerful family, see A. Williams, “Princeps Merciorum gentis: The Family, Career and Connections of Ælfhere, Ealdorman of Mercia, 956-83,” ASE 10 (1982): 143-72. For specific discussion of Ælfheah, see ibid., 147-54. For Ælfheah’s will, see Whitelock, Wills, no. 9 at pp. 22-25.

¹⁶⁰ Stafford, Unification and Conquest, 51.
he conducted his political affairs. S 1447 demonstrates such sensitivity in the young king, just as it tactfully respects royal decisions that frustrated ecclesiastical interests. S 1447 shows Edgar as a ruler capable of avoiding conflict in his negotiation of disputes, while acknowledging that the delicate act of maintaining a united kingdom after recent division demanded compromise.

Much of this accord between S 1447 and its textual environment could only fully accumulate in the years soon after its initial composition. S 1447 predates “King Edgar’s Establishment of Monasteries” by approximately ten years, as it was written sometime soon after 968 and Æthelwold’s text no later than 984. Yet the cultivation of Edgar’s reputation as a king who brought political unification and stability was not accomplished solely in the years following Edgar’s death. Like the later narrative sources, the diplomatic style of Edgar’s charters underscores the reunification of a divided kingdom and divine sponsorship in Edgar’s reign. Diplomas dated to his time as king over the Mercians and Northumbrians are precise in their designation of the territorial extent of his authority. One document dated to 959, for example, entitles Edgar as “tocius Merciæ provinciæ nec non et aliarum gentium in circuitu persistentium gubernator et rector”\textsuperscript{161} [ruler and leader of all of the Mercian province and also of the other peoples present in that environs]. Two other charters from this period bear similar titles: S 678 reads, “Eadgar, diuina allubescente gratia rex et primicerius Merciorum”\textsuperscript{162} [Edgar, king and head of the Mercians through the favor of divine grace]; and S 677 reads, “EADGAR

\textsuperscript{161} S 681; CS, vol. 3, no. 1052 at p. 269.

\textsuperscript{162} Kelly, Abingdon, vol. 2, no. 82 at p. 332. Kelly argues that the diploma is authentic (ibid., 334).
divina favente gratia totius regni Merciorum monarchiam optinens”[^163] [Edgar, holding the monarchy of all the kingdom of the Mercians through the favor of divine grace].[^164] These diplomas all clearly limit Edgar’s political authority to Mercia.

Following his succession to the reunited kingdom in 959, Edgar’s royal diplomas consequently emphasize his authority over all of Britain. This diplomatic convention is clearly evident among the eight original diplomas extant from the reign of Edgar, five of which have been attributed to the scribe known as “Edgar A.”[^165] These documents feature several titles for the king: “EADGAR totius Britanniae gubernator et rector”[^166] [Edgar, ruler and leader of all Britain]; “EADGAR totius Britanniae basileus”[^167] [Edgar, ruler of all Britain]; “EADGAR Dei omnipotentis nutu . rex totius Albionis insulæ”[^168] [Edgar, king of all the island of Britain by the will of Almighty God]; and “Eadgar rex anglorum


[^164]: S 667 and 675 contain a similar formulation. Not all charters dated before Edgar’s succession to a united kingdom, however, follow this diplomatic model. S 674, dated to 958, terms Edgar “industrius Anglorum rex ceterarumque gentium in circumitu persistentium gubernator et rector” (CS, vol. 3, no. 1043 at p. 248) [diligent king of the English and leader and ruler of the other peoples present in that environs], while S 679, also dated to 958, contains a nearly identical formulation: “ego EADGARUS industrius Anglorum rex ceterarumque gentium persistentium gubernator et rector” (CS, vol. 3, no. 1044 at p. 249). Simon Keynes explains this anomaly as the product of a scribe using an established exemplar “without thought for its implication” since an identical formulation occurs in previous charters of the early 940s under Edmund and again in 956 under Eadwig. Simon Keynes, *The Diplomas of King Æthelred the ‘Unready’ 978-1016: A Study in Their Use as Historical Evidence* (Cambridge: Cambridge University Press, 1980), 69n135 and 66n124.

[^165]: Ibid., 70. Edgar A has been proposed as the scribe responsible for S 687, 690, 703, 706, and 717. See also R. Drögereit, “Gab es eine angelsächsische Königskanzlei?” *Archiv für Urkundenforschung* 13 (1935): 335-436.

[^166]: S 687 (Kelly, *Abingdon*, vol. 2, no. 86 at p. 352); S 690 (Kelly, *Abingdon*, vol. 2, no. 87 at p. 355); S 703 (CS, vol. 3, no. 1082 at p. 312).


ceterarumque gentium in circuitu persistentium gubernator et rector”\(^{169}\) [Edgar, king of the English and ruler and leader of the remaining peoples present in its environs]. These titles all assert Edgar’s expansive authority and indicate the consolidation of territory and peoples under a single ruler. These diplomatic formulae are conventional, as evidenced by their occurrence in the diplomas of Eadred and Eadwig,\(^{170}\) but the clear transition from the earlier more circumscribed titles of Mercian authority to more conventional titles of kingship indicate a diplomatic attention to reunification.

Despite what seems to have been a bloodless partition and reunification, many of the diplomas attributed to “Edgar A” still show some anxiety over political conflict and division. Several proems in the “Edgar A” diploma group cite Luke 21:10, “‘Surget gens contra gentem et regnum adversus regnum’ et reliqua,” a fragment from Christ’s account to the apostles of the future destruction of Jerusalem and the final judgment. The first signs of the end times will be wars and insurrections, followed by earthquakes, pestilence, famine, and finally the destruction of Jerusalem and the exile of its people.

The division of the kingdom between Eadwig and Edgar by all accounts was free of the insurrection and large-scale military conflict that characterized the revolt of Æthelwold


\(^{170}\) S 540: “Ego EADREDUS . basileus Anglorum ceterarumque gentium in circuitu persistentium gubernator et rector” (*CS*, vol. 3, no. 862 at p. 3) [I Eadred, leader and ruler of the English and the other peoples present in the environs]; S 567: “Ego EADRED totius Albionis gubernator et rector” (Kelly, *Abingdon*, vol. 2, no. 51 at p. 209) [I Eadred, leader and ruler of all Albion]; S 658: “EADWIG altitrono amminiculante Anglorum ceterarumque gentium in circuitu triuiatim persistentium basileus” (Kelly, *Abingdon*, vol. 2, no. 83 at p. 338) [Eadwig, with the support of God, ruler of the English and the other peoples present far and wide in the environs]; S 624: “ego EADWIG . egregius Angul Saxonum basileus ceterarumque plebium hinc inde habitantium” (Kelly, *Abingdon*, vol. 2, no. 65 at p. 275) [Eadwig, distinguished ruler of the Anglo-Saxons and of the other folk living all around].
against Edward the Elder, but the citation of imminent conflict between kingdoms may have assumed some urgency in the tense political climate of 957-59. The first citation of Luke 21:10 by “Edgar A” occurs in the proem of S 681, a diploma dated to 959 when Edgar was still king of the Mercians:


[As the condition of active life falters, its end is discerned to hasten greatly through the eloquent witness of divine authority. For as the true statement proclaims, “People will rise up against people, kingdom against kingdom” and so on. For all inheritances of the present life are forsaken by the inconstant heirs of future generations, and all the glory of the world fails as the end of joy draws near, receding to nothing. Therefore let us greatly busy ourselves to gain the eternal rewards of the heavenly homeland by acquiring the protection of the high throne through the fallen little possessions of transitory things.]

Simon Keynes has argued that this diploma represents the early work of the “Edgar A” scribe, as it contains diplomatic formulae characteristic of the later diplomas attributed to that scribe. One of these diplomatic traits is the citation of Luke 21:10 in the proem, and S 681 contains the first citation of the verse “as the premise for a brief disquisition on the transitoriness of worldly things; the theme was perennially popular, though the formula in question had no currency in later diplomas.”  

The proem above directly links


172 Keynes, Diplomas, 75.
impending apocalypse to the uncertain transmission of property, and its scriptural association with the destruction of Jerusalem and the scattering of its people gestures to the political anxieties of a divided kingdom. This particular proem, unique to this diploma, casts its vision of the end of all things in the language of doomed inheritance, using terms such as “patrimonia” and “incertis cleronomis” (uncertain or inconstant heirs). The proem of S 681 frames Luke 21:10 with its vision of imminent conflict against contemporary uncertainties over political stability and the transmission of dynastic property.

The thematic context for the citation of Luke 21:10 in diplomatic proems shifts somewhat after Edgar becomes king of a reunified England. The proem of S 706, for example, cites the verse within a traditional eschatological rhetoric free of legal terminology:

[XP] Altithrono in ãeternum regnante universis sophiae studium intento mentis conamine sedulo rimantibus liquido patescit quod huius vitae periculis nimio ingruentibus terrore recidivi terminus cosmi appropinquare dinoscitur ut veridica Christi promulgat sententia qua dicit. “Surget gens contra gentem et regnum adversus regnum” et reliqua.\(^{173}\)

[With Jesus Christ ruling forever enthroned on high, it is clearly evident to all assiduously seeking the pursuit of wisdom through eager effort of mind that the end of the failing universe is discerned through the pressing dangers of this life to approach with great terror, as the true statement of Christ proclaims, saying, “People will rise up against people and kingdom against kingdom.” and so on.]

\(^{173}\) CS, vol. 3, no. 1083 at p. 313.
This proem occurs identically or with slight variation in S 700, 702, 710, 711, 714, 716, 767, and 824. The frequency and uniformity of its occurrence indicates a diplomatic formula, while the absence of explicit thematic reference to inheritance would diminish the particular contemporary force of the proem in S 681. Yet the repeated citation of Luke 21:10 in Edgar’s charters could still maintain some association with unrest and division. Explications of Luke 21 stress both inner and outer conflict, as indicated by Christ’s statement in Luke 21:9 that the disciples will hear of both proelia and seditiones. Gregory the Great explicates this verse as follows:

Pensanda sunt uerba Redemptoris nostri, per quae nos aliud interius, aliud exterius passuros esse denuntiat. Bella quippe ad hostes pertinent, seditiones ad cives. Vt ergo nos indicet interius exteriusque turbari, aliud nos fatetur ab hostibus, aliud a fratribus perpeti.175

[We must ponder the words of our Redeemer, through which he announces that we will suffer one thing from within and another from outside. War of course pertains to an enemy force, insurrection to fellow citizens. Therefore when he proclaims that we are to be disturbed from within and without, he reveals that we are to endure one thing from enemies, and another from brothers].

These early signs of internal and external strife are only precursors for what the final judgment will bring: “Et ideo per bella et seditiones non statim finis, quia multa debent

174 The citation of Luke 21:10 also occurs in an eschatological context in S 827, but with some variation in expression. It is an interesting coincidence that S 702 records Edgar’s gift of the Sunbury estate to Ælfheah.

mala praecurrere, ut malum ualeant sine nuntiare”\textsuperscript{176} [And so the end will not come immediately through wars and insurrections, because many evil things must come beforehand in order to announce evil without end]. Destructive enough in and of themselves, \textit{bella} and \textit{seditiones} are still only harbingers of a final dissolution, the signs of worse things to come. This same idea is active in the eschatological proems of the Edgar A group, and its enduring currency suggests some continued preoccupation with the dangers of political division and its imminent consequences.

The division of the kingdom between Eadwig and Edgar may have been free from recorded violence, but the frequent citation of Luke 21:10 in the “Edgar A” diplomas indicates some lingering worry over possible conflict from within the state and over the future consequences of past conflicts. In this context, the S 1447 narrative of two brothers struggling over and subsequently losing family property to ‘outsiders’ would gain some persuasive force through its association with recent national political struggles and anxieties, both in Edgar’s reign and increasingly in the years thereafter. In this sense, S 1447 would age well as an associative text, benefiting from the flowering of Edgar’s reputation in some later sources, and most especially from the cultural memory of Edgar’s kingship as a period of stability. S 1447, then, strategically situates its story of land within a specific textual environment in order to advance its argument for possession.

\textsuperscript{176} Gregory the Great, \textit{Homilae}, 321.
3.3 Conclusion

In his work on Merovingian *placita*, Paul Fouracre argues that those legal documents frequently draw “on different concepts of proof, sometimes in one and the same case.”\(^{177}\) These various forms of proof might include written evidence, the use of customary procedure, and oaths. S 1445 and 1447 employ a similar process of multiple proofs in making their own cases for possession. Both texts carefully recount the details and decisions that have determined past disputes, frequently citing the evidence of proper documentation and procedure, but they also position their local accounts within contemporary political narratives. The Fonthill Letter endorses past procedures and oaths through its appeals to Alfred’s reputation, while S 1447 links Dunstan’s acquisition of the Sunbury estate to Edgar’s succession to a reunited kingdom. F. M. Stenton has remarked that *talu* texts provide “illustrations of the way in which the fortunes of individuals were affected by the salient events of history.”\(^{178}\) Stenton’s comment points to the ways in which *talu* texts can conjoin local and dynastic events and complicate distinctions between individual estate and royal domain. S 1445 and 1447 accomplish this conjunction by writing local dispute onto troubled moments of royal succession.

S 1445 and 1447 in part depend on their textual environment for their persuasive force. In this sense, they are written to meet and exploit a specific horizon of expectation. “A literary work, even when it appears to be new, does not present itself as something absolutely new in an informational vacuum,” Jauss argues, “but predisposes its audience

\(^{177}\) Fouracre, “Placita,” 36.

\(^{178}\) Stenton, *Latin Charters*, 44.
to a very specific kind of reception by announcements, overt and covert signals, familiar characteristics, or implicit allusions." An audience understands a text within a matrix of associations with other texts and events. The challenge for later readers, especially with medieval texts, lies in reconstructing those textual environments:

The method of historical reception is indispensable for the understanding of literature from the distant past. When the author of a work is unknown, his intent undeclared, and his relationship to sources and models only indirectly accessible, the philological question of how the text is “properly”—that is, “from its intention and time”—to be understood can best be answered if one foregrounds it against those works that the author explicitly or implicitly presupposed his contemporary audience to know.

S 1445 and 1447 were written for specific audiences in the interest of forestalling future dispute. Consequently they employ a number of their own “overt and covert signals” as they build narrative arguments within a limited horizon of expectations predicated on the memory of recent dynastic disputes. These two texts manipulate both textual and extra-textual associations and expectations in order to invoke a specific response from contemporary audiences.

The associations S 1445 and 1447 forge between local and dynastic dispute furthermore foreground the social pervasiveness of internal conflict over family property. This problem plagued the acquisition and transmission of land at all levels. The provisions and consequences of Alfred’s will, for example, show that kings often struggled with problems of inheritance and the challenge of containing the resentment of

179 Jauss, Toward an Aesthetic of Reception, 23.
180 Ibid., 28.
disappointed kindred. This element of recurrent discord within a royal family provoked new strategies for writing land and asserting legitimate possession in a historical text. We turn now to the ways in which the Anglo-Saxon Chronicle inscribed its own particular claims for legitimate royal succession and the dynastic control of land.
CHAPTER 4:

WESTSEAXNA LAND: CLAIMING LAND IN THE ANGLO-SAXON CHRONICLE

Bide me and ic þe sylle þeoda to agnum yrfe, and þinne anwald ic gebræde ofer ðeoda gemæro.1

Psalm 2.8

In his prefatory letter to the Old English Regula pastoralis, King Alfred turns a nostalgic look to better times when “ða kyningas ðe ðone onwald hæfdon ðæs folces [on ðam dagum] Gode & his ærendwrecum hersumedon; & hie ægðer ge hiora sibbe ge hiora siodo ge hiora onweald innanbordes gehioldon, & eac ut hiora eðel gerymdon”2 [(and I remembered) how those kings who had power over the people in those days obeyed God and his representatives; and they upheld peace, good conduct, and authority within, and also expanded their homeland outwards]. Alfred’s admiring appraisal of past kings indicates his views on the proper use of anweald (power, sovereignty): a good king both maintains domestic order within the kingdom itself (rice) and expands the lands of the realm (eðel). Eðel generally signifies “homeland,” but it can more specifically connote

1 “Appeal to me and I shall grant nations into your own inheritance, and I shall extend your authority beyond the borders of nations.” Patrick P. O’Neill, ed., King Alfred’s Old English Prose Translation of the First Fifty Psalms (Cambridge, Mass.: Medieval Academy of America, 2001), 101. Unless otherwise noted, all translations are my own.

2 Henry Sweet, ed., King Alfred’s West-Saxon Version of Gregory’s Pastoral Care, EETS, o.s., 45 and 50 (London, 1871-72), 3.
hereditary land or ancestral domain. Alfred’s pairing of *rice* and *eðel* sees *anweald* as something that could be passed down and maintained over familial generations, providing longstanding political authority over dynastic lands. Concern with the legitimate use of *anweald* appears widely in other vernacular texts associated with the Alfredian circle, including the Anglo-Saxon Chronicle. The obituary notice for Alfred in the Chronicle (s.a. 900), for example, states that at the time of his death he was king over all the English except for those regions under Danish *anweald*. Alfred halted the Scandinavian advances in England for a time, thereby securing his kingdom, but West Saxon lands still had been much reduced. Despite his many accomplishments, Alfred left to his son Edward “the united but much attenuated kingdom of Wessex and Mercia.” It would fall to Alfred’s descendants to meet fully the duel goal of achieving domestic security and extending dynastic lands.

But how could this expanding political sovereignty over far-flung lands be attested in testamentary writing? Secular and ecclesiastical powers in Anglo-Saxon England knew several textual means for declaring and preserving the ownership of landed property. Royal diplomas represented royal grants of individual estates, ecclesiastical leases distributed property under limited terms, records of privileges

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3 *DOE*, s.v. “eðel.”


5 “… se wæs cyning ofer eall Ongelcyn butan ðæm dæle þe under Dena onwalde wæs” (Janet Bately, ed., *The Anglo-Saxon Chronicle: A Collaborative Edition, vol. 3, MS A* [Cambridge: D. S. Brewer, 1986], 61). [He was king over all the English except for the part that was under the authority of the Danes.]

specified the obligations and freedoms attendant on owning a specific piece of property, and *talu* documents recounted the history of property disputes and their outcome. These documents were all intended to record and control the transmission of property, yet they all deal in individual estates or small groups of local properties. The Anglo-Saxons knew no documentary class for asserting lasting possession over large amounts of territory under a single authority or family.

This chapter considers the Anglo-Saxon Chronicle as one textual mode for making longstanding dynastic claims on land. While the discourse of land tenure in Anglo-Saxon England deals in individual units of property, the Chronicle works to assemble these individual units into a collective territory under the hereditary authority of the West-Saxon dynasty. Its combination of genealogy, annalistic prose, and vernacular verse provides a synthesis of textual modes inaccessible to the more common conventions of land tenure represented in charters. The Chronicle claims national property in ways that extend beyond the parameters of standard discourses of land tenure. At the same time, the Chronicle incorporates techniques shared with contemporary royal diplomas in its tenth-century annals, such as vernacular boundary clauses and the employment of literary ornamentation, thereby underscoring the attention to matters of land and legitimacy which the Chronicle shares with contemporary charters.

I narrow discussion to the tenth-century post-Alfredian annals as a contained record of territory consolidated under West-Saxon royal authority. These annals cover the years of Edward the Elder, the Mercian Register, and four Chronicle poems intermingled with brief and scattered prose annals covering the reigns of Athelstan, Edmund, Eadred, Eadwig and Edgar. I limit my analysis here to the B manuscript (London, British Library,
Cotton Tiberius A. iii, fol. 178 + Cotton Tiberius A. vi, fols. 1-35) for a number of reasons. First, B contains the Mercian Register (entirely absent in A) as a discrete unit inserted within the “main” Chronicle; its manuscript layout (like that of C (London, British Library, Cotton Tiberius B. i)) valuably accentuates the Chronicle’s episodic arrangement of the territorial activities of Alfred’s descendants. Secondly, B ends with its 977 annal and its script can be dated approximately to the late tenth-century. These facts establish a relatively precise production date chronologically approximate to those tenth-century events it records. I will also make some reference to A (Cambridge, Corpus Christi College 173), particularly to the unique material in its Edwardian annals and to those tenth-century annals whose script can be dated with some precision. B, however, will remain the base text for my analysis.

The tenth-century annals of the Chronicle record the expansion of national territory under a succession of West-Saxon kings. These post-Alfredian annals feature a repetitive narrative of claiming new or lost territory, expelling or absorbing foreign invaders, integrating those lands and peoples under West-Saxon authority, and perhaps most importantly, resolving (or eliding) dynastic disputes of succession. The tenth-century annals begin with the campaigns of Edward and Æthelflæd as they reclaim lands


lost to Scandinavian invaders, an account which culminates in Edward claiming authority over Mercian territory. This process of conquest and expansion continues in The Battle of Brunanburh and The Five Boroughs, while the Coronation of Edgar envisions the process as complete under Edgar. The Death of Edgar, however, features a series of negative images of lost land and instability precipitated by the death of the king. Appearing at the end of B, this poem introduces unease over the stability of dynastic territorial claims and interrupts the Chronicle’s accumulative narrative of succession and expansion.

The Chronicle has been frequently read as a political text promoting a dynastic agenda. Thomas A. Bredehoft, for example, has recently argued that the Chronicle should be seen as a cultural project “centred on justifying the political legitimacy of the West Saxon dynasty in its rule over a more or less united Anglo-Saxon England.” Bredehoft sees the Chronicle genealogies and poems as central contributions to this process of political legitimatization. The genealogies, for example, “provide imaginative ideological associations among the West Saxon dynasty, the Saxon invasion of Britain,

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10 Bredehoft, Textual Histories, 142.
and the tradition of poetry”\textsuperscript{11} while the poems in turn show “a concern with English nationalism, an explicit focus on the royal succession in the West Saxon line, and a tendency to make historical comparisons, writing about relatively current happenings in comparison to more remote events.”\textsuperscript{12} Bredehoft’s claims can be expanded to consider the specific ways in which the Chronicle textually marks and claims collective territory for the West-Saxon domain. I do not intend to repeat recent critical claims about an emergent Anglo-Saxon nation.\textsuperscript{13} This chapter instead examines the textual imposition of political authority over broad areas of land. Jacqueline A. Stodnick’s useful distinction between “the production of England as a geopolitical fact and its manifestation as a discursive concept”\textsuperscript{14} allows us to think of the Chronicle as embodying an idea of political community through writing without relying on anachronistic theories of the nation.

The Chronicle places specific regions under the authority of the West-Saxon dynasty and affirms the cumulative transmission of that property under the \textit{anweald} of that family. The Chronicle also resolves property disputes within the family by affirming a line of succession through genealogies which frequently elide problems of succession;

\textsuperscript{11} Ibid., 15.
\textsuperscript{12} Ibid., 100.
in this fashion, the Chronicle writes a largely uninterrupted story of territorial expansion under the dynasty following Alfred’s death in 901. Similar to Stodnick’s investigation of “the textual processes which transformed the territory inhabited by the Anglo-Saxons into the entity ‘England,’ a particular kind of place imaginable as a whole and with essential connections to the English as a group,”¹⁵ this chapter analyzes how the tenth-century Chronicle annals transform large territories and the heterogeneous peoples within them into a collective Westseaxna land held under the dominion of West-Saxon anweald.

In 901B, the Chronicle gives notice of Alfred’s death and records the extent of his political authority at the time of his death: “Her gefor Ælfred Aþulfing .vi. nihtum ær Ealra Haligra mæssan; se wæs cing ofer eall Angelcynn butan þæm dæle ðe under Dena anwealde wàes, 7 he heold þæt rice ðe þe .xxx. wintra; 7 þa feng Eadweard his sunu to rice”¹⁶ [Here Alfred, descendant of Æthelwulf, died six nights before All Saints’ Mass; he was king over all the English except for that part under the authority of the Danes, and he held that kingdom for twenty-eight-and-a-half years; and then his son Edward succeeded to the kingdom]. This obituary note indicates Alfred’s political authority over a certain territory signified not by geographic markers but by the ideological term Angelcynn. Sarah Foot has argued that this term imagines an inclusive community which contains and transcends regional difference in order to create a common cultural unity “united under West Saxon rule.”¹⁷ The 901 annal places the

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¹⁵ Ibid., 9.

¹⁶ Taylor, MS B, 46.

¹⁷ Foot, “Angelcynn,” 49. See also Stodnick, “Writing Home,” 126-27, for a lucid overview of scholarship in this area and her suggestion of “ways of thinking around an imagined division between
Angelcynn within those lands under West Saxon authority, while regarding those lands and peoples under Dena anwealde as outside that political authority and identity. The word anweald appears frequently in the Chronicle, where it generally signifies secular power and dominion over a group of territories and peoples.\(^{18}\) Anweald, then, represents the possession of lands on a scale beyond the representative capacity of a charter. The 901 annal acknowledges Alfred’s significant political achievements, but it also underscores the large amounts of land that lay beyond his authority.

This attention to regions beyond West-Saxon anweald becomes more dramatic when considered against the extensive sway previously enjoyed by Egbert, Alfred’s grandfather, in 827B: “Her mona aþeostrode on middes wintres mæsseniht. 7 þy geare geeode Ecgibriht cing Myrcna rice 7 eal þæt be suðan Humbre wæs. 7 he wæs eahtoða cing þe brytenwalda wæs.”\(^{19}\) [Here the moon grew dark on mid-winter’s eve. And in that same year King Egbert conquered the Mercian kingdom and all that was south of the Humber. And he was the eighth king who was a bretwalda]. The political reality of the political and textual action in Alfred’s reign by showing how discursive structures functioned to create England as much as did armies.”

\(^{18}\) The main definitions provided by the DOE indicate the word’s primary association with governance: “power (over someone, ofer and acc.), the government or domination (of someone / something gen.), especially the authority of a ruler or lord (spiritual or temporal), or the domination of a people: sovereignty, sway, ascendency, jurisdiction” (A.1); and “a sovereign’s or lord’s dominion: realm, domain, empire; in the plural, the possessions or dominions (of a ruler)” (B.1). Anweald appears as a gloss for ius, decretum, lex (A.1.a.ii), potestas, and spectrum (A.1.a.iv), in which case it signifies “royal or imperial power, as if in the sense ‘power, dominion, sway’” (DOE, s.v. “anweald”). These glosses indicate the legal connotations of the word, as well as its association with governmental power. The word in the main seems reserved for royal power, and is only applied to authority over a large amount of territory (i.e. the word is not used to indicate possession of individual estates). The word rarely appears in charters, and when it does it usually denotes royal authority, as in S 1447: “gemang þam getidde þæt Myrce gecuran Eadgar to cynge & him anweald geseadan ealra cynerihta” (A. J. Robertson, ed., Anglo-Saxon Charters [Cambridge: Cambridge University Press, 1956], 90).

\(^{19}\) Taylor, MS B, 29-30.
title *bretwalda* has been much disputed, but its application here indicates the extensive authority Egbert held over all the lands south of the Humber.\(^{21}\) \(827B\) provides a historical foundation for the dynastic lands claimed by successive generations of West-Saxon rulers. The post-Alfredian annals of the tenth-century chart the efforts of Alfred’s scions in bringing both the land and peoples that were beyond Alfred’s authority at the time of his death back under the *anweald* of the West-Saxon dynasty. In doing so, those generations regain family lands lost in the past. The Chronicle records the achievements of each of Alfred’s descendants as they acquire part of that territory, thereby designating a collective dynastic property.

The tenth-century annals work as a series of discrete units centered upon individual West Saxon figures, each of which works to claim dynastic property. The first two of these units feature the collaborative work of Edward the Elder and his sister Æthelflæd as they secured Wessex and Mercia against Danish aggression in the midlands and the north, regained lands held under Danish authority, and won the submission of the resident peoples there. After Æthelflæd’s death, Edward finally integrated the two kingdoms into a single political body. These annals present Edward and Æthelflæd as able protagonists in the extension of West Saxon *anweald* over new lands through their sustained campaign of fortification and conquest. In its account of these years, the


21 The annal also indicates that in that same year Egbert led a force against the Northumbrians and won their submission: “Se Ecgbriht lædde fyrde to Dore wiþ Norðanhumbre, 7 hie þær eaðmedo budan 7 geþwærnesse, 7 hie on þam tohwurfan” (Taylor, *MS B*, 30). [That same Egbert led an army to Dore against the Northumbrians, and there they offered him submission and peace, and on that they separated.]
Chronicle demonstrates a close interest in the fluid borders of West Saxon authority through its inventory of place-names in the fortification project and through its attention to military activity at the periphery of the West Saxon and Mercian kingdoms. The Chronicle’s writing of boundaries charts the geographic edges of West Saxon dominion as they change over time. In the process, the Chronicle creates and maintains the idea of a bounded realm held under the anweald of successive royal figures.

4.1 The Chronicle and diplomatic production

Such comparisons between the Anglo-Saxon Chronicle and contemporary Latin diplomas raises questions of whether and to what extent Chronicle scribes and draftsmen would have been familiar with diplomas or involved in their production. The scribal production of the Chronicle in its various forms is a complex issue, but the copying of annals 910-946 into A and B has been dated with some precision, thereby providing a mid-century terminal date for the material’s composition. While most scribes working in early and mid-tenth century England would have been familiar with charters, arguments


23 These annals in A were written by scribe 2 (annals 891 to 920) in the 920s and scribe 3 (annals 924-955) in one stint during the mid-tenth century. Dumville, “Chronicle,” 56-70. All of B was written in single hand sometime between 977 and 1000. Simon Taylor favors a date closer to 977 than 1000 since the hand displays none of the insular forms typical of eleventh-century script. Taylor, MS B, xxiv.
for *Chronicle* scribes also producing or copying charters at the time must remain tentative.\(^{24}\)

Many tenth-century royal diplomas are written in the Anglo-Saxon square minuscule script commonly associated with Winchester, and have at times been assigned as productions of that scriptorium. Hand 3 of MS A, for example, closely resembles not only the hand found in Bald’s Leechbook and the Old English Bede (London, British Library, Cotton Otho B. xi), but also that found in the charters of kings Eadred (946-955) and Eadwig (955-959).\(^ {25}\) Arguing in favor of diplomas being produced primarily by monastic scriptoria, Pierre Chaplais associated six or seven of the eight scribes responsible for producing royal diplomas in the early tenth century with the Winchester scriptorium.\(^ {26}\) At least one of these hands (Chaplais’s scribe 3) was responsible for some work in A, writing the annal for 951.\(^ {27}\) Chaplais’s conclusions, however, were later challenged by Simon Keynes:

> Given the obvious importance of the Winchester scriptorium, many scribes may have been trained there, or trained by someone who had himself worked there for some years during the first three decades of the century; consequently, they may

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\(^{25}\) Bately, *MS A*, 5, xxxv.


have practised the same type of square minuscule as occurs in Winchester manuscripts and notably in the Parker Chronicle. Again, if the scribe of S 636 did insert the annal for 951 in the Parker Chronicle, he must at one time have been attached to the Winchester scriptorium, but one could not guarantee that he always worked there, that he had not entered the king’s service after training at Winchester or before retiring there.\textsuperscript{28}

A productive and influential scriptorium such as that at Winchester would have offered its scribes a range of projects, and its influence would have traveled beyond the scriptorium itself. The fluidity of the scenarios sketched out by Keynes shows how scribes could have worked on multiple projects in various locations during their careers, copying different kinds of texts in both Latin and English.

A distinction must be made immediately between the composition and the copying of a text: the scribe copying material into a Chronicle manuscript is (probably) not composing the material, but most likely working from an exemplar. It seems reasonable to assume, however, that contemporary diplomas would have been familiar to those writers responsible for the original annalistic material and those scribes responsible for copying that material into A and B. The inclusion of vernacular bounds in diplomas had been well established by the beginning of the tenth century, and diplomas would have been familiar to scribes working at both monastic centres and the royal court. The textual model for the circumscription of property in English would have been available to

those writers responsible for the original Chronicle material as well as to those scribes
responsible for copying that material in the early and mid-tenth century.

The question remains of whether and to what extent different textual productions
in different languages might have had an influence on one another. Could a scribe’s work
with royal diplomas inform his or her work in other texts? One example suggests that this
was the case. A gospel book produced on the continent in the late ninth or early tenth
century (London, British Library, Cotton Tiberius A. ii) was later given by King
Athelstan to Christ Church, as indicated by an inscription written in the book in square
minuscule:29

Volumen hoc euuangelii . ÆDELSTAN . Anglorum basyleos . et curagulus totius
Bryttanniae . devota mente . Dorobernensis cathedre primatui . tribuit ecclesiae
Christo dicatae . quod etiam archiepiscopus . hujus ac ministri ecclesiae . presentes
succesoresque . curiosis affectibus perenitter agnoscant . scilicet et custodire
studeant . prout Deo rationem sunt redditi. Ne quis in aeternum furva fruada
[fraud] deceptus . hinc illud arripere conetur . Sed manens hic maneat . honoris
exemplumque cementibus . perpetue sibi demonstret . Vos etenim obsecrando
postulo . memores ut vestris mei mellifluis oraminibus . consonaque voce fieri
prout confido . non desistatis.30

[Athelstan, king of the English and ruler of the whole of Britain, with a devout
mind gave this gospel-book to the primatial see of Canterbury, to the church
dedicated to Christ. And may the archbishop and the community of the church,
present and future, for ever regard the donation with diligent feelings, and in
particular may they take pains to safeguard it, in as much as they are to render
account to God, lest anyone hereafter, misled by dark deception, should try to
steal the book from this place. But may it remain here in safe custody, and may it
in perpetuity provide an example of glory for those looking at it. For I beseech

29 Simon Keynes, “King Athelstan’s Books,” in Learning and Literature in Anglo-Saxon England:
Studies Presented to Peter Clemoes on the Occasion of his Sixty-Fifth Birthday, ed. Michael Lapidge and

you in prayer that you will not cease to be mindful of me in your mellifluous orations, as I trust will take place with harmonious voice.)  

Chaplais identified the scribe of this inscription (whom he dubbed Scribe 3) as the same Winchester scribe responsible for writing five charters between 944 and 949 during the reigns of Kings Edmund (940-946) and Eadred (946-955).  

Simon Keynes subsequently observed that the scribe’s inscription in Cotton Tiberius A. ii “employs language which shows that he was already familiar with the conventions of charters, notably in his use of the royal style.”  

The influence of diplomatic conventions also appears in the inscription’s language of perpetuity and its petitions for prayers, both common rhetorical features in royal diplomas. The scribe’s work in Tiberius A. ii, then, suggests that he was active under three kings and familiar with their diplomatic conventions. The incorporation of diplomatic language into the inscription could be attributed in part to its function as a statement of a royal gift, a scenario similar to the royal grant of property represented in a diploma. Still, the Tiberius A. ii inscription provides one example of diplomatic practice influencing composition in another context.

The diplomatic influence in the inscription of the gospel book occurs in a solely Latin context, however, rather than crossing between Latin and the vernacular. Tenth-century diplomas did, however, contain an established analogue for demarcating the

31 Keynes, “Athelstan’s Books,” 149n33.


33 Keynes, “Athelstan’s Books,” 150.
limits of territorial possession in the vernacular: the boundary clause.\textsuperscript{34} Property bounds in diplomas of the seventh and eight centuries are generally brief and in Latin, primarily “formed by supplying vernacular place-names within a framework of compass directions and landmarks in Latin.”\textsuperscript{35} The following bounds appear, for example, in a diploma dated to 759: “… confiniæ tamen ejusdem terræ . ab australi plaga Uuisleag . ab occidente Rindburna, a septemtrionale Meosgelegeo; ab oriente vero Onanduun cum campis silvis pratis pascuis cum omnibus ad se pertinentibus”\textsuperscript{36} [the boundaries of the land (are) Wistley on the southern side, \emph{Rindburna} to the west, \emph{Meosgelegeo} to the north, Andover Hill to the east, with the fields, woods, meadows, pastures, (and) everything belonging to it]. Boundary clauses written in English appear in the later ninth century and become a standard component of tenth-century diplomas, where they can become quite detailed and lengthy.\textsuperscript{37} Most vernacular boundary clauses “begin at a cardinal point on the estate boundary” and proceed clockwise on a walking tour through a series of landscape

\textsuperscript{34} Walter Pohl has pointed out that diplomatic language at times informed the rhetoric of larger territorial claims in negotiations between Carolingian rulers and popes: “The popes also used charters, whether forged or not, and other documents to legitimize their territorial claims. Thus, ways to circumscribe possessions that had hitherto been common in private law, but virtually unknown in political discourse, began to seep into treaties between popes and Frankish rulers” (Walter Pohl, “Conclusion: The Transformation of Frontiers,” in \textit{The Transformation of Frontiers from Late Antiquity to the Carolingians}, ed. Walter Pohl, Ian Wood, and Helmut Reimitz [Leiden: Brill, 2001], 247-60 at 257).


\textsuperscript{36} S 56; CS, vol. 1, no. 187 at p. 266. This diploma survives in a single sheet dated to the mid-eighth century.

\textsuperscript{37} There is a gap in the production of royal diplomas during Edward’s reign between 909 and 924, but the vernacular boundary clause was well-established prior to this hiatus.
features back to the original starting point. The boundary markers “are either fixed points, such as a tree, a stump, a stone or some similar, isolated object, or else they are a linear feature, a stream, a road, a hedge or the boundary of an adjoining estate.” The only diploma to survive in contemporary form from the reign of Edward the Elder (dated 903) contains a boundary clause in English:

_DIG synt þa land gemæro . Ærest of þam garan innan þa blacan hegcean . of þære hegcean nyþer innan þone fulan broc of ðam fulan broce wiþ westan randes æsc þanon on þæne ealdan dic wið westan þa herde wic . of þære dic þæt innan wealdan hrige on eadrices gemære . 7lang eadrices gemære þæt innan cynebellinga gemære 7lang gemære þæt on icenhylte . 7lang icenhylte of þone hæðenan byrgels . þanon on cynges stræt . up 7lang stræte on welandes stocc . of þam stocce nyþer 7lang rah heges ðæt on heg leage of ðære leage nyþer ðæt eft on ðæne garan.40

[These are the estate boundaries. First from the corner to the black hedge, from the hedge down to the dirty brook, from the dirty brook to the ash tree west of the bank, from there to the old ditch west of the herdsman’s dwelling, then from the ditch into the wooded ridge up to Eadric’s boundary, along Eadric’s boundary then to the boundary of the Kimblings, along the boundary then to Icknield, along Icknield up to the heathen mounds, from there to King’s Street, up along the street to Weland’s Stump, from the stump down along the roe hedge then to the haying meadow, from the meadow down back to the corner.]41

Tenth-century vernacular boundary clauses delineate estate bounds through a paratactic list of landscape features linked by transitional conjunctions and adverbs (þa, ðonne, (ha, donne,


40 S 367; CS, vol. 2, no. 603 at p. 259. Abbreviations expanded.

41 For my translation I have consulted Michael Reed, “Buckinghamshire Anglo-Saxon Charter Boundaries,” in Margaret Gelling, The Early Charters of the Thames Valley (Bristol: Leicester University Press, 1979), 178-81.
*donan*) to indicate perambulatory movement. While Latin bounds had been organized by cardinal direction, vernacular clauses create property boundaries incrementally, moving from point to point through an accumulative catalogue of markers.

The following boundary clause, appearing in a diploma dated to 934 in which King Athelstan grants 12 hides at *Derantune* to his minister *Ælfweald*, demonstrates this textual phenomenon of human movement through a series of landscape features and sites:


[This land is clearly surrounded by these bounds. Firstly at Æscwold’s barrow, thence at the meeting-place hill, thence to the thorn by a dwelling, thence to the little hill, thence to the goat farm, thence Æthelgith’s valley, thence to the wide clearing, thence to the wolves’ hill, thence between the two hills, thence to Pæbble’s hollow, thence to the boundary hill, thence to (?) Cissbury; and these are the detached pastures that belong by right to this land; the pigsty valley, the peasants’ valley, the enclosed wood, the *prentsan* barrow, the rough barrow, Ecgweald’s valley, the water thorn, the boar’s wallowing-place, the dry mere, Biohba’s hill, the willow farm, Goringlee, the shed of Hudela’s people, the soldier’s farm, the badgers’ wood, the burh fold, the fortress fold, the clearing of Hæca’s people.]43

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42 S 425; *CS*, vol. 2, no. 702 at p. 403. This diploma is one of the two surviving original single-sheets attributed to the scribe known as “Athelstan A” (along with S 416).

This clause notably details both the outer bounds of the Derantune property and the landscape contained within those boundaries. In this sense, the boundary clause effectively creates the land in writing. Nicholas Howe has argued that diplomas essentially “invent” landscape in order to enable the human possession and transmission of property. According to Howe, charters “never describe in any detail the parcel itself but only track its edges or boundaries,” thereby envisioning “landscape as bounded, as contained by human-defined purposes.”

The charter renders land in writing, providing a tactile sign of ownership; its bounds signify “that section of the landscape that must be invented to enable its transfer from one holder to another.” The above boundary clause, however, does contain some attention to the landscape within the interior of the property—thereby qualifying Howe’s generalization—but its ambulatory tracing of boundaries inscribes the spatial limits of possession, setting down borders through implied human action.

The Chronicle annals 912-946AB repetitively enact such a process in their accumulative accounts of Edward, Æthelflæd, Athelstan, and Edmund, charting the expansion of territory under the West Saxon dynasty in incremental units. The Chronicle sets out territorial borders by recording movement through a series of topographic markers and place-names; in the process, the annals demarcate the expanding periphery

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of dynastic lands. This textual operation represents what Margaret Clunies Ross in another context has called a “cultural paradigm of spatial representation” for producing and legitimizing the division of land. Like the vernacular boundary clause, the Chronicle creates an idea of territory in writing, while its annalistic structure enables a restatement of that bounded realm under successive royal figures.

4.2 The Edwardian annals, 901-915B and 912-920A

My analysis of the Edwardian annals consists of two parts: B’s attention to Edward’s legitimate succession and his ability to meet both interior and exterior threats to the realm, and A’s attention to Edward’s expansion of dynastic lands. The Edwardian annals in B (901-915) begin with the revolt of Ætheling Æþelwold against his newly-crowned cousin. 901B is noteworthy for its inclusion of two pieces of information absent in A. Unlike A, B refers to Æthelwold specifically as æðeling, thereby indicating his legitimate expectation of the West Saxon throne. Secondly, B states the Æthelwold was accepted as king by the Northumbrians after his night-time flight from Wimborne: “7 gesohte þone here on Norðhymbrum, 7 hie hine underfengon heom to cinge 7 him to

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46 The treaty between Alfred and Guthrum (written sometime between 878 and 890) provides another textual precedent for the delineation of political boundaries: “Ærest ymb ure landgemæra: up on Temese, 7 ðonne up on Ligan, 7 andlang Ligan oð hire æwylm, ðonne on gerihte to Bedanforda, ðonne up on Usan oð Wætlingastræt” (Gesetze 1:126). [First concerning our boundaries: up the Thames, and then up the Lea, and along the Lea to its source, then in a straight line to Bedford, then up the Ouse to Watling Street.] Translation by Simon Keynes and Michael Lapidge, Alfred the Great: Asser’s Life of King Alfred and other Contemporary Sources (London and New York: Penguin Books, 1983), 171.

bugan”⁴⁸ [And he sought out the enemy forces among the Northumbrians, and they accepted him as king, and submitted to him]. This information is absent from A, which indicates only that Athelwold “gesohte þone here on Norðhymbrum.”⁴⁹ These additions in B indicate both the legitimacy of Æthelwold’s challenge (as æþeling he had a valid claim to the throne) and the extent of his support. Æthelwold was accepted not only in Northumbria, but also in Essex;⁵⁰ soon after this he convinced the army in East Anglia to harry into Mercia.⁵¹ As James Campbell has pointed out, “for a few years Æthelwold had extensive success,” gaining widespread support until his death (s.a. 905) ended his bid for the throne.⁵²

The story of Æthelwold is one of struggle over kingship, but at its base it involves a family dispute over property. The Chronicle focus on the West Saxon dynasty involves territory and political authority far beyond local disputes over individual estates, but like

⁴⁸ Taylor, MS B, 46 (s.a. 901).
⁴⁹ Bately, MS A, 62 (s.a. 900).
⁵⁰ “Her com Aþelwold hider ofer sæ mid eallum þæm flotan þe he begitan mihte 7 him gebogen wæs on Eastsexum” (Taylor, MS B, 46, s.a. 904). [In this year Athelwold came here from over the sea with all the ships he could find and there was submission to him among the East Saxons.]
⁵¹ “Her gelædde Æþelwold þone here on Eastenglum to unfriþe þæt hie hergodan ofer eall Myrcna land” (ibid., s.a. 905). [Here Athelwold led the enemy army in East Anglia into war so that they harried across all of Mercia.]
⁵² James Campbell, “What is Not Known About the Reign of Edward the Elder,” in Edward the Elder, 899-924, ed. N. J. Higham and D. H. Hill (London and New York: Routledge, 2001), 12-24 at 21. Campbell makes the provocative suggestion that Æthelwold came remarkably close to a unification of England in his bid for the throne: “He was accepted, or at least was very influential, in Northumbria, Essex and East Anglia; it could be that a member of a Mercian royal house fought on his side. What the annals seem to be telling us is that in the years immediately after 899, the major influence toward the unification of England was not Alfred’s son Edward, but his nephew Æthelwold. Had Æthelwold won the battle in which he was, as it happened, killed, England could, we may fairly guess, have been united in a different manner, involving much less warfare than ultimately proved to be the case” (ibid., 22). The Chronicle itself, however, disparages Æthelwold by linking him to the negatively connoted here and situating his support as originating from outside Wessex.
narratives of local dispute, the Chronicle endorses the resolution of territorial dispute through written testimony. As we have seen, A seems reluctant to acknowledge the basis and extent of Æthelwold’s claim to the crown and lands of the West Saxon kingdom. Even with the additional details present in B, however, the Chronicle presents Æthelwold’s challenge as an insurrection fueled by interests and groups outside Wessex. The Chronicle encodes these groups as outsiders. Æthelwold gained his support from peoples outside Wessex: the *here* in Northumbria (s.a. 901), *flotan* from outside England and men among the East Saxons (s.a. 904), and the *here* in East Anglia (s.a. 905). The Chronicle associates Æthelwold with groups outside of Wessex, and by extension, interests outside his family. By contrast, Edward appears with the *fyrd* in the annals for 901 and 905, clearly connecting him with West Saxon interests. These points of nomenclature color the dispute in Edward’s favor, and suggest that his cousin acted outside his family’s interests in more ways than one. The account of Æthelwold’s rebellion, then, supports Edward’s claim to West Saxon lands and establishes him as a defender of family property.

After this resolution of family dispute, B moves on to record the expansion of West Saxon authority over Mercia. After Æthelwold’s threat is ended, Edward begins regular military action against the *norðhere* in his campaign to regain territory lost to Danish forces. With combined forces from Wessex and Mercia, Edward enjoys substantial victories against the *norðhere* in 910 and 911. B’s annals for these two years specify that Edward sends a combined force “ægþer ge of Westsexum ge of Myrcum”\(^{53}\)

\(^{53}\) Taylor, *MS B*, 47.
[of both West Saxons and Mercians] against the norðhere, indicating his authority in both kingdoms. Edward’s authority in Mercia becomes a key point in the Edwardian annals and later in the Mercian Register itself, and the Chronicle affirms his growing political authority over both territories. After Æthelred, ealdorman of Mercia and husband of Æthelflæd, dies in 911 (s.a. 912), Edward assumes authority in London and Oxford, effectively beginning the assimilation of Mercia into Wessex: “Her gefor Æþered ealdormann on Myrcum, 7 Eadweard cing feng to Lundenbyrig 7 to Oxnaforda 7 to eallum þan landum þe þærto hyrdon”\(^{54}\) [Here Æthelred, ealdorman of the Mercians, died, and King Edward came to power over London and Oxford and to all the lands that were subject thereto]. The Chronicle presents a fragmentary narrative by accretion of individual annals, recording the extension of West Saxon anweald over new territories.

Beginning in 913, Edward begins a project in conjunction with Æthelflæd of constructing fortified byrig (boroughs) at strategic points in order to contain possible Danish aggression. This fortification project stabilized West Saxon territory and later provided staging points for military expeditions into enemy territory. The Chronicle accentuates its depiction of Edward as a defender of land not only by noting the specific locations of byrig, but also by recording the submission of peoples formerly under Danish authority (s.a. 913) and the defeat and expulsion of here forces (s.a. 914 and 915).\(^{55}\)

\(^{54}\) Ibid, 48.

\(^{55}\) The Chronicle does not indicate Edward was present at all these battles. The 914 annal, for example, records that local men repelled the here: “… þa wurdan þa landleode his geware 7 him wið gefuhtan 7 gebrohtan hie on fullan fleame 7 ahreddan eall þat hie genuen hæfen 7 eac heora horsa 7 heora wæpna mycelne dæl” (ibid.). […] then the local people were aware of this and they fought against them and put them to full flight and took back all that they had taken as well as their horses and a good part of their weapons.]
915 annal—the longest entry within B’s Edwardian annals—gives a detailed account of the arrival of a *mycel sciphere* under the leadership of the *eorlas* Hraold and Ohter and its eventual repulsion by the West Saxons. The annal highlights the instrumentality of the *byrig* in mounting forces effectively against threats from outside. The diminished *here* is driven into a *pearroc* (a piece of enclosed land) where they are surrounded and forced to give hostages as a token that they will depart lands under West Saxon authority. The *here* manages to steal away in the night, but it is engaged again by West Saxon forces and the few survivors are forced to swim to their ships. The last of the *sciphere* occupies an island where many of them starve until the survivors flee to *Deomedum* and *Yrlande*.

The detailed account of the movement of the *sciphere* charts both its reduced strength and its limited movement as it is contained in a *pearroc* and finally forced off the mainland altogether. The West Saxons successfully meet the challenge to their lands and the annal underscores the invader’s rapid loss of territory. 915B concludes with Edward constructing *byrig* at Buckingham, a display of regional power which, according to the

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56 “… ða gemetton þa menn hie of Hereforda 7 of Gleawceastre 7 of þam neh<e>tan burgum 7 him wið gefuhtan 7 hie geflymdan 7 ofslogan þone eorl Hraold 7 þæs opres eorles broðor Ohteres 7 mycel þæs herges …” (ibid.). […] then the men from Hereford and Gloucester and from the nearest strongholds met them and fought against them and put them to flight and killed the leader Hraold and the brother of the other leader Ohtere and a great deal of the enemy army.]

57 “… þa sloh hie man æt ægþrum cyrre þæt heora feawa onweg coman butan ða ane þe þærut ætswynman mihton to þæm scipum” (ibid., 49). […] then they were hit on each occasion so that few of them came away except the one time when they were able to swim away to their ships.

58 “… 7 þa sæton hie ute on þam iglande æt Steapan Reolice of þone fyrst þe hie wurdon swiþe metelease, 7 manige menn hungre acwole forðon hi ne mihton nanne mete gerecan; foran þa þonan to Doemedum 7 þanon to Yrlande” (ibid.). […] and then they sat out on the island at *Steapan Reolice* until the time when they were sorely without food, and many men perished from hunger since they were unable to get any food; then they traveled from there to Dyfed and from there to Ireland.]
Chronicle, prompts the submission of Thurkytel and other eorlas. The shape of the episode will prove fundamental for later tenth-century annals: an outside threat arrives in West Saxon lands only to be repelled by West Saxon action, and enemy forces or peoples once under enemy control submit to West Saxon authority. This narrative formula will be repeated later in the Mercian Register, *The Battle of Brunanburh* and *The Capture of the Five Boroughs*.

The Edwardian annals in B begin and end with the neutralization of substantial threats to West Saxon territory. In each case, Edward (or those people under his authority) successfully meets the threat and secures West Saxon land. The thwarted revolt of Æthelwold and the defeat of the mycel sciphere in 915 effectively bookend the Edwardian annals in B; this textual architecture emphasizes Edward’s authority over West-Saxon lands and his ability to protect those lands against new threats from both inside and outside. 901 and 915B further echo one another in their respective accounts of enemy forces stealing away in the night. Æthelwold slips away from Wimbourne under the cover of darkness, just as the besieged here in 914 makes its night escape from their own containment in a pearroc. These corresponding details may be a coincidence, but their presentation in the Chronicle creates symmetry within B’s Edwardian annals. As a

59 “… 7 þa æfter þam on þam ilcan geare foran to Martines mæssan þa for Eadweard cing to Buccingaham mid his fyrde 7 sæt þær .iiii. wucan 7 geworhte þa byrig buta on ægðre healfe ea ær he þonon fore; 7 Þurkytel eorl hine gesohte him to hlaforde 7 þa eorlas ealle 7 þa yldestan menn þe to Bedeford a hyrdan” (ibid.). […] and then afterwards in the same year before Martinmas, King Edward traveled to Buckingham with his army and stayed there four weeks and he constructed both strongholds on each side of the river before he left there; and eorl Thurkytel sought him as lord and all the eorlas and senior men who belonged to Bedeford.]
single unit, these annals present Edward not only as Alfred’s legitimate successor, but
also as a political agent capable of protecting and expanding dynastic property.

Dynastic territorial gains are even more pronounced in the Edwardian annals of
A. 912-920A primarily record Edward’s military campaigns in Danish regions to the
north and east, his sustained construction of byrig, and the submission of the peoples
resident in those areas.60 These annals, largely absent in B, display a close attention to
matters of geography, direction, and time, and they indicate the crucial role the
construction and fortification of byrig played in the tenth-century expansion of West
Saxon authority. David Hill has characterized the methodical construction and
maintenance of byrig as a central component of West Saxon expansion after the death of
Alfred: “The pattern of the campaigns was hardly dashing—it was a process of slowly
strengthening the West Saxon and Mercian areas with burhs, then fortifying the frontier
areas with more burhs, and finally pushing the burhs forward far enough to force the
Danes to react.”61 Within 912-920A, only the 913 annal does not record the construction
or fortification of at least one burh under Edward’s direction; the annals mention a sum
total of twenty byrig being constructed, fortified or manned during the period. In
addition, many of the annals are precise in situating individual locations. The 912 entry,
for example, records that “het Eadweard cy[ni]ng at imbran þa norðran burg æt
Heorotforda betweox Memeran 7 Beneficcan 7 Lygean” [King Edward ordered the

60 For a discussion of these campaigns and the submissions to Edward, see Lesley Abrams,
“Edward the Elder’s Danelaw,” in Edward the Elder, 899-924, ed. N. J. Higham and D. H. Hill (London

For a series of maps charting the construction of byrig under Edward and Æpelflaed, see ibid., 56-59.
northern borough at Hertford to be built between the Maran and the Beane and the Lea] and that his forces “worhte þa burg þa hwile æt Heorotforda on suphealfe Lygean”\textsuperscript{62} [meanwhile (some of his forces) made the borough at Hertford on the southern side of the Lea]. Other entries, such as that for 920, also exhibit a marked attention to both direction and location: “Her on þysum gere foran to middum sumera for Eadweard cyning mid fierde to Snotingaham 7 het gewyrcan þa burg on suphealfe þære eas ongean þa oþre 7 þa brycege ofer Treontan betwix þam twam burgum, 7 for þa þonan on Peaclond to Badecanwiellon 7 het gewyrcan ane burg þær on neaweste 7 gemannian”\textsuperscript{63} [In this year King Edward traveled with his army before midsummer to Nottingham and ordered the borough to be built on the southern side of the river, opposite the other, and the bridge over Trent between the two boroughs, and from there he went to Bakewell in the Peak District and ordered one borough to be built and manned in that place]. The attention to location and direction in 912-920A effectively records Edward’s movements as he works to secure land and expand the territory held under West Saxon anweald.\textsuperscript{64}

This record of byrig located on the bounds of West Saxon authority and the subsequent extension of those frontiers effectively does the work of boundary clauses, which are typically “concerned only with the boundaries or peripheries of estates.”\textsuperscript{65} Each burh acts as a kind of boundary marker connected by the movement of Edward and

\textsuperscript{62} Bately, \textit{MS A}, 64.

\textsuperscript{63} Ibid., 69.

\textsuperscript{64} David Pelteret discussed many of these features of the Edwardian annals in his paper, “An Anonymous Historian of Edward the Elder’s Reign,” delivered at the 41\textsuperscript{st} International Congress on Medieval Studies, Western Michigan University, Kalamazoo, May 2006.

\textsuperscript{65} Reed, “Charter Boundaries,” 297.
his forces: many of the annals contain some variation on the formula, “for Eadweard cyning [mid firde] to x,” followed by the construction or fortification of a burh at the noted location (s.a. 912, 914-920). Such a record of movement across the landscape not only creates an itinerary of military action but, like charter bounds, creates a network of place-names and landscape features which together represent the limits of political authority. This annalistic record of Edward’s movement from place to place inscribes a periphery of West Saxon anweald which moves outward as the annals progress over time.

Several of the annals also record Edward’s movement both to and from different locations through the formula “ær he þonan fore” (s.a. 914, 915, 916), further amplifying the connection of places through human movement so evident in the perambulations of vernacular boundary clauses.

The progressive connection of locations through human movement becomes more pronounced through the annals’ frequent use of þonan, an adverb which occurs regularly in vernacular boundary clauses. þonan appears seventeen times in its spelling variations in A, with eight of those occurrences falling within the annals for 912-920. Half of the occurrences of þonan as a directional adverb in A fall within the annals for 912-920. Furthermore, þonan is followed by a place-name or directional indicator four times within the Edwardian annals (s.a. 914, 917, 918, 920), while the word otherwise appears three times in the formula “ær he þonan fore” (s.a. 914, 915, 916). The concentration of a

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66 My tally ignores alternations of þ and ð. The spellings þonan/þonon/þanon appear in the Edwardian annals. ðanon appears s.a. 606 and 993 (twice); þanon appears s.a. 917 and 1001 (twice); þonon appears s.a. 547, 891, 914, and 916; þonan appears s.a. 584, 904, 914, 915, 917, 918, and 920. In annal 547, the word functions as a temporal rather than a directional adverb.
directional adverb within these specific annals clearly reflects their commitment to
delineating geographical location and movement. The distinctive use of āronān to connect
a series of human movements across named locations functions much like it does in the
perambulations of charter bounds, but at the larger territorial rather than the local level.
The notation of byrig as markers linked by Edward’s movements inscribes the moving
bounds of dynastic anweald and its dominion over land and people.

This effect is especially clear in the 918 annal in which Edward travels to
Stamford and constructs a burh; then rides to the burh at Tamworth after Æthelflæd’s
death in order to secure his authority in Mercia; and finally travels to Nottingham to
repair and man the burh there. In each instance, Edward’s movement to a location on the
outer bounds of West Saxon authority is followed by the political submission of the
peoples in the region. Through this repetitive pattern, the Edwardian annals claim both
land and resident peoples. For example, 912A states that after the construction of a burh
at Witham, those people in the area formerly under Danish authority submitted to West
Saxon anweald.67 This pattern of a burh being constructed or fortified, followed by the
submission of nearby peoples, also appears s.a. 914, 915, 917 (on four separate
occasions), 918 and 920.68 The Edwardian annals systematically record the expansion of

67 “… þa for Eadweard cyning mid sumum his fultume on Eastseaxe to Mældune 7 wicode þær þa
hwile þe man þa burg worhte 7 getimbrede æt Witham, 7 him beag god dæl þæs folces to þe ær under
deniscre manna anwalde wæron” (Bately, MS A, 64). […] then King Edward went with some of his forces
into Essex to Maldon and camped there while the borough was built and constructed at Witham, and a good
part of the people who before had been under the power of the Danes submitted to him.]

68 For the Chronicle account of the northern submission in 920, see Michael R. Davidson, “The
(Non)submission of the Northern Kings in 920,” in Edward the Elder, 899-924, ed. N. J. Higham and D. H.
Hill (London and New York: Routledge, 2001), 200-11. Davidson argues that the 920 entry works as part
of a deliberate argument for the legitimacy of Edward’s political authority, especially within Mercia.
dynastic territory in an accumulative narrative, predicated in large part on the strategic
collection and maintenance of byrig which act as boundary markers for political
authority.

Like diplomatic boundary clauses, the Edwardian annals record the limits of
territorial authority through the textual notation of movement across landscape. The
annalistic format, however, allows the writing of bounded territory to function as an
ongoing process. Whereas diplomas mark out estate borders and declare the right of
possession within a single monumental text, the Chronicle annals record the expanding
borders of dynastic authority in a composite text, accumulating lands for the West Saxon
house through a yearly record. In this sense, the Chronicle records the possession and
control of land within and across time, whereas the grant of property represented within a
royal diploma exists outside of time; the diploma represents the original grant within a
static material text, just as it fixes the political authority of the grantor and witnesses
within the temporal moment represented by that text.69 Both textual forms, however,
share a common project: the creation of bounded land through writing, and the placement
of that land within the legitimate possession of an individual or group, all which is
recorded within a memorial text.

Annals 900-924A work as a boundary clause writ large, fashioning a powerful
declaration of dynastic authority that extends across generations. The truncated material

69 One charter, written in English, does record the adjustment of property boundaries for the three
Winchester communities (Old Minster, New Minster and Nunnaminster) in 964 x 975. S 1449. Robertson,
Anglo-Saxon Charters, no. 49 at pp. 102-5. This document is not a Latin diploma, however, but a
vernacular memorandum.
in 901-915B, by contrast, affirms Edward as the legitimate successor of Alfred, a king capable of both protecting and expanding dynastic lands. The two Chronicle texts use different means to the same end: establishing the supremacy of West Saxon *anweald* and the transmission of that *anweald* within a family of kings.

4.3 The Mercian Register

The manuscript appearance of the Mercian Register in B and C marks it as a distinct text, establishing Æthelflæd as a separate royal figure engaged in a long project of expanding and consolidating territory. Thomas Bredehoft argues that the Mercian Register began, as the Edwardian annals did, as an independent “extension of the Alfredian chronicle into a dynastic chronicle following the fortunes of Alfred’s offspring.” The Mercian register, then, functions as one unit in the Chronicle’s accumulative narrative of tenth-century West Saxon leaders and their expanding royal domain. The Mercian Register’s account of Æthelflæd’s activities functions as a narrative both separate from and parallel to the preceding Edwardian annals, systematically detailing the fortification of *byrig*, the acquisition of territory, and the allegiance of peoples occupying those territories.

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70 B contains materials for the Edwardian campaigns only in its annals for 913, 914, and 915 (equivalent to 912-914A), after which point it begins the Mercian Register. As a result, B’s account of Edward’s construction of *byrig* is much shortened in comparison to A (with Edward building *byrig* s.a. 913 and 915), but it still repeats the pattern of *byrig* as progressive frontier markers evident in A and in the Mercian Register.

The Mercian Register appears as a fragmented series of annals inserted within B and C, interrupting the chronology of previous annals and ending in what appears to be an incomplete sentence. The physical layout of both B and C present the Mercian Register as a separate unit, as its text is inserted after the regular annal for 915. The Mercian Register begins in B with a string of empty annals for the years 896 to 901, and after its entry for 924 concludes with a string of nine empty annals running from 925 to 933. The short series of annals follows the movements of Æthelflæd, sister to Edward the Elder and wife of the Mercian ealdorman Æthelred. The Mercian Register provides us with a valuable outline of Æthelflæd’s activities in Mercia and her vital contributions in securing Anglo-Saxon advances against the Danes. While A provides a full treatment of Edward’s activities, it only records Æthelflæd’s death in 918 followed by the full

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72 Some have seen the insertion of the Mercian Register in B and C as disruptive and clumsy. Commenting on the place of the Mercian Register in his exemplar for B and C, Plummer notes, “The question has been solved very crudely by the scribe of the MS. from which B and C are copied, who simply inserts the Register unaltered in the middle of his Chronicle” (Charles Plummer, ed., Two of the Saxon Chronicles Parallel, 2 vols. [Oxford, 1892-99; repr. 1952], 2:lxxii). Wainwright echoes Plummer’s opinion: “In MSS. B and C these fragmentary annals are crudely inserted into the structure of the main chronicle after the annal now dated 915; there is no attempt to avoid the consequent repetition and confusion” (F. T. Wainwright, “The Chronology of the ‘Mercian Register,’” EHR 60 [1945]: 385-92 at 385). The key word in these assessments seems to be “crude.” Cyril Hart presents a similar view in his comments on the Mercian Register. Cyril Hart, “The B-Text of the Anglo-Saxon Chronicle,” JMH 8 (1982): 241-99 at 255.

73 C features a remarkably similar layout for the Mercian Register, albeit in a much more orderly fashion. C also contains an entry at 921 (on 140v at line 23) which is absent from B. The Mercian Register begins in C with a string of empty annals for 896 to 901. Also like B, C marks the end of the Mercian Register after the 924 entry with a string of nine empty annals running from 925 to 933. The physical layout of the Mercian Register in both B and C, then, is remarkably similar. D obscures this separate layout by collating its contents into the Chronicle, but it preserves a vestige of the design evident in B and C through its run of empty annals from 927 to 933.

transference of her authority to Edward.\textsuperscript{75} In contrast, the Mercian Register focuses exclusively on Æthelflæd as Myrca hlæfdige (Lady of the Mercians), mentioning Edward only in its annals for 921 (which appears only in C) and 924.\textsuperscript{76}

Noting its physical layout in B and C, Paul Szarmach has argued that the Mercian Register should be regarded as a discrete unit in the Chronicle. Framing the Mercian Register with the empty annal-numbers at its beginning and end, “The [C] scribe acknowledges in visual terms the integrity of this narrative section, its separateness, and by implication its unique origin.”\textsuperscript{77} As we have seen, both B and C maintain this physical layout in their presentation of the Mercian Register. For Szarmach, these shared attributes mark the Mercian Register as a unique text within the Chronicle, reinforcing “Plummer’s earlier description of the integrity of this text based on temporal dislocation and Mercian focus.”\textsuperscript{78} In this view, the physical layout of the Mercian Register distinguishes it as a conspicuously inserted text. The chronological dislocation of the Mercian Register allows for an account of Æthelflæd’s activities both separate from and parallel to the Edwardian

\textsuperscript{75} “… þa gefor Æþelflæd his swystar æt Tameworþige .xii. nihtum ær middum sumera, 7 þa gerad he þa burg æt Tameworþige, 7 him cierde to eall se þeodscape on Myrca lande þe Æþelflæde ær underpeoded wæs, 7 þa cyningas on Norþwealum, Howel 7 Cledauc 7 Ieothwel. 7 eall Norþweallcyn hine sohton him to hlaforde” (Bately, MS A, 68-69). [Then his sister Æthelflæd died at Tamworth twelve nights before midsummer, and then he rode to the fortress at Tamworth, and to him submitted all the people in the land of the Mercians which were before subject to Æthelflæd, and the kings among the northern Welsh—Howel and Cledauc and Ieothwel—and all the northern Welsh peoples sought him as lord.] In an interesting reversal, the Mercian Register in B does not mention Edward at all until his death in 924.

\textsuperscript{76} The sparse mention of Æthelflæd outside the Mercian Register led F. T. Wainwright to observe that Æthelflæd’s reputation “has suffered from bad publicity, or rather from a conspiracy of silence among her West Saxon contemporaries” (Wainwright, “Lady of the Mercians,” 53).


\textsuperscript{78} Ibid., 118
annals which precede it. The annals can be read as complementary units in the Chronicle account of the West Saxon house and its territorial ambitions; both units feature details about the fortification project shared by Edward and Æthelflæd, and both units chart the acquisition of territory and the allegiance of peoples occupying those territories.

The Mercian Register also indicates some awareness of possible conflict within the West Saxon family and the political and territorial consequences of such conflict. The 904 and 905 annals in the Mercian Register record two natural events: a lunar eclipse and a comet. This notation of uncommon natural events is unique within the Edwardian annals and the Mercian Register, both of which favor information on fortification and military action. When 904 and 905B are read against their parallel years in the Edwardian material, these accounts of environmental anomalies assume a new significance. The darkening of the moon coincides with Æthelwold marshalling an army “on Eastsexum” (s.a. 904), while the appearance of a comet coincides with the year of the large battle that brought Æthelwold’s death (s.a. 905)—disturbances in the heavens bear witness to West Saxon internecine conflict. I do not mean to suggest that the Mercian Register was carefully designed to complement and accentuate the Edwardian annals which come before it, but that the physical layout and chronological dislocation of the Mercian Register allow it to be read against the antecedent annals for those same years. The resulting juxtaposition between natural event and political crisis underscores the gravity of the dynastic conflict and the import of its final containment.

79 “[904] Her mona ðæostrode. [905] Her ðøywde cometa” (Taylor, MS B, 49). [904: Here the moon grew dark. 905: Here a comet appeared.]
The Mercian Register lends its most sustained attention to the fortification project shared by Æthelflæd and Edward. The Mercian Register records the construction or maintenance of *byrig* in 907 (Chester), 910 (*Bremesbyrig*), 912 (*Scergeat*, Bridgnorth), 913 (Tamworth, Stafford), 914 (Eddisbury, Warwick), and 915 (Chirbury, *Weardbyrig*, Runcorn). These locations provided defensive points along the Welsh border to the west and against Scandinavian forces in the midlands and the north. The Mercian Register’s catalogue of *byrig* provides a set of textual markers for the territorial limits of political authority, functioning much like the Edwardian annals in A. The Mercian Register does not contain the level of directional detail evident in those annals, but it does display some geographical and temporal precision, as evident in the annal for 912: “Her com Æþelflæd Myrcna hlæfdige on þone halgan æfen Inuentione Sancte Crucis to Scergeate 7 þær ða burh getimbrede, 7 þæs ilcan geares þa æt Bridge” [In this year, Æthelflæd, Lady of the Mercians, came to Scergeat on the holy evening of the Invention of the Holy Cross, and constructed a borough there, and in the same year the one at Bridgnorth]. Like the Edwardian annals, the Mercian Register also presents the occupation of a *burh* as a catalyst for the submission of neighboring peoples. Æthelflæd seized the Danish stronghold at Derby in 917 and later took the stronghold at Leicester in 918, and the Chronicle states that the capture of the strongholds was followed by the submission of the

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81 See Hill, *Atlas*, nos. 85-89 at pp. 56-57. See Wainwright, “Lady of the Mercians,” 58-59 for specific discussion (and a map) of these strategic locations, “part of the long line of fortresses which by 916 stretched from the Mersey to Essex and menaced the Danes in their midland strongholds” (ibid., 59).

82 Taylor, *MS B*, 49.
forces there. The Mercian Register, like the Edwardian annals in A, carefully records territory secured through the construction and maintenance of byrig, followed by the political submission of resident peoples.

The manuscript layout of the Mercian Register in B further accentuates its sustained attention to inscribing the boundaries of dynastic territory. After its annal-number for 908, B contains no other annal-numbers until 925, while the entries for <914> and <915> contain no initial formulaic markers (such as her or on þysum geare) to indicate the beginning of a self-contained annal. The three annals for 913 to 915 consequently run together syntactically, creating a running itinerary of place names linked by Æthelflæd’s movement:

Her Gode forgifendum for Æþelflæd Myrcna hlæfdige mid eallum Myrcum to Tamaweorðige 7 þa burh ðær getimbrede on foreweardne sumor. 7 þæs foran to Hlafmæsson þa æt Stæfforda; ða þæs oþre geare þa æt Eadesbyrig on foreweardne sumor. 7 þæs ilcan geares eft on ufeweardne hærefest þa æt Wæringwicon; ða þæs oþre geare on ufæn midne winter þa æt Cyricbyrig. 7 þa æt Weardbyrig, 7 þy ilcan geare foran to middan wintra þa æt Rumcofan.

[In this year, through the grace of God, Æthelflæd, Lady of the Mercians, went with all the Mercians to Tamworth and built the borough there in early summer, and afterwards before Lammas the one at Stafford; then in the next year the one at Eddisbury in early summer, and later that same year, in late harvest, the one at

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83 “[917] Her Æþelflæd Myrcna hlæfdige Gode fultmigendum foran to Hlafmæsson begeat þa burh mid eallum þam ðe þærtto hyrde, þe is hatan Deoraby” (ibid., 50). [In this year, before Lammas, Æthelflæd, Lady of the Mercians, through the aid of God seized the borough called Derby, along with all those subject to it.]

84 The annals are spatially distinguished in the manuscript by initial capitals and indentation, but are syntactically linked by the conjunction ða. Of the Mercian Register’s sixteen annals in B, all but four (s.a. 910, 911, 914, 915) begin with her; none of the four annals lacking her have an annal-number in the manuscript.

85 Taylor, MS B, 49.
Warwick; then in the next year, after midwinter, the one at Chirbury, and then at Weardbyrig, and in the same year before midwinter the one at Runcorn.]

I have presented the text without reproducing manuscript division and capitalization in order to highlight the text’s structural resemblance to the paratactic catalogue of a vernacular boundary clause. The progression of the narrative pattern “Æthelflæd went here, and then here” sketches out the extent of Mercian control along its western, eastern, and northern borders. The Mercian Register dedicates itself to the outer bounds of dynastic territory, functioning as a boundary clause developed and maintained over time. The bounded territory produced through this textual operation in the Edwardian annals and Mercian Register is furthermore explicitly tied to dynastic figures—the scions of the West Saxon house effectively “make” the land as they move across it.

The Mercian Register may bear some trace of diplomatic influence other than its functional parallel to charter boundary clauses. 917 and 918B both indicate that Æthelflæd attains her accomplishment through God’s assistance: “Gode fullmigendum” and “mid Godes fultome.” The dative absolute in 917 is remarkable. Based on its presence, Szarmach hypothesizes a lost Latin source: “Somewhere in the genesis of the

86 While she was a member of the West Saxon royal family, Æthelflæd is represented in the Mercian Register as the leader of the Mercians. The political relationship between Wessex and Mercia in the early tenth century was complex, but it is clear that Æthelflæd (like her husband Æthelred before her) held power in Mercia under the authority of the house of Wessex, and that she acted in collaboration with her brother. See Keynes, “King Alfred and the Mercians,” 19-39.

87 Fabienne L. Michelet sees a similar narrative strategy of territorial appropriation in vernacular hagiographic poetry: “When the saints advance on the surface of the earth, therefore, their steps mark their recently acquired control over a new space” (Fabienne L. Michelet, Creation, Migration and Conquest: Imaginary Geography and Sense of Space in Old English Literature [Oxford: Oxford University Press, 2006], 193). Michelet sees a similar strategy at work in Beowulf: “Borders are literally traced by the strides with which various characters travel through Beowulf’s poetic geography” (ibid., 109).

88 Taylor, MS B, 50.
**Mercian Register** is a Latin account or perhaps poem that offers the *gesta Adelfledi.*

Such constructions, however, also frequently appear in charters, as in the following diploma dated to 901: “ego EDWARDUS, divina largiente gratia, Anglorum rex”\(^{90}\) [I, Edward, king of the Anglo-Saxons by the beneficence of divine grace]. The practice of investing the transfer of property in religious rhetoric also appears regularly in royal diplomas. While these parallels are not conclusive, their presence in the Mercian Register do suggest some analogy between diplomatic practices of land tenure and the Chronicle record of an expanding West Saxon *anweald.*

The Mercian Register, then, can be read as a record of Æthelflæd’s expanding political authority over territories that had been previously outside her father’s control. This campaign moreover was conducted in collaboration with Edward. Æthelflæd was not an independent agent pursuing an old dream of Mercian independence and supremacy. It is true that the title of *Myrcna hlæfdige* indicates Æthelflæd’s own political authority in Mercia, while her obituary notice (s.a. 918) specifies that “heo Myrcna anwald mid riht hlaforddome healdende wæs”\(^{91}\) [she was holding power in Mercia with legitimate authority]. This does not mean, however, that Æthelflæd ruled a separate Mercian kingdom—she assumed the place of a satellite authority under Wessex previously occupied by her husband Æthelred. In the view of the Chronicle at least, Mercia already had become part of the West Saxon lands under Alfred, even though it

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\(^{89}\) Szarmach, “*Mise en page,*” 119. Thomas Bredehoft has expressed skepticism at this hypothesis (Bredehoft, *Textual Histories*, 189n10).

\(^{90}\) S 366; CS, vol. 2, no. 598 at p. 250.

\(^{91}\) Taylor, *MS B*, 50.
retained a distinct territorial identity of its own. Wainwright has emphasized, however, that Edward aggressively pursued the policy of integration initiated by his predecessors with a new determination: “It is clear that Edward was pressing for the closer integration of Mercia and Wessex under his own undivided authority. It has already been noted that he was giving orders to the Mercian fyrd before 911. As soon as Æthelred died he took London and Oxford into his own hands, a direct reversal of the policy followed by Alfred in 886.”

The Mercian Register does not record Edward’s claim over London and Oxford after Æthelred’s death, but the event does not seem to have interrupted Æthelflæd’s fortification project. Read in conjunction with the Edwardian annals, the Mercian Register shows Edward and Æthelflæd engaged in a joint project of extending the territorial sway of their family.

It has nonetheless proved tempting to interpret the Mercian Register as a radical document calling for Mercian independence, inserting itself within a composite text that otherwise favors West Saxon interests. 919B in particular seems to have inspired and sustained this view. This fascinating entry states that Æthelflæd’s daughter Ælfwynn was deprived of all political authority in Mercia: “Her eac wearð Æþeredes dohtar Myrcna hlaforde ælces onwealdes on Myrcum benuman 7 on Westsexe alæded ðrim wucan ær middum wintra; seo wæs haten Ælfwyn” [Here also the daughter of Æthelred, lord of the Mercians, was deprived of any authority among the Mercians and taken among the West Saxons three weeks before midwinter; her name was Ælfwynn]. The entry is

93 Taylor, MS B, 50.
interesting for a number of reasons: the *eac* assumes a syntactical precedent which seems to be absent; the annal names Ælfwynn as Æthelred’s daughter only, with no mention of Æthelflæd; the annal records a specific date for Ælfwynn’s deposition, but her situation once taken into Wessex remains a mystery; and the annal specifies no agent in her deprivation of authority, although scholars have assumed Edward’s responsibility.\(^{94}\)

Many have read this entry as a terse acknowledgement of a violent West Saxon suppression of Mercian independence, with Edward playing the role of belligerent aggressor.\(^{95}\) The 919 annal, however, does not directly censure Edward in any way—in fact it does not name him at all. If we consider the Mercian Register in conjunction with the Edwardian annals preceding it, the 919 entry can best be read as a record of contained dissent within the West Saxon dynasty.

Ælfwynn does not seem to have represented a threat on the same scale as Æthelwold, but her neutralization settled a potential territorial dispute within the family. By recording Ælfwynn’s loss of all *anweald* in Mercia, the Mercian Register ostensibly eliminates any rival claim to Mercian territory. The consolidation of West Saxon *anweald*...

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\(^{95}\) Both Wainwright and Stenton take this view. Wainwright observes: “The words of the annalist who wrote of the deposition of Ælfwyn in the Mercian Register are heavy with resentment, and even the West Saxon annalist implies that at least a display of force was required to secure the submission of the Mercians to Edward on Æthelflæd’s death” (Wainwright, “Lady of the Mercians,” 68). Stenton represents the event as Edward’s final move in securing Mercian submission and quelling any remaining impetus toward Mercian separatism: “[The Mercian] wish for a ruler intermediate between themselves and [Edward] was met for the moment by the allowance of nominal authority to Ælfwynn, Æthelflæd’s daughter. But in the winter of 919, by a violent act of power, Edward caused her to be carried off into Wessex, and thenceforward there remained no formal distinction between Mercia and the other English regions under his rule” (Stenton, *Anglo-Saxon England*, 330).
in the figure of Edward the Elder mirrors the territorial consolidation of Mercia and Wessex. Rather than challenging West Saxon authority in Mercia, then, the Mercian Register confirms it. In this way the Mercian Register’s attention to the expanding territorial sway of the West Saxon family after Alfred’s death remains consistent with the strategies evident in the Edwardian annals. The Mercian Register in addition participates in the Chronicle’s genealogical fiction of an orderly royal succession: its final (and incomplete) annal records the deaths of Edward and his son Ælfweard, followed by the Mercian confirmation of Athelstan as king. This notice elides Ælfweard’s brief tenure as king, streamlining the transition between Edward and Athelstan and furthering the Chronicle’s tale of continuing dynastic and territorial progress.

4.4 The Turn to Verse

After the Edwardian and Mercian annals the style of the Chronicle changes dramatically, shifting to a sporadic mix of barren annal-numbers, brief annals, and poems. This change has often been seen as a degeneration in both quality and quantity: Dorothy Whitelock described the post-Edwardian annals as sharing “in the general decay in historical writing,”96 while Pauline Stafford observed that the Chronicle essentially “dries up in the tenth century.”97 Annals 924-946AB include intermittent short annals and the two poems The Battle of Brunanburh and The Capture of the Five Boroughs. The

96 EHD, 110.

material for the reign of Athelstan (924-939) is surprisingly brief, as is that for the reign of Edmund (939-946). The inclusion of poetic content in this section of the Chronicle, remarkable enough in its own right, appears even more dramatic within the context of the spare prose annals surrounding the poems.

Recent critical responses to the Chronicle poems have regarded them as expressions of an emerging English nationalism driven by their praise of the West Saxon kings. In this view, the poems function as political texts which continue the Chronicle’s ideological work of championing the enduring legitimacy of the West Saxon dynasty. I argue that the poems and prose annals more specifically advance the investment in territorial claims begun in the Edwardian annals and the Mercian Register even though they do not contain the same details of movement across a political landscape. The prose annals endorse dynastic continuity and demonstrate the military success of kings in border areas, while the poems forge a link between land and ruler through their celebration of instrumental West Saxon victories. While the poems have received most of the critical attention, the surrounding prose annals work in concert with the poems to

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98 Janet Thormann, for example, has argued that “the poems produce the idea of a national history that legitimizes West-Saxon power as national authority” (Thormann, “Chronicle Poems,” 66). Thomas Bredhoft in turn argues that Brunanburh “continues the dynastic focus of the Edwardian annals and the Mercian Register, but in the broader context of a nationalizing narrative” (Bredhoft, Textual Histories, 102). Bredhoft takes a similar view of The Capture of the Five Boroughs, claiming that it too continues “the focus on dynastic succession and English nationalism” (ibid., 103). Donald Scragg has also read both poems as celebrations of “the unification of the English under an English dynasty” (Scragg, “Brunanburh,” 118).

99 Malcolm Parkes has suggested that the compilation of CCCC 173 in the mid-tenth century “suggests a conscious attempt … to preserve the tradition of the West Saxon royal house in its purest form” (Malcolm Parkes, “The Palaeography of the Parker Manuscript of the Chronicle, Laws and Sedulius, and Historiography at Winchester in the Late Ninth and Tenth Centuries,” ASE 5 [1976]: 149-71 at 167).
accentuate the extension of dynastic territory under individual royal figures. In this way, the 924-946AB annals write dynastic property.

The Battle of Brunanburh and The Capture of the Five Boroughs both celebrate the acquisition of territory under the West Saxon kings, continuing the Chronicle’s attention to the expansion of dynastic property evident in the Edwardian annals and the Mercian Register. No explanation has fully accounted, however, for this dramatic turn to verse in the tenth-century annals of the Chronicle. One long-established view holds that the content of the first Chronicle poems somehow merited the “heroic” associations available only through poetry, and that chroniclers thus shifted the style of the work accordingly. Donald Scragg, for example, surmises that the military victories commemorated in the poems warranted a “heightening of tone” achieved through a poetic style that recalled “Germanic heroes of old.”

The inclusion of the first Chronicle poems, however, also follows stylistic developments evident in contemporary diplomatic production. Reading the tenth-century annals alongside contemporary diplomatic texts dedicated to recording and asserting land rights shows that the Chronicle itself functions as a kind of land document charting the holdings of the West Saxon kings.

Annals 924-946A were entered by a single hand working in one stint sometime around 950. Scragg, “Brunanburh,” 119.

single scribe known as “Athelstan A” produced a series of Latin diplomas between 928 and 935 which are distinguished by their enthusiastic use of hermeneutic Latin and their ambitious nomenclature for designating the sway of royal authority. A radical departure from the charters of Alfred and Edward, these diplomas situate documentary land matters within a highly stylized literary form and language. The following proem, appearing in a royal diploma dated to 934, represents the flamboyant style of the “Athelstan A” group:

Fortuna fallentis sæculi procax non lacteo inmarciscibilium liliorum candore amabilis. sed fellita hejulandæ corruptionis amaritudine odibilis foetentis filios valle in lacrimarum carnis. rictibus debacchando venenosis mordaciter dilacerat. quæ quamvis arridendo sit infelicius adtractabilis Acherontici ad ima Cociti ni satus alti subveniat boantis. impudenter est decurribilis. et ideo quia ipsa ruinosa deficiendo tanaliter dilabitur. summopere festinandum est ad amoena indicibilis laetitiae arva. ubi angelica ymnidæ jubilationis organa. mellifluaque vernantium rosarum odoramina. a bonis beatisque naribus inestimabili dulciapiuntur. sineque calce. auribus clivipparum suavia audiuntur. Cujus amore felicitatis illectus fastidiant jam infima dulcescunt superna eisque pro percipiendis. semperque specie indefectiva fruendis ego Æðelstanus rex Anglorum per omnipatrantis dexteram totius Britanniæ regni solio sublimatus.”

[The wanton fortune of this deceiving world, not lovely with the milk-white radiance of unfading lilies, but odious with gall-steeped bitterness of lamentable corruption, raging with venomous wide-stretched jaws, bitingly rends the sons of stinking flesh in this vale of tears; and although by its smiles it may be able to draw unfortunates to the bottom of Acherontic Cocytus, unless the offspring of


103 S 425; CS, vol. 2, no. 702 at pp. 402-3. This document survives as an original single-sheet.
the High-Thunderer [i.e. Christ] should lend\textsuperscript{104} his aid, it is shamelessly fickle; and therefore, because this ruinous fortune falls and mortally decays, one should chiefly hasten to the pleasant fields of indescribable joy, where are the angelic instruments of hymn-singing jubilation and the mellifluous scents of blooming roses are perceived with inconceivable sweetness by the nostrils of the good and blessed and harmonies are heard by their ears for ever. Allured by love of that felicity—when now depths disgust, heights grow sweet—and in order to perceive and enjoy them always in unfailing beauty, I, Athelstan, king of the English, elevated by the right hand of the Almighty to the throne of the whole kingdom of Britain ….]\textsuperscript{105}

Such language clearly draws from the complex style of Aldhelm, and its employment here and in other royal diplomas of the period attaches an elevated literary register to property matters. The length and ostentation of the proem make the royal diploma a site for literary performance.

Diplomas from the reigns of Edmund and Eadred maintained the ornamental style initiated in Athelstan’s reign, albeit in a more contained fashion. This stylistic continuity is evident from a diploma of Edmund dated to 940:

\textbf{Regnante inperpetuum domino nostro Jhesu Christo . Dum conditoris nostri providentia omnis creatura valde bona in principio formata formoseque creata atque speciose plasmata est supra et infra cælos tam in angelis quam etiam in hominibus ac in multimodis ac diversis speciebus jumentorum animalium piscium volucrum . Sicque ab initio mundi usque ad finem statuta precepta conditoris sui jure custodiunt nisi homo solus qui ad imaginem suum creatus et omnibus prelatus creaturis propter prævaricationem conruens in mortem.}\textsuperscript{106}

[Our Lord Jesus Christ ruling without end. Whereas in the beginning every good creature was strongly shaped and beautifully created and pleasingly formed

\textsuperscript{104}Translation modified (Whitelock’s “the Creator of the roaring deep lend” changed to “the offspring of the High-Thunderer [i.e. Christ] should lend”).

\textsuperscript{105}EHD, 548.

\textsuperscript{106}S 464; CS, vol. 2, no. 753 at p. 476. The diploma survives as a contemporary single-sheet.
through our Creator’s providence, above and below the heavens, among angels and men and various and diverse domestic beasts, animals, fish, and birds, and so from the beginning of the world until its end the established precepts of the Creator stand firm through his law, except for man alone, created in his own image and ruler of all creatures, who falls into death through transgression.]

In addition, a number of charters in the 940s and 950s were drafted in a rhythmical and alliterative Latin. Cyril Hart designated these alliterative diplomas as the “Dunstan A” group, and argued that their production was centered at Glastonbury and primarily involved estates in the Danelaw. The alliterative charters also have been attached frequently to Cenwald, “who may have begun his career as a royal chaplain, and who was bishop of Worcester from 928 or 929 until 957 or 958.” The following proem from a diploma of King Eadred dated to 955, for example, provides a representative example:

“In principio creauit Deus celum celestibus celorum agminibus ethraliter conflagrando. et terram terrestribus trutinauit tripudialiter tribuendo ita dicens. Celum mihi thronus est. et tellus scabellum pedibus. id est cetus angelicus et culmen apostolicum” [In the beginning God created brightly burning heaven for the celestial hosts of the heavens and in triumphant division measured the earth for the earthbound, saying “Heaven is my

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throne and the land the stool for my feet,” that is the angelic congregation and apostolic zenith]. The poetic Latin diplomas of the 940s and 950s, along with those of the “Athelstan A” group, provided one potential model for an ornamental style in matters of claiming territory.

The distinctive styles of the “Athelstan A” and “Dunstan A” groups would have been well established prior to the inclusion of The Battle of Brunanburh and The Capture of the Five Boroughs in c. 950. As a vernacular production interested in dynastic land claims, the Chronicle could not directly draw upon the Latin stylistics evident in contemporary diplomas—such aesthetic ornamentation would have demanded a vernacular prose equivalent for the distinguished register of hermeneutic Latin. An artistic prose in the vernacular had not yet been developed, leaving vernacular verse the most readily available option for such aesthetic ornamentation in English. While the “Athelstan A” charters are neither alliterative nor rhythmical, their arcane vocabulary finds a counterpart in the specialized diction of vernacular poetry. Beginning in Athelstan’s reign, land claims demanded and deserved aesthetic elaboration in Latin diplomas. The turn to verse in the Chronicle, then, follows contemporary literary fashions evident in other land documents. The Battle of Brunanburh and The Capture of the Five Boroughs use the distinctive meter and language of vernacular verse to adorn its celebrations of expanding dynastic territory. Royal diplomas from the 920s through the

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950s likewise wrapped land claims within a distinctly literary language, and the tenth-century Chronicle poems follow that precedent.

These diplomatic parallels indicate that despite its stylistic changes the Chronicle still maintains the territorial concerns informing the Edwardian annals and Mercian Register. *The Battle of Brunanburh* and *The Capture of the Five Boroughs* furthermore repeat the narrative model featured in the Edwardian annal for 915B in which a West Saxon ruler defends native land from outside forces and finally drives those forces out of threatened territory. In 915B, as we have seen, West Saxon forces defeat a *mycel sciphere* in western Mercia near the Welsh border, driving the ragged survivors from the mainland and finally back to Ireland. This border encounter secures Anglo-Saxon lands against a foreign threat, and the Chronicle delights in recording the humiliations of the raiders. The Chronicle poems of Athelstan and Edmund feature a similar scenario as they commemorate singular moments in West Saxon land conquests.

924B records the deaths of Edward and Ælfward (who died very soon after his father), followed by the succession of Athelstan, omitting any direct reference to Ælfward’s brief moment on the throne. This omission constructs a narrative of uninterrupted dynastic succession populated by effective leaders. After the string of barren annals at the end of the Mercian Register, 934B briefly records Athelstan’s military success in Scotland, establishing his efficacy in policing territorial borders. *The Battle of Brunanburh* continues the focus on land and dynastic succession in the preceding prose annals by portraying Athelstan and Edmund as Edward’s heirs (“afaran Eadweardes” (7a)), able guardians of the kingdom:

… swa him geæpele wæs
fam cneomagum þæt hie æt campe oft
[… as it was natural for them, from ancestral pedigree that often in battle they protected land, hoard and homes against any enemy.]

Just as the poem identifies Athelstan and Edmund as the rightful keepers of land, hoard and hamas, it specifies that the allied Scots and Danes have come seeking land, arriving from “ofe eargbearland / on lides bosme land gesohtan” (26b-27) [over the mingling waves in a ship’s bosom, they came for land]. The stakes of the battle are territorial, and the poem commemorates the West Saxon victory both through panegyric and through its account of enemy forces driven from the island (as in 915B).

The poem revels in detailing how the invading forces were cut down and disgraced in the battle, lingering over the particular losses and humiliations of the two enemy leaders, Olaf and Constantinus. Olaf must flee back to the water, accompanied only by a meager band of surviving retainers:

Þær geflymed wearð
Norðmanna brego, nede gebæded
to lides stefne lytle weorode;
cread cnear on flot, cing ut gewat
on fealone flod, feorh generede.

(32b-36)

[There the ruler of the Northmen was put to flight, pressed by need to the boat’s prow with a little host; the Viking ship hastened afloat, the king departed out onto the pale waters, and saved his life.]

111 Taylor, MS B, 51. All following citations from the Chronicle poems are taken from Taylor.
Constantinus, leader of the Scots, loses his son and many other kinsmen in the battle, leaving him little reason to boast over the fighting’s outcome:

… gylpan ne þorfte beorn blandenfex billgeslyhtes, eald inwitta, ne Anlaf þe ma. (44b-46)

[… the grey-haired man had no call to brag about the blade-clash, the old wicked man, nor Olaf any the more.]

Beaten and downcast, the enemy survivors can only flee to their ships and return to lands elsewhere:

Gewitan him þa Norðmenn nægled cnearrum, dreorig daroða laf, on Dyngesmere ofer deop wæter Dyflen secean, eft Iraland, æwiscmode. (53-56)

[Then the Northmen, downcast survivors of spears, took themselves to nailed vessels, out onto Ding’s Mere to seek Dublin over the deep water, back to Ireland, shamed in spirit.]

The Northern forces are forced from the field and back onto the water, driven off the land entirely. The Edwardian annal for 915 features a similar pattern of events: a large enemy force arrives from the sea, only to be beaten in battle by the West Saxons and their allies, and is ultimately forced to retreat back to Ireland. Like Brunanburh, the 915 annal provides specific details of enemy humiliation and suffering as the once great sciphere takes refuge in a pearroc and then flees under cover of darkness in order to swim to an island where many of them starve. Both texts establish the ability of the West Saxons to control territory, but Brunanburh more explicitly links that ability to the authority of the West Saxon royal leaders. Prominently featured in the poem, Athelstan and Edmund lead the West Saxons in their northern victory, whereas the 915 annal does not name Edward.
In marked contrast to the beaten retreat of the *Norðmenn*, the heroic Athelstan and Edmund enjoy a triumphant homecoming: “Swylce þa gebroðor begen ætsonme, / cing 7 æþeling, cyþhe sohtan, / Westseaxna land, wigges hremige” (57-59) [Just as the brothers both together, king and ætheling, sought their home, the land of the West Saxons, triumphant in the fight]. The opposition between the West Saxon leaders and their enemies—linked by the conjunction *swylce*—could not be clearer. The humiliated invaders are forced off the very land they came to take, while the West Saxon leaders return to land unequivocally their own (*Wesseaxena land*). The poem’s closing lines bolster this claim to the land by linking the current West Saxon victory to the distant past of the Germanic migrations:

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ne weard wæl mare
on þys eglande æfre gyta
folces afylled beforan pyssum
sweordes ecgum þæs þe us secggeþ bec,
ealde utwitæn, syþhan eastan hider
Engle 7 Sexan upp becoman,
ofer brade brimu Brytene sohtan,
włance wigsmiþas Wealas ofercoman,
eorlas arhwate eard begeaton.
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(65b-73)

[Nor was there a greater slaughter ever yet on this island of a people felled by the edges of swords before this, as the books tell us, old scholars, since the Angles and Saxons came here from the east, sought out Britain over the broad sea; the bold makers of war overcame the Welsh; the glorious warriors took the land.]

These lines envision the arrival of the Anglo-Saxons as a foundational moment in which the Germanic peoples claim their new homeland.\textsuperscript{112} Even though they arrived as invaders

\textsuperscript{112} Nicholas Howe has influentially argued that the *adventus Saxonum* served as a myth of cultural origin for the Anglo-Saxons, and that its invocation in *Brunanburh* “signifies that they remain worthy to
from across the sea much like the ignoble Norðmenn repelled at Brunanburh had done, the poem provides the Angles and Saxons with positive epithets such as “wlance wigmíþas” and “eorlas arhwate.” The adjective arhwæt appears only in The Battle of Brunanburh and can be translated as “glory-bold” or “active in glory, active and glorious.” The noun ar can signify honor, worth, or glory, but in a legal sense it can also mean “landed property” or the possession of that property. This unique poetic compound carries a multivalent meaning: it couples the idea of personal distinction with the holding of property. The poem suggests in a single word that the eorlas were worthy of the homeland they gained, just as the contemporary scions of the West Saxon dynasty are worthy holders of that same eard. This ancestral eard historically prefigures the land, hord and hamas placed under the protection of Athelstan and Edmund in the poem’s early lines. The Battle of Brunanburh memorializes an important military victory for the West Saxons, but it also establishes a historical basis for the authority of West Saxon kings over their collective lands.

The victory at Brunanburh demonstrated the ability of the West Saxons to meet an organized allied threat to its northern borders. Athelstan was able to repel a coalition of Norse, Scottish, and Cumbrian forces, and his victory, in Stenton’s triumphal words, “has

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113 DOE, s.v. “arhwæt.” See also Alistair Campbell, ed., The Battle of Brunanburh (London: W. Heinemann, 1938), 121n73. Campbell suggests that “the likeliest meaning of arhwæt is ‘abounding in glory,’ ‘glorious.’”

114 DOE, s.v. “ar” (c.1 and c.3).
a distinctive place among the events which made for the ultimate unity of England … a state which embraced the descendants of Alfred’s Danish enemies, and a civilization which united them to Christian Europe.” The West Saxon kingdom under Athelstan held authority over more territories and peoples than it had under any of his predecessors, and Athelstan successfully secured the kingdom’s borders to the north and west. After Athelstan’s death in 939, however, Edmund faced renewed aggression in the north from Olaf Guthfrithson, the same Norse leader who had been defeated at Brunanburh in 937. During his campaign Olaf took the region known as the Five Boroughs, whose inhabitants had been part of the English state for two decades but were now under Norse rule. Neither A nor B say anything of these events, noting only that Edmund succeeded Athelstan s.a. 940. The chronological link between the deaths of Athelstan and Alfred in 940B provides genealogical continuity to the narrative of West Saxon kings. This dynastic link, along with the omission of the territorial losses to Olaf in the north, maintains the Chronicle narrative of uninterrupted succession and expansion begun in the Edwardian annals. The Chronicle presents a selective narrative, writing and updating a bounded domain held under West Saxon anweald.


116 Ibid., 357.

117 “Her Æþelstan cing forðferde on .vi. Kalendas Noue mbris embe .xl. wintra butan anre nihtë þæs þe Ælfred cing forðferde. 7 Eadmund æþeling feng to rice 7 he wæs þa .xviii. wintre. 7 Æþelstan cing rixode .xiii. gear 7 .x. wucan” (Taylor, MS B, 53). [Here King Athelstan passed away on October 27, forty years less one day from the death of King Alfred. And æþeling Edmund succeeded to the kingdom and he was then eighteen years old. And King Athelstan ruled for thirteen years and ten weeks.]
The first full entry for Edmund’s reign commemorates his liberation of the Five Boroughs from Norse control in 942. Like The Battle of Brunanburh, this poem exalts a West Saxon king and celebrates his ability to secure territory. Beginning and ending with the half-line, “Eadmund cing” (1a and 13b), the poem lauds Edmund with a number of epithets. Within these appositive titles for the king, the poem contains a catalogue of place-names for the Five Boroughs, followed by a description of the Anglo-Danes now freed from heathen bondage:

Her Eadmund cing,  Engla þeoden,  
mæcgea mundbora,  Myrce geeode,  
dyre dædfruma,  swa Dor sceadeþ,  
Hwitanwyllesgeat 7 Humbran ea,  
brada brimstream,  burga fife,  
Ligeraceaster 7 Lindkylene,  
7 Snotingaham,  swylce Stanford eac,  
7 Deoraby— Denum wæran æror,  
under Norðmannnum,  nede gebæded  
on hæþenum  hæfteclammum  
lange þraga,  oþ hie alysde eft  
for his weordscipe  wiggendra hleo,  
eafora Eadweardes,  Eadmund cining.  

[In this year King Edmund, prince of the English, defender of men, bold doer of deeds, conquered Mercia—bounded by the Dore, Whitwell Gap, and the Humber river, a broad waterway—[and] five boroughs: Leicester, Lincoln, and Nottingham, as well as Stamford and Derby. The Danes previously had been under the Northmen, pressed by need into heathen bonds for a long time until Edmund, Edward’s heir, protector of warriors, through his worthiness freed them again.]

Bredehoft has argued that The Capture of the Five Boroughs continues the Chronicle’s focus on dynasty and nationalism by specifically incorporating Danes into an Anglo-

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118 Ibid.
Saxon national identity. The poem does make a distinction between Denum and Nordmannum in lines 8b and 9a, and Stenton asserted that the poem shows that the Danes in the region “had come to regard themselves as rightful subjects of the English king.” Reading the poem primarily as an expression of national unification under the West Saxon dynasty, however, hinders attention to the poem’s careful attachment of a specific territory to a West Saxon ruler situated within a line of legitimate succession.

The poem repeats the Chronicle’s longstanding attention to genealogy by designating Edmund as “eafora Eadweardes,” the descendant of Edward. The greater part of the poem—18 of its 26 half-lines—comprises either appositive phrases for Edmund or specific place-names and locations. The Dore, Whitwell Gap, and the Humber River marked the western and northern limits of Edmund’s push into Mercia, and their notation here re-inscribes the territorial limits of West Saxon authority. The poem links land to ruler, structurally placing the region of the five boroughs both within Edmund’s authority and within specific geographical markers. The poem declares the extension of West Saxon political authority over a specific region and its people, noting specific place

119 Bredehoft, Textual Histories, 103.
120 Stenton, Anglo-Saxon England, 359.
121 Thormann, “Chronicle Poems,” 66-67. Thormann claims that The Capture of the Five Boroughs celebrates Edmund as a Christian warrior, but she overstates her case when she argues that Edmund imitates Christ in his redemption of the Danes. The poetic phrases used to describe Edmund are entirely secular, indicating that the poem is primarily political in its focus.
122 Scragg remarks that the poem “is largely a catalogue” (Scragg, “Brunanburh,” 114), while Thormann observes, “The accumulation of the names of battle sites and conquered territories is a standard feature of Chronicle writing” (Thormann, “Chronicle Poems,” 66).
names (the five boroughs) and linear features (the river Humber) in order to establish a bounded territory.

The final three annals for the reign of Edmund record his conquests in Northumbria (s.a. 944) and Cumbria (s.a. 945), and his death in 946. The 946 annal also records the succession of Eadred and his campaign in Northumbria followed by the submission of the Scots. These three annals continue the attention to land and dynastic succession evident in the preceding tenth-century annals, even though they lack the methodical documentation evident in the Edwardian and Mercian annals, instead using an annalistic shorthand to record political submission and allegiance in border areas. This shorthand stands alongside poems celebrating monumental military victories and the territory they secured for the West Saxon dynasty. Despite its change in style, the Chronicle continues to write the bounds of the domain, inscribing them through the actions of royal figures.

4.5 King and Land United

After its notice of Edmund’s death in 946, B records Eadred’s authority (geweald) in Northumbria and over the Scots. After this, the Chronicle says nothing of Eadred until his obituary notice in 956B. For the period between 947 and 970, the Chronicle

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124 “Her Eadmund cing forðferde on Sancte Agustines mæssedæg 7 he hæfde rice seofon healf gear, 7 þa feng Eadred æþeling his broðor to rice 7 græd eall Norðhymbra land him to gewealde; 7 Scottas him aðas sealdan þet hie eall woldan þet þet he wolde” (Taylor, MS B, 53). [Here King Edmund passed away on the feast day of St Augustine and he had the kingdom for six and a half years, and then his brother Eadred the æþeling succeeded to the kingdom and brought all the land of the Northumbrians under his authority; and the Scots gave him oaths that they all would do whatever he wished.]
provides only three sparse entries—all other annal numbers are barren. Within this period, Eadwig (955-59) was briefly king, during which time the kingdom was divided until Edgar ascended to the throne in 959. The Chronicle, however, provides only the barest detail, offering no insight into the political tensions of those years. After all the previous attention to West Saxon glory in extending its *anweald* over new lands, the Chronicle now seems subdued. The first ten years of Edgar’s reign are likewise a blank, but the Chronicle dramatically ends its dormancy with two poems at 974B (for 973) and 975B, *The Coronation of Edgar* and *The Death of Edgar*. The Chronicle’s focus on dynastic property consolidated under a West Saxon ruler culminates in these two poems: the first presents Edgar as the apotheosis of divine kingship, while the second laments his death through a catalogue of afflictions and misfortunes within his kingdom in the year of his death. This unit of the Chronicle contains none of the attention to securing dynastic land or gaining new territory evident in the previous annals dedicated to earlier West Saxon rulers. The two Edgar poems instead present the king as an exemplary steward of a complete kingdom, a ruler distinguished by divine favor and dynastic continuity.

*The Coronation of Edgar* provides Edgar a place within both secular and sacred history. The poem is remarkable for its predominant attention to the date and location of the coronation. Edgar, “Engla waldend” (1b), is consecrated

\[
on \, ðære \, ealdan \, byrig \, \text{Acemannesceaster—~} \\
\text{eac \, hie \, egbuend} \, \text{öpre \, worde \, beornas} \\
\text{Baðan \, nemnað}. \]

(3-5b)

[In the old city *Acemannceaster*—the men dwelling on the island also name it by another word, Bath.]
The coronation at Bath evokes the early history of the island, linking Edgar to the Roman past. *The Battle of Brunanburh* displays a similar impulse to historicize contemporary events against significant events or figures from the past by situating the West Saxon victory at Brunanburh in juxtaposition with the arrival of their Germanic ancestors on the island. *The Coronation of Edgar* looks even further back than the *adventus Saxonum*, however, in order to associate Edgar with the imperial authority of Rome. ¹²⁵ The allusion to Bath also looks to a distant Christian past for the island, a reference consistent with the poem’s clear interest in spiritual kingship. This interest is also manifest in the poem’s reckoning of the coronation from the birth of Christ:

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7 þa agangen wæs
tyn hund wintra geteled rimes
fram gebyrdtide bremes cinges,
leohta hyrdes, butan ðær to lafe
þa get wæs winter geteles, þæs gewritu secgað,
seofan 7 .xx.; swa neah wæs sigora frean
þusend aurnen ða þa þis gelamp.
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(10b-16)

[And then ten hundred years passed counted in number from the birth of the glorious king, shepherd of lights, except as a remainder there was still seven and twenty in numbered year as the writings say; so nearly a thousand [years] of the lord of victories had passed when this came to happen.]

This connection between Edgar and Christ provides the coronation with the highest political authority, investing his kingship with a legitimacy founded in sacred history. When it designates Edgar as “Eadmundes eafora” in line 17, the poem conflates royal, historical and spiritual genealogy to endorse Edgar’s consecration as *þeoden* (20b). The

¹²⁵ Stafford, *Unification and Conquest*, 56. Stafford views the coronation as “an indication of the aspirations of southern English kings toward hegemony … Edgar was crowned at Bath as a ruler of many peoples, English, Danish and British” (ibid., 116).
poem envisions Edgar’s reign as the culmination of familial, historical, and spiritual destiny. *The Coronation of Edgar* continues the Chronicle’s interest in connecting the West Saxon dynasty to the lands and peoples it rules, staging West Saxon *anweald* as a kind of manifest destiny.

Unlike his dynastic predecessors, Edgar was not involved in martial conflict over land. Aside from the appellation “nipweora heard” [strong in fighting-deeds] in *The Coronation of Edgar*, the Chronicle says nothing of Edgar as a military defender or conqueror of land. The Chronicle instead advances Edgar as the dynastic heir of past territorial triumphs, a consecrated king more noteworthy for his ecclesiastical supporters than his martial worth. The appearance of *The Death of Edgar* immediately following in 975B, then, just two years after Edgar’s celebrated coronation, is jarring—a sudden fall at the very moment of royal apotheosis. The poem presents a grim catalogue of dire events for that year, beginning with the death of the king. Dobbie suggested in his commentary for *The Anglo-Saxon Poetic Records* that the poem collects events piecemeal with no underlying structural unity.\(^{126}\) Considered within its manuscript context, however, the poem clearly extends the connection between West Saxon ruler and dynastic land evident in previous annals by juxtaposing Edgar’s death against the suffering that follows in his lands. Of the six episodes Dobbie identifies in the poem, five deal with land in some

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\(^{126}\) “In its lack of structural unity it is very similar to the typical prose annals of the Chronicle” (Dobbie, *Minor Poems*, xlii). Neil D. Isaacs later suggested that the poem did possess a unified structure in its “series of ways and images for expressing death” (N. D. Isaacs, “The Death of Edgar [and Others],” *American Notes and Queries* 4 [1965]: 52-55 at 53). Isaacs’s reading of the poem, with all its attention to structural unity and irony, offers a textbook case of New Criticism, but his interpretation is often forced in its conclusions. Despite his snide tone and reductive argument, Isaacs raises valuable questions about possible thematic consistencies in the poem.
explicit way. When a ruler dies, the poem suggests, especially a ruler invested with such ideological significance in the Chronicle, the land responds accordingly.

The first episode in the poems serves as an elegiac notice of Edgar’s death. These lines include several words and images that situate Edgar and those who mourn him close to the earth. The statement that Edgar has ended his “eordan dreams” (1b) initially seems formulaic and unremarkable, but it initiates a focus on land which becomes progressively stronger in the poem. Like *The Coronation of Edgar*, this poem dates its royal event with a notable precision:

\[
\begin{align*}
&\text{Nemnað leoda bearn,} \\
&\text{menn on moldan, þone monað gehwær} \\
&\text{on þisse eþeltyrf, þa þe ær væron} \\
&\text{on rimcæfte rihte getogene,} \\
&\text{Iulius monð, þær se geonga gewat} \\
&\text{on þone eahtoðan dæg Eadgar of life,} \\
&\text{beorna beahgifa.}
\end{align*}
\]

[The children of nations, men on the earth everywhere in this native land, those who were before rightly educated in the craft of reckoning, name the month July when the young man Edgar, the ring-giver of men, departed from life on the eighth day.]

The poem follows this precise dating of Edgar’s death with the notice of the succession of his son Edward, demonstrating the Chronicle’s recurrent genealogical interest. Yet *The Death of Edgar* offers no celebration of the West Saxon line—it instead provides a sequence of events featuring exile, dispossession, and death in the domain. The poem features several words and images indicating its preoccupation with a conceptual

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127 “Feng his bearn syþþan / to cynerice, cild unwexen, / eorla aldor, ðam wæs Eadweard nama” (lines 10b-12). [His boy afterwards succeeded to the royal kingdom, a child ungrown, a leader of men, whose name was Edward.] These lines seem less than enthusiastic about the succession of a *cild unwexen.*
symbiosis between land and king. The opening lines contain two words, *moldan* and *epeltyrf*, which advance the poem’s thematic attention to this concept. *Moldan*, a word common to poetry and prose, functions as a generic equivalent for *eorðe*, signifying “dirt” at the most general level but also capable of meaning “land” or “country.” *Epeltyrf*, however, appears primarily in poetic texts, and its use here elevates the poem’s lexicon for land. Defined as “ancestral land, native soil; homeland,” the word goes beyond the generality of *eorðan* and *moldan* to signify the ancestral homeland of the Anglo-Saxons (“on þisse eþeltyrf”). Previous Chronicle poems have founded the West Saxon *eþel* in the mythic past: *The Battle of Brunanburh* links the West Saxon dynasty to the heroic legend of the Germanic migrations, while the *Coronation of Edgar* stages its consecration of West Saxon kingship at a site representing the Roman past. The use of an *epeltyrf* in *The Death of Edgar* recalls the ideological work of those earlier poems, evoking the collective territory and peoples subsumed under West Saxon *anweald*.

After noting the departure (or death) of Bishop Cyneweard “of Brytene,” the poem alludes to the attacks on monastic property after Edgar’s death:

\[
\begin{align*}
\text{Da wearð on Myrcum, mine gefræge,} \\
\text{wide 7 welhwær waldendes lof} \\
\text{afyllæd on foldan— feala wearð todæfed} \\
\text{gleawra Godes þeowa; þæt wæs gnornung mycel} \\
\text{þam þe on breostum wæg byrnende lufan} \\
\text{meotodes on mode; þa wæs mærða fruma} \\
\text{to swipe forsawen, sigora waldend,} \\
\text{rodera rædend, þa man his riht tobæc.} \\
\end{align*}
\]

(16-24)

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128 The word appears in *The Phoenix* (line 320), *Beowulf* (line 409), *Genesis A* (lines 224, 1733, 2676, 2708, 2733), and the *Old English Bede* (19.240.31 and 17.454.11).

129 *DOE*, s.v. “þepeltur” (1).
[Then among the Mercians, as I have heard, far and wide was the praise of the lord fallen to the ground—many of God’s wise servants were driven out; that was a great sorrow to one who carried in breast and spirit a burning love of the maker; then was the founder of glories, the lord of victories, too much neglected, the ruler of the heavens, when his law was broken.]

The political circumstances behind this oblique complaint are complex, but the poem’s implication that Edgar’s death opened the way for attacks on monastic lands is not inaccurate. Even though the poem contains no direct mention of land in these lines (other than foldan in 18a), stating only that the servants of God have been dispersed, the historical reference is clear. The episodic catalogue of The Death of Edgar, marked into sections by the transitional phrase ða useorð (at lines 16, 24, and 29), produces a causal chain beginning with the king’s death and extending to his land and subjects. The eorðan dreamas terminated in the first line of the poem apply not only to Edgar, but to the entire English eþeltyrf. This certainly was the view later expressed by Byrhtferth in his vita Of St Oswald: “Obiit tam inclytus rex viii. idus Julii; cujus obitu turbatus est status totius regni, commoti sunt episcopi, irati sunt principes, timore concussi sunt monachi, pavefacti populi” [The illustrious king died on 8 July, and by his death the state of the...


131 Byrhtferth’s vita of St Oswald presents these attacks with great flair: “Dixerunt impii apud se, non recte cogitantes, ‘Circumveniamus monachos et opprimamus eos, et nostra erit haredivitas. Non sit qui misereatur illis, sed expellantur, dejciantur, derideantur, suspendentur, colligentur, verbentur, ut nullus remaneat in tota Merciorum terra’” (James Raine, ed., The Historians of the Church of York and its Archbishops, 3 vols., Rolls Series, Rerum Britannicarum Medii Ævi Scriptores 71 [London, 1879], 1:444). [The wicked said among themselves, not rightly considering: “Let us encompass the monks and oppress them, ‘and the inheritance shall be ours.’ May there be none to pity them, but let them be expelled, hurled down, derided, suppressed, bound, beaten, that not one may remain in all the land the Mercians.”] Translation, EHD, 913.

132 Raine, Historians of the Church of York, 1:443.
whole kingdom was thrown into confusion, the bishops were agitated, the noblemen stirred up, the monks shaken with fear, the people terrified]. The Death of Edgar imagines just such a *turbatus status totius regni* following upon the king’s death. The reference to the monastic land disputes situates the disturbances chronicled in the poem securely within the context of lost property.

The next episode in the poem continues the motif of lost land in its treatment of the exiled Northumbrian ealdorman Oslac.

> Ða wearð eac adræfed    deormod hæleþ,
> Oslac of earde    ofer yþa gewalc,
> ofer ganotes bæð,    gomolfeax hæleþ,
> wis 7 wordsnotor,    ofer wætera geþring,
> ofer hwæles eþel,    hama bereafod.

(25-29)

[Then the bold-spirited man was also driven away from the land over the rolling of the waves, over the gannet’s bath, Oslac, the grey-haired warrior, prudent and wise with words, over the press of waters, over the whale’s native land, deprived of home.]

Whereas the previous episode alludes to the attacks on monastic lands without explicitly naming the loss of property, the Oslac episode features an exiled figure driven off the island entirely. These lines intensify the poem’s attention to the loss of property in their transition from a situation involving lost estates to a scenario in which an individual loses his homeland. The diction of the poem implies that Oslac departed over the waters against his own volition: he is “adræfed … of eard” much like the servants of God are “todræfed” in line 18b. With *eard*, the poem adds to its semantic range of words for land:

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133 *EHD*, 912
eard recalls the sense of *epeltyrf* (6a), a connotation reinforced by the subsequent words *epel* and *hama* (29). Even though *epel* represents the sea in line 29a, the Oslac episode provides a cluster of words emphasizing a native land (*eard, epel*) as home (*hama*). This semantic focus extends the thematic connection between loss and land, further advancing the repercussions resulting from Edgar’s death.

*The Death of Edgar* articulates its meditation on lost property most directly in its episodes for the attacks on the monasteries and the exile of Oslac. Following this concentration on local events, however, the poem shifts to more general events such as natural phenomena and famine before culminating in an image of divine deliverance. Following its third *da wearð* phrase at line 30, the poem records the appearance of a comet, an astronomical event recalling other natural portents in the Chronicle and their associations with the political fortunes of the West Saxon dynasty (as in 827B, 904MR, 905MR). Janet Thormann has argued that events in *The Death of Edgar* are driven by “a system of signification under the direction of divine will” in which “providential design serves as an ideology supporting West-Saxon ambitions.”¹³⁴ In this divine scheme, according to Thormann, the “hungor ofer hrusan” (36a) represents God’s cumulative judgment, while his final mercy returns “eorðan wæstm” to the island dwellers (38b).

Rather than reading the poem entirely as an expression of divine providence and a series of punishments for national sins, however, we can consider the final lines as a movement from particular to general events involving land. The last lines provide various signs for the suffering of the English, many of which are tied to the earth. The famine, for

example, is described as “hungor ofer hrusan,” introducing another ‘land word’ into the poem. God’s final mercy gives bliss back to each “egbuendra” (of the island dwellers), a word recalling the “menn on moldan” (5a) living within “þisse eþeltyrf” (6a). Finally divine mercy is manifested in “eorðan wæstm” (38b), a closing half line which echoes the lost “eorðan dreamas” of the first line. The poem offers closure, then, through both its structure and its closing consolation of divine mercy, containing its images of misfortune and misery within various systems of proposed order.

Despite this closure, some anxiety over land and stability lingers beyond the poem’s final lines. The references to comets and famine, for example, recall the signs of the coming apocalypse recounted in Luke 21:11: “terraemotus magni erunt per loca et pestilentiae et fames terroresque de caelo et signa magna erunt”\[135\] [There will be great earthquakes and plagues and hunger everywhere and terrors and great signs from the heavens]. After reading The Death of Edgar, it is difficult not to think forward to the murder of Edward in 978 and the turmoil of Æthelred’s reign. B ends with its annal for 977, however, just before these events would come to pass, while its genealogy (London, Cotton Tiberius A.iii, 178r) ends with Edward still reigning as king, suggesting that B was completed while Edward was living. The Death of Edgar does exhibit the regular Chronicle attention to dynastic genealogy, just as it provides an apparent remedy to political misfortune in the form of divine providence, but it is also the first Chronicle poem to directly face the specter of political dissolution. The poetic bond forged between

the West-Saxon dynasty and their lands becomes an uneasy concept in this poem, capable of both signifying political legitimacy and expressing anxiety about political and territorial instability. In *The Death of Edgar*, the land and its people both mourn and suffer after the death of the sovereign.

4.6 Conclusion

In recording the territorial expansions of the West Saxon rulers of the tenth century, the Anglo-Saxon Chronicle acts as a textual statement of West Saxon *anweald* over its lands and peoples. The Chronicle utilizes genealogy, annalistic writing, and finally poetry to assert that authority in a composite text. This story of dynastic *anweald* functions much like the tenth-century *talu* accounts of local property dispute and their resolution of family conflict. Like those vernacular narratives, the Chronicle provides a textual mode for claiming land predicated in part on its own authority as written history. In addition, the tenth-century Chronicle annals demonstrate several intriguing parallels with contemporary diplomatic practice, such as the vernacular boundary clause and literary ornamentation. These parallels show that the Chronicle shares in broader cultural practices of writing land, both in its stylistic method and its drive to contain dispute and loss. The Chronicle, however, imagines land much differently than the modes of tenure evident in the diploma and *talu*. The idea of *anweald* becomes a powerful concept in the Chronicle for asserting hereditary dynastic possession of accumulated lands and peoples. The Chronicle may have borrowed some techniques from legal documents of land tenure, but it imagines writing land on the more ambitious scale of the royal domain.
CHAPTER 5:

PROMISED LAND

Ne sylle ge ðæt land on ece yrfe, for þam ðe hit is min, 7 ge syndon utancyme ne 7 mine tilian.¹

*Old English Heptateuch*, Leviticus 25:23

La Israhel! gehyr nu bebodu 7 domas ðe ic lære, 7 do ða, ðæt ðu sy langlife 7 fare inn 7 hæbbe ðæt land, ðæt Drihten, eower fædera God, eow syllan wile.²

*Old English Heptateuch*, Deuteronomy 4:1

Following King Edgar’s death on 8 July 975, monastic landholders faced aggressive claims to their estates from secular challengers.³ Among the various records of these disputes, the *Libellus Æthelwoldi episcopi* (chap. 46) contains a dramatic account of divine punishment visited upon some adversaries of Ely Abbey.⁴ The document records

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² “O Israel! Heed now my commands and judgments that I teach you, and fulfill them so that you may be long-lived and enter within and have the land that I the Lord, God of your fathers, shall give to you.” Ibid., 337.


⁴ Alan Kennedy, “Law and Litigation in the *Libellus Æthelwoldi episcopi*,” *ASE* 24 (1995): 131-83. The *Libellus* was produced in the early twelfth century using older vernacular records or narrative
Bishop Æthelwold’s purchase of five hides at Brandon and Livermere (Suffolk) from one Wihtgar, noting the price paid and witness of the transaction by the local hundred court.

Everything seems to have been done in proper order. Upon King Edgar’s death, however, someone seized the land at Brandon and set in motion a series of most unfortunate events:

Ea vero tempestate, qua rex Ædgarus de hac vita decessit, quidam, Ingulfus nomine, vi et inuuste Deo sancteque Æðeldreðe Brandune abstulit. Sed ut manifestaretur virtus Dei et meritum beate Æðeldreðe virginis ex illo die, quo sic res ecclesie invasit, nichil edulii aut liquris gustavit. Rumpebatur enim sine omni dilatione cor eius. Sicie factum est quod, qui vivus qui Dei erant inuuste arripuerat, oppetens mortem retinere non potuit, sed se et illa simul amisit. Uxor quoque et filii eius eo mortuo inuaserunt eandem terram similiter, sed quemadmodum homorem Deo non dederunt nec anime sue pepercerunt, sic ultio divina exarsit super eos et infra unum annum omnes miserabiliter interierunt. Tunc Siverðus, Ingulfi frater, dedit episcopo suam terram contra voluntatem Ægelwini alderman aliorumque quamplurium.5

[At the time when King Edgar died, however, a certain man named Ingulf forcibly and unjustly took Brandon away from God and St Æthelthryth. But in demonstration of the power of God and the merit of the blessed virgin Æthelthryth, from that day on which he thus usurped the property of the church he tasted no food or drink, for without the slightest delay his heart suffered rupture. And so it came about that he who, when living, unjustly seized what belonged to God, on meeting death, was unable to keep it, but simultaneously lost himself and the property. After he died, his wife and sons also took possession of the same land similarly, but, just as they did not honour God and did not spare their souls, so, correspondingly, the Divine Vengeance burst upon them and they all perished miserably within one year. At this point, Siferth the brother of Ingulf … gave the

5 Blake, Liber Eliensis, lines 15-25 at p. 110 (II.35).
land which was his to the bishop, against the will of Ealdorman Æthelwine and very many others.\(^6\)

Based upon his family’s recent history, it would seem Siferth was a wise man.\(^7\) The account of the Brandon estate reads much like an Old Testament account of a vengeful God punishing his adversaries with extreme force. The text portrays Ingulf’s appropriation of the property as an offense against God and saint, and his immediate death as a demonstration of their powerful retribution. Church property (\textit{res ecclesie}) is held under divine aegis. The demise of Ingulf’s wife and sons likewise functions as a demonstration of \textit{ultio divina} (divine vengeance) in the account, and their deaths are further justified by the fact of their lax faith: “honorem Deo non dederunt ne anime sue pepercrunt.”

Such justifications enjoyed a long currency in the texts of early medieval England. In the \textit{Historia ecclesiastica} (I.22), Bede famously attributed the displacement of the Britons to their failure to convert the heathen Anglo-Saxons, and Henry of Huntingdon would employ the same logic four hundred years later when he explained the Norman Conquest as God’s vengeance for the crimes of the Anglo-Saxons. In the


\(^7\) Ingulf may have been attempting to reclaim what his family considered to be their rightful property. The \textit{Libellus} provides a capsule history of the Brandon estate: Ælfgar of Multune bequeathed it to Wulfstan of Dalham; Wulfstan later “dedit eandem terram” to his kinsman Wihtgar, who then sold it to Bishop Æthelwold after Wulfstan’s death.
interim, Wulfstan would likewise present the invasion and political turmoil of the early eleventh century as punishment for a litany of English crimes in his *Sermo Lupi*. These writers all employ a model of providential history to explain conquest and displacement at the national level, aligning territorial appropriation within divine will. The *Libellus* account shows a similar strategy at work on the local level—the dispute over the five hides at Brandon is resolved not by legal process or political influence, but through sudden and merciless *ultio divina*. One common denominator in these texts is their proposition that the Christian faithful are rewarded with land while those negligent in faith are punished with its loss. This close connection between land and fidelity to God’s will has ample precedent in biblical and hagiographical sources in which right faith acts as the final mediator in struggles over land.

As we have seen, Anglo-Saxon diplomas regularly incorporate sacred language and ritual to sanction their provisions. These documents provide a textual representation of secular and sacred power conjoined to represent a claim to ownership which aspires to eternal possession. This chapter considers how tenurial concerns in turn frequently inform sacred texts which themselves deal in the relationship between landholding and faith. *Guthlac A* depicts its protagonist claiming land by driving away the evil spirits of previous inhabitants. The native saint, presented as a model for all the faithful, enjoys an enduring security of place which rests upon his spiritual worth. The same interest in *landriht* appears in vernacular renderings of Old Testament history. *Genesis A* envisions

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the revolt in heaven as a celestial battle for land, while it depicts the Garden of Eden as an estate granted by God to Adam and Eve. Both episodes feature forfeiture as a legal penalty for treason or disobedience to a ruling authority. The poem also makes frequent use of vernacular legal terms for inheritance, thereby furthering its meditation on the right to property as a component of faith.

The interest in land rights in these texts bears witness to the pervasive connection between land and faith in writings about land in Anglo-Saxon England. The steady attention to conflict and displacement in these religious texts, however, also indicates an abiding unease about the security of land claims. *Guthlac A* predicates the claims of its saintly hero upon the violent displacement of earlier tenants. *Genesis A* models genealogical inheritance and the divine promise of land to the Israelites, but it does so through a series of episodes featuring recurrent property dispute and forfeiture. And while the *Libellus* tells its own highly determined story of the hand of God intervening in the favor of Ely over the Brandon estate, the text taken as a whole indicates that the foundation lost a significant amount of property to its opponents in the late tenth century. These texts each contain local evidence that troubles their general arguments about land, and their attention to land disputes contributes to the abiding anxiety over the stability and longevity of land claims in Anglo-Saxon England. While precise information regarding the date, circulation and reception of these texts remains uncertain, the production of the manuscripts containing *Guthlac A* and *Genesis A* coincides with the proposed date of the vernacular material behind the *Libellus*, providing the texts with a common life in the late-tenth and early eleventh century.
5.1 Guthlac A

The legend of St Guthlac (c. 674-714) appears in several Anglo-Saxon texts, including the eighth-century *vita* by Felix, a later vernacular prose translation of that text, a fragment from that translation appearing in the Vercelli Book (Vercelli Homily 23), and the vernacular poems known as *Guthlac A* and *Guthlac B*. Bede does not mention the Mercian saint in the *Ecclesiastical History*, an omission which led Colgrave to date Felix’s *vita* somewhere between 730 and 740 (based upon the assumption that Bede would have used Felix had he known it). The Guthlac legend is known for its account of the saint’s battle with demons to claim his fenland hermitage, and *Guthlac A* centers its treatment of the saint on this single episode from the *vita*. This aspect of territorial contest has drawn significant scholarly attention, particularly to the ways in which that contest enfolds the political and spiritual in its account of conflict on *mearclond* (line 174). My analysis of *Guthlac A* attends primarily to its inclusion of

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9 London, British Library, Cotton Vespasian D xxi, fols. 18-40v, eleventh century (Gneuss 657).


tenurial issues and language and the ways in which it conflates land tenure and salvation at a site of territorial dispute.

The textual relationship between Felix’s *vita* and *Guthlac A* remains an open question, but comparison of the two texts can nonetheless accentuate the significant role of territorial possession in the poem. The predominant focus on the conflict between Guthlac and the demons at the *beorg* clearly situates the narrative action as a struggle over land. The topographical nature of this site of conflict in *Guthlac A*, however, is sketched in the broadest of strokes. First described as a *beorgseþel* (102a) and later simply as a *beorg* (140a), the once hidden location (“dygle stowe” [159a]) has been revealed to Guthlac by God:

\[
\begin{align*}
Wæs \text{ } & \text{seo londes stow} \\
\text{bimil} & \text{þen fore monnum, } \mathbf{op} \text{þat meotud onwrah} \\
\text{beorg on } & \text{bearwe, } \text{þa se } \text{bytla cwom} \\
\text{se } & \text{þer haligne, } \text{ham arærde,} \\
\text{nales } & \text{þy he gie} \text{mde } \text{burh gitsunga} \\
\text{lænes } & \text{lifwelan, } \text{æc } \text{þat lond gode} \\
\text{fægre ge} & \text{freoðode, } \text{sîþan feond oferwon} \\
\text{Cristes } & \text{cempa.}
\end{align*}
\]

\(
(146b-53a)
\)


14 Michelet observes generally that “Guðlac’s fight against the demons is territorial at heart and the motif of land possession is of paramount importance to the poem” (Michelet, *Creation, Migration and Conquest*, 164). She does not comment, however, on the basis or significance of that importance.

15 Laurence K. Shook made the point that the poem is more of a debate than a narrative. Laurence K. Shook, “The Burial Mound in *Guthlac A*,” *MP* 58 (1960): 1-10 at 2. Shook’s comment draws attention to a predominant number of formal speeches in the poem in which Guthlac answers the charges and temptations of the demons.

[The place of the land was concealed from men until the Creator revealed a mound in the wood when the builder arrived, the one who raised up a holy home there; he did not at all yearn with greed for the transitory wealth of the world, but he fairly kept that land for God after Christ’s champion overcame the enemy.]

This general description differs greatly from the amount of information provided by Felix. Inspired by his reading about “priscorum monachorum solitariam vitam” [the solitary life of monks of former days], Guthlac decides to seek out a heremum (desert) of his own. He finds his solitudinem in the fens between Mercia and East Anglia, a region Felix describes in some detail, on an island whose location he learns from Tatwine, a local man with some knowledge of the area. Guthlac travels there on a fisherman’s skiff and, seeing the place as a gift from God, decides to make it his permanent home. After a thorough exploration of the island he returns to Repton and spends ninety days with the community there before returning to his retreat. Guthlac then makes his wilderness home upon a plundered tumulus on the island: “Erat itaque in praedicta insula tumulus agrestibus glaebis coacervatus, quem olim avari solitudinis frequentatores lucri ergo illic adquirendi defodientes scindebant, in cuius latere velut cisterna inesse videbatur; in qua

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17 Colgrave, *Felix’s Life*, 86 (line 13) and 87 (line 13).

18 “Est in meditullaneis Brittanniae partibus immensae magnitudinis aterrima palus, quae, a Grontaefluminis ripis incipiens, haud procul a castello quem dicunt nomine Gronte, nunc stagnis, nunc flactris, interdum nigris fusi vaposis laticibus, neconon et crebris insularum nemorumque intervenientibus flexuosis rivigarum anfractibus, ab austro in aquilonem mare tenus longissimo tractu pretenditur” (ibid., lines 18-26 at p. 86). [There is in the midland district of Britain a most dismal fen of immense size, which begins at the banks of the river Granta not far from the camp which is called Cambridge, and stretches from the south as far north as the sea. It is a very long tract, now consisting of marshes, now of bogs, sometimes of black waters overhung by fog, sometimes studded with wooded islands and traversed by the windings of torturous streams.] Ibid., lines 17-24 at p. 87.

19 “Igitur, adatomo illius loci abdito situ velut a Deo sibi donato, omnes dies vitae suae illic degere directa mente devoverat” (ibid., lines 25-27 at p. 88). [He loved the remoteness of the spot seeing that God had given it (to) him, and vowed with righteous purpose to spend all the days of his life there.] Ibid., lines 26-28 at p. 89.
vir beatae memoriae Guthlac desuper inposito tugurio habitare coepit” [Now there was in the said island a mound built of clods of earth which greedy comers to the waste had dug open, in the hope of finding treasure there; in the side of this there seemed to be a sort of cistern, and in this Guthlac the man of blessed memory began to dwell, after building a hut over it].\textsuperscript{20} Guthlac settles within a barrow, a landscape feature which indicates that the place had once been inhabited, or at the very least used, in the past. The detail that the tumulus had been broken open by grave-robbers further indicates an earlier human presence on the island. Despite its cultivation in the text as heremum, the site is both known to those living nearby and marked by traces of earlier human activity.\textsuperscript{21}

_Guthlac A_ employs very little of this material from Felix. The poem presents little topographical detail and omits entirely any description of Guthlac’s travel to his retreat. God directs Guthlac to the site, not Tatwine, and Felix’s account of the opened tumulus is only suggested in the poem’s statement that Guthlac did not choose the location “þurh gitsunga lænes lifwelan.” The use of the word beorg in Guthlac A, however, suggests (at least initially) that the saint’s new home was on a burial mound.\textsuperscript{22} Beorg means “hill” in a

\begin{footnotes}
\footnotetext[20]{Ibid., 92 (lines 22-23) and 94 (lines 1-4), 93 (lines 22-23) and 95 (lines 1-4).}
\footnotetext[21]{For a topographical and historical discussion of the region, see O’Brien O’Keeffe, “Crossings,” 5-8.}
\end{footnotes}
general sense, but in charters it frequently means a burial mound or barrow. The Old English translation of Felix’s vita renders tumulus as hlæw, a more precise word for barrow, but beorg is clearly attested in other poetic texts as a burial mound. In this sense the landscape in Guthlac A carries some trace of an earlier human presence (itself implying a latent but potential competing claim to the land), but the political and geographical specificity found in Felix’s vita is absent. This generality affords some flexibility in the poem’s presentation of place while still locating the beorg as a physical location.

Guthlac faces competition from the locals before he can secure his new home. Ealdfeondas infest the place, and they struggle against the saint’s intrusion into their habitat. The fiends had “þær ær fela / setla geæton” (143b-44a) [established many residences there before], and they clearly view Guthlac as a trespasser on property they consider their own. Yet despite the presence of these tenants, the poem presents the place as an empty site in need of a more worthy occupant:


26 Ealdfeondas literally means “old foes” although the word is frequently translated in the poem as “demons” or “devils.” Roberts, for example, defines the poetic word as “devil” in her glossary (Roberts, *Guthlac Poems*, 192). The *DOE* indicates that the word in its plural sense means “devils, fiends.” *DOE*, s.v. “ealdfeond.”
[The hidden place remained empty and uninhabited in the Lord’s mind, far from hereditary right; it awaited the claim of a better steward.]

Two words in these lines deserve comment. *Eþelriht* occurs only three times in the corpus (with a single occurrence in *Guthlac A, Exodus, and Beowulf*) and in each case it denotes an ancestral right to land. The word occurs in *Beowulf* after Hygelac has endowed the hero with a large amount of land. Uncle and nephew afterwards share the ancestral land of the kingdom:

```
Him wæs bam samod
on ðam leodsceipe lond gecynde,
eard eþelriht, ðarin swiðor
side rice þam ðær selra wæs.27
```

[Both of them together held land in common in that nation, a homeland and ancestral right, the wide kingdom there more to the one of higher rank.]

The word appears in *Exodus* as the Israelites are on the run from the Egyptian army, fearing for their survival.

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Wæron orwenan eþelrihtes,
sæton æfter beorgum in blacum reafum,
wean on wenum.28
```

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27 Klaeber, *Beowulf*, 82.

[They were in despair of their right to ancestral land; they sat among the mountains in black garments, awaiting woe.]

The use of *epelriht* in *Guthlac A* implies that the *ealdfeondas* do not hold the land by hereditary right; they are only temporary tenants and consequently have no legitimate claim. The immediately preceding lines underscore this point:

… þær hy bidinge,
earne ondsacan, æror mostun
æfter tintergum tidum brucan,
donne hy of waþum werge cwman
restan rynþragum, rowe gefegon;
wæs him seo gelyfed þurh lytel fæc.

(209b-14)

[…where they, wretched adversaries, before could enjoy relief for a time after torments, when they came weary from wanderings, to rest during stolen moments, savoring the silence; this was allowed to them for a short while.]

The lines underscore the ephemeral nature of the demons’ occupation and use of the place. They cannot “on eorþan eardes brucan … hleolese hama þoliað” (220-22) [enjoy earthly land … without shelter they lack homes]. The *ealdfeondas* are transients, finding only a provisional refuge in the *eard* that Guthlac will later claim as his own. The architecture of power in the poem is clearly established from the onset of the dispute.

*Bisæce* appears only in line 217a of *Guthlac A* and Roberts presents it as a feminine noun (*bisacu*) meaning “dispute.”

29 Bosworth and Toller glosses *bisæce* as “persecution, dispute, litigation” citing as an example *Episcopus* 12: “7 gif ᵀʰᵉʳ hwæt

29 *BTs*, s.v. “bisæc,” however, offers “a visitation” as a possible definition, citing *Guthlac A* as its only example.

30 *BT*, s.v. “bisæc.”
bisæces sy, seme se bispoc”\textsuperscript{31} [and if there is some dispute, let the bishop settle it]. The related form \textit{unbesacen} appears widely in charter descriptions of individual estates, where it consistently means “undisputed.” An early eleventh-century survey of church lands in Yorkshire, for example, stipulates that a certain piece of plough-land at \textit{Ectune} “is unbesacen agenland” [incontestably land held in absolute possession].\textsuperscript{32} The word also appears in charters to indicate a settled property dispute.\textsuperscript{33} The \textit{Textus Roffensis} records the \textit{loc}, or settlement, of a dispute between Godwine, bishop of Rochester, and Leofwine over an estate at Snodland in which the bishop allows Leofwine to remain on the land during his lifetime, after which time the estate will return to Rochester. Leofwine now holds the land on lease and subsequently surrenders the documents attesting his full possession: “7 he behet ðæs truwan ðæt land æfter his dæge unbesacen eode eft into ðære stowe þe hit ut alæned wæs . 7 ageaf þa swutelunga þe he to þam lande hæfde þe ær of ðære stowe geutod wæs” [and Leofwine gave his solemn assurance that after his death the estate should revert uncontested to the foundation from which it was leased, and gave up the deeds relating to the estate which he had and which had been alienated from the


\textsuperscript{32} S 1461a; A. J. Robertson, \textit{Anglo-Saxon Charters} (Cambridge: Cambridge University Press, 1956), no. 84 at pp. 166 and 167. The text appears in a York gospel-book (York, Minster Library, Add. 1 [Gneuss 774]) beginning on “the verso of the last page of St John’s gospel” (ibid., 413). The script is “of the late tenth or very early eleventh century” (ibid.). \textit{Agenland} occurs only in this text.

\textsuperscript{33} S 1280, 1454, and 1464.
The use of *unbesacen* here designates that the property will return without challenge to the church upon termination of the *læn*. The word also occurs in Cnut’s law-codes in application to issues of land and inheritance. In *Guthlac A* the phrase “bad bisæce betran hyrdes” introduces a legal register to the poem’s story of contested ground. The land awaits a productive dispute which will facilitate Guthlac’s sanctity and model the territorial rewards of right faith. *Epelriht* and *bisæce* furthermore conflate ancestral domain and individual estate within a single location, demonstrating the signification of land and its possession at multiple levels.

The conflict at the *beorg* is figured mainly as a struggle of ownership to determine who will claim the spot for their earthly habitation. The demons torment Guthlac in a variety of ways in order to drive him away, but they initially present themselves as tormented victims:

\[
\begin{align*}
\text{wæron teonsmiðas & tornes fulle,} \\
\text{cwædon ſet him Guðlac eac gode sylfum} \\
\text{earfeþa mæst & ana gefremede,} \\
\text{síþþan he for wlence on westenne} \\
\text{beorgas bræce.}
\end{align*}
\]

(205-9a)

[Filled with indignation the evildoers said that besides God himself Guthlac alone had brought them the greatest trouble when he stormed the hills in the wilderness on account of pride.]³⁶


³⁵ *II Cnut* 72 and 79.

³⁶ The plural *beorgas* indicates hills rather than a barrow. The landscape of the poem clearly begins to change.
In many ways the demons project their own nature onto Guthlac and then censure those same qualities. The poem will later reveal that the fiends are without place precisely because of their own pride (“for wlence”). The demons’ use of *braec* (*brecan*) also portrays Guthlac’s arrival in the wilderness as an act of violence. The verb generally denotes an act of aggression or destruction, but it more rarely signifies broken or ploughed ground. The vernacular prose translation of Guthlac’s *vita* also uses *bræcon* to render Felix’s *scindebant* (tear, dig open) in its description of the plundered *hlæw*. The demons present the saint as a territorial interloper, someone come to steal their land by force. By stating the terms of the confrontation in this way, the poem frames the conflict as an earthly struggle for property.

The poem leaves little doubt regarding the eventual outcome of the dispute. At the start of the contest the poem names Guthlac “swiðra … weard on wonge” (230b-31a) [stronger guardian on the plain] and states that the demonic *wraecmaegos* (231b) [outcasts] must relinquish the “grene beorgas” (232b) [green mounds]. The demons, “godes onsacan” (233b) [God’s adversaries], can only attack Guthlac’s spirit through cruel words, or *sarstafum* (234a), and threaten future violence through their greater numbers. Guthlac responds to the demons’ threats with a long speech in which he claims

37 The *DOE* s.v. “brecon” offers “destroy w/ acc. object; to break into; to take (something acc.) by storm; to break (something acc.) down)” (2, 3a, 3b, 4b).


“þis setl” (244b) [seat, residence] as his “eorðlic eþel” (261a) [earthly homeland]. He will build his “hus and hleonað” (251a) [house and shelter] there, displacing the ealdfeondas from the land:

“Gewitað nu, awyrgde, werigmode,
from þissum earde þe ge her on stondað,
fleoð on feorweg. Ic me frið wille
æt gode gegyrnan; ne sceal min gest mid eow
gedwolan dreogan, ac mec dryhtnes hond
mundað mid megne. Her sceal min wesan
eorðlic eþel, nales eower leng.”

(255-61)

[Go now, accursed and downcast things, from this land on which you here stand, flee on a far-off track. I will strive for peace from God; my spirit shall not suffer error with you, but the Lord’s hand protects me with its might. Here shall be my earthly homeland, yours no longer.]

This is a formal declaration of ownership, one which the demons resist through their attempts to instill doubt in the saint. Guthlac resists a series of temptations which include visions of monastic corruption and a visit to the entrance of hell. Guthlac’s answer to his demonic tormentors at the heldore (559b) reveals them to be the fallen angels who lost their place in heaven after their presumptuous revolt against God.\(^40\) The restless spirits struggling to keep their place in the fens are homeless because they long ago rebelled against the divine sovereign and were punished with banishment. Their imminent dispossession on earth repeats their original dispossession in heaven; this doubled forfeiture emphatically demonstrates the territorial basis of divine punishment and

\(^{40}\) This identification is repeated in lines 658-72. The fallen have given up God’s kingdom “for þam oferhygdum þe eow in mod astag / þurh idel gylp ealles to swiðe” (661-62) [because of the pride you raised up so excessively in your spirits through an empty boast]; they have lost their place “þurh deo pne dom dream afyrred / engla gemana” (669-670a) [through solemn judgment expelled from happiness, from the company of angels].
reward. Guthlac names the devils *wærlogan*, the same word applied to the rebellious angels in *Genesis A*, as he rebukes their invitation to despair with a reminder that their own suffering in hell will be without end:

\[
\begin{align*}
\text{Sindon ge wærlogan, } & \text{ swa ge in wræcsidæ} \\
\text{longe lifdon …} & \\
\text{Ge þa fægran gesceaf in fyndagum,} & \\
\text{gestlicne goddream, gearo forsegon,} & \\
\text{þa ge wiðhögduð halgum dryhtne.} & \\
\text{Ne mostun ge a wunian in wyndagum,} & \\
\text{ac mid scome scylendum scofene wurdon} & \\
\text{fore oferhygdum in ece fyr,} & \\
\text{ðær ge sceolon dreogan deað ond þystro,} & \\
\text{wop to widan ealdre; næfre ge þæs wyrpe gebidað.} & \\
\end{align*}
\]

(623-36)

[You are traitors, so you have long lived in exile …. In days long ago you eagerly renounced a beautiful creation, spiritual joy in God, when you rejected the holy lord. You could not live forever in pleasant days, but with shame in your crimes you were shoved because of pride into the eternal fire, where you must perpetually endure death, darkness, and lamentation; you will never have respite from it.]

These lines ironically echo of the fiends’ earlier charge that Guthlac had sought out their earthly refuge “for wlence” (208a). The fallen angels have exchanged eternal joy for endless torments, and they must bear the knowledge that Guthlac will replace them in the heavenly kingdom through his salvation. Guthlac’s faith brings him “to þam betran ham, / leomum inlyhted to þam leofestan / ecan earde, þær is eþelond” (654b-646) [to the better home, radiant with light, to the most beloved eternal land where the homeland is]. Saturated with words evoking a home held in a hereditary right secure from dispute, decay, or loss, these lines equate the promise of salvation with the promise of land. Guthlac gains a salvation figured as a confirmation of property, while the forever-restless devils are denied a place in both the heavenly and earthly domain. The dispute over a
demon-infested *beorg* in the fens becomes a declaration of a place in the heavenly kingdom for the faithful.

After Guthlac’s triumphant rebuke, Bartholomew appears to formally declare Guthlac’s right to the land in a speech containing a small cluster of legal vocabulary. Announcing that he is the judge (“*Ic eom se dema*” [703a]), Bartholomew arbitrates the dispute in favor of the holy man: “He sceal þy wong e wealdan, ne magon ge him þa wic forstondan” (702) [he shall possess the plain, and you cannot defend the dwelling against him]. Legal vocabulary again enters the poem in these lines, conflating the tenurial and sacred. Bartholomew stands as *dema* while the dispossessed “þeostra þegnas” (696a) [retainers of darkness] are unable to defend (*forstondan*) their claim to the land.41

Bartholomew’s speech also contains tenurial language in the line “þær se freond wunað / on þære socne” (715b-716a) [where the friend lives in the district]. *Socn* is a difficult word to translate here.42 Roberts recommends “visitation, persecution” in her edition, largely based upon the word’s use in *Beowulf* line 1777 (the word’s only other

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41 *DOE*, s.v. “forstandan”: “to defend (someone acc.) at law, stand in someone’s defense” (4b). The word appears in the law-codes, including *Ine* 62, *II Athelstan* 1.5 and 10.1, *VI Athelstan* 1.4 and 8.2, *I Æthelred* 4.2, and *II Cnut* 33.1a. In nearly every case, the verb takes as its direct object a pronoun representing an individual. *II Athelstan* 1.5, for example, stipulates regarding apprehended thieves: “7 gif hine hwa forstonde, forgilde hine be his were, swa þam cyninge swa ðam ðe hit mid ryhte togebyrige” [If anyone defends him, he shall pay for him to the amount of his wergeld, either to the king or to him to whom it is legally due] (Attenborough, 128 and 129). The application of the verb to a physical location (*þa wic*) in *Guthlac A* line 702, then, is not entirely consistent with the use of the verb in the law-codes. *BTs*, s.v. “forstandan” cites *Guthlac A* line 674 as one example for the sense “to protect from (dat.)” (2a). Considering its close proximity to *dema* and appearance within a formal judgment in a property dispute, however, *forstondan* in *Guthlac A* line 702 clearly carries legal connotations.

appearance as a simplex in a verse text), but within the immediate context of Bartholomew’s self-presentation as an arbiter of dispute, the tenurial sense of jurisdiction within a particular district seems equally valid. Guthlac’s final refutation of the demons, backed by the intervening authority of Bartholomew, settles the dispute and secures the saint’s possession of the property.

Upon his return “to þam onwillan eorðan dæle” (728), Guthlac finds the desolate spot transformed into an ideal landscape. What originally seemed a locus horribilis, an empty waste haunted by adversarial spirits, is now a locus amoenus, full of blossoms and singing birds that bring food to the hermit.

Smolt wæs se sigewong ond sele niwe, fæger fugla reord, folde geblowen; geacas gear budon. Guþlac moste eadig ond onmod eardes brucan. Stod se grena wong in godes ware; hefde se heorde, se þe of heofonum cwom, feondas afyrde. Hwylc wæs fægerra willa geworden in wera life, þara þe yldran usse gemunde, oþþe we selfe siþþan cuþen?

(742-51)

43 Roberts, Guthlac Poems, 154-55. The word appears in Beowulf during Hrothgar’s ‘sermon’: “Hwæt, me þæs on eþle edwenden cwom / gyrn æfter go mene, seoþðan Grendel wearð, / ealdgewinna, ingenga min; / ic þære socne singales wæg / modceare micle” (1774-78a) [Lo, a reversal came to my homeland, suffering after joy, after Grendel was my invader, an ancient foe; I perpetually endured a great sorrow for that persecution].

44 The meaning of “a seeking” (as in landsocn) does not fit the context of the lines.

[The triumphant field was peaceful and the dwelling new, the voice of the birds fair, the earth blossoming; cuckoos rang in the year. Guthlac, blessed and resolute, could enjoy the land. The green field stood under God’s covenant; the keeper, the one who had come from heaven, had cast out the enemies. What wish more fair has come to pass in the life of men, those which our elders remembered or we later knew ourselves?]

The place itself has been transformed from a beorg, a single location in a desolate landscape, to assume a multiplicity of place: it is a plain (“sigewong,” “grena wong”), a new dwelling place (“sele niwe”), and land to live on (eard). The land is now free from traces of past human activity or competing interests for its possession: the faithful Guthlac, a bylta (733a) and fruma (773a), makes the land new.46 Guthlac’s earthly home stands as an exception to the poem’s early statement about the endemic decay of earthly places:

Ealdað eorþan blæd æþela gehwylcre
ond of wîte wendað wæstma gecyndu;
bið seo siþre tid sæda gehwylces
mætræ in mægne. Forþon se mon ne þearf
to þisse worulde wyrpe gehycgan.

(43-47)

[The glory of the earth grows old in each of its noble things, and the nature of its bounties turns away from beauty; the later time of every seed is lesser in power. Therefore there is no need to hope for an improvement in this world.]

46 In her discussion of the depiction of the natural world in Guthlac A, Jennifer Neville argues that the landscape in the poem primarily functions as a demonstration of Guthlac’s sanctity. The birds attending to Guthlac in lines 733b-38, for example, provide “proof of his sainthood. They appear only for this purpose” (Jennifer Neville, Representations of the Natural World in Old English Poetry, CSASE 27 [Cambridge: Cambridge University Press, 1999] 122-28 at 128). I would argue that the place of attendant birds in an ideal landscape participates in the poem’s presentation of Guthlac as the rightful tenant of a previously-contested ‘estate’ now held “in godes wære.”
In contrast to this bleak model of inevitable regression, Guthlac inhibits a *sele niwe*. This ideal landscape suggests a prelapsarian existence “in godes wære,” an earthly token of the heavenly place to be earned by the faithful.

The poem presents Guthlac as an inspiration to its audience, holding him up as a hagiographical model of enduring faith in his trials.\(^{47}\) The direct question in lines 748-51 is only one of many moments in which the text offers a homiletic address to its audience.\(^{48}\) After it recounts the saint’s heavenly reward, the poem promises that Guthlac’s triumph can be obtained by any devout Christian:

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Him wæs lean geseald,
setl on swegle, þær he symle mot
awo to ealdre eardfæst wesan,
bliðe bidan.
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(784b-87a)

[To him was given a gift, a place in heaven, where he could always in perpetuity be secure in land and live in bliss.]

In their attention to security and eternal possession, these lines recall the promise of *aeterna hereditas* provided in Latin diplomas. Guthlac receives a land grant in the kingdom of heaven. Thus can an earthly life dedicated to carrying out God’s teaching “wordum ond weorcum” (793a) [in words and deeds] likewise earn “ecan lifes / hames in heahþu” (795b-96a) [eternal life, a home on high], a place within “fæder eðle” (801b) [the father’s homeland]. The poem reiterates its depiction of salvation as an inheritance,

\(^{47}\) “Þær he mongum wearð / bysen on Brytene” (174a-175b) [there he became an example to many among the Britons].

\(^{48}\) Lines 93-94, 108-110, 344-47, 400-403, 526-29, 752-80, and 790-818. Many of these passages employ the plural first-person pronoun.
the secure promise of property uncontested and undiminished. Land tenure becomes a symbolic device through which the text can demonstrate Guthlac’s sanctity, reflect upon sacred history (through the embedded story of the fallen angels), and exhort its audience with the promise of salvation. The early focus on the confrontation at the beorg introduces property dispute to the poem, making space for later introductions of tenurial tropes and language.

The poem’s closing announcement of Guthlac’s place in heaven underscores the perpetuity of the grant (symle, “awo to ealdre,” eardfæst) in language reminiscent of diplomatic declarations of aeterna hereditas. The enabling basis of Guthlac’s heavenly endowment, however, has been the displacement of the ealdfeondas, those former occupants of the saint’s eard on both heaven and earth. Forfeiture quietly haunts the poem. Guthlac A offers a powerful illustration of the idea of land as a reward promised to the faithful, but its organization around a single episode produces a largely synchronic demonstration of its argument about land. By contrast, the poem Genesis A provides a diachronic narrative of sacred history, one which complicates its own territorial promises through its series of episodes predicated on conflict and the loss of land.

5.2 Genesis A

*Genesis A* appears in Oxford, Bodleian Library, Junius 11 (c. 960 - c. 990). The manuscript contains the poems *Genesis* (with *Genesis B* inserted at lines 235-851),

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Exodus, Daniel, and Christ and Satan.\textsuperscript{50} Genesis A is generally believed to have been composed well before its inclusion in Junius 11, perhaps as early as the eighth century, and it most probably had an early existence independent of Exodus and Daniel.\textsuperscript{51} Like Guthlac A, Genesis A shows a clear concern with territory and faith in its poetic rendering of Genesis 1-22.\textsuperscript{52} This is perhaps most evident in God’s promise to Abraham of a broad kingdom:

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Þis is seo eorðe þe ic ælgrene
tudre þinum þorhte wille
wæstmum gewlo on geweald don,
rume rice.”\textsuperscript{53}
```

(1787-90a)

[This is the earth, green and bright and adorned with fruit, a broad kingdom that I will grant into the authority of your descendants.]

The poem later describes this spacious land in a series of evocative phrases: landa cyst (1795a), flocnæro land (1801), whitebeorhte wongas (1804). The poem also frequently repeats words such as eðel, eard, and ham, keeping the idea of a homeland for the faithful (codicological, manuscript illustrations, the use of color, palaeographical, and punctuation) to challenge the traditional dating of the manuscript at c. 1000.


\textsuperscript{52} For recent examples, see Paul Battles, “Genesis A and the Anglo-Saxon ‘Migration Myth,’” ASE 29 (2000): 43-66; and Michelet, Creation, Migration, and Conquest, 198-231.

\textsuperscript{53} All citations of Genesis A are taken from George Philip Krapp, ed., The Junius Manuscript, ASPR 1 (New York: Columbia University Press, 1931).
securely in view, while its frequent use of *yrfe* underscores genealogy and the transmission of property. Peter J. Lucas has notably discussed the poem’s sustained emphasis on obedience to God, and one could read the poem as an extended demonstration (similar to what we see in *Guthlac A*) of the tenet that God rewards the faithful with land while he punishes the unfaithful with its loss. Lucas draws attention to the repetition of the noun *ar* (it appears 34 times) both as a simplex and a compound element in *Genesis A*, concluding that those faithful to God consistently demonstrate or merit *ar* while the unfaithful or wicked do not. Lucas glosses *ar* as “favor, honor, grace,” but the word can also signify “landed property” or the possession of that property. This flexibility of meaning accords neatly with the attention in *Genesis A* to the relationship between faith and land: the faithful have *ar* while the unfaithful are *arleas*. The poem advances a clear thesis about the primacy of faith as a component of the secure possession of land.

The poem builds this argument about land and faith through a series of episodes which repeatedly illustrate its claims. Adam and Eve are banished from paradise for their disobedience, Cain is exiled for fratricide, Noah is saved from the Flood, and Abraham

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54 *Yrfe* appears eight times, *yrfestol* twice, and *yrfeweard* three times.


56 Ibid., 128.

57 *DOE*, s.v. “ar” (c.1 and c.3). This meaning is primarily attested in legal texts.

58 The poem uses *arleas* to describe those who die in the flood (“arleasra feorh” [1385b]), and those who inhabit Sodom (“men arlease,” “metode laðe” [1934], “arlease cyn” [2477], and “cirm arleasra” [2549]). Both cases involve the divine destruction of people and land *en masse.*
receives the promise of a kingdom. In his commentary on the poem, A. N. Doane observes that “the poet always presents God as a merciful lord, not a punisher,” but his comment does not account for the poem’s many depictions of exile and mass destruction at God’s hand. The Flood and the destruction of Sodom and Gomorrah provide two prominent examples of *ultio divina* in the poem. Within its general argument about land and faith, the text frequently rehearses the loss of land followed by the promise of its gain—this episodic movement indeed drives much of the narrative action in *Genesis A*. As these individual episodes accumulate, they increasingly trouble the poem’s larger proposition about the secure possession of property. The idea that the faithful will be rewarded with land and security works in the long view of the poem, but at the level of individual event the poem depicts God repeatedly punishing transgression with the loss of property and/or life. The poem furthermore encodes the acquisition of land with subsequent conflict and decay. In many ways, the Promised Land is a dream deferred in *Genesis A*. Abraham’s people are always on the move, driven by *landsocn* (1665, 1699) [the search for land] and the promise of a better place, but the poem never shows the realization of their journey. Whereas *Guthlac A* shows a local saint claiming land by merit of his faith, *Genesis A* enacts a pattern of conflict and loss within its broader promise of land for the faithful.

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**Genesis A** begins with an account of the revolt in heaven, figured as an insurrection driven by the greed for land.\(^60\) The celestial uprising of the angels against God also appears in *Genesis B* (lines 246-321) and *Christ and Satan* (lines 81-88).

*Genesis B* contains a more extended treatment of the event, but it lends greater emphasis to Lucifer’s presumption and his refusal to serve under God than it does his territorial ambition,\(^61\) while *Christ and Satan* likewise emphasizes only intermittently Lucifer’s desire for authority independent of God.\(^62\) *Genesis A* similarly envisions heaven as a kingdom ruled by God, but it concentrates its narrative action in a single episode which casts the angels as rebels eager to divide that domain in order to establish a *rice* of their own.\(^63\) As an all-powerful sovereign, God casts the rebels out of heaven, restoring divine

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\(^60\) For a brief discussion of the angelic revolt as a struggle for the control of space, see Michelet, *Creation, Migration, and Conquest*, 64-68.

\(^61\) God trusts that the angels will remain obedient, that they “giongorscipe fyligan wolden” (249) [would keep allegiance]. *Genesis B* foregrounds Lucifer as the central figure of revolt and it emphasizes his *ofermod* (262, 272) and brazen boasting (264-66). Lucifer wants to build a “godlecran stol” (281b) [better seat] for himself to establish his independence and free himself from the subordination under which he chafes (272b-277, 291b). The poem at one point indicates that Lucifer desires a kingdom of his own: “Ic mæg hyra hearra wesan, / rædan on þis rice” (288b-289a) [I can be their master, I can control this kingdom].

\(^62\) His confederates rebuke Satan in hell, saying he presumed too about his own power in heaven: “Ðuhte þe anum þæt ðu ahtest alles gewald” (55) [It seemed to you alone that you had power over everything]. Satan answers that he wished “agan me burga gewald / eall to æhte” (86b-87a) [to have power over the strongholds entirely in my possession]. The exiles later bemoan the fruitless results of their revolt: “God seolfa him / rice haldeð” (258b-259a) [God himself holds the kingdom]. They later ask “hwæðer us se eca æfre wille / on heofona rice ham alefan, / eðel to æhte, swa he ær dyde” (276-278) [whether the eternal one will ever grant us a home in the kingdom of the heavens, a homeland to keep, as he did before].

\(^63\) While the angelic fall has numerous possible exegetical and scriptural sources, Doane argues that “the arrangement and narrative movement are the poet’s” (Doane, *Genesis A*, 227-28). For treatment of the angelic fall in other Anglo-Saxon sources see Thomas D. Hill, “The Fall of Angels and Man in the Old English *Genesis B*,” in *Anglo-Saxon Poetry: Essays in Appreciation for John C. McGalliard*, ed. Lewis E. Nicholson and Dolores Warwick Fresé (Notre Dame, Ind.: University of Notre Dame Press, 1975), 279-90; David F. Johnson, “The Fall of Lucifer in *Genesis A* and Two Anglo-Latin Royal Charters,” *JEGP* 97 (1998): 500-21; and Michael Fox, “Ælfric on the Creation and Fall of the Angels,” *ASE* 31 (2002): 175-200. Fox argues that Ælfric was more concerned with the fall as a narrative than he was in its exegetical
political order to his celestial kingdom. The banishment of the rebellious angels leaves empty estates and seats of power in the heavens, all of which await new occupants. These empty spaces prompt God to embark upon the Creation and to provide humanity with dominion over the new world. The shape and economy of the episode in Genesis A underscore issues of territory and its control within a political community.

The pattern of insurrection punished by banishment, followed by the dispensation of land to new recipients recalls the legal mechanism of the forfeiture of estates as a penalty for major offenses. Such forfeitures are well-documented in the tenth and early-eleventh centuries, as amply demonstrated by Patrick Wormald’s list of Anglo-Saxon lawsuits. Genesis A can be read as an expression of this social practice within sacred history, a proposition which gains more force if the poem is considered in terms of its reception in the late tenth century. The poem clearly shows threats to royal authority and domain coming from within: internecine revolt among the angels, and human disobedience in Eden. In both cases, offenses against divine sovereignty result in loss of property. Critics have long held that the Anglo-Saxons typically read the Old Testament in relation to their own history. Malcolm Godden, for example, has observed generally that the Anglo-Saxons felt “a sense of continuity” between the Hebrews and themselves

component. He also suggests that Ælfric partly modeled his presentation of the angelic fall (particularly as it appears in De initio creaturae) on Genesis A (ibid., 197).

64 See Wormald, “Handlist,” nos. 25, 27, 29, 30, 31, 33, 36, 37, 38, 40, 41, 43, 44, 45, 48, 53, 56, 57, 60, 61, 63, 68, 70, 71, 72, 73, 75, 76, 79, 81, 88, 94, 97, 99, 100, 101, 107, 118, 129, 131, 144, 145, 162, and 170.

65 The most influential of these studies has been Nicholas Howe, Migration and Mythmaking in Anglo-Saxon England (New Haven, 1989; rev. ed., Notre Dame, Ind.: University of Notre Dame Press, 2001). On the use of Mosaic legal tradition in the preface to Alfred’s domboe, see Wormald, Making of English Law, 416-29.
and that the Old Testament accordingly provided “a veiled way of talking about their own situation.” The converse of this theorem has its own value. Land tenure in the tenth and early-eleventh centuries facilitated an understanding of some Old Testament history in terms of contemporary legal procedure. To modify Godden’s phrase, specific social mechanisms for the distribution of property provided the Anglo-Saxons with a way of thinking about sacred history.

Genesis A opens with a view of ideal political order. God rules the “heofenstolæs” (8a) [heavenly seats] and “sweglbosmæs” (9b) [ether eal holds] of the kingdom eternal, while the host of angels, distinguished by their obedience, lives in bliss and glory. The kingdom of heaven exists in an eternal state of peace, free of unrest and division:

\[
\begin{align*}
\text{Þegnas þrymþæste} & \quad \text{þeoden heredon}, \\
\text{sægdon lustum lôf} & \quad \text{heora lîffrean} \\
\text{demdon, drihtenes} & \quad \text{dugeþum wæron} \\
\text{swiðe gesæelige.} & \quad \text{Synna ne cuþon,} \\
\text{firena fremman,} & \quad \text{ac hie on friðe lifdon,} \\
\text{ece mid heora aldor.} & \\
\end{align*}
\]

(15-20a)

[Secure in glory, the retainers honored the prince, gladly spoke praise and celebrated their lord of life, greatly were they blessed in honors. They knew not the making of sins and crimes, but they lived in peace, eternally with their lord.]

The loyalty of the angels is freely given, and the kingdom enjoys a calm equilibrium undisturbed by conflict. This ideal state of political stability and prosperity, however, is undone by the revolt of the angels, an act which is figured primarily as political

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insurrection. The angels turn away from God and the established divine order, presuming to divide the heavenly kingdom with their sovereign.

> Elles ne ongunnon
> ræran on roderum  nymþe riht and soþ,
> ærðon engla weard  for oferhygde
> dwæl on gedwilde.  Noldan dreogan leng
> heora selfra ræd,  ac hie of siblufan
> godes ahwurfon.  Hæfdon gielp micel
> þæt hie wið drihtne  dælan meahton
> wuldorfaestan wic  werodes þrymme,
> sid and swegltorht.

(20b-28a)

[They did not endeavor to raise anything in the heavens but right and truth until the guardian of angels through presumption strayed in error. They no longer wished to follow their own design, but they turned away from the kindred love of God. They made a great boast that they could divide that dwelling with God, glorious with the power of the host, broad and bright in the heavens.]

The lines include the standard attribution of the revolt to pride, but they lend greater attention to the rebellion’s violation of political order and its impetus in the desire for independent territorial authority. Heaven is outlined here as a physical location, a

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67 Krapp emends manuscript dæl in 23a to dwæl, an emendation which introduces a leader of the revolt in the phrase engla weard. Doane, however, maintains dæl in his edition and emends weard (22a) to wearð for the translation “… before a part of the angels were in error on account of their pride.” Doane, Genesis A, 109 and 228. Doane’s text seems to follow the sense of the poem more closely, especially considering the regular use of the plural verb in the passage.

68 Michael Fox observes, “The focus of Genesis A is not, as in Ælfric, upon the desire to be like God, but rather upon the martial struggle: Lucifer attempts to establish an alternative kingdom in heaven” (Fox, “Ælfric,” 198n102). Hugh Magennis makes a similar point in his discussion of “the good landscape” trope in the Old Testament poems of Junius 11: “Heaven is presented in Old English poetry as a hall, a city and a homeland/home, but Genesis A also draws on the idea of it as a broad kingdom: heaven was established ‘wide and side’ (line 10) by the command of God; it is ‘sid and swegletorht’ (line 28); Satan and the rebellious angels are cut off from the ‘wulorgnestaldas’ (line 64).” Hugh Magennis, Images of Community in Old English Poetry, CSASE 18 (Cambridge: Cambridge University Press, 1996), 144n2. Magennis also draws attention to Drythhelm’s vision from Bede’s Historia ecclesiastica (V.12), in which the hinterland of heaven appears as a walled plain, broad and bright, containing mansiones for the spirits who dwell there awaiting entrance to the celestial kingdom (ibid., 41–42). On Drythhelm’s vision, see also
dwelling place (wic) spacious enough to be divided into separate kingdoms. This vision of heaven as a realm containing different residential seats (heofonstolas) differs in part from other depictions of heaven as a hall or fortress (burh), creating the impression of a spacious domain held under the sovereignty of the ece drihten. Its residents, God and the angels, are furthermore joined by kinship: the compound siblufan (24b) implies a bond founded in part on kinship, a kind of divine familial love. The angels violate this political order through their insurrection, betraying their lord and breaking bonds of kinship. Their crime in Genesis A, then, goes beyond that of excessive pride. Their rebellion comes from within kindred and kingdom, bringing division to what was whole.

The idea of heaven as a spatial kingdom becomes more pronounced in the lines that follow. The instigator of the revolt declares that he wants a “ham and heahsetl” of his own in the northern part of Heaven. Angelic speech that once “sægdon lustum lof” (16a) now speaks open rebellion, calling for a partition of the ethereal kingdom “wide and side” (10).

Him þær sar gelamp,  
æfæst and oferhygd, and þæs engles mod  
þe þone unraed ongan ærest fremman,  
wefan and weccæan, þa he worde cwæð,  
nipse ylfrstæd, þæt he on norðdaele


69 Kabir, *Paradise, Death and Doomsday*, 147-52. Kabir also discusses the conflation of “indoor and outdoor spaces” in heaven as it is described in Christ and Satan. In addition to its depiction as a walled city, heaven is there described as a broad kingdom: “Þær is brade lond, / hyhtlicra ham in heofonrice” (lines 214b-15).

70 The word’s only other appearance in Genesis A occurs when Lot thanks the two angels for warning him of the destruction of Sodom: Lot thanks them for the display of “sibblufan and freondscipe” in their warning of the imminent cataclysm (lines 2516b-2617a).
ham and heahsetl heofena rices
agan wolde.

(28b-34a)

[Hurt came upon them there, envy and pride, and the angel’s spirit, the one who first began to perpetrate treason, to plot and instigate, when he spoke in words, thirsty for violence, that he wanted to hold a home and high-seat in the northern part of the kingdom of the heavens.]

Unræd can signify political treason against the king, as it does in the will of Æthelric confirmed by King Æthelred: “hit wæs manegon earon ær Æðeric forðferde þæt ðam kincge wæs gesæd þat he være on þam unræde þæt man sceolde on Eastsexon Swegen underfon ða he ærest þyder mid flotan com” [It was many years before Æthelric died that the King was told that he was concerned in the treacherous plan that Swegn should be received in Essex when first he came there with a fleet].

This word (unræd) connoting treachery, in conjunction with words signifying regional space (“on norðdæle,” “ham,” “heahsetl,” “rice”), intensifies the presentation of heaven as a political kingdom. Lucifer desires a homeland of his own, a territory separate from heaven but consisting of a portion of its original lands, to be ruled from its own heahsetl. The compound heahsetl recalls the heofonstolas of line 8a, one of the many seats of power in the heavenly kingdom.

The fall of the angels is figured as political division and treason.

71 Dorothy Whitelock, ed., Anglo-Saxon Wills (Cambridge: Cambridge University Press, 1930), no. 16.2 at pp. 44 and 45. Abbreviations expanded. The document is dated x/xi.

72 Noting the many –stol compounds in the poem (heofonstolas [8], frumstol [963], eþelstol [1129, 1485, 1514, 1748], yrfestol [1629, 2177], hleowstole [2011]), Richard J. Schrader argues that the poem uses such compounds to highlight “linear succession within a cycle of regeneration … there is a true line of succession that rules the earthly manifestation of the City of God until its citizens can claim the fallen angels’ thrones, the anagogical successors of the earthly ‘seats’” (Richard J. Schrader, Old English Poetry and the Genealogy of Events, Medieval Texts and Studies 12 [East Lansing: Colleagues Press, 1993], 32-33). This view seems viable if the poems in Junius 11 are considered as a unified textual program, but the culmination of this regeneration is absent within Genesis A itself. Schrader sees the vision of redemption in
The heavenly sovereign, angered by the presumptuous rebellion, defeats the expectations of Lucifer and his accomplices, fashioning a “wræclicne ham” (37a) [an exiled home] for the “werlogan” (36b) [pledge-breakers] to replace their desired place in heaven.  

The angels are designated as traitors, punished for their bid to seize land held by their ruler. Their insurrection is furthermore explicitly coded as corporate. Even though Lucifer is designated as the leader (although he is never named directly), the poem favors the plural in its account of the rebellion and its consequences: “Hæfdon hie wrohtgeteme / grimme wið God gesomnod; him þæs grim lean becom!” (45b-46) [They had grimly assembled a rebellious throng against God; a grim reward came back to them for this!].

The rebellion of the angels appears in Genesis A as a civil uprising driven by both pride and the desire for property. The poem neatly conjoins the dual motivation in two lines of verse: “Cwædon þæt heo rice, reðemode, / agan woldan, and swa eaðe meahtan” (47-48) [Fierce in spirit, they said that they wanted to have a kingdom, and that they could do so easily].

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*Christ and Satan* as “a statement of the hope implied in the successive Biblical tales of displacement and recovery” in the Junius manuscript” (ibid., 41). The Old Testament poems in the manuscript such as *Genesis A*, however, are deeply concerned with cycles of displacement and the loss of place. See Magennis, *Images of Community*, 149; and Nicholas Howe, “Falling into Place: Dislocation in the Junius Book,” in *Unlocking the Wordhord: Anglo-Saxon Studies in Memory of Edward B. Irving, Jr*, ed. Mark C. Amodio and Katherine O’Brien O’Keeffe (Toronto: University of Toronto Press, 2003), 14-37.


God denies the rebel bid for land and deprives the treacherous angels of their homeland and possessions: “æðele bescyrede / his wiðerbreccan wuldorgestealdum” (63b-64) [He cut off the rebels from their homeland and glorious possessions]. Genesis A depicts the enforcement of forfeiture as a punishment for crimes against a sovereign as a foundational moment in sacred history. The dispossession and banishment of the angels acts as a kind of communal erasure in which the offenders are removed entirely from place. This erasure restores security and unity to the heavenly kingdom.

Then as before there was true concord in heaven, conduct fair and peaceful; the lord was beloved by all, the prince by his retainers, and the glories of the joyous hosts increased through the lord. Then they were as one, those who dwelt in the sky, the homeland of glory. Conflict had passed, enmity among the angels and the hate of war, after the enemy force, deprived of light, had given up heaven.

Political order returns to the celestial lands after the expulsion of its disorderly rebels. In an analysis of the poem’s use of envelope patterns and verbal repetitions, Constance B. Hieatt locates “a cluster of verbal repetitions which pull together a complete envelope for the entire section [lines 1-81]. ‘Þa wæs soð swa ær sibb’ in heaven (78) picks up the
‘soðfæst’ of 9a as well as the ‘soþ’ of 21b and ‘siblufan’ of 24b.” This envelope pattern underscores the restoration of order to heaven, as its final lines echo the opening descriptions of the undisturbed “blæd micel” (14b) in heaven. Unity has returned to the kingdom: “soð sib” has returned once again, the lord is beloved _eallum_, and the dwellers of heaven are _gesome_. These lines extend the poetic figuration of heaven as a landed realm: the verb _buan_ and the description of heaven as “wuldra _eðel_” signify an inhabited land. The exile of the rebellious angels furthermore has left vacant seats in heaven, waiting to be filled by new, more faithful retainers.

_Him on laste setl,_  
_wuldorspedum welig,   wide stodan_  
_gifum growende   on godes rice,_  
_beorht and geblædfæst,   buendra leas,_  
_siððan wræcstowe   weige gastas_  
_under hearmlocan   heane geforan._

_Þa þeahtode   þeoden ure_  
_modgeþonce,   hu he þa mæran gesceaf,_  
_eðelstaðolas   eft gesette,_  
_swęgtorhtan seld,   selran werode,_  
_þa hie gielpsceaþan   ofgifen hæfdon,_

_heah on heofenum._ (86b-97a)

[Behind them remained far and wide seats rich with glorious wealth, burgeoning with gifts in God’s kingdom, bright and prosperous, empty of inhabitants, after the wretched spirits went downcast to a place of exile in a painful prison. Then our lord considered in his mind how he could again endow that renowned creation, the native estates with a better host, the bright ethereal dwellings which the impetuous rebels had given up, high in the heavens.]

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75 Constance B. Hieatt, “Divisions: Theme and Structure of Genesis A,” _NM_ 81 (1980): 243-51 at 245. The verbal repetitions Hieatt mentions are _freo_ (5a) and _freo_ (79b); _heoden_ (15b and 80a); _hegnum_ (15a) and _hegnum_ (80a); _brýmmum_ (8b) and _brýmmas_ (80b); _dugelpum_ (17b) and _dugudâ_ (81a); _dríhtnes_ (7a) and _dríhtne_ (81a); _hæfdon … dream_ (12b) and _dreamhæbbendra_ (80b). The repetition of _weaxan_ (45) and _weoxan_ (80) is not as balanced, but it may be ironic: the verb appears in a description of hell in line 45 with _witebrogan_ as its verbal subject, whereas in line 80 it describes the growing _brýmmas_ in heaven after the exile of the rebels.
The vacant places in heaven prompt God to embark upon the Creation (the account of which is truncated at line 168, the point at which *Genesis B* begins). God creates man to fill the empty celestial seats, aligning the moment of creation with the endowment of property.

Dorothy Haines has examined this “doctrine of replacement” in patristic and Anglo-Saxon sources, concluding that Anglo-Saxon texts generally depict “the doctrine of replacement as a resettlement of the abandoned realms of heaven.”\(^76\) In other words, the angelic rebellion is understood in Anglo-Saxon texts primarily as prompting a transition in landed possession. Haines points out similarities, for example, between Ælfric’s presentation of the event in *De initio creaturae* and its appearance in *Genesis A*. Ælfric explains in the homily:

> ða wolde god gefyllan 7 geinnian þone lyre þe forloren wæs of þam heofonlicum weorode. 7 cwæð þæt he wolde wyrcan mannan of eorðan. Þæt se eorðlica man sceolde geþeon 7 geearnian mid eaðmodnysse þa wununga on heofonan rice. þe se deoful forwyrhte mid modignysse.\(^77\)

[Then God wished to fill and restore the space lost by the heavenly host and he said that he wished to make man from the earth, so that the earthly man should prosper and earn through humility those dwellings in the heavenly kingdom which the devil had forfeited in his pride.]

Comparing Ælfric’s conception of the event with that of Augustine, Haines observes, “For Ælfric, God’s purpose in creating mankind was not just to complete numbers, but to


settle residences. In Anglo-Saxon terms, this is perhaps thought of as equivalent to the granting of estates.”

Haines’s observation is consonant with the employment of tenurial language and imagery in *Genesis A*. The word *eðelstaðolas* (94a) indicates places of residence within a divine homeland. The tenurial implications of such a compound are amplified by the potential of the simplex *staðol* to signify “estate,” a meaning elsewhere attested in the vernacular translation of Gregory’s *Dialogues*. The act of sedition punished by the forfeiture of property is followed by the ruler’s dispensation of that land to new owners, mirroring the legal mechanisms recorded in charters.

David F. Johnson has drawn intriguing parallels between the fall of the angels in *Genesis A* and two tenth-century diplomas. All three texts present the angels as existing prior to the act of creation, a position at odds with the authoritative exegesis advanced by Augustine and Gregory. Johnson cites S 745, dated to 966 (the Winchester New

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78 Haines, “Vacancies,” 153. For a more comprehensive account of Ælfric’s writing on the fall of the angels, see Fox, “Ælfric.”

79 The resettlement of heaven in *Genesis B* is less inflected with tenurial imagery: “He hæfð nu gemearcod anne middangeard, þær he hæfð mon geworhtne / æfter his onlicnesse. Mid þam he wile eft gesettan / heofona rice mid hluttrum saulum” (395-97a) [He has now marked out one middle-earth, where he has created man in his likeness. With him he wishes to again settle the kingdom of heaven with pure souls].

80 *BTs*, s.v. “staðol” (IIIa).

81 The word here signifies an inherited estate: “þa semninga com an ceorl mid lace of ðam ylcan staðole, þe heo ær onfeng VI yntsan æt hire fader” (Hans Hecht, ed., *Bischof Wærferths von Worcester Übersetzung der Dialoge Gregors des Grossen über das Leben und die Wundertaten Italienischer Väter und über die Unsterblichkeit der Seelen* [1900; repr., Darmstadt: Wissenschaftliche Buchgesellschaft, 1965], lines 3-5 at p. 223 [3:21]). The estate is previously referred to as “anre æhte” (ibid., line 26 at p. 222).

82 Johnson, “Fall of Lucifer.”

Minster charter, a uniquely elaborate diplomatic production) and S 853, dated to 984 (a diploma of Æthelred II) as diplomatic analogues to the angelic fall in *Genesis A*. The similarities between S 745 and *Genesis A* are especially striking: both texts speak of the restoration of order in heaven after the angelic fall and the empty seats remaining after the rebellion. Johnson argues that the diplomas and the poem consequently share a “cosmographical perspective” in their account of creation. Part of this perspective, I believe, is the inclination to render sacred history in terms of property dispute, and conversely, to render tenurial matters in terms of sacred history. The first chapter of this dissertation discussed the place of sacred rhetoric in diplomatic texts. Here I would like to examine more closely the process of forfeiture as a legal penalty, particularly for offenses against the sovereign himself, in order to accentuate the tenurial aspects of *Genesis A* and to demonstrate a cultural synthesis between tenurial and sacred history.

The penalty of land forfeiture in consequence of certain offenses was common practice in Anglo-Saxon England, and it is especially well documented in the tenth and eleventh centuries. Beginning in the tenth century, law-codes and charters frequently

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84 “Euacuata namque polorum sede . et eliminata tumidi fastus spurcitia . summus totius bonitatis arbiter lucidas celorum sedes non sine cultore passus torpere . formatis ex informi materia diversarum rerum speciebus . hominem tandem ex limo conditum . vtĘ spiraculo ad sui formauit similitudinem . Cui uniuersa totius cosmi superficie condita subiciens . seipsum suosque posteros sibi subiecit . quatenus eius exsecutura posteritas angelorum suppleret numerum celorum sedibus superbia turgente detrusum” (Alexander R. Rumble, ed., *Property and Piety in Early Medieval Winchester: Documents Relating to the Topography of the Anglo-Saxon and Norman City and its Minsters*, Winchester Studies 4.iii [Oxford: Clarendon Press, 2002], no. 4 at p. 75). [When indeed the abode of Heaven had been emptied, and the filth of swollen pride had been put out of doors, the Supreme Judge of All Goodness did not allow the bright dwellings of Heaven to remain still without an inhabitant; having shaped diverse species of beings from shapeless matter, He at length shaped Man out of clay, created with the breath of life in His own likeness. Subjecting all created things on the surface of the whole universe to Man, He subjected Man and his progeny to Himself, until his descendants to come should make good the number of angels driven out, full of pride, from the dwellings of Heaven.] Ibid.

85 Johnson, “Fall of Lucifer,” 516.
document the forfeiture of estates into the possession of the king. This land would then be
granted to another subject, one hoped to be more loyal to law and sovereign. The law-
codes specifically prescribe the forfeiture of property as a penalty for certain major
offenses, such as plotting against the life of their lord or king, or fleeing the army when
the king is with the army. The definition of property in these texts can be general and
inclusive, as in the “ealles þæs ðe he age” in Alfred’s code, or more specific, as in the
“gyf he bocland habbe, sy þæt forworht ðam cynge” provision in Cnut’s code.86 The
prescriptive evidence of the law-codes can be supplemented with the descriptive evidence
contained within charters. Diplomatic accounts of estates forfeited to the king appear in
the tenth century and become especially common during the reign of Æthelred II.87
Simon Keynes has argued that this sudden proliferation of charter evidence does not
necessarily indicate lawlessness during Æthelred’s reign, but rather reflects “the special
quality of the evidence in Æthelred’s charters which sets his reign apart from other
periods.”88 Similar forfeitures occurred often enough in the early tenth century, for
example, as witnessed by S 372 (dated to 901) and its recorded forfeiture of an estate by

86 Alfred 4 (Attenborough, 64); II Cnut 13.1 (Laws, 180).

87 Simon Keynes, The Diplomas of King Æthelred the ‘Unready’ 978-1016: A Study in Their Use
as Historical Evidence (Cambridge: Cambridge University Press, 1980), 97-98 and 200-202. See especially
S 883, 886, 877, 896, 926, 927, and 934. For charters of Æthelred which “refer in passing to crimes that led
to forfeiture of estates,” see S 842, 892, 901, and 923; see also S 869, 893, 911, 916, 918, and 937 (ibid.,
97n44).

88 Simon Keynes, “Crime and Punishment in the Reign of King Æthelred the Unready,” in People
and Places in Northern Europe 500-1600: Essays in Honour of Peter Hayes Sawyer, ed. Ian Wood and
one Wulfhere for forsaking King Alfred. Æthelred’s charters, however, contain accounts of past forfeitures much more detailed than the diplomas of previous kings (perhaps in an attempt to forestall future litigation from the family of the previous owners). These narrative accounts provide valuable evidence for the process of forfeiture that had been in operation at least since the reign of Alfred.

A representative sample of these diplomatic accounts demonstrates their narrative method. An individual commits an offense against the king’s authority and is subsequently punished with the loss of property, including estates, and even exile or death. The forfeited property is then granted by the king to a new owner. In this sense, diplomas inscribe their own ‘doctrine of replacement’ in tenurial practice, replacing old apostates with new owners in forfeited estates. Two examples of property forfeiture resulting from treason against the king appear in Æthelred’s diplomas. Both cases occur in the final decade of his reign, a period notorious for its various disturbances (including the infamous career of the habitual turncoat Eadric Streona). The first example appears in S 927, dated to 1012, in which King Æthelred grants ten hides at Whitchurch (Oxfordshire) to his minister Leofric. The following account follows the sanction and precedes the boundary clause:

[ Footnotes]

89 Birch, CS, vol. 2, no. 595 at p. 243. The land is given to Æthelwulf “in perpetuam possessionem jure hereditario” [in perpetual possession by hereditary right]. According to the diploma Wulfhere had “sine licentia dereliquit” both king and country. For forfeiture before King Æthelred see Keynes, “Crime and Punishment,” 77n67.

90 For a discussion of these charters and possible explanations for their narrative content, see ibid., 76-81.

91 Ibid., 80-81.
Hoc denique rus cuiusdam possessoris Leofricus onomate quondam et etiam nostris diebus paterne hereditatis iure fuerat, sed ipse impie uiuendo hoc est rebellando meis militibus in mea expeditione ac rapinis insuetis et adulterio multisque alis nefariis sceleribus semetipsum conempnauit simul et possessiones, ideoque uolumus ut hec cartula nostra potestate antiquiora territoria si inuenta fuerint omnimodis conempnet, ut nil usquam perualeant contra nostram auctoritatem.  

[And finally this once had been an estate of a certain owner named Leofric (and in our days it legitimately was an estate of paternal inheritance) but through impious living, that is, rebellion with my soldiers while on my campaign, unusual thefts, adultery and many other abominable crimes, he condemned himself as well as his possessions, and so we wish that by our authority this charter should entirely annul older estate boundaries if they should be discovered, so that nothing ever may prevail against our authority.]

The diploma generates possible confusion in its reference to two different Leofrics, the recipient of the property in 1012 and the earlier owner condemned for a variety of crimes including insurrection, but it specifies that its new beneficiary (in contrast to the treacherous Leofric) serves the king *fideliter*. The text interestingly places the agency of punishment in both Leofric himself and the prerogative of royal power—Leofric condemned himself through his actions, and consequently lost his land, restoring royal *auctoritas*. The king can now legitimately dispense the ten hides (or *cassati*) of property to its new owner. The embedded narrative, having established the justice of the forfeiture, concludes with a clear affirmation of royal *auctoritas*.

S 934, dated to 1015, records the second case of forfeiture in penalty for treason against the king. In this document, Æthelred grants five hides at Chilton (Berkshire), an estate which was previously forfeited by one Wulfgeat, to *episcopus* Brihtwold:

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Nam quidam minister Uulfget uulgari relatu nomine prefatam terram aliquando possederat, sed quia munitis regis se in insidiis socium applicauit et in facinore inficiendi etiam legis satisfactione defecit, ideo hereditatis suberam penitus amisit, et ex ea prenominatus episcopus prescriptam uillulam me concedente suscepit.

[For a certain retainer known by common report as Wulfgeat had at one time owned the aforementioned land, but because he plotted in treachery against the king’s safety and he failed in this crime of poisoning and by penalty of the law, he fully forfeited the holdings of his inheritance, and from that the previously named bishop received the designated small estate with my consent.]

As in S 927, an individual implicated for insidiis loses his property in consequence of their crime. Both accounts show the king’s retainers engaged in transgressions against royal authority. These offenses come from within the political community and they are resolved by expelling the offenders from that community, an expulsion achieved through the forfeiture of property. S 927 and 934 are admittedly extreme cases drawn from an exceptional period of history, but they nonetheless demonstrate a political process analogous to the expulsion of the rebellious angels from paradise in Genesis A. The sovereign punishes sedition with the loss of land, and thereby reestablishes at least the semblance of political order. This is more a statement of ideology than a political reality in the diplomas, but this fact does not diminish the theoretical imperative behind it—the right of possession is finally limited and contingent on the sovereign’s authority.

93 The manuscript reads “sub’am” which Kelly in her edition expands to “suberam.” Joseph Stevenson substitutes substantiam in his 1858 edition of the text. Joseph Stevenson, ed., Chronicon Monasterii de Abingdon, Rolls Series, Rerum Britannicarum Medii Aevi Scriptores 2, 2 vols. (London, 1858), 1:426. Simon Keynes likewise prints “substantiam” for “sub’am” in Diplomas, 211. Substantiam makes better sense in the context of the passage, so I have adopted it in my translation. I am grateful to Simon Keynes (e-mail message, March 13, 2007) and Susan Kelly (e-mail message, March 14, 2007) for their assistance on this issue.

94 Kelly, Abingdon, vol. 2, no. 137 at p. 536.
The penalty of forfeiture was not reserved for cases of royal treason, however, but was levied in response to a range of other crimes. These lesser offenses (including theft, sexual transgression, and even witchcraft) still constitute enough of a threat to the social body that they warrant the erasure of the offender from the community through forfeiture. S 926 (dated to 1012) contains a forfeiture account which displays clear stylistic ambition in its composition. The diploma records the grant of fifteen hides which had previously been forfeited by Æthelflæd for providing aid to her exiled brother, Ealdorman Leofsige. The embedded narrative, delivered in the voice of the king, depicts Leofsige as a presumptuous upstart misled by pride, a villain exiled for the murder of the king’s reeve in his own home (the crime of hamsocn).
possibilitatis eius erant. et utilitatis fratris. omnibus exercitiis studuit explere. et hac de causa aliarumque quam plurimarum exheredem se fecit omnibus. 

[The same villa belonged to a matron named Æthelflæd, deserted by her husband when he died, who had a brother named Leofsin, whom I raised from the rank of a minister and promoted to the summit of a higher dignity by appointing him an ealdorman, whereby he ought rather to have been humbled, as it is said ‘I have set thee for a prince, be not puffed up etc’. But he, unmindful of this, perceiving himself to be at the height of a more exalted rank, allowed evil spirits to dwell with him—those namely of pride and rashness—to whom he so gave himself that he thought nothing of the many ways in which he was grievously offending me; for he did not hesitate to kill my reeve Æfic, whom I considered the chief among my chief men, in his own house without warning, which is a wicked and unnatural work among Christians and heathen. After he had committed this crime I took the advice of my councillors, asking them to decide what should be done in his case, and we all agreed that he should be exiled and driven out with his accomplices. Moreover we made a firm compact among ourselves that he who should presume to break our decree should be disinherit of all his possessions, and in particular that no one of our people should show him any humanity or comfort. Afterwards his sister Æthelflæd took no account of this decision and tried to do everything in her power for her brother’s advantage, and in this and many other ways she caused herself to be disinherit of from everything.]

Æfic’s murder was the crime that led to Leofsige’s exile, but the account also lends a good deal of attention to his presumptuous pride. His elevation to the privileged rank of ealdorman invites the detrimental influence of “pestilentes spiritus” which goad him to his crimes against the king (“me multoties grauiter offenderet”). These severe offenses are punished by his exile “cum complicibus suis.” The contour of this narrative clearly recalls the presumption of Satan in his rebellion and his exile from heaven along with his accomplices. An episode from sacred history informs this diplomatic account of pride.


and exile, demonstrating the mobility of tenurial conceits and the easy interplay between local and sacred history. The declaration of exile is backed with the threat of forfeiture against any who presume to provide the outcast with “aliquid humanitatis uel commoditatis” (perhaps an echo of God’s banishment of Cain). Æthelflæd’s compassion is thereby figured as an affront to royal authority, a legitimate justification for the loss of all that she owns (“et hac de causa aliarumque quam plurimarum exheredem se fecit omnibus”). The transgressions of political figures raised so high seem to have inspired associations with Satan’s fall in Æthelred’s diplomas. Just as Genesis A locates the impetus for the fall of the angels in pride and the desire for land, Latin diplomas associate the exile of powerful men and the forfeiture of their property with the first exiles and forfeitures of sacred history.

Both the celestial revolt in Genesis A and the various accounts of offenses against the king in diplomas represent internal threats to political order and unity. Insurrection and defiance of royal authority are met by enforced forfeiture and the subsequent dispensation of the land to new, more worthy, owners. Hugh Magennis has argued that anxieties over treachery arising from within are generally uncommon in the literature of Anglo-Saxon England, and that “figures of treachery are associated with ‘the other side,’ representing the possibility of external rather than internal threat.” The most notorious

97 Another of Æthelred’s diplomas, S 896 (dated to 999), recounts the forfeiture and exile of an ealdorman (Ælfric Cild). The ealdorman was driven to perversions of human nature through the temptation of the devil (“temptatore diabolo”), and his crimes are subsequently figured in the diplomatic account as an affront to both God and king (“contra Deum meumque regale imperium multa et inaudita miserabiliter committens piacula”). Kelly, Abingdon, vol. 2, no. 128 at 498.

98 Magennis, Images of Community, 21.
betrayers (Satan, Cain, and Judas) are drawn from biblical history, according to Magennis, and they “appear as proverbial epitomes of betrayal, dangerous but external.” Texts from the later part of the tenth century and in the eleventh century become more preoccupied with treachery in Magennis’s assessment, as evident in such texts *The Battle of Maldon* and Wulfstan’s *Sermo Lupi*. My reading of *Genesis A*, however, complicates this generalization. Generally considered to be an early production, the poem clearly presents the rebellion of the angels as a political uprising from within, a disturbance of the political equilibrium in the heavenly kingdom. The angels turn away from *siblufan* (a communal bond of sorts) and become traitors to the divine sovereign. The production of Junius 11 in the late tenth century, approximately contemporary to the accounts of forfeiture and banishment surveyed in the diplomas above, however, would also chronologically align reception of the poem with the domestic turbulence of the late tenth and early eleventh centuries. *Genesis A* contains several episodes in addition to the fall of angels which contribute to its sustained attention to conflict and betrayal within a community.

The expulsion of Adam and Eve from Eden continues the poem’s episodic attention to cases of disobedience punished by the loss of land. After Adam and Eve have eaten the forbidden fruit, they are cast out of *neorxnawang* for their defiance of God’s authority. God has “wordum forbead” (881b) them to eat of the tree, and he sees their consumption of the “fæste forbodene” (895a) fruit as a personal reproach: they “me on

99 Ibid., 19.

100 Ibid., 24-31.
teonian / æte þa unfreme” (892b-93a) [have eaten the hurtful thing in defiance of me]. The human expulsion from paradise repeats the narrative precedent of the rebellious angels and their exile in hell. Both episodes feature a transgression against divine authority punished by the loss of land.

Abead eac Adame  ece drihten,
lifes leohtfruma,  lað ærende:
“Þu scealt oðerne  eðel secean,
wynleasran wic,  and on wræc hweorfan
nacod niedwädla,  neorxnawanges
dugeðum bedæled;  þe is gedal witod
lices and sawle.

(925-31a)

[The eternal lord, the bright source of life, also declared to Adam a hard message, “You must seek another homeland, a dwelling empty of joy, and wander in exile naked and destitute, deprived of the glories of paradise; the separation of body and soul is fixed for you.]

The loss of paradise brings with it suffering and the inevitability of death (lines 931b-938), and the first parents must seek an eðel elsewhere, one without those dugeðum offered only in the ideal landscape of neorxnawang.101 The poem pauses to emphasize that this first forfeiture stands as the origin of all worldly suffering and conflict: “Hwæt, we nu gehyrad hwær us hearmstafas / wraðe onwocan and woruldyrmðo” (939-40) [Lo! now we hear where hard troubles and the world’s misery bitterly awoke in us]. The poem later describes paradise as “lifes eðel” (1576b) in its telling of Noah’s drunkenness after the Flood, underscoring the inexorable diminishment of the human condition after the fall. An early tenth-century diploma expresses the same idea in its opening meditation on

101 For a discussion of ideal landscapes in Old English poetry as a vernacular equivalent of the classical locus amoenus, see Kabir, Paradise, Death and Doomsday, 142-47.
worldly uncertainty and the consequent need to preserve territorial transactions in
writing. The proem cites the human expulsion from paradise as the root of adversity and
death:

Post decessum primi parentis de paradiso, unde humana fragilitas indesinenter
iacet pressa onere terrenae fragilitatis et graudeine mortalitatis, unde adhuc
cernimus cotidie fugitiueae uitae tempora prosperis et aduersis causis consistere,
rapidissimoque cursu annorum spatio et regnorum ubique gaudia finita nullo
credenti ignotum esse autum; ideoque plurimorum definitum est consilio,
apicum signis confirmanda atque roboranda quae incerta in futuro arbitrantur, et
maxime omni hora oportet eorum exemplis esse instructos, qui quidem istis
caducis temporalibusque diuitiis aeternae beatitudinis praemia adquirere posse
indubitanter promiserunt. 102

[After the departure of our first parent from paradise, from which human frailty
lies endlessly oppressed with the burden of earthly frailty and the weight of
mortality, from which we still witness daily the seasons of fleeting life that stand
in conditions fortunate and adverse, and in their swiftest passage the course of
years and finite joys of kingdoms are, I declare, unknown to no believer, and so it
is plain in the judgment of many that matters of uncertainty are decided in the
future, confirmed and strengthened by the proof of letters, and most of all it is
imperative that we at this hour should be instructed by the examples of those who
have indeed promised without doubt that we may obtain the eternal rewards of
beatitude by means of such doomed and transitory riches.]

This proem juxtaposes sacred and local history, locating the loss of Eden as the
foundation of worldly uncertainty and mortality. This event in sacred history explains the
current instability of human history, and the proem cites it to justify the need for
documentary safeguards against future challenges to possession of land. Nicholas Howe

102 S 372; Hubert Pierquin, ed., Recueil général des chartes anglo-saxonne: Les saxons en
15530), but Simon Keynes has commented that the charter makes a “good impression” in its authenticity.
1145. The manuscript begins the text of S 372 with a large ornate letter P written in red ink.
has observed that the expulsion from Eden introduces dislocation into human history: “The price that humans pay for the sins of their ancestors,” he notes, “is the burden of place and displacement.”¹⁰³ S 372 places this anxiety of displacement securely in the tenurial context of the early tenth-century, demonstrating a cultural attention to the possession of land in sacred history and the concurrent use of sacred history to frame land tenure in diplomatic texts.

The banishment of Adam and Eve introduces the pattern of land lost followed by the promise of land gained into the poem. This narrative cycle is generally read positively within the scheme of salvation history, culminating in God’s promise of Canaan, a broad and verdant land. Fabienne L. Michelet has recently argued, for example, that Genesis A softens the expulsion from paradise in its attention to the fertility of the new land occupied by the exiled couple: “Adam and Eve’s terrible loss when expelled from Paradise is alleviated by the enjoyment of a fruitful earth. This precise point is completely independent from the biblical version. It suggests that in keeping with the Old English poet’s outlook, land is so precious that to hold sway over it necessarily entails some benefits.”¹⁰⁴ The poem does stress the fertility of the land allowed to Adam to Eve (lines 955-60), describing that land as a comfort (frofor [955a]) to the couple. As Hugh Magennis has observed, the different portrayals of land in the poem frequently echo the original descriptions of paradise: “The good landscapes described in Genesis A after the fall of Adam and Eve share the qualities of the landscape of paradise. In their fairness

¹⁰³ Howe, “Falling into Place,” 17.
¹⁰⁴ Michelet, Creation, Conquest, and Migration, 213
they are *like* paradise.” Any likeness between those landscapes and that of the lost paradise, however, must always be an incomplete semblance of the original home. Michelet’s positive comment does not acknowledge this diminishment, one which the poem makes clear in the following lines:

> Gesæton þa æfter synne sorgfulre land,    
eard and eðyl unspedigran    
fremena gehwilcre þonne se frumstol wæs    
þe hie æfter dæde of adrifen wurdon.  

(961-64)

[Then after the sin they occupied a more sorrowful land, a dwelling and homeland less abundant in every benefit than was the original home from which they had been cast out after the deed.]

The comparative adjectives ("sorgfulre" and "unspedigran") indicate that even though the earth still offers many comforts in the fallen world, those benefits will always be a lesser reflection of those once enjoyed in paradise. Magennis comments that the concern with dislocation found in the Old English biblical poems “finds its archetypal form in the banishment of Adam and Eve from paradise at the beginning of human history.” The proem in S 372 bears witness to this idea in its location of suffering, death, and mutability in that same founding event. The memory of paradise, the lost *frumstol* (963b), that first and best place, provides an impossible precedent for subsequent human habitation. “Only in the *frumstol*, ‘original seat,’ of Adam and Eve is there no anxiety about a desired home or promised land,” Magennis states, “Only here is there absence of threat, with nature

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105 Magennis, *Images of Community*, 151.

106 Ibid., 149.
truly in harmony with the needs and desires of humankind."

Conflict and dislocation become regular aspects of existence after the human banishment from paradise, and *Genesis A* frequently shows these disturbances arising from discord within the community.

The next internal conflict in the poem occurs in its presentation of the story of the *frumbearn* (968b) [first children], Cain and Abel. Cain’s infamous fratricide stains the earth with the blood of murder (*cwealmdreor* [985b]), and from it springs all the affliction and violence of human history (lines 987-1001). The poem reminds its audience that despite the magnitude of this crime, the first sin brought an even harder injury onto humanity:

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… ac us hearde sceod
freolecu fæmne þurh forman gylt
þe wið metod æfre    men gefremeden,
eorðbuende, siððan Adam wearð
of godes muðe    gaste eacen.
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(997b-1001)

[… but the fair woman harmed us more grievously through the first crime than men, earth-dwellers, ever committed against the Creator after Adam was endowed with spirit by the mouth of God].

These lines reiterate that the *gylt* was a transgression against the Creator (*metod*), maintaining the legal valence of original sin as a crime against the sovereign. Hieatt has furthermore observed that the poem links Cain back to Lucifer through verbal repetitions

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107 Ibid.

of æfst and unraed. The poem presents a series of linked episodes (the fall of the angels, the banishment of Adam and Eve from paradise, the exile of Cain) featuring the forfeiture of land as a penalty for disobedience. God punishes Cain by casting him out of his eard and into exile:

“For that killing you must suffer punishment and wander in exile, forever accursed. The earth will not give its beautiful fruits to you in worldly need, but it swallowed holy blood from your hands; therefore it withholds its pleasures from you, the green earth its beauty. You must wander in sorrow and without honor from your home, as you became a murderer to Abel; so you must travel far paths, a fugitive hateful to friend and kin.”

This banishment continues the poem’s episodic pattern of forfeiture levied in punishment of an offense against God. God denying Cain the fruits of the earth’s comforts is in marked contrast to his treatment of Adam and Eve after their own exile, underscoring

109 Hieatt, “Division,” 248. The relevant lines are: “Him þær sar gelamp, / æfst and oferhygd, and þæs engles mod / þe þone unræd ongan ærest fremman” (28b-30) [Hurt came upon them there, envy and pride, and the angel’s spirit, the one who first began to perpetrate the folly]; and “Hygewælm asteah / beorne on breostum, blatende nið, / yrre for æfstum. He þa unræden / folnum gefremede” (980b-982a) [Surging emotion rose up in the man’s breast, a livid hate, anger from envy. His hands then did the rash deed]. These are the only occurrences of æfst in the poem.

110 “het þam sinhiwum sæs and eorðan / tuddorteondra teohha gehwilcre / to woruldnynyte væstmas fedan” (lines 958-960) [(God) commanded the seas and the earth to bring forth the fruits of each productive species for the couple’s worldly need]. Lines 1015-16 repeat westm, eorðe, and “to woruldnynyte.” The episodes are also linked by the half-line “and on wræc hweorfan” which occurs at lines 928b and 1014b.
the severity of Cain’s particular crime against his own kin. As in the scriptural account, however, Cain resettles in a new land where he founds his own line of descendants:

Him þa Cain gewat
gongan geomormod gode of gesyhðe,
wineleas wrecga, and him þa wic geceas
eastlandum on, eðelstowe
fædergeardum feor, þær him freolecu mæg,
ides æfter æðelum eaforan fedde.

(1049b-54)

[Then Cain departed to walk heavy in spirit from the sight of God, a friendless exile, and then he chose himself a dwelling in the eastern lands, a place for home far from his father’s lands, where a fair female, a woman, according to nature bore him descendants.]

This episode continues the rhythm of ‘land lost, land gained’ evident in the fall of the angels and the human expulsion from paradise. Whereas earlier episodes clearly delineate the new land as lesser in some way, Cain’s new eðelstow is free from that distinction. The account of his cneowrim (1065b), or “numbered progeny,” furthermore initiates the poem’s long attention to genealogy and inheritance. The same attention to familial succession appears in the introduction of Seth as a compensation for the loss of Abel (“wæs Abeles gield” [1109b]): after Adam’s death, Seth inherits control of the eþelstol (1129b). The poem’s careful notation of the transmission of land within the family group implies a secure and longstanding possession of property that can be maintained across generations. At the same that time the poem articulates this concept, though, it also

111 Mathusal, son of Jared, for example, is called “yrfes hyrde / fæder on laste” (1067b-68a) [keeper of the inheritance after his father].
recounts stories of tension and conflict within the family group, moments when the bonds of *sibb* break down.

These episodes introduce momentary disturbances within the larger ‘positive’ model of the poem and its promise of land to the faithful. These disturbances do not directly contradict the poem’s larger argument about property and faith, but they do emphasize the recurrence of dispute over land and the threat of its loss. Later in the poem, conflict erupts between the followers of Abraham and Lot, forcing the two kinsmen to separate in order to avoid more serious violence between their households. The land is simply not big enough for both of them.

Wunedon on þam wicum, hæfdon wilna geniht
Abraham and Loth. Ead bryttedon,
oðþæt hie on þam lande ne meahton leng somed
blædes brucan and heora begra þær
æhte habban, ac sceoldon arfæste,
þa rincas þy rumor secan
ellor edðelseld. Oft wæron teonan
wærfæstra wera weredum gemæne,
heardum hearmplega.

(1890-98a)

[Abraham and Lot lived in those dwellings, and had enough of what they wanted. They had riches until they could no longer together enjoy prosperity in that land and have both their possessions there, but the noble warriors then had to seek a broader ancestral seat elsewhere. There were often conflicts among the retinues of the trustworthy men, fighting among hard men.]

The poem makes it clear that the enmity lies not between uncle and nephew, but among their retainers. 112 Abraham states that their bond of kinship should not to be broken by

112 Bede foregrounds this point in his commentary on Genesis: the kinsmen prefer separation to remaining “cum scandalo et iurgiis infirmorum” (Bede, *In Genesim*, ed. Ch. W. Jones, CCSL 118a [Turnhout: Brepols, 1967], 178) [among scandal and the disputes of weaker men].
strife, advocating that they should separate and seek “staðolwangas rumor” (1912b-13a) [more spacious places to settle]. Despite the good will between the kinsmen, the mounting tension “on þam lande” necessitates division and a move into new territory. Land which initially seemed abundant later proves lacking, much as the land settled by Adam and Eve after their expulsion from paradise is a diminishment of their previous estate. Lot seeks land along the Jordan and finds a green earth “gelic godes neorxnawange” (1923b-24a) [like God’s paradise]. Immediately after this comparison, however, in a transition similar to the many reversals in Beowulf, the poem adds

\[
\text{oðþæt nergend god for wera synnum wylme gesealde Sodoman and Gomorran, sweartan lige.} \\
(1924b-26)
\]

[Until God the Savior gave Sodom and Gomorrah into burning, dark flames, for the sins of men.]

Lot makes a new home in what appears to be prosperous land, but his resettlement is disrupted by his capture by the northern armies and the later destruction of Sodom and Gomorrah at the hand of God. All four of the episodes surveyed here (fall of the angels, expulsion from neorxnawang, Cain and Abel, the separation of Abraham and Lot) involve conflict within a group united by ties of kindred and/or political loyalty which prompts the loss of land as divine punishment. The poem contains these episodes within its holistic argument about land as a medium for divine reward and punishment, but its

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113 “Ac wit synt gemagas; unc gemæne ne sceal / elles awiht, nymþe eall tela / lufu langsumu” (lines 1904-6a) [But the two of us are family; between us there should properly be nothing but lasting love].

114 “Him þa eard geceas and eðelsetl / sunu Arones on Sodoma byrig” (1927-28) [Then the son of Aaron chose for himself a land and ancestral seat in the city of Sodom].
recurrent evidence of cyclical forfeiture maintains an ineluctable element of instability. How long can possession last? Under what circumstances can it be revoked?

Paul Battles has recently interpreted the various “migrations” in *Genesis A* as a traditional theme in a Germanic poetic tradition. Battles argues, “Migration, like sea voyages and battle, constitutes heroic action, and as such is generally depicted in approving terms … the favourable depiction of the dispersion in *Genesis A* may well have been influenced by the inherited, connotative force of the ‘Migration’ theme.”¹¹⁵ I would argue that the *landsocn* in *Genesis A* is not depicted in unequivocally favorable terms—any reading of ‘migration’ in the poem must also consider its long chain of irruption and displacement. Citing Howe, Battles claims “the Anglo-Saxons could align their history with the Old Testament,”¹¹⁶ but we need not assume that this alignment produced unfettered optimism in their tenurial prospects. The Anglo-Saxons faced abundance evidence—through both books and experience—that their hold on land was conditional and tenuous. That this anxiety can emerge even in texts predicated on the sacred promise of land testifies to its resonance and resilience in Anglo-Saxon England.


¹¹⁶ Ibid., 65.
CHAPTER 6:
CONCLUSION

This project has been concerned with the ways in which the Anglo-Saxons actively used writing as a means of expressing claims to land and preserving those claims across time. Much of this writing was produced in response to or anticipation of future challenges to possession. Not surprisingly, written documents often attempted to amplify their authority through various measures. One such tactic was the statement that living memory alone was an insufficient safeguard against an uncertain future. Only writing, preserved in texts, can secure against time the provisions and stipulations dictating the use and transmission of land. The following statement, prefacing a vernacular lease, exemplifies this concept:

Omnibus namque sapientibus notum ac manifestum constat. quod dicta hominum uel facta pro multiplicitibus criminum perturbationibus et cogitationum uagationibus frequenter ex memoria recedunt nisi litterarum apicibus et custodię cautela scripturarum reseruentur et ad memoriam reuocentur.¹

[It is known and manifest to all the wise that the words and deeds of men frequently slip from the memory, through the manifold agitations caused by wicked deeds, and as the result of wandering thoughts, unless they are preserved

and recalled to mind in the form of words and by the precaution of entrusting them to writing.)

Such sentiments are fairly common in surviving charters, and they indicate an urgent investment in the authority of writing in tenurial matters. The charter, or boc, represents both the estate and its ownership, while tenurial terms like bocland semantically link land and writing. Charters provided visible and tactile signs of possession, and they were frequently forged, stolen, and commissioned to be replaced when lost or destroyed.

Simply put, charters deeply mattered in Anglo-Saxon England in ways that were both practical and conceptual.

The Latin diploma was superseded in part by the vernacular writ in the early eleventh century, but the diploma still maintained its monumental authority. The diploma embodied possession in a way that denied time, thereby providing itself a powerful imaginative function. Simon Keynes has argued against the diminishment of the diploma in the face of the writ, stating that, “The diploma was a solemn document by which an immunity was created and possession of which was tantamount to possession of the land: its value was permanent, and a diploma first drawn up in the reign of Æthelred or before

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2 Ibid., 35 and 37. Translation modified (Robertson’s “words” changed to “letters”).

3 Other examples include (but are not limited to) S 358, 359, 372, 373, 375, 376, 377, 380, 383, 384, 545, 687, and 886.

could serve as the title-deed for several generations thereafter.” The document itself was the land it represented, signifying ownership backed by secular and sacred authority. The idea of the charter’s talismanic force lasted well into the late fourteenth century, in fact, as evident in the attempts of the tenants of St. Albans in 1381 to retrieve a legendary ancient charter granted by King Offa which reputedly recorded their liberties and which they believed was being hidden from them within the monastery.  

The incident at St. Albans shows the potential of a charter to represent lasting rights at a site of conflict. This project has shown a similar process at work in the written culture of Anglo-Saxon England. Anglo-Saxon texts of land tenure, while they insist on the longstanding possession or control of land in defiance of time, also underwrite contradictions to those terms and expectations. Tenurial practices produce and sustain a theory of property in which eternal possession is shadowed by the inevitability of dispute. Anglo-Saxon land tenure provides what Michel de Certeau calls “a field of operations within which the production of theory also takes place.” As this study has shown, this theory of land circulates through and across many texts and genres. Tropes of ownership and inheritance could illustrate the promise of salvation, for example, but the conceptual use of these legal mechanisms could also recall the irruption of disorder that those


mechanisms aspired to contain. As the second and third chapters of this dissertation demonstrate, writing about land also assumed a particular density and urgency during moments of internal and external conflict at both the local and national level in the tenth and early eleventh centuries.

The problem of determining and maintaining the possession of property provided a strong stimulus for writing in Anglo-Saxon England. It seems fitting, then, that one of the monuments frequently associated with the end of Anglo-Saxon England, the Domesday Book, was itself a massive undertaking to document the possession and value of land. The E-text of the Anglo-Saxon Chronicle describes the project with some resentment (s.a. 1085a):

Æfter þisum hæfde se cyng geþeaht 7 swiðe deope space wið his witan ymbe his land, hu hit wære gesett oððe mid hwylcon mann. Sende þa ofer eall Englaland into ælceræ scire his men 7 lett agan ut hu fela hundred hyda wæron innon þære scire oððe hwet se cyng him sylf hæfde landes 7 orfes innan þam lande oððe hwilce gerihtæ he ahæ to habbanne to .xii. monþum of þære scire. Eac he lett gewritan hu mycel lands his arcebiscopas hæfdon 7 his leodbiscopas 7 his abbotas 7 his eorlas, 7 — þeah ic hit lengre tell — hwæt oððe hu mycel ælæc mann hæfde þe landsættende wæs innan Englalande on lande oððe on orfe 7 hu mycel feos hit wære wurð. Swa swyðe nearwelice he hit lett ut aspyrian þæt næs an ælþig hide ne an gyrde landes ne furðon—hit is sceame to tellanne, ac hit ne þuhte him nan sceame to donne—an oxæ ne an cu ne an swin næs belyfon þet næs gesæt on his gewrite; 7 ealle þa gewrita wæron gebroht to him syððan.  

[After this the king had great thought and very serious talk with his councillors about this land, how it was occupied or with what men. He then sent his men all over England into each shire and had them find out how many hundred hides there were in the shire, or what the king himself had of land and livestock in that land or what dues he should have in twelve months from the shire. He also had

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written how much land his archbishops had, and his provincial bishops, and his
abbots and his earls, and — though I make it longer in the telling — what or how
much each man had who was occupying land in England, in land or in livestock,
and how much money it was worth. He had it gone over so closely that that there
was not one single hide nor one yard of land, nor even (it is shameful to tell but it
did not seem shameful to him to do it) one ox or one cow or one pig passed over
that was not set down in his record; and all the documents were taken to him
afterwards.]

The annalist presents the census as an immoderate response to a land problem. Troubled
by questions of ownership and right, William calls for a full documentation of the land
and its value—his agents leave nothing untouched in their accounting. Writing land is
here equivalent to writing possession: everything is recorded “on his gewrite” and those
documents are then put in William’s possession (“ealle þa gewrita wæron gebroht to him
syððan”). Just as diplomas represented the ownership of individual estates within a text,
the annalist sees “þa gewrita” commissioned by William as representing his possession of
“eall Englaland.” The annalist’s complaint provides the rare opportunity to hear the voice
of the disenfranchised, the resentment of those whose interests and claims have been
effectively overwritten. The annalist’s perception of the Domesday project shows how
tenurial texts write claim over counterclaim as they fix possession in a monumental text.
Such writing often found its genesis in moments of conflict and consequently worked to
foreclose the threat of dispute. This project has attended to the complex ways in which
texts can nonetheless maintain such threatening remnants within their otherwise
determining arguments for possession.
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